

Corporate Documents

Glossary



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A

'A' Use

In relation to a zone, a use identified in the zoning table for this Scheme (regardless of the symbol used) as a use that is not permitted in the zone unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64

'D' Use

in relation to a zone means a use identified in the zoning table for this Scheme (regardless of the symbol used) as a use that is not permitted in the zone unless the local government has exercised its discretion by granting development approval; but does not include a class A use.

'P' Use

In relation to a zone, a use identified in the zoning table for this Scheme (regardless of the symbol used) as a use that is permitted in the zone if it complies with any relevant development standards and requirements of this Scheme

'X' Use

In relation to a zone, a use identified in the zoning table for this Scheme (regardless of the symbol used) as a use that is not permitted in the zone

A Recognised Emergency Management Body

A body that has a role or function under a plan that is for coping with emergencies / natural disasters (prepared by the Commonwealth or a state or territory);

- a firefighting, civil defence or rescue body;
- any other body which is mainly involved in responding to an emergency or natural disaster.

This includes bodies such as:

- the State Emergency Service (SES);
- Country Fire Authority (CFA); and
- the RSPCA (in respect of animal rescue during emergencies or natural disasters).

AASB

Australian Accounting Standards Board



Ablution

The act of washing or cleaning oneself

Abuse

An act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional, and sexual abuse, and neglect.

Acceptable Material

any material which will create a hard and stable surface, and which appears on a list of acceptable materials maintained by the local government.

Access Roads

Roads where the main function is to provide access to abutting properties including those used for residential purposes and the vehicle movements per day is less than 3,000.

Accommodation

Accommodation paid for by the Shire, in accordance with its primary duty of care obligations, when an event, conference, meeting, or training is held over more than one day and it is not practical to commute back and forth for early starts.

Accommodation Costs

The cheapest 3- or 4-star accommodation nearest to the venue.

Accredited Qualification

Is formal confirmation that the course:

- is nationally recognised and meets quality assurance requirements;
- meets an established industry, enterprise, educational, legislative or community need;
- provides appropriate competency outcomes and a satisfactory basis for assessment.

Acid Sulphate Soils (Ass)

Any naturally occurring soils or sediment containing iron sulphides

Acquittal

A report outlining how the funding provided was spent, details of activities undertaken and the outcomes of the funded activity. The complexity of the report is proportionate to the funding level.

Act

This will depend on what will be relevant to a particular policy, directive, framework, strategy or other corporate document.

Ad Hoc

Less than 10 days within a three month period

Adaptation

Modifying a place to suit the existing use, or a proposed use.

Additional Performance Criteria

Performance criteria agreed by the Shire and the CEO under clause 2.1(1)(b) of this policy.

Adequate Supply Of Water

A flow of water of not less than 0.076 litres per second

Adjoining

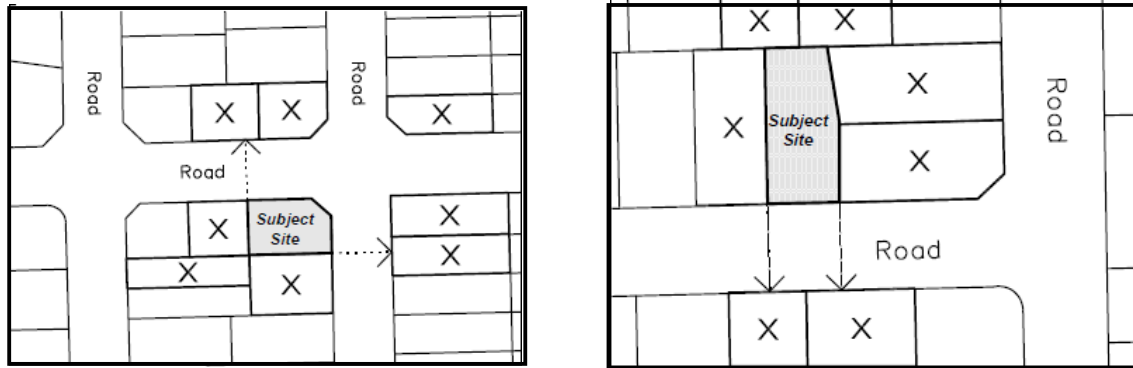
Refers to any land or owner of land which abuts an application site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

Adjoining Land

Land abutting site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

Adjoining Properties

Any land (or owner of land) which abuts an application site or is separated from the site only by a pathway, driveway, right-of-way or similar thoroughfare. Examples below:



Note:

Some Local Governments include example maps illustrating the how adjoining properties are identified for the purposes of the notification.

Administration

The Local Government's management, administration and operation staff.

Administration Centre

The Shire offices located at 15 Fiennes Street, Toodyay

[Corporate Documents Glossary \(Definitions Template\)](#)

Advertisement

Any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes —

- (a) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and
- (b) airborne device anchored to any land or building used for the display of advertising; and
- (c) any vehicle or trailer or other similar object placed or located so as to serve the purpose of displaying advertising.

Advertising Sign

A sign used for the purpose of advertisement and includes an 'election sign'.

Advocacy

Refers to Council advocating on its own behalf or on behalf of the community with another level of government or another body or agency. In the context of this policy it is advocating for the best interests of the Shire and the community by influencing other bodies or agencies which could include the EPA, Department of Minerals and Petroleum or a mining proponent.

Affected Person

A person who owns (or occupies) land:

- (a) that adjoins an application site; or
- (b) the enjoyment of which may be detrimentally affected by the use of, or development on an application site.

Affiliated Person

Any person who is a member of –

- (a) The Pigeon Racing Federation of Western Australia;
- (b) The Fancy Utility Pigeon Club of Western Australia; or any other properly constituted Pigeon Club, Bantam Club and the like

Agriculture

The science or practice of farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products. This includes cropping, animal husbandry including dairying and feedlots, flowers/plants/tree nurseries, apiaries and horticulture.

Airfare Costs

Return economy class flights to and from Perth Airport, and insurance costs related to flight bookings.

ALARP

For a risk to be As Low As Reasonably Practical (ALARP) it must be possible to demonstrate that the cost involved in reducing the risk further would be grossly disproportionate to the benefit gained

Alfresco Dining

Outdoor dining or drinking or both in a public place.

Alfresco Dining Area

An approved area in which tables, chairs and other structures can be placed for the supply and consumption of food or beverages, or both.

Furniture and other approved items must be always located within this area when the business is operating.

Alfresco Dining Permit

A permit, approved by the Shire of Toodyay, which allows the operation of an Alfresco dining area in a public place

Under the Thoroughfares and trading in thoroughfares and public place local law 2001, a permit from the Shire of Toodyay is required to operate an alfresco dining area in any public

Amenity

All those factors which combine to form the character of an area and the comfort and convenience of its use. It also includes the present and likely future amenity.

Animal

Includes cats, dogs, rabbits and ferrets and any living thing that is not a human being or plant.

Applicable Limits

A limit placed upon the provision of PPE, or a Corporate Uniform contained in an employment contract and/or within this policy.

Applicant

A person who applies for an approval by submitting an application to the local government. This will include but not be limited to:

- (a) A business or representative of a registered food business formally applying to operate an outdoor dining area in a public place, within the Shire of Toodyay.
- (b) An applicant for a vacant position: or

[Corporate Documents Glossary \(Definitions Template\)](#)

- (c) A person who submits an application for an approval whether or not it is an application made under a local law or other legislation.

Appointment

Appointment as a Member on a Committee or Organisation.

Approved

Approval given by the Local government of the Shire of Toodyay

Approved Carrier

A carrier licensed under the *Environmental Protection (Controlled Waste) Regulations 2004*

Approved Logo

The logo(s) contained in the Shire's Style Guide.

Approved Person

The person to whom an approval is granted under a local law.

Argentine Ants

An ant belonging to the species *Irdomyrmex humilis*

Arm's Length

Terms between parties that are reasonable in the circumstances of the transaction that would result from:

- (a) Neither party bearing the other any special duty or obligation; and
- (b) The parties being unrelated and uninfluenced by the other; and
- (c) Each party having acted in its own interests.

Art

The product of practitioners who intend their work and activities to be seen and read as art. Art embraces material and immaterial products and concepts from the imaginative thinking of artists.

Arthropod Vectors Of Disease

Includes –

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularius*);

- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus var. corporis*);
- (e) head lice (*Pediculus humanus var. capitis*); and
- (f) any other insect prescribed by the Local government.

Artist

Only professional artists will be eligible to carry out public art commissions. The term artist for the purpose of this policy is defined as a person who meets a minimum of two of the following criteria:

- (a) A person who has a bachelor's degree or Diploma in visual arts or any similar field;
- (b) A person who has a track record of exhibit their own original artwork at reputable art galleries that sell the work of professional artists;
- (c) A person who has had their own original artwork purchased by major public collections – i.e. the Art Gallery of Western Australia;
- (d) A person who earns more than 50% of their income from arts related activities, such as teaching, selling their own artwork or undertaking public art commissions.

Council does reserve the right to be more flexible and seek people other than professional artists to carry out artwork commissions. This may apply in instances when young, emerging (see definition) and indigenous artists or students may be considered.

AS

Australian Standard published by the Standards Association of Australia

(Refer to the end of this document for a table).

AS/NZS

Australian Standard or Australian/ New Zealand Standard published by the Standards Association of Australia

(Refer to the end of this document for a table).

Asbestos

Asbestos is a naturally occurring fibrous silicate mineral. There are six types, all of which are composed of long and thin fibrous crystals, each fibre being composed of many microscopic "fibrils" that can be released into the atmosphere by abrasion and other processes.

Ashes

So much of the remains of a dead body after the due processes of cremation as may be contained in a standard sized cremation urn.

Asset Custodian

For an asset, a person responsible for the following:

- (a) Maintaining an accurate record of inventory and asset information;
- (b) Identifying and managing the disposal of assets under their care and control;
- (c) Obtaining appropriate decisions for disposal of any asset;
- (d) Tracking financial information, such as depreciation;
- (e) Accounting for the costs of undertaking disposal options within the asset register and financial systems as appropriate.

Asset Management Plans

The plans that represent the current service level; asset values; projected operations; maintenance; capital renewal and replacement; capital upgrade/new and asset disposal expenditures; and projected expenditure values; incorporated into the Long-Term Financial Plan.

Asset Management Principles

The principles by which the Shire establishes accountability for asset condition, use and performance; Disposal decisions being based on analysis of the methods that will achieve the best available net return in an environment of social equity; and establish an effective internal control structure for asset management.

Associate

In relation to an entity (the first entity), an entity over which the first entity has significant influence. It includes subsidiaries of the associate. For example, an associate's subsidiary and the investor that has significant influence over the associate are related to each other.

Association

- (a) The special connections that exist between people and a place; or
- (b) A group of people organised for a joint purpose.

Assurance Cycles Plan

The 10-year Assurance Cycles Plan adopted by Council in April 2021.

Auction

Has the meaning given to it in the *Auction Sales Act 1973*;

Audit & Risk Committee

Committee established under section 7.1A of the *Local Government Act 1995*

Authorised Agent

The Shire's legal advisor(s) or settlement agent(s), as appointed from time to time, who are authorised to the extent described within a written instruction approved by Council to execute documents on behalf of the Shire.

Authorised Institution

- (a) An authorised deposit taking institution as defined in the *Banking Act 1959* (Commonwealth) Section 5; or
- (b) The Western Australian Treasury Corporation (WATC) established by *The Western Australian Treasury Corporation Act 1986* for a term not exceeding twelve months; or
- (c) Bonds that are guaranteed by the Commonwealth Government or a State or Territory and which have a term not exceeding three months.

Authorised Investments

Those investments limited to Australian currency denominate with:

- (a) An authorised deposit taking institution as defined in the *Banking Act 1959* (Commonwealth) Section 5; or

(b) The Western Australian Treasury Corporation (WATC) established by *The Western Australian Treasury Corporation Act 1986*.

Authorised Officer / Authorised Person

A person or classes of persons appointed under the [Local Government Act 1995](#) section 9.10(2) to be an Authorised person for 1 or more specified laws or specified provisions of 1 or more specified laws.

Authorised Vehicle

A vehicle authorised by the local government, Chief Executive Officer, Authorised Officer or person or by any written law to park on a thoroughfare or parking facility

Authorities

WA Police, Australian Federal Police, Emergency Services, and other agencies

B

BAC

Blood alcohol content

Basic Amendment

Definition as outlined in [Reg 34 of the Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

Basic Raw Materials (BRM)

Basic Raw Materials are considered to be materials that are used in the construction industry for both private and public works such as housing, site preparation, concrete and cement manufacturing, railway and road construction. These materials include sand, stone, clay, hard-rock and gravel aggregate.

Bed

A single sleeping berth only. A double bed provided for the use of couples, shall have the same floor space requirements as two single beds

Bees

An insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee;

Best Practice

Although not decisions of Council, and therefore not a requirement of staff, consideration should be given to the following as being best practice:

- (a) Department of Local Government, Sport and Cultural Industries Operational Guidelines;
- (b) Integrity Strategy for WA Public Authorities 2020-2023; and
- (c) WALGA Councillors Manual, Practice Notes etc.

Best practice

Commercial or professional procedures or guidelines that are accepted or prescribed as being correct of most effective.

Bicycle

Any wheeled vehicle that is designed to be propelled solely by human power

Bill

Any material on which words, numbers or figures are written, placed, printed, illustrated or painted.

Bird

Includes galahs, parrots, budgerigars, finches, pigeons and doves and other domesticated birds

Board

If specified in a local law of the Shire of Toodyay it means the Shire of Toodyay.

Borrow Pit

A borrow pit is a term used in construction for a hole, pit or excavation that has been dug for the purposes of removing gravel, clay and sand used in a construction project. This includes an excavated area where material has been dug for use as fill at another location.

Boundary Fence

A dividing fence that separates the land of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary.

Breach

A minor breach; or a serious breach (as defined below).

Building

Any building which is local government property and includes a –

- (a) hall or room;
- (b) corridor, stairway or annexe of any hall or room; and
- (c) jetty.

Building and Energy WA

The Building and Energy division of the Department of Mines, Industry Regulation and Safety;

Building Codes

The latest edition of the Building Code of Australia published from time to time by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with that Code

Building Code of Australia (BCA)

A set of two documents that forms part of the National Construction Code (“NCC”) that includes the Plumbing Code of Australia, a series of documents published by the Australian Building Codes Board (“ABCB”) to provide a nationally consistent framework for the construction of buildings and structures throughout Australia.

Building Surveyor

A Building Surveyor of the local government holding the qualifications of a Building Surveyor who provides independent oversight of buildings and building work throughout the construction process and upon completion of construction to ensure that buildings are safe for use, accessible and energy efficient

Built Form

The configuration of the aggregate of all buildings, structures, etc., which make up a town or Shire.

Built-Up Area *as per the Road Traffic Code 2000*

The territory contiguous to and including any road —

- (a) on which there is provision for street lighting at intervals of not over 100 m for a distance of at least 500 m or, if the road is shorter than 500 m, for the whole road; or

- (b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 m for a distance of 500 m or more.

Bulk

The combined effect of the arrangement, volume, and shape of a building or group of buildings. Generally refers to structures which in their context appear relatively large.

Bulk Rubbish Container

A bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance but does not include a bin or container used in connection with the local government's regular domestic rubbish collection service.

Bunk

A sleeping berth comprising one of two arranged vertically

Bus

As per the Road Traffic Code 2000

A motor vehicle, built mainly to carry people, that seats over 12 adults (including the driver).

Bus

An omnibus as defined by the Road Traffic Act

Bus Embayment *As per the Road Traffic Code 2000*

An embayment at the side of a carriageway, designed so that a public bus can be driven into it, for the purpose of allowing passengers to alight or enter, without impeding the flow of traffic on that carriageway, but does not include a bus lane.

(Refer to: the Bus Planning and Design Guidelines for Efficient People Movement from the Public Transport Authority.)

Business Plan

A plan that forecasts the critical aspects, basic assumptions and financial projections for an existing or proposed Shire trading enterprise or community service facility.

Butchers' Waste

Animal skeletons and rib cages from a boning room and the inedible products from an abattoir

BWC

A Body-Worn Camera is an individual, portable device worn by an Authorised Officer that collects video and audio recordings of intercepts and other interactions with members of the public.

The BWC must be worn so it is clearly visible on the body of the Authorised Officer, who must be clearly identifiable as an Authorised Officer, including wearing an approved uniform or other form of suitable identification.

BWC recordings may be used in future investigations or as evidence in prosecutions. The recordings may also be used as part of internal reviews, investigations, and post incident reviews.

C

Camp

Any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances.

Candidate

An individual is considered a candidate once their nomination for election is accepted, by a Returning Officer, under s.4.49 of the Act. The Code of Conduct applies to the individual from that point. Any alleged breach of the Code of Conduct may only be addressed if and when the individual is elected as a council member.



Car Parks

Premises, or part of premises, set aside for parking or 3 or more vehicles

Caravan

A vehicle that is fitted or designed for human habitation (living in) and unless the contrary intention appears, is drawn by another vehicle, or which is capable of self-propulsion; and includes an annexe in accordance with the *Caravan Parks and Camping Grounds Regulations 1997*

Caravan Park

An area of land on which caravans, or caravans and camps, are situated for habitation.

Caravan Site

A site which is marked or intended for the use of a Caravan.

Cardholder

A Worker who has been authorised by the CEO to incur expenditure by means of a Transaction Card.

A Volunteer of the Shire of Toodyay or external organisation for which the Shire of Toodyay issues such facility.

Caretakers Cottage

A detached accessory Dwelling Unit or a Suite constructed within the principal building, used to accommodate a caretaker or watchperson.

Carport

A roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side and being without a door unless that door is visually permeable.

Carriageway *As per the Road Traffic Code 2000*

A paved or unpaved portion of a road or thoroughfare that is improved, designed or ordinarily used for vehicles and includes the shoulders and areas including embayments at the side or centre of the carriageway, used for the parking of vehicles; and where a road or thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately.

Carry On An Extractive Industry

Quarrying and excavating for stone, gravel, sand and other material

Cat

An animal of the species *Felis-catus* or a hybrid of that species

Cat Management Facility as Per *The Cat Act 2011*

- (a) a facility operated by a local government that is, or may be, used for keeping cats; or
- (b) a facility for keeping cats that is operated by a person or body prescribed; or
- (c) a facility for keeping cats that is operated by a person or body approved in writing by a local government;

Cat Prohibited Places

All land identified in Schedule 3 of the CAT local law.

Catchment Dam

A dam not located across a watercourse which receives rainfall runoff and/or groundwater seepage only.

Category Of Supply

Groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

Cattery

Any premises where more than 2 cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary keeper of the cats

CCC

Western Australia's Corruption and Crime Commission

Centre

In relation to a carriageway, means a line or a series of lines, marks or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main travelled portion of the carriageway

CEO

Chief Executive Officer, who is the most senior employee in the organisation. The CEO is appointed by and directly accountable to the Council.

Character

Essentially the combination of the public and private domains. Every property, public place or piece of infrastructure makes a contribution, whether large or small. It is the cumulative impact of all these contributions that establishes neighbourhood character. The physical qualities of character in Central Toodyay are diverse and include :

- (a) the era of the majority of development;
- (b) the grid subdivision pattern;
- (c) the siting and orientation of development / built form on lots;
- (d) the form and distribution of open space;
- (e) building height, scale and proportion; and
- (f) distinctive building styles, particular design elements, materials and finishes.

Charitable Organisation

An institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium

Child

A person who is under 18 years of age.

[Corporate Documents Glossary \(Definitions Template\)](#)

Child Safe

Protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Child Safe Organisation

Is defined in the Royal Commission into Institutional Responses to Child Sexual Abuse Royal Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child/Children

A person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Children's Crossing *As per the Road Traffic Code 2000*

A portion of a carriageway between 2 parallel broken or unbroken lines, each approximately 150 mm wide and not more than 5 m apart marked across, or partly across the carriageway and near which “children crossing – stop” signs are displayed and, where the lines are so marked partly across a carriageway, includes the portion of the carriageway between the prolongations of those lines;

Children crossing — stop sign

(octagonal background in red)

(square background in lime/yellow)



Clean Fill

Clean fill means waste material which, by virtue of the history of the site from which it originates, is unlikely to contain contamination of any type. There are no laboratory testing requirements for 'clean fill.' Soil imported to a site that has been excavated from an offsite location with no history of potentially contaminating activity may meet the definition of clean fill.

Close Members Of The Family Of A Person

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- (a) That person's children and spouse or domestic partner;
- (b) Children of that person's spouse or domestic partner; and
- (c) Dependants of that person or that person's spouse or domestic partner.

The following table may assist you in identifying your close family members:

<i>Definitely a close family member</i>	<i>May be a close family member</i>
<i>Your spouse/domestic</i>	<i>Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with</i>

<i>Definitely a close family member</i>	<i>May be a close family member</i>
<i>partner</i>	<i>council</i>
<i>Your children</i>	<i>Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council</i>
<i>Your dependants</i>	<i>Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with council</i>
<i>Children of your spouse/domestic partner</i>	<i>Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with council</i>
<i>Dependants of your spouse/domestic partner</i>	<i>Any other member of your family if they could be expected to influence or be influenced by you in their dealings with council</i>

Closed Thoroughfare

A thoroughfare wholly or partially closed under section 3.50 or 3.50A of the [Local Government Act 1995](#)

CME

Council Member Essentials – these are the training Modules required to be undertaken by all newly elected members, within 12 months of being elected

Cockroach

Any of the various orthopteras insects commonly known as cockroaches.

Code

Code of Conduct for Council Members, Committee Members and Candidates under Division 9 of the Act that guides the decisions, actions and behaviours of Council Members, Committee Members and Candidates.

Colleague

A worker that works directly or indirectly with other workers in the same working environment, or in a different department of the Shire or location within the Shire's district.

Collection

Significant objects, photographs, artworks, documents, and books that represent the history and people of the Shire of Toodyay.

Combination

A group of vehicles consisting of a motor vehicle connected to one or more vehicles.

Commencement Day

The day on which an Act, subsidiary legislation, local law, policy, agreement etc comes into operation.

Commercial Activities

In the context of a local government function is one which exhibits the following characteristics:

- (a) There is an exchange of services or goods for consideration in a direct reciprocal relationship with the customer;
- (b) There is an expectation of profit;
- (c) There is, or potential for, competition from external parties;
- (d) The activity does not emanate from a regulatory power; and
- (e) The function may be subject to the requirements of the National Competition Policy.

Commercial Development'

All non-residential development in the Central Toodyay Heritage Area.

Commercial Lot

A lot where a commercial use -

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot.

Commercial Participant

Any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit

Commercial Property

Shire owned freehold property, excluding property used for Shire operations and land under management order where the Shire has a right to lease for a commercial purpose.

Commercial Vehicle

A motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose

Committed Area (1)

In relation to a Shire extractive industry or basic raw material resource, any extraction area which is being worked or has been periodically worked provided the removal of the resource does not increase the surface area of the pit currently under consideration.

Committee

A Committee of Council established by the Council under various Acts, and constituted of Elected Members, employees and/or members of the public.

Committee Member *from Model Code of Conduct regs.*

Under the Regulations, a 'committee member' includes any council member, local government employee or unelected member of the community who has been engaged by the council to participate in a council committee.

Common Seal

The official stamp of the Shire of Toodyay, confirming the Shire's consent to the provisions contained in the document to which it is affixed.

Community

The entire population within the Shire of Toodyay district. It includes those who work or invest in the district or visit the area for recreational or similar reasons.

Community Art

Community Art is a collaboration between professional artists and non-professional artists, often around dealing with a social issue, community-building initiative, or as a form of community consultation.

Community Business Activity (CBA)

Is one which exhibits the following characteristics:

- (a) There is an exchange of services or goods for consideration in a direct reciprocal relationship with the customer;
- (b) There is potential for competition from external parties;
- (c) The activity has an imbedded community/economic development benefit in addition to a business focus;

- (d) The activity is not regulatory in nature but may be established in accordance with legislative obligation;
- (e) The activity is capable of being outsourced in part or in full; and
- (f) The activity may be subject to the requirements of the National Competition Policy.

Community Engagement

Involves a range of activities that are designed to enable the community to be informed of and provide input into Shire activities and local issues.

Commuter Use

Approved travel to and from the worker's place of employment and home.

Travel other than commuter use requires approval of the CEO and operational cost to be the responsibility of the worker.

Commuter Use excludes the following:

- Transportation of members of the public other than for official purposes;
- Visits to private or other non-work-related locations, unless on the direct route.

Compatible Use

A use which respects the cultural significance of a place. Such a use involves no, or minimal impact, on cultural significance.

Compensation

Compensation includes:

- (a) all employee benefits (as defined in AASB 119 Employee Benefits) including employee benefits to which AASB 2 Share-based Payment applies. Employee benefits are all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered to the entity. It also includes such consideration paid on behalf of a parent of the entity in respect of the entity.
- (b) short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit-sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for current employees;
- (c) post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care;
- (d) other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit-sharing, bonuses and deferred compensation;
- (e) termination benefits; and
- (f) share-based payment.

Complainant

The person who is aggrieved or who initiates a complaint for the purpose of seeking a remedy.

Complaint

A formal complaint or concern raised:

- (a) by a Worker about unsatisfactory or unacceptable workplace matters.
- (b) under clause 11(1) of the Code of Conduct.
- (c) In a written statement of a grievance relating to employment or workplace matters that something is unsatisfactory or unacceptable raised by the complainant..

Complaint (Anonymous)

Is considered anonymous when the complainant declines to provide their name and/or contact details.

Complaint (Malicious)

Is considered malicious when its intent is to negatively affect another person's career, reputation, or livelihood.

Complaint (Vexatious / Frivolous)

Is where there is no evidence to support the complaint and/or there is evidence that the complaint is intended to cause inconvenience, harassment or financial burden.

Complaint (What Is Not)

- (a) A first request for action or service (e.g. reporting a nuisance dog, request for footpath or pothole repair).
- (b) A request for information or explanation of Council decisions, practices or procedures.
- (c) A request for action or service that is outside the Shire's jurisdiction or is provided by other agencies.

Complaint (What Is)

Is an expression of dissatisfaction about the standard of service provided, or an action or inaction by the Shire of Toodyay, its employees, volunteers and contractors.

Complaint Form

The Shire's approved Complaint About Alleged Breach Form, as a form to be used when making a complaint through this policy.

Complaints Officer

The person who is the complaints officer under section 5.120 of the [Local Government Act 1995](#).

Complex Amendment

Definition as outlined in [Reg 34 of the Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

Compliance culture

Values, ethics, beliefs and conduct that exist through the Codes of Conduct of the Shire and interact with the Shire's structures and control systems to produce behavioural norms that are conducive to compliance.

Compliance risks

Likelihood of occurrence and the consequences of noncompliance with the Shire's compliance obligations.

Conduct

Behaviours and practices that impact outcomes for customers, workers, suppliers, markets and communities.

Confidentiality

The requirement by all parties to a complaint to not disclose information regarding the complaint to any parties not involved in handling the complaint.

Conflict of Interest

Pertains to the Interests relating to a gift and a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

Receipt of a gift – any gift, whether or not in a person’s capacity as council member or CEO – will create a relationship of a closely associated person and therefore an interest (sections 5.60 and 5.62 [Local Government Act 1995](#)).

Conservation

All the processes of looking after a place, so as to retain its cultural significance.

Contemporary Design

Design styles that are of their time and that do not use the design elements of another time, such as historicism.

Contentious Public Art

People's interpretation of art is influenced by their personal feelings, tastes, or opinions. While the Shire aims for public art to provoke thought and discussion, it aims not to offend. Proposals incorporating any of the following will not be supported:

- (a) Negative racial stereotypes;
- (b) Political messages;
- (c) Sexually provocative nudity;
- (d) Sexist; and
- (e) Discriminatory.

Council will determine whether public art is contentious.

Context

The specific character, quality, physical, historic and social context of a building's setting and may, according to circumstances, be a group of buildings, a part of a street, whole street, part of a town or the whole town.

Continuing Service

Includes:

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- (a) any period of absence from duty on approved annual leave, long service leave, paid compassionate leave, paid personal/carer's leave and public holidays, and
- (b) any period of absence that has been supported by an approved workers' compensation claim up to a maximum absence of 12 months.

Contract Of Employment

The written contract, as referred to in section 5.39 of the [Local Government Act 1995](#), that governs the employment of the CEO.

Contractor

Is a person, business or organisation contracted to provide products and/or services to the Shire for financial consideration.

Contractual Performance Criteria

The performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the [Local Government Act 1995](#).

Control

Control is the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

Control Area

The restricted access facility managed by the Authorised Person.

Corporate Documents

Strategies, policies, directives, procedures, business plans, and associated documents, including guidelines and forms.

Corporate Services

The Corporate Services Business Unit, comprising of the Executive Manager Corporate Services, the Finance Coordinator, Records Management Coordinator, Rates Officer, Debtors Officer, Administration Officer, Accounts Officer and HR Officer.

Corporate Uniform

An approved range of 'indoor' or 'office' clothing incorporating the Shire's logo (and approved logos where relevant)

Corrective Action

Action that fixes an existing problem or nonconformance.



Council

The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the Local Government Act 1995 and under the Shire's *Standing Orders Local Law 2008*.

Council Forum

As per the description detailed in the Governance Framework adopted by Council.

Council Hub

The SharePoint Platform utilised by the Shire of Toodyay to relay and provide pertinent information to all Elected Members.

Council Meeting

A meeting of Council conducted in accordance with the Act.

Council Member

An individual who has been elected as a council member under the *Local Government Act 1995 and/or* and Electoral Commission of WA regulations. The requirements of the Regulations also apply to a council member who is a committee member on a council committee.

Councillor

A person who holds the office of councillor on a council (including a person who holds another office under section 2.17(2) or 2.17A(2) or (3) of the [Local Government Act 1995](#) as well as the office of councillor);

Cow

Includes an ox, calf or bull.

CPA Australia

Certified Practising Accountants of Australia.

CRC

The Shire's Community Resource Centre service, operating from the Toodyay Community Centre.

Credit Card(s)

The Shire of Toodyay Corporate Credit Card(s)

Crossing

A crossing giving access from a public thoroughfare to -

- (a) private land; or
- (b) a private thoroughfare serving private land.

Cultural Significance

Aesthetic, historic, scientific, social, or spiritual value, for past or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Curtilage

A defined area that surrounds a dwelling or property, but in the wider sense is the area that defines the limits of a significant place or precinct.

D

DAIP

Disability Access And Inclusion Plan

Section 28 of the *Disability Services Act 1993 (DSA)* requires that the Shire of Toodyay must have a Disability Access And Inclusion Plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2 of the *Disability Services Act 1993*.

Dam

A man-made structure and/or excavation for the purposes of water storage.

Dangerous

In relation to any fence means;

- (a) an electrified fence other than a fence in respect of which a licence under Part 6 of these Local Laws has been issued and is current;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with these Local Laws;

- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

DAP

Development Assessment Panel

Data Breach

When Personal Information that an entity holds is subject to unauthorised access or disclosure or is lost.

Date Of Publication

Where local public notice is required to be given of a matter under a local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district

Decision Of Council

Has the same meaning as it is given in s.5.20 of the Local Government Act 1995 as follows:

s.5.20 Decisions of councils and committees

- (1) A decision of a council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (2) A decision of a committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.

Declared Plants

A Declared Plant is a weed that has been declared under the relevant Act. Once a weed is declared, landholders are obliged to control that plant on their properties..

Deemed Provisions

The Regulations introduce a set of deemed provisions that form part of every local planning scheme in the State.

Deemed-To-Comply

A proposal, or a component of a proposal, which complies with the deemed-to-comply provisions of the R-Codes, or an adopted local planning policy.



Delegate

Representative nominated by the Shire of Toodyay through a decision of Council made after a local government election or as required.

Delegated Officer

An Officer of the Shire who has the appropriate delegated authority to execute documents on behalf of the Council.

Deleterious And Hazardous Waste

A substance that because of its quantity, concentration, or physical, chemical, or infectious characteristics may pose an imminent and substantial threat to public health, safety, or welfare or the environment.

Depot

The Shire Operations Depot at Railway Parade, Toodyay

Detective Controls

Is an accounting term that refers to a type of internal control intended to find problems within the Shire's processes.

Determination

A determination made under a delegation, or local law.

Development

The development or use of any land, including —

- (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
- (b) the carrying out on the land of any excavation or other works;
- (c) in the case of a place to which a protection order made under the *Heritage Act 2018* Part 4 Division 1 applies, any act or thing that —
 - (i) is likely to change the character of that place or the external appearance of any building; or
 - (ii) would constitute an irreversible alteration of the fabric of any building.

Development includes land to be used for a particular purpose, the construction, alteration or demolition of a building or works

Development Application

An application under a planning scheme, or under an interim development order, for approval of development;

Development Contribution Plan

A Development Contribution Plan (DCP) is a legal arrangement between the Shire and specified landowner(s) to share the costs involved with building new infrastructure for that area.

Digital Information

Any record of information within the meaning of section 3 of the *State Records Act 2000* that exists in digital form and requires computer hardware and software to be read and understood.

Direction Sign

A sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;

Directional Signs

Are signs erected within thoroughfares or public places to indicate the direction to places, services and tourist destinations within the Shire but do not include signs erected by the Council or Commissioner of Main Roads.

Directive

An internal rule or process prescribed by the CEO or Executive Management to guide operational procedures and delegated functions.

Director

- (a) a person who is a director under the Corporations Act; and
- (b) in the case of entities governed by bodies that are not named a board of directors, a person who, regardless of the name that is given to the position, is appointed to the position of member of the governing body, council, commission or authority.

Disciplinary Action

Action that will be applied to a worker as a result of a complaint outcome and or findings.

Dispose

Includes to sell, lease, or otherwise dispose of, whether absolutely or not.

District

Areas of the State, located within the district of the Shire of Toodyay, prescribed by legislation that a local government is required to control.

District Distributor Road A

Arterial roads carrying moderate to heavy volumes from through traffic, together with significant local traffic, including pedestrians, generated by abutting land use activities.

Dividing Fence

A fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary

DLGSC

Department of Local Government, Sport and Cultural Industries

Document

In accordance with Schedule 2 Glossary of the *Freedom of Information Act 1992*, the following:

[Corporate Documents Glossary \(Definitions Template\)](#)

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- (a) any record; or
- (b) any part of a record; or
- (c) any copy, reproduction or duplicate of a record; or
- (d) any part of a copy, reproduction or duplicate of a record.

The above includes any written paper or electronic document including Notices, flyers, letters, memorandums and emails that:

- i. Convey a decision; or
- ii. Establish an obligation on the Shire; or
- iii. are ceremonial.

Dormitory

A building or room utilised for sleeping purposes at a short term hostel or recreational campsite.

DPLH

Department of Planning, Lands and Heritage.

Driver

Any person driving or in control of a vehicle.

Dry Cleaning Establishment

Premises where clothes or other articles are cleaned by use of solvents without using water; but does not include premises in which perchlorethylene or arklone is used as dry cleaning fluid in a fully enclosed machine operating on a full cycle;

Dwelling

A building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

Dwelling House

A place of residence containing at least one sleeping room and includes a room or outbuilding separate from, but ancillary to, the building in which the sleeping room is located

Dye Works

A place where articles are commercially dyed, but does not include dye works in which provision is made for the discharge of all liquid waste there from, into a public sewer;



E

EBA

Enterprise Bargaining Agreement – aka *Shire of Toodyay Operations Staff Agreement*.

ECO

An emergency control organisation is a structured organisation of persons to organise and supervise the safe movement of occupants of a facility or facilities group in an emergency.

EHO

An Environmental Health Officer appointed by the Local government including an Acting or Assistant Environmental Health Officer

Elected Member

The Shire President, Deputy Shire President and Councillors of the Shire.

Election Sign

A sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election

Electrified Fence

A fence carrying or designed to carry an electric charge

Eligible Employee

All Employees of the Shire are eligible to participate in the Shire's Superannuation contributory scheme except for those who have an express term in an employment contract that precludes participation.

Email

Email account provided by the Shire including but not limited to Office365, Microsoft Outlook, Microsoft Edge, Outlook Web Access, or any Shire email system that is synchronised to a PC or mobile device, whether the mobile device is provided by and remains the property of the Shire or owned by an Authorised User.

EMDR

Executive Manager Development and Regulation

Emergency Evacuation Plan

An emergency evacuation plan is a set of procedures developed by organisers to help facilitate safe evacuations in case of event emergencies. Emergency evacuation plans usually contain exit routes, locations of designated safe areas, and the specific steps to follow for each type of emergency

Emergency Management Body (recognised)

- a body that has a role or function under a plan that is for coping with emergencies / natural disasters (prepared by the Commonwealth or a state or territory);
- a firefighting, civil defence or rescue body;
- any other body which is mainly involved in responding to an emergency or natural disaster.

This includes bodies such as:

- the State Emergency Service (SES);
- Country Fire Authority (CFA);
- the RSPCA (in respect of animal rescue during emergencies or natural disasters).

Emergency Vehicle *As per the Road Traffic Code 2000*

A vehicle —

- (a) when conveying a police officer on official duty or when that vehicle is stationary at any place connected with the official duty; or
- (b) of a fire brigade on official duty in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger; or
- (c) being an ambulance, answering an urgent call or conveying any injured or sick person to any place for the provision of urgent treatment; or
- (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or
- (e) duly authorised as an emergency vehicle for the purposes of these regulations, by the CEO

Emergency Vehicle

A vehicle used by emergency services.

Emerging Artist

An artist who is at an early stage in their career, who has specialise training in the art form or who has created a modest body of artistic work.

EMG

Executive Management Group – consisting of the CEO and Executive Managers.

Employee

Includes the following persons over 18 years of age:

- An individual employed by the Shire under s.5.36 of the *Local Government Act 1995*;
- Contractors engaged by the Shire; and
- Volunteers engaged by the Shire

Under the Scheme, volunteers and contractors are only considered employees, if they have been engaged by the Shire to provide services to children.

May also mean:

- (a) a person who is employed by an employer to do work for hire or reward, including as an apprentice; or
- (b) a person whose usual status is that of an employee.

Energy Safety WA

Building and Energy – Department of Mines, Industry Regulation and Safety

Entity

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have:

- (a) power over the entity;
- (b) exposure, or rights, to variable returns from involvement with the entity; and
- (c) the ability to use your power over the entity to affect the amount of your returns.

Environmentally Sensitive Area

Those areas where the land could be subject to restriction on the extraction of basic raw materials for an environmental or conservation reason. For example, ESAs could be classes or areas of native vegetation where the exemptions for clearing vegetation under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations) do not apply. This includes any area as defined in *Environmental Protection (Environmentally Sensitive Areas) Notice 2005*

EPC

Emergency Planning Committee is a committee whose purpose is identifying events that could produce emergency situations and developing an emergency plan. The Committee would ensure resources are provided to enable the development and implementation of the emergency plan.

Ephemeral Art

Ephemeral art is art that only lasts a short time. Some examples of ephemeral art are chalk drawings, ice sculptures, sand sculptures, projections and performance art.

Equitable Access

Every Member has the same opportunity as any other to undertake professional development training and have access to course materials.

Essential Operations

Operations that are in need of being maintained during the closure period as determined by the Chief Executive Officer.

European Wasps

A wasp *Vespula germanica*

Event Organiser

The organisation or its representative who is responsible for the organisation of an event.

Events

Includes the following —

(a) a concert;

- (b) a conference;
- (c) a function;
- (d) a sporting event;
- (e) an occasion of a kind prescribed for the purposes of this definition.

Events Working Group

A group consisting of relevant Officers within the Shire to assist in the management of the events.

Evidence

References to 'evidence' in the Regulations means the available facts or information indicating whether an allegation is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as other relevant information, to decide whether an alleged breach of the Code has occurred.

Evidence **From Model Code Of Conduct Guidelines*

The available facts or information indicating whether an allegation is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as other relevant information, to decide whether an alleged breach of the Model Code has occurred.

Excavation

Includes quarry.

Execute

Doing all that is ready to make the deed, agreement or document operative.

Executive Management Group

The CEO and Executive Managers (Senior Employees). Can be abbreviated as EMG.

Executive Managers or Executive Management

Executive Managers defined as Senior Employees that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the [Local Government Act 1995](#):

- Executive Manager Corporate and Community Services;
- Executive Manager Infrastructure, Assets and Services; and
- Executive Manager Development and Regulation.

Exempt Laundromat

A premises in which –

- (a) laundering is carried out by members of the public using, machines or equipment provided by the owners or occupiers of those establishments;
- (b) laundering is not carried out by those owners or occupiers for or on behalf of other persons;
- (c) provision is made for the discharge of all liquid waste therefrom into a public sewer.

Extraction Area

The extent of land proposed to be used for ground-disturbing activities.

Extractive Industry

An industry which involves the extraction, quarrying or removal of sand, gravel, clay, rock, limestone, soil, or similar material from the land, not excluded by the Mining Act, and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted.

F

Fabric

All the physical material of the place, including components, fixtures, contents and objects.

Facility

- (a) caravan park or camping ground;
- (b) an outdoor eating facility; or
- (c) establishment on any part of a public place.

Note: Does not include such a facility or establishment on private land.

Fascia

The cladding or panel erected to enclose or finish the edge of the roof of a building and which may be incorporated as an architectural feature.

Fauna as per the *Biodiversity Conservation Act 2016*

- (a) an animal that —

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- (i) belongs to a native species unless the animal is determined by order under section 9(2) not to be fauna for the purposes of this Act; or
 - (ii) is determined by order under section 9(1) to be fauna for the purposes of this Act;
- or
- (b) a native species or taxonomic grouping of native species that is determined by order under section 10(1) or (2) to be fauna for the purposes of this Act; or
 - (c) Any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –
 - (i) any class of animal or individual member;
 - (ii) the eggs or larvae; or
 - (iii) the carcass, skin, plumage or fur

Federal Government Superannuation Guarantee

The super guarantee (SG) percentage that the Shire, as an employer, is compulsorily legislated to pay eligible employees at least four times a year.

As at 10 August 2023, the minimum SG percentage rate is 11% of an employee's ordinary time earnings (OTE).

Note:

This is scheduled to progressively increase to 12% on **1 July 2025**.

Fence

Any structure, including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate

Feral Animals Or Plants

A feral organism is a plant or animal which has changed from being tame or cultivated to being wild.

Fertiliser

Manure

Festival

A fair, function or event

Financial Benefit

A financial benefit includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit that does not involve paying money.

Examples of “giving a financial benefit’ to a related party may include but is not limited to:

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- (a) Giving or providing the Related Party finance or property.
 - (b) Buying an asset from or selling an asset to the Related Party.
 - (c) Supplying services to or receiving services from the Related Party.
 - (d) Issuing securities of granting an option to the Related Party.
- Taking up or releasing an obligation of the Related Party.

Financial Viability

The assessment of a range of measures designed to reduce risk.

Fines, Prosecutions And Infringements

Any sums of money owed to the Shire as the result of breaches of statutory requirements imposed by the Shire or a court of law and includes any costs awarded by the courts.

Fish Premises

May include a fish processing establishment, fish curing establishment and a shellfish and crustacean processing establishment.

Fixed Items

Furniture and items that are permanently fixed in the street and not easily removeable at short notice or at the end of trading each day. This includes glass screens.

Fleet

Refers to all vehicles owned, leased, or rented by the Shire of Toodyay.

Fleet Manager

A Shire Officer responsible for planning, directing, managing, coordinating and supervising the programs for acquisition, assignment, utilisation, maintenance, repair, replacement and disposal of fleet vehicles. Fleet manager also serves as the primary contact concerning the vehicle fleet and operations.

Flies

Any of the two-winged insects constituting the order Diptera commonly known as flies.

Flora

As per the [Biodiversity Conservation Act 2016](#)

a plant that —

- (i) belongs to a native species and is indigenous to the State unless the plant is determined by order under section 9(4) not to be flora for the purposes of this Act; or
- (ii) is determined by order under section 9(3) to be flora for the purposes of this Act;

or

a native species or taxonomic grouping of native species that is determined by order under section 10(1) or (2) to be flora for the purposes of this Act.

Fly Posting

Advertising by means of posters placed on fences, walls, trees and like structures.

Food Standards Code

The Australian / New Zealand Food Standards Code as defined in the *Commonwealth Food Standards Australia New Zealand 1991* as amended from time to time under the *Legislation Act 2003*.

The authoritative versions of these standards are on the Australian Government Federal Register of Legislation or via the links below.

You can access Food Standards Gazette notices here.

Footpath

- (a) Any land or thoroughfare used by pedestrians and/or cyclists and shall include pathways, dual use paths and any other walkway designed for this use.
- (b) Any paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists.
- (c) Every footpath, pedestrian access way or other place -
 - (i) intended for the use of pedestrians only, or in the case of a dual use path, for the use of pedestrians and bicyclists only; or
 - (ii) habitually used by pedestrians and not by vehicles or, in the case of a dual use path, by pedestrians and bicyclists and not by vehicles other than bicycles

Form

- (a) The overall shape and volume of a building and the arrangement of its parts.
- (b) A document to be filled in and signed (e.g. The Shire's Credit Card Request Form)

Forum

As per the Governance Framework.

Framed Housing

An architectural style used in dwelling is characterised by a timber or steel framed construction with an iron roof and set on timber or steel stumps. Walls are clad in lightweight materials such as Hardie weatherboard profiles, timber weatherboard or textured Hardie sheet. Colorbond custom orb may be used as an alternative. The dwellings usually have a strong verandas element and can have other decorative features for shade and ventilation.

Freestanding Sign

A sign that is displayed on an advertising structure that is mounted on the ground on one or more supports.

Frontage

The boundary line between a lot and the thoroughfare upon which that lot abuts.

Function

An event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;

- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place.

Funeral Director

A person holding a current funeral director's licence

G

Garage

Any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.

Garden

Any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants

Gazebo

Are outdoor shade structures with a solid roof and partially open sides, which can be screened in.

GCM

Is the gross combination mass of a combination vehicle and as such is the sum of the axle masses of all of the axle groups in the combination.

GDALGR

The General Disposal Authority for Local Government Records produced by the State Records Office of WA.

General Access Vehicle (GAV)

General access vehicles are rigid and combination vehicles that meet a set of standard design requirements, sit within mass and dimension limits, and generally don't need a permit to operate on roads.

General Funds

Has the meaning as set out in Section 6.21(4) of the [Local Government Act 1995](#) plus adding general interest revenue.

Governance Framework

A corporate document adopted by Council that examines the principles and practices of good governance at the Shire of Toodyay

Government

Government refers to government, government agencies and similar bodies whether local, national or international.

Government Associations / Organisations

A body owned or controlled by a national or state government.

Government Record

A record created or received by a government organization or a government organization employee in the course of the employee's work for the organization.

Government-Related Entity

A government-related entity is an entity that is controlled, jointly controlled or significantly influenced by a government.

Grain

The pattern of arrangement and size of the buildings on their lots, and the subdivision pattern. The pattern or arrangement contributes to the texture on an area. Fine Grain is the quality or fine texture resulting from small and frequent subdivisions.

Greenfield Subdivision

A property outside of existing area urban or subdivision area which would require an extension of services to the subdivision.

Greenhouse

A greenhouse is a structure with a glass or plastic roof and frequently glass or plastic walls. Its roof and sides have to allow light to penetrate.

Grievance

A real or imagined cause for complaint, especially unfair treatment or actual or perceived accounts of poor workplace behaviour.

H

Habitable Room

A room used for normal domestic activities, and

- (a) Includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room and sunroom; but
- (b) Excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, lobby, photographic dark room, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Harm

In relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Health

Mental, Physical and psychological health.

Height in relation to non-habitable structure

Is the height of the non-habitable structure as measured vertically from the natural ground level to the highest point of the building above that point, as stipulated in the Residential Design Codes of Western Australia, and not the measurement taken above the proposed finished floor level of the non-habitable structure.

Height in relation to a fence

The vertical distance between:

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point

Heritage Item

A place, building, work, archaeological site, landscape or garden, or moveable relic, or place of Aboriginal significance identified on a heritage register.

Heritage Place

Any place contained on the State Register of Heritage Places, the Shire of Toodyay Municipal Inventory of Heritage Places, any Heritage List adopted under a Local Planning Scheme or contained in Appendix 3 of this Local Planning Policy.

Heritage Protected Place

As defined under clause 1A of the deemed provisions – Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015.

Historic Character

The combination of particular characteristics or special qualities of a place related to its period or style of construction. This is generally summed up in the Statement of Significance.

Historicism

An excessive regard for past styles and may include copying them, as opposed to using contemporary design.

Hive

A moveable or fixed structure, container or object in which a colony of bees is kept.

Hoarding

A detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel including a temporary boarded fence in a public place, usually erected around a building site.

Home Office

A designated space for a Worker to work while away from the workplace.

Horse

Includes an ass, mule, donkey or pony

Hot Water

A temperature of at least 65 degrees Celsius

HR Contact

The Executive Manager Corporate and Community Services, or the Accounts Payable / HR Officer

I

ICT

Information, Communications, and Technology that includes but is not limited to mail, telephones, mobile phones, voice mail, SMS, email, intranet, computers, tablets, printers, multi-functional devices, scanners and other electronic devices owned by the Shire.

Independent Person

A person other than any of the following —

- (a) a Council member;
- (b) an employee of the Shire;
- (c) a human resources consultant engaged by the Shire.

Indoor Workers

Workers for whom the majority of their working hours are based indoors and the majority of whose work does not require PPE.

Industrial Instruments

That govern the application of leave including, but not limited to:

- (a) *Fair Work Act 2009*;
- (b) A Worker's Industrial Agreement;
- (c) The National Employment Standards (NES) (both paid and unpaid entitlements) as a minimum standard; and the
- (d) Any Award/Enterprise Agreement or Contractual provisions supplementary to NES;
- (e) *Long Service Leave Act 1958 (WA)* and Local Government Long Service Leave Regulations WA; and
- (f) *Local Government (Long Service Leave) Regulations*.

Industrial Lot

A lot where an industrial use -

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot.

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Infill

A new building in an established and valued historic context. Good infill is sympathetic to its surroundings and context and creates a new structure that enhances and complements the existing character. Infill shall be distinguishable from the existing context but shall look like a well-mannered neighbour.

Infrastructure

The resources (such as personnel, buildings, or equipment) required for an activity

Infringement Notice

A notice issued for a minor breach of the law, where it is not serious enough to need to go to court

In-Kind Support

The provision of Shire facilities, equipment or services free of charge or via waiver of applicable fees.

Integrated Planning And Reporting Framework

The process designed to:

(a) Articulate the community's vision, outcomes and priorities;

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- (b) Allocate resources to achieve the vision, striking a considered balance between aspirations and affordability; and
- (c) Monitor and report progress.

Interest

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

Interested parties

Person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity.

Intergenerational Equity

The equitable allocation of responsibility for funding the provision and maintenance of assets and facilities throughout their useful life.

Internal Control

A process supported by the Shire's policies, procedures and practices which collectively provide a reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations;

- Reliability and accuracy of financial data;
- Compliance with policies, procedures, legislation and regulations.

It recognises that a 'system' of internal control extends far beyond those matters which relate solely to the financial matters of the Shire.

Interpretation

The act of providing information or conveying knowledge about an object or theme. The physical evidence of this includes but is not limited to wall panels, information sheets, labels, diagrams, audio, and digital displays; and ways of presenting the cultural significance of a place.

Intersection *As per the Road Traffic Code 2000*

- (a) the area where 2 or more carriageways meet; or
- (b) the area within which vehicles, travelling by, on or from different carriageways may come into conflict.

Interventive Conservation

The act by a conservator that involves a direct interaction between the conservator and the cultural material through interventive treatments that involve cleaning, stabilising, or repair of the original object when individual objects have sustained damage. The process is undertaken in order to halt and prevent further damage.

Invasive Animals & Plants

An invasive species is an organism that is not indigenous, or native, to a particular area.

Investigator

Is a suitably qualified person or organisation appointed by the Chief Executive Officer to review and consider complaints.

ISP

Integrated Strategic Planning

ISP Documents

Integrated Strategic planning documents comprising of the Council Plan and a combination of other plans that guide the Shire's operations including but not limited to the following:

- (a) Asset Management Plans;
- (b) Strategic Community Plan;
- (c) Corporate Business Plan; and the
- (d) Workforce Plan.

ITC Expenses

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.

ITC Support

Information Technology (Provider) Contractors.

J

JDAP

Joint Development Assessment Panel.

Job Description Form

The job description form for the position of CEO approved by Council under clause 1.2 of this policy.

Joint Control

Joint control is the contractually agreed sharing of control over an economic activity/arrangement which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Joint Venture

An arrangement of which 2 or more parties have joint control and have right to the net assets of the arrangement. It includes subsidiaries of the joint venture.

K

Keep

In relation to a record includes a reference to;

- (a) creating, maintaining, indexing, organizing, storing, preserving, securing, retaining and managing records; and
- (b) maintaining, preserving, securing and retaining the means by which any information on a record can be recovered.

Keeper

In relation to a cat means any of the following persons –

- (a) The owner of the cat as defined in the act;
- (b) A person who has or appears to have immediate custody or control of the cat;
- (c) A person who keeps the cat, or has the cat in his or her possession for the time being;
- (d) A person who occupies any premises in which a cat is ordinarily kept or permitted to live and who has care and control of the cat;
- (e) A permit holder of a permit which relates to the cat;
- (f) The holder of an exemption issued in relation to the cat

Keeper

A person whose name appears on the register of keepers, in respect of a lodging house, as the keeper of that lodging house

Kerb

Includes the edge of a carriageway.

Key Documents

Integrated Planning Strategies; Annual Budgets and Reports; Community Strategic Plans; Concept Plans; Project Briefs; Long-term Financial Plans; Asset Management Plans; Officer reports; Register of Delegations; Policies; and frameworks.

KMP

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity.

KMPs having authority and responsibility for planning, directing and controlling activities of the Shire of Toodyay either directly or indirectly are as follows:

- (a) Shire President / Deputy Shire President / Elected Members.
- (b) Chief Executive Officer/ Senior Executive Managers.
- (c) Other Officers with delegated authority or influence.

L

Land

All land and facility assets owned or controlled by the Shire of Toodyay. May also mean land that includes any building or part of a building created on the land.

Land Transaction

An agreement, or several agreements for a common purpose, under which a local government is to —

- (a) acquire or dispose of an interest in land; or
- (b) develop land;

Laneways

A road or path that provides access to the side or rear of lots principally for access to garages.

Large Animal

Includes an alpaca, cow, horse, sheep, goat, pig, deer, camel, llama, emu, ostrich, kangaroo or the like

Laundromat

A public place with coin operated washing machines, spin dryers or dry cleaning machines;

Laundry

Any places where articles are laundered for the purpose of trade but does not include an exempt laundromat

Laundry Unit

A group of facilities consisting of –

- (a) a washing machine with a capacity of not less than 4 kilograms of dry clothing;
- (b) one wash trough of not less than 35 litres capacity, connected to both hot and cold water; and
- (c) either an electric drying cabinet or not less than 30 metres of clothes line, and for which a hot water system is provided that –
- (d) is capable of delivering 136 litres of water per hour at a temperature of at least 75 degrees Celsius for each washing machine provided with the communal facilities; and has a delivery rate of not less than 18 litres per minute to each washing machine

Lawn

Any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government

LEAS

A Law Enforcement Agency (State or Commonwealth Government) responsible for enforcing the law.

Lessee

A person who rents land or property from a lessor. The lessee is also known as the “tenant” and must uphold specific obligations as defined in the lease agreement and by law. The lease is a legally binding document, and if the lessee violates its terms they could be evicted.

Lessor

The owner of a property – the Shire of Toodyay.

Level Of Service (LOS)

A measure of the quality of service of transportation infrastructure as set out by Austroads. Level of service may be used as a tool to measure changes in condition, also relating to increase in vehicle use, or expected quality of the infrastructure and the system uses the letters A through F, with A being best and F being worst.

LGIS

Local Government Insurance Scheme

Library

The Toodyay Public Library.

Licence

A licence issued under a local law

Licensee

The person named in the licence as the licensee

Line Manager

Workers who supervise other workers in accordance with the job description of their role and/or contract for service.

Liquid Refuse

All washings from the commercial cleaning of vehicles, overflow, bleed off, condensate, and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges

Liquid Waste

Bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage

Liquor As per the Liquor Control Act 1988:

- (a) a substance intended for human consumption which at 20° Celsius contains more than 1.15% ethanol by volume, or such other proportion as is prescribed; and
- (b) any other substance prescribed as being liquor for the purposes of this act; and
- (c) any “thing” that, for the purposes of sale, is held out to be such a substance.

Listening Device

Any instrument, apparatus, equipment, or other device capable of being used to record, monitor, or listen to a private conversation or words spoken to or by any person in private conversation, but does not include a hearing aid or similar device used by a person with impaired hearing to overcome the impairment and permit that person to hear only sounds ordinarily audible to the human ear.

Loading Zone

A parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked 'Loading Zone'; or

An area that allows commercial vehicles to temporarily unload or load goods. There is no use resenting your local loading zones, as many commercial operators depend on these zones to legally stop and make deliveries in densely built areas.

Local Community

People living and/or working in the district of the Shire of Toodyay.

Local Distributor Road B –

Roads which carry traffic between the arterial or distributor roads and local roads. Vehicle volumes are moderate to low (3,000 – 6,000 vehicle movements per day).

Local Government

The Shire of Toodyay, established as a body corporate under the *Local Government Act 1995*.

Local Government Property

Anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government;

Anything except a thoroughfare –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the [Local Government Act 1995](#).

Local Government **From Model Code Of Conduct Guidelines*

The body corporate that is the local governing body made up of the council, Chief Executive Officer (CEO) and administrative staff appointed and managed by the CEO.

Local Planning Scheme

Any operative Local Planning Scheme within the Shire of Toodyay as per the meaning given to it by the *Planning and Development Act 2005*.

Lodging House

A recreational campsite, a serviced apartment and a short term hostel.

Logbook

A logbook is a record kept that will provide evidence of:

- details of kilometres travelled for business and for private use;
- odometer readings on which a member estimates fuel and oil use; and
- a member's other car expenses (i.e. parking and fuel receipts would be kept with the logbook).

Note:

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A signed copy of the logbook page, together with original copies of the receipts would be attached to the reimbursement form that will be submitted by members for reimbursement.

Long Stay Site

A site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time.

Long-Term Working From Home

Working from home weekly, fortnightly, or monthly on a regular basis greater than a three month period.

Loss Of Licence

Includes lapsed, cancelled, failure to renew, renewal not issued, suspension and cancellation.

Lot

As per the Planning and Development Act 2005:

A defined portion of land —

- (a) depicted on a plan or diagram available from, or deposited with, the Authority and for which a separate Crown grant or certificate of title has been or can be issued; or
- (b) depicted on a diagram or plan of survey of a subdivision approved by the Commission; or
- (c) which is the whole of the land the subject of —

- (i) a Crown grant issued under the *Land Act 1933* 1; or
- (ii) a certificate of title registered under the *Transfer of Land Act 1893*; or
- (iii) a survey into a location or lot under section 27(2) of the *Land Administration Act 1997* or a certificate of Crown land title the subject of such a survey; or
- (iv) a part-lot shown on a diagram or plan of survey of a subdivision deposited with the Authority; or
- (v) a conveyance registered under the *Registration of Deeds Act 1856*,

But does not include a lot as defined in the *Strata Titles Act 1985* section 3(1);

LTFP

The Long-term Financial Plan.

M

Maintenance

The continuous protective care of the fabric and setting of a place and shall be distinguished from repair. Repair involves restoration or reconstruction.

Major Land Transactions

A land transaction other than an exempt land transaction if the total value of —

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- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition.

[Refer to *Local Government Act 1995* \(s.3.59 Commercial enterprises by local governments\)](#)

[Refer to *Local Government \(Financial Management\) Regulations 1996* \(r.27 and r.45\);](#)

[Refer to *Local Government \(Functions and General\) Regulations 1996* \(Part 3 — Commercial enterprises by local governments \(s. 3.59\)\)](#)

Major Trading Undertakings

A trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking.

[Refer to *Local Government Act 1995* \(s.3.59 Commercial enterprises by local governments\)](#)

[Refer to *Local Government \(Financial Management\) Regulations 1996* \(r.9, r.27, r.46 and r.47\);](#)

[Refer to *Local Government \(Functions and General\) Regulations 1996* \(Part 3 — Commercial enterprises by local governments \(s. 3.59\)\)](#)

Malware

Is an abbreviation of 'malicious software' and means software programs designed to cause damage and other unwanted actions on a computer system. Examples of malware include spyware, worms, viruses and Trojans.

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Management

The Chief Executive Officer and Senior Executive Management Officers as well as Line Managers responsible to the CEO.

Management Plan

An equal opportunity management plan referred to in section 145 of the [Equal Opportunity Act 1984](#).

Manager

The person duly appointed to:

- (a) control and manage a branch of a department within the Shire of Toodyay; having been employed by the Shire specifically for this purpose;
- (b) control and manage a pool area or other facility which is local government property and includes the person's assistant or deputy; having been employed by the Shire specifically for this purpose; and
- (c) reside in and be a Keeper of a Lodging House and to have the care and management of the lodging house.

Mandatory Training

A course of training titled *Council Member Essentials* that —

- (a) consists of the following modules —
 - (i) Understanding Local Government;
 - (ii) Serving on Council;
 - (iii) Meeting Procedures;
 - (iv) Conflicts of Interest;
 - (v) Understanding Financial Reports and Budgets; and
- (b) is provided by any of the following bodies —
 - (i) North Metropolitan TAFE;
 - (ii) South Metropolitan TAFE;
 - (iii) WALGA.

Market Tested

A method used to gauge the viability of a product or service in the mass market prior to a wide scale roll-out; thus aiming to explore consumer response to a product or marketing campaign by making it available on a limited basis to test markets before a wider release.

Massing

The size and volume of a building.

Materiality

The assessment of whether the transaction, either individually or in aggregate with other transactions, could influence decisions that users make regarding financial matters of the Shire. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Mausoleum

A building or construction wholly above or partially above and below ground level, so constructed as to allow the deposition of dead bodies into a compartment in the wall or floor and being sealed from view

Maximum Floor Area

The combined total floor area of all existing and proposed non habitable structures on a lot.

Meanings

Denote what a place signifies, indicates, evokes, or expresses.

Median Strip

As per the Road Traffic Code 2000

- (a) Any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate 2 one-way carriageways for vehicular traffic proceeding in opposing directions
- (b) A grassy or paved area that divides a highway so that traffic going in one direction is kept separate from traffic going in the opposite direction

Medical Officer

Medical Officer appointed by the Local government under the Act and includes an Acting Medical Officer so appointed

Meetings

Scheduled Meetings – Committee, Council, or other organisational Meetings

Member

In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of a committee of Council.

In relation to the council of a local government, means —

- (a) an elector mayor or president of the local government; or
- (b) a councillor on the council (including a councillor who holds another office under section 2.17(2)(a) or (b) of the [Local Government Act 1995](#) as well as the office of councillor).

Metered Space

A section or part of a metered zone that is adjacent to a parking meter and that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge

Metered Zone

Any thoroughfare or reserve, or part of any thoroughfare or reserve, in which parking meters regulate the parking of vehicles

Microchip

An identification device of a prescribed type that —

- (a) is capable of being implanted in a cat; and
- (b) is designed to record information in a way that can be electronically retrieved.

Middle Management Group

Work Health and Safety Coordinator, Economic Development Coordinator, Finance Coordinator, Records Management Officer, Works Operations Officer, Coordinator - Depot, Fleet, Parks & Waste; and Coordinator, Civil Works and Maintenance.

Mining Act 1978

Outlines the law as it relates to mining, and for incidental and other purposes. Until recently the Mining Act has applied to the land area of the Western Australia and, by arrangement with the Commonwealth, the first three nautical miles of the territorial sea from the baseline.

Mining Proposal

Any proposed mining project other than an extractive industry that comes to the attention of the Shire, regardless of whether it has been formally referred for assessment or approval with relevant agencies. It does not include applications for prospecting or exploration licenses.

Minister

The Minister responsible for administering an Act.

Minor Amendment

An amendment, other than a minor amendment, to a motion of which notice has been given is not to be considered at a meeting unless written notice of the amendment is received by the CEO no later than 12:00 noon on the last working date preceding the day of the meeting at which the relevant motion is to be considered.

The Presiding Member is to determine whether an amendment is a minor amendment and is to make that determination on the basis that a minor amendment is one which, in his or her opinion, does not alter the basic intent of the primary motion.

Minor Breach - s.5.102A of the [Local Government Act 1995](#)

Has the meaning given in section 5.105(1) of the [Local Government Act 1995](#), and it includes a recurrent breach;

Minor Misconduct

Allegations of Corruption, Crime or Misconduct (s.4(d) of the Corruption, Crime and Misconduct Act 2003)

Mixed Location Workers

Workers for whom their working hours are equally based indoors and outdoors or whose working hours are mainly based indoors but are regularly required to undertake work that requires some work wear and/or PPE and as such, require a combination of corporate uniform, work wear uniform and/or PPE.

Mixed Use Development

Means the mixing of compatible land uses in a balanced blend, integrated in close proximity to each other. Physically it includes both vertical and horizontal mixing of uses. No single use shall dominate other uses, although residential use is often the major component.

Model Code

The model code of conduct prescribed for the purposes of section 5.103(1);

Monolith Sign

A sign that is not attached to a building or any other structure and with its largest dimension being vertical. Such signs may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.

Monumental Mason

A person holding a current monumental mason's licence

Mosquitoes

Any of the two-winged insects constituting the family Diptera Culicidae commonly known as mosquitos

Motor Vehicle

A self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle

Motorcycle

A motor vehicle that has two wheels or, where a sidecar is attached, three wheels

MOU

Memorandum of Understanding between the Shire of Toodyay and another party.

MRWA

Main Roads Western Australia - the only authority approved to issue [permits](#) for oversized vehicles

Refer to: <https://www.mainroads.wa.gov.au/heavy-vehicles/permit-order-scheme/osom/>

Museum

The Newcastle Gaol Museum, Newcastle Police Stables and Connor's Mill.

N

Natural Environment

The topography, soils, water systems, flora and fauna species native to the area which excludes introduced species that are declared invasive, potentially invasive, or a threat to biosecurity.

Natural Ground Level (NGL)

The levels on a site which precede the proposed development, excluding any site works unless approved by the decision-maker or established as part of subdivision of the land preceding development.

Natural Justice

The principles of natural justice should be free from bias and parties should be given fair opportunity to be heard and all the reasons and decision taken by the court should be informed by the court to the respective parties.

Neighbouring Land

Any land, other than adjoining land which may be adversely affected by the use of a site for development (and includes properties in a neighbouring local Council area).

Network Access

Includes connectivity from any device to Shire managed ICT infrastructure connecting both local and remote network servers.

New Transported Dwelling

Any structure that is prefabricated at any place other than on the site upon which it is to be erected.

Next Appropriate Meeting

The next scheduled Ordinary Council Meeting or the meeting after that, depending on when the Committee has met, and the amount of time and research required to prepare an Officer's report.

No Parking Area

A portion of a carriageway that lie -

- (a) between two consecutive signs inscribed with the words "no parking" or with an equivalent symbol depicting this purpose and each with an arrow pointing generally towards the other of them; or
- (b) between a sign inscribed with the words "no parking" or with an equivalent symbol depicting this purpose, and the end of the carriageway or an area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign

Non Lettable Area (NLA)

The area of all floors within the internal finished surfaces of permanent walls but excludes the following areas:

- (a) All stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) Lobbies between lifts facing other lifts serving the same floor;
- (c) Areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) Areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

All other definitions for terms used within this policy can be found within the current Shire of Toodyay Town Planning Scheme.

Noncompliance

Non-fulfilment of compliance obligations.

Non-Corporate Attire

A range of clothing that is not a corporate uniform.

Non-Fixed Items

Furniture and items that can be easily and quickly removed from the alfresco dining area are considered non-fixed. This includes tables and chairs.

Notes

Refers to Agenda Briefing Notes taken during a Briefing.

Not-for-Profit organisations (NFP)

Organisations that provide services to the community and do not operate to make a profit for its members (or shareholders, if applicable). A few examples are childcare centres, art centres, neighbourhood associations, medical centres and sports clubs

Notice “

Blanket approval from the Commissioner of MRWA for a particular class of restricted access vehicle to operate under specific conditions on a specified network of roads without the requirement to obtain individual permits.”

Notice Of Breach

A notice detailing a breach

Notice Of Withdrawal

A notice issued to withdraw an infringement notice.

Notification

The act of notifying a person or persons in writing, to inform and/or consult that may provide an opportunity to formally respond, comment, or take action in regard to information conveyed.”

Notify

Written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

Number

Of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

O

OAG

Office of the Auditor General

Occupier

Refer to the *Health (Miscellaneous Provisions) Act 1911*

Includes:

- (a) A person having the charge, management, or control of premises, and in the case of a house which is let out in separate tenements, or in the case of a lodging-house which is let to lodgers, the person receiving the rent payable by the tenants or lodgers, either on his own account or as the agent of another person; and in the case of a vessel, the master or other person in charge thereof; the term also includes any person in occupation of the surface of any lands of the Crown, notwithstanding any want of title to occupy same
- (b) A person in relation to premises includes the person registered as the occupier of the premises specified in the Certificate of Registration;
- (c) A person having charge, management or control of a car park;
- (d) Where there is more than one occupier, each of the occupiers of the premises in or upon which an offensive trade is carried on.

OCT

Ordinary Citizen Transactions that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Shire of Toodyay's financial statements make.

Off Stream Dam

A dam not located across a watercourse but into which water is fed from a watercourse.

Offensive Trades

Any trades as defined by section 186 of the [Health \(Miscellaneous Provisions\) Act 1911](#).

Officer's Recommendation

A recommendation provided for in the Council or Committee Meeting Agenda that when moved by a Council or Committee member, will transform it from a recommendation into an original (or substantive) motion, and if carried by either a simple or an absolute majority (as the case may be) will become a decision of Council

Ombudsman

Ombudsman Western Australia.

On Stream Dam

A dam located across a watercourse

Operational Area

The extent of land proposed to be used for extraction and all associated activities.

Operational Use

Everything the organisation does day-to-day to keep running and making money. Operational use includes engaging in activities that perform a service to the community that relate to the business needs of the organisation. It also means that:

- (a) Travel is approved within the Shire of Toodyay boundaries.
- (b) Travel outside of the Shire of Toodyay requires approval from the CEO.

Optical Surveillance Device

Any instrument, apparatus, equipment, or other device capable of being used to record visually or observe a private activity, but does not include spectacles, contact lenses or a similar device used by a person with impaired sight to overcome that impairment.

Ordinary Meeting

Has the same meaning as in section 5.3 of the [Local Government Act 1995](#) which reads:

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

Organisation

An organised group of people with a particular purpose, such as a business or a government department.

Organisations Prescribed

- https://www.dlgsc.wa.gov.au/docs/default-source/local-government/circulars/departamental-circular-11-2019---new-gifts-framework.pdf?sfvrsn=6bc50fd3_4 WALGA (but not LGIS);
- Local Government Professionals Australia (WA);
- Australian Local Government Association;
- A department of the public service;
- A government department of another State, a Territory or the Commonwealth; and
- A local government or regional local government.

Organiser

A person –

- (a) to whom approval has been granted by the Local government to conduct the festival; or
- (b) responsible for the conduct of the festival.

Organising Body

The society, group of individuals, or organisation responsible for booking events

Other Committees Or Organisations

Pertains to the External Representation to Other Committees or Organisations that Council nominates representatives for as detailed in the Committee Book endorsed by Council Resolution 241/11/21 at an Ordinary Council Meeting held on 23 Nov 2021.

Other Expenses

Expenses that may be incurred by Members outside of this policy (e.g. dry-cleaning).

Other Terms

Have the meanings applied to them pursuant to legislation, planning schemes, policies, etc unless the contrary intention appears.

Outbuilding

An enclosed non-habitable structure that is detached from any dwelling.

Outdoor Workers

Workers that perform the majority of their working hours outdoors and undertake work that requires the use of work wear and PPE.

Owner

- (a) Where used in relation to a vehicle, means a person who is the registered holder of the requisite vehicle licence under the road traffic act in respect of that vehicle, or if the vehicle is not licensed under that act, the person who owns the vehicle or is entitled to its possession; and where used in relation to land has the meaning given to it by the act
- (b) The person by whom the animal is ordinarily kept; or a person who is deemed through terms in legislation to be the owner.

Owner/Occupier

Where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;

P

Park

In relation to a vehicle, means to permit a vehicle, whether occupied or not by any person, to remain stationary for any period of time except for the purpose of - avoiding conflict with other traffic; or complying with the provisions of any law when the vehicle is being driven

Park Home

A caravan occupied by a person only in a caravan park licensed under the [Caravan Parks and Camping Grounds Regulations 1997](#)

Parking Area

A portion of a carriageway-

- (a) between two consecutive signs inscribed with the word "parking" or with an equivalent symbol depicting this purpose and each with an arrow pointing generally towards the other of them; or
- (b) extending from a sign inscribed with the word "parking" or with an equivalent symbol depicting this purpose in the general direction indicated by the arrow inscribed on the sign. To any other sign inscribed with the words "no

parking" or with an equivalent symbol depicting this purpose, or to the end of the carriageway or an area in which the parking of vehicles is prohibited. And is on that side of the carriageway of the thoroughfare nearest the sign

Parking Area *As per the Road Traffic Code 2000*

- (a) a portion of carriageway to which a "permissive parking" sign applies; or
- (b) an area to which a "permissive parking" sign applies;

Permissive parking sign (for a length of carriageway)



Permissive parking sign (for an area)



Permissive parking sign displaying a people with disabilities symbol (for a length of road)



Permissive parking sign displaying a people with disabilities symbol (for an area)



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Parking Costs

Street parking costs, airport parking costs, and parking in secure parking businesses (e.g. Wilsons Parking).

Parking Facilities

Includes land, buildings, shelters, metered zones, metered spaces, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge, and signs, notices and facilities used in connection with the parking of vehicles

Parking Meter

Includes the stand on which the meter is erected and a ticket issuing machine

Parking Stall

A section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked, but does not include a metered space;

Parking Station

Any land, or structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space

Party

When used in connection with a complaint, means —
(a) the person who made the complaint; or
(b) the person against whom the complaint was made.

Patina Of Age

Physical signs of age that contribute to the significance of an object.

PAW

Pedestrian Access Ways provided exclusively for pedestrian activity.

Payment Agreement

An arrangement whereby the debtor pays amounts over a period, agreed to by the Shire, to pay the total amount outstanding. A payment agreement would normally require payments to be made by direct debit and be structured to clear the debt due to the Shire within a period of 12 months.

PCBU

Employer is now defined as PCBU (Person conducting a Business or Undertaking) as per the new WHS Act.

Pedestrian Crossing *As per the Road Traffic Code 2000*

A portion of a carriageway —

(a) defined —

(i) by white stripes; or

(ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes,

in such a manner that each stripe is approximately parallel to the centre of the carriageway; and

(b) near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a “pedestrian crossing” sign;



Pedestrian crossing sign (background in yellow)

Pedestrian Crossing

A marked path where people can safely walk across a street or road.

Perform

To play a musical instrument, sing, mime, dance, give an acrobatic or aerobic display or entertain, but does not include public speaking.

Performance Management

Refers to the general practice or process of managing a worker's performance and conduct, setting objectives and performance indicators, and providing feedback which may include the use of the Performance Counselling and/or Worker Disciplinary policies and procedures.

Pergola

An open-framed structure covered in water permeable material, or operable louvred roofing, which may or may not be attached to a dwelling.

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Permissible Occasion

When a worker spends time with a member of their immediate family or household who sustains an illness or injury that poses a serious threat to their life; or the death of a member of the employee's immediate family or household

Permissible Verge Treatment

Any one of the 4 treatments described in clause 2.8(2), and includes any reticulation pipes and sprinklers

Permit

Instrument used to grant approval.

Permit Holder

A person, a business or representative of the person or business that holds a valid permit.

Permitted Area

The area or areas, specified in a permit, in which the permit holder may perform.

Permitted Time

The time or times, specified in a permit, during which the permit holder may perform.

Person

Does not include the local government:

- (a) Person Liable For The Control Of An Animal the registered owner of the animal; or
- (b) the owner; or
- (c) the occupier of any premises where the animal is ordinarily kept or ordinarily permitted to live; or
- (d) a person who has the animal in his possession or under his control

but does not include:

- (a) a veterinarian, or a person acting on a veterinarian's behalf, in the course of the veterinarian's professional practice; or
- (b) a police officer or other person acting under a statutory duty or in the administration of this Act.

Personal Guarantee

A promise made by a guarantor that they will personally meet the obligations of another person or company if that person or company defaults to the creditor under the original, or primary, agreement.

Personal Information

In accordance with Schedule 2 Glossary of the *Freedom of Information Act 1992*:

Information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead:

(a) whose identity is apparent or can reasonably be ascertained from the information or opinion; or who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample.

Personal Representative

The administrator or executor of an estate of a deceased person.

Philosophy Of Art

The study of the nature of art, including concepts such as interpretation, representation and expression, and form; closely related to aesthetics, the philosophical study of beauty and taste. (ref. <https://www.britannica.com/topic/philosophy-of-art>)

Physical Information

A record of information within the meaning of section 3 of the *State Records Act 2000* that exists in an analogue, physical form and can be read and understood without the aid of hardware or software (e.g. words printed on paper).

Physical Information (SRO Glossary)

A record of information within the meaning of section 3 of the *State Records Act 2000* that exists in an analogue, physical form and can be read and understood without the aid of hardware or software (e.g. words printed on paper).

PID Officer

An Officer designated to be a PID Officer by the Shire (also known as ‘proper authorities’.)

Piggery

Any building, enclosure or yard, in which one or more pigs are kept, bred, reared or fattened for purposes of trade, and shall include any portion of the premises to which pigs have access.

Pip

Performance Improvement Plan

Place

The site, area, land, landscape, building, or other work, group of buildings or other works, and may include components, contents, spaces and views.

Plan For The Future

The overarching Council Plan that provides strategic direction for all activities and guides the development and provision of the Shire's services and programs for the future of the district made in accordance with section 5.56 of the [Local Government Act 1995](#).

Planning Scheme

As per the [Planning and Development Act 2005](#):

A local planning scheme, region planning scheme or improvement scheme that has effect under this Act, or the Swan Valley Planning Scheme that has effect under the Swan Valley Planning Act 2020, and includes —

- (a) in the case of a local planning scheme, region planning scheme or improvement scheme that has effect under this Act — the provisions of the scheme being —
 - (i) the provisions set out in the scheme; and
 - (ii) any State planning policy that, with any modifications set out in the scheme, has effect under section 77(2)(b) of the [Planning and Development Act 2005](#) as part of the scheme; and

(iii) any provisions that have effect under section 257B(2) of the [Planning and Development Act 2005](#) as part of the scheme;

and

(aa) in the case of the Swan Valley Planning Scheme — the provisions of the scheme being —

(i) the provisions set out in the scheme; and

(ii) any provisions of a kind referred to in the Swan Valley Planning Act 2020 section 11 that, with any modifications set out in the scheme, have effect under that section as part of the scheme;

and

(b) all maps, plans, specifications and other particulars contained in the scheme and colourings, markings or legends on the scheme.

Policy

A governing principle, set of principles or rules that guides the Shire's practices and constrains procedures or delegated functions that contains conditions subject to which an application for a permit may be approved.

Policy Area

The area of the Glencoe Estate, previously Lot 11 Northam Toodyay Road, as shown on the Subdivision Guide Plan attached to this policy.

Pool Area

Any swimming and wading pools and spas and all buildings, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of or used in connection with such swimming and wading pools and spas which are local government property

Portable Sign including a Direction Sign

A portable free standing direction and/or advertising sign.

Poultry

Includes fowls, peafowls, turkeys, geese, ducks and other domestic fowls.

Pound Keeper

A person authorised by the local government to perform all or any of the functions conferred on a "pound keeper" under the local government act or a local law.

PPE

Personal protective equipment means anything used or worn by a person to minimise risk to the person's health and safety.

Premises

Includes the following —

- (a) land (whether or not vacant);
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature);
- (c) a vehicle;
- (d) A house in or upon which an offensive trade is carried on.
- (e) a building, stadium or similar structure which is local government property but not an open space such as a park or a playing field; but

Does not include a carpark or a similar place.

Prescribed Act

An Act that is prescribed by the regulations made under the Criminal Procedure Act 2004 - Schedule 1A of the Criminal Procedure Regulations 2005 (Infringement Notices) provides a list of Prescribed Acts as follows:

- 
- Associations Incorporation Act 2015;
 - Biodiversity Conservation Act 2016;
 - Building Act 2011;;• Building and Construction Industry (Security of Payment) Act 2021;
 - Building Services (Complaint Resolution and Administration) Act 2011;
 - Building Services (Registration) Act 2011;
 - Business Names Act 1962;
 - Charitable Collections Act 1946;
 - Chattel Securities Act 1987;
 - Child Care Services Act 2007;
 - Companies (Co-operative) Act 1943 3;
 - Co-operative and Provident Societies Act 1903 3;
 - Credit Act 1984;
 - Credit (Administration) Act 1984;
 - Debt Collectors Licensing Act 1964;
 - Electricity Act 1945;
 - Emergency Management Act 2005;
 - Employment Agents Act 1976;
 - Energy Coordination Act 1994;

- 
- Energy Safety Act 2006;
 - Fair Trading Act 2010;
 - Gas Standards Act 1972;
 - Health (Miscellaneous Provisions) Act 1911;
 - Health Services Act 2016;
 - Hire Purchase Act 1959;
 - Juries Act 1957;
 - Land Administration Act 1997;
 - Land Valuers Licensing Act 1978;
 - Limited Partnerships Act 2016
 - Mining Rehabilitation Fund Act 2012;
 - Public Health Act 2016;
 - Real Estate and Business Agents Act 1978;
 - Residential Parks (Long stay Tenants) Act 2006;
 - Residential Tenancies Act 1987;
 - Retail Trading Hours Act 1987;
 - Settlement Agents Act 1981;
 - Shipping and Pilotage Act 1967;

- Street Collections (Regulation) Act 1940;
- Ticket Scalping Act 2021;
- Tobacco Products Control Act 2006;
- Transport (Road Passenger Services) Act 2018;
- Water Services Act 2012;
- Western Australian Meat Industry Authority Act 1976.

Prescribed Offences

An offence prescribed under section 5(1) of the Criminal Procedure Act 2004.

Preservation

The process and operations involved in ensuring the technical and intellectual survival of authentic records over time.

President

A mayor or president elected by the Council from amongst the councillors; or the Acting President elected by Council or a Committee, as the case may be.

Presiding Member

In respect of the Council, the person presiding under section 5.6 of the [Local Government Act 1995](#); and
In respect of a committee, the person presiding under sections 5.12, 5.13 and 5.14 of the [Local Government Act 1995](#).

Preventative Action

A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard, or weakness in a system. Preventive action can also include ways to improve an organization's workflow or situation and proactive steps taken to prevent potential problems.

Preventative Conservation

The process of reducing rates of deterioration for a whole collection to minimize further damage.

Preventative Controls

Attempt to prevent or deter undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error, or omission.

Primary Distributor Road

Generally roads with full control of access which carry a high volume of traffic (up to 15,000 vehicle movements per day).

Primary Duty Of Care

The Shire has a responsibility, as an organisation conducting a business, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking in accordance with s.19 of the Work, Health and Safety Act 2020.

Primary Stakeholders

Those persons/groups with a direct interest in an outcome: e.g. Councillors, residents or businesses who live or operate near a project, directly affected.

Primary Standards Panel

The standards panel established under section 5.122(1) of the [Local Government Act 1995](#)

PRIS

The **pending** Privacy and Responsible Information Sharing (PRIS) legislation to reform personal privacy protections and the accountability of information sharing within government.

The PRIS will apply to the Shire and where required, contracted service providers.

Private Auction

An auction where no competing buyer is privy to another buyer's offer. Each buyer must offer their highest price, in writing, without being influenced by what somebody else may have offered. On most occasions buyers offer higher than they would normally do at a public auction.

Probation Period

Implemented at the start of the employment relationship, giving an employer and employee an opportunity to check that employees are suitable for the role they have been hired to do.

The time frame of a minimum of 3 months and maximum of 6 months is expressed via Agreements and/or contracts of employment and aligned to the job description of a role including its outcomes.

The probationary period may only be extended with the written consent of both parties.

Procedural Justice

Four key principles of procedural justice: voice, neutrality, respect and trust. Adherence to these principles is linked to improved compliance and positive outcomes.

Procedural Motion

An original permissible motion as per Clause 10 of the Standing Orders Local Law 2008, but it does not include a substantive motion

Procedure

A document containing prescriptive detail about specific action-oriented processes (i.e. the way to carry out an activity or a process), necessary to achieve strategic or policy objectives – for internal use.

Professional Development Support

The Shire supports enrolments into training courses or conferences provided by Registered Training Organisations (RTO's) or other qualified training organisations including but not limited to: TAFE; LG Professionals; the Australian Institute of Company Directors; Australian Institute of Management; Economic Development Australia; or the Australian Institute of Public Administration.

Prohibited Material

Means material which includes but is not limited to:

- text, graphics, video, or other material of a sexual nature;
- offensive language or material including jokes or commentary of a sensitive nature (race, age, gender, disability, marital status, sexual orientation, religion, political beliefs or appearance);
- racially offensive material which, if communicated, would constitute offensive behaviour within the meaning of section 18C of the *Racial Discrimination Act 1975* (Cth);
- material that is defamatory, abusive or constitutes a form of unlawful discrimination or potential harassment;
- gambling or financial market trading material;
- dating and chat rooms;
- malicious software;
- criminal skills material including instructions on how to obtain drugs or stolen property, or create weapons or explosives; or
- illegal websites blocked by Australian Government.

Property

Includes the whole or any part of the interest of a local government in property but does not include money.

Provenance

Confirmable history of the ownership and usage of an object.

PSC

Public Sector Commission

Public Art

The product of artists, which is accessible to the public. The works may be located in a public or private space accessed by the public. An artist must be involved in the development of the public art and it must be identifiable as an artwork, so that the artwork has artistic value in its own right.

Some examples include standalone sculptures, wall etchings, and painted walls that are read, or interpreted as art. This will not include simply coloured walls.

Public Auction

An auction on behalf of local government in which the property to be auctioned is either property owned by the government or property which is sold under the authority of a court of law or a government agency with similar authority.

Public Building

Is any place of assembly, including outdoor venues and has the meaning given to it by the [Health \(Miscellaneous\) Provisions Act 1911](#) which states:

public building means —

- (a) a building or place or part of a building or place where persons may assemble for —
 - (i) civic, theatrical, social, political or religious purposes; and
 - (ii) educational purposes; and
 - (iii) entertainment, recreational or sporting purposes; and
 - (iv) business purposes; and
- (b) any building, structure, tent, gallery, enclosure, platform or other place or any part of a building, structure, tent, gallery, enclosure, platform or other place in or on which numbers of persons are usually or occasionally assembled,

but does not include a hospital.

Public Event

Any organized gathering of people for sporting, entertainment, or other common purposes (for example, outdoor concerts, shows, fairs, festivals, exhibitions et cetera) that is open to the public, but does not cover private functions such as weddings or parties.

Public Infrastructure

Refers to infrastructure facilities, systems, and structures that are developed, owned, and operated by the Shire of Toodyay. It includes all infrastructure facilities that are open to the general public for use.

Public interest Disclosure

A report about certain types of wrongdoing covered by the PID Act.

Public Liability Insurance Certificate Of Currency

Covers the proposed event with a minimum sum of twenty million dollars (\$20M)

Public Place

Every place to which the public ordinarily have access, whether by payment of fee or not that is not a place exclusively used for a private gathering or any other personal purposes.

Any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include –

- (a) premises on private property from which trading is lawfully conducted under a written law; and
- (b) local government property;

Public Sanitary Convenience

A sanitary convenience to which the public ordinarily have access, whether by payment of a fee or not.

Public Vehicle

Any vehicle to which the public ordinarily has access, whether by payment of a fee or not and includes a taxi or bus

Pylon Sign

A sign supported by one or more piers and not attached to a building and includes detachable sign frameworks supported by one or more piers to which sign infill's may be added.

Q

Quasi-Judicial

The circumstances when Council determines an application or matter that directly affects a person's rights and Council has obligation to abide by procedural fairness, natural justice and the provisions of written legislation or legislative instruments such as Acts of Parliament, Regulations, Local Laws or planning instruments.

R

Rates And Service Charges Debtors

An individual, organisation or other party that has outstanding monies owed to the Shire for rates and/or service charge debts.

Rates Debt

Amounts due and payable to the Shire for rates and service charges levied by the Shire pursuant to the provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

R-Codes

[State Planning Policy 7.3 – Residential Design Codes – Volume 1](#). The R-Codes control the design of most residential development throughout Western Australia. The R-Codes aim to address emerging design trends, promote sustainability, improve clarity and highlight assessment pathways to facilitate better outcomes for residents.

Real Property

Encompasses interests in land and fixtures or structures upon the land. Examples of real property means the land plus anything growing on it, attached to it or erected on it, including man-made objects, such as buildings, structures, roads, sewers, and fences, but excluding anything that may be removed from the land without injury to the land.

Reasonable Expenses

Claimable costs that are in accordance with policy that has been established by the Council by Resolution and are thereby deemed to be reasonable in the circumstances.

Receptacle

Used in connection with any premises, means –

- (a) a polyethylene or other approved material cart fitted with wheels, a handle and a lid and having a capacity of at least 240 litres; or
- (b) a container provided by the Local government or its contractor for the deposit, collection and recycling of specific materials

Recipient

An individual or organisation that receives a contribution in cash and/or in-kind from the Shire of Toodyay.

Reconstruction

Returning a place as nearly as possible to a known earlier condition by the introduction of materials, new or old, into the fabric.

Record *(Refer to the State Records Office glossary)*

Refer to the SRO Glossary in the *Freedom of Information Act 1992*:

Any record of information, however recorded and including the following:

- (a) any paper or other material, including affixed papers on which there is writing or Braille;
- (b) any map, plan, diagram, or graph;
- (c) any drawing, pictorial or graphic work, or photograph;
- (d) any paper or other material on which there are marks, figures, symbols, or perforations having a meaning for persons qualified to interpret them;
- (e) any article or material from which sounds, images or writing can be reproduced whether or not with the aid of some other article or device; or
- (f) any article on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Record Keeping Plan

The plan required under Parts 2 and 3 of the *State Records Act 2000*.

Recordkeeping System (SRO Glossary)

A system to capture, maintain and provide access to records over time that displays features for ensuring authentic, reliable, complete and usable records that function as evidence of business transactions. Recordkeeping systems include:

- (a) a set of authorized policies, assigned responsibilities, delegations of authority, procedures and practices; policy statements, procedures manuals, user guidelines and other documents which are used to authorize and promulgate corporate practices;
- (b) the records themselves;
- (c) specialized information and records systems used to control the records; and
- (d) software, hardware and other equipment, and stationery.

Recreational Campsite

A lodging house –

- (a) situated on a campsite principally used for –
 - (i) recreational, sporting, religious, ethnic or educational pursuits; or

[Corporate Documents Glossary \(Definitions Template\)](#)

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- (ii) conferences or conventions; and
- (b) where the period of occupancy of any lodger is not more than 14 consecutive days, and includes youth camps, youth education camps, church camps and riding schools.

Recurrent Breach

Has the meaning given in section 5.105(2) of the [Local Government Act 1995](#)

Reflective Materials

Includes factory applied finishes such as zincalume, galvabond and light colorbond colours such as white, off-white and surf mist

Reformatting

The act of converting records from one format to another while maintaining the records' authenticity, integrity, reliability and usability. This may involve the digitization of analogue materials.

Refuse Disposal Site

Land set apart by the Local government under the Act as a site for the deposit of rubbish or refuse

Regional

Applies to local government areas neighbouring the Shire

Register Of Aid Incidents

A register detailing Incidents requiring first aid to be administered.

Register Of Lodgers

A register kept in accordance with Section 157 of the [Health \(Miscellaneous Provisions\) Act 1911](#) and this Part.

Regular Working From Home

Working from home weekly, fortnightly, or monthly on a regular basis less than a three month period.

Regulation 18 Noise Exemption Application

Form is to be used for the purposes of obtaining a noise exemption for an approved sporting, cultural or entertainment event whereby noise emissions are likely to exceed assigned levels. All fields must be completed. If a particular field is not relevant please mark as 'not applicable'.

Regulations

Regulations are subsidiary legislation made under a prescribed Act that may prescribe an offence and requirements for authorised persons – dependent upon what the corporate document is.

Rehabilitation Plan

A plan which details the developer commitments to rehabilitate/reconstitute the site through landform and vegetation planting measures in order to restore the pre-existing ecosystem as far as is practicable.

Related Objects

An object that contributes to the cultural significance of a place but is not at the place.

Related Party

A related party is a person or entity that is related to the entity that is preparing its financial statements (in this Standard referred to as the 'reporting entity').

- (a) A person or a close member of that person's family is related to a reporting entity if that person:
- i. has control or joint control over the reporting entity;
 - ii. has significant influence over the reporting entity; or

- iii. is a member of the key management personnel of the reporting entity or of a parent of the reporting entity.
- (b) An entity is related to a reporting entity if any of the following conditions applies:
- i. The entity and the reporting entity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
 - ii. One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).
 - iii. Both entities are joint ventures of the same third party.
 - iv. One entity is a joint venture of a third entity and the other entity is an associate of the third entity.
 - v. The entity is a post-employment benefit plan for the benefit of employees of either the reporting entity or an entity related to the reporting entity. If the reporting entity is itself such a plan, the sponsoring employers are also related to the reporting entity.
 - vi. The entity is controlled or jointly controlled by a person identified in (a).

A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

Related Party Transactions

A related party transaction is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

Related Place

A place that contributes to the cultural significance of another place.

Remuneration

Consideration or benefit received or receivable by the person but excludes any reimbursement of out of pocket

Reportable Allegation

Any information that leads a person to form the belief on reasonable grounds that an employee of an organisation covered by the Scheme, has engaged in reportable conduct, whether or not the conduct is alleged to have occurred in the employee's course of employment.

Reportable Conviction

A conviction (including a finding of guilt without the court proceeding to a conviction) in Western Australia or elsewhere, of an offence involving reportable conduct.

Reserve

Any land -which belongs to the local government; of which the local government is the management body under the *Land Administration Act 1997*; or which is an "otherwise unvested facility" within section 3.53 of the [Local Government Act 1995](#)

Resident

A person, other than a lodger, who resides in a lodging house.

Residential Building

- (a) An accommodation unit, other than a caravan, camp, park home or manager's residence, that may not be occupied by the one person, or group of persons, for an aggregate period of more than six (6) months in any consecutive period of twelve (12) months.
- (b) A building being used or designed to be used for human habitation temporarily by 2 or more persons or permanently by 7 or more persons who do not comprise a single family, but does not include a hospital, sanatorium, prison, hotel, motel, or residential school.

Residential Development Policy Definitions

All terms shall have the meanings applied to them under the Shire's Local Planning Schemes and the definitions included in Appendix 5 to the Local Planning Policy.

Residential Lot

A lot where a residential use -

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot

Residual Current Device (RCD)

A Residual Current Device is a sensitive safety device that switches off the electricity within 10 to 50 milliseconds if there is an electrical fault.

Respondent

The person who is the subject of a grievance or is called upon to respond to a complaint.

Responsible Officer

Shire Officer responsible for a project, or a department that will respond to enquiries about the subject matter.

Restoration

The process of not only intervening but repairing the damaged object.

Returning the existing fabric of a place to a known earlier state by removing accretions, or by reassembling existing components, without the introduction of new material.

Restricted Private Use

Approved travel within 150km radius of the Administration Office – Shire of Toodyay.

Travel outside the 150km radius of the Administration Office – Shire of Toodyay, requires approval from the CEO and operating costs to be the responsibility of the worker.

Retailer

A proprietor of a shop in respect of which shopping trolleys are provided for the use of customers of the shop.

Retaining Wall

Any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another

Right To Be Heard

A requirement that a State Agency in some circumstances must seek the view of the Local Government before taking a decision.

Risk

The effect of uncertainty on objectives: AS/NZS ISO 31000:2018. A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.

Risk Assessment

The process of applying risk management methodologies to assess the level of risk in a particular or general circumstance, activity or operation, or decision.

Risk Management

The application of coordinated activities to direct and control an organisation regarding risk.

Risk Management Plan

A plan that documents potential risks to the organising body responsible for managing an event, and the steps that the body will take to keep those risks at acceptable levels. The plan should address different risks, for each individual event.

RMS

The Shire's record management system.

Road as per *the Road Traffic (Administration) Act 2008*

Includes any highway, road or street open to, or used by, the public and includes every carriageway, footway, reservation, median strip and traffic island thereon.

Road Traffic Act

The current [Road Traffic \(Administration\) Act 2008](#)

Roadside Conservation Committee

Established under the Soil and Land Conservation Council within the Office of Premier and Cabinet.

Rodents

Those animals belonging to the order Rodentia and includes rats and mice but does not include animals (other than rats) kept as pets in an enclosure designed for the purpose of keeping as pet animals of that kind

RSPCA

Royal Society of the Prevention of Cruelty to Animals (Inc) of Western Australia

Rubbish Or Refuse

Any filth, dirt, ashes, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse

Rubbish, Refuse And Disused Materials includes;

- (i) Any material which is abandoned or unwanted by its owner or the person in possession of it;
- (ii) Any material which cannot be shown to be for an intended purpose, and which has been deposited or stored upon any property for no purpose other than their deposit or abandonment.

- (iii) Any motor vehicle, motor vehicle part or machinery which has been deposited or stored upon any property for the purpose of dismantling or breaking up or is unable to be used in good time.
- (iv) Any wood, metal or building material placed haphazardly on property, which shows no use while creating a nuisance, or an environmental hazard.
- (v) Any material may be refuse, rubbish, or disused material in spite potentially having a commercial value to its owner, the person in possession of it, or to the owner of any property upon which it is deposited or stored.

Rule Of Conduct

A provision of the model code that is specified in the model code to be a rule of conduct;

Rural Lot

A lot where a rural use -

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot

S

Sale

A sale by way of auction

Saleyard

Local government property which is used for the sale of stock

Sanitary Convenience

Includes urinals, water-closets, earth-closets, privies, sinks, baths, wash troughs, apparatus for the treatment of sewage, ash-pit, ash-tub, or other receptacle for the deposit of ashes, faecal matter, or refuse, and all similar conveniences

SAT

Salaries and Allowances Tribunal.

Scale

The size of a building or addition and its relationship with surrounding buildings, the existing building in the case of an addition, or the landscape.

Schedule

A Schedule to a local law or legislative instrument or lease, agreement, memorandum of understanding, etc.

Scheme

The local planning scheme that specifies zoning and development standards gazetted pursuant to the *Planning and Development Act 2005*, as amended.

School Bus Route

Any public road utilised on a daily basis by a licensed school bus operator to transport children to and from an educational establishment registered by the Education Ministry of Western Australia.

Secondary Stakeholders

Those persons/groups with a general interest in an outcome e.g. Shire Officers, Workers, consultants, or the broader community.

Second-Hand Transported Dwelling

A residential dwelling which has previously been constructed and occupied (whether within the district or elsewhere) which is capable of being transferred and reconstructed for use as a residential dwelling.

Secured Sum

The sum required to be paid or the amount of a bond, guarantee or other security

Selection Criteria

A list of the skills, knowledge and work experience a person needs to get a job they are applying for.

Selection Panel

The selection panel established by Council for the employment of a person in the position of CEO.

Self-Supporting Loan

A loan taken out by the Shire on behalf of clubs or organisations who undertake to meet the capital, interest and loan guarantee payments.

Semi-Fixed Items

Furniture and items which require a permanent footing or structural installation system. This includes umbrellas, canvas screens and planter boxes.

Senior Employee

An employee designated as a Senior Employee by Council under s.5.37 of the *Local Government Act 1995* including the CEO and the Executive Management Group.

Senior Officer

A senior position in the organisation engaged by and directly responsible to the CEO. Classified as a senior employee under s.5.37 of the Act.

Sensitive Information

Any Personal Information that includes information or an opinion about an individual's:

- racial or ethnic origin;
- political opinions or associations;
- religious or philosophical beliefs;
- trade union membership or associations;
- sexual orientation or practices;
- criminal record;
- health or genetic information;

- some aspects of biometric information.

Generally, sensitive information has a higher level of privacy protection than other personal information.

Sensitive Land Use

Has the same meaning as in the Environmental Protection Authority - Guidance Statement 3 - Separation Distances between Industrial and Sensitive Land Uses.

Serious Breach

has the meaning given in section 5.105(3);

Serious Misconduct

Includes deliberately unprofessional, dangerous or unlawful behaviour, such as theft, fraud, sexual harassment or assault, which may warrant instant dismissal.

Service

Continuous unbroken employment with the Shire of Toodyay.

Serviced Apartment

A lodging house in which each sleeping apartment, or group of sleeping apartments in common occupancy, is provided with its own sanitary conveniences and may have its own cooking facilities

Sessions

Information Sessions are where Elected Members are briefed in respect to matters that may be of Public Interest by representatives from public, community, or government organisations, Parliamentarians, or businesses.

Set Fee

Refers to Schedule of fees and charges set by a resolution of the Board and published in the Government Gazette, under section 53 of the [Cemeteries Act 1986](#).

Setback Area

Has the meaning given to it by the Residential Design Codes for the purposes of the local planning scheme.

In land use, a setback is the minimum distance which a building or other structure must be set back from a street or road, a river or other stream, a shore or flood plain, or any other place which is deemed to need protection.

Setting

The area around a heritage place or item that contributes to and is part of its heritage significance. It may include views to and from the place. The setting may be pristine landscape, culturally modified landscape, gardens and streetscapes.

Sewage

Any kind of sewage, nightsoil, faecal matter or urine, and any waste composed wholly or in part of liquid

Sewer *As per the Health (Miscellaneous Provisions) Act 1911:*

Includes sewers and drains of every description, except drains to which the word drain as above defined applies, also water channels constructed of stone, brick, concrete, or any other material, the property of a local government

Shade House

A shade house is a mesh (or shade-cloth) structure that protects plants from the sunlight.

Shire

The Shire of Toodyay or the term *local government* as stated in Schedule 2 of the *Local Government (Administration) Regulations 1996*.

The Shire is the administrative arm of the body corporate of the local government.

Shire Employee

People employed by the CEO to undertake activities to achieve the objectives of the Shire of Toodyay.

Shire Form

A form used by the Shire of Toodyay.

Shire Officer

Employee of the Local Government (including Report Writers). May also be referred to as Worker in accordance with Work Health and Safety (WHS) legislation.

Shire President

A mayor or president elected by the Council from amongst the councillors.

Shopping Trolley

A wheeled container or receptacle supplied by a retailer to enable a person to transport goods

Short Stay Site

A site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months.

Short Term Hostel

A lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and shall include youth hostels and backpackers hostels

Sign and/or signage

- (a) A notice, flag, traffic sign, inscription, mark, structure or device on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles
- (b) Any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, used for the purposes of advertisement, announcement or direction and includes any hoarding or similar structure used for the display of advertisements. The term includes any airborne device anchored to any land or building,

the painting of any building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.

Significant Influence

Significant influence is the power to participate in the financial and operating policy decisions of an entity but is not control over those policies. Significant influence may be gained by share ownership, statute or agreement.

Simple Majority

More than 50% of the Members present and voting

Single Funeral Permit

A permit issued by the Board under section 20 or 21 of the [Cemeteries Act 1986](#) which entitles the holder to conduct at the cemetery a funeral of a person named in the permit

Site

An area:

- (a) In a facility that is marked, or intended, for the use of one caravan or camp; or
- (b) In a facility for which the registered proprietor holds a title in fee simple under the *Strata Titles Act 1985*.
- (c) Land specified by the local government in a licence.

Site Plan

A graphic representation of all existing and proposed structures or improvements to a site. Sometimes referred to as a plot plan, the site plan functions as a map for an event, incorporating all aspects of landscaping, exits, facility location, parking location, stage location, stall location, etc

Social Gatherings

Pre-conference receptions; state breakfasts; parliamentary breakfasts; gala dinners; morning teas; luncheons; dinners; or suppers where invitations have been extended for social and community purposes by an individual; or a diversity of individuals of all abilities in small, medium, or large groups; or any type of business, company, or government department.

Social Media

Websites and applications whereby users create or participate in online communities to share information, ideas, personal messages, photos, videos, and other content. Examples of social media platforms include but are not limited to:

- Social networks such as What's app, Facebook, LinkedIn and Twitter;
- Media sharing networks such as Instagram, YouTube and Snapchat;
- Discussion forums such as Reddit;

- Content curating networks such as Pinterest;
 - Consumer review networks such as TripAdvisor and Yelp;
- Blogging and publishing networks such as WordPress and Tumblr.

Special Meeting

Has the same meaning as in section 5.3 of the [Local Government Act 1995](#).

Special Purpose Vehicle

A public utility service truck, a tow truck, a vehicle being used for official duties by a member of the Police Service, a motor breakdown service vehicle or a vehicle being used by a government authority or a local government in connection with its functions, but does not include an emergency vehicle.

Special Rural Lot

A lot where a special rural use -

- (a) is or may be permitted under the local planning scheme; and
- (b) is or will be the predominant use of the lot

Speculative Purposes

Investments as follows:

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- (a) Deposit with an institution other than an Authorised Institution;
- (b) Deposit for a fixed term of more than three years;
- (c) Investment in Bonds that are not guaranteed by the Commonwealth Government or a State or Territory Government;
- (d) Investment in Bonds with a term to maturity greater than three years; and
- (e) Make foreign currency investments.

Stakeholders

An individual, group or organisation that is impacted by the outcome of a project or a business venture.

Stall

A movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire

Stallholder

A person in charge of a stall

Stallholder's Permit

A permit issued to a stallholder.

Standard Amendment

Definition as outlined in [Reg 34 of the Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

Standard of Proof

Findings in a workplace investigation are made on the 'balance of probabilities', which is the civil standard of proof. A fact is proven, on the balance of probabilities, if its existence is more probable than not or if it is established by a preponderance of probability.

Standard Purchasing Options

The preferred option of purchasing for the Shire by way of requisitions; purchase orders; and invoicing.

Standards Panel

A standards panel established under section 5.122(1) or (2) of the [Local Government Act 1995](#).

Statement

The monthly credit card account statement

Statement Of Significance

A summary of those things that are of particular importance in relation to a particular place and tells us why a place has cultural heritage significance. It also guides how a place that is significant may be managed.

Statutory Documents

Corporate documents whose format and layout are guided by legislative requirement i.e. budgets, town planning schemes, annual reports.

Sterilised

Made permanently infertile by a surgical procedure.

Stock

Has the meaning given to "livestock" in the *Auction Sales Act 1973*

Stock Agent

Any person appointed by the owner of stock to sell that stock at a saleyard.

Strategy

A plan made in advance of actions that identifies, serves and complements the Shire's major strategic goals and objectives.

Street *As per the Health (Miscellaneous Provisions) Act 1911:*

Includes any highway, and any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; which the public are allowed to use and included every part of the highway or thoroughfare, and other things including bridges and culverts, appurtenant to it

Street Alignment

The boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed under the Local Government (Miscellaneous Provisions) Act 1960, means the new street alignment so prescribed

Streetscape

The total visual impression gained from any one location within a street including the natural and man-made elements; and is made up of the appearance of, and the relationships between, buildings in terms of design, scale, materials, colours, finishes, signs, external furniture, paving materials for roads, footpaths and landscaping.

Structural Engineer

Analyse, design, plan, and research structural components and structural systems to achieve design goals and ensure the safety and comfort of users or occupants

Submitters

Those persons affected, impacted, with an interest, or requested to make a written comment or submission on a proposal within the formal comment period or shortly thereafter at the discretion of the Shire.

Substantive Motion

An original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion

Sufficient Fence

- (a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Fencing Local Law First Schedule.
- (b) on a Commercial Lot and on an Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Fencing Local Law Second Schedule;

- (c) on a Rural Lot and on a Special Rural Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Fencing Local Law Third Schedule.

Suitably Qualified:

An independent person or organisation with demonstrated previous experience and expertise in investigating and reviewing complaints and/or legislative breaches.

Sundry Debtors

Individuals or organisations who receive goods or services from the Shire in credit or does not make the payment immediately and is liable to pay the Shire in the future.

Superannuation Contribution

The percentage of a person's salary that Council contributes into a complying superannuation fund

Support

Cash or in-kind services provided to the recipient.

Support Person

Is a person that:

- (a) a complainant and/or respondent may wish to bring to meetings, where practicable.
- (b) a Worker wishes to bring to meetings, where practicable.

The role of the support person is not one of advocacy, instead it is emotional and practical support. They may also take notes but must not directly engage in any conversations during a meeting.

Support persons are subject to the rules of confidentiality.

Sustainable Procurement

A process demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy); that meets the Shire's needs for goods, services, works and utilities in a way that achieves value for money on a life-cycle basis while addressing equity principles for sustainable development.

Symbol

Includes any symbol specified by Australian Standard 1742.11-1989 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol

Sympathetic Or Complementary

A design outcome that shares the characteristics of the context and while it will not be the same as historic neighbours, will not look out of place amongst them.

T

Target Audience

Key visitation demographics including, but not limited to people fitting the following groups:

- (a) Parents with young families, or young couples and individuals aged 18 – 35;
- (b) Semi-retirees (age demographic of 50+);
- (c) Social groups or Retirees (65+); or
- (d) Primary school groups.

Taxi *As per the Transport (Road Passenger Services) Act 2018*

A vehicle that is used for the purpose of standing or plying for hire, or otherwise for the carrying of passengers for reward, but does not include a taxi-car or omnibus licensed under the Transport Coordination Act 1966;

Temporary Community Service Sign

A sign to or giving directions to a charitable, cultural, educational, recreational or other public or community function, exhibition, meeting, display, event or activity conducted by a community association other than for commercial gain.

Temporary On-Site Accommodation

Facilities to live on-site during the construction or modification of a dwelling in accommodation of a temporary nature including a caravan.

Temporary Sanitary Convenience

A sanitary convenience, temporarily placed for use by patrons in conjunction with a festival; or employees at construction sites or the like.

Temporary Special Event Signs'

A temporary sign which is erected for a short term event such as a fair or festival for charitable, religious, educational, sporting organisations or the like, which has been approved by the Shire of Toodyay. Temporary Special Event Signs must be removed at the completion of the event and consent must be sought from the Shire of Toodyay when signs are to be placed in a thoroughfare or a reserve.

Tertiary Stakeholders

Those persons/groups who do not necessarily fit into either primary or secondary stakeholder categories e.g. Government and non-government authorities and agencies, or other media organisations.

The Department

Department of Local Government, Sport and Cultural Industries.

The Determination

The Local Government CEO and Elected Members determination as “determined” by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B. (s.5.98 of the Act).

Thematic Interpretation

The method of interpreting objects by historic themes as opposed to general classification.

Thoroughfare

A road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end; including footpaths, kerbs and verges.

Ticket Issuing Machine

A parking meter which issues, as a result of money being inserted in the machine or such other form of payment as may be permitted to be made, a ticket showing the period during which it shall be lawful to remain parked in a metered space to which the machine is referable

Toilet

A water closet, earth closet, privy or urinal and includes a room or cubicle in which one or more of these are located

Total Cost Of Ownership Approach

Costs that include asset design, acquisition, construction, operation, maintenance, renewal and disposal.

Tourist Attraction

A building or group of buildings and associated facilities and including other non–built facilities substantially used for the attraction, accommodation and servicing of tourists, and includes wineries, cellar door sales, food and rural produce tasting and experiential attractions available to the general public.

Tower Sign

A sign affixed to or placed on a tower, chimneystack, or open structural mast.

Townsite

All townsites within the district which are –

- (a) constituted under section 26(2) of the *Land Administration Act 1997*; or
- (b) referred to in clause 37 of Schedule 9.3 of the [Local Government Act 1995](#).

Trader

A person who carries on trading

Trader's Permit

A permit issued to a trader

Trading

The selling or hiring, or the offering for sale or hire of goods or services, and includes displaying goods for the purpose of –

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- (a) offering them for sale or hire;
- (b) inviting offers for their sale or hire;
- (c) soliciting orders for them; or
- (d) carrying out any other transaction in relation to them

Includes also the going from place to place, whether or not public places, and:

- (a) offering goods or services for sale or hire;
- (b) inviting offers or soliciting orders for the sale or the hire of goods or services; or
- (c) carrying out any other transaction in relation to goods or services,

Traffic Impact Assessment (Tia)

An assessment of the impacts of a development on the transport network and identify reasonable solutions to address these impacts.

Traffic Management Plan

A plan that outlines the traffic control and traffic management procedures to be implemented by the Organising body to manage potential hazards associated with the traffic environment during the event.

Trailer

Any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car

Trailer derivative

A caravan (trailer type) or plant trailer, in which the body form and the greater part of the mechanical equipment are the same as in a trailer or semi-trailer.

Training Period

The 12-month period from the day the Member is elected, and the mandatory training must be completed.

Transaction Card

A card facility (which may include the Shire's Corporate Credit Cards, a Credit, store, parking, cab-charge, and fuel cards approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire business activities only in accordance with relevant Shire policies.

Transferee

A person who applies for the transfer of a licence to him or her.

Transmittal Register

Is used to record the transmission, archiving or disposal of media containing visual images recorded using the Shire of Toodyay CCTV system.

Transparency

Transparency, as used in the humanities and in other social contexts, is operating in such a way that it is easy for others to see what actions are performed. Transparency implies openness, communication, and accountability.

Travel

The action of travelling from home to a location where an event is being held whether that be within the region, the State of WA or other places within Australia subject to the following conditions:

- (a) Travel within the State of WA is to an approved event;
- (b) Any proposed interstate travel to other places within Australia must be approved through a formal decision of Council.

Travel And Accommodation Expenses

- (a) Travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or
- (b) Any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.

U

Underperformance

Includes where a worker is, or workers are:

- (a) not performing duties, or not performing them to the required standard;
- (b) Displaying negative or disruptive behaviour in the workplace; or
- (c) Failing to comply with workplace policies, rules or procedures.

Unenclosed

An area bounded on no more than two sides by a permanent wall and covered in a water impermeable material.

Unobtrusive

Not noticeable, especially when viewed from a public place.

Unrestricted Private Use

- (a) Approved travel below the 26th Parallel in Western Australia.
- (b) Travel above the 26th Parallel in Western Australia requires approval by the CEO and operating costs to be the responsibility of the worker.

Urban Form

The broad shape and structure of an urban community and the distribution of its major features.

Urinal

- (a) An individual stall or wall-hung urinal; or
- (b) each 600mm length or a continuous urinal trough; or
- (c) a closet pan used in place of a urinal

Use

The function of a place, as well as the activities and practices that occur at such a place.

V

Vault

A below ground lined grave with one or more sealed compartments constructed to specifications approved from time to time by the Board

Vectors Of Disease

An arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice, body lice and head lice

Vehicle

Includes:

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,

(c) but excludes –

- (i) a wheelchair or any device designed for use by a physically impaired person on a footpath; and
- (ii) a pram, a stroller or a similar device
- (iii) a train, vessel or aircraft.

Vehicle Dashboard Camera

A video camera mounted on the dashboard of a vehicle and used to continuously record activity through the vehicle's windshield.

Verge

That part of a thoroughfare (or portion of a thoroughfare) which lies between the boundary of a carriageway and the adjacent property line (land which abuts the thoroughfare) but does not include any footpath

Visitor Centre

The Toodyay Visitor Centre at 7 Piesse St, Toodyay

Visual Impact

Has the same meaning as in the Western Australian Planning Commission manual – Visual Landscape Planning in Western Australia (2007).



Volunteer

A person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses) for the Shire of Toodyay who contributes their skillset, effort and time.

W

WALGA

Western Australian Local Government Association

Wall Sign

A sign that is painted or affixed on the front, side or rear elevation of a building or structure,

Waste Disposal Industries

The Class I and Class II Waste Disposal Industries operated out of Lot 11 Chitty Road and Lot 1 Salt Valley Road.



Water

Drinking water within the meaning of the Guidelines for Drinking Water Quality in Australia – 2011 as published by the National Health and Medical Research Local government

Watercourse

Any river, stream or creek as depicted on a plan attached to or associated with the ‘Interpretation of Watercourses Policy’.

Wellbeing

Includes the care, development, education, health and safety of children and young people.

Whole Of Life Costs

The methodology used to estimate the total costs of goods or services (the supply) over the whole of their life.

Whole-Of-Life Cycle Costs

The economic procedure used by asset managers to compare competing investment options over a certain analysis period and to identify the option that results in the minimum total life-cycle cost (i.e. the optimal option).

WHS

Work Health and Safety

WHS Legislation

Work Health and Safety Act 2020.

Work (Health and Safety) General Regulations 2022.

Window

A glass panel, roof light, glass brick, glass louvre, glazed sash, glazed door, or other device which transmits natural light directly from outside the building to the room concerned when in the closed position

Withdrawal Of A Motion

A substantive motion that has been moved by a member (whether an original motion or an amendment to a motion) that the member wishes to be withdrawn (and so is seeking leave of Council to withdraw it) in accordance with Standing Orders 9.15 (1).



Witness

A person (including a Worker) who is requested by the Shire to assist in the process by providing relevant information regarding a complaint.

Work Related Matters

Work-related matters are those things that arise out of or during the course of the person's engagement with the Shire of Toodyay as a worker, volunteer, student on placement or contractor.

Work Wear Uniform

An approved range of durable clothes that are fit for purpose for manual or physical work that may incorporate the Shire's logo (and approved logos where relevant).

Workers

Employees, contractors, volunteers and students on placement with the Shire as per the Work Health and Safety legislation (WHS) and regulations.

**For the purposes of the Fitness for Work Policy the term Workers will also include Primary and Secondary Stakeholders as defined.*

Working From Home

Working away from a Worker's ordinary, contracted, place of employment.

Works

Any physical alterations made to land or property within the municipality, either by Council or a government agency or third party authorised by the relevant agency.

Workshops

Council workshops as per 8.2.2 of the Council Meeting Schedule of the Governance Framework.



X, Y AND Z

Zone

A portion of the Scheme area identified on the Scheme Map as a zone for the purpose of indicating the controls imposed by this Scheme on the use of, or the carrying out of works on, land, but does not include a reserve or special control area