



**AGENDA FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON**

Wednesday 21 September 2016

SHIRE OF MINGENEW



Shire of Mingenew

Ordinary Council Meeting Notice Paper

21 September 2016

Madam President and Councillors,

An ordinary meeting of Council is called for Wednesday, 21 September 2016, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

Martin Whitely
Chief Executive Officer

17 September 2016

MINGENEW SHIRE COUNCIL

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CHIEF EXECUTIVE OFFICER
17 SEPTEMBER 2016



SHIRE OF MINGENEW
WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

Chief Executive Officer
Shire of Mingenew
PO Box 120
MINGENEW WA 6522

Dear Sir/Madam,

Re: Written Declaration of Interest in Matter before Council

I, (1) _____ wish to declare an interest in the following item to be considered by Council at its meeting to be held on

(2) _____

Agenda Item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Section 5.60A of the Local Government Act 1995
 Proximity pursuant to Section to 5.60B of the Local Government Act 1995
 Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
 Impartiality pursuant to regulation 11 of the Local Government (Rule of Conduct) Regulations 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the minutes of the meeting and recorded in the Financial Interest Register.

Yours faithfully,

Signed

Date

1. Insert Name
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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SHIRE OF MINGENEW

AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 21 September 2016 COMMENCING AT 4.30pm

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- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE**
- 6.0 DECLARATIONS OF INTEREST**
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**
 - 7.1.1 ORDINARY MEETING HELD 17 AUGUST 2016**



**MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY**

17 August 2016

SHIRE OF MINGENEW



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SHIRE OF MINGENEW

MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL 17 AUGUST 2016 COMMENCING AT 4.30pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 4.30pm and welcomed all in attendance.

2.0 ATTENDANCE

MA Bagley	President	Rural Ward
HM Newton	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
KL Criddle	Councillor	Rural Ward
CR Lucken	Councillor	Town Ward
MP Pearce	Councillor	Town Ward

STAFF

MG Whitely	Chief Executive Officer
NS Jane	Deputy Chief Executive Officer

APOLOGIES

Nil

LEAVE OF ABSENCE

GJ Cosgrove	Councillor	Rural Ward
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3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME / PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

There being no members of public the President proceeded with the meeting allowing a Period of 15 minutes for questions from the public up until 4:45pm

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 DECLARATIONS OF INTEREST

Martin Whitely, CEO Item 10.1.1
Cr Newton, Item 10.1.1
Nita Jane, DCEO item 9.1.4

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 20 JULY 2016.

COUNCIL DECISION – ITEM 7.1

Moved Cr Eardley

Seconded Cr Lucken

That the minutes of the ordinary meeting of the Shire of Mingenew held in the Council Chambers on 20th July 2016 be confirmed.

CARRIED: 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 REQUEST FOR FUNDS – ST JOHN

Location/Address: Shire of Mingenew
Name of Applicant: St Johns Ambulance, Irwin Districts Sub Centre
Disclosure of Interest: Nil
File Reference: ADM0295
Date: 9 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends the approval of a donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

Attachment

Letter of request from St John Irwin Districts Sub Centre.

Background

During the 2015/16 financial year renovations were completed at the St John's building in Mingenew and a letter was recently received from the St John Irwin Districts Sub Centre requesting a donation from the Shire for the establishment of a water wise garden at the facility.

Comment

The St John's volunteers provide an invaluable service for the community and in my opinion it is important that we acknowledge our volunteers in the community, particularly those volunteers involved in the capacity of emergency response management.

The Shire was not asked to contribute financially towards the building refurbishment and a small donation to the organisation is possible utilising funds that have been allocated in the 2016/17 Budget for such requests.

Consultation

Michelle Bagley, President

Statutory Environment

Local Government Act 1995

Policy Implications

Section 3004 of The Shire of Mingenew's Policy Manual deals with donations as follows;

3004.1 DONATIONS AND GRANTS – LOCAL NATURE

Council shall consider requests for donations that are not part of normal budgetary considerations on their individual merit however, generally will decline appeals for donations:

- of a state or National nature type
- if they are not concerned or connected with the local area.
Exceptions to the above will be:
 - Disaster or emergency appeals.

Financial Implications

An allocation of \$3,000 has been made in the 2016/17 Budget.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 3.7.5 – Promote participation in emergency service organisations.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council make a donation of \$500 donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

COUNCIL DECISION – ITEM 9.1.1

Moved Cr Eardley

Seconded Cr Lucken

That Council make a donation of \$500 donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

Cr Pearce moved an amendment to the motion - \$250 rather than \$500

This amendment lapsed as there was no seconder to the motion.

The original motion was put and carried.

CARRIED 5/1

9.1.2 REQUEST FOR FUNDS – MINGENEW IRWIN GROUP

Location/Address: Shire of Mingenew
Name of Applicant: Mingenew Irwin Group
Disclosure of Interest: Nil
File Reference: ADM0331
Date: 9 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council agree to a Bronze Sponsorship level for the 2016 MIG Ladies Day.

Attachment

Letter of request from the Mingenew Irwin Group.

Background

The Mingenew Irwin Group (“MIG”) will be hosting their inaugural Ladies Day at the Mingenew Recreation Centre on Thursday 8 September 2016 and are seeking sponsorship for the event.

Comment

Council provides support to the Mingenew Irwin Group in a number of ways including provision of the building, subsidised housing, and at the July 2016 Ordinary Meeting Council agreed to re-enter into a three sponsorship agreement with the Mingenew Irwin Group for an annual contribution of \$3,000 per annum with the sponsorship agreement to run for the period 1 July 2016 to 30 June 2019.

The Shire’s Community Development Officer has been working with MIG in putting together the Ladies Day and will continue that support leading up to the event.

It is acknowledged that MIG is an important business entity in the community and it is possible utilising funds that have been allocated in the 2016/17 Budget for their request if Council see value in the sponsorship.

Consultation

Michelle Bagley, President

Statutory Environment

Local Government Act 1995

Policy Implications

Section 3004 of The Shire of Mingenew’s Policy Manual deals with donations as follows;

3004.1 DONATIONS AND GRANTS – LOCAL NATURE

Council shall consider requests for donations that are not part of normal budgetary considerations on their individual merit however, generally will decline appeals for donations:

- of a state or National nature type
- if they are not concerned or connected with the local area.
Exceptions to the above will be:
- Disaster or emergency appeals.

Financial Implications

An allocation of \$3,000 has been made in the 2016/17 Budget.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 1.1.4 – Continue to support local events and encourage new events.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2

That Council contribute \$250 cash towards a Bronze Sponsorship level for the 2016 MIG Ladies Day.

COUNCIL DECISION – ITEM 9.1.2

Moved Cr Pearce

Seconded Cr Criddle

That Council contribute \$250 cash towards a Bronze Sponsorship level for the 2016 MIG Ladies Day.

CARRIED 6/0

Cr Newton requested that Mrs Ella Suckling, CDO, is commended for her efforts in working with community groups and organisations.

9.1.3 DELEGATION TO COMMITTEE

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0303
Date: 10 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Cr Pearce be appointed as the Shire of Mingenew delegate for the Midlands Route Project Team.

Attachment

Nil

Background

At the last Wildflower Country meeting held on Thursday 28 July the resolution was endorsed by the Committee;

That Wildflower Country Inc:

- *endorse the formation of a Midlands Route Project Team;*
- *the Midlands Route Project Team consist of one representative from each local government:*
 - *Shire of Moora*
 - *Shire of Coorow*
 - *Shire of Carnamah*
 - *Shire of Three Springs*
 - *Shire of Mingenew;*
- *That the Midlands Route Project Team report on the progress of the project at each Wildflower Country Inc meeting;*
- *That the Midlands Route Project Team be authorised to make decisions regarding the project to ensure timely progress of the project;*
- *That each local government appoint a representative for this Project Team prior to the next meeting;*
- *That Nita Jane be authorised to sign the Grant Agreement on behalf of Wildflower Country Inc (as Chairperson).*

Each of the Councils on the Midland Route Project Team have been requested to advise in writing the Shire's delegate to the Midland Route Project Team prior to the next meeting which will e held on 1 September 2016.

Comment

At the most recent review of the Delegations to Committees and Community Organisations at the November 2015 Ordinary Meeting the following appointments were made to the Wildflower Country Committee;

Delegate: Cr Pearce
Proxy: President Bagley
Proxy: CEO or other appointed staff member

As the Midland Route Project Team has been endorsed by Wildflower Country it seems logical to maintain consistency in having the same delegate for the Midland Route Team as we have for the Wildflower Country Committee. The only change I would recommend is to have Nita Jane as the proxy for the Midlands Route Team as Nita will be attendance at the Wildflower Country meetings in her capacity as the Chairperson.

Consultation

Michelle Bagley, President
Marguerite Pearce, Councillor

Statutory Environment

Nil

Policy Implications

Section 1003 of The Shire of Mingenew's Policy Manual deals with Elections to Committees as follows;

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

Financial Implications

Nil

Strategic Implications

Shire of Mingenew Community Strategic Plan
Outcome 1.1.10 – Participate and support the Wildflower Way.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.3

That Council appoint delegates to the Midland Route Project Team as follows;

Delegate: Cr Marguerite Pearce
Proxy: DCEO, Nita Jane

COUNCIL RESOLUTION – ITEM 9.1.3

Moved Cr Pearce

Seconded Cr Eardley

That Council appoint delegates to the Midland Route Project Team as follows;

Delegate: Mrs Ella Suckling, CDO
Proxy: Mrs Nita Jane, DCEO

CARRIED 6/0

The President, Cr Bagley requested that the reason for the change to the officer's recommendation be recorded.

The reason being is that as this role will require operational information it is more appropriate for an officer to be on the Project Team, and Cr Pearce continue as the Council Delegate to the Committee.

9.1.4 POLICY MANUAL

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Impartiality Interest

File Reference: ADM0133
Date: 10 August 2016
Author: Martin Whitely, Chief Executive Officer

Disclosure of Financial Interest Item 9.1.4 – Martin Whitely, CEO & Nita Jane, DCEO

Prior to any consideration of Item 9.1.4, President Bagley advised the meeting that she had received written disclosures of interest from Martin Whitely, CEO and Nita Jane, DCEO relating to this matter. Both Officers disclosed a financial interest as recipients of staff utility allowances.

The President, Cr Bagley advised Mr Whitely and Mrs Jane to remain in the meeting.

Summary

This report recommends the amendment of Shire of Mingenew's Policy Manual dealing with section 5000 – Housing as per the direction of Council at the Ordinary Council Meeting held 20 July 2016.

Attachment

Nil

Background

At the last Ordinary Council Meeting held on 20 July 2016 the CEO was directed by Council to amend the policy relating to Housing to require recovery of over expenditure.

Comment

Below are the current Shire Policies in relation to the provision of housing and utilities;

5001 ALLOCATIONS OF STAFF HOUSING

When Council Housing becomes available it will firstly be offered to Council Staff and the Chief Executive Officer is given the power to approve all housing allocations. Should Council Staff not require housing assistance, then the vacant residence/s is to be offered for lease by advertisement at the current market rental value.

5002 RESIDENTIAL RENTALS/LEASES

All residential rentals/leases will be covered by a written agreement in accordance with the Residential Tenancies Act and will include a bond. The bond amounts are to be set by Council for both Council employees and private tenants and be reviewed annually. Council employee tenants are to be given the option of paying the bond amount by instalment deductions from their pay.

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council property.

5006 WATER CHARGES FOR NON-STAFF PERSONS OCCUPYING COUNCIL PROPERTY

Council meets the cost of the annual water and sewerage rates as part of its operating maintenance programme.

For items 5001, 5002 and 5006 I propose that no changes are required at this point in time.

For Items 5003, 5004 and 5005 I am suggesting the following additions and wording changes (shown in red)

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. **Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.**

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. **Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.**

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties **within the Shire of Mingenew.**

Finally, that the following policy be included;

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waiver the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

The purpose of 5006 is to take into account all utility allowances that may have been negotiated within the employee's contract. For example if an employee has a telecommunications allowance of \$1,500, water allowance of \$1,500 and an electricity allowance of \$1,500, in the event that the expenditure by the employee was \$1,300 on telecommunications, \$1,200 on water and \$2,000 on electricity then rather than the employee having to reimburse \$500 on the over expenditure on electricity, the total expenditure of \$4,500 (\$1,300 + \$1,200 + \$2,000) would be offset against all of the utilities allowance totalling \$4,500 (\$1,500 + \$1,500 + \$1,500) and the amount to be reimbursed would be nil. It also

allows Council the opportunity to waive the reimbursement of costs if they are of the opinion that the additional utility charges incurred are not directly caused by the employee.

Consultation

Michelle Bagley, President

Statutory Environment

Nil

Policy Implications

If endorsed the Shire of Mingenew's Policy Manual will be updated to reflect the Officer's Recommendation.

Financial Implications

Nil

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 4.5.2 – Maintain, review and ensure relevance of Council policies and local laws

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.4
--

That Council endorse the following amended policies to form part of the Shire's Policy Manual

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties within the Shire of Mingenew.

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waive the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

COUNCIL RESOLUTION – ITEM 9.1.4
--

Moved Cr Lucken

Seconded Cr Pearce

That Council endorse the following amended polices to form part of the Shire's Policy Manual

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties within the Shire of Mingenew.

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waiver the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

CARRIED 6/0

9.2 FINANCE

9.2.1 ADOPTION OF 2016/17 BUDGET

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0130
Date:	9 th August 2016
Author:	Nita Jane, DCEO
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

This report seeks Council adoption of the Shire of Mingenew 2016-17 Budget.

Attachment

2016-17 Budget

Budget Supplementary Information and supporting documents.

Related legislation

Background

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget, to enable the administration to carry out the defined services and programmes and to raise revenue through rates and fees and charges.

Consistent with sections 6.2(4) of the Local Government Act 1995, the 2016-17 Budget for the Shire of Mingenew includes the following:

- Rates and Minimum Payments for 2016-17
- Capital Works
- Fees and Charges
- Concessions
- Allowances
- Borrowings
- Reserves
- Budget Estimates for Adoption

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Rating & Minimum Payments

The raising of revenue via annual rates is an important source of funds for all Councils throughout Australia. The Local Government Act 1995 (the Act) empowers WA Councils to impose general rates and minimum payments.

Rate Modelling (2016-17):

The proposed rates model is based on the following:

- Annual UV revaluation applied
- Annual Mining revaluation applied
- 3.5% rate increase
- Minimum Payments – UV - \$1,500
- Minimum Payments – GRV - \$655
- 50% concessions applied to Yandanooka Townsite
- No differential rates

Fees and Charges

The majority of the proposed fees and charges have been increased by the same amount as rates being 3.5%. Where possible, the actual cost of providing the service has been assessed, with provision for increases based on inflation and cost escalation where necessary.

Household and commercial waste removal charges have been increased to allow for a higher level of cost recovery of these services. \$360 per 240l bin per week.

Statutory fees and charges associated with town planning, health and building have been increased or remain unchanged as per relevant legislation that determines those fees and charges.

Concessions

A 50% concession will be available to persons owning rateable properties within the Shire that are rateable on the basis of Gross Rental Value (GRV), and are in the Yandanooka Townsite. The purpose of the concession is to recognise the reduced level of service provided to these ratepayers as compared to that provided to those in the Mingenew Townsite.

Allowances

Allowances proposed for the President and Councillors for 2016-17 have been indexed as per the resolution passed by Council, Item 9.2.2 in May 2015, being Perth March CPI.

Borrowings

There are no new borrowings proposed in the 2016-17 budget.

Reserve Accounts

A new Economic Development and Marketing Reserve is proposed with the purpose of Economic Development and Marketing in the Shire of Mingenew.

The Street Lighting Upgrade Reserve and Painted Road Reserve be closed and the funds transferred to Economic Development and Marketing Reserve.

The purpose of the Environmental Rehabilitation Reserve is amended from "To be used for the rehabilitation of Gravel Pits" to "to be used for the rehabilitation of sites such as gravel pits, refuse and contaminated sites."

Transfers to reserves are minimal with \$20,000 to the Insurance Reserve and \$50,000 to the Employee Leave Reserve. Utilisation of other reserve funds includes \$40,000 from Land and Building Reserve towards the Construction of a Transfer Station, \$100,000 from the Plant reserve towards various plant purchases, \$17,966 from the Environmental Rehabilitation Reserve towards asbestos cleanup, \$18,693 from the Economic Development and Marketing Reserve towards marketing initiatives.

Brought Forward Value

There is an estimated surplus of \$677,880 shown in the Budget as the brought forward amount from 30 June 2016. This figure is unaudited and may change with any adjustments to the opening position to be addressed during the year end and audit process.

Capital Works and Funding

Capital Works of \$3,218,862 are proposed in the 2016/17 financial year and these projects are itemised in the supplementary budget information.

A total of \$1,236,362 is budgeted for the Capital Road Programme.

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 August 2016

Funding sources allocated to the 2016/17 Road Programme include;

- \$386,000 – Main Roads Regional Road Group
- \$434,600 – Roads to Recovery
- \$40,000 – Main Roads Black Spot
- \$65,800 – Main Roads Direct Grant
- \$300,824 – Grants Commission Local Road Component

Elected Members Fees & Allowances

Elected Members Fees & Allowances for the 2016/17 financial year have been increased by the March Perth CPI.

President Allowance	\$7,150
Deputy President Allowance	\$1,790
Annual Meeting Fee – President	\$6,150
Annual Meeting Fee – Deputy President	\$4,090
Annual Meeting Fee – Councillors	\$3,580

Consultation

While no specific community consultation has occurred during the compilation of the draft 2016/17 Budget, community consultation was previously undertaken during the development of the Community Strategic Plan and the development of the Corporate Business Plan.

There has been internal consultation with staff and elected members throughout the preparation of the budget and the budget meetings involving elected members.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

In addition, Section 6.2 of the Local Government Act 1995 requires that in preparing its annual budget the Council is to have regard to the contents of its Plan for the Future, prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan in conjunction with the Corporate Business Plan.

The draft 2016/17 Budget as presented is considered to meet statutory requirements.

Policy Implications

The 2016/17 Budget is prepared on the principles outlined within the Corporate Business Plan and other related documents.

Financial Implications

As detailed within the report and as per the attached 2016/17 Budget documentation.

Strategic Implications

The 2016/17 Budget will address Council's capacity to deliver on projects identified in the Community Strategic Plan, Corporate Business Plan, Long Term Financial Plan and other associated plans.

Voting Requirements

Absolute Majority required for parts of the recommendation, while only a Simple Majority for other parts of the recommendation is required.

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART A

That:

PART A – MUNICIPAL FUND BUDGET FOR 2016/17 FINANCIAL YEAR

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 9.1.1 of this Agenda for the Shire of Mingenew for the 2016/17 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net result of (\$162,292)
- Statement of Comprehensive Income by Program showing a net result of (\$162,292)
- Statement of Cash Flows on showing cash and cash equivalents at the end of 2016/17 financial year of \$396,164
- Rate Setting Statement showing an amount required to be raised from rates of \$1,786,567
- Transfers to/from Reserve Accounts as detailed in Note 6
- Estimated Surplus/(Deficit) carried forward at 30 June 2017 of \$0
- Notes to and Forming Part of the Budget on pages 6 to 37
- Supplementary Budget Information

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART A

Moved Cr Eardley

Seconded Cr Newton

That:

PART A – MUNICIPAL FUND BUDGET FOR 2016/17 FINANCIAL YEAR

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 9.1.1 of this Agenda for the Shire of Mingenew for the 2016/17 financial year which includes the following:

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- Rate Setting Statement showing an amount required to be raised from rates of \$1,786,567
- Transfers to/from Reserve Accounts as detailed in Note 6
- Estimated Surplus/(Deficit) carried forward at 30 June 2017 of \$0
- Notes to and Forming Part of the Budget on pages 6 to 37
- Supplementary Budget Information

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART B

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2016.

1.1 General Rates

- Mingenew & Yandanooka (GRV) 13.5884 cents in the dollar
- Rural & Mining (UV) 1.4014 cents in the dollar

1.2 Minimum Payments

- Mingenew & Yandanooka (GRV) \$655
- Rural & Mining (UV) \$1500

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council provides the option for ratepayers to pay their rates as a single payment or by 2 or 4 equal instalments; and, in accordance with Section 6.50 of the Act nominates the following due dates for the payment in full or by instalments:

- Issue date 22 August 2016
- Full payment and 1st instalment due date 27 September 2016
- 2nd half instalment due date 29 November 2016
- 2nd quarterly instalment due date 29 November 2016
- 3rd quarterly instalment due date 3 February 2017
- 4th quarterly instalment due date 7 April 2017

3. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$15 for each instalment after the initial instalment is paid.

4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART B

Moved Cr Eardley

Seconded Cr Newton

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2016.

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6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite.

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART C

PART C – RESERVE FUNDS

New Reserve

Pursuant to section 6.11 of the Local Government Act 1995 that an Economic Development and Marketing Reserve be established.

The purpose of this Reserve is: Economic Development and Marketing of the Shire of Mingenew.

Change of Purpose

Pursuant to section 6.11 of the Local Government Act 1995, that the purpose of the Environmental Rehabilitation Reserve be amended from:

“to be used for the rehabilitation of Gravel Pits”;

To:

“To be used for the rehabilitation of sites such as gravel pits, refuse and contaminated sites.”

Rationalisation of Reserves

Pursuant to section 6.11 of the Local Government Act 1995, that the Street Lighting Upgrade Reserve (estimated balance \$14,300) and Painted Road Reserve (estimated balance \$4,200) be closed and remaining funds be transferred to the Economic Development and Marketing Reserve.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART C

Moved Cr Pearce

Seconded Cr Lucken

PART C – RESERVE FUNDS

New Reserve

Pursuant to section 6.11 of the Local Government Act 1995 that an Economic Development and Marketing Reserve be established.

The purpose of this Reserve is: Economic Development and Marketing of the Shire of Mingenew.

Change of Purpose

Pursuant to section 6.11 of the Local Government Act 1995, that the purpose of the Environmental Rehabilitation Reserve be amended from:

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Rationalisation of Reserves

Pursuant to section 6.11 of the Local Government Act 1995, that the Street Lighting Upgrade Reserve (estimated balance \$14,300) and Painted Road Reserve (estimated balance \$4,200) be closed and remaining funds be transferred to the Economic Development and Marketing Reserve.

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART D

PART D – GENERAL FEES AND CHARGES FOR 2016/17

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented in the draft 2016/17 Budget included as an Attachment to this Agenda.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART D

Moved Cr Eardley

Seconded Cr Criddle

PART D – GENERAL FEES AND CHARGES FOR 2016/17

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented in the draft 2016/17 Budget included as an Attachment to this Agenda.

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART E

PART E – OTHER STATUTORY FEES FOR 2016/17

1. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240ltr bin per weekly collection \$360 per annum

3.2 Commercial Premises

- 240ltr bin per weekly collection \$360 per annum

SIMPLE MAJORITY

COUNCIL RESOLUTION – ITEM 9.2.1 – PART E

Moved Cr Eardley

Seconded Cr Newton

PART E – OTHER STATUTORY FEES FOR 2016/17

1. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240ltr bin per weekly collection \$360 per annum

3.2 Commercial Premises

- 240ltr bin per weekly collection \$360 per annum

SIMPLE MAJORITY

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART F

PART F – MATERIAL VARIANCE REPORTING FOR 2015/2016

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2016/17 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

SIMPLE MAJORITY

COUNCIL RESOLUTION – ITEM 9.2.1 – PART F

Moved Cr Lucken

Seconded Cr Eardley

PART F – MATERIAL VARIANCE REPORTING FOR 2015/2016

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2016/17 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

SIMPLE MAJORITY

CARRIED 6/0

9.2.2 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JULY 2016

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 12 August 2016
Author: Nita Jane, Deputy CEO
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

This report recommends that the Monthly Statement of Financial Activity report for the period 31 July 2016 is presented to Council for adoption.

Attachment

Finance Report for period ending 31 July 2016.

Background

The Monthly Financial Report to 31 July 2016 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	24,619
Business Cash Maximiser (Municipal Funds)	708,410
Trust Account	119,021
Reserve Maximiser Account	308,852

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31 July 2016:

Amount	Current (1,043)	30+ Days 176	60+ Days 1,650	90+ Days 220	TOTAL 1,003
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Rates Outstanding at 31 July 2016 were:

	Current	Arrears	TOTAL
Rates	0	32,834	32,834
Rubbish	0	2,070	2,070
TOTAL	0	34,904	34,904

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/17 financial year.

Consultation

Chief Executive Officer
Senior Finance Officer

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- (b) budget estimates to the end of the month to which the statement relates; and
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

Financial implications are outlined in comments.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.2
--

That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 July 2016 be received.

COUNCIL DECISION – ITEM 9.2.2

Moved Cr Newton

Seconded Cr Eardley

That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 July 2016 be received.

CARRIED 6/0

9.2.3 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JULY 2016

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Disclosure of Interest: Nil
Date: 4 August 2016
Author: Julie Borrett, Senior Finance Officer
Senior Officer: Nita Jane, Deputy CEO

Summary

This report recommends that Council confirm the payment of creditors for the month of July 2016 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachment

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

Background

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.3

That Council confirm the accounts as presented for July 2016 from the Municipal Fund totalling \$401,923.25 represented by Electronic Funds Transfers of EFT 9986 - 10085, Direct Deduction DD7689.1, 2 and 3, DD7714.1 2 and 3, Trust Cheque numbers 476-480 and Cheque numbers 8074-8080.

COUNCIL DECISION – ITEM 9.2.3

Moved Cr Pearce

Seconded Cr Eardley

That Council confirm the accounts as presented for July 2016 from the Municipal Fund totalling \$401,923.25 represented by Electronic Funds Transfers of EFT 9986 - 10085, Direct Deduction DD7689.1, 2 and 3, DD7714.1 2 and 3, Trust Cheque numbers 476-480 and Cheque numbers 8074-8080.

CARRIED 6/0

9.3 ADMINISTRATION

NIL.

9.4 TOWN PLANNING

Nil

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

COUNCIL DECISION

Moved Cr Pearce

Seconded Cr Eardley

That Item 10.1.1 is considered by the meeting.

CARRIED 6/0

Disclosure of Financial Interest Item 10.1.1 – Cr Newton and Martin Whitely, CEO

Prior to any consideration of Item 10.1.1, President Bagley advised the meeting that she had received written disclosures of interest from Cr Newton as Chair of the Mingenew Midwest Expo and Martin Whitely, CEO as a Mingenew Midwest Expo Board Member.

COUNCIL DECISION

Moved Cr Pearce

Seconded Cr Lucken

That Cr Newton and Mr Whitely be allowed to remain present in the meeting during consideration of this item.

CARRIED 6/0

10.1.1 MINGENEW MIDWEST EXPO – RACETRACK DAMAGE

Location/Address: Shire of Mingenew
Name of Applicant: Mingenew Midwest Expo
Disclosure of Interest: Cr Newton (Board Chairman)
Martin Whitely, CEO (Board Member)
File Reference: ADM0196
Date: 16 August 2016
Author: Cr Helen Newton

Summary

This report recommends council consider collaboration between Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to obtain professional advice to ensure the race track is repaired to the required standard and that a more permanent solution to exhibitors crossing the track be identified.

Attachment

- Letter of request from Mingenew Midwest Expo.
- Photographs of damage
- Email - Mingenew Turf Club

Background

During the running of the Mingenew Midwest Expo on Wednesday 10th and Thursday 11th August 2016, serious damage has been done to the racetrack. This was due to a combination of wet weather, water logging and heavy vehicle movement.

Comment

The Mingenew Midwest Expo is seeking shire support and endorsement for:

- professional advice being obtained to ensure that the restoration works are completed to a level required to run a race meet; and
- collaboration between Mingenew Midwest Expo, Mingenew Turf Club, Mingenew Shire and a curator from Perth Racing WA to have the race track repaired;
- identify a long term solution for Expo Machinery exhibitors crossing the race track.

At this time the cost of repairs is unknown until an assessment is undertaken by the curator and a scope of works determined. Dylan Bentley is currently on leave but it is hoped he will be available to conduct a site visit next week.

Consultation

Mingenew Turf Club
Dylan Bentley, curator Geraldton Turf Club

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Unknown at this time.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 3.2 – Maintain the provision of high quality community infrastructure

Outcome 3.6 – Community events continue to be supported.

This item relates to the two largest community events on the Mingenew calendar – Mingenew Midwest Expo and Mingenew Turf Club Race Day.

Voting Requirements

Simple Majority

RECOMMENDATION – ITEM 10.1.1

That Council:

- 1. Seek professional advice on the restoration works required at the racetrack;**
- 2. Support the collaboration of Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to restore the racetrack to an acceptable racing condition;**
- 3. Identify a long term solution for Expo Machinery exhibitors crossing the race track;**
- 4. That staff investigate the possibility of an insurance claim.**

COUNCIL RESOLUTION – ITEM 10.1.1

Moved Cr Pearce

Seconded Cr Eardley

That Council:

- 1. Seek professional advice on the restoration works required at the racetrack;**
- 2. Support the collaboration of Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to restore the racetrack to an acceptable racing condition;**
- 3. Identify a long term solution for Expo Machinery exhibitors crossing the race track;**
- 4. That staff investigate the possibility of an insurance claim.**

CARRIED 6/0

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

11.1 ELECTED MEMBERS

The President advised the meeting that she sought leave to introduce an urgent item of business.

COUNCIL DECISION – ITEM 11.1.1

Moved Cr Newton

Seconded Cr Pearce

That the meeting consider the request from Mr Warren Borrett, Works Manager, in relation to his utility accounts.

CARRIED 6/0

Mr Martin Whitely, CEO and Mrs Nita Jane, DCEO left the meeting at 5.14pm.

11.1.1 Mr WARREN BORRETT, WORKS MANAGER – UTILITY CHARGES

Location/Address:	Shire of Mingenew
Name of Applicant:	Mr Warren Borrett
Disclosure of Interest:	Nil
File Reference:	PE72

Attachment

Letter of request from Mr Warren Borrett.

Background

At the July 2016 meeting of Council, Item 9.1.2 considered the matter of staff utilities where the expenditure is over the allowance value. The Council resolution directed the CEO to amend the policy requiring recovery of over expenditure amounts.

Comment

Advising that a number of water leaks were experienced during the financial year which has impacted on the water charges. Also advising that a credit has been received of \$1,480.30 for overcharges on the power account.

Further requesting that the utilities allowance on his contract be adjusted to reflect the cost of maintaining a large below ground pool.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

5004 – Water Charges in Staff Houses (Council Owned)

5006 – Reimbursement of Utility Charges

Financial Implications

Amount over utilities allowance is \$5,379.

Strategic Implications

Nil.

Voting Requirements

Simple Majority

COUNCIL RESOLUTION – ITEM 11.1.1

Moved Cr Pearce

Seconded Cr Newton

That Council will forgo charging excess water usage costs to Mr Borrett on this occasion, but will require in future official written notification of leaks and costs involved.

CARRIED 6/0

Martin Whitely, CEO and Nita Jane, DCEO returned tot he meeting at 5.25pm.

11.2 STAFF

Nil

12.0 CONFIDENTIAL ITEMS

Nil

13.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21st September 2016 commencing at 4.30pm.

14.0 CLOSURE

The Shire President thanked all for attending and declared the meeting closed at 5.27 pm.

These minutes were confirmed at an Ordinary Council meeting on 21 September 2016.

Signed _____
Presiding Officer

Date: _____

7.1.2 SPECIAL MEETING HELD 1 AUGUST 2016



**MINUTES FOR THE
SPECIAL COUNCIL MEETING
HELD ON
MONDAY**

1 August 2016

SHIRE OF MINGENEW



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SHIRE OF MINGENEW

MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL 1st August 2016 COMMENCING AT 5.00pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 5.03pm and welcomed all in attendance.

2.0 ATTENDANCE

MA Bagley	President	Rural Ward
GJ Cosgrove	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
KL Criddle	Councillor	Rural Ward
CR Lucken	Councillor	Town Ward
MP Pearce	Councillor	Town Ward

STAFF

MG Whitely	Chief Executive Officer
NS Jane	Deputy Chief Executive Officer

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3.0 DECLARATIONS OF INTEREST

Nil

4.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

5.0 OFFICERS REPORTS

5.1 CHIEF EXECUTIVE OFFICER

5.1.1 2016/2017 DRAFT BUDGET

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0130
Date: 29th July 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report presents the 2016/17 Draft Budget to Council for its consideration.

Attachment

2016/17 Draft Budget

Background

All local governments are required to adopt an annual budget in accordance with Part 6, Division 2 of the Local Government Act 1995, Part 3 of the *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards (AASB).

In relation to budgeting, Section 6.2(1) of the LGA states:

“During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt (absolute majority required), in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August”.

Section 6.2(2) of the LGA requires council in formulating the budget, to have regard to the contents of the plan for the future of the district and prepare detailed estimates for the current year.

Section 6.2(4) of the LGA sets out certain details that the annual budget is to incorporate and such other matters as prescribed.

Part 3 of the FMR establish the form and content of the budget document and requires a copy of the annual budget to be submitted to the Department within 30 days of adoption by council.

Comment

The attached budget is the Draft Budget for the financial year 2016/2017.

The draft 2016/2017 budget has been compiled based on the principles contained in the Strategic Community Plan and Corporate Business Plan (together forming the Plan for the Future).

There are no proposed differential rates however there is a proposed concession on Yandanooka GRV rates of 50% to reflect the previous differential rate.

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The main features of the draft budget include:

- The budget has been prepared with a 3.5% rate increase. This increase applies to all rate categories. The minimum payment has been increased to \$1,500 for UV and \$655 for GRV. There are no proposed differential

MINGENEW SHIRE COUNCIL SPECIAL MEETING MINUTES – 1 August 2016

rates however there is a proposed concession on Yandanooka GRV rates of 50% to reflect the previous differential rate.

- Fees and charges have also been increased by 3.5% (other than those set by regulation) and are itemised in the draft budget attachments.
- Household and commercial waste charges are proposed to increase from \$345 to \$360 per bin.
- Reserve change of purpose – it is proposed in the draft budget (Note 9 of the document) to change the purpose of the Environmental Rehabilitation Reserve from “to be used for the rehabilitation of Gravel Pits” to “for the rehabilitation of sites such as gravel pits, refuse and contaminated sites.”
- Reserve rationalisation – it is proposed in the draft budget (Note 9 of the document) to close the Street Lighting Upgrade Reserve and Painted Road Reserve and transfer the reserve balances to a new reserve for Economic Development and Marketing.
- Reserve utilisation – it is proposed to utilise the following reserve funds:

Land & Building	\$40,000	Business Incubator construction
Plant	\$100,000	Toward plant purchases
Environmental Rehab.	\$17,977	Rehabilitation of contaminated site (Asbestos)
Economic Dev. & Marketing	\$18,693	Area Promotion (Lateral Aspect)

Consultation

Nita Jane, Deputy CEO

Warren Borrett, Works Manager

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of Part 6 of the Local Government Act 1995 refer to the setting of budgets and raising of rates and charges. The Local Government (Financial Management) Regulations 1996 details the form and content of the budget.

Policy Implications

The budget is based on the principles contained in the Strategic Community Plan and the Corporate Business Plan.

Financial Implications

The Annual Budget details all income and expenditure for the forth coming financial year. Specific financial implications are itemised in the draft 2016/2017 budget attached.

Strategic Implications

The draft 2016/2017 budget has been developed based on the existing Strategic Community Plan and Corporate Business Plan.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 5.1.1

That Council receives the 2016/17 Draft Budget as attached and makes any additions, deletions or modifications as it sees fit.

COUNCIL DECISION – ITEM 5.1.1

Moved Cr Newton

Seconded Cr Eardley

That the draft budget be amended to include a transfer to Employee Leave Reserve of \$50,000.

CARRIED 6/0

COUNCIL DECISION – ITEM 5.1.1

Moved Cr Pearce

Seconded Cr Criddle

That Council receives the 2016/17 Draft Budget.

CARRIED 6/0

6.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

7.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

7.1 ELECTED MEMBERS

7.2 STAFF

8.0 CONFIDENTIAL ITEMS

Nil

9.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 17th August 2016 commencing at 4.30pm.

10.0 CLOSURE

The Shire President thanked all for attending and declared the meeting closed at 5.42 pm.

These minutes were confirmed at an Ordinary Council meeting on 17 August 2016.

Signed _____
Presiding Officer

Date: _____

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CORPORATE BUSINESS PLAN 2016-2020

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0120
Date:	14 September 2016
Author:	Martin Whitely, Chief Executive Officer

Summary

This report recommends the endorsement of the Shire of Mingenew's Corporate Business Plan 2016-2020.

Attachment

Shire of Mingenew Corporate Business Plan 2016-2020.

Background

The Corporate Business Plan ("CBP") is a key component of the Integrated Planning Framework requirements that were introduced in 2012/13. The intent of the Integrated Planning Framework was to ensure improved strategic, financial and asset management planning across the WA local government sector.

Comment

The Corporate Business Plan outlines the priorities and strategies that Council will pursue over the next four years to deliver on the community vision documented within the Strategic Community Plan. During the recent review of the Plan, the strategies were amended to reflect a more current perception of the areas that would influence the Shire's direction and community expectations over the next few years. These were in turn assessed against available financial and workforce resources.

The priority for each action has been considered in accordance with available resources, but Council may decide to advance or push back tasks as part of the review of the Plan. The CBP will continue to be reviewed annually at various workshops, thereby providing an opportunity to consider any change in priorities based on the circumstances that prevail at that time. Reporting against the measures will form part of Council's regular reporting systems and also be included in the Annual Report.

Council has the option of:

1. Endorsing the Corporate Business Plan 2016 - 2020 without amendment; or
2. Amending any part of the Corporate Business Plan to reflect a change in priorities.

A simplistic approach to the above is that the Corporate Business Plan is reviewed annually each year during the budget process with the adopted budget forming the outcomes to be achieved in the same corresponding year of the Corporate Business Plan with future years to be reviewed on an ongoing basis.

With the Community Strategic Plan review to commence in October 2016 with a community briefing session, the outcomes from this review will need to be reflected in the Corporate Business Plan document.

Consultation

Nil

Statutory Environment

Section 5.56(1) and (2) of the Act requires that each local government is to plan for the future of the district, by developing plans in accordance with the regulations.

The new regulations also require each local government to include in its Annual Report any changes to either of the above plans.

Policy Implications

Nil

Financial Implications

The Plan is the key driver for the annual budget and the long term financial plan. This linkage ensures that community priorities are adequately funded and that appropriate and endorsed rating strategies are in place to allow any financial impact on the community to be carefully considered.

There is also an ongoing cost associated with the review of the Corporate Business Plan and reporting on the performance measures for each of the actions within the Plan.

Strategic Implications

The Corporate Business Plan has direct links to all of the following documents;

- Community Strategic Plan
- Long Term financial Plan
- Workforce Plan
- Asset Management Plan

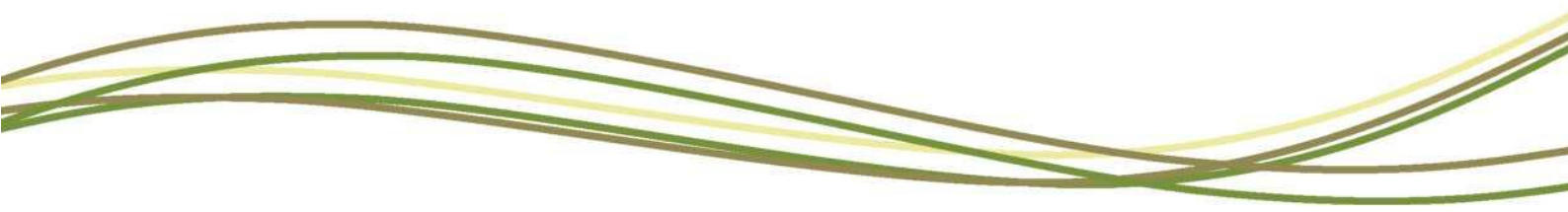
Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1
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That Council;

- 1. Endorses the Shire of Mingenew Corporate Business Plan 2016 – 2020, and**
- 2. Approves a local public notice being published in accordance with the requirements of the Local Government Act 1995 advising of the endorsement of the Corporate Business Plan.**



Shire of Mingenew
2016 - 2020

Corporate Business Plan

Updated September 2016



The Shire of Mingenew
P. O Box 120
Mingenew WA 6522
PH 08 9928 1102
FX 08 9928 1128

WA Grassroots Development
Document Management
Version: 7
Status: Update
Date: September 2016



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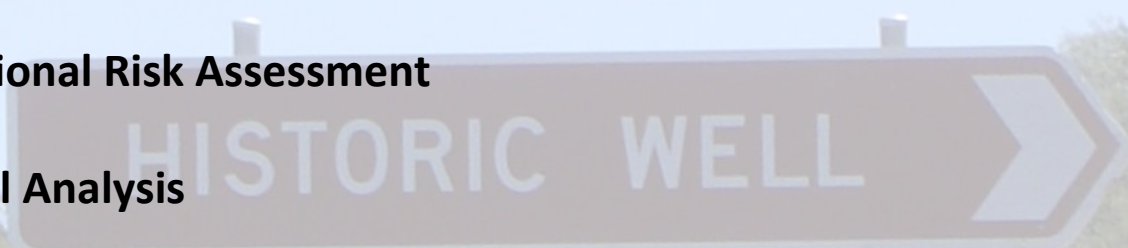
Community Project Descriptions

Financial Estimates

Operational Risk Assessment

Internal Analysis

Resource Capability Assessment





Our Vision:

Standing Proud, Growing Strong

Our Mission:

To provide strong leadership, quality community services and competent financial management to ensure Mingenew has sustained prosperity

Our Values

- Strong leaders, good decisions;
- Striving to be innovative and progressive;
- Respecting our environment and each other; and
- Proud independent community spirit



Message from the Shire President

The Shire of Mingenew has prepared the Corporate Business Plan to operationalise the Strategic Plan that was developed through consultation with the community. This plan therefore provides the framework by which the Community Strategic Plan can be achieved through partnerships with the community, key regional partners and the State and Australian governments.

The Shire was formerly experiencing a population decline with a population base for 2009 in our Strategic Plan noted as 457 residents, however the population in the 2011 census was recorded as 489 and is a positive trend that has reversed the population decline that has been occurring over the last decade.

The attractiveness of the town as a place to live and build a business will be enhanced through projects identified in this plan. The Shire will also continue to support the strong entrepreneurial culture in the Shire, by supporting the industry, community and networks that strengthens local business and enhances industry competitiveness through research and development.

The Corporate Business Plan outlines how these projects and other key priorities will be achieved in the next four years. Each year the annual budget will be prepared from this plan, and hence it provides a year by year “slice” of the projects and priorities of the Council. In this Corporate Business Plan, Council is affirming its support for delivering core services for the community as well as projects that will drive the future growth and development of the Shire.

This plan also outlines the financial and resourcing impact of this investment. The link to the Long Term Financial Plan and the Workforce Plan is critical, as both the financial capacity and human resource capacity to deliver on this plan has been verified through links to those two plans. This is a guarantee to community that the long term financial sustainability of the Shire has been a key factor in vetting the Corporate Business Plan.

The Shire understands it will need to be strongly collaborative and cooperative with community, industry and government stakeholders to deliver on this plan. The Shire will continue its program of regional involvement in organisations such as the Mid West Development Commission. Through strong partnerships the entrepreneurial culture of the community can be appropriately supported.

This plan has been produced through the input of our Senior Staff and our Councillors. This plan captures the views of the community as expressed in the Community Strategic Plan and will be a key guidance document for Council for the next four years.

Council looks forward to working with the community and key stakeholders to deliver on this plan.

Michelle Bagley
Shire President Shire of Mingenew

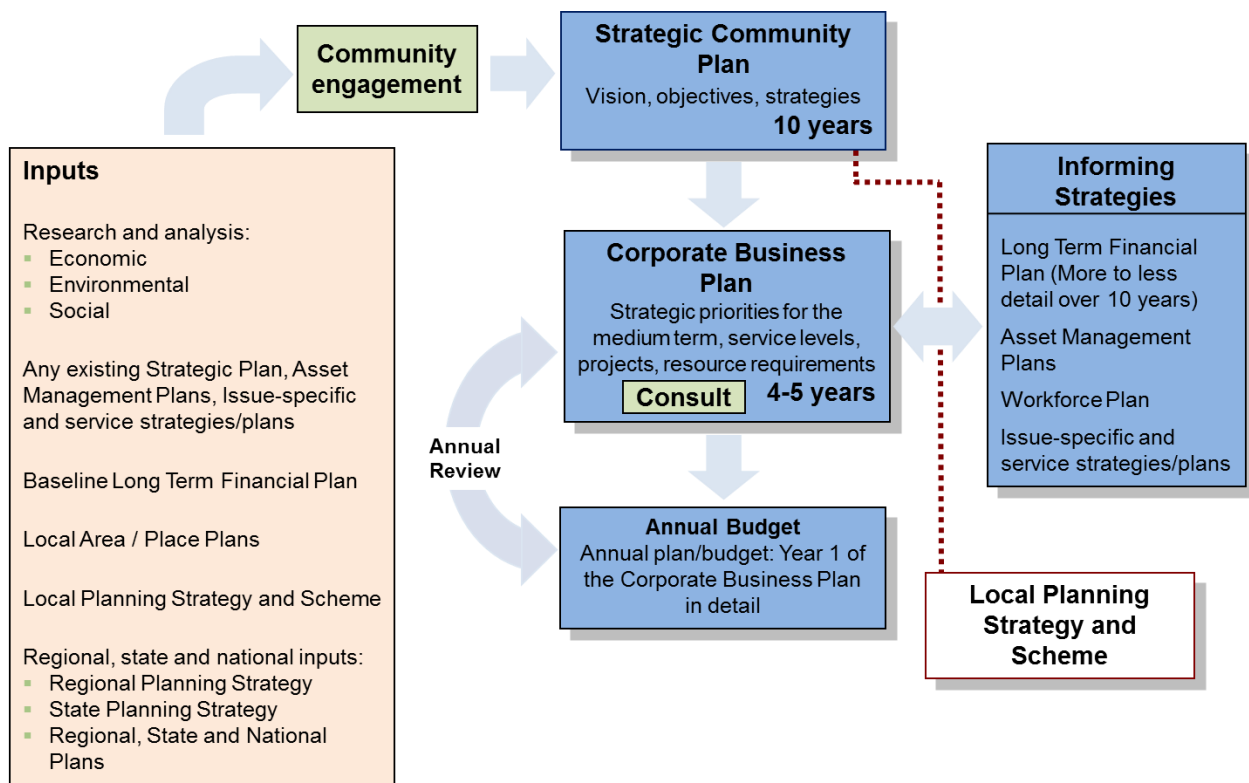


Corporate Planning

The Shire of Mingenew has introduced an Integrated Strategic Planning framework that will drive all activity.

The framework has been developed according to the Integrated Planning and Reporting Framework and Guidelines which were released in October 2010. Section 5.56(1) of the Local Government Act 2005 requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations.

Diagram 1: Integrated Strategic Planning Framework



The framework has the following elements:

- 10 year Strategic Community Plan which outlines our vision for the future, our values and our strategic goals. This was adopted by Council in March 2012, with an updated versions endorsed by Council in April 2016. The current plan has been updated to align with the 2016/17 Budget and will be reviewed again in the 2017/18 financial year.
- 4 year Corporate Business Plan which details what we will do to implement the Strategic Community Plan. This document details the key projects and resources required to deliver on the Strategic Community Plan and details the planned project outputs/outcomes, estimated project costs, source of funds, project schedule and resource required to implement projects. The Corporate Business Plan also contains a risk assessment of the Shire's financial and human resource capacity to implement the Plan over the 4 years.
- An Asset Management Plan which enables the Shire to plan and manage the assets so that the community's aspirations can be reached. It is based upon 'whole of life' and 'whole of organisation' approaches and the effective identification and management of risks associated with the use of assets.

- 10 year Long-term Financial Plan which is a high level document that indicates the Shire's long term financial sustainability, allows for early identification of financial issues and their longer term impacts, and shows the financial impacts of plans and strategies.
- A Workforce Development Plan which will analyse the operational capacity of the Shire, contrast that to the strategic needs created by the plans, and identify the capacity, skills and knowledge gaps and how to address them.
- An Annual Financial Budget which will record the planned activities and expenditure for each year; and
- An Annual Report which provides the community with a detail account of what has been achieved each year and progress made towards the Performance Targets and achievement of Corporate Business Plan.

Priorities for Mingenew

Mingenew has a strong agricultural industry that employs over half the local population. The Shire also features a concentration of employment in the transport industry. Conditions in Mingenew are considered to be one of the best in the North Midlands for agriculture production, with good quality soils and consistent rainfall helping to produce a good variety of commodities. Servicing the resources industry is presenting an opportunity for Mingenew, with companies exploring the possibilities in the Shire, and there is an opportunity for Mingenew to utilise its substantial underground water supply as an asset capable of driving new resource, agriculture and horticulture projects across the North Midlands. ¹

Both this industry context and the Strategic Community Plan outlined that an important element to ensuring population growth will be an increased availability of serviced residential, commercial and industrial land, and ensuring the provision of adequate services to support expected economic growth. The Shire has responded to this need with key projects relating to industrial land provision and development of a business incubator to support the development of small to medium businesses. This will support the Shire and community to lever opportunities from mining or other industries that will develop throughout the region.

Other key issues for the community are to maintain and increase population through good planning and having a long term vision. The planning processes that have been undertaken with the community's input have been a direct response to this issue, and the framework created will continue to generate implementation of projects for the next 4 years. Reviews will also occur during that time, so the community will be able to continue to give input to Council during that time.

The community also asked the Shire to retain the town centre as an attractive place for residents and visitors. The Corporate Business Plan outlines various projects that will further enhance the town centre.

Mingenew's strength is the strong sense of stewardship held by local residents and businesses. The Council will continue to support and encourage this community spirit to ensure the town remains competitive and an attractive place to live and visit. Specific priorities that will be developed are to upgrade the Medical Centre, maintain and enhance Heritage Infrastructure, supporting Wildflower Way and building additional Independent Living accommodation and ongoing support to key community groups will also be maintained.

The final key area that the community wishes to see is the encouragement, nurturing and cultivating of new leaders where Council continues to explore opportunities to provide formal and informal leadership training

¹ North Midlands Economic Development Strategy, Pracsys, 2013

opportunities for upcoming community members. Council has also invested a large internal resource allocation to ensuring the planning, policy and management of the integrated Strategic Planning framework is achieved and excellence in all areas of governance, management and leadership is achieved.

Overall the response to the community’s aspirations as outlined in the Community Strategic Plan has been both direct and strategic in nature. The priority projects for Mingenew are:

	High Priority	Medium Priority
Community	<ol style="list-style-type: none"> 1. Support Tourism Development and Promotions 2. Upgrade Medical Centre – Ambulance set down facility 	<ol style="list-style-type: none"> 3. Water Park 4. Family Park and playground 5. Maintain and enhance Heritage Infrastructure 6. Wildflower Country (Regional project)
Environment	<ol style="list-style-type: none"> 7. Waste Transfer Station 	<ol style="list-style-type: none"> 8. Pursuing Sustainability project
Economy	<ol style="list-style-type: none"> 9. Residential and Light Industrial land development 10. Improved Digital Access for community 11. Develop Business Incubator Project 12. Support Local Business and Community Groups 	
Built Environment/ Infrastructure	<ol style="list-style-type: none"> 13. Roads program 14. Restoration of Rail Station 15. Aged Accommodation Units 16. Key Worker Housing 	<ol style="list-style-type: none"> 17. Relocate Shire Depot and redevelop Land 18. Heavy Traffic By-pass 19. Develop Recreation Complex
Governance/ Civic Leadership	<ol style="list-style-type: none"> 20. Leadership support program 21. Invest in Council’s Capacity 22. Leadership and Advocacy role 	

How to read this Delivery Program

The Corporate Business Plan includes a Delivery Program with detailed project plans and program areas for the work to be achieved in the next four years. This Plan will replace the former Plan for the Future and will act as the leading document for all principal activities undertaken by Council during the next four years.

The Projects are linked to Objectives under the Strategic Plan and the Programs are the core business of the Shire. Together they form the total development and core program for the Shire. The categories under the Strategic Plan are:

1. Economic
2. Environment
3. Social
4. Civic Leadership

These have been reordered to implement them into the following five categories:

1. Community
2. Environment
3. Economy
4. Built Environment/Infrastructure
5. Governance/Civic Leadership

All outcomes detailed in the Strategic Plan have a corresponding and matching Project or Program area. This is shown by the Strategic Plan link in the project box in each project or program plan. Some outcomes in the Strategic Plan are very general, and some of those have been grouped together into project areas to be achieved in a grouped program.

The following table shows the links between the Strategic Plan Objectives, the programs or projects under the Corporate Business Plan and the Workforce Plan FTE (full time equivalent) allocations. This demonstrates the strong link between the Strategic Plan, Corporate Business Plan and how it informs the Workforce Plan. It also demonstrates the Shire is addressing all areas of need raised by the community in the Strategic Planning process within the existing resource base.

Recurring operational activities are designated as ongoing actions which have a recurring annual budget.

Linkage Diagram

The following diagram shows the link between the Objectives in the Strategic Community Plan and the corresponding programs and projects in the Corporate Business Plan. The final column shows the FTE allocation and staff position for each program/project. The FTE allocation is on a per annum unless specified where a project is to be completed in a specific year.

Strategic Community Plan			Corp Bus Plan	Workforce Plan
Objectives	Outcomes	Actions	Programs or Projects	FTE's and Staff Position (Per Annum unless stated)
Economy To be a diverse and innovative economic with a range of local employment opportunities	Increase the number of visitors and extend the tourism season within the region	Provide good quality tourism facilities. Consult and support the Mingenew Tourist and Promotions Committee.	Project 1: Support Tourism Development and Promotions	CEO 0.01 DCEO 0.02 CDO 0.02
		Support and encourage tourism development.	Project 1: Support Tourism Development and Promotions	CEO 0.01 CDO 0.04
		Continue to support local events and encourage new events.	Project 1: Support Tourism Development and Promotions	CEO 0.01 CDO 0.04
		Develop and implement a Tourism Plan.	Project 1: Support Tourism Development and Promotions	CEO 0.01 DCEO 0.05 CDO 0.04
		Investigate and develop options for additional tourism and service worker accommodation.	Project 1: Support Tourism Development and Promotions	CEO 0.01 DCEO 0.01 CDO 0.03
		Instigate "Recreational Vehicle" friendly town status.	Project 1: Support Tourism Development and Promotions	CDO 0.02
		Employ a Tourism and Promotional Officer	Project 1: Support Tourism Development and Promotions	
		Install interpretative trails and signage.	Project 1: Support Tourism Development and Promotions	CEO 0.01 CDO 0.03
		Participate and support the Wildflower Country.	Project 6: Wildflower Country / Midlands Route	CEO 0.01 (2016/17) DCEO 0.06 (16/17) CDO 0.03 (16/17)
		Increased availability of serviced land	Ensure there are adequate land options available for residential, commercial and industrial purposes.	Project 9: Residential & Light Industrial Land Development

Protect and enhance economic infrastructure	Maintain and enhance existing historical infrastructure and consider heritage listing and funding opportunities.	Project 14: Restoration of Old Railway Station	CEO 0.01 (2016/17) DCEO 0.01 (16/17) WM 0.01 (16/17) CDO 0.05 (16/17)
	Continue to lead by example to support business accommodation and investigate options to develop business incubators.	Project 11: Develop a Business Incubator Project	CEO 0.02 (17/18) DCEO 0.01 (17/18) WM 0.01 (17/18)
Maintain or increase number of local businesses, industries or services	Support and encourage business unity.	Project 12: Support Local Business & Community Groups	CEO 0.01
	Support sustainable farming and other industry developments including mining.	Project 12: Support Local Business & Community Groups	CEO 0.01 WM 0.01
	Encourage and support value adding industries.	Project 12: Support Local Business & Community Groups	CEO 0.01
	Investigate and facilitate community investment in the relocation of the roadhouse.	Project 12: Support Local Business & Community Groups	CEO 0.01 DCEO 0.01
	Support a buy-local campaign.	Project 12: Support Local Business & Community Groups	CEO 0.01 CDO 0.02
Ensure the provision of adequate services to support economic growth	Increased availability of power.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Efficient use of water resources within the Shire.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Improved telecommunications.	Project 10: Improved Digital Access for the Community	CEO 0.01 (2016/17)
	Lobby to secure the national broadband network.	Project 10: Improved Digital Access for the Community	CEO 0.01 (2016/17)
	Investigate options and advocate for alternative sources of power.	Project 22: Leadership and Advocacy Role	CEO 0.01 (2016-20)

Environment A sustainable natural and built environment that meets current and future community needs	Our natural environment is enhanced, promoted, rehabilitated and leveraged.	Support and promote environmental practices.	Project 7: Waste Transfer Station	CEO 0.02 (16/17) DCEO 0.01 (16/17) WM 0.01 (16/17)
		Efficient use of water resources within the Shire.	Project 8: Pursuing Sustainability	CEO 0.01 WM 0.01
		Promotion of tourism opportunities that are environmentally focussed.	Project 8: Pursuing Sustainability	CDO 0.01
		Lobby government for the protection of natural environment.	Project 8: Pursuing Sustainability	CEO 0.01
		Rehabilitate, protect and conserve shire controlled land.	Project 8: Pursuing Sustainability	CEO 0.01 WM 0.01
		Continue to manage feral flora and fauna.	Project 8: Pursuing Sustainability	WM 0.01
	Indigenous and cultural heritage is acknowledged.	Continue to liaise with the local indigenous and cultural groups.	Project 5: Maintain & Enhance Heritage Infrastructure	CEO 0.01 CDO 0.02
	Retain Mingenew as an attractive town that reflects community values.	Continue to implement the town centre beautification plan.	Project 1: Support Tourism Development and Promotions	CEO 0.01 DCEO 0.01 WM 0.01
		Maintain the high standard of presentation.	Project 1: Support Tourism Development and Promotions	WM 0.01
		Continue participation in Tidy Towns.	Project 1: Support Tourism Development and Promotions	CDO 0.01
	Investigate options for improved shire administration facilities.	Project 18: Relocate Shire Depot and develop Land	CEO 0.01 (2019/20) WM 0.01 (2019/20)	
Provide recognition and retention of places of heritage.	Maintain and enhance existing historical infrastructure.	Project 5: Maintain & Enhance Heritage Infrastructure	DCEO 0.01 WM 0.01 CDO 0.01	
Safe and functional road and ancillary infrastructure.	Maintain and improve road assets.	Project 13: Roads Program	CEO 0.05 DCEO 0.02 WM 0.30	
		Project 17: Heavy Traffic Bypass	CEO 0.01 (2019/20) WM 0.01 (2019/20)	

		Develop and implement a footpath plan.	Project 13: Roads Program	CEO 0.01 WM 0.01
		Develop a plan to improve road signage.	Project 13: Roads Program	CEO 0.01 WM 0.01
	Efficient usage of resources.	Develop and implement a waste management plan.	Project 8: Pursuing Sustainability	CEO 0.02 DCEO 0.01 WM 0.01
		Promote recycling where practical.	Project 8: Pursuing Sustainability	WM 0.01
		Investigate options for water harvesting.	Project 8: Pursuing Sustainability	CEO 0.01 WM 0.01
		Lobby governments for the efficient use of natural resources.	Project 22: Leadership and Advocacy Role	CEO 0.01
Social	Maintain and increase population	Ensure there are adequate land options available for residential, commercial and industrial purposes.	Project 9: Residential and Light Industrial Land Development	CEO 0.01 (2016-20)
A safe and welcoming community where everyone has the opportunity to contribute and belong.	Maintain the provision of high quality community infrastructure.	Investigate and develop a water park.	Project 2: Develop Water Park	CEO 0.01 (2019/20)
		Continue to support youth swimming lessons.	Project 12: Support Local Business & Community Groups	
		Maintain and further develop the recreation complex.	Project 19: Develop Recreation Complex	CEO 0.02 (2017/18) DCEO 0.01 (17/18) WM 0.01 (17/18)
		Continue to develop senior's facilities.	Project 22: Leadership and Advocacy Role	CEO 0.01
		Investigate and encourage youth facilities and services.	Project 22: Leadership and Advocacy Role	CEO 0.01
		Continue to support child care facilities.	Project 12: Support Local Business & Community Groups	CEO 0.01 CDO 0.01
		Continue to provide facilities to support local community organizations.	Project 12: Support Local Business & Community Groups	CEO 0.01 CDO 0.02

	Undertake improvements to the Mingenew Main Hall.	Project 12: Support Local Business & Community Groups	CEO 0.01 DCEO 0.01 WM 0.01
	Implement 10 Year Sport and Recreation Plan.	Project 12: Support Local Business & Community Groups	CEO 0.03 CDO 0.02
	Obtain and maintain a bus for community services.	Project 12: Support Local Business & Community Groups	WM 0.01
	Improve and beautify the cemetery.	Project 12: Support Local Business & Community Groups	CEO 0.01 WM 0.01 CDO 0.01
	Investigate and develop a family park and playground	Project 4: Develop Family Park	CEO 0.01 (2017/18) DCEO 0.01 (17/18) WM 0.01 (17/18)
Improved capacity of education and training.	Advocate for bus services for students travelling to higher education.	Project 22: Leadership and Advocacy Role	CEO 0.01 WM 0.01
	Support and promote local traineeships.	Project 21: Invest in Council's Capacity	CEO 0.01
	Continue to support the provision of higher education and vocational training in our region.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Continue to support the local school.	Project 22: Leadership and Advocacy Role	CEO 0.01
Affordable housing options that respond to community needs.	Provide information on the CHA subsidised loans.	Project 22: Leadership and Advocacy Role	CEO 0.01 DCEO 0.01
	Provide accommodation for service workers and housing for seniors.	Project 16: Key Worker Housing	CEO 0.01 (2016/17) DCEO 0.01 (16/17) WM 0.01 (16/17)
	Continue to develop housing for shire employees.	Project 16: Key Worker Housing	CEO 0.01
	Investigate options to utilise vacant houses on farming properties.	Project 12: Support Local Business & Community Groups	CDO 0.01

	Develop new housing for aged through a JV program.	Project 15: Independent Living Units	CEO 0.03 (2016-20) DCEO 0.01 (16-20) WM 0.01 (16-20)
Improved community health and well-being.	Increased access to appropriate medical services.	Project 3: Upgrade Medical Facility	CEO 0.01 (2016/17) DCEO 0.01 (16/17) WM 0.02 (16/17)
	Continue to support medical practitioners and other health organizations.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Improved provision of home and community care service.	Project 22: Leadership and Advocacy Role	CEO 0.01 CDO 0.01
	Promote a drug free culture within the community.	Project 22: Leadership and Advocacy Role	CEO 0.01 CDO 0.01
	Encourage and support shire staff and the community to participate in community organizations.	Project 22: Leadership and Advocacy Role	CEO 0.01
Community events continue to be supported.	Continue to provide quality facilities for events.	Project 12: Support Local Business & Community Groups	CEO 0.01
	Continue to provide administrative support for event organizations.	Project 12: Support Local Business & Community Groups	CEO 0.01 DCEO 0.02 CDO 0.03
	Identify opportunities for special events.	Project 12: Support Local Business & Community Groups	CEO 0.01 DCEO 0.01 WM 0.01 CDO 0.01
Maintain a safe community environment	Implement strategies contained in the Community Safety and Crime Prevention Plan.	Project 22: Leadership and Advocacy Role	CEO 0.01 CDO 0.01
	Undertake a review and upgrade of Street Lighting in the Mingenew town site.	Project 22: Leadership and Advocacy Role	DCEO 0.2
	Continuously improve emergency services.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Continue to lobby to maintain and enhance police services.	Project 22: Leadership and Advocacy Role	CEO 0.01
	Promote participation in emergency service organisations.	Project 22: Leadership and Advocacy Role	CEO 0.01

Civic Leadership A collaborate and innovative community with strong and vibrant leadership	A well informed and engaged community and actively participates.	Continue to support community groups.	Project 12: Support Local Business & Community Groups	CEO 0.02 CDO 0.10
		Provide and encourage leadership within the community.	Project 22: Leadership and Advocacy Role	CEO 0.01 CDO 0.01
		Improve our levels of engagement and communication with all sectors of our community.	Project 22: Leadership and Advocacy Role	CEO 0.02 DCEO 0.02 WM 0.02
		Nurture and encourage young community leaders.	Project 20: Leadership Support Program	CEO 0.01 CDO 0.01
		Community volunteers continue to be supported and acknowledged.	Project 22: Leadership and Advocacy Role	CDO 0.01
An open and accountable local government that is respected, professional and trustworthy.	Continue to deliver quality local government services and facilities.		Project 21: Invest in Council's Capacity	CEO 0.02 DCEO 0.02 WM 0.02
	To be strong advocates representing the Shire's interests.		Project 21: Invest in Council's Capacity	CEO 0.02 DCEO 0.02 WM 0.02
	Provide long term strategic leadership.		Project 21: Invest in Council's Capacity	CEO 0.01
	Provision of professional development opportunities for Councillors and staff.		Project 21: Invest in Council's Capacity	CEO 0.01
	Annual customer feedback surveys.		Project 21: Invest in Council's Capacity	CDO 0.01
	Maintain a high standard of customer service with a can-do attitude.		Project 21: Invest in Council's Capacity	All Staff
	Improved partnerships.	To collaborate and investigate opportunities for shared services in cooperation with other local, state and Australian Government agencies, industry and community organizations.		Project 22: Leadership and Advocacy Role
Local term planning and strategic management.	Develop and implement the Long Term Financial plan.		Project 21: Invest in Council's Capacity	CEO 0.01 DCEO 0.05

	Develop and implement the Workforce Management plan.	Project 21: Invest in Council's Capacity	CEO 0.01
	Develop and implement Asset Management planning.	Project 21: Invest in Council's Capacity	CEO 0.01 DCEO 0.05
	Develop and implement the Corporate Business Plan.	Project 21: Invest in Council's Capacity	CEO 0.02 DCEO 0.01
	Develop and implement an Information Communications Technology Plan.	Project 21: Invest in Council's Capacity	DCEO 0.02
Achieve a high level of compliance.	Ensure compliance with local, town planning, building and health and all other legislation.	Project 22: Leadership and Advocacy Role	CEO 0.02 DCEO 0.05
	Maintain, review and ensure relevance of Council policies and local laws.	Project 22: Leadership and Advocacy Role	CEO 0.01

Delivery Program: Program Areas and Project Plans

A safe and welcoming community where everyone has the opportunity to contribute and belong

Program Area: Community Amenities, Recreation and Culture, Education and Welfare and Health

This program area includes core services provided to the community to improve their well-being, access to health services, community events and support to community groups and all recreation and cultural programs provided by the Shire.

Program Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Program Costs	293,090	206,500	229,045	556,500	1,285,135	176,500

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.12
Administration	Deputy Chief Executive Officer	0.18
Works & Services	Manager of Works	0.05
Public Relations	Community Development Officer	0.29

Project 1: Support Tourism Development and Promotions**HIGH PRIORITY****Project Manager:** CDO Shire of Mingenew**External Stakeholders:** Mingenew Tourist and Promotions Committee**Strategic Plan Link:** 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.7, 1.1.8, 1.1.9, 2.1.3**Project Description****Scope statement:**

Mingenew has an active Tourism group and Council will support the group through in-kind support and through an annual budget allocation including projects such as the Wildflower Country Group. Tourism infrastructure requests eg. New toilets will be consider on an as needs basis. Council has also embarked on an exciting Branding Awareness program in the 2016/17 financial year.

Project outputs:

- In kind support
- Annual budget allocation

Project outcomes:

- Good quality tourism facilities
- Tourism promotion for community and region
- Interpretative trails and signage

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Tourist & Promotions Committee	2,500	2,500	2,500	2,500	10,000	2,500
Area Promotion – Advertising	18,400	10,000	10,000	10,000	48,400	10,000
Wildflower Country Group	5,500	5,500	5,500	5,500	22,000	5,500
Wildflower Country – Midlands Route	40,251	0	0	0	40,251	0
Branding Awareness	45,000	25,000	25,000	25,000	120,000	25,000
Annual Budget (in-kind)	48,534	50,000	50,000	50,000	198,534	50,000
TOTAL	160,185	93,000	93,000	93,000	439,185	93,000

Source of Funds

Funding Sources	Amount	Status
Council funding	160,185	2016/17 Budget
Council funding	279,000	Future Budgets

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Promotion & Development	Chief Executive Officer	0.07
Promotion & Development	Deputy Chief Executive Officer	0.09
Promotion & Development	Manager of Works	0.02
Promotion & Development	Community Development Officer	0.23

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Tourism numbers increase by 5% /annum	Increase in visitation	Mingenew Tourist and Promotions Committee figures

Project Manager: CEO Shire of Mingenew

External Stakeholders: Silver Chain Clinic

Strategic Plan Link: 3.5.1, 3.5.2, 3.5.3

Project Description

Scope statement:

The Mingenew Medical Centre entrance for the Ambulance is not protected from the weather. A suitable entrance needs to be nominated and a Porte-Cochere to protect people's privacy and protect them from the elements needs to be constructed.

Project outputs:

- Consultation with medical staff and volunteers to determine best design
- Funding applications
- Construction completed

Project outcomes:

- Community members will be able to be protected when arriving and leaving the medical centre via ambulance or private transport

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Construction	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Source of Funds

Funding Sources	Amount	Status
Council contribution	0	Not Applicable
MWDC (RGS)	0	Not Applicable
Silver Chain	0	Not Applicable

Project Schedule

Major Milestones	Date	Output
Demolition of existing structure	2015/16	Preparation of site for construction
Completion of Construction	2016/17	Complete construction of set down bay
Opening	2016/17	Opening ceremony

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.01
Community Development	Deputy Chief Executive Officer	0.01
Supervision	Manager of Works	0.02

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Community members suitably protected when arriving/leaving by ambulance	Community Satisfaction	Community survey

Project 3: Develop Water Park**MEDIUM PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** Mid West Development Commission – Royalties for Regions, Lotterywest,**Strategic Plan Link:** 3.2.1**Project Description****Scope statement:**

It will be part of an overall children's activity playground including existing skate park and installation of a water park with a number of water features to encourage play and recreation. It will link to the Cecil Newton Park which will create a child/young person recreation precinct in the Main Street.

Project outputs:

- Applications for Royalties for Regions and Lotterywest
- Concept Plans developed by specialist and Water park constructed

Project outcomes:

The facility will provide a fun recreational activity and facility for young people across diverse age groups. Overall, it will enable the community to be attractive to new residents who consider services for children to be important when choosing a town to live.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Concept Plans	0	0	0	10,000	10,000	0
Construction	0	0	0	440,000	440,000	50,000
TOTAL	0	0	0	450,000	450,000	50,000

Source of Funds

Funding Sources	Amount	Status
Royalties for Regions	200,000	Application to be completed
Lotterywest	200,000	Application to be completed
Shire funds	50,000	Future budget

Project Schedule

Major Milestones	Date	Output
Funding applications completed and successful	2019/20	Funding achieved
Concept plans developed and approved	2019/20	Concept agreed & signed off by Council
Construction and installation of park	2019/20	Water Park constructed
Opening organised	2019/20	Opening Celebrations Christmas 2019

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.01 (2018/19)

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Families and young children satisfaction with facility	Community feedback	Community Survey

Project 4: Family Park - Playground**MEDIUM PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** Mid West Development Commission & Lotterywest,**Strategic Plan Link:** 3.2.7**Project Description****Scope statement:**

Create a children's activity playground area with features to encourage play, learning and recreation.

Project outputs:

- Applications for Lotterywest & Mid West Development Commission
- Concept Plans developed by specialist
- Family Park constructed

Project outcomes:

The facility will provide a fun recreational activity and facility for young people across early year age groups.

Overall, it will enable the community to be attractive to new families with young children who consider safe areas to meet, play and develop to be important when choosing a town to live.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Concept Plans	0	0	1,500	0	1,500	
Construction	0	0	121,045	0	121,045	10,000
TOTAL	0	0	122,545	0	122,545	10,000

Source of Funds

Funding Sources	Amount	Status
Mid West Development Commission	48,240	Application to be completed
Lotterywest	36,995	Application to be completed
Shire funds	37,310	Future budget

Project Schedule

Major Milestones	Date	Output
Funding applications completed and successful	2017/18	Funding achieved
Concept plans developed and approved	2018/19	Concept agreed and signed off by Council
Construction and installation of park	2018/19	Family Park constructed
Opening organised	2018/19	Opening Celebrations

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.01 (2017/18)
Deputy Chief Executive Officer	Manager	0.01 (2017/18)
Works Staff	Works Manager	0.01 (2017/18)

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Families and young children satisfaction with facility	Community feedback	Community Survey
Community participation	Usage of Park	Number of families

Project Manager: Works Manager Shire of Mingenew
External Stakeholders: LotteryWest, Heritage Commission
Strategic Plan Link: 2.4.1, 1.3.1

Project Description

Scope statement:

Heritage buildings are a key part of the built and cultural heritage of Mingenew and provide a key attraction for tourism. Under the Municipal Inventory, 3 sites are considered to be high priority and they include Enanty Barn, Old Railway Station and the Old Roads Board Building. These will be preserved according to the conservation requirements.

An annual program and budget has been allocated against which funds will be obtained to carry out an ongoing program. This program includes the Enanty Barn and the Old Roads Board Building. (The Old Railway Station is a separate project under the Corporate Business Plan)

Project outputs:

- Key buildings will be maintained
- Community's heritage will be protected, interpreted and appreciated

Project outcomes:

- Maintain and restore key buildings in the Townscape that are culturally important to the community.
- Maximise tourism opportunities as a destination on the Wildflower Way.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Budget - mtce	10,654	11,000	11,000	11,000	43,654	11,000
Enanty Barn	50,000				50,000	2,500
Mingenew Museum	20,000				20,000	2,500
Old Roads Board Building	12,000				12,000	2,500
War Memorial		100,000			100,000	2,500
TOTAL	92,654	111,000	11,000	11,000	225,654	21,000

Source of Funds

Funding Sources	Amount	Status
Council contribution	60,654	Current Budget/Forward Budgets
Heritage Council (Enanty Barn)	50,000	Not confirmed
MWDC (War Memorial)	100,000	Not confirmed
MWDC / Committee (Museum)	15,000	Not confirmed

Project Schedule

Major Milestones	Date	Output
Annual works program	Per annum	Ongoing conservation works
Enanty Barn	2016/17	Completion of restoration works
Museum	2016/17	Completion of restoration works
Old Roads Board	2016/17	Completion of restoration works
War Memorial	2017/18	Completion of restoration works

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.01
Deputy Chief Executive Officer	Manager	0.01
Works Manager	Manager	0.01
Community Development Officer	Officer	0.03

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Heritage buildings maintained	Community Satisfaction	Community survey

Project Manager: Wildflower Country Committee
External Stakeholders: Mid West Development Commission
Strategic Plan Link: 1.1.10

Project Description

Scope statement:

A funding application has been submitted by Wildflower Country Inc for funding to complete this project. The goal of the project is to replicate the Wildflower Way installed on the Dalwallinu to Geraldton road which encourages visitors to visit and stay longer in the region. The Shire's contribution to this project is \$40,251.

Project outputs:

Signage, interpretative information, involvement tourism operators, development of key attractions.

Project outcomes:

Visitors will be more inclined to travel on inland roads to explore towns and districts. This project will work in unison with the caravan park to encourage people to stay longer thus positively impacting on the economy of the community.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Implementation Plan	40,251	2,500	2,500	2,500	47,751	2,500
TOTAL	40,251	2,500	2,500	2,500	47,751	2,500

Source of Funds

Funding Sources	Amount	Status
Council contribution	40,251	2016/17 Budget
Council contribution	7,500	Future Budgets

Project Schedule

Major Milestones	Date	Output
Successful funding application	2016/17	Funding contract signed
Project implemented	2016/17	Project completed

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.01
Deputy Chief Executive Officer	Manager	0.06
Community Development	Officer	0.03

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Wildflower way completed	Attractive and informative signage along route	Increase in visitors to Shire
Midlands Route	Attractive and informative signage along route	Increase in visitors to Shire
Extended Tourist season	Visitors to Mingenew outside of usual months	Increase in numbers across year

Environment Project Plans

A sustainable natural and built environment that meets current and future community needs

Program Area: Environment

This program area includes core services provided to the community to improve the environment, and includes waste management services, and Parks and Gardens.

Program Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Program Costs	249,415	105,000	105,000	105,000	564,415	105,000

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration, Works & Finance	Chief Executive Officer	0.08
Administration, Works & Finance	Deputy Chief Executive Officer	0.02
Administration, Works & Finance	Manager of Works	0.07
Administration, Works & Finance	Community Development Officer	0.01

Project 7: Waste Transfer Station**HIGH PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** Department of Environment Regulation / Mid West Development Commission**Strategic Plan Link:** 2.6.1, 2.6.2**Project Description****Scope statement:**

The construction of the transfer station will allow for better waste control and public safety at the existing landfill site and support better recycling and reduction of waste to landfill.

Project outputs:

- Construction of transfer station at the existing Refuse Waste Site

Project outcomes:

- Completion of manned transfer station and implementation of waste management services
- Rehabilitation of current waste site

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Construction of transfer Station	185,000	40,000	40,000	40,000	305,000	40,000
TOTAL	185,000	40,000	40,000	40,000	305,000	40,000

Source of Funds (to be reviewed once project is sufficiently developed)

Funding Sources	Amount	Status
Council Contribution - Construction	135,000	Budget Allocation 2016/17
MWDC (RGS)	50,000	Funding approved
Council Contribution	120,000	Ongoing operational costs

Project Schedule (to be reviewed once project is sufficiently developed)

Major Milestones	Date	Output
Funding applications completed	2016/17	Funding achieved
Concept plans developed and approved	2016/17	Concept plan signed off by Council
Construction	2016/17	Transfer Station constructed
Opening organised	2016/17	Opening April 2017

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.02
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Project plan undertaken	Plan completed	Project started
Transfer Site constructed	Waste transfer station implemented	Transfer Station Opened

Project 8: Pursuing Sustainability**MEDIUM PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** Mingenew Irwin Group, DAFWA, DEC, NACC**Strategic Plan Link:** 1.5.2, 2.1, 1.5.5, 1.5.2**Project Description****Scope statement:**

This project brings together a number of key actions from the Community Strategic Plan which will be implemented under a general project area called “pursuing sustainability”. They include:

- Support sustainable farming projects
- Efficient use of water resources
- Investigate options and advocate for alternative sources of power
- Support and promote environmental management practices
- Lobby government for the protection of natural environment
- Rehabilitate, protect and conserve shire controlled land
- Manage native and feral flora and fauna
- Investigate options for water harvesting
- Manage rehabilitation of gravel pits

Project outputs:

- Key environmental projects achieved through Council providing in kind support for funded projects.

Project outcomes:

Mingenew will encourage participation in town, shire and regional improvement programs and nurture a stronger sense of stewardship within the community.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost
	\$	\$	\$	\$	\$	Post 2019/20
MIG contribution	29,415	30,000	30,000	30,000	119,415	30,000
Gravel Pit rehabilitation	25,000	25,000	25,000	25,000	100,000	25,000
Feral Dog Control	10,000	10,000	10,000	10,000	40,000	10,000
TOTAL	64,415	65,000	65,000	65,000	259,415	65,000

Source of Funds (to be reviewed once project is sufficiently developed)

Funding Sources	Amount	Status
Council Contribution	64,415	2016/17 Budget
Council Contribution	195,000	Future Budgets

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.06
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.06
Community Development Officer	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Improved environmental indicators	Annual research program	MIG feedback

Economy Project Plans

To be a diverse and innovative economy with a range of local employment opportunities

Program Area: Economic Services, Housing, Law, Order and Public Safety

This program area includes core services provided to the community to ensure their safety, providing housing and ensure the growth and development of the Shire.

Program Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Program Costs	281,643	415,500	15,500	215,500	928,143	25,500

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.24
Administration	Deputy Chief Executive Officer	0.07
Works & Services	Manager of Works	0.07
Public Relations	Community Development Officer	0.23

Project Manager: CEO Shire of Mingenew
External Stakeholders: Mid West Development Commission
Strategic Plan Link: 1.2.1, 3.1.1

Project Description

Scope statement:

Mingenew currently has sufficient residential land available for sale within the community (approximately 60 blocks), however a watching brief will be implemented to ensure that the development of new residential land is undertaken in a timely manner as growth proceeds. Demand for light industrial land is the key area of demand for Mingenew which has a number of options to develop industrial land. They include:

- Lot 1 Eleanor Street (subdivided industrial blocks)
- Unallocated Shire land within industrial zoning (Ernest Street Subdivision)

Project outputs:

- Watching brief on residential demand and sales
- Actively develop light industrial sites based upon demand, apply for headworks grants for subdivisions
- Completion of Townsite Strategy Plan

Project outcomes:

Increased number of new businesses, new industry and investment in Mingenew.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Ernest Street Subdivision	100,000	0	0	0	100,000	5,000
Rural Residential Subdivision	100,000	0	0	200,000	300,000	5,000
TOTAL	200,000	0	0	200,000	400,000	10,000

Source of Funds

Funding Sources	Amount	Status
Headworks Grant	300,000	Application to be completed
Council in-kind	100,000	Forward Budget

Project Schedule

Major Milestones	Date	Output
Complete Town Expansion Plan	2016/17	Completed Plan
Apply Headworks Grant	2016/17	Headworks funding
Complete Industrial Subdivision	2017/18	Industrial land available for sale
Rural Residential	2017/18	Rural Residential land available for sale

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.02
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Industrial land developed to demand	New businesses	Number new businesses
Residential Land developed	New residents to town	Number of new residents

Project 10: Improved Digital Communications Access for the Community**HIGH PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** NBN Co. & Telecommunications Service Providers / MWDC**Strategic Plan Link:** 1.5.3, 1.5.4**Project Description****Scope statement:**

The North Midland Council's are currently pursuing a strategy to improve mobile phone tower coverage through construction of a network of mobile phone towers in the North Midlands.

The Shire has leased land to NBN Co. to build a wireless transmission tower, which will potentially give all of Mingenew high-speed wireless communications, however alternate services also need to be explored.

Project outputs:

- Increase mobile phone coverage
- High speed wireless technology installed

Project outcomes:

That the Shire of Mingenew will not be disadvantaged by lack of mobile or digital services.

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
North Midlands Digital Strategy	33,334	5,000	5,000	5,000	48,334	5,000
TOTAL	33,334	5,000	5,000	5,000	48,334	5,000

Source of Funds

Funding Sources	Amount	Status
Mid West Development Commission	0	Application for funding submitted
Council Contribution	33,334	2016/17 Budget
Council Contribution	15,000	Future Budgets

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.02

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Mobile & Internet coverage	Community satisfaction	Annual Community Survey

Project Manager: CEO Shire of Mingenew

External Stakeholders: Mingenew Business Community / Mid West Development Commission

Strategic Plan Link: 1.3.2, 1.4.3

Project Description

Scope statement:

The project will develop a business incubator on available industrial land to make available ready-to-lease business facilities for small/micro industrial or contracting businesses that would like to establish in Mingenew.

Project outputs:

- Business Planning and feasibility study (based on Northampton model)
- Concept and design plan
- Funding obtained
- Construction and fill units

Project outcomes:

- Strong local Business to Business servicing through prevention of business leakage, ensuring higher business productivity and capacity to source business services to meet local needs, ensuring construction and trades work can be completed in reasonable time frames

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Concept and Design Plan	0	20,000	0	0	20,000	
Construct Incubator	0	385,000	5,000	5,000	395,000	5,000
TOTAL	0	405,000	5,000	5,000	415,000	5,000

Source of Funds

Funding Sources	Amount	Status
Council Contribution	225,000	2017/18 Budget
Mid West Investment Plan	180,000	2016/17 funding application submitted
Council Contribution	10,000	Future Budgets - Ongoing Maintenance

Project Schedule

Major Milestones	Date	Output
Concept and Design plan	2016/17	Building Plans
Construct incubator units	2017/18	Units constructed and filled
Opening	2017/18	Opening ceremony

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.02
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Number of new businesses	New Businesses established	New business in community

Project 12: Support Local Business and Community Groups**HIGH PRIORITY****Project Manager:** CEO/CDO Shire of Mingenew**External Stakeholders:** CRC, Local Business Association, Local Indigenous Groups**Strategic Plan Link:** 1.4.1, 1.4.2, 1.4.5, 2.2.1**Project Description****Scope statement:**

The Shire provides ongoing support to numerous community groups that hold large community events, manage essential community services and provide valuable support to key sectors of the community. Peppercorn rental, in-kind support and subsidised housing are made available to these groups.

In addition the Shire will make available \$3,000 per annum to the business community to pursue the idea of a shop local campaign.

The Shire will also provide support for heritage based development at Littlewell Aboriginal Reserve.

Project outputs:

- Support for community & cultural groups

Project outcomes:

- Strong community organisations

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Buy Local Campaign	3,000	3,000	3,000	3,000	12,000	3,000
Little Well Project	45,309	2,500	2,500	2,500	52,809	2,500
TOTAL	48,309	5,500	5,500	5,500	64,809	5,500

Source of Funds

Funding Sources	Amount	Status
Council Contribution	33,309	2016/17 Budget
Lotterywest	15,000	2016/17 Budget
Council Contribution	16,500	Future Budgets

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.17
Deputy Chief Executive Officer	Manager	0.05
Manager of Works	Manager	0.05
Community Development Officer	Officer	0.23

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Strong community organisations	Community strength	Ongoing success of community groups
Strong community organisations	Community strength	Volunteering numbers in each census
Strong cultural relationships	Cultural engagement	Visitation numbers at Little Well Reserve

Built Environment and Infrastructure Project Plans

A sustainable built environment that meets current and future community needs

Program Area: Transport, and Other Property and Services

This program area includes core services that provide enabling infrastructure for the community.

Program Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Program Costs	2,415,233	1,800,000	3,430,000	6,130,000	13,775,233	1,720,000

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.17
Administration	Deputy Chief Executive Officer	0.06
Works & Services	Manager of Works	0.38
Public Relations	Community Development Officer	0.05

Project Manager: Works Manager, Shire of Mingenew
External Stakeholders: Main Roads & Department of Infrastructure
Strategic Plan Link: 2.5.1, 2.5.2 and 2.5.3

Project Description

Scope statement:

The Shire of Mingenew has an extensive road network that comprises sealed and unsealed roads. The upkeep and management of this network is essential to the overall sustainability of the Shire. Management of the road system includes the road pavement, drainage, street lighting, verge maintenance and signage.

Project outputs:

- Kilometres roads upgraded or maintained each year
- Town site footpaths & drainage

Project outcomes:

- Road condition improvement
- Safer roads

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Infrastructure Program	1,535,233	1,500,000	1,550,000	1,600,000	6,185,233	1,600,000
TOTAL	1,535,233	1,500,000	1,550,000	1,600,000	6,185,233	1,600,000

Source of Funds

Funding Sources	Amount	Status
Council Contribution	674,633	2016/17 Budget
Grant Funding (RfR & RRG))	860,600	2016/17 Budget
Council Contribution	1,500,000	Future Budgets
Grant Funding (RfR & RRG))	3,150,000	Future Budgets

Project Schedule

Major Milestones	Date	Output
Annual road program	Ongoing	Maintenance of asset condition

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.07
Deputy Chief Executive Officer	Manager	0.02
Works Manager	Manager	0.32

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Maintain Road condition	Community satisfaction	Annual Survey
Safe access to and from other towns	Safety of road network	Accidents per annum on shire roads

Project 14: Restoration of Old Railway Station**HIGH PRIORITY****Project Manager:** CDO, Shire of Mingenew**External Stakeholders:** Lotterywest**Strategic Plan Link:** 1.3.1**Project Description****Scope statement:**

The Old Railway Station Building will be renovated and converted into an arts and crafts centre for community use.

Project outputs:

- Restored heritage building

Project outcomes:

- Community group usage of a key heritage building

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Undertake Restoration works	35,000	95,000	5,000	5,000	140,000	5,000
TOTAL	35,000	95,000	5,000	5,000	140,000	5,000

Source of Funds

Funding Sources	Amount	Status
Lotterywest	35,000	Application to be developed 2016/17
Lotterywest	85,000	Future Applications
Council Contribution (in-kind)	20,000	Future Budgets

Project Schedule

Major Milestones	Date	Output
Undertake restoration works	2016/17	Construction works commenced
Continue restoration works	2017/18	Construction works completed

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.01 (2016/17)
Deputy Chief Executive Officer	Manager	0.01 (2016/17)
Works Manager	Manager	0.01 (2016/17)
Community Development	Officer	0.05 (2016/17)

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Building restored successfully	Community satisfaction	Annual community survey

Project 15: Independent Living Units**HIGH PRIORITY****Project Manager:** CEO/CDO Shire of Mingenew**External Stakeholders:** Seniors, HACC, WA Health Services, MWDC, Department of Housing**Strategic Plan Link:** 3.2.4, 3.4.2, 3.4.5**Project Description****Scope statement:**

To develop aged care accommodation to meet current and future demand. The Project is in three stages with only Stage 1 & Stage 2 to be completed in the current 4 year Corporate Business Plan (2016/17 – 2019/20)

- Stage 1, 2 units, \$810k
- Stage 2, 2 units, \$850k
- Stage 3, 3 units \$1.1m

Project outputs:

- 7 new aged care units

Project outcomes:

Current and future aged care housing needs is addressed in a timely manner, enabling older people to age in their own community.

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Concept Plans/Design	20,000	0	10,000	0	30,000	
Construct Stage 1	630,000	160,000	0	10,000	800,000	10,000
Construction Stage 2	0	0	840,000	10,000	850,000	10,000
Construction Stage 3	0	0	0	0	0	
TOTAL	650,000	160,000	850,000	20,000	1,680,000	20,000

Source of Funds

Funding Sources	Amount	Status
Council Contribution	254,545	2016/17 Budget
WA Country Health Services	395,455	Funding successful – 16/17 Budget
Council Contribution	305,000	Future Budgets
Department of Housing JV	425,000	Application to be developed
Mid West Development Commission	300,000	Application to be developed

Project Schedule

Major Milestones	Date	Output
Construction - Stage 1	2016/17	Independent Living housing
Construction - Stage 2	2018/19	Independent Living housing
Construction - Stage 3	2020/21	Independent Living housing

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.03
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Aged Persons' housing needs met in timely manner	Number of people who can age safely in place	Retention of aged demographic place

Project Manager: CEO Shire of Mingenew
External Stakeholders: Business Community
Strategic Plan Link: 3.4.3

Project Description

Scope statement:

The Project will build key worker housing for key staff positions within the community. The first stage of the project is to build 2 modular units with a shared living area.

Project outputs:

- 2 modular units

Project outcomes:

- Provide accommodation to attract key workers to Mingenew

Project Costs

Cost	2016/17 \$	2017/18 \$	2018/19 \$	2019/20 \$	Total \$	Recurrent Cost Post 2019/20
Completion of Units	10,000	5,000	5,000	5,000	25,000	5,000
TOTAL	10,000	5,000	5,000	5,000	25,000	5,000

Source of Funds

Funding Sources	Amount	Status
Council Contribution	10,000	2016/17 Budget
Council Contribution	15,000	Future Budgets

Project Schedule

Major Milestones	Date	Output
Completion of 2 group dwellings	2015/16	Group dwellings completed
Completion of Fencing & Landscaping	2016/17	Project completed in its entirety

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.02 (2016/17)
Deputy Chief Executive Officer	Manager	0.01 (2016/17)
Manager of Works	Manager	0.01 (2016/17)

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Provide high quality accommodation	Key workers can access quality accommodation	Occupancy of housing

Project 17: Heavy Traffic By-pass**MEDIUM PRIORITY****Project Manager:** CEO Shire of Mingenew**External Stakeholders:** Main Roads, Transport Companies and Heavy Vehicle Operators, Tradespeople**Strategic Plan Link:** 2.3**Project Description****Scope statement:**

Develop a heavy vehicle by-pass around the Mingenew Central Business District (CBD).

Project outputs:

- Heavy vehicle by-pass

Project outcomes:

- Development of Main Street of Mingenew into a tourism and retail precinct

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Feasibility Study	0	0	20,000	2,000,000	2,020,000	20,000
TOTAL	0	0	20,000	2,000,000	2,020,000	20,000

Source of Funds

Funding Sources	Amount	Status
Council contribution	20,000	Future budget
Other Grants	2,000,000	Applications to be developed

Project Schedule

Major Milestones	Date	Output
Complete Feasibility study	2018/19	Feasibility study
Fund project	2018/19	Funding achieved
Construct project	2019/20	Bypass constructed
Opening ceremony	2019/20	Project opening

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Development of by-pass	Vibrant Main street	Traffic Count Main Street

Project 18: Relocate Shire Depot and Redevelop Vacated Land**MEDIUM PRIORITY****Project Manager:** CEO/Works Manager Shire of Mingenew**External Stakeholders:** Community**Strategic Plan Link:** 2.3.4**Project Description****Scope statement:**

Council will relocate the existing Shire Depot from 2019 to 2020 at a cost of \$1.5M. This will make this site available for either residential development or as a possible business incubator site.

Project outputs:

- Relocated Shire Depot
- Land available for development

Project outcomes:

- New and improved shire depot
- Opportunity to develop vacated land that depot was on

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Relocation of Depot and subdivision costs	0	0	0	1,500,000	1,500,000	20,000
TOTAL	0	0	0	1,500,000	1,500,000	20,000

Source of Funds

Funding Sources	Amount	Status
Council contribution	1,500,000	2019/20 Budget

Project Schedule

Major Milestones	Date	Output
Construction new depot	2019/20	New Depot available for use
Clear in-town depot	2019/20	Land vacated
Rehabilitate vacated land	2019/20	Land rehabilitated
Subdivide land available for sale	2019/20	Subdivision complete

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
CEO	Manager	0.01 (2019/20)
Works Manager	Manager	0.01 (2019/20)

Measuring Success

Outcomes	Tangible indicators of success	Measured by
New depot constructed and vacated depot gains environmental clearance	New depot	Staff satisfaction with new premises
Land available for development	Land available	Development of land

Project 19: Develop Recreation Complex**MEDIUM PRIORITY**

Project Manager: CEO Shire of Mingenew
External Stakeholders: Sporting Groups, Sport and Recreation
Strategic Plan Link: 3.2.9

Project Description**Scope statement:**

Firstly to install oval lights at the Recreation Centre oval then to look at a Recreation Centre redevelopment.

Project outputs:

- Oval lights installed at Recreation Centre
- Increasing the capacity of the Recreation Centre

Project outcomes:

- Increase in sporting and community events

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Oval lights	185,000	0	0	0	185,000	
Feasibility Study	0	40,000	0	0	40,000	
Recreation Upgrade	0	0	1,000,000	1,000,000	2,000,000	50,000
TOTAL	185,000	40,000	1,000,000	1,000,000	2,225,000	50,000

Source of Funds

Funding Sources	Amount	Status
Council contribution - Lights	105,000	2016/17 Budget
CSRFF Sport and Recreation - Lights	50,000	Funding Application successful – 16/17
Mingenew Football Club – Lights	30,000	Contribution confirmed – 16/17
Council contribution - Upgrade	540,000	Forward Budgets
CSRFF Sport and Recreation - Upgrade	650,000	Funding Application to be submitted
MWDC - Upgrade	300,000	Funding Application to be submitted
Sport & Recreation Upgrade	550,000	Funding application to be submitted

Project Schedule

Major Milestones	Date	Output
Funding application	2016/17	Lighting funding received
Install lighting	2016/17	Lights installed
Recreation Centre Development Plan	2017/18	Plan to improve Recreation Centre facility

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.02
Deputy Chief Executive Officer	Manager	0.01
Manager of Works	Manager	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Increased facility usage	Increase number of events	Event numbers

Governance and Civic Leadership

A collaborative and innovative community with strong and vibrant leadership.

Program Area: Governance

This program area includes core services provided to the community to administrate the programs of the Shire and ensure the financial sustainability of the Shire is built into the long-term.

Program Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Annual Program Costs	0	5,000	5,000	5,000	15,000	5,000

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Administration	Chief Executive Officer	0.37
Administration	Deputy Chief Executive Officer	0.28
Works & Services	Manager of Works	0.07
Public Relations	Community Development Officer	0.07

Project Manager: CEO Shire of Mingenew
External Stakeholders: Mid West Leadership Program
Strategic Plan Link: 4.1, 4.2

Project Description

Scope statement:

Formal and informal leadership training opportunities will be provided to enable succession of leaders through the Council and in key leadership positions within the Community.

Project outputs:

- Leadership training program provided each year locally, or 1-2 members of community sponsored to undertake leadership training and bring skills home to community.

Project outcomes:

Network of skilled local leaders

Project Costs

Cost	2016/17	2017/18	2018/19	2019/20	Total	Recurrent Cost Post 2019/20
	\$	\$	\$	\$	\$	
Leadership training	0	5,000	5,000	5,000	15,000	5,000
TOTAL	0	5,000	5,000	5,000	15,000	5,000

Source of Funds

Funding Sources	Amount	Status
Council contribution	15,000	Forward budgets

Project Schedule

Major Milestones	Date	Output
Advertise to community	2017/18	Expressions of interest received
Source training	2017/18	Training providers identified
Undertake training and keep engagement going	2016 - 2020	At least 1 new leaders per year

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Chief Executive Officer	Manager	0.01
Community Development	Officer	0.01

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Strong leadership	Greater community engagement	Increase number of community events, increased attendance
Proactive Council	Improved relationship Council and community	More interaction between Councillors and community
Greater choice of Councillors	Younger nominees for vacancies	More nominees for vacant seats

Project Manager: CEO Shire of Mingenew

External Stakeholders:

Strategic Plan Link: 4.4, 4.5

Project Description

Scope statement:

This project includes a range of key activities that will enable the Shire to be a highly professional organisation providing excellence in all areas of governance, management and leadership.

Project outputs:

- Staff training and development
- Professional Development opportunities for Councillors
- Mentor community leaders to become Councillors
- Traineeships within the Shire
- Implemented Integrated planning and reporting framework
- Implement annual customer feedback surveys
- Review of Council policies and laws
- Investigate new sources of revenue and income
- Maintain effective and efficient ICT systems
- Maintain links with regional bodies such as MWDC & DSR
- Continue involvement with Main Roads WA through the Regional Road Group

Project outcomes:

- Long term sustainable Council

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation (each year)
Delivering Quality Services	Chief Executive Officer	0.07
Delivering Quality Services	Deputy Chief Executive Officer	0.04
Delivering Quality Services	Manager of Works	0.04
Delivery Quality Services	Community Development Officer	0.01
Integrated Strategic Planning	Chief Executive Officer	0.05
Integrated Strategic Planning	Deputy Chief Executive Officer	0.13

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Community satisfaction with Council Leadership, development and services	Community satisfaction	Annual Survey
Long term financial sustainability of Council whilst meeting community needs	Financial strength of Council	Financial ratios

Project Manager: CEO Shire of Mingenew

External Stakeholders: All major service providers, State and Australian Government Agencies

Strategic Plan Link: 4.3

Project Description

Scope statement:

Continue to lobby and advocate for key government and infrastructure services, help resolve community issues and act on opportunities.

Project outputs:

Advocacy on key issues such as:

- Lobby for quality education within region
- Lobby for enhanced power supply
- Lobby for Roads funding
- Advocate and support the maintenance of adequate police and emergency services
- Lobby for regional health infrastructure
- Investigate funding opportunities for key infrastructure projects

Project outcomes:

Ensure Agencies and Service providers provide a level of service that meets community needs and expectations.

Project Resourcing and Skill/Capacity Level

Resources Required	Level	FTE Estimation
Stakeholder relationships	Chief Executive Officer	0.24
Stakeholder relationships	Deputy Chief Executive Officer	0.11
Stakeholder Relationships	Manager of Works	0.03
Stakeholder Relationships	Community Development Officer	0.05

Measuring Success

Outcomes	Tangible indicators of success	Measured by
Agencies and Service Providers meet community needs	Community needs met	Annual community survey

Resource Capability Assessment

The overall resources required to implement the Corporate Business Plan across the four years are within the capacity of existing staff resources. The FTE requirements for 2016/17 year to implement this plan are:

- Chief Executive Officer 0.98
- Deputy Chief Executive Officer 0.61
- Manager of Works 0.64
- Community Development Officer 0.68

These estimated FTE's are within current staffing allocations and will be able to be delivered within current capacities. The Development Plan for the Shire is very conservative and although it does meet the needs of the community as defined in the Strategic Community Plan, only key priorities will be funded and developed in the next 4 years to ensure the Shire also meets its financial sustainability requirements.

The Shire's key strategy for managing times when demand for key staff exceeds supply is to use a local/regionally based network of contractors who know the Shire, have established relationships with the Council and Senior Staff and can get work completed quickly and on budget. The key issue with this model is the continued loss of corporate knowledge from the Shire, so the depth of the business systems are quite critical to ensure knowledge is captured within each project/contract and as much as possible retained within the Shire knowledge base.

Key issues for the Shire are the key person dependencies created by the flat line and small staff structure. This will create challenges for the Shire in managing succession planning for key roles. The mentoring approach suggested already will be the key management strategy to manage the lack of succession, and to support the building of a regional workforce.

Financial Estimates

The Financial Estimates in this plan assume the majority contribution for each project occurs through grants funding for capital works. This has been achieved through reducing project scope or delaying projects to future Corporate Business Plan's.

The updated Corporate Business Plan costings have been attached to this Plan as a reference document. The costs are summarised in the table below. The total expenditure under this plan at the time of adoption is as outlined in the following table.

Costings Summary Corporate Community Plan

	2016/17	2017/18	2018/19	2019/20
Council Contribution	1,503,326	1,167,000	1,424,310	2,412,000
Mid West Dev Comm	50,000	180,000	348,240	300,000
Lotterywest	50,000	85,000	36,995	200,000
WA Health Services	395,455			
Main Roads	426,000	600,000	650,000	700,000
Dept of Infrastructure	434,600	400,000	400,000	400,000
Royalties for Regions				200,000
DSR	50,000		500,000	150,000
Other	330,000	100,000	425,000	2,650,000
TOTAL	3,239,381	2,532,000	3,784,545	7,012,000

The key impact from the projects is mainly delivered by the Depot Project. All other projects are able to be funded from grants programs or they will not proceed. The Depot Project is internally funded and has a substantial impact on the financial ratios as it will be delivered through an increase in borrowings.

The two key risks that this plan exemplifies is the high degree of dependence upon external revenue sources to develop the community's infrastructure. The second key risk is the increase in borrowings with peak debt at \$1.7M in 2022. Although reserve funds increase from \$0.272M to \$0.414M in the next ten years this is still a low level of reserves from which to continue to grow services and deliver future prospects for the community.

The fiscal outlook for the Shire requires a conservative financial management approach into the future. The Corporate Business Plan has been developed on this basis and will enable the Shire to both meet the needs of the community and improve its long term financial health.

Assets of the Shire

Council provides a range of infrastructure assets to enable services to be delivered to the community.

This plan covers the following assets:-

- Roads comprising roadways (597km),
- Bridges (5), culverts (315),
- Railway crossings (5),
- Road signs (315),
- Floodways (17),
- Footpaths and kerbing

Buildings comprising

- Recreation (12),
- Council/depot (7),
- Public/civic (11) and
- Housing (8)

Other assets covering

- Recreation (12),
- Public/civic (4) and
- Waste (1)

There are two key indicators of cost to provide the services.

- The life cycle cost being the average cost over the life cycle of the asset, and
- The total maintenance and capital renewal expenditure required to deliver existing service levels in the next 10 years covered by Council's long term financial plan.

The life cycle cost to provide the infrastructure service is estimated at \$1,546,308 per annum. Council's planned life cycle expenditure for year 1 of the asset management plan is \$1,535,233 which gives a life cycle sustainability index of 0.99.

Operational Risk Assessment

The following section outlines key systems, processes and resources of the Shire and assesses the current risks to those areas and proposes mitigation measures to be adopted where impact is high.

Systems			
Risk	Assessment of Risk	Impact	Mitigation
Document Management	The time cost of the document management system is inefficient and frustrating for staff.	HIGH The knowledge base of the organisation is held in the document management system which has not been well maintained in the past.	Invest in electronic data management systems that protect data integrity against individual work practices, establish Standard Operating Procedures and monitor their implementation. All staff to be trained in the system.
Project Management	Projects are managed by staff based upon individual systems and there is no consistent project management system in place	HIGH Projects need to be fully planned to enable most efficient work flows within organisation and community	Project Management Training has been undertaken. Implement electronic project management system and ensure all projects are managed through system.
Stakeholder Management System	Stakeholders are managed by Key staff and Councillors through on going communication, without a clear managed process	MEDIUM The current system works as the organisation is small, however increasing the project load will cause the current system to be put under pressure. Loss of any individual will cause loss of key relationships.	Stakeholder relationships to be managed through an electronic management system which records interactions, relationships and follow-up actions required.
ICT system	Current ICT system is sufficient for current resourcing	MEDIUM ICT systems can quickly reach their tipping point, and the functionality of new technology can greatly enhance workforce productivity	Monitor effectiveness and remote access and communication systems between staff and Councillors.
Processes			
HR Processes	Succession Planning challenging due to size of organisation. Attraction and retention of key staff has been difficult in the region. Active Performance management is required to build the organisational culture that is desired	HIGH Having the right team is critical to any successful organisation. Building that team over time and retaining key skill sets will be essential to build efforts to increase productivity.	Introduce a formalised mentoring approach that supports strong HR management at Senior levels. Implement excellent HR systems. Build the regional workforce in roles that are best delivered at that level. Provide flexible working arrangements for staff, and ensure childcare is provided in the community.
Workforce Planning and Cost Modelling	Key cost of organisation is labour cost and work utilisation of all roles difficult to assess, hence making cost control difficult to implement.	HIGH Some roles can be over-utilised and some under and without appropriate work force planning the mismatch is difficult to detect or remedy.	Effective job planning, detailed job descriptions, and monitoring or work output to be implemented to ensure over and under productivity can be managed.
Skills Development	Skills gaps and development to overcome gaps could be a risk	MEDIUM Over reliance on key staff due to ineffective middle management skills/capacity	Training is up to date in organisation however needs related to Corp Bus Plan and project development/ fundraising to be further developed.

Resources			
Workforce	Capacity to develop a high performing organisation that is highly productive and utilises the core staff cost to the best outcome for the community.	HIGH High performing parts of any organisation are affected by lower performance and the culture is set by the "lowest bar" over time. Building a high performance culture is a function of good systems, modelling behaviour and consistent leadership.	Implement systems to monitor work output and measure performance of all staff. All Senior Staff to display values that show productivity and effectiveness is critical. Ensure staff understand staff costs to community outcomes is important to Council.
Council	The task of balancing fiscal responsibility and responding to the community is a key risk for Council.	HIGH Ongoing good leadership is critical within the Council group, as cohesive responsible decision making will be required for many years.	Community expectations about what Council can deliver need to be managed. All consultation processes need the clear context of the fiscal responsibility required by the Shire.
Asset Base	Depreciating asset base which cannot be maintained on revenue base	MEDIUM Long term the Shire will face increasing challenges to develop new infrastructure or community projects and maintain existing assets.	Rationalise existing asset base at every opportunity and only add high value projects that deliver clear outcomes, including revenue generation opportunities. Continue to invest in regional processes that optimise revenue base of the Shires in the region.

Internal Analysis

Required improvements

The following proposed improvements for the internal management of the Shire will support the core goals of developing the community and improving financial sustainability. They relate to the mitigation measures outlined in the risk analysis.

1. Stakeholder relationships to be managed through an electronic management system which records interactions, relationships and follow-up actions required.
2. Monitor effectiveness and remote access and communication systems between staff and Councillors.
3. Introduce a formalised mentoring approach that supports strong HR management at senior levels.
4. Build the regional workforce in roles that are best delivered at that level. Provide flexible working arrangements for staff, and ensure childcare is provided in the community.
5. Effective job planning, detailed job descriptions, and monitoring of work output to be implemented to ensure over and under productivity can be managed.
6. Training is up to date in organisation, however, needs to be related to Corporate Business Plan and project development/ fundraising to be further developed.
7. Implement systems to monitor work output and measure performance of all staff. All Senior Staff to display values that show productivity and effectiveness is critical. Ensure staff understand that staff costs to community outcomes are important to Council.
8. Community expectations about what Council can deliver need to be managed. All consultation processes need the clear context of the fiscal responsibility required by the Shire.
9. Rationalise existing asset base at every opportunity and only add high value projects that deliver clear outcomes, including revenue generation opportunities.
10. Continue to invest in regional processes that optimise revenue base of the Shires in the region

Measuring our Success

Within each Strategic Theme there are a number of key objectives which have specific measurement criteria which are either output or outcome based. These will be used by the Shire to monitor the achievement of the plan. They will be used to monitor project activity, but not reported on in the Annual Report.

Key Performance measures have been set against the 5 strategy areas. These KPM's are designed to be reported against annually in the Shires Annual Plan. This will enable the community to track progress against the objectives and to also understand the impact of the plan's implementation.

Strategy Number	Strategic Area	Key Performance Measures
1	Infrastructure and Natural Assets	Community satisfaction community services (annual survey) Community satisfaction town amenity (annual survey) Community satisfaction core services eg. Roads, pathways (annual survey)
2	Industry and business development	Land Availability for projects Nil waste targets achieved
3	People and place	Annual community satisfaction with cultural, heritage and recreation services (annual survey)
4	Community capacity	Volunteering rate each census period Community satisfaction with engagement with Council (annual survey)
5	Council's capacity	Improvement in Financial ratios Low employee turnover Successful fundraising for key projects

Acknowledgements

This plan has been developed with the active assistance of key staff within the Shire of Mingenew. They include the Chief Executive Officer Martin Whitely, Deputy Chief Executive Officer Nita Jane, Manager of Works Warren Borrett and Shire Councillors..

Attachments

Nil

Signed:

Michelle Bagley
Shire President

Date:

Signed:

Martin Whitely
Chief Executive Officer

Date:

The Corporate Business plan has been endorsed by the Shire of Mingenew at its' Ordinary Meeting held on
26 June 2013 – Resolution number 130603
20 April 2016 – Council Decision 9.1.1
21 September 2016 – Council Decision 9.1.1

9.1.2 TENDER – SUPPLY OF BLUE METAL & BITUMEN

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0113
Date: 14 September 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends the appointment of a suitably qualified contractor for the supply of bitumen and aggregate of the Shire’s 2016/17 road program.

Attachment

A copy of all the submissions received are tabled.

Background

Tenders were called for the supply of bitumen and aggregate of the Shire’s 2016/17 road program through WALGA eQuotes and closed on 15 September 2016.

Comment

In total five submissions were received and below is a summarised table of the submissions received;

	Bitutek	Boral	Downer	Fulton Hogan	Colas
Description of Road Projects to be Completed					
Depot Hill North Rd (1.2km crest seal)	41,040	50,045	44,852	45,274	41,353
Mingenew Mullewa Rd (3km reconstruction 2 coat seal)	102,600	111,290	107,595	113,184	103,383
Depot Hill Rd (3.8km Reseal)	90,288	108,408	101,273	98,222	86,629
TOTAL PRJECT COST	\$233,928	\$269,743	\$253,720	\$256,680	\$231,365

Where submissions received listed separately costs for traffic management, mobilisation and demobilisation, these costs were apportioned to the three road projects on a pro rata basis based on the m² required.

Bitutek were awarded the contract for the works completed in both the 2014/15 and 2015/16 financial years.

All submissions received were within the Shire’s budget allocation for the works to be completed.

Consultation

Warren Borrett, Works Manager

Statutory Environment

Local Government Act 1995

Local Government (Functions & General) Regulations 1996

Policy Implications

Policy No. 3007 – Purchasing Policy

Financial Implications

All submissions received were within the Shire's budget allocation for the works to be completed.

Strategic Implications

Community Strategic Plan

Outcome 2.5.1 – Maintain and improve road assets.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2
--

That Council;

Award the supply of bitumen and aggregate of the Shire's 2016/17 road program on a full contract basis for the amount of \$233,928 to Bitutek Pty Ltd.

9.1.3 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0147
Date: 14 September 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council appoints Bush Fire Officers for the Shire of Mingenew for the 2016/17 fire season.

Attachment

Nil

Background

The Mingenew Bush Fire Advisory Meeting is scheduled for Tuesday 20 September 2016. At this meeting the Bush Fire Advisory Committee will make recommendations for the appointment of Bush Fire Control Officers including the positions of Chief Fire Control Officer, Deputy Chief Fire Control Officer and Fire Weather Officer.

Comment

Since the meeting is yet to be held the recommendations for the office positions from the Bush Fire Advisory Committee are unknown. As a guide the current office bearers are as follows;

Chief Bush Fire Control Officer

Rob McTaggart

Deputy Chief Bush Fire Control Officer

Murray Thomas

Permit Issuing Officer

Rob McTaggart

Fire Weather Officer

Rob McTaggart

Bush Fire Control Office

Mingenew Town: Captain - Michael Beare

Yandanooka: Captain - Nick Duane & Deputy Captain - Justin Bagley

Lockier: Captain - Daniel Michael & Deputy Captain - Tim Dempster

Guranu: Captain - Murray Thomas & Deputy Captain - Ben Cobley

Mingenew North: Captain - Alex Pearse & Deputy Captain - Andrew Green

Consultation

Shire of Mingenew Fire Brigades

Rick Ryan, Community Emergency Service Manager

Statutory Environment

Bush Fire Act 1954

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Community Strategic Plan

Outcome 3.7.3 – Continuously improve emergency services

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.3
--

That Council endorse the recommendations of the Bush Fire Advisory Committee for the relevant Bush Fire Control Officer dignitaries.

9.1.4 DISPOSAL OF PROPERTY – LOT 4 ERNEST STREET

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0257
Date: 14 September 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Lot 4 Ernest Street, Mingenew be advertised for sale.

Background

At the February 2016 Concept Forum it was discussed that Mr Matt Burney had expressed an interest in establishing a business in Mingenew to compliment his existing business located in Walkaway. Mr Burney was enquiring into potential sites that would be suitable in Mingenew.

At the March 2016 Meeting Council resolved to obtain a land valuation for Lot 4 Ernest Street and enquire into the cost of subdividing Lot 4 Ernest Street into 2 separate titles. The CEO was also requested to speak with Paul & Kelli Starick who are currently utilising a portion of Lot 4 Ernest Street, Mingenew.

At the April 2016 Meeting Council resolved to proceed with the subdivision of Lot 4 Ernest Street with an allocation of \$30,000 to meet the costs to subdivide the block.

Attachment

Map showing location of Lot 4 Ernest Street, Mingenew

Comment

Subsequent to the April 2016 Ordinary Meeting further investigation was carried out by the CEO which highlighted that the real cost to subdivide Lot 4 Ernest Street would be in the vicinity of \$50,000 - \$60,000. As Council's intention was to recover the costs of the subdivision it was at this stage that plans to proceed with the subdivision were put on hold.

Lot 4 Ernest Street is 2.0344 hectares in area and a portion of the land is currently used by Starick Transport as a wash down area for their trucks. Starick Transport currently has a long standing agreement with the Shire to use Lot 4 Ernest Street as a wash down bay, although there does not appear to be any record of the agreement on file.

At the time of looking to subdivide Lot 4 Ernest Street Mr Burney, who operates as a mechanic in Walkaway, indicated that he was looking for a sizeable area to construct a shed and have plenty of room for vehicles to access the property. Mr Burney suggested that the location at Lot 4 Ernest Street would be suitable for his business and that if the block was to be subdivided then approximately 1 hectare of land would be more than sufficient for his business. Discussions with Mr Burney in August 2016 indicated that he is not currently in a position to expand his business into Mingenew at this point in time.

There are several options open to Council in relation to Lot 4 Ernest Street;

1. Council could proceed with the subdivision of the block
2. Council could use the allocated funds to subdivide Lot 4 Ernest Street to purchase another block in the industrial area should one become available
3. Council keep the block and take no further action, or
4. Council advertise the sale of the block

My recommendation is that Council advertise the sale of Lot 4 Ernest Street. If a suitable offer is made to Council then these funds could be allocated to the Shire's Land & Building Reserve to use for the purchase of an alternate block in the industrial area. Alternatively the funds received from the sale of Ernest Street could be used to put towards the cost of developing the parcel of land on Eleanor Street where the proposed business incubator would be built.

If Council intend to keep the block then some agreement for the use of Lot 4 Ernest Street with Starick Transport would need to be formalised.

Consultation

Nil

Statutory Environment

Section 3.58 of the Local Government Act 1995 relates to the disposal of property;

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

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

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Policy Implications

Nil

Financial Implications

There was no provision made for any sale proceeds, nor the subdivision of Lot 4 Ernest Street, Mingenew in the 2016/17 Budget.

Strategic Implications

Community Strategic Plan

Outcome 4.4.3 - Develop and implement Asset Management Planning

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.4
--

That:

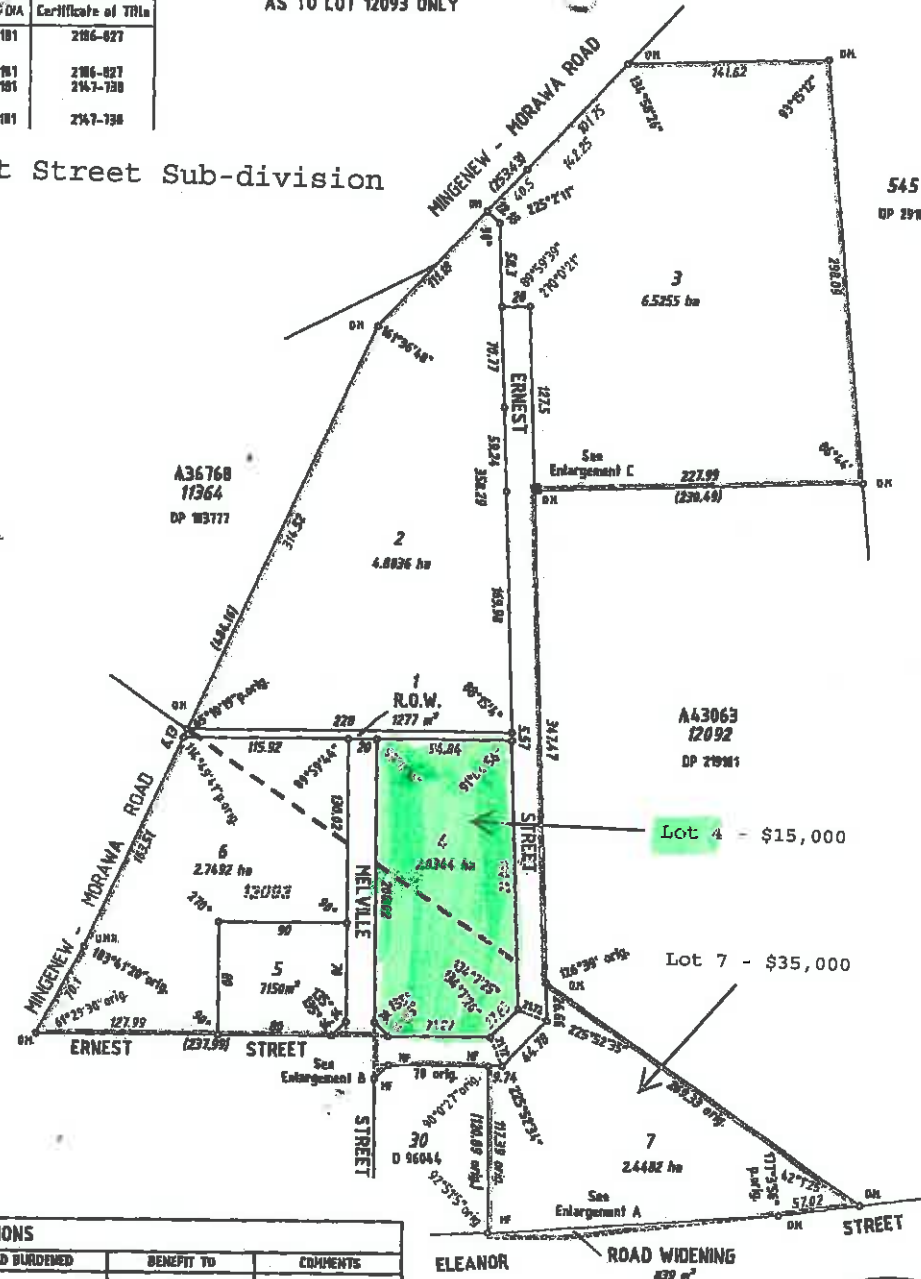
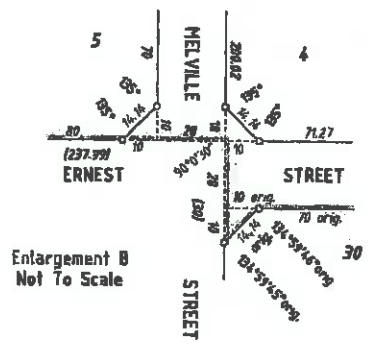
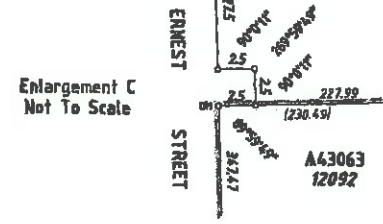
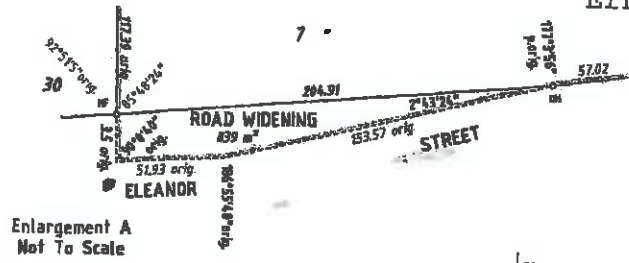
- 1. Council gives local public notice of the proposed sale of Lot 4 Ernest Street in the prescribed form as outlined in Section 3.58 of the Local Government Act**
- 2. That all submissions along with other details pertinent to the sale of the vehicle are tabled for Council consideration at the October 2016 Ordinary Council Meeting**

VERSION	AMENDMENT	BY	DATE
2	FIELD BOOK ADDED, ROAD WIDENING INTO LOT 3	ROGER L HUNT	16/12/10
3	AUDIT REQUIREMENTS	ROGER L HUNT	17/1/11

LOT	FORMER TENURE	DN PLAN/DIA	Certificate of Title
2 & 3	PT LOT 12091	DP 219181	2186-827
4 & 6	PT LOT 12091 PT LOT 12093	DP 219181 DP 219181	2186-827 2147-138
5 & 7	PT LOT 12093	DP 219181	2147-138

LIMITED IN DEPTH TO 12.19 METRES
AS TO LOT 12093 ONLY

Ernest Street Sub-division



TYPE		FREEHOLD	
PURPOSE		SUBDIVISION	
PLAN OF			
LOTS 1 - 7 (inc.), ROAD WIDENING & ROADS			
DISTRICT VICTORIA TOWNSHIP		SSA 388740	
FILE LOCALITY KEWA LOCAL AUTHORITY SHIRE OF MINGENEW		FORMER TENURE SEE TABLE	
INDEX BP42 (2) 26-30 MINGENEW SE (25)		FIELD BOOKS 82793 93786 114250	
SCALE 1 : 2500 @ A2		CC REF: 22204	
SURVEYOR'S CERTIFICATE - Reg 94 I, Neil Kelly do hereby certify that this plan is accurate and is a correct representation of the lot boundaries as determined by measurement, and is a correct representation of the plan and that I am not aware of any error or omission which would affect the validity of this plan in relation to the land.			
LOADED		APPROVED BY REGISTERED AUSTRALIAN PLANNING COMMISSION	
NAME		PLAN 124626	
DATE		DATE	
IN ORDER FOR DEALINGS			
APPROVED			
APPROVED			
DEPOSITED PLAN			
42464			
SHEET 1 OF 1 SHEETS		VERSION 3	

INTERESTS AND NOTIFICATIONS						
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
LOT 1	RIGHT OF WAY (R.O.W.)	VESTS IN THE CROWN UNDER SEC 192 OF THE P & D ACT	THIS PLAN			

Quantum SURVEYS
170 Box 885 Corvallis WA 97330
Phone: 503 837 Fax: 503 888
Email: info@quantumsurveys.com.au

9.1.5 LOCAL LAWS REVIEW

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0384
Date: 14 September 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report provides an update to Council on the review of the Shire's Local Laws being conducted.

Attachment

Proposed Draft Local Laws.

Background

The Local Government Act 1995 ("the Act"), requires that Council must every eight years after the adoption of any Local Law, or the last review, to conduct a review of the Local Law to ensure that it still retains currency.

At the April 2016 Ordinary Meeting Council resolved to proceed with a review of the Shire of Mingenew Local Laws. The review has been ongoing since the April 2016 Meeting and attached for Council review are the four proposed draft Local Laws that have been completed to date.

Comment

The purpose of the Local Law review, apart from the requirement to do so under the Local Government Act, is that currently there are a significant number of Local Laws that may no longer be relevant to the Shire and/or other Local Laws may be required that are currently not in place. It is intended that by reviewing the Local Laws Council adopt Local Laws suitable for the Shire.

The four draft Local Laws deal with the following;

- Meeting Procedures
- Animals
- Health
- Waste

The above draft Local Laws deal with much of the every day business operations of the Shire. Local Laws are only necessary in situations where the Local Government Act 1995 and/or other statutory legislation in place do not meet the requirements of the Local Government. It is important to note that Local Laws can be either repealed or added at any time Council wish to do so as long as the procedures, advertising and community consultation requirements under the Local Government Act 1995 are followed.

I have tabled the draft Local Laws to allow Council the opportunity to review the documents with the view to advertising the proposed Laws and adopting them in the coming months.

Consultation

The review will be advertised and the community will be able to access the information and make comments and submissions.

Statutory Environment

In relation the review of Local Laws the Local Government Act 1995 states;

3.16. Periodic review of local laws

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give Statewide public notice stating that —
 - (a) the local government proposes to review the local law; and
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.

The process for the adoption of Local Laws under the Local Government Act 1995 states;

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Other relevant sections of the Local Government Act 1995 include;

- Section 2.7 – Role of the Council
- Section 3.1 – General Functions

Other relevant legislation is the Interpretation Act 1984.

Policy Implications

Nil

Financial Implications

There are funds available in the budget for Council to proceed with the review of the local laws.

Strategic Implications

Community Strategic Plan

Outcome 4.5.1 – Ensure compliance with local, town planning, building, health and all other relevant legislation

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.5
--

That the information be received.

WESTERN AUSTRALIA

Local Government Act 1995

Shire of Mingenew
Local Government (Council Meetings) Local Law 2016

ARRANGEMENT

Part 1 - Preliminary

- 1.1 Citation
- 1.2 Commencement
- 1.3 Application and intent
- 1.4 Interpretation
- 1.5 Repeal
- 1.6 Provisions of the Act, Regulations and other legislation

Part 2 – Establishment and membership of committees

- 2.1 Establishment of committees
- 2.2 Types of committees
- 2.3 Delegation of some powers and duties to certain committees
- 2.4 Limits on delegation of powers and duties to certain committees
- 2.5 Appointment of committee Members
- 2.6 Tenure of committee membership
- 2.7 Resignation of committee Members
- 2.8 Register of delegations to committees
- 2.9 Committees to report

Part 3 - Calling and convening meetings

- 3.1 Ordinary and special Council meetings
- 3.2 Calling Council meetings
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- 3.4 Calling committee meetings
- 3.5 Public notice of meetings

Part 4 – Presiding Member and quorum

Division 1: Who presides

- 4.1 Who presides
- 4.2 When the Deputy Mayor/Deputy President can act
- 4.3 Who acts if no Mayor/President
- 4.4 Election of Presiding Members of committees
- 4.5 Election of Deputy Presiding Members of committees
- 4.6 Functions of Deputy Presiding Members
- 4.7 Who acts if no Presiding Member

Division 2 – Quorum

- 4.8 Quorum for meetings
- 4.9 Reduction of quorum for Council meetings
- 4.10 Reduction of quorum for committee meetings
- 4.11 Procedure where no quorum to begin a meeting
- 4.12 Procedure where quorum not present during a meeting
- 4.13 Names to be recorded

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- 5.2 Order of business
- 5.3 Motions of which previous notice has been given
- 5.4 New business of an urgent nature
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- 6.1 Meetings generally open to the public
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- 6.5 Minimum question time for the public
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- 6.8 Distinguished visitors
- 6.9 Deputations
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- 6.15 Confidentiality of information withheld
- 6.16 Recording of proceedings
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Part 7 - Questions by Members

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- 8.1 Members to be in their proper places
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- 8.4 Advice of entry or departure
- 8.5 Members to indicate their intention to speak
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- 9.3 Procedures on a point of order
- 9.4 Calling attention to breach
- 9.5 Ruling by the Presiding Member
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- 10.2 Motions to be supported
- 10.3 Unopposed business
- 10.4 Only one substantive motion at a time
- 10.5 Order of call in debate
- 10.6 Limit of debate
- 10.7 Member may require question to be read
- 10.8 Consent of seconder required for alteration
- 10.9 Order of amendments
- 10.10 Form of an amendment
- 10.11 Amendment must not negate original motion
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- 10.13 Mover of motion may speak on amendment
- 10.14 Effect of an amendment
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- 10.16 Right of reply

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- 11.3 Who may move
- 11.4 Procedural motions - right of reply on substantive motion
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- 11.7 Meeting now adjourn
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- 12.1 Disclosure of interests

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- 13.1 Question - when put
- 13.2 Voting
- 13.3 Majorities required for decisions
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- 14.2 Content of minutes
- 14.3 Public inspection of unconfirmed minutes
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- 16.1 Requirements to revoke or change decisions
- 16.2 Limitations on powers to revoke or change decisions
- 16.3 Implementing a decision

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- 17.1 Suspension of Local Laws
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- 17.3 Cases not provided for in Local Laws

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- 18.1 Electors' general meetings
- 18.2 Matters for discussion at general electors' meeting
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- 18.6 Who presides at electors' meetings
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- 18.8 Participation of non-electors
- 18.9 Voting at electors' meetings
- 18.10 Minutes of electors' meetings
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Part 19 - Enforcement

- 19.1 Penalty for breach
- 19.2 Who can prosecute

LOCAL GOVERNMENT ACT 1995

Shire of Mingenew

Local Government (Council Meetings) Local Law 2014

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the Shire of Mingenew resolved on [INSERT DATE] to make the following local law.

Part 1 - Preliminary

1.1 Citation

- (1) This local law may be cited as the Shire of Mingenew Local Government (Council Meetings) Local Law 2014.

1.2 Commencement

By virtue of section 3.14 of the Act, these Local Laws come into operation 14 days after the date of their publication in the *Government Gazette*.

1.3 Application and intent

- (1) These Local Laws provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and these Local Laws.
- (3) These Local Laws are intended to result in:
 - (a) better decision-making by the Council and committees;
 - (b) the orderly conduct of meetings dealing with Council business;
 - (c) better understanding of the process of conducting meetings; and
 - (d) more efficient and effective use of time at meetings.

1.4 Interpretation

- (1) In these Local Laws unless the context otherwise requires:

“**absolute majority**” has the meaning given to it in the Act;

“**75% majority**” has the meaning given to it in the Act;

“**Act**” means the *Local Government Act 1995*;

“**CEO**” means the Chief Executive Officer of the Local Government;

“**committee**” means a committee of the Council established under section 5.8 of the Act;

“**committee meeting**” means a meeting of a committee;

“**Council**” means the Council of the Shire of Mingenew;

“**Local Government**” means the Shire of Mingenew;

“**Mayor/President**” means the Mayor/President of the Local Government or other Presiding Member at a Council meeting under section 5.6 of the Act;

“**meeting**” means a meeting of the Council or a committee, as the context requires;

“**Member**” has the meaning given to it in the Act;

“**Presiding Member**” means:

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

“**Regulations**” means the *Local Government (Administration) Regulations 1996*;

“simple majority” means more than 50% of the members present and voting; and,

“substantive motion” means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

(2) Unless otherwise defined in these Local Laws, the terms and expressions used in these Local Laws are to have the meaning given to them in the Act and Regulations.

1.5 Repeal

(1) The following Local Laws are repealed:
Shire of Mingenew Local Law Relating to Standing Orders 2006 gazetted 18th July 2006.

1.6 Provisions of the Act, Regulations and other legislation

- (1) Throughout these Local Laws, provisions of the Act and Regulations, and provisions of other legislation, are reproduced in a boxed format.
- (2) The purpose of reproducing these provisions is to assist the reader by giving a fuller picture of related legislative provisions that also apply to meetings of the Council, committees and electors.
- (3) The reproduced provisions of the Act and Regulations and other legislation:
 - (a) are to be treated as footnotes and are not part of these Local Laws (see section 32(2) of the *Interpretation Act 1984*); and
 - (b) reproduce only the provisions that were in force at the time that the Council resolved to adopt these Local Laws and therefore may not necessarily be correct at a future date.

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include:
 - (a) the terms of reference of the committee;
 - (b) the number of council members, officers and other persons to be appointed to the committee;
 - (c) the names or titles of the council members and officers to be appointed to the committee;
 - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
 - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) These Local Laws are to apply to the conduct of committee meetings.

2.2 Types of committees

The types of committees are dealt with in the Act.

2.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.

2.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

- 2.5 Appointment of committee members**
The appointment of committee members is dealt with in the Act.
- 2.6 Tenure of committee membership**
Tenure of committee membership is dealt with in the Act.
- 2.7 Resignation of committee members**
The resignation of committee members is dealt with in the Regulations.
- 2.8 Register of delegations to committees**
The register of delegations to committees is dealt with in the Act.
- 2.9 Committees to report**
A committee:
- (a) is answerable to the Council; and
 - (b) is to report on its activities when, and to the extent, required by the Council.

Part 3 - Calling and convening meetings

- 3.1 Ordinary and special Council meetings**
- (1) Ordinary and special Council meetings are dealt with in the Act.
 - (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
 - (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.
- 3.2 Calling Council meetings**
The calling of Council meetings is dealt with in the Act.
- 3.3 Convening Council meetings**
- (1) The convening of a Council meeting is dealt with in the Act.
 - (2) Subject to subclause (3), the CEO is to give at least 72 hours notice, for the purposes of section 5.5, in convening a special meeting of the Council.
 - (3) Where, in the opinion of the Mayor/President or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.
- 3.4 Calling committee meetings**
The CEO is to call a meeting of any committee when requested by the Mayor/President, the Presiding Member of a committee or any two members of that committee.
- 3.5 Public notice of meetings**
Public notice of meetings is dealt with in the Regulations.

Part 4 – Presiding Member and quorum

Division 1: Who presides

- 4.1 Who presides**
Who presides at a Council meeting is dealt with in the Act.
- 4.2 When the Deputy Mayor/Deputy President can act**
When the Deputy Mayor/Deputy President can act is dealt with in the Act.

- 4.3 Who acts if no Mayor/President**
Who acts if there is no Mayor/President is dealt with in the Act.
- 4.4 Election of Presiding Members of committees**
The election of Presiding Members of committees and their deputies is dealt with in the Act.
- 4.5 Election of Deputy Presiding Members of committees**
The election of Deputy Presiding Members of committees is dealt with in the Act.
- 4.6 Functions of Deputy Presiding Members**
The functions of Deputy Presiding Members are dealt with in the Act.
- 4.7 Who acts if no Presiding Member**
Who acts if no Presiding Member is dealt with in the Act.

Division 2 – Quorum

- 4.8 Quorum for meetings**
The quorum for meetings is dealt with in the Act.
- 4.9 Reduction of quorum for Council meetings**
The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.
- 4.10 Reduction of quorum for committee meetings**
The reduction of a quorum for committee meetings is dealt with in the Act.
- 4.11 Procedure where no quorum to begin a meeting**
The procedure where there is no quorum to begin a meeting is dealt with in the
- 4.12 Procedure where quorum not present during a meeting**
If at any time during a meeting a quorum is not present, the Presiding Member is:
(a) immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
(b) if a quorum is not present at the expiry of that period, the Presiding Member is to adjourn the meeting to some future time or date.
- 4.13 Names to be recorded**
At any meeting:
(a) at which there is not a quorum present; or
(b) which is adjourned for want of a quorum,
the names of the Members then present are to be recorded in the minutes.

Part 5 - Business of a meeting

- 5.1 Business to be specified**
(1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the Presiding Member or the Council.

- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) Subject to subclause (4), no business is to be transacted at an adjourned meeting of the Council other than that :
 - (a) specified in the notice of the meeting which had been adjourned; and
 - (b) which remains unresolved.
- (4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering Reports (Item 10) at that ordinary meeting.

5.2 Order of business

- (1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows:
 1. Declaration of Opening/Announcement of Visitors
 2. Announcements from the Presiding Member
 3. Attendance
 - 3.1 Apologies
 - 3.2 Approved leave of absence
 4. Declaration of interest
 5. Public Question Time
 - 5.1 Response to previous public questions taken on notice
 - 5.2 Public question time
 6. Confirmation of minutes
 7. Presentations
 - 7.1 Petitions
 - 7.2 Presentations
 - 7.3 Deputations
 - 7.4 Delegates' reports
 8. Method of dealing with agenda business
 9. Reports
 10. Applications for leave of absence
 11. Motions of which previous notice has been given
 12. Questions from Members without notice
 13. New business of an urgent nature introduced by decision of the meeting
 14. Meeting closed to public
 - 14.1 Matters for which the meeting may be closed
 - 14.2 Public reading of resolutions that may be made public
 15. Closure
- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

5.3 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or these Local Laws otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.
- (2) A notice of motion under subclause (1) is to be given at least 7 clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good governance of the district.
- (4) The CEO -
 - (a) may, with the concurrence of the Mayor/President, may exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of these Local Laws or any other written law;

- (b) will inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;
 - (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
 - (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) A motion of which notice has been given is to lapse unless:
- (a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or
 - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

5.4 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

5.5 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), the Local Government may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter:
 - (a) that requires a 75% majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a Member wishes to make a statement; or
 - (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Part 6 - Public participation

6.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried:
 - (a) the Presiding Member is to direct everyone to leave the meeting except:
 - (i) the Members;
 - (ii) the CEO; and

- (iii) any Officer specified by the Presiding Member; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the Presiding Member, be removed from the meeting.
 - (5) While the resolution under subclause (2) remains in force, the operation of clause 8.8 is to be suspended until the Council or the committee, by resolution, decides otherwise.
 - (6) A resolution under this clause may be made without notice.
 - (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a Member to be included in the minutes.

6.3 Question time for the public

Question time for the public is dealt with in the Act.

6.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Regulations.

6.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Regulations.

6.6 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

6.7 Other procedures for question time for the public

- (1) A member of the public who raises a question during question time, is to state his or her name and address.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that:
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where:
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all

reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

- (8) A member of the public shall have two minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

6.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor shall be recorded in the minutes.

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council is to either :
 - (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting, address the Council.
- (2) The CEO may either:
 - (a) approve the request and invite the deputation to attend a meeting of the Council; or
 - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.
- (3) Unless the council resolves otherwise, a deputation invited to attend a Council meeting:
 - (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
 - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
 - (c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

6.10 Petitions

- (1) A petition is to -
 - (a) be addressed to the Mayor/President;
 - (b) be made by electors of the district;
 - (c) state the request on each page of the petition;
 - (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request; and
 - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the Local Government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause(3).
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:
 - (a) the matter is the subject of a report included in the agenda; and
 - (b) the Council has considered the issues raised in the petition.

6.11 Presentations

- (1) In this clause, a "presentation" means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

6.12 Participation at committee meetings

- (1) In this clause a reference to a person is to a person who:
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (3) The Presiding Member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under subclause (4) may, by order of the Presiding Member, be removed from the committee room.
- (6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

6.13 Council may meet to hear public submissions

- (1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.
- (2) The CEO and the Mayor/President shall set the time and date of the meeting to provide the opportunity to be heard.
- (3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the Presiding Member shall:
 - (a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;
 - (b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
 - (c) cause minutes to be kept of the meeting to provide the opportunity to be heard.
- (4) A meeting held under subclause (1) shall be conducted only to hear submissions. The council shall not make resolutions at a meeting to provide the opportunity to be heard.
- (5) At a meeting held under subclause (1), each person making a submission shall be provided with the opportunity to fully state his or her case.
- (6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.
- (7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.
- (8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.
- (9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

6.14 Public Inspection of agenda materials

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at the Shire of Mingenew offices at 34 Padbury Street Mingenew and on the Local Government's website.

6.15 Confidentiality of information withheld

- (1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be:
 - (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed";
 - (b) marked "*Confidential*" in the agenda; and
 - (c) kept confidential by Officers and Members until the Council resolves otherwise.
- (2) A member or an officer in receipt of confidential information under subclause (1) or information that is provided or disclosed during a meeting or part of a meeting that is closed to the public is not to disclose any of that information to any person other than another member or an officer to the extent necessary for the purpose of carrying out his or her duties.
- (3) Subclause (2) does not apply where a member or officer discloses the information to his or her lawyer or government officer for the purpose of seeking advice in order to lawfully fulfil his or her role and responsibilities.

6.16 Recording of proceedings

A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member.

6.17 Prevention of disturbance

- (1) A reference in this clause to a person is to a person other than a member.
- (2) A person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the Presiding Member.
- (3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.
- (5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

Part 7 - Questions by Members

- (1) Members may ask questions relating to an item on the notice paper or on matters related to the good government of persons in the district.
- (2) A Member requesting general information from an Officer at a Council meeting may ask a question without notice and with the consent of the Presiding Member, may ask one or more further questions of that Officer or another Officer present at the meeting.
- (3) Where possible the Officer shall endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the Officer may ask that -
 - (i) the question be placed on notice for the next meeting of Council; and
 - (ii) the answer to the question be given to the Member who asked it within 14 days.
- (4) Every question and answer -
 - (i) is to be brief and concise; and
 - (ii) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.

- (5) In answering any question, an Officer may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

Part 8 – Conduct of Members

8.1 Members to be in their proper places

- (1) At the first meeting held after each election day, the CEO is to allot, alphabetically by ward, a position at the Council table to each Member.
- (2) Each Member is to occupy his or her allotted position at each Council meeting.

8.2 Respect to the Presiding Member

After the business of a Council has been commenced, a Member is not to enter or leave the meeting without first paying due respect to the Presiding Member.

8.3 Titles to be used

A speaker, when referring to the Mayor/President, Deputy Mayor/Deputy President or Presiding Member, or a Member or Officer, is to use the title of that person's office.

8.4 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

8.5 Members to indicate their intention to speak

A Member of the Council who wishes to speak is to indicate his or her intention to speak by raising his or her hand or by another method agreed by the Council.

8.6 Priority of speaking

- (1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.
- (2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.
- (3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

8.7 Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with these Local Laws.

8.8 Relevance

- (1) A Member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The Presiding Member, at any time, may:
 - (a) call the attention of the meeting to:
 - (i) any irrelevant, repetitious, offensive or insulting language by a Member; or
 - (ii) any breach of order or decorum by a Member; and
 - (b) direct that Member, if speaking, to discontinue his or her speech.
- (3) A Member is to comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

8.9 Speaking twice

A Member is not to address the Council more than once on any motion or amendment except:

- (a) as the mover of a substantive motion, to exercise a right of reply;
- (b) to raise a point of order; or
- (c) to make a personal explanation.

8.10 Duration of speeches

- (1) A Member is not to speak on any matter for more than 5 minutes without the consent of the Council which, if given, is to be given without debate.
- (2) An extension under this clause cannot be given to allow a Member's total speaking time to exceed 10 minutes.

8.11 No speaking after conclusion of debate

A Member is not to speak on any motion or amendment:

- (a) after the mover has replied; or
- (b) after the question has been put.

8.12 No interruption

A Member is not to interrupt another Member who is speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 8.13; or
- (d) to move a procedural motion that the Member be no longer heard (see clause 11(1)(e) .

8.13 Personal explanations

- (1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member his or her intention to make a personal explanation.
- (2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.
- (3) A Member making a personal explanation is to confine his or her observations to a succinct statement relating to a specific part of the speech at which he or she may have been misunderstood.

8.14 No reopening of discussion

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed (see Part 16).

8.15 Adverse reflection

- (1) A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed (see Part 16).
- (2) A Member is not:
 - (a) to reflect adversely on the character or actions of another Member or Officer; or
 - (b) to impute any motive to a Member or Officer, unless the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.
- (3) A Member is not to use offensive or objectionable expressions in reference to any Member, Officer or other person.
- (4) If a Member specifically requests, immediately after their use, that any particular words used by a Member be recorded in the minutes:
 - (a) the Presiding Member is to cause the words used to be taken down and read to the meeting for verification; and
 - (b) the Council may, by resolution, decide to record those words in the minutes.

8.16 Withdrawal of offensive language

- (1) A Member who, in the opinion of the Presiding Member, uses an expression which:
 - (a) in the absence of a resolution under clause 8.15:
 - (i) reflects adversely on the character or actions of another Member or Officer; or
 - (ii) imputes any motive to a Member or Officer; or
 - (b) is offensive or insulting, must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.
- (2) If a Member fails to comply with a direction of the Presiding Member under subclause (1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.

Part 9 - Preserving order

9.1 Presiding Member to preserve order

- (1) The Presiding Member is to preserve order, and, whenever he or she considers necessary, may call any Member to order.
- (2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that he or she wishes to speak, is immediately to sit down and every Member present is to preserve strict silence so that the Presiding Member may be heard without interruption.
- (3) Subclause (2) is not to be used by the Presiding Member to exercise the right provided in clause 8.7 , but to preserve order.

9.2 Point of order

- (1) A Member may object, by way of a point of order, only to a breach of:
 - (a) any of these Local Laws; or
 - (b) any other written law.
- (2) Despite anything in these Local Laws to the contrary, a point of order:
 - (a) takes precedence over any discussion; and
 - (b) until determined, suspends the consideration or discussion of any other matter.

9.3 Procedures on a point of order

- (1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.
- (2) A Member interrupted on a point of order is to resume his or her seat until:
 - (a) the Member raising the point of order has been heard; and
 - (b) the Presiding Member has ruled on the point of order, and, if permitted, the Member who has been interrupted may then proceed.

9.4 Calling attention to breach

A Member may, at any time, draw the attention of the Presiding Member to any breach of these Local Laws.

9.5 Ruling by the Presiding Member

- (1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the Presiding Member on a point of order:
 - (a) is not to be the subject of debate or comment; and
 - (b) is to be final unless the majority of Members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.
- (3) Subject to a motion of dissent being carried under subclause (2), if the Presiding Member rules that:
 - (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and

- (b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

9.6 Continued breach of order

If a Member:

- (a) persists in any conduct that the Presiding Member had ruled is out of order; or
- (b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 9.5(3),

the Presiding Member may direct the Member to refrain from taking any further part in that meeting, other than by voting, and the Member is to comply with that direction.

9.7 Right of Presiding Member to adjourn

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Part 10 - Debate of substantive motions

10.1 Motions to be stated and in writing

Any Member who wishes to move a substantive motion or an amendment to a substantive motion:

- (a) is to state the substance of the motion before speaking to it; and
- (b) if required by the Presiding Member, is to put the motion or amendment in writing.

10.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

10.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the Presiding Member may ask the meeting if any Member opposes it.
- (2) If no Member opposes the motion, the Presiding Member may declare it carried without debate and without taking a vote.
- (3) A motion declared carried under this clause is to be recorded in the minutes as a unanimous decision of the Council.
- (4) If a Member opposes a motion, the motion is to be dealt with under this Part.
- (5) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting (see Part 16).

10.4 Only one substantive motion at a time

When a substantive motion is under debate at a meeting of the Council, no further substantive motion is to be accepted. The Council is not to consider more than one substantive motion at any time.

10.5 Order of call in debate

The Presiding Member is to call speakers to a substantive motion in the following order:

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers against and for the motion, alternating where possible; and
- (h) mover takes right of reply which closes debate.

10.6 Limit of debate

The Presiding Member may offer the right of reply and put a substantive motion to the vote if he or she believes that sufficient discussion has taken place even though all Members may not have spoken.

10.7 Member may require question to be read

A Member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member who is speaking.

10.8 Consent of seconder required for alteration

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

10.9 Order of amendments

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

10.10 Form of an amendment

An amendment must add, delete, or substitute words to the substantive motion.

10.11 Amendment must not negate original motion

An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.

10.12 Relevance of amendments

Each amendment is to be relevant to the motion in respect of which it is moved.

10.13 Mover of motion may speak on amendment

Any Member may speak during debate on an amendment.

10.14 Effect of an amendment

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any Member may speak and any further amendment may be moved.

10.15 Withdrawal of motion or amendment

- (1) Subject to subclause (2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.
- (2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

10.16 Right of reply

- (1) The mover of a substantive motion has the right of reply.
- (2) The mover of any amendment to a substantive motion has a right of reply.
- (3) The right of the reply may only be exercised:
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (4) After the mover of the substantive motion has commenced the reply:
 - (a) no other Member is to speak on the question;
 - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

Part 11 - Procedural motions

11.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion (under Part 10), a Member may move the following procedural motions:

- (a) that the meeting proceed to the next item of business;
- (b) that the debate be adjourned;
- (c) that the meeting now adjourn;
- (d) that the question be now put;
- (e) that the Member be no longer heard;
- (f) that the ruling of the Presiding Member be disagreed with;
- (g) that the meeting be closed to the public (see clause 6.2).

11.2 No debate

- (1) The mover of a motion specified in paragraph (a), (b), (c), (f) or (g) of clause 11.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in paragraph (d) or (e) of clause 11.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

11.3 Who may move

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

11.4 Procedural motions - right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

11.5 Meeting to proceed to the next business

The motion "that the meeting proceed to the next business", if carried, has the effect that:

- (a) the debate on the substantive motion or amendment ceases immediately;
- (b) no decision is made on the substantive motion;

- (c) the Council moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

11.6 Debate to be adjourned

A motion "that the debate be adjourned":

- (a) is to state the time to which the debate is to be adjourned; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

11.7 Meeting now adjourn

- (1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution (see clause 5.5).
- (3) A motion "that the meeting now adjourn":
 - (a) is to state the time and date to which the meeting is to be adjourned; and
 - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

11.8 Question to be put

- (1) If the motion "that the question be now put", is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.
- (2) If the motion "that the question be now put" is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

11.9 Member to be no longer heard

If the motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

11.10 Ruling of the Presiding Member to be disagreed with

If the motion "that the ruling of the Presiding Member be disagreed with", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 12 - Disclosure of interests

12.1 Disclosure of interests

Disclosure of interests is dealt with in the Act.

Part 13 - Voting

13.1 Question - when put

- (1) Immediately after the debate on any question is concluded and the right of reply has been exercised, the Presiding Member -
 - (a) is to put the question to the Council; and
 - (b) if requested by any Member, is to again state the terms of the question.

- (2) A Member is not to leave the meeting when the Presiding Member is putting any question.

13.2 Voting

Voting is dealt with in the Act and the Regulations.

13.3 Majorities required for decisions

The majorities required for decisions of the Council and committees are dealt with in the Act.

13.4 Method of taking vote

- (1) In taking the vote on any motion or amendment the Presiding Member:
 - (a) is to put the question, first in the affirmative, and then in the negative;
 - (b) may put the question in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
 - (c) may accept a vote on the voices or may require a show of hands; and,
 - (d) is, subject to this clause, to declare the result.
- (2) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (3) If a member of council or a committee specifically requests that there be recorded -
 - (a) his or her vote; or,
 - (b) the vote of all members present,on a matter voted on at a meeting of the council or committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.
- (4) If a Member calls for a division:
 - (a) those voting in the affirmative are to pass to the right of the Chair; and
 - (b) those voting in the negative are to pass to the left of the Chair.
- (5) For every division, the CEO is to record:
 - (a) the name of each member who voted; and
 - (b) whether he or she voted in the affirmative or negative.

Part 14 – Minutes of meetings

14.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

14.2 Content of minutes

- (1) The content of minutes is dealt with in the Regulations.
- (2) In addition to the matters required by regulation 11, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

14.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Regulations.

14.4 Confirmation of minutes

- (1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.
- (2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes -

- (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

Part 15 - Adjournment of meeting

15.1 Meeting may be adjourned

The Council may adjourn any meeting:

- (a) to a later time on the same day; or
- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

15.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under these Local Laws:

- (a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 8.8 [speaking twice] apply when the debate is resumed.

Part 16 – Revoking or changing decisions

16.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

16.2 Limitations on powers to revoke or change decisions

- (1) Subject to subclause (2), the Council or a committee is not to consider a motion to revoke or change a decision:
 - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 16.3 to implement the decision; or
 - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

16.3 Implementing a decision

- (1) In this clause:
 - (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
 - (b) "implement", in relation to a decision, includes:
 - (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
 - (ii) take any other action to give effect to the decision; and
 - (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the Local Laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.

- (2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.
- (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
- (4) A decision made at a meeting is not to be implemented by the CEO or any other person:
 - (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
 - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
- (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:
 - (a) is to take effect only in accordance with this clause; and
 - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

Part 17 - Suspension of Local Laws

17.1 Suspension of Local Laws

- (1) A Member may at any time move that the operation of one or more of the provisions of these Local Laws be suspended.
- (2) A Member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.
- (3) A motion under subclause (1) which is:
 - (a) seconded; and
 - (b) carried by an absolute majority,
 is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

17.2 Where Local Laws do not apply

- (1) In situations where:
 - (a) one or more provisions of these Local Laws have been suspended; or
 - (b) a matter is not regulated by the Act, the Regulations or these Standing Orders, the Presiding Member is to decide questions relating to the conduct of the meeting.
- (2) The decision of the Presiding Member under subclause (1) is final, except where a motion is moved and carried under clause 11.10.

17.3 Cases not provided for in Local Laws

The Presiding Member is to decide questions of order, procedure, debate, or otherwise in cases where these Local Laws, the Act or the Regulations are silent. The decision of the Presiding Member in these cases is final, except where a motion is moved and carried under clause 11.10.

Part 18 - Meetings of electors

18.1 Electors' general meetings

Electors' general meetings are dealt with in the Act.

18.2 Matters for discussion at electors' general meetings

The matters to be discussed at electors' general meetings are dealt with in the Regulations.

18.3 Electors' special meetings

Electors' special meetings are dealt with in the Act.

18.4 Requests for electors' special meetings

Requests for electors' special meetings are dealt with in the Regulations.

18.5 Convening electors' meetings

Convening electors' meetings is dealt with in the Act.

18.6 Who presides at electors' meetings

Who presides at electors' meetings is dealt with in the Act.

18.7 Procedure for electors' meetings

(1) The procedure for electors' meetings is dealt with in the Act and the Regulations.

(2) In exercising his or her discretion to determine the procedure to be followed at an electors' meeting, the Presiding Member is to have regard to these Local Laws.

18.8 Participation of non-electors

A person who is not an elector of the Local Government shall not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.

18.9 Voting at electors' meetings

Voting at electors' meetings is dealt with in the Regulations.

18.10 Minutes of electors' meetings

Minutes of electors' meetings are dealt with in the Act.

18.11 Decisions made at electors' meetings

Decisions made at electors' meetings are dealt with in the Act.

Part 19 - Enforcement

19.1 Penalty for breach

A person who breaches a provision of these Local Laws commits an offence.
Penalty: \$5,000.00 and a daily penalty of \$500.00.

19.2 Who can prosecute

Who can prosecute is dealt with in the Act.

Dated: [INSERT DATE]

The Common Seal of the Shire of Mingenew
was affixed by the authority of a resolution
of Council in the presence of:

Michelle Bagley
President

Martin Whitely
Chief Executive Officer

SHIRE OF MINGENEW

**ANIMALS, ENVIRONMENT AND NUISANCE
LOCAL LAW 2016**

Animals, Environment and Nuisance Local Law 2016

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LOCAL GOVERNMENT ACT 1995

SHIRE OF MINGENEW

ANIMALS, ENVIRONMENT AND NUISANCE LOCAL LAW 2013

Under the powers conferred by subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Mingenew resolved on the ----- 2014 to make the following local law.

Part 1 — Preliminary

1.1 Citation

This local law may be cited as the *Shire of Mingenew Animals, Environment and Nuisance Local Law 2014*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Interpretation

- (1) In this local law, unless the context specifies otherwise —

Act means the *Local Government Act 1995*;

affiliated person means a person who is a member of a poultry or pigeon club incorporated under the *Associations Incorporation Act 1987*;

amusement means anything usually conducted for amusement at a fair, a carnival or a show, whether conducted at a fair, a carnival or a show or elsewhere;

approved animal means any farm animal which is the subject of a permit;

AS/NZS 3500 means the standard called "*Plumbing and Drainage*" published by the Standard Association of Australia;

authorised person means a person appointed by the local government, under section 9.10 of the Act to perform all or any of the functions conferred on an authorised person under this local law;

aviary bird means any bird, other than poultry or pigeons, kept, or usually kept in an aviary or cage;

birds includes poultry;

builder means the holder of a building permit issued in respect of building works on a building site or a person in control of a building site;

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

building permit has the meaning given to it by the *Building Act 2011*;

building site means any lot for which a building permit is current;

Class 6 building means any Class 6 building as defined by the Building Code;

Class 9 building means any Class 9 building as defined by the Building Code;

Code of Practice – Pigeon Keeping means the document entitled A Code of Practice – May 1994 – Pigeon Keeping and Pigeon Racing published in May 1994 by the Pigeon Racing Federation of WA (Incorporated) and the Independent Racing Pigeon Federation (Incorporated), as amended from time to time;

cow includes an ox, calf or bull;

development has the meaning given to it in the *Planning and Development Act 2005*;

development approval means a development approval under a local planning scheme;

development site includes any lot or lots for which there is currently a development or subdivision approval, and any lot or lots upon which construction work, earthworks, clearing of scrub, trees or overgrowth or any other site works are taking or have taken place;

district means the district of the local government;

disused means, in relation to any thing whatsoever, that the thing:

- (a) is not in use for the purpose for which it was designed or appears to have been designed or intended; or
- (b) has been stored or left stationary on land in the district for more than 1 month;

dust means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

EHO means an Environmental Health Officer appointed by the local government under the Act and includes any acting or Assistant Environmental Health Officer;

equipment means equipment, machinery or vehicles used for, or in connection with, the development of land;

farm animal includes a sheep, cow, goat, horse (excluding a miniature horse), deer, alpaca, pig (excluding a miniature pig) or any other animal so classified by the local government;

food premises includes the meaning of “food” as given under section 9 of the *Food Act 2008* and the meaning of “food business”, as given under section 10 of the *Food Act 2008*;

horse means a stallion, mare, gelding, shetland pony, pony, colt or foal, and includes an ass, mule, donkey and any beast of whatever description used for burden or draught or for carrying persons;

land includes any building or structure on the land;

liquid waste means waste from any process or activity that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater;

livestock means any horse, cow, sheep, goat, swine, buffalo, deer, camel, llama or alpaca;

livestock vehicle means a vehicle that contains livestock or previously has been used for the carriage of livestock;

local government means the Shire of Mingenew;

local planning scheme has the meaning given to it by the *Planning and Development Act 2005*;

lot has the meaning given to it by the *Planning and Development Act 2005*;

manure receptacle means a receptacle of sufficient capacity to receive all manure produced in one week on premises upon which a farm animal or farm animals are kept, constructed of smooth, durable, impervious materials, fitted with a fly proof, hinged cover and with no part of the floor lower than the adjoining ground;

miniature horse means a horse which meets the standard and height for a miniature horse as described by the Miniature Horse Association of Australia Inc;

miniature pig means a pig that does not exceed 650 millimetres in height as an adult and weighs less than 55 kilograms;

nuisance means —

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

occupier means any person who is in control of any land or part of any land or authorised by the owner, lessee, licensee or any other person empowered to exercise control in relation to land to perform any work in relation to any land and includes a builder or contractor;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

pigeon includes homing pigeons and other domesticated breeds of the species *Columba livia*, but does not include native pigeons or doves whether or not the keeping of such birds is subject to the approval of the Department of Environment and Conservation;

poultry includes fowls, roosters, ducks, peafowls, turkeys, geese, guinea fowls, pheasants and other birds commonly kept for the production of eggs or meat for domestic consumption;

refuse means any waste material including bricks, lime, cement, concrete, rubble, stones, iron, timber, tiles, bags, plastics, ashes, vegetation, timber, wood or metal shavings, sawdust, and waste food, and includes any broken, used, derelict or discarded matter;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

residential building has the meaning given to it in the Residential Design Codes of Western Australia as amended;

residential zone includes any area zoned “Residential” and “Urban Development” under a local planning scheme;

rural zone means any area zoned “Rural” or “Rural Residential” under a local planning scheme;

sand means granules or particles of rock, earth, clay, loam, silt and any other granular, particulate or like material including dust and gravel;

stormwater means any naturally occurring water that results from rainfall on or around a site, or water flowing onto the site;

street means any highway or thoroughfare which the public is entitled to use, including the verge and other things including bridges and culverts appurtenant to it;

subdivision approval means a subdivision approval under the *Planning and Development Act 2005*;

townsite includes the townsites of Mingenew 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 Act;

truck means a motor vehicle having a tare weight in excess of 3,000 kilograms;

unreasonable noise has the meaning given to it by the *Environmental Protection Act 1986*; and

vermin includes rats, mice, flies, fleas, mites, lice, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or likely to cause damage to human food, habitation or possessions.

- (2) Any other expression used in this local law and not defined herein shall have the meaning given to it in the Act.
- (3) Where, in this local law, a duty, obligation or liability is imposed on an “owner or occupier” the duty shall be deemed to be imposed jointly and severally on each owner and occupier.
- (4) Where, under this local law, the local government is authorised to carry out actions, or cause to be undertaken works, as a consequence of the failure of any person to comply with the terms of a notice or other conduct, the right to enter land is at all times subject to the provisions of Part 3, Division 3, subdivision 3 of the Act.

Part 2 — Keeping of animals

Division 1 — Animals

2.1 Interpretation

In this Division, unless the context otherwise requires —

animal includes cats, dogs, rabbits and ferrets or the like;

catteries are premises registered for the breeding or caring of cats;

manure bin means a receptacle constructed of smooth, impervious material and in such a manner as to be easily cleaned, which has a tight fitting lid or cover to prevent the release of odours and prevent the entry of flies;

2.2 Cleanliness

An owner or occupier of premises in or on which a dog, cat or other animal is kept shall —

- (a) keep the premises free from excrement, filth, food waste and all other matter which is or is likely to become offensive or injurious to health, or to attract rats or other vectors of disease;
- (b) when so directed by an EHO, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free from flies or other vectors of disease, by spraying with a residual insecticide or other effective means.

2.3 Animal enclosures

- (1) A person shall not keep or cause, or permit to be kept, any animals on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
- (2) The owner or occupier of premises where animals are kept shall, when directed by an EHO, pave, grade and drain the floors of all structures and the surface of the ground of all enclosures used for the keeping of animals.

2.4 Cats

- (1) Subject to subclauses (6) and (7), a person shall not, without an exemption in writing from the local government, keep more than 3 cats over the age of 3 months on premises on any land within the district.
- (2) An owner or occupier of premises may apply in writing to the local government for exemption from the requirements of subclause (1).
- (3) The local government shall not grant an exemption under subclause (2) unless it is satisfied that the number of cats to be kept will not be a nuisance or injurious or dangerous to health.
- (4) An exemption granted under this clause shall specify —
 - (a) the owner or occupier to whom the exemption applies;
 - (b) the premises to which the exemption applies; and
 - (c) the maximum number of cats which may be kept on the premises.

- (5) A person who is granted an exemption under subclause (3) may be required by the local government to house, or keep cats in such manner as directed by an EHO.
- (6) A person may keep more than 3 cats on premises used for veterinary purposes or as a pet shop.
- (7) The occupier of any premises shall not keep a cattery on those premises, unless the cattery is registered with the local government and the occupier has complied with the following conditions —
 - (a) the occupier shall obtain approval from the local government to establish a cattery;
 - (b) upon receiving approval to establish a cattery, the occupier shall apply for registration of the cattery in the form approved by the local government;
 - (c) the occupier shall have paid, to the local government, the annual registration fee as determined from time to time by the local government under section 6.16 to 6.19 of the Act;
 - (d) the occupier shall provide, for every cat, a properly constructed shelter with an enclosure, which shall comply with the following conditions —
 - (i) every shelter shall have a floor area of not less than 0.50 square metres for every cat over the age of 3 months old that may be kept therein; and
 - (ii) the area of the enclosure appurtenant to any shelter or group of shelters forming a cattery shall not be less than 3 times the area of the shelter or group of shelters to which it is appurtenant;
 - (e) every shelter or enclosure shall be at least 10 metres from the boundary of any land not in the same ownership or possession, or at least 10 metres from any dwelling, church, schoolroom, hall, factory, dairy or premises wherein food is manufactured, packed or prepared for human consumption; and
 - (f) all enclosures, yards, runs and shelters within which cats are kept shall be maintained at all times in a clean condition and free from vectors of disease and shall at any time be cleaned, disinfected or otherwise dealt with as an EHO may direct.
- (8) A certificate of registration of a cattery issued by the local government shall —
 - (a) be in the form approved by local government; and
 - (b) expire on 30 June next after the date of its issue.

Division 2 — Keeping of birds

2.5 Keeping of poultry and pigeons in a residential zone

- (1) An owner or occupier of premises in a residential zone shall not keep or permit to be kept on the premises any poultry or pigeons —
 - (a) unless approved by the local government in accordance with clause 2.6; and
 - (b) otherwise than in accordance with subclause (2).
- (2) An owner or occupier of premises in a residential zone shall not keep or permit to be kept on the premises —
 - (a) more than 12 poultry; and
 - (b) more than 12 pigeons unless the owner or occupier is an affiliated person in which case the maximum number of pigeons may be increased to 100.

2.6 Application for approval to keep poultry and pigeons in a residential zone

- (1) Subject to compliance with subclause 2.5(2), the local government may approve the keeping of poultry or pigeons in accordance with these local laws by an owner or occupier of premises within a residential zone subject to the following—
 - (a) the owner or occupier submitting an application to the local government, which application shall—
 - (i) specify the number of poultry or pigeons proposed to be kept; and
 - (ii) include a site plan showing lot size, location of enclosure, distance from boundaries and buildings and proximity to houses on adjoining land.
 - (2) The local government may, at its discretion, conduct public consultation with all owners/occupiers whose property abuts the applicant's property prior to the application being determined.
 - (3) The local government may approve, with or without conditions, or refuse to approve an application received under this clause.
 - (4) Where an approval for the keeping of poultry or pigeons is issued subject to conditions, the holder of the approval shall comply or cause compliance with those conditions.

2.7 Conditions for keeping of poultry

A person who keeps poultry or permits poultry to be kept shall ensure that —

- (a) no poultry shall be kept less than 9 metres from any residential building;
- (b) no poultry is able to approach within 15 metres of a public street, public building, commercial premises or food premises;
- (c) all poultry is kept in a properly constructed and securely fastened structure;
- (d) the structure has an impervious floor laid with a fall to the front of at least 1 in 50;
- (e) all structures or enclosures within which poultry are kept are maintained at all times in a clean condition; and
- (f) all poultry is kept continually confined.

2.8 Roosters, geese, turkeys and peafowl

Except on land in a rural or rural residential zone, or with the prior written permission of the local government, an owner or occupier of premises shall not keep any of the following —

- (a) roosters;
- (b) geese;
- (c) turkeys; or
- (d) peafowls.

2.9 Conditions for keeping of pigeons

- (1) A person who keeps pigeons, or permits pigeons to be kept, shall ensure that —
 - (a) all pigeons are kept in a properly constructed pigeon loft, except where registered homing pigeons are freed for exercise;

- (b) all structures or enclosures within which pigeons are kept are maintained at all times in a clean condition;
 - (c) no opening to a pigeon loft, including openings for ventilation, is within 9 metres of any residential building; and
 - (d) no opening to a pigeon loft, including openings for ventilation, is within 15 metres of a public street, public building, commercial premises or food premises.
- (2) An affiliated person who keeps pigeons, or permits pigeons to be kept, shall do so in accordance with the Code of Practice – Pigeon Keeping, subject to the provisions of this local law.

2.10 Termination of approval to keep poultry or pigeons

If an owner or occupier of premises to whom an approval to keep poultry or pigeons has been granted by the local government pursuant to subclause 2.6(3) —

- (a) breaches a condition of the approval;
- (b) breaches clause 2.7 or clause 2.9 of this local law; or
- (c) fails to comply with a written notice served by the local government in relation to the keeping of poultry or pigeons,

then the local government may cancel its approval upon written notice of such cancellation being given to the owner or occupier within 60 days of the breach or failure to comply as the case may be.

2.11 Restrictions on pigeon nesting and perching

The local government may order an owner or occupier of a house on or in which pigeons are, or are in the habit of nesting or perching, to take adequate steps to prevent them from continuing to do so.

2.12 Conditions of keeping aviary birds

A person who keeps, or permits to be kept, aviary birds shall ensure that —

- (a) the aviary or cage in which the birds are kept is located at least 1 metre from any lot boundary and at least 5 metres from a residential building on any other lot;
- (b) there is a floor beneath the roofed area of the aviary or cage which is constructed of smooth, impervious material with a gradient of at least 1 in 50 to the front of the aviary or cage;
- (c) the aviary or cage is kept in clean condition and good repair at all times;
- (d) all feed for the birds other than that intended for immediate consumption is stored in vermin proof containers; and
- (e) effective measures are taken to prevent the attraction or harbourage of vermin.

2.13 Nuisance caused by birds

An owner or occupier of land shall not keep any bird or birds which —

- (a) are or create a nuisance; or
- (b) emit an unreasonable noise.

Division 3 — Keeping of bees

2.14 Permit required to keep bees

- (1) Subject to the provisions of this clause, a person shall not keep bees or allow bees to be kept on land except in accordance with a valid permit issued in relation to the land.
- (2) Subclause (1) does not apply where—
 - (a) the land is outside the townsite; and
 - (b) the bees are kept—
 - (i) at least 500 metres from a thoroughfare; or
 - (ii) less than 500 metres from a thoroughfare but the vegetation or a screen or other barrier on the land is such as to encourage the bees to fly at a height over the thoroughfare as will not create a nuisance to users of the thoroughfare.
- (3) Subclause (1) does not apply where an occupier of land keeps bees on the land—
 - (a) for a continuous period not exceeding 8 weeks; and
 - (b) for the purpose of pollinating a crop on the land.
- (4) An occupier referred to in subclause (3), in keeping bees under that subclause, shall provide a good and sufficient water supply on the land which is readily accessible by the bees.
- (5) Subclause (1) does not apply where a person keeps bees on Crown land.

2.15 Application for a permit

An applicant for a permit shall—

- (a) be a person registered as a beekeeper under section 8 of the *Beekeepers Act 1963*;
- (b) provide such details as may be required by the local government;
- (c) apply in the form approved by the local government; and
- (d) pay any application fee imposed and determined by the local government under sections 6.16 to 6.19 of the Act.

2.16 Determination of application

- (1) The local government may—
 - (a) refuse to determine an application for a permit which does not comply with clause 2.15;
 - (b) approve an application for a permit subject to the conditions referred to in clause 2.14 and to such other conditions as it considers appropriate; or
 - (c) refuse to approve an application for a permit.
- (2) Where an application for a permit is approved subject to conditions, the permit holder is to comply with those conditions or is to cause those conditions to be complied with.
- (3) Where the local government approves an application under subclause (1)(b), it is to issue to the applicant a permit in the form approved by the local government.
- (4) A permit is valid from the date of issue unless, and until, it is cancelled under this local law.

2.17 Conditions of approval

- (1) Without limiting the generality of paragraph 2.17(1)(b) an application for a permit may be approved by the local government subject to the following conditions—
 - (a) the provision of a good and sufficient water supply on the land which is readily accessible by the bees on the land;
 - (b) each bee hive shall be—
 - (i) kept at a distance specified by the local government from any thoroughfare, public place or boundary of the land; or
 - (ii) located near a screen or other barrier so as to prevent the bees flying low over a thoroughfare, public place or adjoining land;
 - (iii) no more than 2 bee hives are to be kept on land of less than 2,000 square metres in area; and
 - (iv) no more than 15 bee hives are to be kept on land between 2,000 square metres and 20,000 square metres in area.
- (2) In respect of a particular application for a permit, the local government may vary any of the conditions referred to in subclause (1).

2.18 Variation or cancellation of permit and conditions

- (1) The local government may vary the conditions of a permit after it has been issued.
- (2) The local government may cancel a permit on the request of a permit holder to do so.
- (3) Notwithstanding clause 2.22, a permit shall be cancelled on—
 - (a) the permit holder ceasing to be registered as a beekeeper under section 8 of the *Beekeepers Act 1963*; or
 - (b) the expiration of a continuous period of 12 months during which the permit holder has not kept any bees on the land to which the permit relates, without any action required on the part of the local government.

2.19 Permit holder to notify cessation of registration or keeping of bees

- (1) In this clause a *permit holder* includes the holder of a permit cancelled by subclause 2.18(3).
- (2) A permit holder is to notify the local government in writing as soon as practicable after—
 - (a) the permit holder ceases to be registered as a beekeeper under section 8 of the *Beekeepers Act 1963*; or
 - (b) a continuous period of 12 months has passed during which the permit holder has not kept any bees on the land described in her or his permit.
- (3) A permit holder shall, within 7 days of the local government giving the permit holder a written notice to do so, provide to the local government—
 - (a) written proof of her or his registration as a beekeeper under section 8 of the *Beekeepers Act 1963*;
 - (b) in respect of land identified by the local government in its notice, a signed statement as to whether or not he or she has kept bees on the land within the 12 months preceding the date of the notice; or
 - (c) both.

2.20 Permit not transferable

A permit is personal to the permit holder and applies only to the land described in the permit.

2.21 Nuisance

A person shall not keep, or allow to be kept, bees or beehives, or both, on land so as to create a nuisance.

2.22 Notice to remove bees

- (1) Whenever, in the opinion of the local government, a person has contravened any provision of the *Beekeepers Act 1963* or of this local law which relates to the keeping of bees or bee hives, the local government may give the permit holder, in relation to that land, or if there is no valid permit in relation to that land, an owner or occupier of the land, a written notice requiring her or him to remove any bees or bee hives, or both, from the land within the time specified in the notice.
- (2) Subject to Division 1 of Part 9 of the Act, on the giving of a notice referred to in subclause (1), any valid permit given by the local government relating to the keeping of bees or bee hives on that land is cancelled from the time specified in the notice, being not less than 7 days from the date it is given.
- (3) Where a person fails to comply with a notice given under subclause (1), the local government may dispose of the bees or the bee hives or both, in such manner as it sees fit and recover the costs of so doing from the permit holder, or an owner or occupier, as the case may be, as a debt due to it.

Division 4 — Keeping of farm animals

2.23 Permit required to keep farm animals

Subject to clause 2.28, an owner or occupier of land shall not keep, or allow to be kept, any farm animal unless —

- (a) in accordance with a valid permit authorising the keeping of such a farm animal issued in relation to the land pursuant to clause 2.26; or
- (b) in a rural zone and in accordance with the provisions of any local planning scheme applicable to that zone.

2.24 Application for a permit to keep farm animals

An application for a permit required by clause 2.23 shall be in the form approved by the local government and shall include the following information —

- (a) a plan of the property, at a scale not less than 1:200, with dimensions clearly marked, showing where it is proposed that the animal is to be kept and the distance of that location from any residential building on another lot, Class 6 building or Class 9 building, business premises or food premises;
- (b) a sketch plan, at a scale of 1:100, indicating the nature of the shelter or housing to be provided for the animal;
- (c) a detailed written plan for the management of manure which addresses —
 - (i) control of flies and other vermin;
 - (ii) disease prevention; and

- (iii) prevention of nuisance odours; and
- (d) the appropriate application and permit fees as determined from time to time by the local government in accordance with sections 6.16 to 6.19 of the Act.

2.25 Determination of application to keep farm animals

- (1) Subject to clause 2.26, the local government may —
 - (a) refuse to determine an application for a permit which does not comply with clause 2.24;
 - (b) approve an application for a permit subject to such conditions as it considers appropriate; or
 - (c) refuse to approve an application for a permit.
- (2) Where an application for a permit is approved subject to conditions, the permit holder shall comply with those conditions or cause compliance with those conditions.
- (3) Where the local government approves an application under paragraph (1)(b), it is to issue to the applicant a permit in the form approved by the local government.
- (4) A permit is valid from the date of issue until 30 June the following year, unless it is cancelled prior to that date under this local law.

2.26 Conditions of approval to keep farm animals

- (1) A permit shall not be granted pursuant to clause 2.25 —
 - (a) unless the land for which the approval is sought is of such dimensions and configuration as will permit the subject animal to be confined in a minimum cleared area of 150 square metres and prevented from approaching within 15 metres of any residential building, Class 6 building or Class 9 building, business premises or food premises;
 - (b) in the case of a horse (other than a miniature horse) or cow, unless the land for which the approval is sought has a minimum area of 1 hectare;
 - (c) for the keeping of any pig (other than a miniature pig).
- (2) The local government shall take into account the opinions of occupiers of adjoining properties in determining whether to grant approval for the keeping of a farm animal.
- (3) Approval to keep a farm animal may be issued subject to conditions, including —
 - (a) that a stable or shelter is provided for housing the approved animal;
 - (b) that a manure receptacle is provided in a position convenient to the shelter or place where the approved animal is kept, and that the receptacle is used for the receipt of all manure produced on the premises; or
 - (c) any other conditions that the local government considers necessary for the protection of the health and amenity of the neighbourhood;

and such conditions may be imposed at any time subsequent to the initial approval.

2.27 Variation or cancellation of permit to keep farm animals and conditions of permit

- (1) The local government may vary the conditions of a permit after it has been issued, and shall give notice of such variation to the permit holder.
- (2) The local government may cancel a permit in the event the permit holder —

- (a) fails to comply with any condition set under paragraph 2.25(1)(b);
 - (b) after being notified of a variation under subclause (1) fails to comply with the varied condition;
 - (c) breaches clause 2.28 or clause 2.31 of this local law; or
 - (d) fails to comply with a notice of breach issued under clause 6.1.
- (3) The local government may cancel a permit in the event the permit holder—
- (a) fails to comply with any condition of the permit;
 - (b) breaches clause 2.28 or clause 2.29 of this local law; or
 - (c) fails to comply with a notice of breach issued under clause 6.1.

2.28 Conditions for keeping farm animals

- (1) An owner or occupier of premises upon which a farm animal or farm animals are kept, shall —
- (a) maintain the place or places where the animals are kept in clean condition;
 - (b) ensure that any farm animal or farm animals kept on the premises does not cause or constitute a nuisance;
 - (c) maintain the premises free from flies or other vermin by spraying with residual insecticide or other effective means;
 - (d) if a manure receptacle is required to be used —
 - (i) cause all manure produced on the premises to be collected daily and placed in the receptacle;
 - (ii) cause the receptacle to be emptied as often as is necessary to prevent it becoming offensive or a breeding place for flies or other vermin, but in any case at least once a week; and
 - (iii) keep the lid of the receptacle closed except when manure is being deposited or removed; and
 - (e) not permit any farm animal to approach within 15 metres of any residential building, food premises, Class 6 building or a Class 9 building, or a business or commercial premises.
- (2) An owner or occupier of premises in a rural zone shall not keep more than 1 pig other than on premises registered as a piggery pursuant to the provisions of the *Health Act 1911*, except with the express written approval of the local government.

2.29 Keeping a miniature horse

- (1) An owner or occupier of a premises may keep only a sterilised miniature horse on land of not less than 1,000 square metres in area provided it is registered with the local government and the annual registration fee approved from time to time by the local government in accordance with sections 6.16 to 6.19 of the Act is paid.
- (2) An owner or occupier of premises shall —
- (a) not keep more than one miniature horse on land zoned residential or special rural without the written approval of the local government or an authorised person; and
 - (b) not permit a miniature horse to come within 9 metres of any house.

- (3) The local government or an authorised person may prohibit the keeping of a miniature horse on any land or may state the conditions under which a miniature horse may be kept.

2.30 Keeping a miniature pig

- (1) Except for a miniature pig, and subject to subclause (2) no person shall keep a pig or pigs, in any residential area or on any land zoned commercial or industrial under the town planning scheme.
- (2) Except for premises registered by the local government as an abattoir or a piggery under the provisions of section 191 of the *Health Act 1911*, and except in the case of a miniature pig, the keeping of pigs is forbidden.
- (3) The local government or an authorised person may prohibit the keeping of a miniature pig on any land, or state the conditions under which the miniature pig may be kept.
- (4) A person may keep 1 miniature pig in any residential or rural or special rural area provided it is registered with the local government and the annual registration fee approved from time to time by the local government in accordance with sections 6.16 to 6.19 of the Act is paid.
- (5) An owner or occupier of premises where a miniature pig is kept shall —
 - (a) only keep a sterilised animal and retain written proof of its sterilisation;
 - (b) confine the animal on the property at all times;
 - (c) ensure the animal does not cause a nuisance to any neighbour regarding noise, dust, or odour; and
 - (d) maintain documentary evidence that the animal's veterinary treatment against roundworm and tapeworm is current.

2.31 Requirements for farm animal shelters

- (1) Any stable, enclosure or shelter provided for the keeping of farm animals, whether or not a permit is required for the keeping of such farm animals pursuant to clause 2.24, shall —
 - (a) not be situated within 15 metres of any residential building, Class 6 building or Class 9 building, business premises or food premises;
 - (b) not be situated within 1 metre of any lot boundary;
 - (c) be constructed of materials approved by an authorised person;
 - (d) have on each side of the building between the wall and roof a clear opening of at least 150 millimetres in height, and of sufficient length, to provide adequate ventilation to the stable, enclosure or shelter;
 - (e) when required by the local government have a separate stall for each horse, cow or other approved animal, the shortest dimension of which shall be at least twice the length of the animal housed therein; and
 - (f) subject to subclause (2), have a floor, the upper surface of which shall —
 - (i) be raised at least 75 millimetres above the surface of the surrounding ground;
 - (ii) be constructed of cement, concrete or other similar impervious material; and

- (iii) have a fall of 1 in 100 to a drain which shall empty into a trapped gully situated outside the stable or shelter.
- (2) A stable or shelter constructed with a sand floor may be approved by an authorised person subject to—
 - (a) the site being well drained, with the sand floor being at least 1.5 metres above the highest known ground water level;
 - (b) a 300 millimetre thick bed of crushed limestone being laid under the sand of the stable;
 - (c) the sand, whether natural or imported, being clean, coarse and free from dust;
 - (d) footings to the stable or shelter being a minimum of 450 millimetres below ground level; and
 - (e) the design of the stable allowing for the access of small earthmoving machinery, such as a skid steer loader, into each stall to maintain the correct floor height.
- (3) An owner or occupier of any land upon which a stable or shelter is located must ensure that the stable or shelter complies in all respects with the requirements of subclause (1), and, where the approval referred to in subclause (2) has been granted, with the requirements of subclause (2).

Division 5 — Livestock

2.32 Livestock not to stray

The owner or person in charge of livestock shall not permit that livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

2.33 Impounding of livestock

- (1) An authorised person or a member of the police force may impound livestock found straying in contravention of clause 2.32.
- (2) Livestock being impounded shall be placed in the pound or secured on private property with the consent of the owner.

2.34 Property to be fenced

- (1) The owner or occupier of property on which livestock is kept, shall cause the property or a portion of the property to be fenced in a manner capable of confining the livestock, to that portion where the livestock is kept.
- (2) The minimum fencing requirements to confine livestock in a rural or special rural area shall be a fence of post and wire construction.

Part 3 — Building, development and land care

Division 1 — Litter and refuse on building sites

3.1 Provision of refuse receptacles

The owner or occupier of a building or development site shall at all times provide and maintain a refuse receptacle, available for use on the site, which includes a suitable cover, to the satisfaction of an authorised person, of such design as will —

- (a) contain any refuse likely to be produced on the site; and
- (b) prevent refuse being blown from the receptacle by wind.

3.2 Control of refuse

- (1) From the time of commencement of works on a building site or development site until the time of completion of such work, the owner or occupier of the site shall —
 - (a) ensure all refuse on the site is placed and contained in the refuse receptacle and prevented from being blown from the site by wind;
 - (b) keep the site free from any refuse;
 - (c) maintain the street verge, and any other reserve, immediately adjacent to the site, free of refuse from the site; and
 - (d) ensure the refuse receptacle is emptied when full.
- (2) The owner or occupier of a building site or development site shall ensure that within 2 days of completion of works on the site, the site and the street verge immediately adjacent to it, is cleared of all refuse and all refuse receptacles are removed from the site.

3.3 Unauthorised storage of materials

- (1) All construction materials must be located on the building site or development site under construction, unless written approval has been given by the local government to store materials on another property (including a road reserve).
- (2) An application for approval under subclause (1) must be —
 - (a) in writing; and
 - (b) accompanied by the written approval of the landowner of the land on which materials are proposed to be stored.

Division 2 — Prevention of dust and liquid waste

3.4 Prohibited activities

- (1) An owner and or occupier of land must take effective measures to —
 - (a) stabilise dust on the land;
 - (b) contain all liquid waste on the land; and
 - (c) ensure no dust or liquid waste is released or escapes from the land, whether by means of wind, water or any other cause.
- (2) Where the local government forms the opinion that —
 - (a) an owner or occupier has not complied with paragraph (1)(a) or paragraph (1)(b); or

- (b) the dust or liquid waste has been released or escaped from the owner's or occupier's land, the local government may serve on the owner and or occupier of the land, a notice requiring the owner and or occupier to do one or more of the following –
 - (i) comply with subclause (1)(a) or (1)(b);
 - (ii) clean up and properly dispose of any released or escaped dust or liquid waste;
 - (iii) clean up and make good any damage resulting from the released or escaped dust or liquid waste; and
 - (iv) take effective measures to stop any further release or escape of dust or liquid waste;
 - (c) The requirements set out in a notice issued under paragraph (2)(a) must be complied with—
 - (i) within 48 hours of service of the notice where no other time is specified;
 - (ii) within such other period as is specified in the notice; or
 - (iii) immediately, if the notice so specifies.
- (3) Where the local government forms the opinion that dust or liquid waste has escaped or has been released from an activity undertaken on land or as a consequence of the use of equipment on land, the local government may serve a notice on —
- (a) any owner or occupier of the land; or
 - (b) any operator of equipment on the land,
- requiring that the activity or use of equipment on the land be ceased immediately, for such period as is specified in the notice.
- (4) Where the local government is of the opinion that dust or liquid waste may be released or escape as a result of an activity which is likely to be carried out from any land, the local government may give to the owner and or occupier a notice providing that the activity may only be carried on subject to conditions specified in the notice.

3.5 Dust management

If an owner or occupier of land intends to undertake any work involving the clearing of land, from which any sand or dust is likely to be released whether by means of wind, water or any other cause, shall —

- (a) submit to an authorised person a Dust Management Plan in accordance with the Department of Environment and Conservation document “A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities” (March 2011), or any updated version of this document;
- (b) obtain written approval of the Dust Management Plan from an authorised person before commencement of any work.

Division 3 — Smoke

3.6 Burning of cleared vegetation prohibited

An owner or occupier of any building or development site shall ensure that no vegetation or other material cleared from the site is burnt on the site.

Division 4 — Unsightly land and disused materials

3.7 Removal of refuse and disused materials

- (1) The owner or occupier of a lot shall not keep, or permit to remain on the lot, any refuse, rubbish or disused material of whatever nature or kind which in the opinion of the local government or an authorised person is likely to give the lot an untidy appearance and does not conform with the general appearance of other land in that particular part of the district.
- (2) The local government or an authorised person may give notice in writing to the owner or occupier of a lot requiring the removal of refuse, rubbish or disused material from the lot within the time specified in the notice.

3.8 Removal of unsightly overgrowth of vegetation

- (1) The owner or occupier of a lot shall not permit to remain on a lot, any unsightly overgrowth of vegetation that gives the lot an untidy appearance and does not conform with the general appearance of other land in that particular part of the district.
- (2) The local government or an authorised person may give notice in writing to the owner or occupier of a lot requiring the removal of the overgrowth of vegetation within the time specified in the notice.

3.9 Storage of vehicles, vessels and machinery

The owner or occupier of a lot shall not —

- (a) store, or allow to remain in public view on any lot, more than 1 vehicle, vessel or machinery (whether licensed or not) in a state of disrepair;
- (b) store, or allow to remain in public view on any lot, any vehicle, vessel or machinery in a state of disrepair for a period in excess of 1 month;
- (c) store, or allow to remain in public view on any lot, any vehicle, vessel or machinery parts (including tyres);
- (d) wreck, dismantle or break up any vehicle, part or body of a vehicle, vessel or machinery except where performed —
 - (i) inside a building; or
 - (ii) within an area enclosed by a fence or wall of not less than 1.8 metres in height and of such a nature as to screen all vehicles, parts or bodies of vehicles, vessels or machinery from the street and from adjoining properties; or
- (e) wreck, dismantle or break up a vehicle, vessel or machinery so as to cause a nuisance.

3.10 Disposing of disused refrigerators or similar containers

A person shall not place, leave or dispose of a disused refrigerator, ice chest, ice box, trunk, chest or other similar article having a compartment which has a capacity of 0.04 cubic metres or more on any land without first —

- (a) removing every door and lid and every lock, catch and hinge attached to a door or lid; or
- (b) rendering every door and lid incapable of being fastened; and

- (c) removing any refrigerants as per requirements of the *Environment Protection (Ozone Protection) Policy 2000*.

Division 5 — Hazardous materials

3.11 Hazardous trees

- (1) Where a tree on a lot endangers any person or thing on adjoining land, the local government may give a notice to the owner or the occupier of the lot to remove, cut, move or otherwise deal with that tree so as to make the tree safe.
- (2) Where a tree on a lot presents a serious and immediate danger to any person or thing, the local government may take any remedial action it considers appropriate in order to make the tree safe without having given the owner or occupier notice pursuant to subclause (1).
- (3) The local government reserves its right to recover any costs incurred by the local government for remedial action taken in terms of subclause (2).

Part 4 — Nuisances and dangerous things

Division 1 — Light

4.1 Use of exterior lights

An owner or occupier of land on which floodlights or other exterior lights are erected or used, shall not allow the floodlights or other exterior lights to shine directly onto any other premises.

4.2 Emission or reflection of light

An owner or occupier of land shall ensure that —

- (a) artificial light is not emitted or reflected from anything on the land so as to illuminate premises outside that land to more than 50 lux; and
- (b) natural light is not reflected from anything on the land so as to create or cause a nuisance to the occupier of any other premises or to a person lawfully using a thoroughfare.

4.3 Notice may require specified action to prevent emission or reflection of light

- (1) Where —
 - (a) floodlights or other exterior lights shine directly onto any other premises;
 - (b) artificial light is emitted or reflected from anything on the land so as to illuminate premises outside the land to more than 50 lux; or
 - (c) natural light is reflected from anything on the land so as to create or cause a nuisance to the occupier of any other premises or to a person lawfully using a thoroughfare,

the local government may by notice in writing direct the owner or occupier to take such actions as an authorised person considers necessary within the time specified in the notice.

- (2) The notice referred to in subclause (1) may direct that —

- (a) floodlights or other exterior lights are used only during the hours specified in the notice;
- (b) the direction in which the lights shine be altered as specified in the notice;
- (c) any reflective surfaces be painted or otherwise treated so as to abate the nuisance; or
- (d) any combination of these measures that the local government believes to be appropriate to the circumstances.

Division 2 — Smoke, fumes, odours and other emissions

4.4 Burning rubbish, refuse or other material

- (1) A person shall not set fire to rubbish, refuse or other materials.
- (2) Subclause (1) does not apply to rural residential zoned lots.
- (3) A person shall not set fire to rubbish, refuse or other materials on rural residential zoned property unless —
 - (a) written approval has first been obtained from the local government;
 - (b) the person demonstrates to the satisfaction of the local government that reasonable alternatives for the disposal of the rubbish, refuse or other material do not exist and the potential for pollution is low;
 - (c) the material does not include any plastic, rubber, food scraps, green garden materials or other material likely to cause the generation of smoke or odour in such quantity as to cause a nuisance to other persons;
 - (d) a haze alert has not been issued by the Bureau of Meteorology for the period during which burning is to take place; and
 - (e) the burning complies with the *Bush Fires Act 1954*, any annual fire hazard reduction notice issued by the local government under that Act and any conditions of approval as determined by the local government.
- (4) Subclauses (1) and (3) shall not apply to any barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic char or charcoal type fuel.
- (5) Subclause (4) is subject to any fire danger rating as determined by the Bureau of Meteorology.

4.5 Escape of smoke, fumes, odours and other emissions

An owner or occupier of land or premises shall not cause or permit the escape of smoke, fumes or odours from the land or premises in such quantity or of such a nature as to cause or to be a nuisance to any person.

Division 3 — Trucks

4.6 Livestock vehicles

- (1) A person shall not park a vehicle containing livestock in a townsite for a period in excess of 30 minutes.
- (2) A person shall not park a vehicle which contains or has been used for the carriage of livestock so as to create or be a nuisance to any person, by reason of the odour emanating from the vehicle.

- (3) If a person parks a vehicle containing livestock in a townsite in accordance with subclause (1), then the person does not contravene subclause (2).

4.7 Truck noise from residential land

A person shall not start or drive a truck on land zoned, approved or used for residential purposes between the hours of 10.30 pm and 6.30 am on the following day without first obtaining the written consent of the local government.

Division 4 — Swimming pool backwash management

4.8 Disposal of swimming pool backwash

- (1) The owner or occupier of land on which a swimming pool is constructed shall ensure that all backwash is not permitted to discharge onto or run-off onto adjacent land so as to cause a nuisance, or cause damage to any structures situated on adjacent land.
- (2) Subclause (1) shall not prevent the discharge of swimming pool backwash from a lot into a local government approved stormwater drain or road by a method approved by an authorised person.

Division 5 — Stormwater management

4.9 Containment of stormwater

- (1) Subject to subclause (2), the owner or occupier of a lot shall ensure that all stormwater received by any building, house, other structure or any paved or sealed or other surfaced areas including any vehicle access ways on the lot is contained within the lot and is not permitted to discharge onto or run-off onto adjacent land so as to cause a nuisance, or cause damage to any structures situated on adjacent land.
- (2) Subclause (1) shall not prevent the discharge of stormwater from a lot into a local government approved stormwater drain or road.

Division 6 — Amusement activities

4.10 Nuisance

A person shall not, without written authorisation from the local government, provide or conduct any amusement on land so as to create or be a nuisance to any owner or occupier of land in the district.

4.11 Abatement by authorised person

Subject to subdivision 3 of Division 3 of Part 3 of the Act, an authorised person may enter on any land where an amusement is provided or conducted and may do any act or thing reasonably required to abate a nuisance referred to in clause 4.10.

Division 7 — Advertising, bill posting and junk mail

4.12 Placement of advertisement, bill posting or junk mail

- (1) A person shall not, without written authorisation from the local government, place or affix any letter, figure, device, poster, sign or advertisement on any buildings, fences or posts.

- (2) A person shall not place in or on any letter box, gate, fence or generally leave or distribute to any property in the district, any handbill, poster, pamphlet, flyer or other form of advertising or promotional material, where there is clearly displayed a sign or notice which states “no junk mail” or words of similar effect.

4.13 Exemptions

Clause 4.12 does not apply to —

- (a) delivery of articles by Australia Post;
- (b) documents issued under or for the purposes of an Act of Parliament;
- (c) an authorised person or member of the Police Force acting in the course of their duties;
- (d) electoral materials; or
- (e) legal process.

Division 8 — Bird nuisance

4.14 Restrictions on feeding of birds

- (1) A person shall not feed a bird —
- (a) so as to cause a nuisance, or
 - (b) with a food or substance that is not a natural food of a bird.
- (2) Where an authorised person forms the opinion that a person has not complied with subclause (1) the authorised person may serve the person a notice requiring the person to clean up and properly dispose of any feed or waste products specified in the notice.

Part 5 — Objections and appeals

5.1 Objections and appeals

When the local government makes a decision under this local law as to whether it will —

- (a) grant a person a permit or authorisation;
- (b) vary or cancel a permit or authorisation; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations shall apply to that decision.

Part 6 — Enforcement

Division 1 — Notice of breach

6.1 Notice of breach

- (1) Where a breach of any provision of this local law has occurred, the local government may give a notice in writing to the person alleged to be responsible for such breach.
- (2) A notice issued pursuant to subclause (1) shall —
- (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and

- (c) state the manner in which the recipient is required to remedy the breach to the satisfaction of the local government within a time period stipulated in the notice which shall be not less than 14 days from the giving of the notice.
- (3) It is an offence to fail to comply with a notice issued by the local government pursuant to subclause (1).

6.2 Form of notices

Where this local law refers to the giving of a notice other than the giving of an infringement notice and no particular form is prescribed, it will be sufficient that the notice be in writing giving adequate details to enable the owner, occupier or other person to whom the notice is issued to know the offence committed and the measures required to be taken or conditions with which compliance is required, as the case may be.

6.3 When local government may undertake work required by notice

- (1) This clause applies only in respect of a notice issued under subclauses 3.7(2), 3.8(2), 3.11(1) and 4.3(1) of this local law.
- (2) Where a person fails to comply with a notice referred to in subclause (1) the local government may, subject to compliance with the requirements of subdivision 3 of Division 3 of Part 3 of the Act, do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.
- (3) The local government may recover the cost of anything it does under subclause (2) as a debt due from the person who failed to comply with the notice.

Division 2 — Offences and penalties

Subdivision 1 — General

6.4 Offences and penalties

- (1) A person who —
 - (a) fails to do anything required or directed to be done under this local law;
 - (b) fails to comply with the requirements of a notice issued under this local law by an authorised person; or
 - (c) does anything which under this local law that person is prohibited from doing;commits an offence.
- (2) Where, under this local law, an act is required to be done or forbidden to be done in relation to any land or premises, the owner or occupier of the land or premises has the duty of causing to be done the act so required to be done, or of preventing from being done the act forbidden to be done.
- (3) A person who commits an offence under this local law is liable to a maximum penalty of \$5,000 and a maximum daily penalty of \$500 in respect of each day or part of a day during which the offence has continued.

Subdivision 2 — Infringement notices and modified penalties

6.5 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) An authorised person should be satisfied that —
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable;

before giving an infringement notice to a person in respect of the commission of a prescribed offence.

6.6 Form of infringement notices

For the purposes of this local law —

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice given under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the Regulations.

Schedule 1 — Prescribed offences

[cl. 6.5]

Item No	Clause	Nature of Offence	Modified Penalty
1	2.2(a)	Failure to keep premise free from excrement, filth, food waste and other matter likely to be offensive or injurious to health, attracts, vermin or insects	\$250
2	2.2(b)	Failure to keep premises clean and disinfected when directed by an EHO	\$250
3	2.2(c)	Failure to keep premises free of flies, or when directed by an EHO, spray premises with residual insecticide or use other means to kill or repel flies	\$250
4	2.3	Failure to maintain adequate enclosures	\$250
5	2.4(1)	Keeping more than 3 cats over the age of 3 months without exemption from the local government	\$250
6	2.4(7)	Establish or maintain a cattery on any lot within the district without approval	\$250
7	2.4(7)	Fail to maintain cattery in compliance with conditions of approval	\$250
8	2.5	Keep, or permit to be kept, any poultry, not in accordance with conditions of these local laws	\$250
9	2.8	Keep, or suffer to remain in a residential area, a rooster, turkey, goose or geese, or peafowl	\$250
10	2.9	Failing to keep cages, enclosures and lofts maintained to minimum standard specified in the Code of Practice	\$250
11	2.11	Failing to prevent pigeons nesting or perching	\$250
12	2.12	Failing to keep aviary birds in accordance with conditions of this local law	\$250
13	2.13	Keeping birds so as to create a nuisance	\$250
14	2.14(1)	Failure to obtain a permit to keep bees	\$250
15	2.14(3)	Failure to comply with any obligation when temporarily keeping bees	\$250
16	2.16	Failure to comply with a condition of a permit to keep bees	\$250
17	2.21	Creation of a nuisance from keeping of bees or beehives	\$250
18	2.22	Failure to comply with notice of local government	\$250
19	2.22	Failure to comply with a notice to remove bees or beehives for contravention of local law	\$250
20	2.23(a)	Keeping a farm animal without a valid permit	\$250
21	2.28	Failure to comply with the conditions for keeping farm animals	\$250
22	2.29	Keeping a miniature horse on land without approval	\$250
23	2.30	Keeping a miniature pig on land without approval	\$250
24	2.32(2)	Permitting livestock to stray, or be at large in a street, public place or private property without consent	\$250
25	2.34	Failing to keep property fenced in a manner capable of confining livestock	\$250
26	3.1	Failure to provide or maintain a refuse receptacle on a building or development site	\$500
27	3.2	Failure to control refuse on a building or development site	\$500

28	3.3	Unauthorised storage of materials	\$500
29	3.4	Release or escape of dust or liquid waste from land	\$500
30	3.5	Commencing works involving clearing of land without an approved Dust Management Plan	\$500
31	3.6	Burning of cleared vegetation or other material from a building or development site	\$500
32	3.9(a)	Storing, or allow to remain on land, more than one vehicle, vessel or machinery in a state of disrepair	\$500
33	3.9(b)	Storing, or allow to remain on land, any vehicle, vessel or machinery in a state of disrepair for a period in excess of 1 month	\$500
34	3.9(c)	Storing, or allow to remain on land, any vehicle, vessel or machinery parts (including tyres)	\$500
35	3.9(d)(i)	Wreck, dismantle or break up any vehicle part or body, vessel or machinery not inside a building	\$500
36	3.9(d)(ii)	Wreck, dismantle or break up any vehicle part or body, vessel or machinery not behind a sufficient fence or wall	\$500
37	3.9(e)	Wreck, dismantle or break up a vehicle, vessel or machinery so as to cause a nuisance	\$500
38	3.10	Disposing of disused refrigerator or similar container with door/lid that can be fastened without removing the refrigerant, door, lid, lock, catch, hinge and rendering the door/lid incapable of being fastened.	\$500
39	4.1	Erection or use of lighting installations other than in accordance with this local law	\$500
40	4.2	Emitting light so as to create or cause a nuisance	\$500
41	4.5	Permitting the escape of smoke, fumes, odours and other emissions so as to cause a nuisance	\$500
42	4.6(1)	Parking a livestock vehicle in an urban area or townsite in excess of 30 minutes	\$500
43	4.7(1)	Starting or driving a truck on residential land, or adjoining residential land, without consent of the local government	\$500
44	4.8(1)	Discharging swimming pool backwash onto adjacent land so as to cause a nuisance or cause damage	\$500
45	4.9(1)	Failure to ensure that all rainwater or storm water received by a lot and any building, house or structure on the lot, is contained within the lot or discharged directly to a stormwater drain or road	\$500
46	4.10	Conducting an amusement so as to create a nuisance	\$500
47	4.12(1)	Unauthorised placement of advertisement, bill posting or junk mail	\$100
48	4.12(2)	Placement of advertisement, bill posting or junk mail where a "no junk mail", or equivalent, sign is displayed	\$100
49	4.14(1)(a)	Feeding a bird which causes a nuisance	\$500
50	4.14(1)(b)	Feeding a bird a food/substance that is not a natural food	\$500
51	6.4(1)(b)	Failure to comply with notice	\$500

Passed by resolution of the Mingenew Shire Council held on the xx day of xxxx 2016.

Dated this xx day of xxxx 2016.

The Common Seal of the Shire of Mingenew was hereunto affixed in the presence of—

M. BAGLEY, President.
M. Whitely, Chief Executive Officer.

Consented to—

Dr. TARUN WEERAMANTHRI , Executive Director, Public Health.

Dated this xx day of xxxx, 2016.

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995**

Shire of Mingenew

WASTE LOCAL LAW 2013

Under the powers conferred by the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Mingenew resolved on the _____ to make the following local law.

PART 1 – PRELIMINARY

1.1. Citation

This local law may be cited as the *Shire of Mingenew Waste Local Law 2013*.

1.2. Definitions

In this local law unless the context otherwise requires:

“**Act**” means the *Waste Avoidance and Resource Recovery Act 2007*;

“**collection day**” means the day of the week on which waste is collected and removed by the local government or its contractor;

“**collection time**” where used in connection with any premises, means the time of the day on which waste is collected and removed from the premises by the local government or its contractor;

“**district**” means the district of the local government;

“**local government**” means the Shire of Mingenew;

“**owner**”, in relation to premises comprised of or on land, has the meaning given in section 1.4 of the *Local Government Act 1995*;

“**occupier**” where used in relation to land, has the meaning given in section 1.4 of the *Local Government Act 1995*;

“**public place**” includes a street, way or place which the public are allowed to use, whether the street, way or place is or is not on private property;

“**receptacle**” where used in connection with any premises means—

- (a) a polyethylene cart fitted with wheels, a handle and a lid and having a capacity of either 120 litres or 240 litres;
- (b) a polyethylene or steel container fitted with wheels and lockable lids and having a capacity of 1100 litres; or
- (c) a container provided by the local government or its contractor for the deposit, collection or recycling of specific materials; and supplied to the premises by the local government or its contractor;

“**refuse, rubbish or disused material**” includes any material which is abandoned or unwanted by its owner or the person in possession of it;

“**regulations**” means the *Waste Avoidance and Resource Recovery Regulations 2008*;

“**street**” has the same meaning as in the *Local Government Act 1995*;

“**street alignment**” means 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;

“**waste**” includes matter —

- (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment;
 - (b) prescribed by the regulations to be waste;
- “waste facility”** means premises approved for the storage, treatment, processing, sorting, recycling or disposal of waste; and
- “waste service”** means —
- (a) the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or
 - (b) the provision of receptacles for the temporary deposit of waste; or
 - (c) the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.

PART 2 – WASTE SERVICES

2.1. Provision of Waste Service

The local government shall undertake or contract for the efficient execution of a waste service in those parts of the district to which this local law apply.

2.2. Obligations of the Owner or Occupier

- (1) Owners or occupiers shall —
 - (a) not remove waste from premises other than in accordance with the local law; and
 - (b) pay to the local government the annual waste collection rate imposed under section 66 of the Act , the receptacle charge imposed under section 67 of the Act or a fee set in accordance with section 68 of the Act and pursuant to section 6.16 of the *Local Government Act 1995*;
- (2) The local government may in writing authorise the occupier of premises within its district to remove or dispose of waste from or on the premises if –
 - (a) the waste on the premises is not available for removal at regular periods or is of such a nature or quantity as to be unsuitable for removal by the local government or its contractor; or
 - (b) there is installed on the premises efficient apparatus for the destruction of the waste and the apparatus is used to dispose of the waste on the premises without causing a nuisance or permitting the discharge of smoke into the atmosphere in such quantities or of such a nature as to cause annoyance to persons.
- (3) Where any waste is removed from the premises under a written authority of a local government, the person removing it shall dispose of it at a waste facility.

2.3. Use of Receptacles

- (1) The occupier of every premises shall -
 - (a) subject to paragraph (c), cause all refuse to be deposited in a receptacle;

- (b) at all times keep the lid of the receptacle closed except when depositing refuse in or cleaning the receptacle;
- (c) not deposit or permit to be deposited in a receptacle -
 - (i) more than 70 kg of refuse in the case of a receptacle with a capacity of 240 litres; or
 - (ii) more than 50 kg of refuse in the case of a receptacle with a capacity of 120 litres; and
 - (iii) any material being or consisting of -
 - (a) hot or burning ashes;
 - (b) oil, motor spirit or other flammable liquid;
 - (c) liquid, liquid paint, or other solvent;
 - (d) bricks, concrete, earth or other like substances;
 - (e) drugs, dressings, bandages, swabs or blood samples unless placed in a sealed impervious and leak-proof container;
 - (f) hospital, medical, veterinary, laboratory or pathological substances containing blood unless placed in a sealed impervious and leak-proof container;
 - (g) syringes, needles, surgical hardware, broken glass, sharps or other sharp objects unless placed in a sealed impervious leak-proof and impenetrable container; or
 - (h) cytotoxics, radioactive substances, vehicle batteries and dangerous chemicals;
 - (iv) any object which is greater in length, width or breadth than the corresponding dimensions of the receptacle or which will not allow the lid to be tightly closed; or
 - (v) refuse which is or likely to become offensive or a nuisance or to give off any offensive or noxious odour or to attract flies or cause fly breeding unless it is first wrapped in absorbent or impervious material or placed in a sealed impervious container;
- (d) except for collection day, keep the receptacle on the premises located behind the building line, or other location approved by the local government;

- (e) at all times keep the receptacle clean and whenever directed by the local government to do so, thoroughly cleanse and disinfect the receptacle and place and keep in the receptacle a deodorant material;
 - (f) notify the local government within seven days (7) after the event if the receptacle is lost, stolen, damaged or becomes defective;
 - (g) not mark or disfigure the receptacle in any manner other than by the placement of a street or unit number upon it in numerals no higher than 100mm; and
 - (h) not use the receptacle for any purpose other than the storage of refuse.
- (2) An owner or occupier of premises shall -
- (a) within the 12 hours prior to 0600 hours on collection day;
 - (i) place the receptacle on the verge between 1 to 3 metres from the kerb line, and so as not to cause an appreciable interference to public use of the road, footpath or other carriageway. The receptacle may otherwise be placed at a position specifically approved by the local government; or
 - (ii) where the receptacle is collected via a right-of-way or lane abutting the premises, place the receptacle adjacent to the boundary of the premises so abutting and in such a manner as to be serviceable from the right-of-way or lane; and
 - (b) within 12 hours of the contents of the receptacle having been removed, return the receptacle to its place of storage.
- (3) Where refuse emanating from premises is of a nature that the local government considers that it requires to be treated before being placed in a receptacle, the local government may give directions as to the manner in which it is to be so treated and the occupier of those premises shall comply with those directions.
- (4) Collection of refuse shall be once weekly unless otherwise determined by the local government.
- (5) In the case of multi-residential, commercial or industrial premises, where it is considered that individual receptacles for each premises would not be practical, the local government may exercise discretion as to the number of receptacles to be provided and to the number of collections carried out each week.
- (6) In the case of premises consisting of more than 3 dwellings or any premises used for commercial or industrial purposes or as a food premises, the Local government

may authorise rubbish or refuse to be deposited in a container other than a receptacle.

- (7) The owner or occupier of premises who is authorised under this section to deposit rubbish or refuse in a container shall-
- (a) unless approved by the local government not deposit or permit to be deposited in the container anything specified in clause 2.3(1)(c)(iii)-(v);
 - (b) take all reasonable steps to prevent fly breeding in, and the emission of offensive or noxious odours from, the container;
 - (c) whenever directed by the local government to do so, thoroughly clean, disinfect, deodorise and apply a residual insecticide to the container;
 - (d) cause the container to be located on the premises in an enclosure constructed and located in accordance to Clause 2.7(3).
 - (e) ensure that the container is not visible from the street but is readily accessible for the purposes of collection; and
 - (f) ensure that the container does not cause a nuisance to an occupier of adjoining premises.
- (8) An owner or occupier shall-
- (a) ensure that there are a sufficient number of receptacles provided to contain all rubbish and refuse which accumulates or may accumulate in or from the premises;
 - (b) ensure that each receptacle on the premises-
 - (i) has a close fitting lid;
 - (ii) is constructed of non -absorbent and non-corrosive material; and
 - (iii) is clearly marked, for the use of, and is used only for, the temporary deposit of rubbish or refuse;
 - (c) keep or cause to be kept each receptacle thoroughly clean and in good condition and repair;
 - (d) place any rubbish or refuse in, and only in, a receptacle marked for that purpose;
 - (e) keep the cover on each receptacle except when it is necessary to place something in, or remove something from, it; and
 - (f) ensure that the receptacles are emptied at least weekly or as directed by the local government.

2.4 Exemption

- (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.3.(1)(a) or 2.3.(2).
- (2) The local government may grant or refuse, with or without conditions, an application for exemption from compliance under this clause.
- (3) An exemption granted under this clause shall state—
 - (a) the premises to which the exemption applies;
 - (b) the period during which the exemption applies; and
 - (c) any conditions imposed by the local government.
- (4) The local government may rescind the exemption or from time to time vary conditions imposed by it under this clause by giving written notice of the variation to the person to whom the exemption was given.

2.5. Ownership of Receptacles

A receptacle supplied by the local government or its contractor remains the property of the local government or its contractor as the case may be.

2.6. Damage to Receptacles

A person other than the local government or its contractor, shall not-

- (a) damage, destroy or interfere with a receptacle supplied by the local government or its contractor; or
- (b) except as permitted by this Local law or as authorised by the local government, remove a receptacle from any premises to which it was delivered by the local government or its contractor.

2.7. Suitable Enclosure

- (1) An owner or occupier of premises—
 - (a) consisting of more than three (3) dwellings; or
 - (b) used for commercial or industrial purposes, or a food premises;
 - (c) shall if required by the local government provide a suitable enclosure for the storage and cleaning of receptacles on the premises.
- (2) An owner or occupier of premises required to provide a suitable enclosure under this clause shall keep the enclosure thoroughly clean and disinfected.
- (3) For the purposes of this clause, a “suitable enclosure” means an enclosure—
 - (a) of sufficient size to accommodate all receptacles used on the premises but in any event having a floor area not less than 3 metres

by 3 metres;

- (b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the local government;
- (c) having walls not less than 1.8 metres in height and having an access way of not less than 1 metre in width and fitted with a self-closing gate;
- (d) containing a smooth, non-slip and impervious floor—
 - (i) of not less than 75 millimetres in thickness; and
 - (ii) which is evenly graded to a grated outlet connected to the existing sewer disposal system connection on the property;
- (e) which is easily accessible to allow for the removal of the receptacles;
- (f) provided with a ramp into the enclosure having a gradient no steeper than 1:8 unless otherwise approved by the local government; and
- (g) provided with a tap connected to an adequate supply of water.

2.8. Building Construction

- (1) During all periods of construction on any building site, the builder shall—
 - (a) provide and maintain on such site a waste disposal bin, being either—
 - (i) a bin of not less than 4 cubic metres in capacity; or
 - (ii) a receptacle or other container approved by the local government;
 - (b) keep such site free of waste and offensive matter; and
 - (c) maintain the street verge immediately adjacent to such site free of waste or offensive matter.
- (2) On completion of construction, the builder shall immediately clear the site and the adjacent street verge of all waste, waste materials and offensive matter and all waste bins provided by the builder.
- (3) In sub-clauses (1) and (2), “waste” includes all discarded stones, brick, lime, timber, iron, tiles, bags, plastics and any broken, used or discarded matter.

2.9. Deposit of Waste

- (1) A person shall not deposit or cause or permit to be deposited any waste in or on any street or on any land other than a waste facility.

- (2) The driver of a vehicle, upon entering a waste facility, shall not deposit any waste until authorised to do so by the attendant or person in charge.
- (3) A person shall not deposit waste in or on a waste facility except—
 - (a) at such place on the site as may be directed by the person in charge of the facility; or
 - (b) if the person in charge is not in attendance at the facility, as may be directed by a notice erected on the site.

2.10. Removal of Waste from Premises or Receptacle

- (1) A person shall not remove any waste from premises unless that person is—
 - (a) the owner or occupier of the premises;
 - (b) authorised to do so by the owner or occupier of the premises; or
 - (c) authorised in writing to do so by the local government.
- (2) A person shall not, without the approval of the local government or the owner of a receptacle, remove any waste from the receptacle or other container provided for the use of the general public in a public place.
- (3) Where the local government provides—
 - (a) a collection service for recyclable material, the occupier of premises shall comply with and observe the directions given by the local government in relation to that collection;
 - (b) a collection for bulk material, the occupier of premises shall comply with and observe the directions given by the local government in relation to that collection.
- (4) Where additional collection services are provided upon request by the occupier of premises, fees as set by the local government from time to time under sections 6.16 and 6.19 of the *Local Government Act 1995* shall be paid.

2.11. Burning Waste

- (1) A person shall not—
 - (a) without the approval of the local government; and
 - (b) except in accordance with the terms and conditions to which the approval is subject, set fire to, or cause to be set on fire, any waste either—
 - (i) in any incinerator; or

- (ii) on the ground.
- (2) Subject to subclause (3), an approval of the local government is issued subject to the following conditions—
 - (a) the material to be burnt—
 - (i) does not include any plastic, rubber, food scraps, green garden cuttings and other material which may become offensive when burnt; and
 - (ii) is of such quantity, or of such a nature, as to be unsuitable for removal by the local government's waste collection service;
 - (b) there is no other appropriate means of disposal;
 - (c) an incinerator must have a minimum of 205 litre capacity fitted with a cast iron top with a reverse vortex cone and connected to a 1.8 meter air adjustable flue terminating with a mesh spark arrestor; and
 - (d) an incinerator unit used for fire must be located—
 - (i) at least 3 metres from a fence, building or inflammable matter; and
 - (ii) in such a position so as not to create a nuisance or be offensive to other persons.
- (3) Subject to the provisions of the *Bush Fires Act 1954*, it is prohibited to clear by burning any fire breaks, vacant lots or other land of grass, straw, hay, undergrowth, herbage and other vegetation whether or dead and standing or not standing, without written approval of the local government.

2.12. Waste Removal Vehicles

A vehicle used by the local government, its contractor or any person for the collection and transport of waste shall—

- (a) be provided with a compartment in which all waste shall be deposited for removal, and of which the interior is constructed from or surfaced with impermeable material; and
- (b) have a cover over the compartment at all times when the vehicle is engaged in the transport of waste.

2.13. Method of Removal of Waste

A person engaged in the removal of waste from premises shall—

- (a) convey all waste from the receptacles of the occupier of the premises and deposit the waste in the portion of the collection vehicle intended to hold the waste; and

- (b) replace the receptacle at the point designated by the local government and in accordance with contractual obligations.

2.14. Removal from Waste Facility

- (1) A person shall not remove any waste from a waste facility without the written approval of the local government.
- (2) A person who obtains approval from the local government shall comply with any conditions imposed by the local government and set out in the approval.

PART 3 – OFFENCES AND PENALTIES

3.1. Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

Dated 2016

The Common Seal of the Shire of Mingenew was affixed by authority of a resolution of the Council in the presence of

President
Michelle Bagley

Chief Executive Officer:
Martin Whitely

Local law consented to _____

CHIEF EXECUTIVE OFFICER
Department of Environment & Conservation

**HEALTH ACT 1911
LOCAL GOVERNMENT ACT 1995**

SHIRE OF MINGENEW

DRAFT HEALTH LOCAL LAW 2016

HEALTH ACT 1911
Shire of Mingenew

HEALTH LOCAL LAW 2013

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HEALTH ACT 1911

Shire of Mingenew

HEALTH LOCAL LAW 2013

Pursuant to the power under the Health Act 1911, the Council of the Shire of Mingenew makes the following Local-laws.

PART 1—PRELIMINARY

Citation

1.1 These local laws may be cited as *"The Shire of Mingenew Health Local Laws 2016"*.

Repeal

1.2(1) The Health Local Laws adopted by the Shire of Mingenew on X and published in the *Government Gazette* on X, and amended from time to time, are repealed.

(2) Amendments purported to be made by the Shire of Mingenew and published in the *Government Gazette* on X, X are revoked.

Interpretation

1.3(1) In these Local-Laws, unless the context otherwise requires—

"Act" means *Health Act 1911*;

"adequate supply of water" means a flow of water of not less than 0.076 litres per second;

"approved" means approved by the local government;

"AS" means Australian Standard published by the Standards Association of Australia;

"AS 1530.2: 1993" means the standard published by the Standards Association of Australia as AS 1530.2: 1993 and called "Methods for fire testing on buildings materials, components and structures – Tests for flammability of materials".

"AS/NZS 1530.3: 1999" means the standard published by the Standards Association of Australia as AS/NZS 1530.3: 1999 and called "Methods for fire tests on building materials, components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release".

"AS 1668.2 – 2002" means the standard published by the Standards Association of Australia as AS 1668.2 - 2002 and called "The use of ventilation and air-conditioning in buildings – Ventilation design for indoor air contaminant control".

"AS 2001.5.4 – 2005" means the standards published by the Standards Association of Australia as AS 2001.5.4 – 2005 and called "Methods of tests for textiles – Dimensional change – Domestic washing and drying procedures for textile testing (ISO 6330:2000, MOD)."

AS/NZS 3666.2:2011 means the standard published by Standards Australia as AS/NZS 3666.2:2011 and called "Air-handling and water systems of buildings — Microbial control — Operation and maintenance";

"AS/NZS ISO 7171.1: 2004" means the standard published by the Standards Association of Australia as AS/NZS ISO 7171.1: 2004 and called "Acoustics – Rating of sound insulation in buildings and of building elements – Airborne sound insulation"

"Building Code" means 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;

"Chief Executive Officer" means the Chief Executive Officer of the Shire of Mingenew and includes the Acting Chief Executive Officer;

"district" means the district of the Shire of Mingenew and includes any area placed under the jurisdiction of the local government pursuant to Section 22 of the Act;

"dwelling house" means a place of residence or house 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;

“Environmental Health Officer” means an Environmental Health Officer appointed by the local government under the Act and includes an Acting or Assistant Environmental Health Officer;

“habitable room” means a room used for normal domestic activities; and

(a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, play-room, family room and sun-room; but

(b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, lobby, photographic dark room, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods;

“hot water” means a water at a temperature of at least 75 degrees Celsius;

“local government” means the Shire of Mingenew;

“Medical Officer” means the Medical Officer appointed by the local government under the Act and includes an Acting Medical Officer so appointed;

“Principal Environmental Health Officer” means an Environmental Health Officer appointed by the local government to the office of Principal Environmental Health Officer and includes an Acting Principal Environmental Health Officer;

“public place” includes every place to which the public ordinarily have access, whether by payment of a fee or not;

“sanitary convenience” includes urinals, water closets, earth-closets, privies, sinks, baths, wash troughs, apparatus for the treatment of sewage, ash-pits, ash-tubs, or other receptacle for the deposit of ashes, faecal matter, or refuse, and all similar conveniences;

“sewage” means any kind of sewage, nightsoil, faecal matter or urine, and any waste composed wholly or in part of liquid;

“sewer” includes sewers and drains of every description, except drains to which the word “drain” as defined in the Act applies, also water channels constructed of stone, brick, concrete, or any other material, including the property of the local government;

“street” includes any highway, any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

“toilet” means a water closet, earth closet, privy or urinal and includes a room or cubicle in which one or more of these is located;

“water” means drinking water within the meaning of the Australian Drinking Water Guidelines as published by the National Health and Medical Research Council in 2004 and as amended from time to time; and

“window” means a glass panel, roof light, glass brick, glass louvre, glazed sash, glazed door, or other device which transmits natural light directly from outside a building to the room concerned when in the closed position.

(2) Where in these local laws, a duty or liability is imposed on an “owner or occupier”, the duty or liability shall be deemed to be imposed jointly and severally on each of the owner or occupier.

(3) Where under these local laws an act is required to be done or forbidden to be done in relation to any premises, the owner or occupier of those premises has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

PART 2—SANITATION

Division 1—Sanitary Conveniences

Interpretation

2.1.1 In this Part, unless the context otherwise requires—

“festival” includes a fair, function or event;

“organiser” means 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;

“public sanitary convenience” means a sanitary convenience to which the public ordinarily have access, whether by payment of a fee or not; and

“temporary sanitary convenience” means a sanitary convenience, temporarily placed for use by—

- (a) patrons in conjunction with a festival; or
 - (b) employees at construction sites or the like.
- "urinal"** may be—
- (i) an individual stall or wall-hung urinal; or
 - (ii) each 600mm length of a continuous urinal trough; or
 - (iii) a closet pan used in place of a urinal.

Dwelling House

- 2.1.2(1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet.
- (2) A room in which a toilet is located shall have adequate lighting.

Premises other than a Dwelling House

- 2.1.3(1) The owner of premises other than a dwelling house shall not use or occupy, or permit to be used or occupied, premises other than a dwelling house unless—
- (a) the premises have sanitary conveniences in accordance with the Building Code and this Part;
 - (b) the toilets required by this section are situated within 90m and are easily accessible to the persons for whom they are provided; and
 - (c) the premises have hand wash basins—
 - (i) in accordance with the Building Code;
 - (ii) for the use of persons employed or engaged on the premises;
 - (iii) provided with an adequate supply of water supplied by taps located over each basin;
 - (iv) separate from any trough, sink or basin used in connection with any process carried out on the premises; and
 - (v) situated with or adjacent to the sanitary conveniences and easily accessible to the person for whom they are provided.
- (2) The occupier of premises other than a dwelling house shall ensure that—
- (a) clean toilet paper is available at all times in each cubicle;
 - (b) a sanitary napkin disposal facility is provided in each toilet set aside for the use of females; and
 - (c) each hand wash basin is provided with—
 - (i) an adequate supply of soap or other hand cleaning substances; and
 - (ii) hand drying facilities, situated adjacent to and visible from the hand wash basin.

Outdoor Festivals

- (1) 2.1.4(1) The organiser of an outdoor festival at which not more than 5 000 people are expected to attend shall provide sufficient sanitary conveniences in accordance with the following table —

Patrons	Males	Females
Up to 1 000	2 WC 3 Urinal 1 Hand Wash Basin	5 WC 1 Hand Wash Basin
1 000–2 000	3 WC 6 Urinals 2 Hand Wash Basins	10 WC 2 Hand Wash Basins
2 000–3 000	4 WC 9 Urinals 3 Hand Wash Basins	15 WC 3 Hand Wash Basins
3 000–4 000	5 WC 12 Urinals 4 Hand Wash Basins	20 WC 4 Hand Wash Basins
4 000– 5 000	6 WC 15 Urinals 5 Hand Wash Basins	25 WC 5 Hand Wash Basins

- (i) where the duration of the event does not exceed 4 hours 70% of the table values is deemed sufficient (rounded to nearest whole facility).
- (ii) where the duration of the event does not exceed 8 hours 80% of

- the table values is deemed sufficient (rounded to nearest whole facility).
- (iii) where the duration of the event exceeds 8 hours 100% of the table value is to be used.
 - (iv) where alcohol is not available at the event (where it is not sold, not provided or not brought onto premises by patrons) the facilities may be reduced by up to 50% at the discretion of the Manager Environmental Health.
- (2) Toilets must be serviced throughout the event. When portable chemical type units or effluent holding tanks are used for events longer than 4 hours, they must be located so that they can be pumped out during the event.
 - (3) At least 1 unisex toilet for use by the disabled is required for each venue.
 - (4) The organiser of an outdoor festival, at which more than 5 000 people are expected to attend, shall provide temporary sanitary conveniences of a number as directed by the Manager Environmental Health.

Toilets

2.1.5 (1) Toilets on a premises shall be maintained in accordance with the following requirements —

- (a) the door to a toilet, other than an internal door, shall be properly screened to a continuous height of 1.8 metres from the floor; and
- (b) a toilet or its entrance, which is visible from overlooking windows, shall be properly screened.

(2) Toilets on premises other than a dwelling house shall be maintained in accordance with the following additional requirements —

- (a) a toilet for the exclusive use of males shall not adjoin any toilet for the exclusive use of females unless the toilets are separated by a wall extending from the floor to the ceiling and of sufficient density to have a sound transmission class of not less than 50 as required by AS/NZS ISO 717.1 :2004; and
- (b) where more than one toilet is provided on the premises, the entrance to each toilet shall bear a suitable sign indicating for which sex its use is intended.

Temporary Works

2.1.6 A person who undertakes temporary work at any place shall ensure every temporary sanitary convenience is installed and maintained in accordance with the requirements of the *Health (Temporary Sanitary Conveniences) Regulations 1997*.

Maintenance of Sanitary Conveniences and Fittings

2.1.7(1) The occupier of premises shall—

- (a) keep clean, in good condition and repair; and
- (b) whenever required by an Environmental Health Officer, effectively disinfect and clean, all sanitary conveniences including sanitary fittings in or on the premises.

(2) The owner of premises shall—

- (a) keep or cause to be kept in good repair; and
 - (b) maintain an adequate supply of water to,
- all sanitary conveniences including sanitary fittings in or on the premises.

Ventilation of Toilets

2.1.8(1) A toilet in any premises shall be ventilated in accordance with the *Sewage (Lighting, Ventilation and Construction) Regulations 1971* and the Building Code and shall be—

- (a) mechanically ventilated to the external air, through a fully enclosed duct at a minimum rate of 25 litres per second per fixture, but in no case less than 10 air changes per hour; or
- (b) naturally ventilated to the external air by the provision of—

- (i) fixed and permanently ventilated windows or skylights;
- (ii) fixed glazed louvered windows; or
- (iii) wall or ceiling vents, ducted as direct to the outside air as is practical and boxed throughout, situated in both the room in which the toilet is located and any adjacent airlock.

- (2) A mechanical ventilation system provided under subsection (1)(a) shall—
- (a) be separate and distinct from any other system of mechanical ventilation in the building;
 - (b) be of an exhaust type;
 - (c) where it is provided for a building of more than 2 storeys, have a ventilating fan and power unit in duplicate; and
 - (d) be maintained in good working order and condition.

- (3) A natural ventilation system provided under subsection (1) (b) shall have—
- (a) a clear ventilation area of not less than 0.015 square metres per fixture; and
 - (b) a window of light transmitting area equivalent to not less than ten percent of the floor area.

- (4) A toilet with an entrance opening from—
- (a) a room used for the manufacture, storage or consumption of food;
 - (b) a room used for sleeping or other domestic activities; or
 - (c) a room used as a work place,

shall be mechanically ventilated as required by subsection (1) (a) and the entrance shall be fitted with a door having an efficient self-closing device.

Public Sanitary Conveniences

2.1.9(1) A person shall not—

- (a) foul
- (b) damage or vandalise; or
- (c) write on or otherwise deface,

a public convenience or sanitary fixtures or fittings or the premises in or on which the sanitary convenience is located.

(2) A person shall not live or sleep in the premises in which a public sanitary convenience is located or use it for a purpose other than that for which it was intended.

Lighting

2.1.10 The owner and occupier of a premises in which a sanitary convenience or a public sanitary convenience is located shall provide and maintain adequate electric lighting for persons using the convenience.

Installation

2.1.11 Every sanitary convenience shall be installed in accordance with the requirements of the *Country Areas Water Supply Act 1947*, and the *Country Towns Sewerage Act 1948* and shall have an adequate supply of water.

Division 2—Bathroom, Laundries and Kitchens

Bathrooms

2.2.1(1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that—

- (a) is adequately lined with an impervious material and has an adequate ceiling;
- (b) complies with the *Health Act (Laundries and Bathrooms) Regulations*; and
- (c) is equipped with—
 - (i) a hand wash basin; and
 - (ii) either a shower in a shower recess or a bath.

(2) All baths, showers, hand wash basins and similar fittings shall be provided with

an adequate supply of hot and cold water.

Laundries

2.2.2(1) A laundry must conform to the provisions of the Building Code

(2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling.

(3) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall—

- (a) not be more than 1220 millimetres wide; and
- (b) have a door which when closed shall completely fill the opening.

Washing or Keeping of Clothes in Kitchens

2.2.3 A person shall not in any kitchen or other place where food is kept—

- (a) wash or permit to be washed any clothing or bedding; or
- (b) keep or permit to be kept any soiled clothing or bedding.

Kitchens

2.2.4(1) In this section, “a cooking facility” includes a stove, oven, facility or appliance used for or in connection with the cooking of food.

(2) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen equipped with—

- (a) an electric, gas, wood or other fuel burning stove;
- (b) an oven with a capacity of not less than 0.005 cubic metres per person usually accommodated in the house with a minimum capacity of 0.03 cubic metres;

and

- (c) a sink which shall—
 - (i) be at least 380 millimetres long, 300 millimetres wide and 150 millimetres deep; and
 - (ii) have an adequate supply of hot and cold water.

(3) The occupier of a dwelling house shall ensure that the stove, oven and sink are kept clean, in good order and repair and fit for use.

(4) A cooking facility shall—

- (a) be installed in accordance with the requirements of the Energy Safety and the “Manufacturers’ Specifications”; and
- (b) not be installed or used in any room other than a kitchen.

(5) Mechanical extraction shall be provided in a kitchen and the exhaust air shall be—

- (a) carried to the outside air as directly as practicable; and
- (b) boxed throughout.

(6) Mechanical ventilation shall be maintained in good working order and condition.

PART 3—HOUSING AND GENERAL

Division 1—Maintenance of Houses

Dwelling House Maintenance

3.1.1 The owner or occupier of a dwelling shall maintain the dwelling house and any appurtenant buildings in sound condition and fit for use and, in particular, shall—

- (a) maintain all roofs, guttering and downpipes in sound weatherproof condition;
- (b) maintain any footings, foundations and walls, either external or internal, in a sound condition;
- (c) replace any missing, broken, decayed or termite-eaten timber or other deteriorated material in any veranda, roof, walls, steps, handrails, floors or their supports with material of sound quality;

- (d) comply with the directions of an Environmental Health Officer to treat the premises for the purpose of destroying any termites;
- (e) maintain any brick, stone, mortar or cement work in a sound condition;
- (f) maintain, repair or replace any flashings or ant caps which are missing or defective;
- (g) maintain all ventilators in good order and repair;
- (h) maintain all floors even and level in surface and free from cracks and gaps;
- (i) maintain all ceilings, internal wall finishes, skirtings, architraves and other fixtures and fittings complete and with smooth unbroken surfaces;
- (j) maintain all doors and windows in good working order and weatherproof condition;
- (k) retain all natural lighting free from any obstruction which would reduce the natural lighting, below the ratio of 10% of the floor area;
- (l) maintain all pipes, fittings and fixtures connected with water supply, drainage or sewage so that they comply in all respects with the provisions of the Country Areas Water Supply Act 1947 and the Country Towns Sewerage Act 1948 and any other legal requirements to which they are subject; and
- (m) maintain all electric wiring, gas services and fittings to comply in all respects with the requirements of all relevant public authorities.

Guttering and Downpipes

3.1.2 Unless approved by the local government the owner of a house shall not use or occupy, or permit to be used or occupied, a house unless—

- (a) the house is provided with adequate guttering, downpipes and drains sufficient to receive normal intensities of rainwater flowing into them and for the rain water to be effectively disposed of to the satisfaction of an Environmental Health Officer;
- (b) the guttering and downpipes are fixed to the eaves of the house so that all normal intensities of rain water flowing from the roof shall be received by such guttering and downpipes;
- (c) all downpipes from guttering are connected so as to discharge into drains, which shall empty into a soak well, or other suitable storm water system or rainwater tanks;
- (d) each soak well is located at least 1.8 metres from any building and at least 1.8 metres from the boundary of the block; and
- (e) any rainwater from any downpipe is not discharged onto any unpaved surface of land within 1.8 metres of any house.

Maintenance of Guttering and Downpipes and Disposal of Rainwater

3.1.3 The owner or occupier of a house shall—

- (a) maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstructions; and
- (b) not permit any rainwater from the premises to discharge onto or over a footpath, street or other property.

Division 2—Ventilation of Houses

Exemption for Short Term Hostels and Recreational Campsites

3.2.1 This Division shall not apply to short term hostels and recreational campsites referred to in Division 2 of Part 8.

Overcrowding

3.2.2 The owner or occupier of a house shall not permit—

- (a) a room in the house that is not a habitable room to be used for sleeping purposes; or
- (b) a habitable room in the house to be used for sleeping purposes unless—
 - (i) for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and
 - (ii) for every person between the ages of 1 and 10 years there is at least 8 cubic metres of air space per person; or
- (c) any garage or shed to be used for sleeping purposes.

Calculated Sufficient Space

3.2.3 For the purpose of Section 3.2.2, in calculating the space required for each person—

- (a) each room shall be considered separately and sufficient space shall be allowed in each room for the number of persons present in the room at any one time; and
- (b) a deduction shall be made for the space occupied by furniture, fittings and projections of the walls into a room.

Ventilation

3.2.4(1) A person shall not use or occupy, or permit to be used or occupied, a house unless the house is properly ventilated.

(2) For the purpose of subsection (1) a house shall be deemed to be properly ventilated if it complies with the Building Code, including the provision of—

- (a) natural ventilation; or
- (b) a mechanical ventilation or air-conditioning system complying with AS1668.2: 2002.

(3) The owner of a house provided with mechanical ventilation or an air-conditioning system shall ensure that the system is—

- (a) maintained in good working condition and in accordance with AS/NZS 3666.2: 2011; and

- (b) in use at all times the building is occupied, if it is a building without approved natural ventilation.

(4) If, in the opinion of an Environmental Health Officer, a house is not properly ventilated, the local government may by notice require the owner of the house to—

- (a) provide a different, or additional method of ventilation; or
- (b) cease using the house until it is properly ventilated.

(5) the owner shall comply with a notice under subsection (4).

Sub-Floor Ventilation

3.2.5 The owner or occupier of a house shall make provision for sub-floor ventilation by ensuring that air bricks and other openings are kept clean of refuse, vegetation, building materials, dirt and the like.

Division 3—Water Supply

Water Supply

3.3.1(1) The owner of a house shall ensure that it is connected with a separate and independent water supply from the mains of a licensed water service operator or a water supply to the satisfaction of the local government.

(2) The water supply shall at all times deliver an adequate supply of drinking water to each tap in the house.

(3) The water supply to toilets, or for garden use may be from an alternative source, not necessarily drinking water.

Rain Water Tanks

3.3.2 The owner or occupier of a house where part of the water supply is drawn from a

rain water tank shall—

- (a) maintain in a clean condition—
 - (i) the roof forming the catchment for the tank; and
 - (ii) the guttering and downpipes appurtenant to the roof;
- (b) ensure that each rain water tank is fitted with a tight-fitting mosquito proof cover which shall not be removed at any time except for the purpose of cleaning, repairing or maintaining the tank;
- (c) annually clean any tank which is used to store water for human consumption;
- (d) when directed by an Environmental Health Officer, empty, clean and disinfect any tank upon the premises, used to store water for human consumption.

Wells

3.3.3 The owner or occupier of any premises shall not use or permit for human consumption the use of the water from any bore or well unless the bore or well is—

- (a) at least 30 metres from any soak or other possible source of pollution unless otherwise approved by the Executive Director of Public Health; and
- (b) covered with a tight-fitting cover without openings of any sort other than those essential for the insertion of a pump.

Pollution

3.3.4 A person shall not deposit on any land, any sewage, offensive matter or any other thing which may pollute or render unfit for human consumption, water from a well or other underground source.

Division 4—Second hand Furniture, Bedding and Clothing

Prohibition of Sale

3.4.1 A person shall not offer for sale or sell any second hand furniture, bedding or clothing which is filthy or infested with vectors of disease.

Prohibition of Possession

3.4.2 A dealer in second hand furniture, bedding or clothing shall not have on any premises used for the operation of the business any second hand furniture, bedding or clothing which is filthy or infested with vectors of disease.

Division 5—

Morgues

Application and Licensing of Morgues

3.5.1(1) All morgues, other than those of any public hospital or any local government or police morgue, shall be licensed annually in accordance with the requirements of this Division.

(2) An application for a licence of a morgue shall be—

- (a) made by the applicant;
- (b) made in the form prescribed in schedule (7); and
- (c) forwarded to the Chief Executive Officer with the fee as fixed by the local government from time to time under Section 344C of the Act.

(3) The annual fee for a licence of a place for the temporary reception and keeping of the bodies of the dead awaiting burial or cremation is as fixed by the local government from time to time under Section 344C of the Act.

(4) A licence shall—

- (a) be in the form prescribed in Schedule (8); and
- (b) expire on 30 June next and after the date of its issue.

(5) A licence shall not be granted in respect of any premises unless—

- (a) provision has been made for the keeping of the bodies of the dead at a

- temperature not exceeding zero degrees Celsius;
- (b) the walls are constructed of stone or brickwork or other approved material;
- (c) the interior surface of all walls is covered with glazed tiles or is rendered impervious so as to be non-absorbent and washable;
- (d) all floors are constructed of an approved impervious material, having a fall to an outlet discharging over a trapped gully; and
- (e) the premises are adequately ventilated by direct communication with the outside air.

PART 4—WASTE FOOD AND REFUSE
Division 1—Liquid Refuse

Interpretation

4.1.1 In this division, unless the context otherwise requires—

“**liquid refuse**” includes swimming pool discharges, all washings from windows, vehicles and car- pet cleaning, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes;

“**liquid waste**” means bathroom, kitchen, scullery and laundry wastes, the contents of septic tanks, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage; and

“**approved carrier**” means a carrier approved by the local government.

Deposit of Liquid Refuse

4.1.2 A person shall not deposit or cause or permit to be deposited liquid refuse or liquid waste—

- (a) on a street;
- (b) in a stormwater disposal system; or
- (c) on any land or place other than a place or depot duly authorised for that purpose.

Disposal of Liquid Waste

4.1.3(1) The owner or occupier of premises shall—

- (a) provide, one of the methods prescribed in this section, for the disposal of all liquid waste produced on the premises; and
- (b) at all times maintain in good working order and condition any apparatus used for the disposal of liquid waste.

(2) Liquid waste shall be disposed of by one of the following methods—

- (a) discharging it into the sewerage system of a licensed water service operator in a manner approved by the licensed water service operator;
- (b) discharging it into an apparatus for the treatment of sewage and disposal of effluent and liquid waste approved by the Executive Director, Public Health or the local government;
- (c) collection and disposal at an approved liquid waste disposal site in a manner approved by the Executive Director Public Health.

Approval for Septic Tank Pump outs and Removal of Liquid Waste

4.1.4 A person shall not—

- (a) unless he or she is an approved carrier;
- (b) without the written approval of the local government; and
- (c) except in accordance with any terms and conditions imposed by the local government or the Executive Director, Public Health in connection with the approval under paragraph (b), collect, remove or dispose of the contents of a septic tank, the pump outs from holding tanks or an apparatus for the treatment of sewage and other liquid wastes.

Application for Approval

- 4.1.5(1) A carrier may apply in writing to the local government for approval to collect, remove or dispose of the contents of a septic tank, the pump outs from holding tanks or an apparatus for the treatment of sewage.
- (2) The local government may grant or refuse an application under this section subject to conditions relating to—
- (a) the time and method of collection, removal or disposal of the contents; or
 - (b) the route to be followed by a vehicle used in collection, removal or disposal of the contents; or
 - (c) the type of liquid waste that can be collected.
- (3) Any conditions imposed by the local government under this section shall be—
- (a) specified in the written approval of the local government; and
 - (b) in addition to any conditions imposed by the Executive Director of Public Health or conditions applying under any other law.
- (4) The local government may from time to time vary conditions imposed by it under this section by giving written notice of the variation to the person to whom approval was given.

Provision of Quarterly Reports

- 4.1.6 The approved carrier may be required to provide Quarterly Reports to the local government containing accurate details of—
- (a) the date of servicing the liquid waste system;
 - (b) the address or location of the involved property; and
 - (c) the type of system serviced.

Division 2—Transport of Butchers' Waste

Interpretation

- 4.2.1 In this Division, unless the context otherwise requires—
- “**butchers' waste**” includes animal skeletons and rib cages from a boning room and the inedible products of an abattoir.

Restriction of Vehicles

- 4.2.2 A person shall not use, for the transport of butchers' waste—
- (a) a vehicle or container not approved by the local government; or
 - (b) a vehicle used for the transport of food or drugs; or
 - (c) anything intended to be used for the packing or handling of food or drugs.

Transport of Butchers' Waste

- 4.2.3(1) A person shall not transport butchers' waste other than in—
- (a) a compartment complying with the following specifications—
 - (i) all internal surfaces to be constructed of an approved, smooth, impervious material not less than 910 millimetres high;
 - (ii) all joints to be sealed and made water-tight;
 - (iii) the loading doors, if any, to be water-tight and kept closed at all times except when loading;and
 - (iv) the top to be completely covered by a tarpaulin or other impervious material approved by the local government, carried over, and secured to the outside of the walls at least 300 millimetres from the top so as to keep the load out of sight of the public; or
 - (b) a sealed container fitted with a lid which can be tightly closed.
- (2) A person shall not transport any butchers' waste in a vehicle unless the vehicle and its fittings, including the compartment or container referred to in this Section,

are—

- (a) maintained in good order and condition; and
 - (b) thoroughly cleaned at the conclusion of each day's work.
- (3) A person shall not load, transport, or unload butchers' waste in a manner that is or maybe offensive due to—
- (a) the sight of animal skeletons, bones, offal or waste matter;
 - (b) the odour of putrefaction, offal or waste matter; or
 - (c) the presence of blood and particles of flesh or fat dropping onto the surface of the street pavement or ground.

PART 5—NUISANCES AND GENERAL

Division 1—Nuisances

Interpretation

5.1.1 In this Division, unless the context otherwise requires—
“fertiliser” includes manure.

Footpaths etc. to be kept clean

5.1.2 An owner or occupier of premises shall maintain any footpath, pavement, area or right of way immediately adjacent to the premises clear of any rubbish, matter or other things coming from or belonging to the premises.

Public Vehicles to be kept clean

5.1.3 The owner or person in control of a public vehicle shall—

- (a) maintain the vehicle at all times—
 - (i) in a clean condition; and
 - (ii) free from vectors of disease; and
- (b) whenever directed to do so by the Environment Health Officer, thoroughly clean and disinfect the vehicle as directed.

Transportation, Use and Storage of Offal, Blood, or other Offensive Matter

5.1.4(1) A person shall not transport or store offal or blood, for the purpose of being used as manure, unless it has been sterilised by steam and properly dried.

(2) No person shall remove any offensive matter unless such offensive matter is carried in sealed containers to prevent the escape of any of the contents thereof, or the emission of any offensive odour there from.

(3) Every person using any sealed containers or vehicle for the removal of offensive matter shall keep such container or vehicle in a thoroughly clean condition and in good repair.

Use or Storage of Fertiliser

5.1.5 An owner or occupier of premises shall not use or keep for the purpose of use, as fertiliser any

- (a) pig manure;
- (b) human faeces; or
- (c) urine.

Storage and Dispatch of Artificial Fertiliser

5.1.6 An owner or occupier of premises where fertiliser is stored in bulk for sale shall—

- (a) keep all artificial fertiliser in a building—
 - (i) of which all internal surfaces are constructed of durable and non-absorbent materials, finished internally with a smooth surface;
 - (ii) that protects it from the absorption of moisture; and
 - (iii) that is adequately ventilated;

- (b) take adequate measures to prevent the emission of dust or offensive effluvia from the building;
and
- (c) ensure that all artificial fertiliser despatched from the premises is handled and loaded in such a manner as to prevent any nuisance arising during transit.

Storage of Fertiliser in a House

5.1.7 The owner or occupier of a house where fertiliser or compost is stored or used shall—

- (a) prevent the escape of odours, dust or particles of fertiliser or compost;
- (b) treat the fertiliser or compost in such a manner as to effectively prevent it attracting or being a breeding place for flies or other vectors of disease; and
- (c) store only such amounts of fertiliser or compost—
 - (i) as can be readily used within a reasonable period; or
 - (ii) as may be directed by an Environmental Health Officer.

Vehicles Used for Transporting of Animals and Birds

5.1.8 No person having the control or management of any vehicle in which animals or birds are being or have been transported or confined shall allow such vehicle to stand within a town site until the vehicle has been thoroughly cleaned.

Division 2—Keeping of Animals

Slaughter of Animals

5.2.1(1) Subject to subsection (2), a person shall not slaughter any animal within the district.

(2) Subsection (1) does not apply to—

- (a) euthanasia of animals by veterinarians or other duly authorised persons;
- (b) slaughter of animals for the purposes of pet meat and game meat operations—
- (c) slaughter of animals for human consumption in abattoirs approved by the local government; and
- (d) farming or grazing property occupiers preparing meat for their own consumption.

Disposal of Dead Animals

5.2.2(1) An owner or operator of a veterinary practice where dead animals are kept for more than 12 hours, shall refrigerate the carcass prior to its removal and disposal, at an approved disposal site.

(2) An owner or occupier of premises, other than a veterinary practice, on which there is a dead animal shall immediately remove the carcass for its disposal at an approved disposal site.

(3) An owner, or a person having the care, of any animal that dies or is killed in a public or private place shall as soon as possible remove the carcass and arrange for its disposal at an approved disposal site.

Division 3— Feedlots

Interpretation

5.3.1 For the purpose of this division—

- “**feedlot**” means a confined area with watering and feeding facilities where animals or birds are held and fed for the purpose of weight gain;
- “**animal**” includes sheep, lambs, goats, deer, cattle and buffalo;
- “**birds**” includes roosters, hens, geese, turkeys, ducks, poultry, emus and ostriches.

Premises to be approved

5.3.2(1) No premises shall be used as a feedlot unless approved by the local government;

(2) Subject to subsection (3), no premises shall be approved as a feedlot by the local government unless every portion of such feedlot complies with the minimum separation distances listed in Table 1; and

(3) Sites unable to satisfy the separation requirements may be approved at the discretion of the local government, if the local government is satisfied that approving the feedlot will not give rise to a health nuisance.

Table 1. Required Buffer Distances for Feedlots

Buffer	Distance
Town site boundaries	5000m
Isolated rural dwellings, dairies & industries....	1000m
Public roads and recreation areas	100m
Neighbouring rural property boundaries	50m
Major water course and water impoundments	300m
Bores, wells or soaks used for drinking, stock or irrigation	300m
Minor water courses	100m

Site Conditions

5.3.3(1) The owner or occupier of the approved feedlot shall ensure the premises—

(a) is sited on gently sloping land, no greater than 1:20 but not less than 1:100;

(b) is sited on soils composed of sandy loam soils with sufficient infiltration to avoid surface ponding and run-off;

(c) has a minimum groundwater clearance of 3 metres;

(d) drainage diverts all uncontaminated stormwater from the general waste stream;

(e) has solid and liquid waste disposal arrangements that are not offensive or injurious to health.

(2) The owner or occupier of the approved feedlot shall take effective measures to prevent the discharge of dust which may involve—

(a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or

(b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or

(c) provision of adequate windbreaks to effectively prevent the discharge of dust.

Division 4—Piggeries

Interpretation

5.4.1 For the purpose of this division—

“**intensive piggery**” means pigs are housed, fed and watered in breeding and growing pens in sheds;

“**piggery**” in relation to premises shall include any portion of premises to which the pigs have access.

Premises to be Approved

5.4.2(1) No premises shall be used as a piggery unless approved by the local government;

(2) Subject to subsection (3), no premises shall be approved as a piggery by the local government unless every portion of such piggery complies with the minimum

separation distances listed in Table 2; or if it is an intensive piggery, the minimum separation distances listed in Table 3; and

(3) Sites unable to satisfy the separation requirements may be approved at the discretion of the local government, if the local government is satisfied that approving the piggery will not give rise to a health nuisance.

Table 2. Required Buffer Distances for Piggeries

Buffer	Distances
Town site boundaries	5,000m
Isolated rural dwellings, dairies & industries	1,000m
Public roads and recreation areas	100m
Neighbouring rural property boundaries	50m
Major water course and water impoundments	300m
Bores, wells or soaks used for drinking, stock or irrigation	300m
Minor water courses	100m

Site Conditions

5.4.3 The owner or occupier of premises shall take effective measures to prevent the discharge of dust which may involve—

- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or
- (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
- (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

Prevention of Nuisances

5.4.4 In order to prevent dust, offensive fumes and effluent becoming a nuisance to the health of the inhabitants of the district, an intensive piggery shall comply with the minimum separation distances listed in Table 3.

Table 3. Required Buffer Distances for Intensive Piggeries

	Town site Boundaries	Isolated rural dwellings, dairies, industries	Public roads, recreation areas	Neighbouring rural property boundaries	Surface water supply catchments	Water courses/rural water impoundments	Bores/wells/soaks Drinking water supply	Stock irrigation supply
Piggeries & facilities catering for	5,000 m	300 m	200m	50m	Not permitted	300m	300m	100 m

more than 5000 pigs								
500-5000 pigs	3,500 m	300 m	150m	50m	Not permitted	300m	300m	100 m
50-499 pigs	2,000 m	300 m	100m	50m	Not permitted	300m	300m	100 m
Less than 50 pigs	500m	300 m	50m	30m	Not permitted	200m	300m	100 m
Land used to dispose of raw or partly treated wastes	1,000 m	300 m	100m	50m	Not Permitted	300m	300m	300 m
Land used to dispose of effectively treated wastes	200m	50m	20m	20m	Not permitted	100m	100m	100 m

PART 6—PEST CONTROL
Division 1—Flies

Interpretation

6.1.1 In this Division, unless the context otherwise requires—

“flies” means any of the two-winged insects constituting the order Diptera commonly known as flies.

Fly breeding matter not to be left on Premises unless covered or Treated

6.1.2 An owner or occupier of premises shall not place, throw or leave, or permit or cause to be placed, thrown or left in, on or about the premises any matter or thing

which is liable to attract or be a breeding place for flies, unless that matter or thing is covered, protected, treated or dealt with in such a manner as to effectively prevent it from attracting or being a breeding place for flies.

Measures to be taken by an Occupier

6.1.3 An owner or occupier of premises shall ensure that—

- (a) rubbish receptacles are kept clean and tightly sealed at all times except when refuse is being deposited or emptied;
- (b) food scraps and uneaten pet food are wrapped tightly and deposited in a rubbish receptacle without delay;
- (c) lawn clippings used on gardens as mulch are raked out thinly;
- (d) fertilisers are dug well into the soil;
- (e) compost heaps are kept well covered;
- (f) barbecues are kept clean and free from food scraps;
- (g) anything that is buried and may attract or be a breeding place for flies is covered with at least 100 millimetres of soil; and
- (h) excrement from pets is collected and properly disposed of without delay.

Officer may give Notice directing Measures to be taken

6.1.4 Where in the opinion of an Environmental Health Officer, flies are prevalent or are breeding on any premises, the Environmental Health Officer may give to the owner or occupier of the premises notice in writing directing him or her to take, within the time specified in the notice, such measures as in the opinion of the Environmental Health Officer are necessary to—

- (a) control the prevalence;
- (b) effect the eradication; or
- (c) effectively prevent the breeding

of flies.

Local government may Execute Work and Recover Costs

6.1.5(1) Where—

- (a) a person is required under this Division or directed by a notice given under section 6.1.4, to execute any work; and
- (b) that person fails or neglects to comply with the requirement,

the local government may execute the work and may recover from that person the cost of executing the work, in addition to any penalty for which that person may be liable under these local laws.

(2) The costs and expenses incurred by the local government in the execution of a power under subsection (1) may be recovered in a court of competent jurisdiction from the person referred to in subsection (1).

(3) The local government shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government under this Section, except to the extent the person has suffered unreasonable loss or damage because the action taken by the local government was negligent or in breach of its duty.

Division 2—Mosquitoes

Interpretation

6.2.1 In this Division, unless the context otherwise requires—

“**mosquitoes**” means any of the two-winged insects constituting the family Diptera Culicidae commonly known as mosquitoes.

Measures to be taken to prevent mosquitoes breeding

6.2.2(1) An owner or occupier of premises shall ensure that the premises are kept free from possible mosquito breeding sites and shall—

- (a) follow any direction of an Environmental Health Officer for the purpose of—

- (i) controlling the prevalence of mosquitoes;
 - (ii) eradication; or
 - (iii) effectively preventing the breeding of mosquitoes.
- (b) assist the Environmental Health Officer to locate any possible mosquito breeding sites that may be present in or about the premises.
- (2) An owner or occupier of premises where water is kept in a horse trough, poultry drinking vessel or other receptacle shall—
- (a) frequently change the water; and
 - (b) keep the water clean and free from vegetable matter and slime.
- (5) (3) An owner or occupier of premises, where a septic tank is installed, shall ensure the fixture is in a sound condition at all times, with the inclusion of mesh covering any educt vent to the system, with openings no larger than 1.2 millimetres. Where there is a swimming pool on any premises where the circulation system does not function, or has not been used such that the pool water is green or stagnant and suitable for breeding mosquitoes, the owner or occupier shall, when required by a notice issued by an EHO —
- (a) reactivate the pool circulation system within a time specified and operate it so that the water is filtered for as many hours as may be specified; and/or
 - (b) chlorinate and adjust the pH of the pool to —
 - (i) 4 milligrams per litre free chlorine; and
 - (ii) pH within the range 7.2–7.6; or
 - (c) empty or drain the pool; or
 - (d) add a larvicide to the pool at the specified rate; or
 - (e) pour up to 1 litre of paraffin oil or kerosene onto the water surface of the pool; and
 - (f) maintain the pool water free of mosquito breeding.
- (4) An owner or occupier of land shall cause all drains and channels in or on the land to be kept in good order and free from obstruction.

The local government may Execute and Recover Costs

6.2.3(1) Where—

- (a) a person is required under this division or directed by a notice given under Section 6.2.2. to execute any work; and
 - (b) that person fails or neglects to comply with the requirement,
- the local government may execute the work and recover from that person the cost of executing the work, in addition to any penalty for which that person may be liable.
- (2) The costs and expenses incurred by the local government in the execution of a power under subsection (1) may be recovered in a court of competent jurisdiction from that person.
- (3) The local government shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government under subsection (1), except to the extent the person has suffered unreasonable loss or damage because the action taken by the local government was negligent or in breach of its duty.

Division 3—Rodents

Interpretation

6.3.1 In this Division, unless the context otherwise requires—

“rodents” means those animals belonging to the order Rodentia and includes rats, mice and rabbits but does not include animals kept as pets in an enclosure designed for the purpose of keeping as pets animals of that kind.

Measures to be taken to eradicate Rodents

6.3.2(1) An owner or occupier of premises shall at all times take effective measures to

eradicate any rodents in or on the premises.

(2) An Environmental Health Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action, in the opinion of the Environmental Health Officer, is necessary or desirable to prevent or deter the presence of rodents in or on the premises.

(3) An owner or occupier shall within the time specified comply with any direction given by an Environmental Health Officer under this Section.

Food and Wastes to be kept in rodent proof Receptacles

6.3.3 A person shall not place or cause to be placed in or on any premises, and an owner or occupier of premises shall not permit to remain in or on the premises—

(a) any stored food, refuse or other waste matter which might attract rodents to the premises or which might afford harbourage for rodents; or

(b) any stored food intended for birds or other animals,

unless it is contained in a rodent proof receptacle or a compartment which is kept effectively protected against access by rodents.

Restrictions on the Keeping of Rodents

6.3.4 A person or body which keeps rodents shall—

(a) at all times ensure that all live rodents are kept in the effective control of a person or in locked cages; and

(b) if a rodent escapes, forthwith comply with the requirements of Section 6.3.2 and ensure that all reasonable steps are taken to destroy or recapture the rodent.

Food Premises etc. to be cleaned after Use

6.3.5 An owner or occupier of a food premises, theatre or place of entertainment, whether indoor or outdoor, shall cause the premises to be cleaned immediately after the last occasion on which the premises has been used on that day or, if the use extends after midnight, then immediately after that use.

Division 4— Cockroaches

Interpretation

6.4.1 In this Division, unless the context otherwise requires—

“**cockroach**” means any of the various orthopterous insects commonly known as cockroaches.

Measures to be taken to eradicate Cockroaches

6.4.2(1) An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.

(2) An Environmental Health Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action that, in the opinion of the Environmental Health Officer, is necessary or desirable to prevent or deter the presence of cockroaches in or on the premises.

(3) An owner or occupier shall within the time specified comply with any direction given by an Environmental Health Officer under this Section.

Division 5— Argentine Ants

Interpretation

6.5.1 In this Division, unless the context otherwise requires—

“**Argentine Ant**” means an ant belonging to the species *Irdomyrmex humilis*.

Measures to be taken to keep premises free from Argentine Ants

6.5.2 An owner or occupier of premises shall ensure that the premises are kept free from Argentine Ant colonies and shall—

- (a) take all steps to locate any nests, if Argentine Ants are noticed in, on or about the premises;
- (b) properly treat all nests of Argentine Ants with an approved residual based insecticide; and
- (c) whenever required by an Environmental Health Officer—
 - (i) treat any area or infestation with an insecticide referred to in paragraph (b); and
 - (ii) removed any objects, including timber, firewood, compost or pot plants in accordance with a direction from the Environmental Health Officer.

Division 6— European Wasps

Interpretation

6.6.1 In this Division, unless the context otherwise requires—

“**European Wasp**” means a wasp *Vespula germanica*.

Measures to be taken to keep premises free from European Wasp Nests

6.6.2 An owner or occupier of premises shall ensure that the premises are kept free from European Wasp nests and shall—

- (a) follow any direction of an Environmental Health Officer for the purpose of destroying the wasps and their nest; and
- (b) assist an Environmental Health Officer to trace any nest that may be present in, on or about the premises.

Division 7—Bee keeping

Interpretation

6.7.1 In this Division, unless the context otherwise requires—

“**bees**” means an insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee.

Restrictions on keeping of Bees in Hives

6.7.2(1) A person shall not keep or permit the keeping of bees anywhere within the district unless approval to do so has been given by the local government.

(2) If, in the opinion of an Environmental Health Officer, the approved bee hives are causing a nuisance, the local government may direct any bees or approved bee hives to be removed.

(3) A person shall comply with a direction within the time specified.

Division 8—Arthropod Vectors of Disease

Interpretation

6.8.1 In this Division, unless the context otherwise requires—

“**Arthropod vectors of disease**” includes—

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularius*);
- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus var. corporis*); and
- (e) head lice (*Pediculus humanus var. capitis*).

Responsibility of the Owner or Occupier

6.8.2 The owner or occupier of premises shall—

- (a) keep the premises and any person residing in or on the premises, free from

- any arthropod vectors of disease; and
- (b) comply with the direction of an Environmental Health Officer to treat the premises, or anything on the premises, for the purpose of destroying any arthropod vectors of disease.

PART 7—INFECTIOUS DISEASES

Division 1—General Provisions

Requirements for an owner or occupier to clean, disinfect and disinfect.

7.1.1(1) The local government or an Environmental Health Officer may, by notice in writing, direct an owner or occupier of premises, within the time and in the manner specified in the notice, to clean, disinfect and disinfect—

- (a) the premises; or
 - (b) such things in or on the premises as are specified in the notice, or both, to the satisfaction of an Environmental Health Officer.
- (2) An owner or occupier shall comply with a notice given under subsection (1).

Environmental Health Officer may disinfect or disinfect premises

7.1.2(1) Where the local government or the Medical Officer is satisfied that any case of infectious disease has occurred on any premises, the local government or the Medical Officer may direct an Environmental Health Officer, other local government officer or other person to disinfect and disinfect the premises or any part of the premises and anything in or on the premises.

(2) An owner or occupier of premises shall permit, and provide access to enable, an Environmental Health Officer, other local government officer or other person to carry out the direction given under subsection (1).

(3) The local government may recover, in a court of competent jurisdiction, the cost of carrying out the work under this Section from the owner or occupier of the premises in or on which the work was carried out.

(4) The local government shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government under this Section, except to the extent the person has suffered unreasonable loss or damage because the action taken by the local government was negligent or in breach of its duty.

Insanitary houses, premises and things

7.1.3(1) An owner or occupier of any house or premises shall maintain the house or premises free from any insanitary condition or thing.

(2) Where an Environmental Health Officer considers that a house is insanitary, the officer may, by notice in writing, direct an owner of the house, within the time and in the manner specified in the notice, to amend the house.

(3) Where an Environmental Health Officer considers that—

- (a) a house or premises is not being maintained in a sanitary condition; or
- (b) anything is in sanitary,

the officer may, by notice in writing, direct, as the case may be—

- (i) the owner or occupier of the house or premises to amend any insanitary condition; or
- (ii) the owner or occupier of the thing to destroy or amend it, within the time and in the manner specified in the notice.

(4) A person to whom a notice has been given under subsections (2) or (3) shall comply with the terms of the notice.

Medical Officer may authorise disinfecting

7.1.5(1) Where the Medical Officer believes that a person is or may be infected by an infectious disease, the Officer may direct the person to have his or her body, clothing and effects disinfected at a place and in a manner directed by the Medical Officer.

(2) A person shall comply with any direction of the Medical Officer under this Section.

Persons in contact with an infectious disease sufferer

7.1.6 If a person in any house is, or is suspected of, suffering from an infectious disease, any occupant of the house or any person who enters or leaves the house—

- (a) shall obey such instructions or directions as the Local government or the Medical Officer may issue;
- (b) may be removed, at the direction of the Local government or the Medical Officer to isolation in an appropriate place to prevent or minimise the risk of the infection spreading and if so removed, shall remain in that place until the Medical Officer otherwise directs.

Declaration of infected house or premises

7.1.7(1) To prevent or check the spread of infectious disease, the local government or the Medical Officer may from time to time declare any house or premises to be infected.

(2) A person shall not enter or leave any house or premises declared to be infected without the written consent of the Medical Officer or an Environmental Health Officer.

Destruction of infected animals

7.1.8(1) An Environmental Health Officer, upon being satisfied that an animal is or may be infected or is liable to be infected or to convey infection may, by notice in writing, direct that the animal be examined by a registered veterinary officer and that all steps be taken to enable the condition to be controlled or eradicated or the animal destroyed and disposed of—

- (a) in the manner and within the time specified in the notice; and
- (b) by the person in whose possession, or upon whose premises, the animal is located.

(2) A person who has in his or her possession or upon premises occupied by him or her, an animal which is the subject of a notice under subsection (1) shall comply with the terms of the notice.

Disposal of a body

7.1.9(1) An occupier of premises in or on which is located the body of a person who has died of any infectious disease shall, subject to subsection (2), cause the body to be buried or disposed of in such manner, within such time and with such precautions as may be directed by the Medical Officer.

(2) A body shall not be removed from premises where death occurred except to a morgue.

The local government may carry out work and recover costs

7.1.10(1) Where—

- (a) a person is required under this Division or by a notice given under this Division, to carry out any work; and
- (b) that person fails or neglects to comply with the requirement, that person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.

(2) The costs and expenses incurred by the local government in the execution of a power under this Section may be recovered in a court of competent jurisdiction from the person referred to in subsection (1) (a).

(3) The local government shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government under this Section, except to the extent the person has suffered unreasonable loss or damage because the action taken by the local government was negligent or in breach of its duty.

Division 2—Disposal of used Condoms and Needles

Disposal of used condoms

7.2.1(1) An occupier of premises on or from which used condoms are produced shall ensure that the condoms are—

(a) placed in a sealed impervious container and disposed of in a sanitary manner; or

(b) disposed of in such a manner as may be directed by the Local government.

(2) A person shall not dispose of a used condom in a public place except in accordance with subsection (1).

Disposal of used needles

7.2.2 A person shall not dispose of a used hypodermic syringe or needle in a public place unless it is placed in an impenetrable, leak-proof container and deposited in a refuse receptacle.

PART 8—LODGING HOUSES

Registration

Interpretation

8.1.1 In this Part, unless the context otherwise requires —

bed means a single sleeping berth only, and a double bed provided for the use of couples has the same floor space requirements as two single beds;

bunk means a sleeping berth comprising one of two beds arranged vertically;

dormitory means a building or room utilised for sleeping purposes at a short term hostel or a recreational campsite;

Food Standards Code means the Australia New Zealand Food Standards Code as defined in the Commonwealth *Food Standards Australia New Zealand Act 1991*;

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

laundry unit means a group of facilities consisting of —

- i. a washing machine with a capacity of not less than 4 kilograms weight of dry clothing;
- ii. one wash trough of not less than 36 litres capacity, connected to both hot and cold water;
- iii. either an electric drying cabinet or not less than 30 metres of clothes line; and
- iv. a hot water system that —

is capable of delivering an adequate supply of water 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 0.076 litres per second to each washing machine;

lodger means a person who obtains, for hire or reward, board or lodging in a lodging house;

lodging house includes a recreational campsite, a serviced apartment, a short term hostel and any premises used for transient workforce accommodation;
manager means a person duly appointed by the keeper in accordance with this Division to reside in, and have the care and management of, a lodging house;
recreational campsite means a lodging house —

- i. recreational, sporting, religious, ethnic or educational pursuits;
or
- ii. conferences or conventions; and
- iii. 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 but does not include a camp or caravan within the meaning of the *Caravan Parks and Camping Grounds Act 1995*;

register of lodgers means the register kept in accordance with section 157 of the Act and this Part;

resident means a person other than a lodger, who resides in a lodging house;

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

short term hostel means a lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and includes a youth hostel or a backpacker hostel;

vector of disease means 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.

Where in this Part an act is required to be done or forbidden to be done in relation to any lodging house, the keeper of the lodging house has, unless the contrary intention appears, the duty of causing the act to be done, or of preventing the act so forbidden from being done, as the case may be.

Lodging house not to be kept unless registered

8.1.2 A person shall not keep or cause or allow to be kept a lodging house unless —

- (a) the lodging house is constructed in accordance with the requirements of this Part;
- (b) the lodging house is registered by the local government under clause 8.4;
- (c) the name of the person keeping or proposing to keep the lodging house is entered in the register of keepers; and
- (d) when required by the local government either —
 - i. the keeper; or
 - ii. a manager who, with the written approval of an EHO, has been appointed by the keeper to have the care and management of the lodging house,

resides or intends to reside continuously in the lodging house whenever there is one or more lodgers in the lodging house.

Application for registration

8.1.3 An application for registration of a lodging house shall be —

- a) in the form approved by the local government from time to time;
- b) duly completed and signed by the proposed keeper; and
- c) accompanied by —
 - (i) the approved fee as fixed from time to time by the local government under section 344C of the Act; and
 - (ii) detailed plans and specifications of the lodging house.

Approval of application

8.1.4 The local government may approve, with or without conditions, an application by issuing to the applicant a certificate of registration in the form approved by the local government from time to time.

Renewal of registration

8.1.5 A person who keeps a lodging house which is registered under this Part shall —

- a) during the month of June in each year apply to the local government for the renewal of the registration of the lodging house in the form approved by the local government from time to time; and
- b) pay the approved fee as fixed from time to time by the local government under section 344C of the Act at the time of making each application for renewal.

Notification upon sale or transfer

8.1.6 If the owner of a lodging house sells or transfers, or agrees to sell or transfer, the lodging house to another person, he or she shall, within 14 days of the date of sale, transfer or agree to give to the local government, in the form approved by the local government from time to time, written notice of the full name, address and occupation of the person to whom the lodging house has been, or is to be, sold or transferred.

Revocation of registration

8.1.7(1) Subject to subclause (3), the local government may, at any time, revoke the registration of a lodging house for any reason which, in the opinion of the local government, justifies the revocation.

(2) Without limiting the generality of subclause (1), the local government may revoke a registration upon any one or more of the following grounds —

- a) that the lodging house has not, to the satisfaction of the local government, been kept free from vectors of disease or remained in a clean and sanitary condition;
- b) that the keeper has —
 - i. been convicted of an offence against this local law in respect of the lodging house;
 - ii. not complied with a requirement of this Part; or
 - iii. not complied with a condition of registration;

- c) that the local government, having regard to a report from the Police, is satisfied that the keeper or manager is not a fit and proper person; and
- d) that, by reason of alterations or additions or neglect to repair and renovate, the condition of the lodging house is such as to render it, in the opinion of the local government, unfit to remain registered.

(3) Before revoking the registration of a lodging house under this local law, the local government shall give notice to the keeper requiring him or her, within a time specified in the notice, to show cause why the registration should not be revoked.

(4) Whenever the local government revokes the registration of a lodging house, it shall give the keeper notice of the revocation and the registration shall be revoked as from the date on which the notice is served on the keeper.

Division 2 Construction and use requirements

General construction requirements

8.2.1 The construction of a lodging house shall comply with the Building Code and the Act.

Sanitary conveniences

8.2.2(1) A keeper shall maintain in good working order and condition and in convenient positions on the premises—

- (a) toilets; and
- (b) bathrooms, each fitted with a hand wash basin and either a shower or a bath,
in accordance with the requirements of the Building Code.

(2) A bathroom or toilet which is used as a private bathroom or toilet to the exclusion of other lodgers or residents shall not be counted for the purposes of subsection (1).

(3) Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.

(4) The walls of each shower and bath shall be of an impervious material to a minimum height of 1.8 metres above the floor level.

(5) Each toilet and bathroom shall—

- (a) be situated, separated and screened as to ensure privacy;
- (b) be apportioned to each sex;
- (c) have a distinct sign displayed in a prominent position denoting the sex for which the toilet or bathroom is provided; and
- (d) be provided with adequate electric lighting.

(6) Paragraphs (b) and (c) of subsection (5) do not apply to a serviced apartment.

Laundry

8.2.3(1) A keeper shall —

(a) subject to subsection (2) —

- (i) in the case of a recreational campsite, provide on the premises a laundry consisting of at least one 45 litre stainless steel trough;
and
- (ii) in any other case, provide on the premises a laundry unit for each 15 lodgers;

(b) at all times maintain each laundry or laundry unit in a proper sanitary condition and in good repair;

(c) provide an adequate supply of hot and cold water to each wash trough, sink, or washing machine; and

- (d) ensure that the floor area of each laundry or laundry unit is properly surfaced with an even fall to a floor waste.

(2) An EHO may approve the provision of a reduced number of laundry units if suitable equipment of a commercial type is installed.

Kitchen

8.2.4 A keeper of a lodging house shall provide in that lodging house a kitchen —

- (a) which has a minimum floor area of —
 - (i) where lodgers prepare their own meals – 0.65 square metres per person; or
 - (ii) where meals are provided by the keeper or manager – 0.35 square metres per person; or
 - (iii) where a kitchen and dining room are combined – 1 square metre per person, but in any case not less than 16 square metres;

(b) which has adequate —

- (iv) food storage facilities and cupboards to prevent contamination of food, or cooking or eating utensils, by dirt, dust, flies or other vectors of disease of any kind; and
- (v) refrigerator space for storage of perishable goods; and

(c) that complies with the requirements of Chapter 3 of the Australia New Zealand Food Standards Code.

Dining room

8.2.5 The keeper of a lodging house shall provide in that lodging house a dining room —

- a) located in close proximity to, or combined with, the kitchen;
- b) the floor area of which shall be 0.5 square metres per person or not less than 10 square metres whichever is the greater; and
- c) which shall be —
 - (vi) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (vii) provided with a suitable floor covering.

Lounge room

8.2.6 The keeper of a lodging house shall provide in that lodging house, a lounge room —

- (a) with a floor area of —
 - (i) where the lounge is not combined with the dining room, not less than 0.6 square metres per person; or
 - (ii) where the lounge room is combined with a dining room, not less than 1.2 square metres per personbut in either case having a minimum of 13 square metres; and
- (b) which shall be —
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

Fire prevention and control

8.2.7 (1) The keeper of a lodging house must —

- (a) in each passage in the lodging house provide an emergency light —
 - (i) in the position and pattern approved by an EHO; and
 - (ii) which must be kept separate from the general lighting system and kept illuminated during the hours of darkness;
- (b) provide an approved fire blanket positioned within 2 metres of the cooking area in each kitchen;
- (c) ensure that each exit sign and fire-fighting appliance is clearly visible, accessible and maintained in good working order at all times; and
- (d) ensure all fire-fighting equipment and fire detection and alarm systems are adequately maintained at all times in such a condition as will enable their proper performance.

(2) The keeper of a lodging house must ensure that all buildings comprising the lodging house are fitted with fire protection equipment in accordance with the Building Code.

(3) No 'No Smoking' signs are to be displayed in all rooms for sleeping unless otherwise agreed with an EHO.

Obstruction of passages and stairways

8.2.8 A keeper shall not cause or allow furniture, fittings or other things to be placed either temporarily or permanently in or on —

- (a) a stairway, stair landing, fire-escape, window or common passageway; or
- (b) part of the lodging house in common use or intended or adapted for common use

in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging house.

Fitting of locks

8.2.9 A person shall not fit, or cause or permit to be fitted, to an exit door a lock or other device which prevents the door being opened from within a lodging house.

Restriction on use of rooms for sleeping

8.2.10 (1) Subject to subclause (3) and clause 8.3.10, a keeper shall not use or permit to be used as a sleeping apartment, a room in a lodging house —

- (a) which contains food;
- (b) which contains or is fitted with a cooking appliance or kitchen sink;
- (c) which is used as a kitchen, scullery, storeroom, dining room, general sitting room or lounge room, or for the preparation or storage of food;
- (d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;
- (e) which, except in the case of a short term hostel or a recreational campsite, contains less than 5.5 square metres of clear space for each lodger occupying the room;

- (f) which is naturally illuminated by windows having a ratio of less than 0.1 square metres of unobstructed glass to every 1.0 square metre of floor area;
 - (g) which is ventilated at a ratio of less than 0.5 square metres of unobstructed ventilating area to every 10 square metres of floor area;
 - (h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;
 - (i) which is not free from internal dampness;
 - (j) of which any part of the floor is below the level of the adjoining ground; or
 - (k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by an EHO.
- (2) For the purposes of this clause, 2 children under the age of 10 years are counted as 1 lodger.
- (3) Paragraphs (a), (b) and (c) of subclause (1) do not apply to a serviced apartment.

Sleeping accommodation—short term hostels and recreational campsites

8.2.11 (1) A keeper of a short term hostel or recreational campsite shall provide clear floor space of not less than —

- (a) 4 square metres per person in each dormitory utilising beds; and
 - (b) 2.5 square metres per person in each dormitory utilising bunks.
- (2) The calculation of floor space in subclause (1) shall exclude the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.
- (3) The minimum height of any ceiling in a short term hostel or recreational campsite shall be 2.4 metres in any dormitory utilising beds, and 2.7 metres in any dormitory utilising bunks.
- (4) The minimum floor area requirements in subclause (1) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the Building Code.
- (5) The keeper of any short term hostel or recreational campsite shall provide —
- (a) fixed outlet ventilation at a ratio of 0.15 square metres to each 10 square metres of floor area of the dormitories, and shall ensure that dormitories are provided with direct ventilation to the open air from a point within 230 millimetres of the ceiling level through a fixed open window or vents, carried as direct to the open air as is practicable; and
 - (b) mechanical ventilation in lieu of fixed ventilation, subject to the approval of the local government.
- (6) The keeper of any short term hostel or recreational campsite shall provide —
- (a) beds with a minimum size of —
 - (i) in short term hostels — 800 millimetres x 1.9 metres; and
 - (ii) in recreational campsites — 750 millimetres x 1.85 metres; and
 - (b) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.
- (7) The keeper of any short term hostel or recreational campsite shall —
- (a) arrange at all times a distance of 750 millimetres between beds, and a distance of 900 millimetres between bunks;
 - (b) ensure that, where bed or bunk heads are placed against the wall on either side of a dormitory, there is a passageway of at least 1.35 metres between each row of beds and a passageway of at least 2 metres between each row of bunks, and shall ensure that the passageway is kept clear of obstruction at all times; and
 - (c) ensure all doors, windows and ventilators are kept free of obstruction.

- (8) The keeper of a short term hostel or recreational campsite shall ensure that —
- (a) materials used in dormitory areas comply with AS 1530.2—1993 and AS/NZS 1530.3:1999 as follows —
 - (i) Drapes, curtains, blinds and bedcovers —
a maximum Flammability Index of 6;
 - (ii) Upholstery & bedding —
a maximum Spread of Flame Index of 6; and
a maximum Smoke Developed Index of 5;
 - (iii) Floor coverings —
a maximum Spread of Flame Index of 7; and
a maximum Smoke Developed Index of 5;
 - (b) Fire retardant coatings used to make a material comply with the indices set out in subclause (8)(a) must be —
 - (i) certified by the manufacturer as approved for use with the fabric to achieve the required indices;
 - (ii) certified by the manufacturer to retain its fire retardative effect after a minimum of 5 commercial dry cleaning or laundering operations carried out in accordance with AS 2001.5.4—2005, Procedure 7A, using ECE reference detergent; and
 - (iii) certified by the applicator as having been carried out in accordance with the manufacturer's specification;
 - (c) emergency lighting is provided in accordance with the Building Code;
 - (d) a lodger or other person does not smoke in any dormitory, kitchen, dining room or other enclosed public place within a short term hostel or recreational campsite; and
 - (e) all mattresses in a short term hostel or recreational campsite are fitted with a mattress protector.

Furnishing of rooms

8.2.12 (1) A keeper shall —

- (a) furnish each sleeping room with a sufficient number of beds and sufficient bedding of good quality;
- (b) ensure that each bed —
 - (i) has a bed head, mattress and pillow; and
 - (ii) is provided with a pillow case, mattress cover, two sheets, a blanket or rug and, from 1 May to 30 September, not less than one additional blanket or rug; and
- (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room.

(2) A keeper shall not cause or allow any tiered beds or bunks to be used in a sleeping apartment.

(3) The sheets and blankets required to be provided by subclause (1) (b) (ii), shall be deemed to have been provided by the keeper, where the keeper offers them for hire to the lodgers. In such circumstances, each lodger must either provide his own clean sheets or hire them from the keeper.

(4) In a short-term hostel or recreational campsite, the storage facilities required by subclause (1) (c) may be located in a separate secure storage room or locker room.

Ventilation

8.2.13 If, in the opinion of an EHO, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, he or she may direct the keeper to provide a different or additional method of ventilation.

Numbers to be placed on doors

8.2.14 (1) A keeper shall number each room available to a lodger or provide an alternative means of identification approved by an EHO.

(2) The number or alternate means of identification is to be legible and easily identified.

*Division 3 Management and Care***Keeper or manager to reside in the lodging house**

8.3.1 No keeper of a lodging house shall absent himself from such house, unless he leaves some reputable person in charge thereof.

Register of lodgers

8.3.2 (1) A keeper shall keep a register of lodgers in the form approved by the local government from time to time.

(2) The register of lodgers shall be —

- (a) kept in the lodging house; and
- (b) open to inspection at any time on demand by any member of the Police Force or by an EHO.

Keeper report

8.3.3 A keeper shall, whenever required by the local government, report to the local government, in the form approved by the local government from time to time, the name of each lodger who lodged in the lodging house during the preceding day or night.

Certificate in respect of sleeping accommodation

8.3.4 (1) An EHO may issue to a keeper, a certificate, in respect of each room, which shall be in the form approved by the local government from time to time.

(2) The certificate issued under subclause (1) shall specify the maximum number of persons permitted to occupy each room of a sleeping apartment at any one time.

(3) When required by an EHO, a keeper shall exhibit the certificate issued under this clause in a conspicuous place in the room to which it refers.

(4) A person shall not cause or allow a greater number of persons than is specified on a certificate issued under this clause to occupy the room to which it refers.

Duplicate keys and inspection

8.3.5 Each keeper and manager of a lodging house shall —

- (a) retain possession of a duplicate key to the door of each room; and
- (b) when required by an EHO, open the door of any room for the purposes of inspection by the EHO.

Room occupancy

8.3.6 (1) A keeper shall not —

- (a) cause or allow more than the maximum number of persons permitted by the certificate of registration of the lodging house to be lodged at any one time in the lodging house;
- (b) cause or allow to be placed or kept in any sleeping apartment —
 - (i) a larger number of beds; or
 - (ii) larger quantity of bedding, than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and
- (c) use, or cause, or allow to be used, for sleeping purposes, a room that —
 - (i) has not been certified for that purpose; and
 - (ii) the local government has forbidden to be used as a sleeping apartment.

(2) For the purpose of this clause, 2 children under 10 years of age shall be counted as 1 lodger.

Maintenance of a room by a lodger or resident

8.3.7 (1) A keeper may permit, or contract with, a lodger or resident to service, clean or maintain the room or rooms occupied by the lodger or resident.

(2) Where permission is given or a contract entered into under subclause (1), the keeper shall —

- (a) inspect each room the subject of the permission or agreement at least once a week; and
- (b) ensure that each room is being maintained in a clean condition.

(3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, shall maintain the room in a clean condition.

Cleaning and maintenance requirements

8.3.8 (1) In this clause —

bed linen includes sheets, pillow cases and mattress covers.

(2) A keeper of a lodging house shall —

- (a) maintain in a clean, sound and undamaged condition —
 - (i) the floor, walls, ceilings, woodwork and painted surfaces;
 - (ii) the floor coverings and window treatments; and
 - (iii) the toilet seats;
- (b) maintain in a clean condition and in good working order —
 - (i) all fixtures and fittings; and
 - (ii) windows, doors and door furniture;
- (c) ensure that the internal walls of each bathroom and toilet are painted so as to maintain a smooth impervious washable surface;
- (d) ensure that all floors are kept clean at all times;
- (e) ensure that —
 - (i) all bed linen, towels, and house linen in use are washed at least once a week;

- (ii) within a reasonable time of a bed having been vacated by a lodger or resident, or prior to the room being re-let, the bed linen is removed and washed;
- (iii) a person does not occupy a bed which has been used by another person unless the bed has been provided with clean bed linen;
- (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
- (v) when any vectors of disease are found in a bed, furniture, room or sleeping apartment, immediate effective action is taken to eradicate the vectors of disease; and
- (vi) a room which is not free from vectors of disease is not used as a sleeping apartment;
- (f) when so directed by an EHO, ensure that —
 - (i) a room, together with its contents, and any other part of the lodging house, is cleaned and disinfected; and
 - (ii) a bed or other article of furniture is removed from the lodging house and properly disposed of;
- (g) ensure that the yard is kept clean at all times;
- (h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting; and
- (i) comply with any direction, whether orally or in writing, given by an EHO.

Responsibilities of lodgers and residents

8.3.9 A lodger or resident shall not —

- (a) use any room available to lodgers —
 - (i) as a shop, store or factory; or
 - (ii) for manufacturing or trading services;
- (b) keep or store in or on the lodging house any goods or materials that are inflammable or offensive;
- (c) use a bath or hand wash basin other than for ablutionary purposes;
- (d) use a bathroom facility or fitting for laundry purposes;
- (e) use a sink installed in a kitchen or scullery for any purpose other than the washing and cleaning of cooking and eating utensils, other kitchenware and culinary purposes;
- (f) deposit rubbish or waste food other than into a proper rubbish receptacle;
- (g) in a kitchen or other place where food is kept —
 - (i) wash or permit the washing of clothing or bedding; or
 - (ii) keep or permit to be kept any soiled clothing or bedding;
- (h) subject to clause 8.31 —
 - (i) keep, store, prepare or cook food in any sleeping apartment; or
 - (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;
- (i) place or keep, in any part of a lodging house, any luggage, clothing, bedding, or furniture that is infested with vectors of disease;

- (j) store or keep such a quantity of furniture, material or goods within the lodging house —
 - (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
 - (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;
- (k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; or
 - (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

Approval for storage of food

8.3.10 (1) An EHO may –

- (a) upon written application from a keeper, approve the storage of food within a refrigerator or sealed container in a sleeping apartment; and
- (b) withdraw the approval if a nuisance or vector of disease infestation is found to exist in the lodging house.

(2) The keeper of a serviced apartment may permit the storage and consumption of food within that apartment if suitable storage and dining facilities are provided.

PART 9—OFFENSIVE TRADES

Division 1—General

Interpretation

9.1.1 In this Part, unless the context otherwise requires—

“**occupier**” in relation to premises includes the person registered as the occupier of the premises specified in the Certificate of Registration;

“**offensive trade**” means any one or more of the trades, businesses or occupations usually carried on, in or connected with, the following works or establishments—

- (a) fish processing premises, fish curing premises and shellfish and crustacean processing establishments;
- (b) laundries, dry cleaning premises and dye works; and
- (c) any trade as defined by Section 186 of the Act.

“**premises**” includes houses.

Consent to Establish an Offensive Trade

9.1.2 A person seeking the consent of the Local government under Section 187 of the Act to establish an offensive trade shall make application in the form prescribed in Schedule (9) and in accordance with the local government’s Town Planning Scheme.

False Statement

9.1.3 A person who makes a false statement in an application under Section 9.1.2 shall be guilty of an offence.

Registration of Premises

9.1.4 An application for the registration of premises pursuant to Section 191 of the Act shall be—

- (a) in the form prescribed in Schedule (10);
- (b) accompanied by the fee prescribed in the *Health (Offensive Trades Fees) Regulations 1976* as amended from time to time; and
- (c) lodged with the Chief Executive Officer.

Certificate of Registration

9.1.5 Upon the registration of premises for the carrying on of an offensive trade, the local government shall issue to the applicant a certificate in the form prescribed in Schedule (11).

Change of Occupier

9.1.6 Where there is a change of occupier of the premises registered pursuant to this Division, the new occupier shall forthwith notify the Chief Executive Officer in writing of such change.

Alterations to Premises

9.1.7 While any premises remain registered under this Division, a person shall not, without the written permission of the local government, make or permit any change or alteration whatever to the premises.

Division 2—General Duties of an Occupier

Interpretation

9.2.1 In this Division, unless the context otherwise requires—

“**occupier**” means the occupier, or where there is more than one occupier, each of the occupiers of the premises in or upon which an offensive trade is carried on; and
“**the premises**” means those premises in or upon which an offensive trade is carried on.

Cleanliness

9.2.2 The occupier shall—

- (a) keep or cause to be kept in a clean and sanitary condition and in a state of good repair the floors, walls and ceilings and all other portions of the premises;
- (b) keep or cause to be kept in a clean and sanitary condition and in a state of good repair all fittings, fixtures, appliances, machinery, implements, shelves, counters, tables, benches, bins, cabinets, sinks, drain boards, drains, grease traps, tubs, vessels and other things used on or in connection with the premises;
- (c) keep the premises free from any unwholesome or offensive odour arising from the premises;
- (d) maintain in a clean and tidy condition all yards, footpaths, passage ways, paved areas, stores or outbuildings used in connection with the premises; and
- (e) clean daily and at all times keep and maintain all sanitary conveniences and all sanitary fittings and grease traps on the premises in a clean and sanitary condition.

Rats and Other Vectors of Disease

9.2.3 The occupier shall—

- (a) ensure that the premises are kept free from rodents, cockroaches, flies and other vectors of disease; and
- (b) provide in and on the premises all effective means and methods for the eradication and prevention of rodents, cockroaches, flies and other vectors of disease.

Sanitary Conveniences and Hand Wash Basin

9.2.4 The occupier shall provide on the premises in an approved position sufficient sanitary conveniences and hand wash basins, each with an adequate supply of hot and cold water for use by employees and by all other persons lawfully upon the premises.

Painting of Walls etc.

9.2.5 The occupier shall cause the internal surface of every wall, the underside of every ceiling or roof and all fittings as may be directed in and on the premises to be cleaned and painted when instructed by an Environmental Health Officer.

Effluvia, Vapours, Gases or Dust

9.2.6 The occupier shall provide, use and maintain in a state of good repair and working order, appliances and preventive measures capable of effectively destroying or of rendering harmless all offensive effluvia, vapours, dust or gases arising in any process of his business or from any material, residue or other substance which may be kept or stored upon the premises.

Offensive Material

9.2.7 The occupier shall—

- (a) provide on the premises impervious receptacles of sufficient capacity to receive all offensive material and trade refuse produced upon the premises in any one day;
- (b) keep air-tight covers on the receptacles, except when it is necessary to place something in or remove something from them;
- (c) cause all offensive material and trade refuse to be placed immediately in the receptacles;
- (d) cause the contents of the receptacles to be removed from the premises at least once in every working day or at such other intervals as may be approved or directed by an Environmental Health Officer; and
- (e) cause all receptacles after being emptied to be cleaned immediately with an efficient disinfectant.

Storage of Materials

9.2.8 The occupier shall cause all material on the premises to be stored so as not to be offensive or injurious to health whether by smell or otherwise and so as to prevent the creation of a nuisance.

Specified Offensive Trade

9.2.9(1) For the purposes of this Section, “specified offensive trade” means one or more of the offensive trades carried on, in or connected with the following works or premises—

- (a) fish processing premises, fish curing premises, and shellfish and crustacean processing establishments; and
- (b) laundries, dry cleaning premises and dye works.

(2) Where premises are used for or in relation to a specified offensive trade, the occupier shall—

- (a) cause the floor of the premises to—
 - (i) be properly paved and drained with impervious material;
 - (ii) have a smooth surface; and
 - (iii) have a fall to a bucket trap or spoon drain in such a way that all liquids falling on the floor shall be conducted by the trap or drain to a drain inlet situated inside the building where the floor is situated;
- (b) cause the angles formed by the walls with any other wall, and by the wall with the floor, to be coved to a radius of not less than 25 millimetres; and
- (c) cause all liquid refuse to be—
 - (i) cooled to a temperature not exceeding 26 degrees Celsius and be in accordance with the *Metropolitan Water Supply, Sewerage and Drainage Board By-Laws 1981* before being discharged into any drain outlet from any part of the premises; and
 - (ii) directed through such screening or purifying treatment as an Environmental Health Officer may from time to time direct.

Directions

9.2.10(1) An Environmental Health Officer may give to the occupier directions to prevent or diminish the offensiveness of a trade or to safeguard the public health.

(2) The occupier shall comply with any directions given under this Section.

Other Duties of Occupier

9.2.11 In addition to the requirements of this Division, the occupier shall comply with all

other requirements of this Part that apply to the particular offensive trade or trades conducted on the premises.

Division 3—Fish Premises

Interpretation

9.3.1 In this Division, unless the context otherwise requires—

“**fish premises**” may include a fish processing establishment, fish curing establishment and a shellfish and crustacean processing establishment;

Duties of an Occupier

9.3.2 The occupier of a Fish premises shall—

- (a) not suffer or permit any decomposing fish to be kept on the premises where his trade is carried on for a longer period than is reasonably necessary to dispose of them;
- (b) cause all decomposing fish, to be immediately deposited in an impervious receptacle furnished with an airtight cover; and
- (c) cause the brine of pickle to be removed as often as is necessary to prevent it from becoming offensive.

Disposal of Waste

9.3.3 The occupier of a fish premises shall cause all offal and wastes, all rejected and unsaleable fish and any rubbish or refuse which is likely to be offensive or a nuisance to be—

- (a) placed in the receptacles referred to in 9.2.7 and disposed of in accordance with that Section; or
- (b) kept in a frozen state in an approved enclosure before its removal from the premises.

Fish Containers

9.3.4 The occupier of a fish premises shall not allow any container used for the transport of fish to—

- (a) remain on the premises longer than is necessary for it to be emptied; or
- (b) be kept so as to cause a nuisance or to attract flies.

Division 4—Laundries, Dry Cleaning Establishments and Dye Works

Interpretation

9.4.1 In this Division, unless the context otherwise requires—

“**dry cleaning establishment**”—

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

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

“**exempt laundromat**” means 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 there from into a public sewer;

“**laundromat**” means a public place with coin operated washing machines, spin dryers or dry cleaning machines; and

“laundry” means any places where articles are laundered for the purpose of trade but does not include an exempt laundromat.

Receiving Depot

9.4.2 An owner or occupier of premises shall not use or permit the premises to be used as a receiving depot for a laundry, dry cleaning establishment or dye works except with the written permission of the local government who may at any time by written notice withdraw such permission.

Reception Room

9.4.3(1) The occupier of a laundry or dry cleaning establishment or dye works shall—

- (a) provide a reception room in which all articles brought to the premises for treatment shall be received and shall not receive or permit to be received any such articles except in that room; and
- (b) cause such articles as may be directed by an Environmental Health Officer to be thoroughly disinfected to the satisfaction of the officer.

(2) A person shall not bring or permit food to be brought into the reception room referred to in this Section.

Walls and Floors

9.4.4 The occupier of a laundry, dry cleaning establishment or dye works shall cause—

- (a) the internal surfaces of all walls to be rendered with a cement plaster with a steel float finish or other approved material to a height of 2 metres with a smooth impervious surface;
- (b) the floor to be constructed of concrete and finished with a smooth impervious surface; and
- (c) every floor and wall of any building on the premises to be kept at all times in good order and repair, so as to prevent the absorption of any liquid which may be splashed or spilled or may fall or be deposited on it.

Laundry Floor

9.4.5 The occupier of a laundry shall provide in front of each washing machine a non-corrosive grating, at least 910 millimetres in width and so constructed as to prevent any person from standing in water on the floor.

Escape of Dust

9.4.6 The occupier of a dry cleaning establishment shall provide effective means to prevent the escape into the open air of all dust or other material from the premises.

Precautions Against Combustion

9.4.7 The occupier of a dry cleaning establishment where volatile liquids are used shall take all proper precautions against combustion and shall comply with all directions given by an Environmental Health Officer for that purpose.

Trolleys

9.4.8 The occupier of a dry cleaning establishment shall—

- (a) provide trolleys for the use of transporting dirty and clean linen; and
- (b) ensure that each trolley is—
 - (i) clearly designated to indicate the use for which it is intended;
 - (ii) lined internally with a smooth impervious non-absorbent material that is easily cleaned;and
 - (iii) thoroughly cleaned and disinfected on a regular basis.

Sleeping on Premises

9.4.9 A person shall not use or permit any room in a laundry, dry cleaning establishment or dye works to be used for sleeping purposes.

PART 10—OFFENCES AND PENALTIES

Division 1—General

Offences and penalties

10.1.1 (1) A person who contravenes a provision of this local law commits an offence.

(2) A person who commits an offence under subclause (1) is liable —

- a) to a penalty which is not more than \$2 500 and not less than
 - (i) in the case of a first such offence, \$250;
 - (ii) in the case of a second such offence, \$500; and
 - (iii) in the case of a third or subsequent such offence, \$1 250; and
- b) if the offence is a continuing offence a daily penalty which is not more than \$250 and not less than \$125.

Schedule 1
Shire of Mingenew
HEALTH ACT 1911
APPLICATION FOR REGISTRATION OF A LODGING HOUSE

To: Chief Executive Officer, Shire of Mingenew

I/We,
 (Full name of Applicant/s)

of.....
 (Residential Address of Applicant/s)

apply for the registration of premises situated (or to be situated) at

.....

as a lodging house to be classified as—

- * a lodging house;
- * a short term hostel;
- * recreational campsite;
- * transient workforce accommodation; or
- * serviced apartments

(* Specify which is to apply)

and for my name to be entered in the Register as the keeper of the lodging house.

DESCRIPTION OF LODGING HOUSE

Number of storeys.....

Rooms for private use

	Number	Area
Laundries/toilets/bathrooms
Bedrooms
Dining Rooms
Kitchens
Sitting Rooms
Other Rooms (specify)

Rooms for lodgers

	Number	Area
Bedrooms
Dining Rooms
Kitchens
Sitting Rooms
Other (specify)

Sanitary Conveniences for male lodgers

Number

- Toilets
- Urinals
- Baths
- Showers
- Hand wash basins

Sanitary Conveniences for female lodgers

Number

- Toilets
- Baths
- Showers
- Hand wash basins

Laundry Facilities

Number

- Wash troughs
- Washing machines
- Drying cabinets or clothes lines

Additional Details

- (a) Lodgers' meals will be provided by the manager/keeper/lodgers.
- (b) The keeper will / will not reside continuously on the premises.
- (c) Name and occupation of proposed manager if keeper resides elsewhere
.....
- (d) There will befamily members residing on the premises with the keeper /manager.

Application fee of \$ is attached.

.....
(Signature of Applicant/s)

.....
(Date)

Schedule 2
Shire of Mingenew
HEALTH ACT 1911
CERTIFICATE OF REGISTRATION OF A LODGING HOUSE

THIS is to certify that the premises situated at

..... are registered as a Lodging House and classified as—

- * a lodging house;
- * a short term hostel;
- * a recreational campsite;
- * transient workforce accommodation; or
- * serviced apartments.

until 30 June, on the following conditions—

1. That, whose name is entered on the register of keepers of the Shire of Mingenew, continues to be the keeper of the lodging house;
2. That, appointed by the keeper to be the manager of the lodging house continues to be the manager of the lodging house;
3. That the Certificate of Registration is not cancelled or revoked;
4. That the maximum number of rooms to be used as sleeping apartments for lodgers is; and
5. That the maximum number of lodgers accommodated on the premises shall not exceed
.....

This certificate of registration is issued subject to the *Health Act 1911* and the *Shire of Mingenew Health Local Laws* and is not transferable.

Dated

Fee Received: \$

.....
Environmental Health Officer.

Schedule 3
Shire of Mingenew
HEALTH ACT 1911
NOTICE OF CHANGE OF OWNER OF A LODGING HOUSE

To: Chief Executive Officer, Shire of Mingenew

I/We,

(Full Name of Applicant/s)

of

.....
(Residential Address of Applicant/s)

Am / are the new owner/s of premises situated at

.....

which are registered in the name of

.....

for the carrying on of the lodging house business.

.....
(Signature of Applicant/s)

.....
(Date)

Schedule 4
Shire of Mingenew
HEALTH ACT 1911
REGISTER OF LODGERS

Location of Lodging House

.....
.....

Date of Arrival	Name	Previous Address	Signature	Room No.	Date of Departure
--------------------	------	------------------	-----------	----------	----------------------

.....
.....
.....
.....
.....
.....

Schedule 5
Shire of Mingenew
HEALTH ACT 1911
LIST OF LODGERS

TO: The Chief Executive Officer, Shire of Mingenew

The following is the name of every person who resided in the lodging house at

.....
.....

on the day of

(Signed)
(Keeper)

Date:

Schedule 6
Shire of Mingenew
HEALTH ACT 1911
CERTIFICATE OF SLEEPING ACCOMMODATION FOR A LODGING HOUSE

To:

.....
(Name of Keeper)

of

.....
(Address of Keeper)

For the registered lodging house situated at

.....
.....

The rooms listed below are not to be occupied by more than the number of lodgers or residents indicated below.

ROOM NUMBER:

MAXIMUM OCCUPANCY

.....
.....
.....
.....
.....
.....
.....

Date:

.....
Environmental Health Officer.

Schedule 7
Shire of Mingenew
HEALTH ACT 1911
APPLICATION FOR LICENCE OF A MORGUE

To: Chief Executive Officer, Shire of Mingenew

I

.....
(Full name in block letters)

of

.....
(Residential Address).

apply to licence the premises listed below as a Morgue

Address of premises:

.....
.....
Name of premises:

.....
.....
Dated this day of

.....
(Signature of Applicant)

Schedule 8
Shire of Mingenew
HEALTH ACT 1911
CERTIFICATE OF LICENCE OF A MORGUE

This is to certify the following premises is licensed as a Morgue from the

..... day of..... until 30th Day of June.....

Address of premises:

.....
.....

Name of Premises:

.....
.....

Dated this day of

.....
Environmental Health Officer.

Schedule 9
Shire of Mingenew
HEALTH ACT 1911
APPLICATION FOR CONSENT TO ESTABLISH AN OFFENSIVE TRADE

To: Chief Executive Officer, Shire of Mingenew

I/We,.....
(Full Name of Applicant/s)

of.....
(Residential Address of Applicant/s)

apply for consent to establish an offensive trade being
.....
(Description of Offensive Trade)

in or upon.....
(Location of the House or Premises)

Notice of my / our intention to make this application was advertised in
.....
(Name of Newspaper)

on
.....
(Date of Advertisement)

Plans and specifications of the buildings proposed to be used or erected in connection with the proposed offensive trade are attached.

.....
(Signature of Applicant/s)

.....
(Date)

Schedule 10
Shire of Mingenew
HEALTH ACT 1911
APPLICATION FOR REGISTRATION OF PREMISES FOR OFFENSIVE TRADE

To: Chief Executive Officer, Shire of Mingenew

I/We,

.....
(Full Name of Applicant/s)

of

.....
(Residential Address of Applicant/s)

apply for registration, for the year ended

of
(Location of Premises)

being premises in or upon which there is (or is to be) carried on an offensive trade, namely

.....
.....
(Description of Offensive Trade)

under the business name of

The prescribed registration fee \$ is attached.

.....
(Signature of Applicant/s)

.....
(Date)

Schedule 11
Shire of Mingenew
HEALTH ACT 1911
CERTIFICATE OF REGISTRATION OF PREMISES FOR OFFENSIVE TRADE

This is to certify that the premises situated at

.....

of which..... is the occupier;

are registered for the carrying on of the trade of

.....

Trade Name

.....

This registration expires on day

Dated this..... day of

.....
Environmental Health Officer,
Shire of Mingenew.

Passed by resolution of the Mingenew Shire Council held on the xx day of xxxx 2016.

Dated this xx day of xxxx 2016 .

The Common Seal of the Shire of Mingenew was hereunto affixed in the presence of—

MICHELLE BAGLEY, President.
M. WHITELEY, Chief Executive Officer.

Consented to—

Dr. TARUN WEERAMANTHRI, Executive Director, Public Health.

Dated this xx day of xxxx, 2016.

9.2 FINANCE

9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 AUGUST 2016

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0304
Date:	9 September 2016
Author:	Nita Jane, Deputy CEO
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 August 2016 is presented to Council for adoption.

Attachment

Finance Report for period ending 31 August 2016.

Background

The Monthly Financial Report to 31 August 2016 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	41,881
Business Cash Maximiser (Municipal Funds)	758,925
Trust Account	155,744
Reserve Maximiser Account	309,092

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 21 September 2016

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31 August 2016:

Amount	Current	30+ Days	60+ Days	90+ Days	TOTAL
	32,639	13,990	0	1,870	48,499

Rates Outstanding at 9 September 2016 were:

	Current	Arrears	TOTAL
Rates	1,671,354	43,939	1,715,293
Rubbish	51,469	2,070	56,539
ESL	21,149	675	21,824
Swimming Pool	570	0	570
TOTAL	1,744,542	46,684	1,791,226

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/2017 financial year.

Consultation

Chief Executive Officer
Senior Finance Officer

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 21 September 2016

- (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

Financial implications are outlined in comments.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.1
--

That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 August 2016 be received.

SHIRE OF MINGENEW
MONTHLY FINANCIAL REPORT
For the Period Ended 31 August 2016

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34 .

Overview

Summary reports and graphical progressive graphs are provided on page 3, 4 and 5.
No matters of significance are noted.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 August 2016 of \$2,616,448.

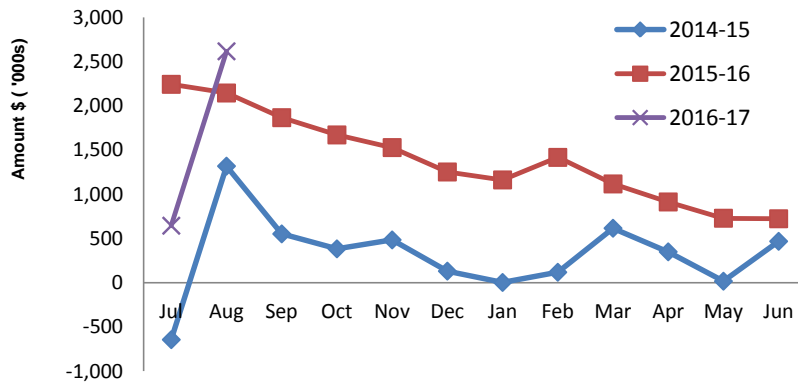
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

Prepared by: Nita Jane
Reviewed by: Martin Whitely
Date prepared: 8/09/2016

Shire of Mingenew
Monthly Summary Information
 For the Period Ended 31 August 2016

Liquidity Over the Year (Refer Note 3)



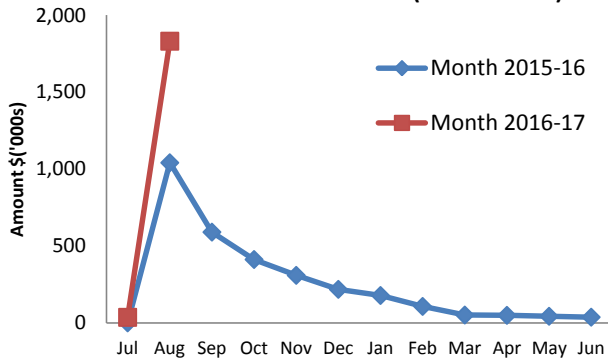
Cash and Cash Equivalents as at period end

Unrestricted	\$	619,625
Restricted	\$	525,718
	\$	<u>1,145,344</u>

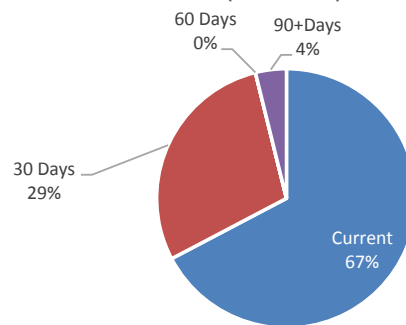
Receivables

Rates	\$	1,831,314
Other	\$	48,499
	\$	<u>1,879,813</u>

Rates Receivable (Refer Note 6)



Accounts Receivable Ageing (non-rates) (Refer Note 6)



Comments

Rates were issued on 22 August 2016.
 First instalment is due 27 September 2016.

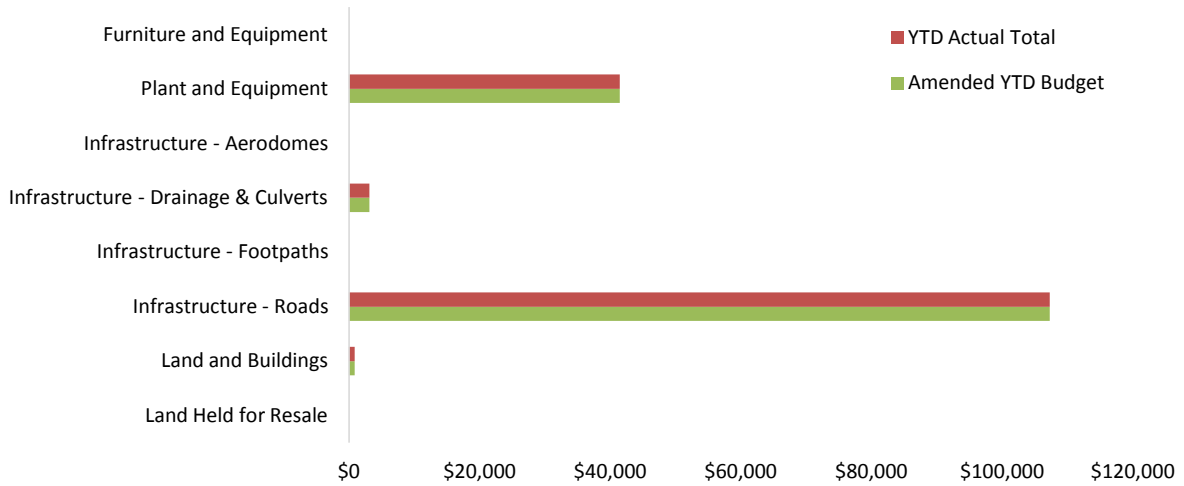
SUMMARY OF BILLING

Rates	1,751,901
Rubbish	74,790
ESL	26,057
	<u>1,852,748</u>

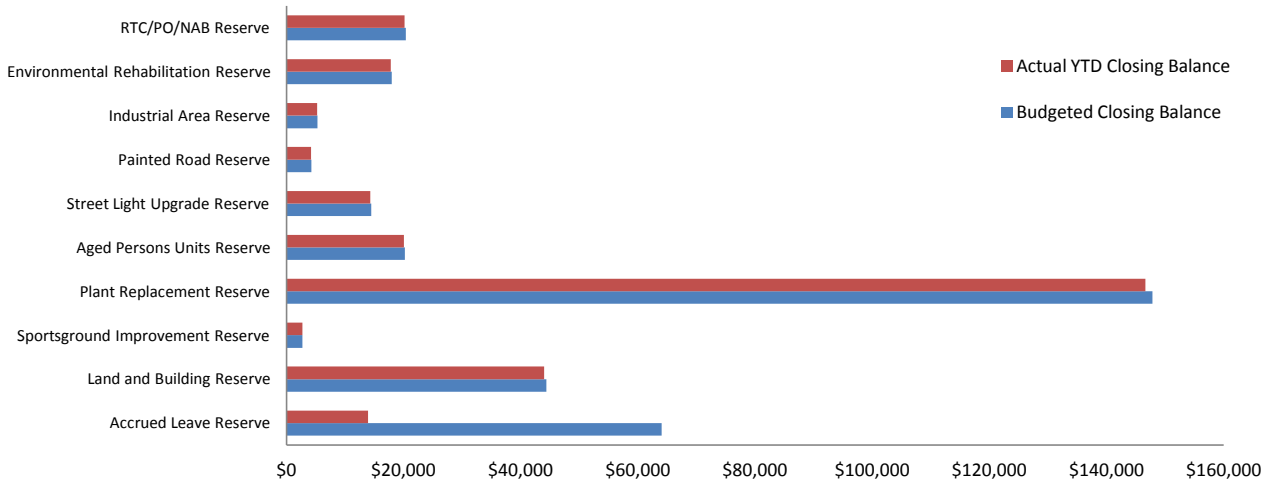
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Mingenew
Monthly Summary Information
 For the Period Ended 31 August 2016

Capital Expenditure Program YTD (Refer Note 13)



Year To Date Reserve Balance to End of Year Estimate (Refer Note 7)



Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

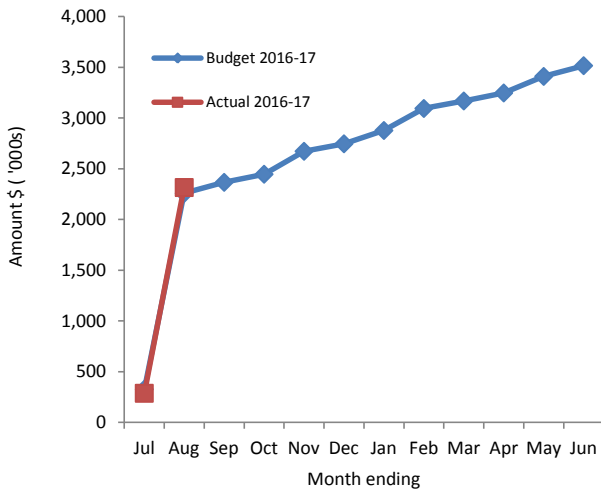
Shire of Mingenew

Monthly Summary Information

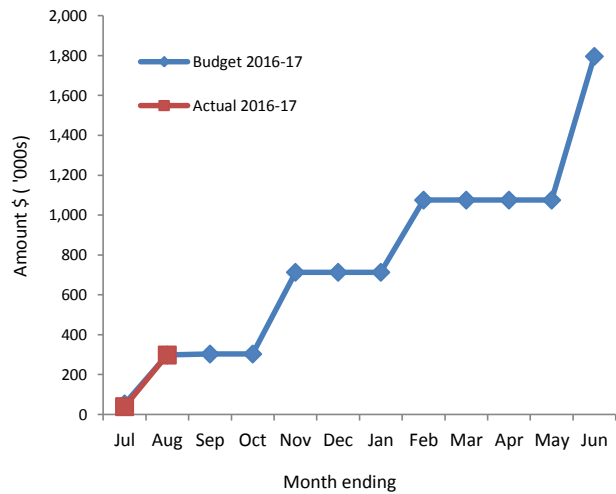
For the Period Ended 31 August 2016

Revenues

Budget Operating Revenues -v- Actual (Refer Note 2)

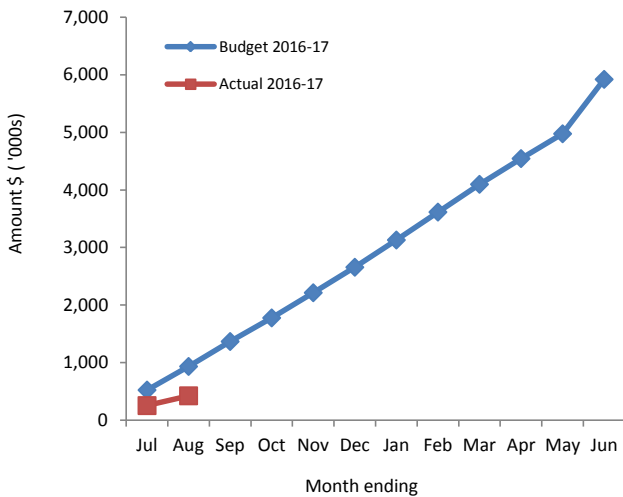


Budget Capital Revenue -v- Actual (Refer Note 2)

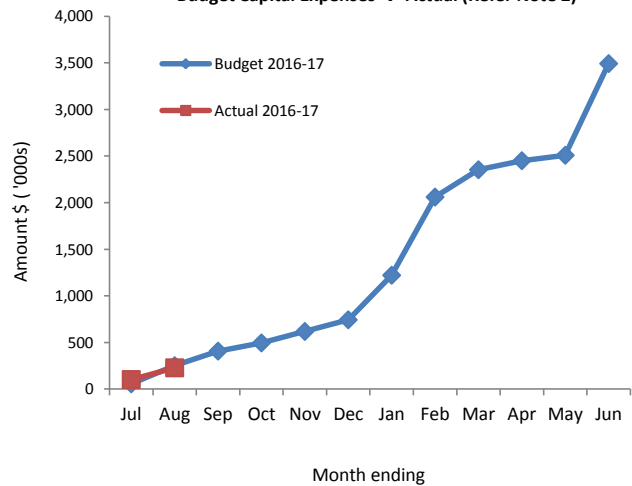


Expenditure

Budget Operating Expenses -v- YTD Actual (Refer Note 2)



Budget Capital Expenses -v- Actual (Refer Note 2)



Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 August 2016

Note	2016/17 Forecast Budget	2016/17 Original Budget (a)	2016/17 YTD Budget (a)	2016/17 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues							
General Purpose Funding	\$ 2,384,752	\$ 2,384,752	\$ 1,951,036	\$ 1,950,588	\$ (448)	(0.02%)	
Governance	7,099	7,099	1,204	1,073	(131)	(10.91%)	
Law, Order and Public Safety	79,070	79,070	272	115	(157)	(57.84%)	
Health	301	301	50	270	220	440.00%	
Education and Welfare	3,745	3,745	124	1,045	921	743.12%	
Housing	118,733	118,733	19,576	17,517	(2,059)	(10.52%)	
Community Amenities	85,662	85,662	77,340	75,909	(1,431)	(1.85%)	
Recreation and Culture	31,619	31,619	31,094	31,160	66	0.21%	
Transport	684,827	684,827	148,986	139,425	(9,561)	(6.42%)	
Economic Services	6,824	6,824	1,130	1,467	337	29.85%	
Other Property and Services	113,757	113,757	21,789	17,532	(4,257)	(19.54%)	
Total Operating Revenue	3,516,389	3,516,389	2,252,601	2,236,101	(16,052)		
Operating Expense							
General Purpose Funding	(89,815)	(89,815)	(12,796)	(8,144)	4,652	36.35%	▲
Governance	(217,483)	(217,483)	(73,830)	(64,469)	9,361	12.68%	▲
Law, Order and Public Safety	(170,044)	(170,044)	(24,764)	(18,233)	6,531	26.37%	▲
Health	(75,539)	(75,539)	(14,062)	(7,857)	6,205	44.13%	▲
Education and Welfare	(71,760)	(71,760)	(10,874)	(4,545)	6,329	58.20%	▲
Housing	(297,992)	(297,992)	(48,840)	(23,061)	25,779	52.78%	▲
Community Amenities	(372,924)	(372,924)	(33,914)	(23,872)	10,042	29.61%	▲
Recreation and Culture	(1,122,947)	(1,122,947)	(183,622)	(135,598)	48,024	26.15%	▲
Transport	(2,661,632)	(2,661,632)	(443,702)	(196,686)	247,016	55.67%	▲
Economic Services	(395,022)	(395,022)	(48,552)	(30,574)	17,978	37.03%	▲
Other Property and Services	1,220	1,222	(26,017)	89,051	115,068	442.28%	▲
Total Operating Expenditure	(5,473,938)	(5,473,936)	(920,973)	(423,989)	496,984		
Funding Balance Adjustments							
Add back Depreciation	2,360,651	2,360,651	393,434	0	(393,434)	(100.00%)	▼
Adjust (Profit)/Loss on Asset Disposal	(36,765)	(36,765)	(6,128)	0	6,128	(100.00%)	
Adjust Provisions and Accruals	0	0	0	0	0		
Net Cash from Operations	366,337	366,339	1,718,934	1,812,113	93,626		
Capital Revenues							
Grants, Subsidies and Contributions	1,795,921	1,795,921	298,009	298,409	400	0.13%	
Proceeds from Disposal of Assets	447,000	447,000	74,500	78,625	4,125	5.54%	
Total Capital Revenues	2,242,921	2,242,921	372,509	377,034	4,525		
Capital Expenses							
Land Held for Resale	(200,000)	(200,000)	0	0	0		
Land and Buildings	(723,000)	(723,000)	0	(854)	(854)		
Infrastructure - Roads	(1,236,362)	(1,236,362)	(107,346)	(107,302)	44	0.04%	
Infrastructure - Footpaths	0	0	0	0	0		
Infrastructure - Drainage & Culverts	0	0	0	(3,102)	(3,102)		
Infrastructure - Aerodomes	0	0	0	0	0		
Infrastructure - Other	(445,690)	(445,690)	(35,000)	(35,043)	3	0.00%	
Plant and Equipment	(600,000)	(600,000)	(82,265)	(82,262)	3		
Furniture and Equipment	(14,500)	(14,500)	0	0	0		
Total Capital Expenditure	(3,219,552)	(3,219,552)	(224,611)	(228,562)	(3,909)		
Net Cash from Capital Activities	(976,631)	(976,631)	147,898	148,472	617		
Financing							
Proceeds from New Debentures	0	0	0	0	0		
Proceeds from Advances	0	0	0	0	0		
Self-Supporting Loan Principal	0	0	0	0	0		
Transfer from Reserves	0	0	0	0	0		
Advances to Community Groups	0	0	0	0	0		
Repayment of Debentures	(181,409)	(181,409)	(17,818)	(17,540)	278	1.56%	
Transfer to Reserves	(91,775)	(91,775)	(473)	(473)	0	0.00%	
Net Cash from Financing Activities	(273,184)	(273,184)	(18,291)	(18,013)	278		
Net Operations, Capital and Financing	(883,478)	(883,478)	1,848,541	1,942,572	94,522		
Opening Funding Surplus(Deficit)	688,089	688,089	688,089	673,876	(14,213)	(2.07%)	
Closing Funding Surplus(Deficit)	(195,389)	(195,389)	2,536,630	2,616,448	80,308		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 August 2016

	Note	2016/17 Amended Annual Budget	2016/17 Original Budget (a)	2016/17 YTD Budget (a)	2016/17 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
Operating Revenues								
Rates	9	\$ 1,786,567	\$ 1,786,567	\$ 1,751,901	\$ 1,751,940	\$ 39	0.00%	
Operating Grants, Subsidies and Contributions	11	827,184	827,184	287,063	283,022	(4,041)	(1.41%)	
Fees and Charges		248,886	248,886	131,113	128,940	(2,173)	(1.66%)	
Service Charges		0	0	0	0	0		
Interest Earnings		22,152	22,152	2,843	2,800	(43)	(1.50%)	
Other Revenue		588,600	588,600	72,515	69,399	(3,116)	(4.30%)	
Profit on Disposal of Assets	8	43,000	43,000	7,166	0			
Total Operating Revenue		3,516,389	3,516,389	2,252,601	2,236,101	(9,335)		
Operating Expense								
Employee Costs		(1,017,429)	(1,017,429)	(184,895)	(162,098)	22,797	12.33%	▲
Materials and Contracts		(1,119,309)	(1,119,309)	(158,968)	(100,394)	58,574	36.85%	▲
Utility Charges		(123,768)	(123,768)	(20,598)	(11,778)	8,820	42.82%	▲
Depreciation on Non-Current Assets		(2,360,651)	(2,360,651)	(393,434)	0	393,434	100.00%	▲
Interest Expenses		(54,270)	(54,270)	(6,278)	8,089	14,367	228.84%	▲
Insurance Expenses		(143,612)	(143,612)	(57,734)	(84,891)	(27,157)	(47.04%)	▼
Other Expenditure		(648,664)	(648,662)	(98,028)	(72,916)	25,112	25.62%	▲
Loss on Disposal of Assets	8	(6,235)	(6,235)	(1,038)	0			
Total Operating Expenditure		(5,473,938)	(5,473,936)	(920,973)	(423,989)	495,946		
Funding Balance Adjustments								
Add back Depreciation		2,360,651	2,360,651	393,434	0	(393,434)	(100.00%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(36,765)	(36,765)	(6,128)	0	6,128	(100.00%)	
Adjust Provisions and Accruals		0	0	0	0	0		
Net Cash from Operations		366,337	366,339	1,718,934	1,812,112	99,306		
Capital Revenues								
Grants, Subsidies and Contributions	11	1,795,921	1,795,921	298,009	298,409	400	0.13%	
Proceeds from Disposal of Assets	8	447,000	447,000	74,500	78,625	4,125	5.54%	
Total Capital Revenues		2,242,921	2,242,921	372,509	377,034	4,525		
Capital Expenses								
Land Held for Resale	13	(200,000)	(200,000)	0	0	0		
Land and Buildings	13	(723,000)	(723,000)	0	(854)	(854)		
Infrastructure - Roads	13	(1,236,362)	(1,236,362)	(107,346)	(107,302)	44	0.04%	
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	0	0	0	(3,102)	(3,102)		
Infrastructure - Aerodomes	13	0	0	0	0	0		
Infrastructure - Other	13	(445,690)	(445,690)	(35,000)	(35,043)			
Plant and Equipment	13	(600,000)	(600,000)	(82,265)	(82,262)	3	0.00%	
Furniture and Equipment	13	(14,500)	(14,500)	0	0	0		
Total Capital Expenditure		(3,219,552)	(3,219,552)	(224,611)	(228,562)	(3,909)		
Net Cash from Capital Activities		(976,631)	(976,631)	147,898	148,472	617		
Financing								
Proceeds from New Debentures		0	0	0	0	0		
Proceeds from Advances		0	0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	0	0	0	0	0		
Advances to Community Groups		0	0	0	0	0		
Repayment of Debentures	10	(181,409)	(181,409)	(17,818)	(17,540)	278	1.56%	
Transfer to Reserves	7	(91,775)	(91,775)	(473)	(473)	0	0.00%	
Net Cash from Financing Activities		(273,184)	(273,184)	(18,291)	(18,013)	278		
Net Operations, Capital and Financing		(883,478)	(883,478)	1,848,541	1,942,572	100,201		
Opening Funding Surplus(Deficit)	3	688,089	688,089	688,089	673,876	(14,213)	(2.07%)	
Closing Funding Surplus(Deficit)	3	(195,389)	(195,389)	2,536,630	2,616,447	85,988		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF MINGENEW
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 August 2016

		YTD 31 08 2016					
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
Land Held for Resale	13	\$ 0	\$ 0	\$ 0	\$ 0	\$ 200,000	\$ 0
Land and Buildings	13	854	0	854	854	723,000	0
Infrastructure - Roads	13	107,302	0	107,302	107,302	1,236,362	0
Infrastructure - Footpaths	13	0	0	0	0	0	0
Infrastructure - Drainage & Culverts	13	0	3,102	3,102	3,102	0	0
Infrastructure - Aerodomes	13	0	0	0	0	0	0
Infrastructure - Other	13	35,043	0	35,043	35,043	445,690	0
Plant and Equipment	13	41,465	0	41,465	41,465	600,000	0
Furniture and Equipment	13	0	0	0	0	14,500	0
Capital Expenditure Totals		184,664	3,102	187,766	187,766	3,219,552	0

Funded By:

Capital Grants and Contributions	311,609	298,009	1,838,421	13,600
Borrowings	0	0	0	0
Other (Disposals & C/Fwd)	80,443	74,500	447,000	5,943
Own Source Funding - Cash Backed Reserves				
Land and Building Reserve	0	0	0	0
Sportsground Improvement Reserve	0	0	0	0
Plant Replacement Reserve	0	0	0	0
Aged Persons Units Reserve	0	0	0	0
Street Light Upgrade Reserve	0	0	0	0
Painted Road Reserve	0	0	0	0
Industrial Area Reserve	0	0	0	0
Total Own Source Funding - Cash Backed Reserves	0	0	0	0
Own Source Funding - Operations	(204,286)	(184,743)	934,131	(19,543)
Capital Funding Total	187,766	187,766	3,219,552	0

Comments and graphs

Capital Expenditure Program YTD



SHIRE OF MINGENEW
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 August 2016

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
	\$	\$	\$	\$
Operating Revenues				
General Purpose Funding - Rates	2,384,752	0	2,384,752	1,951,036
Governance	7,099	0	7,099	1,204
Law, Order and Public Safety	79,070	0	79,070	272
Health	301	0	301	50
Education and Welfare	3,745	0	3,745	124
Housing	118,733	0	118,733	19,576
Community Amenities	85,662	0	85,662	77,340
Recreation and Culture	31,619	0	31,619	31,094
Transport	684,827	0	684,827	148,986
Economic Services	6,824	0	6,824	1,130
Other Property and Services	113,757	0	113,757	21,789
Total Operating Revenue	3,516,389	0	3,516,389	2,252,601
Operating Expense				
General Purpose Funding	(89,815)	0	(89,815)	(12,796)
Governance	(217,483)	0	(217,483)	(73,830)
Law, Order and Public Safety	(170,044)	0	(170,044)	(24,764)
Health	(75,539)	0	(75,539)	(14,062)
Education and Welfare	(71,760)	0	(71,760)	(10,874)
Housing	(297,992)	0	(297,992)	(48,840)
Community Amenities	(372,924)	0	(372,924)	(33,914)
Recreation and Culture	(1,122,947)	0	(1,122,947)	(183,622)
Transport	(2,661,632)	0	(2,661,632)	(443,702)
Economic Services	(395,022)	0	(395,022)	(48,552)
Other Property and Services	1,222	(2)	1,220	(26,017)
Total Operating Expenditure	(5,473,936)	(2)	(5,473,938)	(920,973)
Funding Balance Adjustments				
Add back Depreciation	2,360,651	0	2,360,651	393,434
Adjust (Profit)/Loss on Asset Disposal	(36,765)	0	(36,765)	(6,128)
Adjust Provisions and Accruals	0	0	0	0
Net Cash from Operations	366,339	(2)	366,337	1,718,934
Capital Revenues				
Grants, Subsidies and Contributions	1,795,921	0	1,795,921	298,009
Proceeds from Disposal of Assets	447,000	0	447,000	74,500
Total Capital Revenues	2,242,921	0	2,242,921	372,509
Capital Expenses				
Land Held for Resale	(200,000)	0	(200,000)	0
Land and Buildings	(723,000)	0	(723,000)	0
Infrastructure - Roads	(1,236,362)	0	(1,236,362)	(107,346)
Infrastructure - Footpaths	0	0	0	0
Infrastructure - Drainage & Culverts	0	0	0	0
Infrastructure - Aerodomes	0	0	0	0
Infrastructure - Other	(445,690)	0	(445,690)	(35,000)
Plant and Equipment	(600,000)	0	(600,000)	(82,265)
Furniture and Equipment	(14,500)	0	(14,500)	0
Total Capital Expenditure	(3,219,552)	0	(3,219,552)	(224,611)
Net Cash from Capital Activities	(976,631)	0	(976,631)	147,898
Financing				
Proceeds from New Debentures	0	0	0	0
Proceeds from Advances	0	0	0	0
Self-Supporting Loan Principal	0	0	0	0
Transfer from Reserves	0	0	0	0
Advances to Community Groups	0	0	0	0
Repayment of Debentures	(181,409)	0	(181,409)	(17,818)
Transfer to Reserves	(91,775)	0	(91,775)	(473)
Net Cash from Financing Activities	(273,184)	0	(273,184)	(18,291)
Net Operations, Capital and Financing	(883,478)	(2)	(883,478)	1,848,541
Opening Funding Surplus(Deficit)	688,089	0	688,089	688,089
Closing Funding Surplus(Deficit)	(195,389)	(2)	(195,389)	2,536,630

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	25 to 50 years
Construction other than Buildings (Public Facilities)	5 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Heritage Assets	25 to 50 years
Roads	25 years
Footpaths	50 years
Sewerage Piping	75 years
Water Supply Piping and Drainage Systems	75 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Excludes rubbish removal charges, interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

"Standing proud, growing strong"

The Strategic Community Plan defines the key objectives of the Shire as:

"Economic: To be a diverse and innovative economy with a range of local employment opportunities.

Environment: A sustainable natural and built environment that meets current and future community needs.

Social: A safe and welcoming community where everyone has the opportunity to contribute and belong.

Civic Leadership: A collaborative and innovative community with strong and vibrant leadership."

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

EDUCATION AND WELFARE

Support of day care for children. Autumn Centre for Senior Citizens.
Youth & seniors projects.

HOUSING

Provision and maintenance of rented housing accommodation for pensioners and employees.

COMMUNITY AMENITIES

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, walk trails, youth recreation,
Public halls and Mingenew Recreation Centre.

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

Note 2: EXPLANATION OF MATERIAL VARIANCES

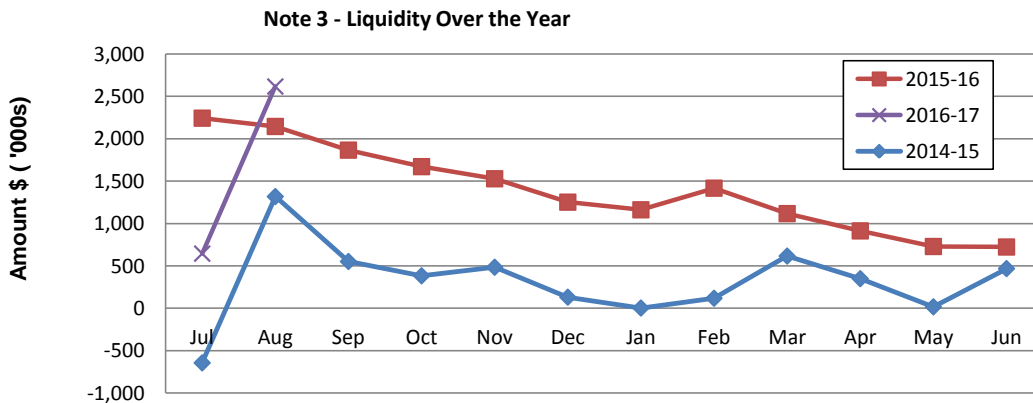
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
General Purpose Funding	(448)	(0.02%)			
Governance	(131)	(10.91%)			
Law, Order and Public Safety	(157)	(57.84%)			
Health	220	440.00%			
Education and Welfare	921	743.12%			
Housing	(2,059)	(10.52%)			
Community Amenities	(1,431)	(1.85%)			
Recreation and Culture	66	0.21%			
Transport	(9,561)	(6.42%)			Profit on changeover not calculated at August 2016 - \$7166
Economic Services	337	29.85%			
Other Property and Services	(4,257)	(19.54%)			
Operating Expenses					
General Purpose Funding	4,652	36.35%			
Governance	9,361	12.68%			
Law, Order and Public Safety	6,531	26.37%			
Health	6,205	44.13%			
Education and Welfare	6,329	58.20%			
Housing	25,779	52.78%	▲		Depreciation calculation not run until Fair Value of Assets at 30/6/2016 is completed - \$14,000, Accrued Loan Interest of \$3960, Building Mtce under budget at this point \$4626
Community Amenities	10,042	29.61%			Following items are currently under budget - Rubbish Site Mtce \$4540, Cemetery \$1353, Domestic Refuse Collection \$1271 and Depreciation Calculation not run \$2250
Recreation and Culture	48,024	26.15%	▲		Depreciation calculation not run until Fair Value of Assets at 30/6/2016 is completed - \$51,000
Transport	247,016	55.67%	▲		Depreciation calculation not run until Fair Value of Assets at 30/6/2016 is completed - \$260,000
Economic Services	17,978	37.03%			Depreciation calculation not run - \$9k
Other Property and Services	115,068	442.28%	▲		Following items are currently under budget - Sick & Holiday \$15k, Housing Allocations \$17k, Fuel & Oils \$20k, Admin Allocations \$4k, Overhead Allocations \$21k, Depreciation calculation not run until Fair Value of Assets at 30/6/2016 is completed - \$34,000
Capital Revenues					
Grants, Subsidies and Contributions	400	0.13%			
Proceeds from Disposal of Assets	4,125	5.54%			
Capital Expenses					
Land Held for Resale	0				
Land and Buildings	(854)				
Infrastructure - Roads	44	0.04%			
Infrastructure - Footpaths	0				
Infrastructure - Drainage & Culverts	(3,102)				
Infrastructure - Aerodomes	0				
Plant and Equipment	3	0.00%			
Furniture and Equipment	0				
Financing					
Loan Principal	278	1.56%			

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Aug 2016	30th June 2016	YTD 01 Sep 2015
		\$	\$	\$
Current Assets				
Cash - Unrestricted	4	619,625	621,333	1,052,047
Cash - Restricted Reserves	4	309,092	308,620	272,987
Cash - Restricted Unspent Grants		216,626	216,626	329,818
Investments		0	0	0
Rates - Current	6	1,831,314	37,608	590,422
Sundry Debtors	6	48,499	1,951	40,500
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	4,086	0
GST Receivable		13,346	4,060	11,705
Receivables - Other		0	0	0
Inventories - Fuel & Materials		11,717	13,285	6,003
Inventories - Land Held for Resale		40,394	80,788	80,788
		3,089,029	1,286,773	2,382,684
Current Liabilities				
Sundry Creditors		(94,564)	(200,583)	(129,654)
GST Payable		(22,427)	(10,022)	(474)
PAYG		(4,127)	4,497	(10,062)
Accrued Interest on Debentures		0	(15,403)	24,810
Accrued Salaries & Wages		(1,977)	(1,977)	0
Current Employee Benefits Provision		(261,493)	(261,493)	(239,906)
Current Loan Liability		(163,871)	(181,410)	(103,383)
		(548,459)	(666,392)	(458,668)
NET CURRENT ASSETS		2,540,570	620,380	1,924,016
Less:				
Cash - Restricted Reserves		(309,092)	(308,620)	(272,987)
Inventories - Land Held for Resale		(40,394)	(80,788)	(80,788)
Add Back:				
Current Loan Liability		163,871	181,410	103,383
Cash Backed Employee Provisions	7	261,493	261,493	239,906
Net Current Funding Position (Surplus / Deficit)		2,616,447	673,876	1,913,530

(0)



Comments - Net Current Funding Position

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.70%	0	0		0	NAB	At Call
Trust Bank Account	0.00%			155,744	155,744	NAB	At Call
Cash Maximiser Account (Muni)	0.70%	619,325	216,626		835,951	NAB	At Call
Cash On Hand	Nil	300	0		300	NAB	At Call
Reserve Funds	0.70%	0	309,092		309,092	NAB	At Call
(b) Term Deposits							
Short Term Deposits	0.00%	0	0		0		
Total		619,625	525,718	155,744	1,301,088		

Comments/Notes - Investments

Restricted Cash

(1) Municipal Fund

Purpose for Funds Being Restricted	Funding Organisation	Date to be Expended	Amount
1 2014/15 Road Projects	Roads to Recovery	30 June 2018	52,905
2 Rural Watch	Office of Crime Prevention	30 September 2015	3,529
3 Mingenew Mullewa Rd	2012/13 CLGF Individual	28 February 2016	-
4 Town Revitalisation Plan	NPP		60,000
5 Town Planning Scheme	NPP		25,000
6 Yandanooka Melara Road	Roads to Recovery		75,191
7			
Sub-total			216,625

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

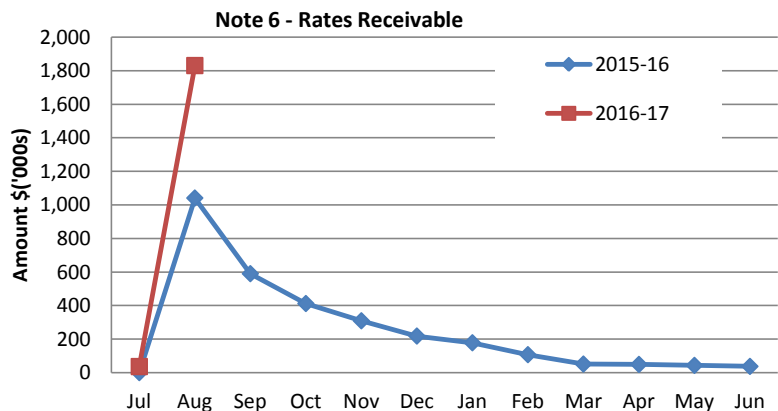
GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus	\$	\$	\$	\$ 0
				0	0	0	

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 6: RECEIVABLES

Receivables - Rates Receivable

	YTD 31 Aug 2016	30 June 2016
Opening Arrears Previous Years	\$ 37,608	\$ 37,608
Levied this year	1,852,748	1,709,614
<u>Less</u> Collections to date	(59,042)	(1,709,614)
Equals Current Outstanding	1,831,314	37,608
Net Rates Collectable	1,831,314	37,608
% Collected	3.12%	97.85%

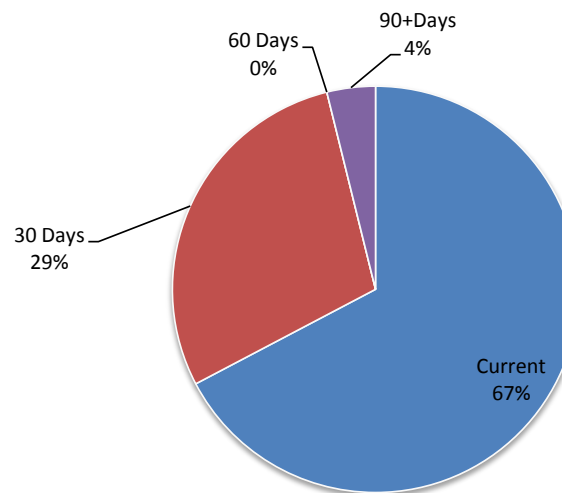


Receivables - General

	Current	30 Days	60 Days	90+Days
Receivables - General	\$ 32,639	\$ 13,990	\$ 0	\$ 1,870
Total Receivables General Outstanding				48,499

Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables Rates

Instalment Due Dates:

Instalment 1	27-Sep-16
Instalment 2	29-Nov-16
Instalment 3	3-Feb-17
Instalment 4	7-Apr-17

Comments/Notes - Receivables General

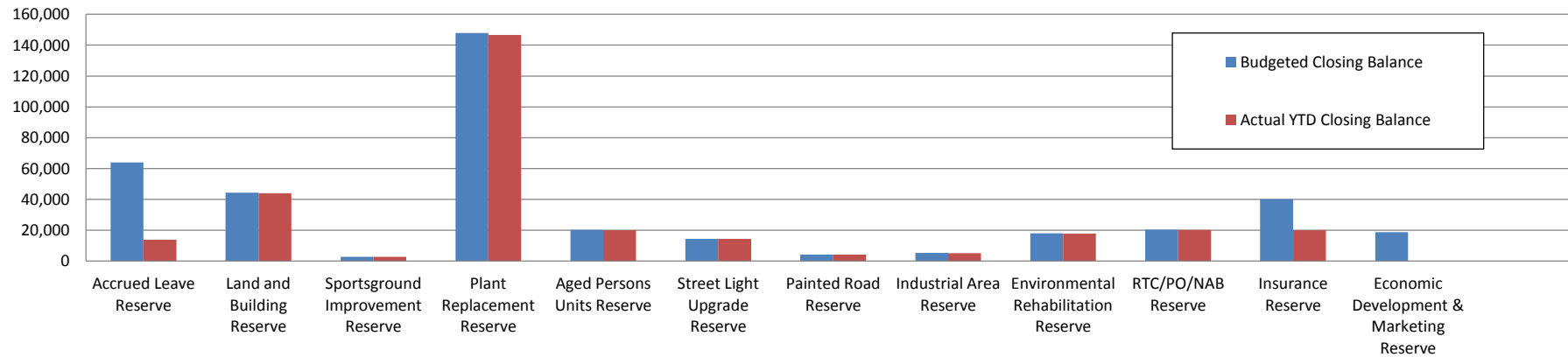
\$825 of the >90 days was paid on 5/9/2016
 \$240 of the >30 days was paid on 2/9/2016

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	YTD Actual Transfers In (+)	YTD Budget Transfers Out (-)	YTD Actual Transfers Out (-)	Transfer out Reference	Budgeted Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Accrued Leave Reserve	13,907	139	21	50,000	0	0	0		64,046	13,928
Land and Building Reserve	43,920	439	67	0	0	0	0		44,359	43,988
Sportsground Improvement Reserve	2,695	27	4	0	0	0	0		2,722	2,699
Plant Replacement Reserve	146,392	1,460	224	0	0	0	0		147,852	146,616
Aged Persons Units Reserve	20,002	200	31	0	0	0	0		20,202	20,033
Street Light Upgrade Reserve	14,307	143	22	0	0	0	0		14,450	14,328
Painted Road Reserve	4,202	42	6	0	0	0	0		4,244	4,208
Industrial Area Reserve	5,228	52	8	0	0	0	0		5,280	5,236
Environmental Rehabilitation Reserve	17,799	178	27	0	0	0	0		17,977	17,827
RTC/PO/NAB Reserve	20,153	202	31	0	0	0	0		20,355	20,184
Insurance Reserve	20,016	200	31	20,000	0	0	0		40,216	20,047
Economic Development & Marketing Reserve	0	0	0	18,693	0	0	0		18,693	0
	308,620	3,082	473	88,693	0	0	0	0	400,395	309,093

Note 7 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 08 2016			
					2016/17 Budget Profit/(Loss)	2016/17 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$		
				Plant and Equipment				
			0	CEO Vehicle (2)	0	0	0	
41,512	(1,035)	39,647	(830)	DCEO Vehicle (4)	0	(830)	(830)	
41,512	(682)	40,796	(34)	Works Manager Vehicle (3)	0	(34)	(34)	
			0	11 Tonne Dual Cab Truck (A# 0591)	43,000	0	(43,000)	
83,024	(1,717)	80,443	(864)		43,000	(864)	(43,864)	

Comments - Capital Disposal/Replacements

Management vehicles are scheduled to be changed over at 15,000kms

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 9: RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2016/17 Budget Rate Revenue \$	2016/17 Budget Interim Rate \$	2016/17 Budget Back Rate \$	2016/17 Budget Total Revenue \$
General Rate											
GRV - Mingenew & Yandanooka	13.5884	145	1,568,940	212,194	39		212,233	213,194			213,194
UV - Rural & Mining	1.4014	113	102,310,000	1,433,772			1,433,772	1,433,767			1,433,767
Sub-Totals		258	103,878,940	1,645,966	39	0	1,646,005	1,646,961	0	0	1,646,961
Minimum Payment	Minimum \$										
GRV - Mingenew & Yandanooka	655	77	90,176	50,435			50,435	55,675	0	0	55,675
UV - Rural & Mining	1500	37	1,353,478	55,500			55,500	55,500	0	0	55,500
Sub-Totals		114	1,443,654	105,935	0	0	105,935	111,175	0	0	111,175
Concessions							1,751,940				1,758,136
Amount from General Rates							0				(6,235)
Ex-Gratia Rates (CBH)							1,751,940				1,751,901
Specified Area Rates							0				34,666
Totals							0				0
							1,751,940				1,786,567

Comments - Rating Information

No differential rates levied in 2016/17

Concession provided on GRV properties in Yandanooka Townsite of 50%

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-16	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual	YTD Budget	YTD Actual	Budget	YTD Actual	Budget
			\$	\$	\$	\$	\$	\$
Education & Welfare								
Loan 137 - Senior Citizens Buildings	96,719		0	0	96,719	96,719	(1,114)	6,424
Housing								
Loan 133 - Triplex	73,136		5,589	5,685	67,547	67,451	769	5,317
Loan 134 - SC Housing	52,130		0	0	52,130	52,130	(964)	3,516
Loan 136 - Staff Housing	118,462		0	0	118,462	118,462	(2,014)	8,230
Loan 142 - Staff Housing	65,811		0	0	65,811	65,811	(982)	3,639
Recreation & Culture								
Loan 138 - Pavilion Fitout	92,850		0	0	92,850	92,850	(1,069)	6,167
Transport								
Loan 139 - Roller	39,168		0	0	39,168	39,168	(814)	2,603
Loan 141 - Grader	106,509		11,950	12,133	94,559	94,376	1,017	6,909
Loan 143 - 2 x Trucks	54,770		0	0	54,770	54,770	(770)	2,329
Loan 144 - Side Tipping Trailer	65,812		0	0	65,812	65,812	(982)	3,639
Loan 145 - Drum Roller	121,810	0	0	0	121,810	121,810	(1,165)	4,497
	887,177	0	17,540	17,818	869,637	869,359	(8,089)	53,270

All debenture repayments were financed by general purpose revenue.

Interest Repayment Actual YTD shows negative balances due to Interest accrual to 30 June 2016.

(b) New Debentures

Nil

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2016-17 Forecast Budget	2016-17 Original Budget	Variations Additions (Deletions)	Operating 2016/17 Budget	Capital 2016/17 Budget	Recoup Status	
								2016-17 YTD Actual	2016-17 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING									
Financial Assistance Grant - Roads	Grants Commission	Y	300,824	300,824	0	300,824	0	101,971	75,206
Financial Assistance Grant - General	Grants Commission	Y	274,126	274,126	0	274,126	0	94,127	68,531
LAW, ORDER, PUBLIC SAFETY									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,400	4,400	0	4,400	0	0	0
ESL Annual Grant	Department of Fire & Emergency Services	Y	26,500	26,500	0	26,500	0	0	0
Bushfire Management Plan	Department of Fire & Emergency Services	Y	42,500	42,500	0	0	42,500	0	0
HEALTH									
Childcare Facility Upgrade	MWDC	N	70,000	70,000	0	0	70,000	0	0
EDUCATION & WELFARE									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	0	0
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	0	0
HOUSING									
Independent Living Units	WCHS	Y	395,545	395,545	0	0	395,545	0	0
COMMUNITY AMENITIES									
Town Planning	NPP	Y	0	0	0	0	0	0	0
Thank a Volunteer Day	Department of Local Government & Communities	N	1,000	1,000	0	1,000	0	0	0
Anzac Day	TBA	N	3,000	3,000	0	3,000	0	0	0
Rural Womens Day	TBA	N	1,000	1,000	0	1,000	0	0	0
Transfer Station	Mid West Development Commission	Y	50,000	50,000	0	0	50,000	45,000	45,000
RECREATION AND CULTURE									
Museum	Lotterywest	N	10,000	10,000	0	0	10,000	0	0
Museum	Museum Committee	Y	5,000	5,000	0	0	5,000	0	0
Enarty Barn	TBA	N	50,000	50,000	0	0	50,000	0	0
Littlewell	TBA	N	15,000	15,000	0	0	15,000	0	0
Railway Station	Lotterywest	N	35,000	35,000	0	0	35,000	0	0
Football Oval Lights	DSR	Y	50,000	50,000	0	0	150,000	0	0
Football Oval Lights	Football Club	Y	30,000	30,000	0	0	30,000	26,400	0
Hockey Oval Lights	Hockey Club	Y	13,200	13,200	0	0	13,200	0	0
TRANSPORT									
Direct Grant	Main Roads WA	Y	72,224	72,224	0	72,224	0	72,224	72,224
Blackspot Funding	Main Roads WA	Y	40,000	40,000	0	0	40,000	16,000	16,000
Regional Road Group	Main Roads WA	Y	386,000	386,000	0	0	386,000	154,400	154,000
Roads To Recovery	Department of Infrastructure	Y	431,176	431,176	0	0	431,176	69,809	0
Street Lighting	Main Roads WA	Y	2,000	2,000	0	2,000	0	0	0
ECONOMIC SERVICES									
Mingenev Hill Walk Trail	TBA	N	15,000	15,000	0	0	15,000	0	0
OTHER PROPERTY & SERVICES									
Industrial Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
Rural Residential Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
TOTALS			2,526,495	2,526,495	0	688,074	1,938,421	579,932	430,961

Operating	Operating	688,074	688,074					268,323	215,961
Non-Operating	Non-operating	1,838,421	1,838,421					311,609	215,000

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 12: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 16	Amount Received	Amount Paid	Closing Balance 31-Aug-16
	\$	\$	\$	\$
BCITF Levy	1,374	0	(1,374)	0
BRB Levy	1,086	0	(1,082)	4
Autumn Committee	974	0	0	974
Community Bus	2,060	100	0	2,160
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	35,217	46,750	(8,260)	73,707
Mingenev Cemetery Group	4,314	0	0	4,314
Other Bonds	2,558	0	(50)	2,508
Rates Incentive Prizes	200	0	0	200
Rec Centre Kitchen Upgrade		0	0	0
Sinosteel Community Trust Fund	63,415	0	0	63,415
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Mingenev P & C - NBN Rental		0	0	0
Joan Trust	961	700	0	1,661
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	132	0	0	132
Silverchain Committee	2,268	0	0	2,268
Nomination Fees		0	0	0
Seniors Donations		50	0	50
	117,878	47,600	(10,766)	154,712

SHIRE OF MINGENEW
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 31 August 2016

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
	Land Held for Resale						
	Community Amenities						
	Other Property & Services						
	Industrial Area Development	4504	100,000	100,000	0	0	100,000
	Rural Residential Area Development	4644	100,000	100,000	0	0	100,000
	Other Property & Services Total		200,000	200,000	0	0	0
	Land Held for Resale Total		200,000	200,000	0	0	0
	Land & Buildings						
	Governance						
	Shire Office	0594	15,000	15,000	0	0	15,000
	Housing Total		15,000	15,000	0	0	15,000
	Health						
	Child Care Facility	0075	80,000	80,000	0	0	80,000
	Health Total		80,000	80,000	0	0	80,000
	Education & Welfare						
	Men's Shed Ablution Block	0048	0	0	0	0	0
	Education & Welfare Total		0	0	0	0	0
	Land & Buildings						
	Housing						
	Construction - Staff Housing	9003	5,000	5,000	0	0	5,000
	Construction - Staff Housing	9005	10,000	10,000	0	0	10,000
	Construction - Staff Housing	9006	7,000	7,000	0	0	7,000
	Construction - Staff Housing	9010	10,000	10,000	0	0	10,000
	Aged Care Units	0165	450,000	450,000	0	854	449,146
	Silver Chain House	0166	11,000	11,000	0	0	11,000
	Housing Total		493,000	493,000	0	854	492,146
	Recreation And Culture						
	Enanty Barn	0067	50,000	50,000	0	0	50,000
	Museum	0068	20,000	20,000	0	0	20,000
	Old Roads Building	0069	12,000	12,000	0	0	12,000
	Old Railway Station	0070	35,000	35,000	0	0	35,000
	Recreation And Culture Total		117,000	117,000	0	0	117,000
	Transport Total						
	Depot	0027	18,000	18,000	0	0	18,000
	Transport Total		18,000	18,000	0	0	18,000
	Economic Services						
	Business Incubator	5964	0	0	0	0	0
	Economic Services Total		0	0	0	0	0
	Land & Buildings Total		723,000	723,000	0	854	722,146
	Infrastructure - Drainage/Culverts						
	Transport						
	Moore Street Drainage	3284	0	0	0	3,102	(3,102)
	Transport Total		0	0	0	3,102	(3,102)
	Infrastructure - Drainage/Culverts Total		0	0	0	3,102	(3,102)

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
Infrastructure - Footpaths							
Transport							
	Midlands Road Town Footpaths	1291	0	0	0	0	
	Transport Total		0	0	0	0	
	Infrastructure - Footpaths Total		0	0	0	0	
Infrastructure - Other							
Community Amenities							
	Waste Transfer Station	3084	185,381	185,381	0	0	185,381
	Little Well Project	0071	45,309	45,309	0	0	45,309
	Mingenew Hill Project	0142	30,000	30,000	0	0	30,000
	Community Amenities Total		260,690	260,690	0	0	260,690
Recreation							
	Hockey Oval Lights	0076	35,000	35,000	35,000	35,000	0
	RV Friendly Site Development	0077	0	0	0	43	(43)
	Football Oval Lights	0140	130,000	130,000	0	0	130,000
	Water Tanks & Reticulation	0167	20,000	20,000	0	0	20,000
	Community Amenities Total		185,000	185,000	35,000	35,043	149,957
	Infrastructure - Other Total		445,690	445,690	35,000	35,043	410,647
Furniture & Office Equip.							
Governance							
	Electronic Whiteboard	0014	3,500	3,500	0	0	3,500
	Replacement Computers	0574	8,000	8,000	0	0	8,000
	Governance Total		11,500	11,500	0	0	11,500
Recreation							
	Christmas Lights	0065	3,000	3,000	0	0	3,000
	Recreation Total		3,000	3,000	0	0	3,000
Transport							
	Nil				0	0	0
	Transport Total		0	0	0	0	0
	Furniture & Office Equip. Total		14,500	14,500	0	0	14,500
	Infrastructure - Aerodomes Total		0	0	0	0	0

SHIRE OF MINGENEW
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 31 August 2016

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
Plant , Equip. & Vehicles							
Governance							
	CEO Vehicle Replacement	0554	90,000	90,000		90,000	
	DCEO Vehicle Replacement	0554	180,000	180,000	41,465	41,465	138,535
	30 KVA Generator	0554	15,000	15,000			15,000
Governance Total			285,000	285,000	41,465	41,465	243,535
Transport							
	Works Manager Vehicle	0170	135,000	135,000	40,800	40,796	94,204
	Sundry Plant	0171	10,000	10,000	0	0	10,000
	Dual Cab Truck	0173	100,000	100,000	0	0	100,000
	Ride On Mower	0176	30,000	30,000	0	0	30,000
	Road Broom	0177	20,000	20,000	0	0	20,000
	Slasher	0178	20,000	20,000	0	0	20,000
Transport Total			315,000	315,000	40,800	40,796	274,204
Plant , Equip. & Vehicles Total			600,000	600,000	82,265	82,262	517,738
Roads & Bridges							
Transport							
	Yandanooka NE Intersection	BS05	60,000	60,000	0	0	60,000
	Roadworks Construction - Own Resources	0001	66,184	66,184	0	0	66,184
	Depot Hill North Road (R2R)	6066	168,319	168,319	83,996	83,550	84,769
	Yandanooka Melara Rd (R2R)	6067	138,347	138,347	23,350	23,596	114,751
	Mooriary Road (R2R)	6074	224,512	224,512	0	0	224,512
	Depot Hill Road Reseal (RRG)	RR62	139,000	139,000	0	0	139,000
	Mingenev Mullewa Road Reseal (RRG)	RR65	0	0	0	155	(155)
	Mingenev Mullewa Road Reseal (RRG)	RR63	440,000	440,000	0	0	440,000
Transport Total			1,236,362	1,236,362	107,346	107,302	1,129,060
Roads (Non Town) Total			1,236,362	1,236,362	107,346	107,302	1,129,060
Capital Expenditure Total			3,219,552	3,219,552	224,611	228,562	2,790,990

9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 AUGUST 2016

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Disclosure of Interest: Nil
Date: 4 August 2016
Author: Julie Borrett, Senior Finance Officer
Senior Officer: Nita Jane, Deputy CEO

Summary

This report recommends that Council confirm the payment of creditors for the month of August 2016 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachment

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

Background

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.2
--

That Council confirm the accounts as presented for August 2016 from the Municipal Fund totalling \$401,923.25 represented by Electronic Funds Transfers of EFT 9986 - 10085, Direct Deduction DD7689.1, 2 and 3, DD7714.1 2 and 3, Trust Cheque numbers 476-480 and Cheque numbers 8074-8080.

Date: 05/09/2016
Time: 9:16:17AM

Shire of MINGENEW
List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
481	01/08/2016	MINGENEW SHIRE COUNCIL	MWIRSA REFUND CP85	T		2,200.00
482	08/08/2016	Builder's Registration Board	JULY 16 BRB RETURN	T		56.65
483	08/08/2016	MINGENEW SHIRE COUNCIL	MWIRSA REFUND CA81	T		2,320.00
8081	01/08/2016	MINGENEW SHIRE COUNCIL	Payroll deductions	M		190.00
8082	08/08/2016	PALM ROADHOUSE	CHARGES	M		50.20
8083	16/08/2016	MINGENEW SHIRE COUNCIL	Payroll deductions	M		190.00
8084	16/08/2016	SYNERGY	SYNGERY	M		1,862.50
8085	29/08/2016	MINGENEW SHIRE COUNCIL	Payroll deductions	M		185.00
8086	29/08/2016	SYNERGY	CHARGES	M		6,482.50
8087	29/08/2016	WATER CORPORATION	CHARGES	M		7,494.46
EFT10086	01/08/2016	ANDREWS & CO	CHARGES	M		1,485.00
EFT10087	01/08/2016	BATAVIA COAST AUTO ELECTRICAL PTY LTD	CHARGES	M		345.00
EFT10088	01/08/2016	Courier Australia	FREIGHT	M		32.73
EFT10089	01/08/2016	DALGLEISH CATERING	CHARGES	M		835.00
EFT10090	01/08/2016	ERIK POSTMUS QUANTITY SURVEYOR	CHARGES	M		1,100.00
EFT10091	01/08/2016	GERALDTON TROPHY CENTRE	CHARGES	M		90.30
EFT10092	01/08/2016	INGS ENGINEERING	CHARGES	M		418.00
EFT10093	01/08/2016	IT Vision	CHARGES	M		25,789.50

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Shire of MINGENEW
List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10094	01/08/2016	JACKSON McDONALD	CHARGES	M		275.00
EFT10095	01/08/2016	MINGENEW P & C	FEES	M		168.00
EFT10096	01/08/2016	MINGENEW SPRING CARAVAN PARK	CHARGES	M		143.50
EFT10097	01/08/2016	MULLEWA ARTS DEVELOPMENT	CHARGES	M		35.00
EFT10098	01/08/2016	PEST A KILL WA	CHARGES	M		770.00
EFT10099	01/08/2016	S & K ELECTRICAL PTY LTD	CHARGES	M		38,500.00
EFT10100	01/08/2016	WALGA	SUBSCRIPTIONS	M		19,899.95
EFT10101	01/08/2016	THE WEST AUSTRALIAN	ADVERTISING	M		440.00
EFT10102	01/08/2016	YOUNG MOTORS	CHARGES	M		2,228.85
EFT10103	05/08/2016	MARINA HEIGHTS APARTMENT 1	ACCOMMODATION	M		429.00
EFT10104	08/08/2016	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	M		973.22
EFT10105	08/08/2016	Australian Taxation Office	BAS	M		20,619.00
EFT10106	08/08/2016	ABCO PRODUCTS	GOODS	M		195.73
EFT10107	08/08/2016	AVON WASTE	RUBBISH	M		2,343.60
EFT10108	08/08/2016	BINGO AUSTRALIA PTY LTD	CHARGES	M		198.00
EFT10109	08/08/2016	Courier Australia	FREIGHT	M		23.02
EFT10110	08/08/2016	CITY OF COCKBURN	CHARGES	M		8.80
EFT10111	08/08/2016	DONGARA DENISON SMASH REPAIRS	CHARGES	M		300.00

Date: 05/09/2016
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Shire of MINGENEW
 List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10112	08/08/2016	GERALDTON MOWER & REPAIR SPECIALISTS	CHARGES	M		257.00
EFT10113	08/08/2016	GREAT SOUTHERN FUEL SUPPLIES	FUEL	M		10,535.85
EFT10114	08/08/2016	JR & A HERSEY PTY LTD	CHARGES	M		66.00
EFT10115	08/08/2016	MINGENEW SPRING CARAVAN PARK	CHARGES	M		924.00
EFT10116	08/08/2016	MINGENEW IGA X-PRESS & LIQUOR	GROCERIES	M		746.80
EFT10117	08/08/2016	MGB DIESEL CONTRACTING PTY LTD	CHARGES	M		2,123.99
EFT10118	08/08/2016	PIRTEK (GERALDTON) PTY LTD	CHARGES	M		218.81
EFT10119	08/08/2016	SHIRE OF COOROW	CHARGES	M		1,076.00
EFT10120	08/08/2016	TRAINWEST	CHARGES	M		288.90
EFT10121	08/08/2016	WILSON MACHINERY	CHARGES	M		327.36
EFT10122	08/08/2016	MINGENEW FABRICATORS	CHARGES	M		943.53
EFT10123	10/08/2016	Shire of Mingenew - Payroll	PAYROLL	M		31,872.05
EFT10124	10/08/2016	Australian Services Union	Payroll deductions	M		105.40
EFT10125	10/08/2016	CHILD SUPPORT AGENCY	Payroll deductions	M		247.73
EFT10126	10/08/2016	LGRCEU	Payroll deductions	M		20.50
EFT10127	16/08/2016	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	LEASE	M		421.30
EFT10128	16/08/2016	NAB BUSINESS VISA	CREDIT CARD	M		3,585.71
EFT10129	16/08/2016	AUSTRALIA POST	POSTAGE	M		136.95

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Shire of MINGENEW
List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10130	16/08/2016	ATOM SUPPLY	CHARGES	M		181.65
EFT10131	16/08/2016	DONGARA DRILLING & ELECTRICAL	CHARGES	M		919.57
EFT10132	16/08/2016	ELDERS LIMITED	CHARGES	M		520.30
EFT10133	16/08/2016	GERALDTON AG SERVICES	CHARGES	M		175.60
EFT10134	16/08/2016	GREAT SOUTHERN FUEL SUPPLIES	CHARGES	M		11.00
EFT10135	16/08/2016	CANINE CONTROL	FEES	M		1,012.00
EFT10136	16/08/2016	LATERAL ASPECT	CHARGES	M		4,070.00
EFT10137	16/08/2016	LIKEITAUS	CHARGES	M		763.37
EFT10138	16/08/2016	Reliance Petroleum	FUEL	M		2,599.57
EFT10139	16/08/2016	STARICK TYRES	TYRES	M		490.80
EFT10140	16/08/2016	MIDWEST LOCK & SAFE	KEYS	M		425.00
EFT10141	16/08/2016	PRITCHARD BOOKBINDERS	CHARGES	M		89.10
EFT10142	16/08/2016	Telstra Corporation	TELSTRA	M		1,587.61
EFT10143	16/08/2016	MINGENEW FABRICATORS	CHARGES	M		422.02
EFT10144	16/08/2016	SHIRE OF WILLIAMS	CHARGES	M		700.00
EFT10145	24/08/2016	Shire of Mingenew - Payroll	PAYROLL	M		30,815.63
EFT10146	24/08/2016	Australian Services Union	Payroll deductions	M		105.40
EFT10147	24/08/2016	CHILD SUPPORT AGENCY	Payroll deductions	M		247.73
EFT10148	24/08/2016	LGRCEU	Payroll deductions	M		20.50

Date: 05/09/2016
Time: 9:16:17AM

Shire of MINGENEW
List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10149	29/08/2016	AVON WASTE	CHARGES	M		4,736.02
EFT10150	29/08/2016	MOORE STEPHENS	CHARGES	M		660.00
EFT10151	29/08/2016	BOLTS-R-US	CHARGES	M		63.20
EFT10152	29/08/2016	BATAVIA COAST AUTO ELECTRICAL PTY LTD	CHARGES	M		585.00
EFT10153	29/08/2016	Courier Australia	FREIGHT	M		78.12
EFT10154	29/08/2016	CLEANPAK SOLUTIONS	CHARGES	M		78.05
EFT10155	29/08/2016	DONGARA DRILLING & ELECTRICAL	CHARGES	M		330.00
EFT10156	29/08/2016	DONGARA BUILDING & TRADE SUPPLIES	CHARGES	M		333.80
EFT10157	29/08/2016	GERALDTON MOWER & REPAIR SPECIALISTS	CHARGES	M		863.80
EFT10158	29/08/2016	IRWIN PLUMBING SERVICES	CHARGES	M		10,203.60
EFT10159	29/08/2016	LHAAC	CHARGES	M		385.00
EFT10160	29/08/2016	LGMA	SUBSCRIPTION	M		1,102.00
EFT10161	29/08/2016	Market Creations	CHARGES	M		715.00
EFT10162	29/08/2016	PURCHER INTERNATIONAL	CHARGES	M		31.25
EFT10163	29/08/2016	THE PAPER COMPANY OF AUSTRALIA	CHARGES	M		1,496.00
EFT10164	29/08/2016	PRIME MEDIA GROUP PTY	CHARGES	M		3,300.00
EFT10165	29/08/2016	Signs Plus	CHARGES	M		18.00
EFT10166	29/08/2016	LANDMARK	CHARGES	M		109.89

Date: 05/09/2016
 Time: 9:16:17AM

Shire of MINGENEW
List of Accounts for August 2016

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10167	29/08/2016	SUN CITY PRINT	CHARGES	M		850.00
EFT10168	29/08/2016	SUNSET IT SOLUTIONS	CHARGES	M		1,534.50
EFT10169	29/08/2016	WESTRAC PTY LTD	CHARGES	M		69.49
EFT10170	29/08/2016	MINGENEW FABRICATORS	CHARGES	M		866.26
EFT10171	29/08/2016	Martin Gerard Whitely	REIMBURSEMENT	M		870.76
EFT10172	29/08/2016	YOUNG MOTORS	CHARGES	M		2,199.25
DD7734.1	10/08/2016	WA SUPER	Payroll deductions	M		5,554.26
DD7734.2	10/08/2016	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,082.73
DD7734.3	10/08/2016	PRIME SUPER	Superannuation contributions	M		219.08
DD7743.1	24/08/2016	WA SUPER	Payroll deductions	M		5,493.58
DD7743.2	24/08/2016	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,082.73
DD7743.3	24/08/2016	PRIME SUPER	Superannuation contributions	M		219.09

REPORT TOTALS

Bank Code	Bank Name	TOTAL
M	MUNI - NATIONAL AUST BANK	278,286.05
T	TRUST- NATIONAL AUST BANK	4,576.65
TOTAL		282,862.70

NATIONAL BUSINESS MASTERCARD

01 August to 31 August

CEO - Martin Whitely

LG Week costs	\$	37.72
LG Week costs	\$	16.80
LG Week costs	\$	10.50
LG Week costs	\$	42.00
LG Week costs	\$	30.20
JB Hi Fi	\$	19.95
LG Week costs	\$	56.50
LG Week costs	\$	51.50
JB Hi Fi	\$	575.92
LG Week costs	\$	42.00
LG Week costs	\$	19.95
LG Week costs	\$	318.00
LG Week costs	\$	14.70
Fuel	\$	85.19
LG Week NCZ dinner	\$	1,165.70
LG Week costs	\$	617.12
Fuel	\$	80.00
LG Golf Day Accommodation	\$	697.50
Bank Fees	\$	9.00
	\$	3,890.25

Work's Manager - Warren Borrett

Bank Fees	\$	9.00
	\$	9.00

Manager of Admin and Finance - Nita Jane

Internet	\$	179.90
Plate change fee	\$	25.30
Refreshments	\$	18.99
Fire Blanket	\$	19.80
Fuel	\$	67.77
Refreshments	\$	15.99
Bank Fees	\$	9.00
	\$	336.75

Total Direct Debit Payment made on 1st September 2016 \$ **4,236.00**

POLICE LICENSING

Direbt Debits from Muni Account

01 August to 31 August

Monday, 1 August 2016	\$ 806.75
Wednesday, 3 August 2016	\$ 509.95
Thursday, 4 August 2016	\$ 111.40
Friday, 5 August 2016	\$ 154.25
Monday, 8 August 2016	\$ 27,442.60
Tuesday, 9 August 2016	\$ 58.25
Wednesday, 10 August 2016	\$ 106.20
Thursday, 11 August 2016	\$ 53.10
Friday, 12 August 2016	\$ 153.70
Monday, 15 August 2016	\$ 243.40
Tuesday, 16 August 2016	\$ 812.60
Wednesday, 17 August 2016	\$ 5,941.85
Thursday, 18 August 2016	\$ 913.55
Friday, 19 August 2016	\$ 88.45
Monday, 22 August 2016	\$ 396.85
Tuesday, 23 August 2016	\$ 281.20
Wednesday, 24 August 2016	\$ 453.25
Thursday, 25 August 2016	\$ 2,707.30
Friday, 26 August 2016	\$ 1,320.80
Monday, 29 August 2016	\$ 55.00
Tuesday, 30 August 2016	\$ 16.60
Wednesday, 31 August 2016	\$ 623.55

\$ 43,250.60

BANK FEES

Direct debits from Muni Account

01 August to 31 August

Total direct debited from Municipal Account **\$ 163.98**

PAYROLL

Direct Payments from Muni Account

01 August to 31 August

Wednesday, 10th August 2016 \$ 45,284.88
Wednesday, 24th August 2016 \$ 44,472.73

\$ 89,757.61

9.2.3 FINANCIAL MANAGEMENT REVIEW

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM00
Disclosure of Interest:	Nil
Date:	4 August 2016
Author:	Nita Jane, Deputy CEO
Senior Officer:	Martin Whitely, CEO

Summary

This report recommends that Council receive the Financial Management Review report as tabled.

Attachment

Shire of Mingenew Financial Management Review – August 2016 (Butler Settineri)

Background

Local Government (Financial Management) Regulations, 5(2)(c), requires that the Chief Executive Officer is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every four financial years) and report to the local government on the results of those reviews.

Local Government (Financial Management) Regulation 5(1) requires that the Chief Executive Officer establish efficient systems and procedures:

- a) For the proper collection of money owing to the local government;
- b) For the safe custody and security of all money collected or held by the local government
- c) For the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process);
- d) To ensure proper accounting for municipal or trust:
 - a. Income received or receivable;
 - b. Expenses paid or payable
 - c. Assets and Liabilities
- e) To ensure proper authorisation for the incurring of liabilities and the making of payments
- f) For the maintenance of payroll, stock control and costing records
- g) To assist in the preparation of budgets, accounts and reports required by the Act or these regulations.

The previous review was undertaken by UHY Haines Norton Chartered Accountants in May 2012.

Comment

During June 2016 a detailed review of the Shire's financial management systems and procedures was carried out including an examination of a number of financial transactions, records, registers, policies and month end reconciliations. The findings and recommendations resulting from this review are included in the attached Shire of Mingenew Financial Management Review August 2016 prepared by Butler Settineri.

Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996, Regulation 5(2)(c)

Policy Implications

Some new and amended policies are recommended in the report from Butler Settineri.

Financial Implications

Nil.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.3
--

That Council receives the Shire of Mingenew Financial Management Review August 2016 as presented.

MvdM: DW
MING01

12 August 2016

Mr M Whitely
Chief Executive Officer
Shire of Mingenew
22 Victoria Street
MINGENEW WA 6522

Dear Mr Whitely

**SHIRE OF MINGENEW
AGREED-UPON PROCEDURES ENGAGEMENT
GOVERNANCE POLICIES AND PROCEDURES REVIEW**

Please find enclosed documents that relate to the agreed-upon procedures engagement of the above mentioned Shire.

Should you require any other information, please do not hesitate to contact me.

Yours faithfully
BUTLER SETTINERI (AUDIT) PTY LTD



MARIUS VAN DER MERWE CA
Director

Enc

SHIRE OF MINGENEW

AGREED-UPON PROCEDURES ENGAGEMENT

12 August 2016

CONTENT SUMMARY

1	Executive Summary	1
1.1	Background	1
1.2	Review objectives and scope	1
1.3	Approach	1
1.4	Key Findings	2
Appendix A	Review of implementation of Shire of Mingenew policies and procedures	
Appendix B	List of policies and procedures covered by this review	

This report is provided in accordance with the Agreed upon procedures engagement letter dated 27 May 2016 and is subject to its terms and conditions.

Our work was limited to that described in this report and was performed in accordance with ASRS 4400 as issued by AUASB. It did not constitute an examination or a review in accordance with generally accepted auditing standards or assurance standards. Accordingly, we provide no opinion or other form of assurance with respect to our work or the information upon which our work was based. We did not audit or otherwise verify the information supplied to us in connection with this review, except to the extent specified in this report.

Our work was based only on the information made available up to the date of the review. Accordingly, changes in circumstances after this date or the availability of other information could affect our findings

This report is intended solely for Shire of Mingenew's internal use and benefit and may not be relied on by any other party. We accept no liability or responsibility to any other party who gains access to this report.

1. Executive Summary

1.1 Background

As outlined in our engagement letter dated 27 May 2016, you engaged us to perform the review of the policies, procedures and practises ("framework") relating to particular areas of the Shire of Mingenew.

Shire of Mingenew is a local government based in Western Australia. It is governed by 6 Councillors and a Shire President. Council is responsible for planning and making decisions on policies and developments affecting the area.

At the time of the review, the Shire employed 18 staff to implement the Council's decision, run its day-to-day operations and provide a range of programs and services for the community.

As required by Regulation 5(2) of the Local Government (Financial Management) Regulations 1996, the Chief Executive Officer ("CEO") is to review the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly. The CEO is also required to report to the audit committee the results of this review.

During the early part of 2016, the CEO outsourced the above review and engaged Butler Settineri (Audit) Pty Ltd to conduct a review of the local government's system covering key financial management areas in the framework.

1.2 Review objectives and scope

The objective of this review is to compare the internal control policies and procedures adopted by the Shire of Mingenew with the minimum requirements of the Local Government Act 1995 and its associated regulations and to determine the extent to which the stated policies and procedures as adopted by Shire of Mingenew have been implemented by the CEO.

The scope included a review of the policies and procedures and the areas and cycles described in Appendix B to this report.

1.3 Approach

The review process was carried out as follows:

We obtained a list of all the policies and procedures as documented by the Shire from the Deputy CEO, Nita Jane.

We compared this listing and the relevant areas covered by these policies to the Local Government Act and Regulations, in particular the Local Government (Financial Management) Regulations, as amended from time to time.

We noted areas of concern, in particular where we identified a lack of documented policies and procedures, or where documented policies and procedures deviated from the requirements of the regulations.

We further performed walkthroughs through all significant transaction cycles. Our decision to perform a walkthrough was based on the significance of a particular cycle in terms of either the dollar value it represented in the annual financial statements (reference year 2014-2015) or the strategic importance as noted in the regulations or discussions from management.

From these walkthroughs we noted areas of concern for discussion with management. Areas of concern include any significant deviation from the documented framework, or where the current framework did not address key risk areas.

From the work performed above, we prepared a draft report to identify specific key risk areas and potential improvement recommendations.

After consulting with management and obtaining their comments on our recommendations, we now issue our final report to the audit committee.

1.4 Key findings

From the work performed during our review, we note that the financial management framework is generally in good order.

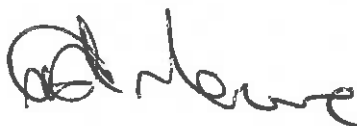
In particular, we found that all major controls in relation to financial controls for the receipting of monies, safeguarding of assets and control over expenditure are in place and functional.

Therefore, most of our findings are categorised as medium or low, which indicate a generally good system of internal control and we wish to congratulate Martin, Nita and the team on maintaining a high level of control with regards to the financial systems of the Shire.

We do have several recommendations to make however, and the detailed findings identified during our review can be found in Appendix A of this report. These recommendations have been discussed with management, and action plans to address these risks within acceptable timeframes were agreed on.

We would like to take this opportunity to thank all staff involved in this review for their courteous assistance.

BUTLER SETTINERI (AUDIT) PTY LTD



MARIUS VAN DER MERWE CA
Director

Appendix A: Review of implementation of Shire of Mingenew policies and procedures

No.	Accounting Cycle	Audit Findings/Comment	Rating	Recommendation	Management comment
1.	Cash & Banking	<p>We noted that at the end of each day, the till at reception is counted by only one staff member.</p> <p>We also noted that the review of the cash reconciliations does not involve a physical recount of the cash.</p>	Medium	<p>We recommend that the daily cash count be performed by more than one person.</p> <p>Where this is not practical, we recommend that on an ad hoc basis, the senior finance administration officer incorporate the cash count as part of the daily review of the reconciliation to ensure that the cash reconciliation agrees to the cash balance at the end of that day.</p>	The process will be amended to have a second person count the daily cash.
2.	Cash & Banking	We noted that the petty cash box is kept locked in an open safe.	Low-Medium	We recommend that the petty cash box is kept locked during the day and that an officer is delegated the responsibility for the safekeeping of petty cash.	The Petty Cash is maintained by the SFO. The safe will be kept locked at all times.
3.	Purchases/Expenses	During the review, we noted that the CEO's credit card is often used for fuel purchases when the credit card policy limits and restricts its use for this purpose.	Medium	We recommend that the credit cards are reviewed and maintained in line with your Credit Card Policy. Specifically, that the credit card is not used for fuel purchases and only fuel cards are used for this purpose.	The fuel card is limited to only the one fuel distributor in BP/Great Southern Fuels. Fuel purchases on the credit card occur predominantly when a BP or Great Southern Fuels outlet is unavailable or when fuel is purchased at a lower price than the

Appendix A: Review of implementation of Shire of Mingenew policies and procedures

No.	Accounting Cycle	Audit Findings/Comment	Rating	Recommendation	Management comment
4.	Purchases/ Expenses	It was noted that the Works Manager and the Senior Finance Officer are married, and the Senior Finance officer is one of the approving signatures on the Works Managers Purchase Order payments and payroll approval process.	Medium	We recommend that the CEO and the DCEO review anything the Works Manager raises as a Purchase Order before being paid and confirm the correct amount is then paid.	BP outlet. Suggest that the policy is reviewed to allow fuel purchases on the credit card. Creditors batches are checked at input stage (Batch Listing) by DCEO and invoices verified to Purchase Order. Creditors payments are checked prior to authorisation by DCEO.
5.	Purchase/ Expense	During the review, it was noted that the Delegations Authority for payments made by EFT or direct deposit only require one signature being the CEO or Manager Finance & Administration. However, we note in practice that the Senior Finance Officer provides a second signature for payments made by EFT and direct deposit	Low	We recommend the Delegation Authority is updated to reflect the current system in place and the correct role titles for the individuals involved.	The SFO is not authorising any payments – merely loading them onto the banking software. Payments are authorised by the DCEO.
6.	Purchase/ Expense	It was noted that the delegations'	Medium	It is recommended that the Delegations Authority is reviewed and the wording amended to include the DCEO and level of	The Delegation Authority will be updated to reflect DCEO instead of MFA.

Appendix A: Review of implementation of Shire of Mingenew policies and procedures

No.	Accounting Cycle	Audit Findings/Comment	Rating	Recommendation	Management comment
		<p>authority doesn't specify the DCEO and the level of expenses this role can approve.</p>		<p>expenses that this role can approve.</p>	
7.	Purchase/Expense	<p>The current purchasing policy requires different quotes for different circumstances. However, we noted that the quotes obtained by the managers or relevant staff are not always kept and/or documented.</p>	Medium	<p>We recommend that copies of all quotes obtained are forwarded to the senior finance officer and attached to the purchase orders and invoices. This will not only demonstrate compliance with the purchasing policy, but will also allow the senior finance officer to act as another control in place to ensure that the purchasing policy has been adhered to.</p>	<p>The procedure will be amended to ensure quotes are attached to the final purchase order and invoice.</p>
8.	Purchase/Expense	<p>The current purchasing policy requires a minimum of 2 verbal quotes to be obtained for all expenses. We also noted that the reason behind selecting one supplier over another was not documented.</p>	Low	<p>We recommend that the Shire develop a form or template to allow the relevant manager or officer to outline the reason for selecting a certain supplier. This will not only promote transparency in the purchasing process, but also will ensure that the purchase provides the best value for money for the Shire.</p>	<p>The procedure will be amended to include a form to record verbal quotes.</p>

Appendix A: Review of implementation of Shire of Mingenew policies and procedures

No.	Accounting Cycle	Audit Findings/Comment	Rating	Recommendation	Management comment
9.	Purchase/Expense	We understand from conversations with management that quotations requested through WALGA eQuotes are opened solely by the CEO.	Medium	For tenders above \$150,000 we recommend another manager is present when the eQuotes are opened, after the tender closing date, reviewed and that they sign the tender documents to state they were present.	The procedure will be amended to ensure two officers are present during the opening of tenders and that there presence is documented on the tender documents.
10.	Payroll	We noted that the bank payment of payroll only requires the approval of the DCEO.	Medium	We recommend that approval for bank payroll payments are approved by the CEO as well as the DCEO.	The payroll is authorised by the CEO prior to the payment being made. Currently all bank transactions only require one authoriser (once they are uploaded by the SFO)
11.	Payroll	We noted that there is no formal policy in relation to the annual employee performance review and salary review process.	Medium	We recommend a policy is documented in order to demonstrate compliance with the Regulations.	A policy will be implemented for the annual employee performance review and salary review process.
12.	Rates	We noted that outstanding ratepayers are not being followed up in a timely manner and some debts may become large and unrecoverable.	Medium	We recommend that a review process is put in place to ensure that the rates recovery process is being consistently done and rates are being received in a timely manner.	A policy is in place for collection of outstanding rates. (3006.1). This will be adhered to.
13.	Fees and Charges	It is noted that private work orders	Medium	We recommend a standardised process where all the private work	A process will be implemented where all

Appendix A: Review of implementation of Shire of Mingenew policies and procedures

No.	Accounting Cycle	Audit Findings/Comment	Rating	Recommendation	Management comment
		<p>can be taken directly by the works manager instead of placing an order through the Shire administration office.</p> <p>As a result, there appears to be limited controls in place to ensure all works completed have been recorded.</p>		<p>orders are placed through the Shire reception and recorded in the private work order book.</p> <p>This can ensure the completeness of Shire private work charges revenue.</p>	<p>private work orders are placed with the Debtors Officer and recorded in a private works register.</p>
14.	Fees and charges	<p>We found that there are no formal documented accounts receivable policies and procedures with regards to fees and charges included in the policy manual.</p>	Medium	<p>Although, this is not considered to be a significant risk area, it is recommended to include this in the Shire policy manual in order to standardise the policies and procedures surrounding debtor monitoring and control.</p>	<p>Policies and procedures for accounts receivable will be implemented.</p>
15.	Grants	<p>We noted that compliance with grant conditions is the responsibility of a specific person in the Shire, normally the person who identifies the grant and applies for it.</p> <p>Therefore, there may be a risk that if the specific person who is managing the grant is away from the Shire for any reason that the requirements of the grant may not be met.</p>	Low	<p>We recommend that a grant register is maintained confirming the person responsible as well as conditions to be met. We further recommend that the DCEO reviews the register on a monthly basis to confirm that all grant conditions have been complied with.</p>	<p>A grant register and a procedure for regular review of grant conditions will be implemented to ensure compliance.</p>

Appendix B: List of policies and procedures covered by this review

A. Shire Policies

- Credit Cards Policy
- Purchasing Policy
- Delegation Register
- Policy Manual

B. Shire Procedures

- Processing Payroll Procedure
- Bank Reconciliation Procedure
- Internal Transfer Instructions
- Receipting Direct Deposits
- Uploading EFT Files and Domestic Transfers
- Monthly Fuel Stocks

C. Legislative Compliance

- Local Government (Audit) Regulations 1996
 - Regulation 7, Regulation 10 and Regulation 17
- Section 7 of the Department of Local Government Accounting Manual
- Local Government (Elections) Regulation 1996
 - Part 5A Disclosure of gifts-30G Register
- Local Government (Administration) Regulation 1996
 - Part 4 Local government employees-Regulation 18A to 18G
- Local Government Act 1995
 - Section 6.4
 - Section 5.16 to 5.18A
 - Section 5.36 to 5.37
 - Section 5.45 to 5.46
 - Section 5.67 to 5.68
 - Section 5.73 to 5.77
 - Section 5.88
 - Section 5.103
 - Section 5.120 to 5.121
 - Section 3.57 to 3.58
 - Section 7.1A to 7.1C
 - Section 7.3
 - Section 7.9
 - Section 7.12
- Local Government (Functions and General) Regulations 1996
 - Part 4 Provision of goods and services-Regulation
 - Part 3 Commercial enterprises by local governments
- Local Government (Financial Management) Regulations 1996
 - Regulation 5 to Regulation 13
 - Regulation 34

9.3 ADMINISTRATION

Nil

9.4 TOWN PLANNING

Nil

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

11.1 ELECTED MEMBERS

11.2 STAFF

12.0 CONFIDENTIAL ITEMS

Nil

13.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 19 October 2016 commencing at 4.30pm.

14.0 CLOSURE