



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

**Wednesday 21 February 2018**

# Shire of Mingenew

## Ordinary Council Meeting Notice Paper

21 February 2018

Madam President and Councillors,

An Ordinary Meeting of Council is called for Wednesday, 21 February 2018, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

**Martin Whitely**  
**Chief Executive Officer**

16 February 2018

### **DISCLAIMER**

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Mingenew expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

**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).

## Table of Contents

1.0	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	5
2.0	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....	5
3.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	5
4.0	PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	5
5.0	APPLICATIONS FOR LEAVE OF ABSENCE .....	5
6.0	DECLARATIONS OF INTEREST .....	5
7.0	CONFIRMATION OF PREVIOUS MEETING MINUTES .....	5
7.1.1	ORDINARY MEETING HELD 20 DECEMBER 2017 .....	5
7.1.2	SPECIAL MEETING HELD 31 JANUARY 2018 .....	58
7.1.3	EXECUTIVE MEETING HELD 2 FEBRUARY 2018 .....	64
8.0	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION .....	66
9.0	OFFICERS REPORTS .....	66
9.1	CHIEF EXECUTIVE OFFICER.....	67
9.1.1	MINGENew FITNESS & REHABILITATION FACILITY .....	67
9.2	FINANCE .....	71
9.2.1	FINANCIAL STATEMENTS FOR PERIOD ENDING 31 DECEMBER 2017 .....	71
9.2.2	FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JANUARY 2018.....	102
9.2.3	ACCOUNTS FOR PAYMENT – MONTH ENDING 31 DECEMBER 2017 .....	133
9.2.4	ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JANUARY 2018 .....	141
9.3	ADMINISTRATION .....	148
9.3.1	CEO DELEGATIONS.....	148
9.4	TOWN PLANNING .....	150
9.4.1	SHIRE OF MINGENew LOCAL PLANNING SCHEME REVIEW.....	150
9.4	TOWN PLANNING .....	209
9.4.2	THIRD PARTY APPEAL RIGHTS.....	209
9.5	BUILDING .....	212
10.0	ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	212
11.0	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....	212
11.1	ELECTED MEMBERS .....	212
11.2	STAFF.....	212
12.0	CONFIDENTIAL ITEMS.....	212
13.0	TIME AND DATE OF NEXT MEETING .....	212
14.0	CLOSURE.....	212

## **SHIRE OF MINGENEW**

### **AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 21 February 2018 COMMENCING AT 4.30pm**

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 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 20 DECEMBER 2017**



# MINUTES FOR THE ORDINARY COUNCIL MEETING HELD ON

**Wednesday 20 December 2017**

## **DISCLAIMER**

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

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## Table of Contents

1.0	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2.0	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....	3
3.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	3
4.0	PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	3
5.0	APPLICATIONS FOR LEAVE OF ABSENCE .....	3
6.0	DECLARATIONS OF INTEREST .....	3
7.0	CONFIRMATION OF PREVIOUS MEETING MINUTES.....	3
7.1.1	ORDINARY MEETING HELD 15 NOVEMBER 2017 .....	3
8.0	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION .....	4
9.0	OFFICERS REPORTS .....	4
9.1	CHIEF EXECUTIVE OFFICER .....	5
9.1.1	MURCHISON REGIONAL ABORIGINAL CORPORATION .....	5
9.1.2	LOCAL EMERGENCY MANAGEMENT COMMITTEE .....	9
9.1.3	BUSH FIRE RISK MANAGEMENT PLAN.....	12
9.2	FINANCE .....	15
9.2.1	FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2017.....	15
9.2.2	ACCOUNTS FOR PAYMENT – MONTH ENDING 30 NOVEMBER 2017.....	18
9.3	ADMINISTRATION .....	20
9.3.1	COUNCIL MEETING DATES FOR 2017 .....	20
9.3.2	FREEDOM OF INFORMATION ACT 1992 – INFORMATION STATEMENT .....	23
9.4	TOWN PLANNING .....	26
9.4.1	SHIRE OF MINGENEW LOCAL PLANNING SCHEME REVIEW.....	26
9.4.2	MINGENEW TOWNSITE REVITALISATION PLAN.....	31
9.4.3	PROPOSED BOUNDARY RATIONALISATION, YANDANOOKA .....	34
9.5	BUILDING .....	51
10.0	ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	51
11.0	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....	51
11.1	ELECTED MEMBERS .....	51
11.2	STAFF.....	51
12.0	CONFIDENTIAL ITEMS.....	51
12.1	BUILDING & ENVIRONMENTAL HEALTH SERVICES.....	51
13.0	TIME AND DATE OF NEXT MEETING .....	52
14.0	CLOSURE.....	52

## SHIRE OF MINGENEW

### MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 20 December 2017 COMMENCING AT 4.30pm

#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President HM Newton declared the meeting open at 4.30pm and welcomed all in attendance.

#### 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

##### COUNCILLORS

HM Newton	President	Town Ward
CR Lucken	Councillor	Town Ward
KJ McGlinn	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward

##### STAFF

MG Whitely	Chief Executive Officer
D Ojha	Finance Manager
B Bow	Governance Officer
Simon Lancaster	Town Planner

##### PUBLIC

Marc Conway (4:32pm – 5:05pm)

#### 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

Nil

#### 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

#### 6.0 DECLARATIONS OF INTEREST

Nil

#### 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

##### 7.1.1 ORDINARY MEETING HELD 15 NOVEMBER 2017

COUNCIL DECISION – ITEM 7.1.1
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Moved Cr LM Eardley

Seconded Cr JD Bagley

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 15 November 2017 be confirmed as a true and correct record noting the amendment to the Delegate for the Local Emergency Management Committee being changed to RW Newton for Council Decision 9.1.1.

CARRIED 7/0

#### 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

#### 9.0 OFFICERS REPORTS

DRAFT

## 9.1 CHIEF EXECUTIVE OFFICER

### 9.1.1 MURCHISON REGIONAL ABORIGINAL CORPORATION

**Location/Address:** 25 Crawford Street, Geraldton  
**Name of Applicant:** Murchison Aboriginal Regional Corporation  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0034  
**Date:** 14 December 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that Council consider a request from the Murchison Regional Aboriginal Corporation for a rates exemption.

#### Attachment

Murchison Aboriginal Corporation - Letter Requesting Additional Information  
Murchison Aboriginal Corporation Submission

#### Background

A request has been received from the Murchison Regional Aboriginal Corporation ("MRAC") seeking an exemption for property owned by MRAC and leased to a third party on the basis that the property does not constitute rateable land since it is used exclusively for charitable purposes.

#### Comment

Section 6.26(2) of the Local Government Act 1995 stipulates land that is considered as not rateable. MRAC argue that land within the Shire of Mingenew is exempt under Section 6.26(2)(g) since the land is used exclusively for charitable purposes.

The definition of a charitable purpose is generally required to fall under one of the following areas;

- The relief of poverty, age and impotence
- The advancement of education
- The advancement of religion, and
- Other purposes beneficial to the community

A person may make an objection under Section 6.76(1)(a)(ii) of the Local Government Act 1995 on the basis that the land or part of the land is not rateable land.

Section 6.76(2)(a) clearly identifies that an objection is to be made to the local government in writing within 42 days of service of a rates notice under Section 6.41 of the Local Government Act 1995.

Section 6.76(4) of the Local Government Act 1995 allows the local government to extend the time for making the objection for such period as it thinks fit.

As the objection is dated 18 September 2017 and was received by the Shire of Mingenew on 22 September 2017, this clearly falls inside of the 42 day period as specified under Section 6.76 of the Local Government Act 1995. As such Council are required to consider objections inside of this period under Section 6.76 of the Local Government Act 1995.

The applicant has the right under Section 6.78 of the Local Government Act 1995 to apply to the State Administrative Tribunal for a review of the decision of the local government should Council resolve to not allow the rates exemption.

MRAC own two properties in the Shire of Mingenew, a house located at 14 Field Street and vacant land located at 2 View Street. An exemption is only sought for the property at 14 Field Street which is currently tenanted to Ms Imelda Jones. Shire rates levied on this property in 2017/18 were \$1,466.80.

I did request some additional information from MRAC with regards to the current tenancy of the property and there response is attached for Council information.

Vacant land is not eligible for a rates exemption under the definition of a charitable purpose unless this land is used for charitable purposes at some stage in the future.

The CEO has delegated authority to write off amounts up to an amount of \$100.

### Consultation

Nil

### Statutory Environment

#### Local Government Act 1995

#### 6.26. Rateable land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
  - (a) land which is the property of the Crown and —
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except —
      - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
      - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;
  - and
  - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
  - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
  - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
  - (e) land used exclusively by a religious body as a school for the religious instruction of children; and
  - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and

- (g) land used exclusively for charitable purposes; and
  - (h) land vested in trustees for agricultural or horticultural show purposes; and
  - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Management Act 2006*) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and
  - (j) land which is exempt from rates under any other written law; and
  - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the *Gazette*.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

[Section 6.26 amended by No. 36 of 1999 s. 247; No. 77 of 2006 Sch. 1 cl. 102; No. 24 of 2009 s. 506 (correction to reprint in Gazette 7 Sep 2012 p. 4329).]

#### 6.76. Grounds of objection

- (1) A person may, in accordance with this section, object to the rate record of a local government on the ground —
- (a) that there is an error in the rate record —
    - (i) with respect to the identity of the owner or occupier of any land; or
    - (ii) on the basis that the land or part of the land is not rateable land;
  - or
  - (b) if the local government imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis for imposing that rate should be deleted and other characteristics substituted.
- (2) An objection under subsection (1) is to —
- (a) be made to the local government in writing within 42 days of the service of a rate notice under section 6.41; and
  - (b) identify the relevant land; and
  - (c) set out fully and in detail the grounds of objection.
- (3) An objection under subsection (1) may be made by the person named in the rate record as the owner of land or by the agent or attorney of that person.
- (4) The local government may, on application by a person proposing to make an objection, extend the time for making the objection for such period as it thinks fit.
- (5) The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.

- (6) After making a decision on the objection the local government is to promptly serve upon the person by whom the objection was made written notice of its decision on the objection and a statement of its reason for that decision.

**6.78. Review of decision to refuse to extend time for objection**

A person who is dissatisfied with a decision of the local government to refuse to extend the time for making an objection against the rate record may apply to the State Administrative Tribunal for a review of the decision.

*[Section 6.78 amended by No. 55 of 2004 s. 695.]*

**Policy Implications**

Nil

**Financial Implications**

If Council agree to the rates exemption an amount of \$1,466.80 in rates will be refunded.

**Strategic Implications**

Community Strategic Plan

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

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.1**

**That Council**

1. Agree to the request from the Murchison Aboriginal Regional Corporation for a rates exemption for the property located at 14 Field Street, Mingenew (Assessment 219) for the 2017/18 financial year, and
2. Notify the Murchison Aboriginal Regional Corporation that similar requests for future financial years are required to be made to the Shire of Mingenew in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.

**COUNCIL DECISION – ITEM 9.1.1**

Moved Cr LM Eardley

Seconded Cr CR Lucken

**That Council**

1. Agree to the request from the Murchison Aboriginal Regional Corporation for a rates exemption for the property located at 14 Field Street, Mingenew (Assessment 219) for the 2017/18 financial year, and
2. Notify the Murchison Aboriginal Regional Corporation that similar requests for future financial years are required to be made to the Shire of Mingenew in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.

**CARRIED 7/0**

### 9.1.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0093  
**Date:** 14 December 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

Council is requested to review the current Local Emergency Management Committee arrangements.

#### Attachment

State EM Preparedness Procedures – Extract Only

#### Background

At the April 2017 Ordinary Meeting Council resolved to enter into a shared services arrangement of a Ranger & Emergency Services Officer with the Shire's of Three Springs and Carnamah. The decision made at April 2017 Ordinary Meeting resulted in the cessation of the previous arrangements for Ranger Services and the Community Emergency Services Manager.

Part of the role of the Community Emergency Services Manager was to act as the Executive Officer and coordinate arrangements for the Local Emergency Management Committee which was a joint arrangement between the Shire's of Mingenew, Morawa, Perenjori and Three Springs.

#### Comment

The Mingenew Morawa Perenjori Three Springs LEMC historically met every 3 months. The last meeting was held on 3 May 2017 and no meeting has been held since. The LEMC arrangements included having a rotating Chairperson, of which the Shire of Morawa is the current Chair effective from the date of the last meeting held in May 2017.

Although the Shire's of Three Springs and Mingenew have withdrawn from the Community Emergency Services Agreement with the Shire's of Morawa and Perenjori, the LEMC between the four Shires (Mingenew, Three Springs, Morawa and Perenjori) is still technically in place as no formal process has been undertaken to separate from the current LEMC arrangements.

An extract is attached from the State EM Preparedness Procedures outlining the process for amalgamation and separation of local governments for the purposes of emergency management.

On Friday 1 December discussions were held with the CEO's from Shire of Three Springs, Shire of Carnamah and the Office of Emergency Management to discuss the options for the Local Emergency Management Committee arrangements ("LEMC") going forward. These discussions evolved partly from the Council resolution at the April 2017 Ordinary Meeting when Council resolved to enter into a shared services arrangement of a Ranger & Emergency Services Officer with the Shire's of Three Springs and Carnamah and also with the demerger of the LEMC arrangements between the Shire of Carnamah and the Shire of Coorow. With the demerger of the LEMC arrangements between Carnamah and Coorow, Coorow have since formed an alliance with the Shire of Irwin, however the Shire of Carnamah are currently in limbo and to have not any formal LEMC arrangements in place. At this meeting it was agreed that the Shire's of Mingenew, Three Springs and Carnamah's preferred LEMC option was to include the Shire of Carnamah in the current LEMC arrangements in place for Mingenew, Morawa, Three Springs and Perenjori. As such it was agreed that the CEO's from the Shire's of Morawa and Perenjori be approached and get an indication

of their preferred LEMC option going forward given that there is now a Community Emergency Services Manager ("CESM") agreement in place between Morawa, Perenjori, Yalgoo and the Murchison.

A phone conference between the CEO's of the Shire's of Mingenew, Morawa, Perenjori, Three Springs, Carnamah and the Office of Emergency Management was held on Tuesday 12 December 2017. During the conference Mingenew, Three Springs and Carnamah all indicated that their preferred option was for Carnamah to join the existing four local governments and form a LEMC consisting of all five local governments. Subject to Morawa and Perenjori agreeing to the proposal the alternative would be that Mingenew, Three Springs and Carnamah form a LEMC in the event that Morawa and Perenjori opted to separate from the existing LEMC.

Advice was received on Thursday 14 December from the Shire of Morawa that Council have indicated they are interested in exploring the move from the existing four local governments to include Carnamah into the LEMC arrangements and that the item would be tabled for Council consideration for a formal position at the December Ordinary Council Meeting. The Shire of Perenjori has also indicated that a similar item would be tabled at their December Council meeting.

The most obvious hurdle with Carnamah joining the current LEMC is the appointment of an Executive Officer for the LEMC. The previous CESM Rick Ryan was the Executive Officer for the LEMC. Mr Ryan is now employed as the CESM for Morawa, Perenjori, Yalgoo and Murchison. My thoughts are that both Mr Ryan and Grant Fidoch (Ranger & Emergency Services Officer – Mingenew, Three Springs & Carnamah) would work together in adding Carnamah into the current LEMC arrangements. Going forward, a suggestion would be that the Executive Officer for the new LEMC could be rotated, similar to that of the position of Chairperson, between the Morawa, Perenjori, Yalgoo and Murchison CESM and the Mingenew, Three Springs & Carnamah Ranger & Emergency Services Officer

My recommendation to Council is that an invitation is extended to the Shire of Carnamah to join the current LEMC. This seems to be the most logical solution since all five Shire's have commonalities in place that we all share the same emergency services, as and if required. It should also be noted that the Shire of Carnamah were previously actively involved with the existing LEMC through the involvement of President Merle Isbister in her capacity as a St John's Ambulance Officer.

In the event that Morawa and Perenjori resolve that their preferred option is to separate from the current LEMC then my recommendation to Council is that the Mingenew, Three Springs and Carnamah form a LEMC.

#### **Consultation**

Jonelle Tyson, Office of Emergency Management  
Ian Comben, DFES  
Shire's of Three Springs, Morawa, Perenjori & Carnamah

#### **Statutory Environment**

State EM Preparedness Procedures

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 3.7.3 – Continuously improve emergency services

Outcome 4.2.1 – Continue to deliver quality local government services and facilities.

Outcome 4.2.2 – To be strong advocates representing the Shire's interests

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.2</b>
--

That Council

1. Extend an invitation to the Shire of Carnamah to join the Mingenew Morawa Perenjori Three Springs Local Emergency Management Committee, and
2. Convene a Local Emergency Management Committee between all the Shire's to discuss the process of amalgamating the Shire of Carnamah into the existing Local Emergency Management Committee, and
3. That if in the event of not all five local governments supporting to form a Local Emergency Management Committee that the Shire of Mingenew approach the Shire's of Three Springs and Carnamah to form a Local Emergency Management Committee and
4. Authorises the CEO to make the necessary arrangements to implement the Local Emergency Management Committee as outlined above.

<b>COUNCIL DECISION – ITEM 9.1.2</b>
--------------------------------------

Moved Cr RW Newton

Seconded Cr KJ McGlinn

That Council

1. Extend an invitation to the Shire of Carnamah to join the Mingenew Morawa Perenjori Three Springs Local Emergency Management Committee, and
2. Convene a Local Emergency Management Committee between all the Shire's to discuss the process of amalgamating the Shire of Carnamah into the existing Local Emergency Management Committee, and
3. That if in the event of not all five local governments supporting to form a Local Emergency Management Committee that the Shire of Mingenew approach the Shire's of Three Springs and Carnamah to form a Local Emergency Management Committee and
4. Authorises the CEO to make the necessary arrangements to implement the Local Emergency Management Committee as outlined above.

CARRIED 7/0

### 9.1.3 BUSH FIRE RISK MANAGEMENT PLAN

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0147  
**Date:** 14 December 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

Council is requested to review and endorse the Bushfire Risk Management Plan.

#### Attachment

Draft Bushfire Risk Management Plan

#### Background

The Shire was successful in obtaining funding under the National Bushfire Mitigation Program funded by the Department of Fire & Emergency Services and the State Emergency Management Committee Secretariat to have a Bushfire Risk Management Plan completed for the Shire of Mingenew. The purpose of the project was to have a Bush Fire Management Plan ("BRM") that can be clearly integrated with the Shire's Local Emergency Management Plan, Townsite Strategy Plan, Community Strategic Plan and other related key Shire strategic plans.

#### Comment

This BRM Plan is a strategic document that identifies assets at risk from bushfire and their priority for treatment. The Treatment Schedule sets out a broad program of coordinated multi-agency treatments to address risks identified in the BRM Plan

Expressions of interest were obtained and Mr Ralph Smith was engaged to complete the Bushfire Risk Management Plan. Mr Smith, who is now semi retired, was instrumental in preparing many like plans during his distinguished career at DFES.

The BRM Plan has been prepared in great detail and in accordance with the requirements of Westplan Fire and the Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines). The risk management processes used to develop this BRM Plan are aligned to the key principles of AS/NZS ISO 31000:2009 Risk management - Principles and guidelines (AS/NZS ISO 31000:2009), as described in the Second Edition of the National Emergency Risk Assessment Guidelines (NERAG 2015). This approach is consistent with the policies of the State Emergency Management Committee, specifically the State Emergency Management Policy 2.9 - Management of Emergency Risks.

The BRM Plan also includes recommendations to assist the Shire with the implementation of the Plan including a Communications Plan for key stakeholders.

#### Consultation

Ralph Smith, Smith Consulting

#### Statutory Environment

Westplan Fire and Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines)  
State Emergency Management Policy 2.9 – Management of Emergency Risks  
Risk management - Principles and guidelines  
National Emergency Risk Assessment Guidelines

## Policy Implications

### 2013 RISK MANAGEMENT POLICY

#### **PURPOSE**

The Shire of Mingenew ("the Shire") Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

#### **POLICY**

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.

Every employee within the Shire is recognized as having a role in risk management from the identification of risks to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

#### **DEFINITIONS (from AS/NZS ISO 31000:2009)**

**Risk:** Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organization-wide, project, product or process).

**Risk Management:** Coordinated activities to direct and control an organization with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

#### **RISK MANAGEMENT OBJECTIVES**

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organizational resilience.
- Identify and provide for the continuity of critical operations.

#### **RISK APPETITE**

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organizational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilized; however these cannot exceed the organizations appetite and are to be noted within the individual risk assessment.

#### **ROLES, RESPONSIBILITIES AND ACCOUNTABILITIES**

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

#### **MONITOR AND REVIEW**

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed within a three year cycle.

#### **Financial Implications**

Funding was received to have the Bushfire Risk Management Plan prepared and funds were allocated in the 2017/18 Budget.

#### **Strategic Implications**

Community Strategic Plan

Outcome 3.7.3 – Continuously improve emergency services

Outcome 4.2.1 – Continue to deliver quality local government services and facilities.

Outcome 4.2.2 – To be strong advocates representing the Shire's interests

#### **Voting Requirements**

Simple Majority

#### **OFFICER RECOMMENDATION – ITEM 9.1.3**

That Council

1. Endorse the Bushfire Risk Management Plan as tabled, and
2. Public Notice is given as to the endorsement of the Bushfire Risk Management Plan

#### **COUNCIL DECISION – ITEM 9.1.3**

Moved Cr JD Bagley

Seconded Cr LM Eardley

That Council

1. Endorse the Bushfire Risk Management Plan as tabled, and
2. Public Notice is given as to the endorsement of the Bushfire Risk Management Plan

**CARRIED 7/0**

## 9.2 FINANCE

### 9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0304  
**Date:** 13 December 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 30 November 2017 is presented to Council for adoption.

#### Attachment

Finance Report for period ending 30 November 2017

#### Background

The Monthly Financial Report to 30 November 2017 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 Fund & Cash on Hand	\$352,396
3 Month Term Deposit @ 2.45%	\$750,000
3 Month Term Deposit @ 2.45%	\$750,000
Restricted Funds ( Unspent Grants)	\$568,498
Trust Fund	\$71,623
Reserve fund (6 Month Term Deposit) @ 2.55%	\$396,475

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 30 November 2017:

	Current	30+ Days	60+ Days	90+ Days	TOTAL
Amount	51,547	0	11,080	1,606	64,233

Rates Outstanding at 30 November 2017 were:

	November 2017	October 2017
Rates	417,233	585,914
Rubbish	15,938	22,125
ESL	6,468	7,301
<b>TOTAL</b>	<b>439,639</b>	<b>625,340</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 financial year.

#### Consultation

Martin Whitely, Chief Executive 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 sub regulation (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 sub regulation (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

<b>OFFICER RECOMMENDATION – ITEM 9.2.1</b>
--

That the Monthly Statement of Financial Activity for the period 1 July 2017 to 30 November 2017 be received.

<b>COUNCIL DECISION – ITEM 9.2.1</b>
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Moved Cr RW Newton

Seconded Cr LM Eardley

That the Monthly Statement of Financial Activity for the period 1 July 2017 to 30 November 2017 be received.

CARRIED 7/0

## 9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30 NOVEMBER 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 13 December 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

### Summary

This report recommends that Council confirm the payment of creditors for the month of November 2017 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 November 2017 from the Municipal & Trust Fund totalling \$100,755.24 represented by Electronic Funds Transfers of EFT 11146 to EFT11190, Direct Deduction DD8263.1, 2, 3, 4, 5 & 6, DD 8272.1, 2, 3, 4,&6, DD 8294.1, 2, 3, 4,&6 and Municipal Cheque numbers 8530.

**COUNCIL DECISION – ITEM 9.2.2**

Moved Cr CR Lucken

Seconded Cr JD Bagley

That Council confirm the accounts as presented for November 2017 from the Municipal & Trust Fund totalling \$100,755.24 represented by Electronic Funds Transfers of EFT 11146 to EFT11190, Direct Deduction DD8263.1, 2, 3, 4, 5 & 6, DD 8272.1, 2, 3, 4,&6, DD 8294.1, 2, 3, 4,&6 and Municipal Cheque numbers 8530.

CARRIED 7/0

## 9.3 ADMINISTRATION

### 9.3.1 COUNCIL MEETING DATES FOR 2017

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
File Reference: ADM0228  
Disclosure of Interest: Nil  
Date: 20 November 2017  
Author: Martin Whitely, Chief Executive Officer

#### Summary

Council is requested to formally agree to the Council meeting dates for 2018 as outlined below.

#### Attachment

Nil

#### Background

Council has an obligation under the Local Government Act 1995 and associated regulations to advertise at least once a year the proposed meeting dates, times and place for the coming year.

There is the ability to change the date and/or time of a meeting if required and also the ability to call a Special Council meeting if required. These changes are to be advertised if time permits.

The Shire of Mingenew has traditionally met on the third Wednesday of the month and the Ordinary Council meetings have commenced at 4.30pm in the Council Chambers, Victoria Street, Mingenew.

Council does not usually hold a meeting in January but has the option of calling a meeting if required.

#### Comment

The meeting dates proposed for 2018 are as follows:

January 2018	No meeting
21 February 2018	
21 March 2018	
18 April 2018	
16 May 2018	
20 June 2018	
18 July 2018	
22 August 2018	
19 September 2018	
17 October 2018	
21 November 2018	
19 December 2018	

The Easter public holidays for 2018 are Friday 30 March and Monday 2 April 2018.

Mingenew Expo is scheduled for 15 & 16 August 2018. Given that the WALGA Local Government Convention is usually in the first week of August I have recommended that we put the August meeting date back a week to the following Wednesday.

**Consultation**

Nil

**Statutory Environment**

Local Government Act 1996, Section 5.25(1)g

Local Government (Administration) Regulations 1996, Sections 12(1)

**Policy Implications**

Nil

**Financial Implications**

Advertising costs are included in the annual operational budget

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.3.1</b>
--

That Council set the 2018 Council meeting dates to be held in the Shire of Mingenew Council Chambers, 21 Victoria Street, Mingenew commencing at 4.30pm as below and that Public Notice of the meetings dates is given:

January 2018

21 February 2018

21 March 2018

18 April 2018

16 May 2018

20 June 2018

18 July 2018

22 August 2018

19 September 2018

17 October 2018

21 November 2018

19 December 2018

No meeting

COUNCIL DECISION – ITEM 9.3.1

Moved Cr KJ McGlinn

Seconded Cr CR Lucken

That Council set the 2018 Council meeting dates to be held in the Shire of Mingenew Council Chambers, 21 Victoria Street, Mingenew commencing at 4.30pm as below and that Public Notice of the meetings dates is given:

January 2018  
21 February 2018  
21 March 2018  
18 April 2018  
16 May 2018  
20 June 2018  
18 July 2018  
22 August 2018  
19 September 2018  
17 October 2018  
21 November 2018  
19 December 2018

No meeting

CARRIED 7/0

### 9.3.2 FREEDOM OF INFORMATION ACT 1992 – INFORMATION STATEMENT

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0303  
**Date:** 14 December 2017  
**Author:** Belinda Bow, Governance Officer  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### Summary

This report includes a copy of the revised Shire of Mingenew Information Statement (IS) and recommends that Council review and endorse the Information Statement as amended.

#### Attachment

Revised Shire of Mingenew Information Statement for 2017-2018

#### Background

Part 5 of the *Freedom of Information Act 1992* (WA) (the FOI Act) requires each agency to prepare and publish an information statement within 12 months after the commencement of the FOI Act, and to update the statement at intervals of not more than 12 months (sections 96 and 97 of the FOI Act).

Further, the Act requires that all Local Governments have an information statement made available for inspection and/or purchase by members of the public.

#### Comment

Information Statements are an important part of FOI legislation. They assist members of the public to exercise their rights under the FOI Act, by describing the information and records available, together with a summary of the responsibilities and functions carried out by each agency.

The Information Statement can be published electronically on Council's website, as a stand-alone hard copy or incorporated into Council's Annual Report or a combination of all the options. A copy of the Information Statement must also be provided to the Information Commissioner when first produced and when any amendments are made.

#### Consultation

Alison McCubbin, Senior Advisory Officer, Office of the Information Commissioner

#### Statutory Environment

Freedom of Information Act, 1992

#### s.94 Publication of information about agencies

A reference in this Act to an *information statement*, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including —

- (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
- (ii) which kinds of documents can be purchased; and
- (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
  - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
  - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
  - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
  - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

**s.96 Information statement, each agency to publish annually**

1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —

- (a) within 12 months after the commencement of this Act; and
- (b) at subsequent intervals of not more than 12 months.

**s.97 Information statement and internal manual, each agency to make available etc.**

(2) An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.

**Policy Implications**

Nil

**Financial Implications**

There are costs associated with producing copies of the Information Statement, however the FOI Act allows Council to charge members of the public for a copy of the Information Statement and other documents that may be requested.

**Strategic Implications**

The Shire of Mingenew Community Strategic Plan supports the notion of open and accountable government.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.2**

That Council

1. Review and endorse the amended Freedom of Information – Information Statement,
2. Publish the Information on the Shire of Mingenew Website, and
3. Provide a copy of the amended Information Statement to the Information Commissioner.

**COUNCIL DECISION – ITEM 9.3.2**

Moved Cr KJ McGlinn

Seconded Cr JD Bagley

That Council

1. Review and endorse the amended Freedom of Information – Information Statement, and
2. Publish the Information on the Shire of Mingenew Website
3. Provide a copy of the amended Information Statement to the Information Commissioner.

CARRIED 7/0

## 9.4 TOWN PLANNING

### 9.4.1 SHIRE OF MINGENEW LOCAL PLANNING SCHEME REVIEW

**Location/Address:** Whole of Shire  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0110  
**Date:** 12 December 2017  
**Author:** Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### Summary

Council resolved at its 14 August 2017 meeting to initiate the preparation of Shire of Mingenew Local Planning Scheme No.4. Draft Scheme No.4 has now been prepared and this report recommends that Council resolve to forward the Scheme to the Environmental Protection Authority ('EPA') and the Western Australian Planning Commission ('WAPC') seeking consent to advertise.

#### Attachment

Draft Shire of Mingenew Local Planning Scheme No.4  
Draft Shire of Mingenew 'Outbuildings' Local Planning Policy

#### Background

The current Shire of Mingenew Local Planning Scheme No.3 was gazetted on 18 April 2008 and requires review to ensure the Shire's statutory planning document is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'). The review of the Scheme has also provided an opportunity to update it with regard for the Mingenew Townsite Local Planning Strategy that was adopted by Council at its 18 November 2015 meeting and endorsed by the WAPC on 18 January 2017.

The consultant will be making a presentation to Councillors at 2:00pm at the 20 December 2017 Concept Forum Session.

#### Comment

The current Shire of Mingenew Local Planning Scheme No.3 can be viewed at the following link to the WAPC website:

[https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20\(Scheme%203\)/index.aspx](https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20(Scheme%203)/index.aspx)

The Scheme Review process was not one of major overhauling of Scheme No.3, rather a fine-tuning exercise with changes generally limited to the following:

- Updating the Scheme text provisions to reference those as contained in the Regulations to ensure consistency and assist Council in statutory matters;
- Minor modifications to the Scheme map around the Mingenew townsite to reflect Council's planning directions as contained in the Mingenew Townsite Local Planning Strategy; &
- Review of the zonings to ensure that privately owned land was not identified for public purposes and that zonings for public/Crown land matched the management purpose.

#### Consultation

Following its resolution to prepare a new Local Planning Scheme at the 14 August 2017 meeting, Council was required as per Part 4 of the Regulations to provide notification of the resolution to stakeholders that may be affected by the scheme. The Shire therefore wrote to 22 government agencies and service

authorities and the 4 surrounding local governments, inviting within 21 days any recommendations in respect of the resolution and requests for issues for consideration in Scheme No.4.

In the event that Council and the WAPC are satisfied with draft Scheme No.4, the consultation process required for the advertising of a Local Planning Scheme is set by the Regulations. It is proposed that Scheme No.4 would be advertised for a period of 3 months, and the advertising would include the following actions:

- display of Scheme No.4 at the Shire office;
- display of Scheme No.4 at the WAPC office;
- display of Scheme No.4 on the Shire website;
- notice inviting comment to be published in a newspaper circulating in the district (i.e. Mid West Times);
- notice inviting comment being sent to all relevant government agencies.

At the conclusion of the advertising period Scheme No.4 would be returned to Council for its consideration of the received submissions.

A Stakeholder Engagement Strategy was also provided as an attachment with the 14 August 2017 Council Agenda that summarised the consultation actions that have informed the Mingenew Scheme Review process.

### **Statutory Environment**

Section 88 of the *Planning and Development Act 2005* ('the Act') requires local governments to review their planning scheme every five years. Schemes are prepared and adopted under Part 5 of the Act and in compliance with the Regulations.

Should Council be satisfied with draft Scheme No.4, then Section 81 of the Act and Section 48 of the *Environmental Protection Act 1986* require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. Given that the Scheme does not propose wholesale rezoning of land, rather more detailed refinement of existing zones, then it is anticipated that there would not be any basis for an Environmental Review to be requested. In the event that an Environmental Review was requested by the EPA this matter would be returned to Council for its further consideration.

Should the EPA not require the preparation of an Environmental Review, then Scheme No.4 can then be forwarded to the WAPC seeking its consent to advertise.

A chart illustrating the Scheme Review process was provided as an attachment with the 14 August 2017 Council Agenda.

### **Policy Implications**

Part 5 of current Scheme No.3 contains a number of sections that provide prescriptive direction relating to planning issues. It is suggested that some of these sections have been superseded by state-wide legislation that provide for enforcement including the *Environmental Protection Act 1986*, *Environmental (Noise) Regulations 1997*, *Caravan and Camping Grounds Act 1995*, *Local Government Act 1995*, *Land Administration Act 1997* and Residential Design Codes 2015.

Schedule 2 Part 2 Division 2 of the Regulations also provides Council with the ability to prepare Local Planning Policies.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between a Policy and the Scheme.

It is suggested that in areas where Council wishes to establish development guidelines and assessment criteria that a Local Planning Policy can be more suited than Scheme provisions. A Policy is still considered as reasonable basis for Council to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal, but a Policy also has an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning, or Council considers that an individual application should be supported based upon its displayed merits.

A draft 'Outbuildings' Local Planning Policy has been prepared for Council's consideration, and were Council to be satisfied with this approach, the Policy would sit alongside Scheme No.4 and effectively replace Section 5.17 of Scheme No.3.

In the event that draft Scheme No.4 was given consent to advertise by the WAPC it is proposed that the draft 'Outbuildings' Local Planning Policy would be advertised concurrently to provide the opportunity for comment to be made, and for Council to consider those comments in its final deliberation upon the Scheme No.4 and Local Planning Policy.

#### **Financial Implications**

The cost of preparation of the new Scheme is being funded through a grant received by the Shire from the Royalties for Regions Northern Planning Funding Program.

The Shire called for expressions of interest in accordance with the procedures laid out in its Policy Manual, and received 7 submissions that were subsequently reviewed against evaluation criteria, with Urbis being appointed as the successful firm.

#### **Strategic Implications**

The Scheme review will provide opportunity to ensure that the outcomes identified within the Shire of Mingenew Strategic Community Plan are incorporated into its statutory planning and zoning document.

#### **Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.4.1</b>
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That:

- 1 Council resolve to adopt Shire of Mingenew Local Planning Scheme No.4 pursuant to Part 5 of the *Planning and Development Act 2005* and forward, in accordance with Part 5 Division 3 Section 81 of the *Planning and Development Act 2005*, notice of the resolution to adopt and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.
- 2 Forward the Shire of Mingenew Local Planning Scheme No.4, in accordance with Part 4 Division 2 Section 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Western Australian Planning Commission seeking its consent to advertise.

- 3 Delegate to the Chief Executive Officer to undertake minor modifications to the Shire of Mingenew Local Planning Scheme No.4 that do not significantly alter the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model or Deemed provisions; updates necessitated by Scheme Amendments, Structure Plans, Policies or other Strategies that have been given approval in the interim period etc.) as may be required by the Western Australian Planning Commission or otherwise prior to its advertising consent being granted.
- 4 Upon receipt of the Western Australian Planning Commission's advice that the Shire of Mingenew Local Planning Scheme No.4 can be advertised, and compliance with Part 5 Division 3 Section 82 of the *Planning and Development Act 2005*, proceed to advertise the Scheme in accordance with Part 4 Division 2 Section 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5 At the conclusion of the advertising period return the draft Shire of Mingenew Local Planning Scheme No.4, and any received submissions, to Council for its further consideration.
- 6 Adopt draft Local Planning Policy – Outbuildings as a draft for public comment and advertise it concurrently with the Shire of Mingenew Local Planning Scheme No.4 pursuant to Section 2.4 of the Shire of Mingenew Local Planning Scheme No.3. and Schedule 2 Part 2 Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

#### MOTION

Moved Cr LM Eardley

Seconded Cr RW Newton

- 1 Council resolve to adopt Shire of Mingenew Local Planning Scheme No.4 pursuant to Part 5 of the *Planning and Development Act 2005* and forward, in accordance with Part 5 Division 3 Section 81 of the *Planning and Development Act 2005*, notice of the resolution to adopt and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.
- 2 Forward the Shire of Mingenew Local Planning Scheme No.4, in accordance with Part 4 Division 2 Section 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Western Australian Planning Commission seeking its consent to advertise.
- 3 Delegate to the Chief Executive Officer to undertake minor modifications to the Shire of Mingenew Local Planning Scheme No.4 that do not significantly alter the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model or Deemed provisions; updates necessitated by Scheme Amendments, Structure Plans, Policies or other Strategies that have been given approval in the interim period etc.) as may be required by the Western Australian Planning Commission or otherwise prior to its advertising consent being granted.
- 4 Upon receipt of the Western Australian Planning Commission's advice that the Shire of Mingenew Local Planning Scheme No.4 can be advertised, and compliance with Part 5 Division 3 Section 82 of the *Planning and Development Act 2005*, proceed to advertise the Scheme in accordance with Part 4 Division 2 Section 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 5 At the conclusion of the advertising period return the draft Shire of Mingenew Local Planning Scheme No.4, and any received submissions, to Council for its further consideration.
- 6 Adopt draft Local Planning Policy – Outbuildings as a draft for public comment and advertise it concurrently with the Shire of Mingenew Local Planning Scheme No.4 pursuant to Section 2.4 of the Shire of Mingenew Local Planning Scheme No.3. and Schedule 2 Part 2 Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

#### AMENDMENT

Moved Cr RW Newton

Seconded Cr CR Lucken

That Council defer its determination on endorsing the Shire of Mingenew Local Planning Scheme No. 4 until after the February meeting to allow for further consideration of exempting residents and outbuildings from the requirement to make planning application in Rural Zone.

COUNCIL DECISION – ITEM 9.4.1
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President HM Newton put the motion:

That Council defer its determination on endorsing the Shire of Mingenew Local Planning Scheme No. 4 until after the February meeting to allow for further consideration of exempting residents and outbuildings from the requirement to make planning application in Rural Zone.

CARRIED 7/0

President HM Newton advised the meeting that the reason for the change would need to be recorded in the minutes:

Moved Cr RW Newton

Seconded Cr CR Lucken

That the reason the officer recommendation was changed was because elected members felt more time was needed to consider and discuss the Draft Shire of Mingenew Local Planning Scheme No. 4.

CARRIED 7/0

#### 9.4.2 MINGENEW TOWNSITE REVITALISATION PLAN

**Location/Address:** Mingenew Townsite  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0175  
**Date:** 12 December 2017  
**Author:** Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley  
**Senior Officer:** Martin Whitely, Chief Executive Officer

##### Summary

The Mingenew Townsite Revitalisation Plan has been undertaken and is now presented to Council. This report recommends that Council receive the Mingenew Townsite Revitalisation Plan as a document of reference to inform future decision making.

##### Attachment

Mingenew Townsite Revitalisation Plan

##### Background

The Mingenew Townsite Revitalisation Plan is a document that considers the issues raised in Council's Strategic Community Plan and Mingenew Townsite Local Planning Strategy and make recommendations on actions that can achieve these goals.

The Mingenew Townsite Revitalisation Plan does not seek to bind Council to a series of actions or timeframes, rather identify a range of projects of varying scale that Council may wish to consider in due course. The identified projects range from small-scale items that might be achievable in the shorter term through to more visionary proposals that would only be achieved in partnership with other parties (e.g. external funding providers, state government agencies etc.). It should also not be construed that all recommendations within the Plan should be the responsibility of Council, and that many of these might be implemented by community groups or private landowners.

##### Comment

The Mingenew Townsite Revitalisation Plan was prepared as follows:

Task	Activities
Stage One: Vision, analysis, preparation and background research	<ul style="list-style-type: none"> <li>Formal inception meeting with Shire representatives.</li> <li>Conduct site investigation, stakeholder consultation and report on findings.</li> </ul>
Stage Two: Preparation of draft Revitalisation Plan	<ul style="list-style-type: none"> <li>Analysis and considerations of all issues raised in the consultation process and/or identified in the Strategic Community Plan.</li> <li>Preparation of draft Revitalisation Plan.</li> <li>Preparation of draft schedule of estimated costs and prioritisation list.</li> <li>Draft Revitalisation Plan and Schedule of Estimated costs presented to Council</li> </ul>
Stage Three: Final Revitalisation Plan	<ul style="list-style-type: none"> <li>Make modifications required by Council</li> <li>Final Plan to be presented to Council</li> <li>Council approval/adoption of the Revitalisation Plan</li> </ul>

### **Consultation**

The consultant made a presentation to Councillors of their preliminary findings at the 18 October 2017 Forum Session.

The Mingenew Townsite Revitalisation Plan draws upon the recommendations of the Shire's Strategic Community Plan and Townsite Local Planning Strategy that were previously subject to community consultation and adopted by Council. On this basis it is not suggested that the Mingenew Townsite Revitalisation Plan be advertised for comment. Further, given that the Mingenew Townsite Revitalisation Plan is an informing document only for Council, and its implementation will be subject to availability of funds (through a range of sources including Council budgetary decision relating to own resource and financial allocation, external funding availability and potentially community 'in-kind' input) over an unspecified timeframe then it is suggested that the advertising of the document might give rise to unrealistic expectation over its delivery. However, should Council consider that the document should be advertised for comment this can be undertaken, and a further report detailing the received submissions can be prepared for a future meeting of Council for further consideration.

### **Statutory Environment**

The Mingenew Townsite Revitalisation Plan is not a statutory document, rather a strategic document used to inform Council's future decision making and can be referenced where Council seeks to access external funding to implement the plan's recommendations.

### **Policy Implications**

The Shire called for expressions of interest in accordance with the procedures laid out in its Policy Manual, and received 7 submissions that were subsequently reviewed against evaluation criteria, with Rural Planning Services ('RPS') being appointed as the successful firm.

### **Financial Implications**

The Mingenew Townsite Revitalisation Plan was funded through a grant received by the Shire from the Royalties for Regions Northern Planning Funding Program.

The Mingenew Townsite Revitalisation Plan provides estimated costs for the recommended actions. These costings are indicative only and will be subject to variation dependant upon the timeframes in which they are undertaken.

### **Strategic Implications**

The Mingenew Townsite Revitalisation Plan seeks to draw upon Council's adopted strategic planning documents, particularly the Strategic Community Plan and Townsite Local Planning Strategy, and offer a variety of projects for Council's later consideration in its formulation of future budgets and grant applications. The purpose of the plan is not to provide a prescriptive scope of works or budgeting for Council but a rather a range of projects, varied in scale, priority and achievable timeframe for consideration in its future budgeting and also in the event that external funding opportunities arise.

### **Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.4.2</b>
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That Council receive the Mingenew Townsite Revitalisation Plan as a document of reference.

<b>COUNCIL DECISION – ITEM 9.4.2</b>
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Moved RW Newton

Seconded Cr JD Bagley

That Council receive the Mingenew Townsite Revitalisation Plan as a document of reference.

CARRIED 7/0

DRAFT

#### 9.4.3 PROPOSED BOUNDARY RATIONALISATION, YANDANOOKA

**Location/Address:** Lots 107, 110 & 500 Midlands Road, Yandanooka  
**Name of Applicant:** HTD Surveyors for S & F Fowler  
**Disclosure of Interest:** Nil  
**File Reference:** A124  
**Date:** 12 December 2017  
**Author:** Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley  
**Senior Officer:** Martin Whitely, Chief Executive Officer

##### Summary

The Western Australian Planning Commission ('WAPC') is seeking Council's comment upon a modified application to amend the boundaries of Lots 107, 110 & 500 Midlands Road, Yandanooka. This report recommends that Council support the modified application.

##### Attachment

9.4.3(a) – originally submitted subdivision application

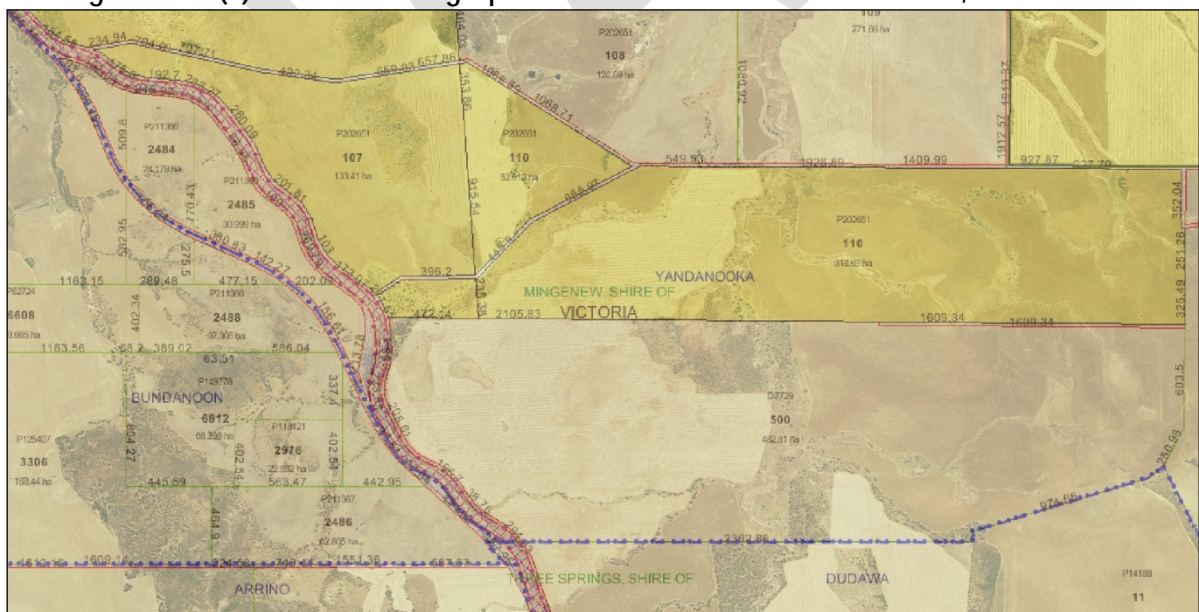
9.4.3(b) - modified subdivision application

##### Background/Comment

Lot 110 Midlands Road, Yandanooka is a 370.83ha property, owned by Steve & Francene Fowler, located on the eastern side of Midlands Roads and the southern side of Mount Scratch Road. Lot 110 contains a residence and associated outbuildings.

Lot 500 Midlands Road, Yandanooka is a 494.71ha property, owned by Spring Valley Pty Ltd (Directors Steve & Francene Fowler), located on the eastern side of Midlands Roads. Lot 500 is located immediately north of the local government boundary with the Shire of Three Springs.

**Figure 9.4.3(a) – Aerial Photograph of Lots 110 & 500 Midlands Road, Yandanooka**



Both properties are largely cleared and used for cropping purposes, with the exception of some remnant vegetation along watercourse tributaries and outcrops.

The applicant originally sought to realign the boundary of the 2 lots to create a 36.2ha lot that contained the existing residence and outbuildings, and a balance 829.3ha lot that contained the farming area. The applicant's original supporting correspondence and subdivision plan, has been provided as **Attachment 9.4.3(a)**.

Figure 9.4.3(b) – View of residence and outbuildings upon Lot 110



The WAPC wrote to the Shire on 2 May 2017 seeking its comment upon this application. Council resolved at its 21 June 2017 meeting as follows:

*"That Council advise the Western Australian Planning Commission that it supports the proposed boundary rationalisation of Lots 110 & 500 Midlands Road, Yandanooka (WAPC Application No.155126) subject to the following:*

*Condition:*

- 1 All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.*
- 2 Easement being created upon Lot 107 providing right of access to Lots 1 and 2.*

*Advice Note:*

- (a) That the subdivider/future landowners of Lot 1 & 2 be advised that should the creation of Lots 1 and 2 give rise to any expectation that the standard of vehicle access requires upgrading to service Lots 1 & 2, that the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades."*

Given that the application did not propose to create any additional lots, and the current access to the proposed lots were only utilised by the applicant it was considered by the Shire that the creation of an easement along the existing access alignment, rather than construction of the road alignment would be appropriate in this instance.

The WAPC advised the applicant on 25 July 2017 that it would defer its decision upon this application, as it required that vehicle access be provided by a constructed and gazetted public road. The WAPC then further advised the applicant on 1 August 2017 that the Public Transport Authority required the existing railway crossing to be upgraded from a private to a public level crossing.

**Figure 9.4.3(c) – Public Transport Authority map of private railway crossing**



The WAPC's requirement for the formation of the access along the road reserve alignment, and the upgrade of the rail crossing to a public crossing standard may make the proposed subdivision unviable for the applicant, and this is an aspect the applicant will need to consider.

The applicant queried with the WAPC whether the application could be amended to incorporate the southern severance of adjoining Lot 107 into the subdivision so that the house lot (proposed Lot 1) would then have frontage to the road running alongside the railway line. If this option were pursued the applicant queried whether road construction condition would only be required for the length of road as indicated in **Figure 9.4.3(d)**, rather than the full construction of the road from the western boundary of the current subject lots.

The WAPC advised the applicant on 3 August 2017 that:

- *The road reserve(s) upgrades will likely be required at a standard specified by the Local Government; from the rail crossing identified on your attachment to proposed Lot 1.*
- *The level crossing identified on the attachment will require to be designated as a public crossing."*

Figure 9.4.3(d) – Applicant's amended application query to WAPC



Figure 9.4.3(e) – View looking east at railway crossing and access alignment



The applicant has now submitted a revised application, a copy of which has been provided as **Attachment 9.4.3(b)** for Council's consideration.

The revised application still proposes to realign the boundaries of existing Lots 110 & 500 to create a 36ha lot and 829ha lot, but the application area has been expanded to include Lot 107 (owned by Peter & Kate Mills) so that a new 8,830m<sup>2</sup> road alignment, that corresponds to the existing track alignment, is created across Lot 107 to provide a legal means to access to the 2 lots to the east. The application would amend Lot 107 from a 445.99ha lot to a 445.8ha lot.

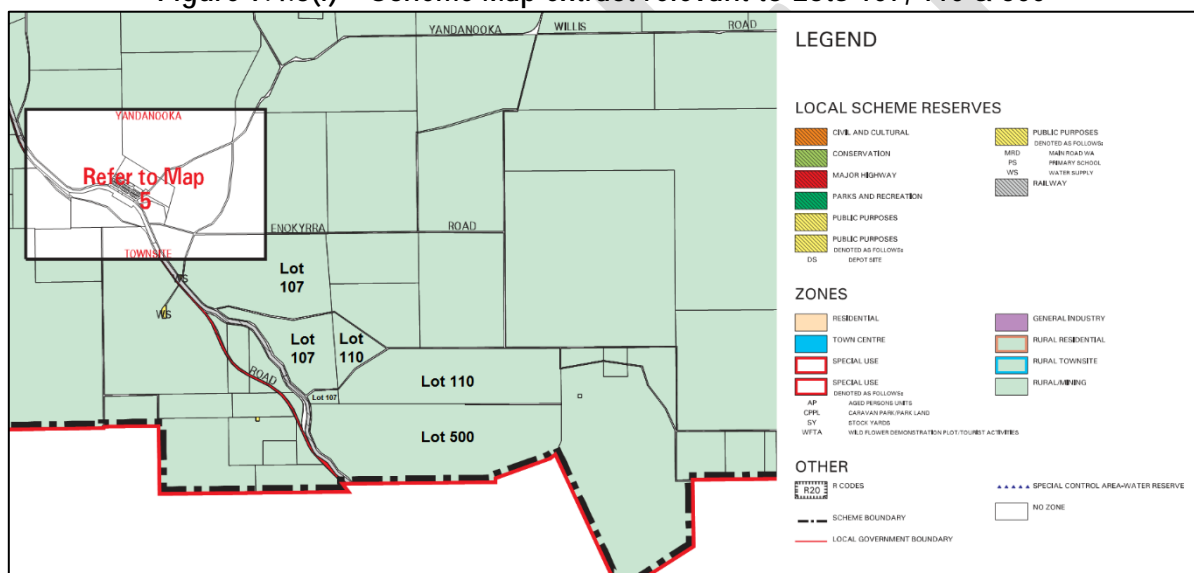
### Consultation

The WAPC is not obliged to undertake any public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Mingenew, Department of Mines and Petroleum, Department of Parks and Wildlife, Main Roads WA, Public Transport Authority, Water Corporation and Western Power inviting comment.

### Statutory Environment

Lots 107, 110 & 500 Midlands Road, Yandanooka are zoned 'Rural/Mining' under the Shire of Mingenew Local Planning Scheme No.3 ('the Scheme').

**Figure 9.4.3(f) – Scheme Map extract relevant to Lots 107, 110 & 500**



In its consideration of this application Council should give regard to Section 4.2 of the Scheme, which lists the objectives of the 'Rural/Mining' zone as follows:

*"The use of land in the Rural-Mining Zone shall be consistent with the following objectives:*

- to provide for rights of vehicular access, unfettered as to time, location and circumstance, to any land subject of a planning approval;*
- to ensure the preservation of the rural character and appearance of land within the zone;*
- to protect the economic viability of agricultural production via support only for subdivision or boundary relocation which retains or results in lot or location sizes which facilitate ongoing agricultural activity.*

- *to preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any planning consent issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna."*

The application may be considered to meet the objectives of the Shire's 'Rural/Mining' zone, as it would not create any additional lots, would not require the removal of remnant vegetation, and the smallest lot arising from the boundary rationalisation would not be smaller than several existing lots to the south-west in the Yandanooka locality.

The Shire of Mingenew Local Planning Strategy (2006) notes the following in relation to subdivision in the 'Rural/Mining' zone.

*"Section 7.5 (f) Rural Mining*

*This zone embraces the majority of the Shire area and the major objective of the zone classification is to preserve the current agricultural practice which exists throughout the same. With the above in mind Council is mindful of the need to preserve the present system of land tenure via its non-support of further rural land subdivision."*

Council should also give consideration to Section 5.23.4 of the Scheme, which lists the following relevant to subdivision in the 'Rural/Mining' zone:

*"5.23.4.1 Council will only support subdivision of rural land that is consistent with Commission Policy DC3.4 'Subdivision of Rural Land'.*

*5.23.4.2 Council will not approve any development of land where, in the opinion of Council, such development would adversely affect the rural landscape or be contrary to the continued agricultural usage of the land."*

The application's level of consistency with WAPC Policy DC3.4 is discussed in the Policy Implications section of this report.

### **Policy Implications**

The WAPC have the following policies relevant to this application:

- Statement of Planning Policy 2.5 – Rural Planning (2016); &
- Development Control Policy 3.4 - Subdivision of Rural Land (2016).

State Planning Policies are prepared and adopted by the WAPC under statutory procedures set out in part 3 of the *Planning and Development Act 2005*. The WAPC and local governments must have due regard to the provisions of State Planning Policies when preparing or amending Local Planning Schemes and when making decisions on planning matters. The State Administrative Tribunal is also required to take account of State Planning Policies when determining appeals.

Statement of Planning Policy 2.5 has the following objectives

- "(a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;*

- (b) *provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;*
- (c) *outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction;*
- (d) *provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making;*
- (e) *avoid and minimise land use conflicts;*
- (f) *promote sustainable settlement in, and adjacent to, existing urban areas; and*
- (g) *protect and sustainably manage environmental, landscape and water resource assets."*

The WAPC's Development Control Policies sit within a structure which is established under the State Planning Strategy and Statement of Planning Policy No.1 State Planning Framework. Development Control Policy 3.4 is used by the WAPC as the basis for determining applications for the subdivision of rural land.

WAPC Policy No.3.4 has a general presumption against the subdivision of rural land but makes some provision as follows:

*"5 General policy provisions*

*It is the opinion of the WAPC that rural land uses are the highest and best use for rural zoned land. Where an alternative use is proposed, such as residential, the use must be planned in a strategy or scheme and zoned accordingly.*

*When determining subdivision proposals on rural land, the following measures will be applied:*

- (a) *the creation of new or smaller lots will be by exception;*
- (b) *proposals will be considered against strategies and schemes;*
- (c) *adequate buffer distances for sensitive and/or incompatible land uses can be achieved; and*
- (d) *proposals will be assessed against any relevant State planning policies and/or operational policies.*

*6 Circumstances under which rural subdivision may be considered*

*In considering applications under section 6 (a) to (e), the WAPC will consider rural subdivision in the following exceptional circumstances:*

- (a) *to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;*
- (b) *to protect and actively conserve places of cultural and natural heritage;*
- (c) *to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- (d) *in the Homestead lot policy area (Appendix 2), to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation; and*
- (e) *for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary in the public interest.*

*Although the WAPC seeks to minimise the creation of new or smaller rural lots, there are some circumstances where subdivision of rural land may be appropriate in order to promote better land management and achieve environmental, cultural and/or social benefits. These forms of subdivision, which may result in additional dwelling entitlements, are considered to provide incentives for rural subdivision. As such the remainder of this policy outlines the applicable standards for rural subdivision."*

*"6.3 Property rationalisation to improve land management*

*Many rural properties comprise multiple titles and landowners may wish to subdivide to achieve better land management. Subdivision may also present opportunities to create access to landlocked lots.*

*Multiple lots in one ownership may be rationalised provided that:*

- (a) there is no increase in the number of lots;*
- (b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use;*
- (c) no new roads are created, unless supported by the local government;*
- (d) new vehicle access points on State roads are minimised; and*
- (e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.*

*Former road reserves and small remnant portions of lots are not considered lots for the purpose of boundary rationalisation.*

*In instances where a subdivision only proposes to realign existing lot boundaries, where no change to the land use and/or landform is proposed, and no additional development is proposed, applications for property rationalisation may be unconditionally approved.*

*"6.6 Homestead lots*

*The creation of Homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.*

*Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that:*

- (a) the land is in the DC 3.4 Homestead lot policy area (refer Appendix 2);*
- (b) the homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;*

- (c) *there is an adequate water supply for domestic, land management and fire management purposes;*
- (d) *the dwelling is connected to a reticulated electricity supply or an acceptable alternative is demonstrated;*
- (e) *the homestead lot has access to a constructed public road;*
- (f) *the homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;*
- (g) *a homestead lot has not been excised from the farm in the past;*
- (h) *the balance lot is suitable for the continuation of the rural land use, and generally consistent with prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property; and*
- (i) *the dwelling on a homestead lot must be of a habitable standard and may be required to be certified as habitable by the local government.*

*Where there are a number of existing approved dwellings on a rural lot, more than one homestead lot may be considered as a one-off application."*

The proposed Lot 1 would not meet the requirements of a homestead lot under WAPC Policy DC3.4 being 36.2ha in area, but the application could be considered to meet the criteria of Parts 6(a) and 6.3.

WAPC Policy DC1.1 requires the provision of constructed vehicle access from the gazetted public road system to each new lot as follows:

*"3.7 Vehicular access*

*3.7.1 New green title lots will be created only where each lot has, or can be, provided with direct frontage access to a constructed public road, which is connected to the road system of the locality. This is to ensure the provision of public utility and other services as well as to provide vehicular and pedestrian access to the lot.*

*3.7.2 Where new roads are needed, the subdivider will be required to dedicate, construct and drain these roads to the specifications and satisfaction of the WAPC on the advice of the local government. The WAPC may also require existing roads or rights-of way to be widened, constructed, upgraded or dedicated to ensure compliance with this policy."*

**Financial Implications**

The construction of the road on-ground within the presently unconstructed/unformed and to-be-created road reserve would be at the expense of the subdivider as the requirement for its formation has arisen by reason of this subdivision. The local government would require the road formation works to be undertaken by the subdivider to its satisfaction, or undertake the works at the expense of the subdivider. The road, once constructed, would thereafter become part of the Shire's asset network with ongoing maintenance responsibility being with the Shire, as is standard for the remainder of the general road network.

**Strategic Implications**

**Road Naming**

In addition to providing its comment to the WAPC on this boundary rationalisation application, it is also suggested that Council should give consideration to the naming of the road reserve that exists between Midland Road and Mount Scratch Road as this road is unnamed.

Section 26A of the *Land Administration Act 1997* provides for the naming of roads, and the Department of Land's Geographic Names Committee are responsible for the final approval of road names and ensuring that road names are not duplicated wherever possible. The Geographic Names Committee deem under their road naming guidelines that the following are not suitable:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 50km radius.

Council may wish to consider applying a road name that could derive from the surname of a person or family that has made a notable contribution to the surrounding area, or a name of local significance such as local flora and fauna, or a notable landscape or built form feature, or a local event.

### Road Closure

The application is proposing to create an 8,830m<sup>2</sup> section of road reserve to correspond to the existing on-ground track alignment, and in exchange close a section of 7,256m<sup>2</sup> road reserve that exists cadastrally but not physically.

Section 58 of the *Land Administration Act 1997* provides for the closure of public roads. Should Council initiate the road closure, it is required to be publicly advertised for a period of 35 days in accordance with the requirements of the Act, this would include the following actions:

- Notice being placed in a locally circulating newspaper detailing the proposed closures;
- Letters being sent to surrounding landowners;
- Letters being sent to relevant government agencies/service authorities; &
- A sign detailing the proposed road closures being erected onsite.

At the conclusion of the advertising period the matter is returned to a meeting of Council for its consideration of any submissions received prior to being presented to the Department of Lands. The amalgamation of the area of closed road into the neighbouring landholding can be undertaken upon the same survey diagram as the creation of the superseding road reserve alignment.

### Voting Requirements

Simple Majority

## **OFFICER RECOMMENDATION – ITEM 9.4.3**

That Council:

- 1 Advise the Western Australian Planning Commission that it supports the modified application 155126, as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), proposing a boundary rationalisation of Lots 107, 110 & 500 Midlands Road, Yandanooka subject to the following Conditions:
  - (a) All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
  - (b) Lots 2 & 3 having frontage to a road constructed at the subdivider's cost to the requirements of the local government.

Advice Notes:

- (c) In relation to condition (b) the local government advises that it will require the road to be constructed to a basic gravel standard, this being considered appropriate for the level of vehicle movement that would arise from this boundary rationalisation. Should the creation of Lots 2 & 3 give rise to expectation that the standard of vehicle access requires further upgrading to service Lots 2 & 3, then the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.
  - (d) The local government advises the Western Australian Planning Commission and the applicant that, in the event that the railway crossing upgrade requirements of the Public Transport Authority are considered unreasonable, consideration be given to the viability of the subdivider providing access from the east by constructing on-ground the approximate 1.5km east-west length from Mount Scratch Road to provide constructed road frontage to proposed Lot 3. In the event that this alternative access arrangement were undertaken then it may be considered appropriate that an easement be created upon Lot 107 providing right of access to Lots 2 & 3, to ensure that a secondary means of access is provided to the west in event of emergency.
- 2 Advise the Department of Land's Geographic Names Committee that it supports the assignation of the road name '\_\_\_\_\_ Road' to the unnamed road reserve running between Midland Road and Mount Scratch Road, and '\_\_\_\_\_ Road' as an alternative in the event that the initial selection is not accepted by the Department.
- 3 Pursuant to Section 58 of the *Land Administration Act 1997* initiate closure action for the 7,256m<sup>2</sup> section of road reserve and its amalgamation into adjoining Lot 107 (proposed Lot 1) as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), subject to the creation of the alternative 8,830m<sup>2</sup> section of road reserve as also shown upon Drawing No.12717AS1-1-1 (dated 20/11/17).

COUNCIL DECISION – ITEM 9.4.3
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Moved Cr LM Eardley

Seconded Cr CR Lucken

That Council:

- 1 Advise the Western Australian Planning Commission that it supports the modified application 155126, as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), proposing a boundary rationalisation of Lots 107, 110 & 500 Midlands Road, Yandanooka subject to the following Conditions:
- (a) All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
  - (b) Lots 2 & 3 having frontage to a road constructed at the subdivider's cost to the requirements of the local government.

Advice Notes:

- (c) In relation to condition (b) the local government advises that it will require the road to be constructed to a basic gravel standard, this being considered appropriate for the level of vehicle movement that would arise from this boundary rationalisation. Should the creation of Lots 2 & 3 give rise to expectation that the standard of vehicle access requires further upgrading to service Lots 2 & 3, then the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.
  - (d) The local government advises the Western Australian Planning Commission and the applicant that, in the event that the railway crossing upgrade requirements of the Public Transport Authority are considered unreasonable, consideration be given to the viability of the subdivider providing access from the east by constructing on-ground the approximate 1.5km east-west length from Mount Scratch Road to provide constructed road frontage to proposed Lot 3. In the event that this alternative access arrangement were undertaken then it may be considered appropriate that an easement be created upon Lot 107 providing right of access to Lots 2 & 3, to ensure that a secondary means of access is provided to the west in event of emergency.
- 2 Advise the Department of Land's Geographic Names Committee that it supports the assignation of the road name 'Ward Road' to the unnamed road reserve running between Midland Road and Mount Scratch Road, and 'Woopennatty Way' as an alternative in the event that the initial selection is not accepted by the Department.
- 3 Pursuant to Section 58 of the *Land Administration Act 1997* initiate closure action for the 7,256m<sup>2</sup> section of road reserve and its amalgamation into adjoining Lot 107 (proposed Lot 1) as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), subject to the creation of the alternative 8,830m<sup>2</sup> section of road reserve as also shown upon Drawing No.12717AS1-1-1 (dated 20/11/17).

CARRIED 7/0

ATTACHMENT 9.4.3(a)

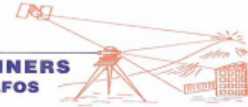


ISO 9001  
FS 520743

**HTD**

**SURVEYORS & PLANNERS  
HILLE, THOMPSON & DELFOS**

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Email: htdsurveys@htds.com.au  
Website: www.htds.com.au

**Our Ref: 127/17  
Enquiries: Brad Collard**

21<sup>st</sup> April 2017

The Regional Manager  
Department for Planning and Infrastructure  
Midwest Regional Office  
10/209 Foreshore Drive  
GERALDTON WA 6531



Dear Sir/Madam

**Proposed Subdivision: 110 & 500 Midlands Road, Yandanooka**

The attached application proposes to subdivide lots 110 and 500 to create 2 lots. It is proposed to create lot 1 which contains an existing dwelling and associated outbuildings to separate it from the existing farming operations carried out on the remainder of the land. The soil within lot 1 is sandy light soil vulnerable to wind erosion which isn't generally suitable for cropping. As the existing farming operations mainly comprise cropping the subdivision to create proposed lot 1 will have negligible impact on the existing rural operations. Also the existing dwelling on proposed lot 1 is surplus to the requirements of the existing farming operation.

The separation of proposed lot 1 will allow it to be used in a manner more appropriate to the existing soil conditions such as a grazing operation where with suitable stocking levels vegetation levels could be maintained to stabilise the soil. The subdivision would allow and encourage the land to be managed in a more environmentally sustainable manner. The proposed lot configuration will minimise any potential land use conflicts. The subdivision will help with the retention of the population levels within this rural area without having an adverse impact on the rural use or production capability.

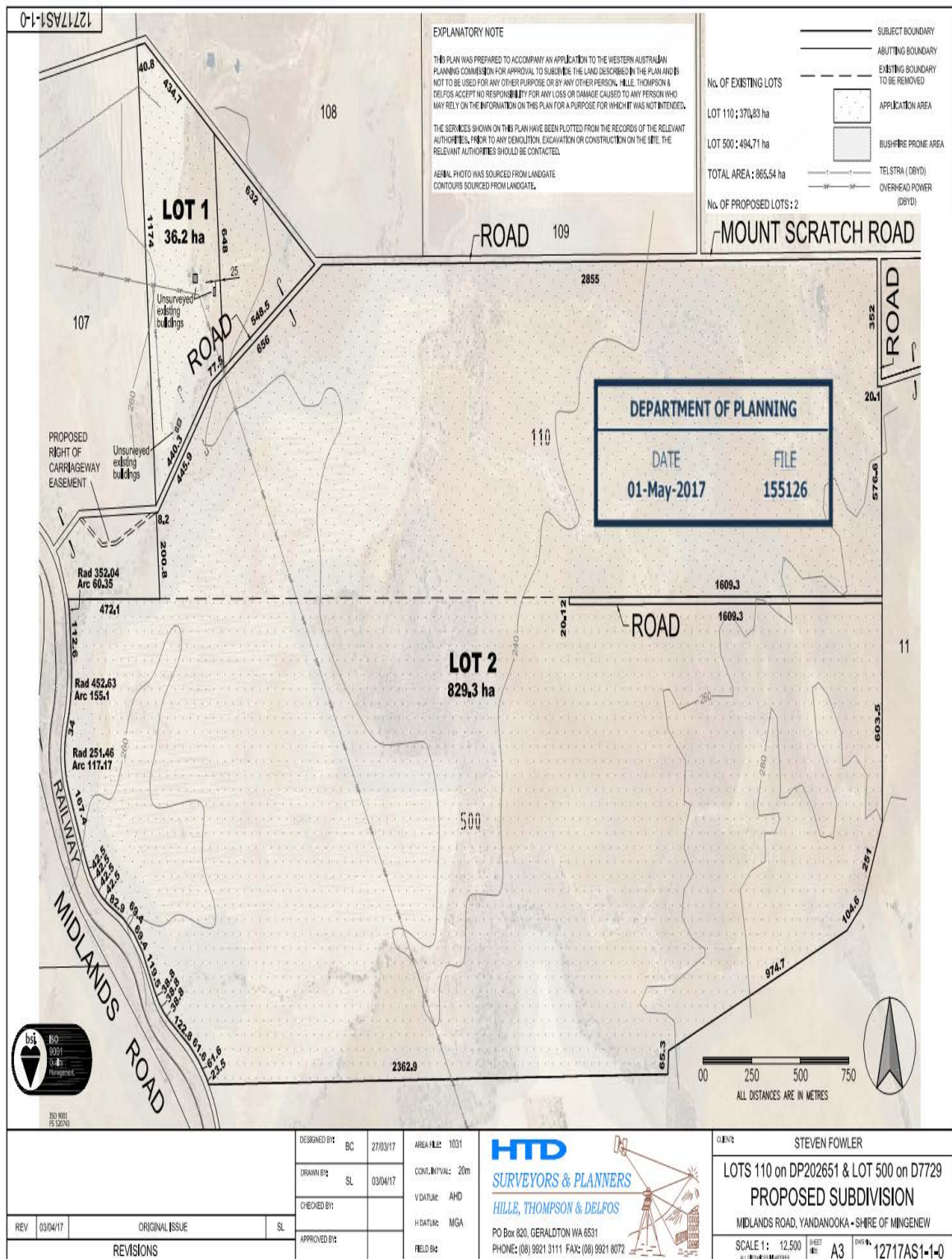
Access to proposed lot 1 is intended to be secured by creating an easement over the existing access track which passes over adjoining lot 107 through to the Midlands Road.

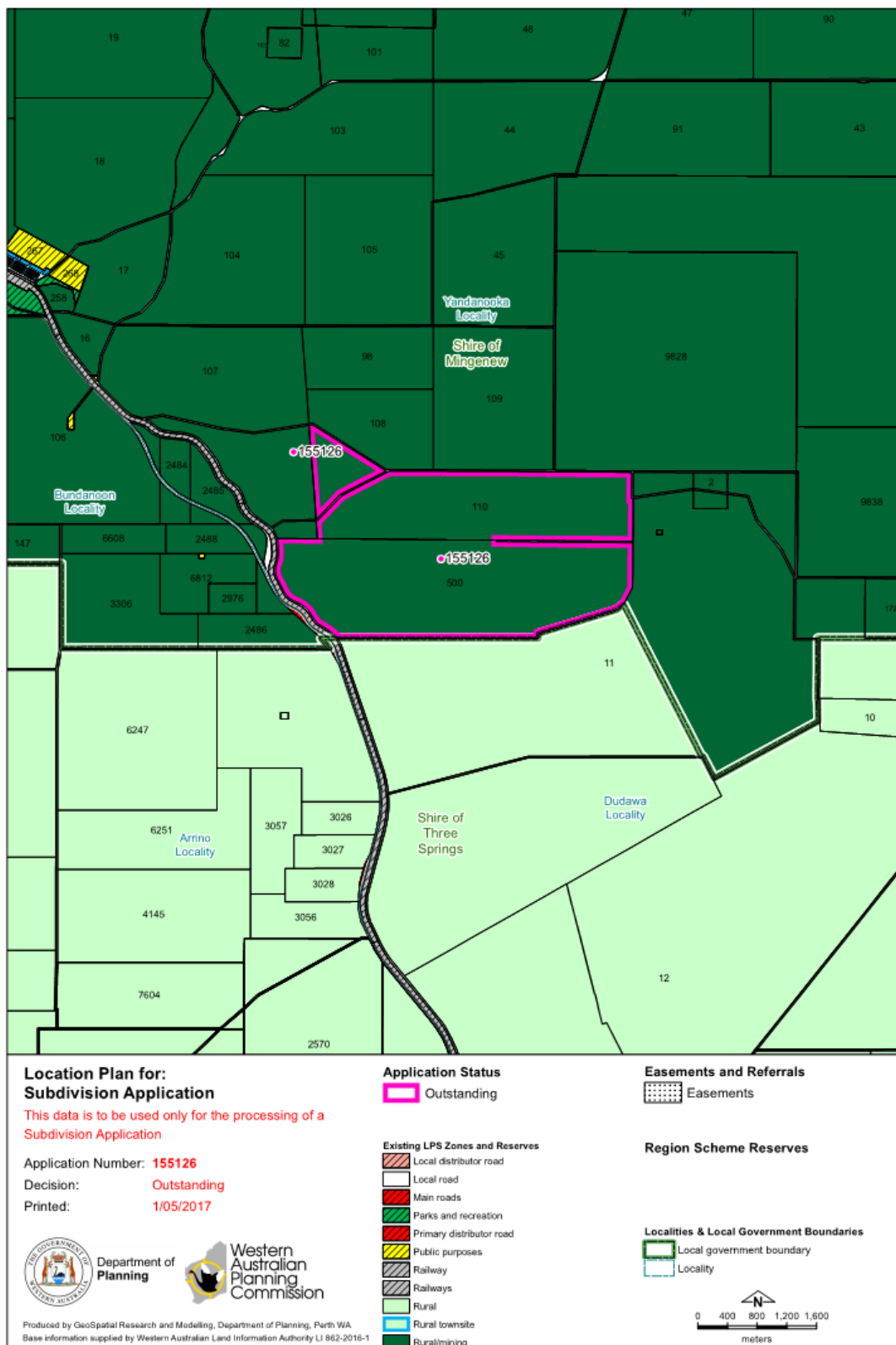
Portions of the subject land are classified as bushfire prone areas under the Department of Fire and Emergency Services Map of Bushfire Prone Areas 2016.

A Bushfire Attack Level Assessment/Bushfire Management Plan in accordance with State Planning Policy 3.7 has been omitted from this subdivision application based on the following:

The proposed subdivision does not:

- Result in the intensification of development (or land use);
- Result in an increase of residents or employees;
- Involve the occupation of employees on site for any considerable amount of time; or
- Result in an increase to the bushfire threat





23<sup>rd</sup> November 2017

The Western Australian Planning Commission  
c/o Planning Administration  
The Department of Planning  
140 William Street  
PERTH WA 6000

Dear Planning Administration Team Leader

**RE – CONSENT OF LANDOWNERS  
PROPOSED SUBDIVISION OF LOTS 107, 110 & 500 MIDLANDS ROAD, YANDANOOKA**

I refer to the application to subdivide the land known 20836 Midlands Road, Yandanooka more fully described as Lot 107 on Deposited Plan 202651 contained within Certificate of Title Volume 1229 Folio 772 ("the Application").

This application was made by Hille Thompson & Delfos in the capacity of Surveying and Town Planning Consultant.

The following company is recorded as the owner of the land:

1. Ikewa Grazing Pty Ltd

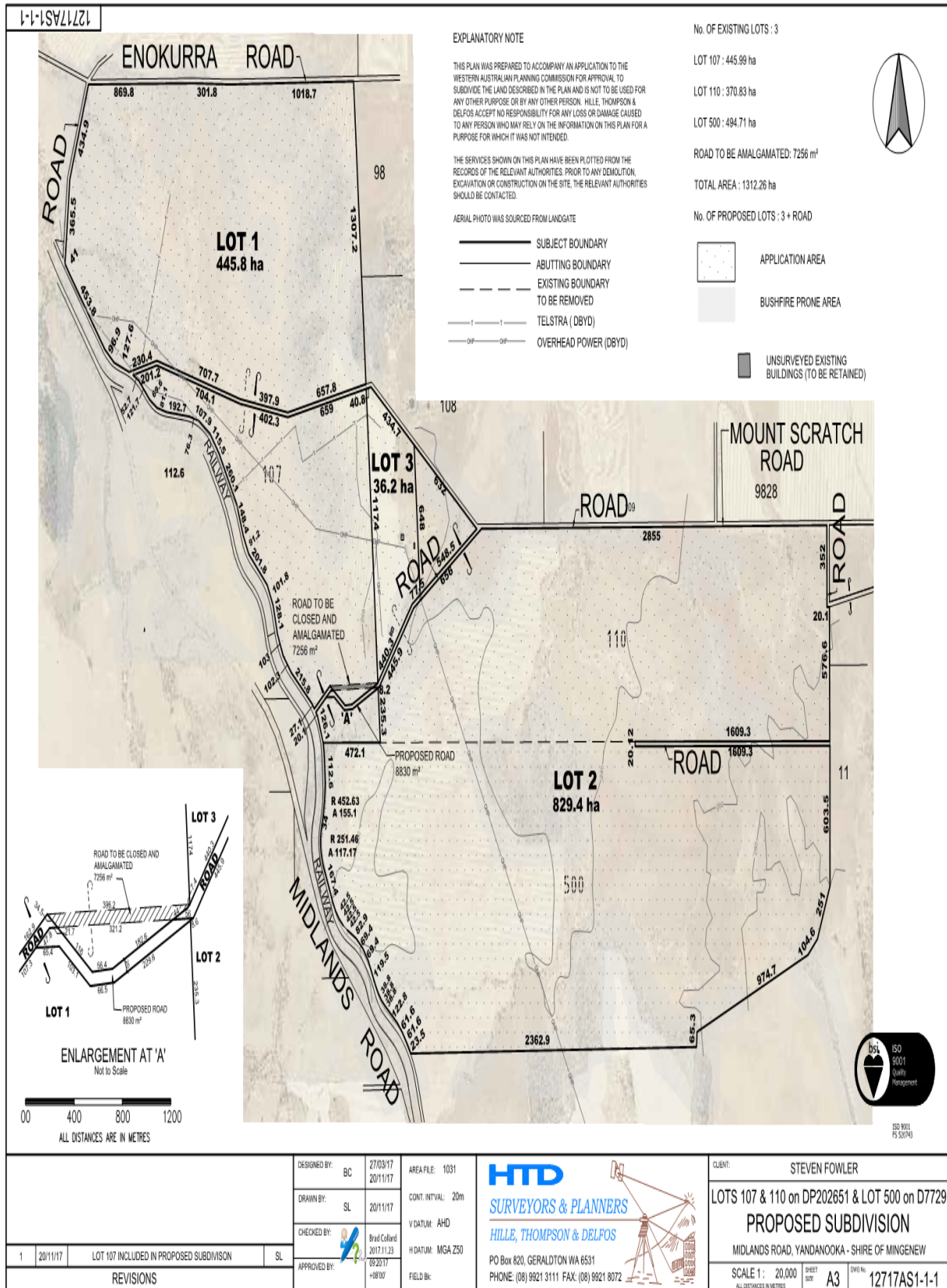
We as representatives of the abovementioned company, hereby consent to the Application being made in relation to the land described above.

Further, we have appointed Brad Collard of Hille Thompson & Delfos to act for us as our authorised representative.

Executed by the Ikewa Grazing Pty Ltd (ACN 077 130 762)

  
Peter Francis Kennedy Mills - Director

  
Kate Elizabeth Mills – Director/ Secretary



**9.5 BUILDING**

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**

Nil

**11.2 STAFF**

Nil

**12.0 CONFIDENTIAL ITEMS**

**12.1 BUILDING & ENVIRONMENTAL HEALTH SERVICES**

This matter will be dealt with as a confidential item in accordance with section 5.23 of the Local Government Act 1995 as it contains information about a matter affecting an employee and/or contract entered into, or which may be entered into by the local government, and which relates to a matter to be discussed at the meeting.

**COUNCIL DECISION - MEETING CLOSED TO PUBLIC**

Moved Cr CR Lucken

Seconded Cr LM Eardley

That the meeting will be closed to members of the public in accordance with section 5.23 of the Local Government Act 1995 as it contains information about a matter affecting an employee and/or contract entered into, or which may be entered into by the local government, and which relates to a matter to be discussed at the meeting.

CARRIED 7/0

The meeting was closed to the public at 5.05pm

**COUNCIL DECISION- ITEM 12.1**

Moved Cr CR Lucken

Seconded Cr JD Bagley

That Council

1. Approves the arrangement with the Shire of Irwin to provide the Shire of Mingenew Environmental Health Services proposed by Mr Gordon Houston of Dallywater Consulting, and

2. Authorises the CEO to finalise any necessary agreement with the Shire of Irwin to enable the appointment and ongoing Environmental Health Services to the Shire of Mingenew via the Shire of Irwin;
3. Authorises the CEO to extend the Environmental Health Services agreement post 30 June 2018 if that is beneficial for the Shire of Mingenew; and
4. Approves the Memorandum of Understanding arrangement with the City of Greater Geraldton for it to provide the Shire of Mingenew's ongoing Building Services.

CARRIED 7/0

Full details of Item 12.1 Ranger & Emergency Services Officer are held in the Shire of Administration office in a "Confidential Items" file.

<b>COUNCIL DECISION- MEETING REOPENED TO PUBLIC</b>
---

Moved Cr CR Lucken

Seconded Cr JD Bagley

CARRIED 7/0

The meeting was reopened to members of the public at 5:10pm.

**13.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 21 February 2018 commencing at 4.30pm.

**14.0 CLOSURE**

The President thanked all for attending and declared the meeting closed at 5:12pm

<p>These minutes were confirmed at an Ordinary Council meeting on 21 February 2018</p> <p>Signed _____ Presiding Officer</p> <p>Date: _____</p>
---

7.1.2 SPECIAL MEETING HELD 31 JANUARY 2018



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

**Wednesday 31 January 2018**

## Table of Contents

1.0	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2.0	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....	3
3.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	3
4.0	PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	3
5.0	DECLARATIONS OF INTEREST .....	3
6.0	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION .....	3
7.0	OFFICERS REPORTS.....	3
8.0	CONFIDENTIAL ITEMS.....	3
8.1	CEO RECRUITMENT PROCESS.....	3
9.0	CLOSURE.....	5

## SHIRE OF MINGENEW

### MINUTES FOR THE SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 31 January 2018 COMMENCING AT 6.00pm

#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President HM Newton declared the meeting open at 6.00pm and welcomed all in attendance.

#### 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE COUNCILLORS

HM Newton	President	Town Ward
KJ McGlinn	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward

#### STAFF

MG Whitely	Chief Executive Officer
D Ojha	Finance Manager

#### APOLOGIES

CR Lucken	Deputy President	Town Ward
-----------	------------------	-----------

#### 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

Nil

#### 5.0 DECLARATIONS OF INTEREST

Nil

#### 6.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

#### 7.0 OFFICERS REPORTS

Nil

#### 8.0 CONFIDENTIAL ITEMS

##### 8.1 CEO RECRUITMENT PROCESS

This matter will be dealt with as a confidential item in accordance with Section 5.23 of the Local Government Act as it contains information about a matter affecting an employee and/or a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**COUNCIL DECISION – MEETING CLOSED TO PUBLIC**

**Moved Cr Newton**

**Seconded Cr Bagley**

**That the meeting be closed to members of the public in accordance with section 5.23 of the Local Government Act to allow Council to discuss a matter that concerns information about a matter affecting an employee or employees.**

**CARRIED 6/0**

**COUNCIL DECISION – ITEM 8.1**

**Moved Cr Newton**

**Seconded Cr Bagley**

**That Council**

- 1. Appoints Logo Appointments as the consultant to carry out the Chief Executive Officer recruitment process for the Shire of Mingenew as per the fee outlined in their proposal**
- 2. Appoints the Executive Committee to the role of the Chief Executive Officer Recruitment and Selection Committee in accordance with Section 5.8 and Section 5.9(2)(a) of the Local Government Act;**
- 3. Authorises the Executive Committee to liaise with the appointed independent recruitment consultant under the following Terms of Reference**
  - (i) The Executive Committee is to be an advisory Committee for the duration of the CEO recruitment process;**
  - (ii) The Executive Committee is to coordinate the recruitment process in an appropriately confidential manner, including working with the appointed independent recruitment consultant to attract and select appropriate candidates**
  - (iii) The Executive Committee, with the assistance of the independent recruitment consultant, is to coordinate the advertising, search for candidates and short listing of candidates.**
- 4. Council endorses the unbudgeted expenditure for the recruitment of the Chief Executive Officer process, and**
- 5. A provisional amount of \$15,000 is made for the Chief Executive Officer recruitment process and this amount is identified as part of the 2017/18 budget review process**

**CARRIED 6/0**

**COUNCIL DECISION – MEETING REOPENED TO PUBLIC**

**Moved Cr Newton**

**Seconded Cr Bagley**

**That the meeting be reopened to members of the public.**

**CARRIED 6/0**

**6.15pm – Meeting open to the public**

**9.0 CLOSURE**

The President thanked all for attending and declared the meeting closed at 6:16pm

**These minutes were confirmed at an Ordinary Council meeting on 21 February 2018**

**Signed** \_\_\_\_\_  
**Presiding Officer**

**Date:** \_\_\_\_\_

7.1.3 EXECUTIVE MEETING HELD 2 FEBRUARY 2018

## Minutes of the Executive Management Committee Meeting 2/02/2018

**Present:** President H Newton  
Deputy President C Lucken  
Councillor R Newton  
CEO M Whitely

### **Open 2pm**

Discussion held around SAT BAND 4 CEO Recruitment

CEO gave defaulted information in regards to employment package.

Discussed with CEO Shire strengths and weaknesses. CEO delivered excellent advice on progress.

### **CEO exited the room at 2.45pm**

Discussion held by President, Deputy President and Councillor R Newton re: position description

### **3.10pm**

CEO entered room, dialled and contacted LO-GO via telephone conference

### **3.11pm**

CEO left the room

Conversations undertaken re process of recruitment

### **3.37pm**

CEO entered the room to speak to Melissa re questions regarding relocation expenses

### **3.41pm**

CEO left room

### **3.45pm**

Meeting Concluded

**8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**9.0 OFFICERS REPORTS**

## 9.1 CHIEF EXECUTIVE OFFICER

### 9.1.1 MINGENEW FITNESS & REHABILITATION FACILITY

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0067  
**Date:** 16 February 2018  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council consider an offer from Central West Health and Rehabilitation to provide a level of service delivery in Mingenew.

#### **Attachment**

Fitness & Rehabilitation Facility Information

#### **Background**

In May 2017 I was first approached by Mr Todd Teakle from Central West Health and Rehabilitation to see if the Shire would be amenable to hiring out the Autumn centre for the ICDC team (Physiotherapist, Dieticians and Podiatrist) to conduct quarterly visits in Mingenew. At the time I mentioned to Mr Teakle that I felt the Shire would be very interested in providing such a service and indicated that subject to Council approval, the facility hire may be waived.

Mr Teakle has since had follow conversations with the Shire's Community Development Officer and has put forward a proposal that would include free monthly visits if the Shire was to subsidise the visits to the value of \$7,800-\$9,000 per annum.

#### **Comment**

Central West Health and Rehabilitation are in process of purchasing new gym equipment for their office in Geraldton and have offered to donate the old equipment to the Shire of Mingenew for the purpose of establishing a small fitness and rehabilitation facility at the Mingenew Autumn Centre. The equipment to be donated would include;

- Tow commercial treadmills
- One commercial cross trainer
- Lat pull down machine
- Cable machine
- One commercial stationary bike
- Couple of smaller items such as benches, fitness balls, etc

The estimated value of the equipment to be donated is approximately \$10,000-\$12,000.

Central West Health and Rehabilitation are proposing to store the gym equipment in the Autumn Centre and provide monthly physiotherapist visits. The cost of the visits would be \$650-\$750 per visit which is inclusive of travel and maintaining the gym equipment. This equates to \$7,800-\$9,000 per annum.

Currently through an agreement with Karara and the Shire the Mingenew, the community are offered free dental and in February 2017 the Shire entered into an agreement with Mid West Aero Medical Services which saw the addition of free medical services via bulk billing. If Council did look favourably on the proposal then I believe the additional \$7,800-\$9,000 per annum is a great investment in terms of the benefits that will be derived for Mingenew.

**Consultation**

Todd Teakle, Central West Health and Rehabilitation  
Ella Budrikis, Community Development Officer

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

There is no provision in the 2017/18 Budget specifically for the provision of additional medical services. The cost per annum is estimated to be up to \$9,000 and given the timing of the proposal the maximum cost for the 2017/18 financial year would be \$2,250 based on the services be provided for April, May and June.

**Strategic Implications**

Community Strategic Plan

Outcome 3.5.1 - Increased access to appropriate medical services

Outcome 3.5.2 – Continue to support medical practitioners and other health organisations.

**Voting Requirements**

Absolute Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.1</b>
--

That Council;

1. Agree to the proposal from Central West Health and Rehabilitation to donate the gym equipment and to provide monthly physiotherapist visitations
2. Council agrees to provide a contribution of up to \$10,000 per annum towards the monthly visitations
3. Council endorses the unbudgeted expenditure of up \$3,000 for the provision of services in the 2017/18 financial year, and
4. The provisional amount of \$3,000 is identified as part of the 2017/18 budget review process

## Integrated Chronic Disease Care (ICDC)

Integrated Chronic Disease Care aims to target vulnerable and/or disadvantaged populations, including those in remote areas, suffering from diabetes, cardiovascular or respiratory conditions.

This will be a multi-disciplinary team-based service that provides a wraparound patient-centred approach.

### Objectives:

- increase access to multi-disciplined treatment of chronic disease to vulnerable or disadvantaged individuals living in remote areas
- increase access to multi-disciplined treatment of chronic disease in communities with higher levels of disadvantage and which are not adequately serviced by regional health services
- provide multi-disciplined treatment of chronic disease in a manner and environment which is culturally safe for Aboriginal patients
- integrate the service with other relevant health services so that where appropriate, patients can be referred to these services to support improved health outcomes for the patient
- educate patients in ways in which they can self-manage their condition/s
- contribute to a reduction in potentially preventable hospitalisations

This will provide the following services **at no cost to the patient**:

- care coordination
- podiatry
- diabetes education
- dietetics
- physiotherapy
- exercise physiology

Care coordination is responsible for supporting GP's to ensure patients receive appropriate coordinated care at the right time and place. Effective care coordination requires the development and maintenance of strong working relationships with GP's and other primary health care staff.

Care Coordination is to:

- arrange and provide access to required services
- health system navigation education
- manage ongoing monitoring and feedback within the services
- integrate services provided under the Activity and by other health services in the region
- face to face liaison to integrate, support and assist in the implementation of the patient's treatment plan and to integrate with other programs in the Midwest

Patient referral shall be by GP where possible.

Panaceum Group acknowledges WA Primary Health Alliance (WAPHA) for funding in its role as the operator of the Country WA PHN.

### WAPHA Disclaimer

While the Australian Government Department of Health, via WAPHA, has contributed funding to Panaceum Group, the information contained in this referral does not necessarily reflect the views of the Australian Government and/or WAPHA and is not advice that it is provided, or information that is endorsed, by the Australian Government and/or WAPHA. The Australian Government and/or WAPHA is not responsible in negligence or otherwise for any injury, loss or damage however arising from the use of or reliance on the information provided herein.

# Mingenew Fitness & Rehabilitation Facility

Central West Health and Rehabilitation (CWHR) is currently awaiting the arrival of new gym equipment. New equipment is to replace existing equipment that is still high functioning and well maintained. CWHR is hoping to donate this equipment to the shire of Mingeneu with the goal of establishing a small fitness and rehabilitation facility at the Mingeneu Autumn Centre.

Physiotherapists from CWHR currently travel to Mingeneu every 8-10 weeks as part of the WAPHN Intergrated Chronic Disease Team (ICDC). Our central practice in Geraldton is also in the same complex as Dr Rengel and Midwest Aero Medical, Urch street Professional Centre.

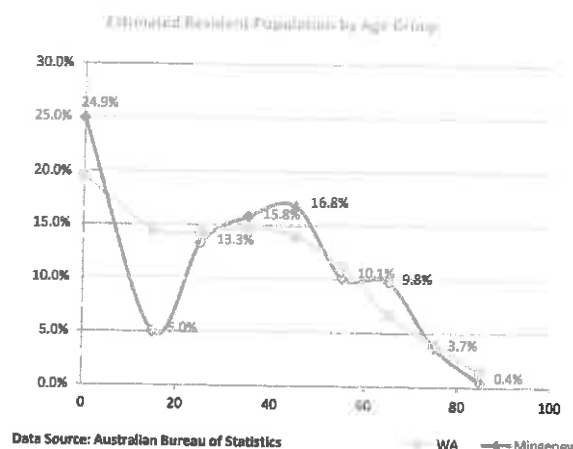
We are hoping funds will be found to allow us to travel to Mingeneu monthly to provide physiotherapy services, as well as allow us to screen new fitness facility users, prescribe exercise programs, maintain equipment and provide group exercise classes. These trips would be on top of current ICDC Team Visits, providing improved treatment continuity. Ideally Mingeneu residents would be able to access the equipment between our visits.

With a higher percentage of the population aged 65 to 74 the demand for aged and health services is likely to increase over the next 10 years. According to the Australian Institute of Health and Welfare (AIHW), 87% of people aged 65 and over had at least 1 of 8 chronic diseases in 2014–15. 84% of the burden due to overweight and obesity was experienced between ages 45–84. 53% of diabetes burden was due to overweight and obesity. 45% of osteoarthritis burden was due to overweight and obesity. Insufficient physical activity, dietary risk factors and high blood pressure are key chronic disease risk factors. We believe a bit of innovation, and collaboration will be required to maintain the high-quality community infrastructure and improved community health necessary to meet this demand.

<b>AIHW most common chronic diseases</b>	<b>Exercise is part of Evidence Based Management</b>
1. Arthritis	Definitely
2. Asthma	Sometimes
3. Back pain	Definitely
4. Cancer	Sometimes
5. Cardiovascular disease	Definitely
6. COPD	Definitely
7. Diabetes	Definitely
8. Mental health	Very Helpful

We believe this proposal is a great example of collaboration and cooperation between local government agencies and community organisations. This project also specifically targets a number of the social objectives outlined in the Strategic Community Plan 2012 (See image below), and one of the very important/low satisfaction items in the Community Importance and Satisfaction survey (See Images below).

Outcome 3.5	Improve community health and well-being	Key Partners	Very Important / Low Satisfaction
3.5.1	Increased access to appropriate medical services	DoHA	Affordable housing
3.5.2	Continue to support medical practitioners and other health organisations.	DoHA	Youth services
3.5.3	Improved provision of home and community care support services	DoHA, HACC	Long term planning
3.5.4	Promote a drug free culture within the community	DCA	Crime prevention
3.5.5	Encourage and support shire staff and the community to participate in community organisations		Road works
			Economic development
			Community engagement
			Aged and disabled services and access
			Aged person homes
			Maintenance
			Roads, verges and footpaths
			Support for volunteers
			Drainage, storm water and flood management
			Town planning
			<b>Health Services</b>



## 9.2 FINANCE

### 9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 DECEMBER 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0304  
**Date:** 15 February 2018  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 December 2017 is presented to Council for adoption.

#### Attachment

Finance Report for period ending 31 December 2017

#### Background

The Monthly Financial Report to 31 December 2017 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 Fund & Cash on Hand	\$675,494
3 Month Term Deposit @ 2.45%	\$1,513,822
Restricted Funds ( Unspent Grants) included in the above term deposit	\$568,498
Trust Fund	\$67,504
Reserve fund (6 Month Term Deposit) @ 2.55%	\$401,872

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 December 2017:

# MINGENSHIRE COUNCIL ORDINARY MEETING AGENDA – 21 February 2018

	Current	30+ Days	60+ Days	90+ Days	TOTAL
Amount	1,530	33,310	0	8,427	43,267

Rates Outstanding at 31 December 2017 were:

	December 2017	November 2017
Rates	393,957	417,233
Rubbish	14,104	15,938
ESL	5,491	6,468
<b>TOTAL</b>	<b>413,552</b>	<b>439,639</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 financial year.

## **Consultation**

Martin Whitely, Chief Executive 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 sub regulation (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 sub regulation (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

<b>OFFICER RECOMMENDATION – ITEM 9.2.1</b>
--

**That the Monthly Statement of Financial Activity for the period 1 July 2017 to 31 December 2017 be received.**

**SHIRE OF MINGENEW**  
**MONTHLY FINANCIAL REPORT**

**For the Period Ended 31 December 2017**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

**TABLE OF CONTENTS**

Compilation Report	2
Monthly Summary Information	3 - 5
Statement of Financial Activity by Program	6
Statement of Financial Activity By Nature or Type	7
Statement of Capital Acquisitions and Capital Funding	8
 Note 1      Significant Accounting Policies	 9 - 15
Note 2      Explanation of Material Variances	16
Note 3      Net Current Funding Position	17
Note 4      Cash and Investments	18
Note 5      Budget Amendments	19
 Note 6      Receivables	 20
Note 7      Cash Backed Reserves	21
Note 8      Capital Disposals	22
Note 9      Rating Information	23
Note 10      Information on Borrowings	24
Note 11      Grants and Contributions	25
Note 12      Trust	26
Note 13      Capital Acquisitions	27-29

## **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 December 2017 of \$2,623,601.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

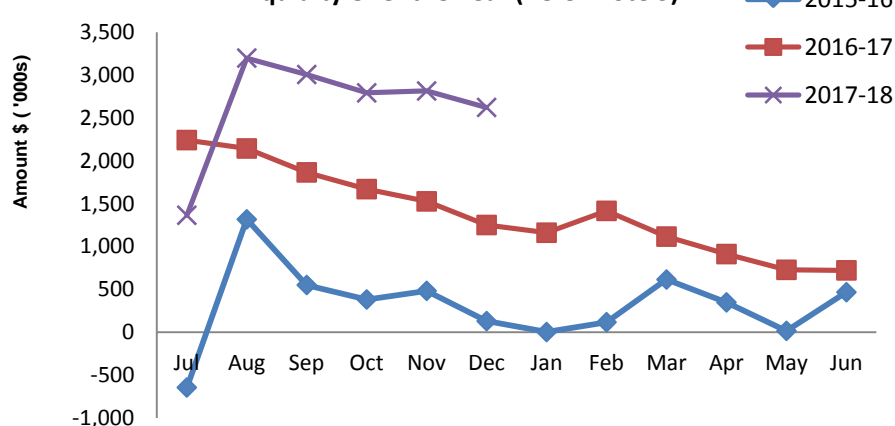
## **Preparation**

Prepared by: Durga Ojha  
Reviewed by: Martin Whitely  
Date prepared: 15/01/2018

# Shire of Mingenew

## Monthly Summary Information For the Period Ended 31 December 2017

**Liquidity Over the Year (Refer Note 3)**



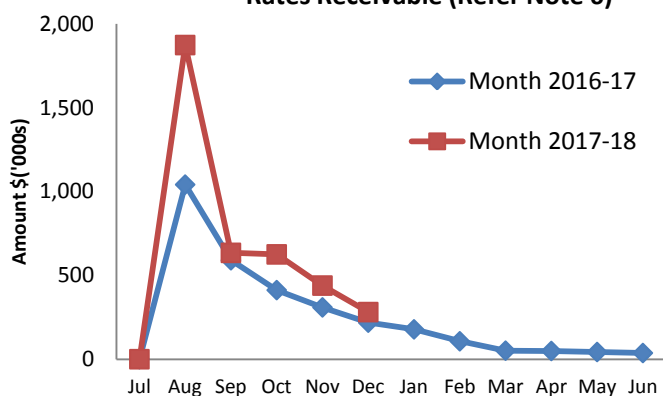
### Cash and Cash Equivalents as at period end

Unrestricted	\$ 1,621,118
Restricted	\$ 970,370
	<u>\$ 2,591,488</u>

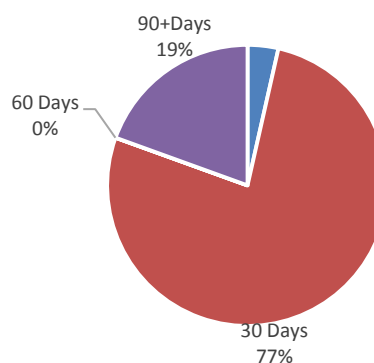
### Receivables

Rates	\$ 413,552
Other	\$ 43,267
	<u>\$ 456,819</u>

**Rates Receivable (Refer Note 6)**



**Accounts Receivable Ageing (non-rates)  
(Refer Note 6)**



### Comments

Rates were issued on 20 August 2017.  
First instalment was due 29 September 2017.  
Second Instalment was due 30 November 2017  
Third instalment was due 31 January 2018  
4th & Final instalment was due 1 April 2018

### SUMMARY OF BILLING

Rates	1,816,567
Rubbish	71,291
ESL	27,450
	<u>1,915,308</u>

This information is to be read in conjunction with the accompanying Financial Statements and notes.

## Shire of Mingenew

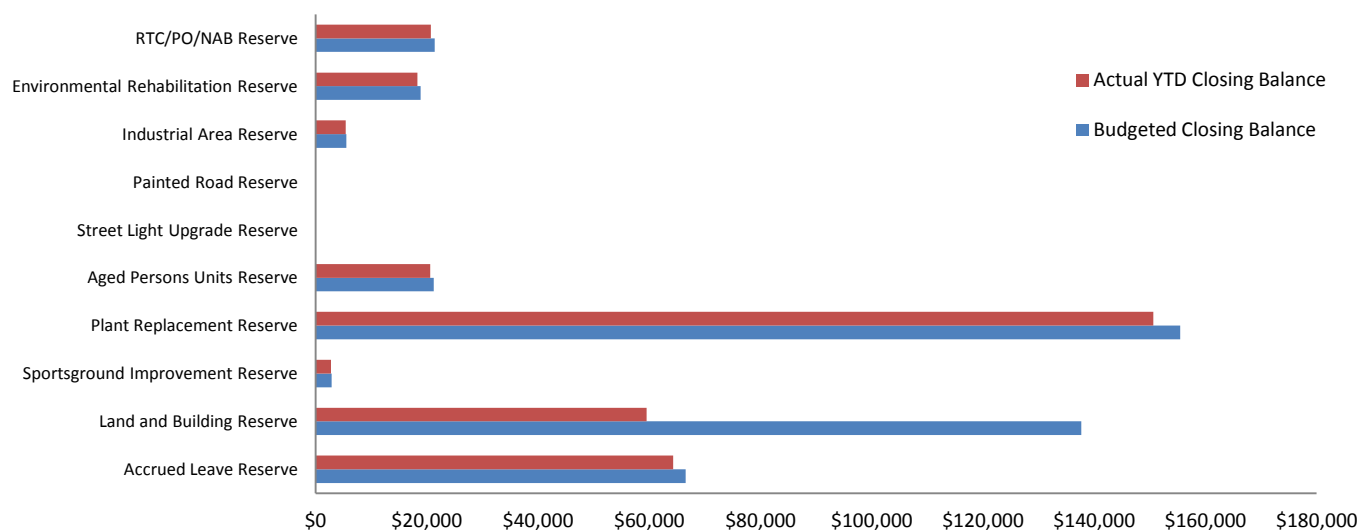
### Monthly Summary Information

For the Period Ended 31 December 2017

#### 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.

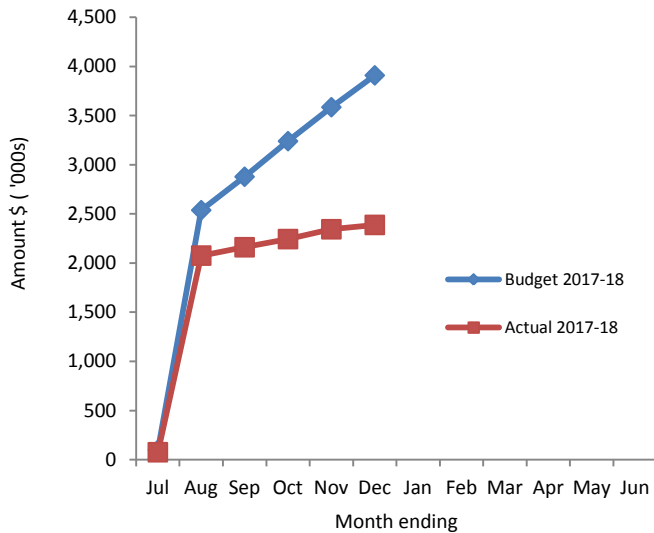
# Shire of Mingenew

## Monthly Summary Information

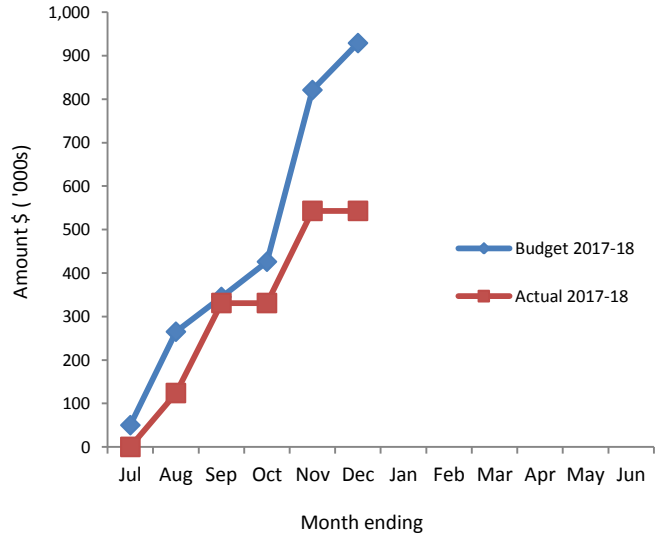
For the Period Ended 31 December 2017

### Revenues

**Budget Operating Revenues -v- Actual (Refer Note 2)**

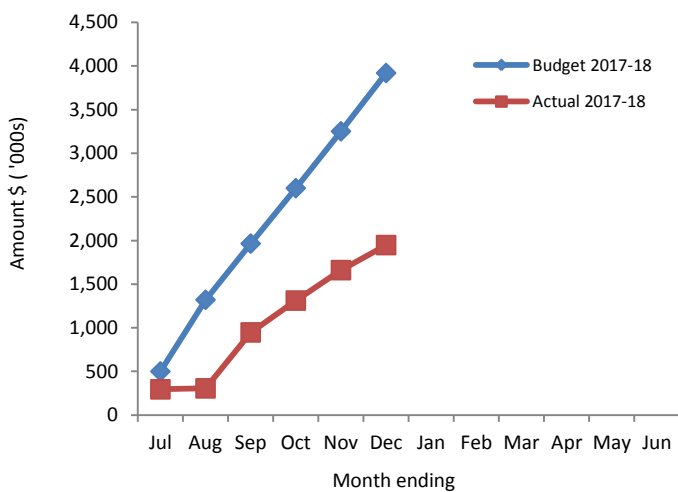


**Budget Capital Revenue -v- Actual (Refer Note 2)**

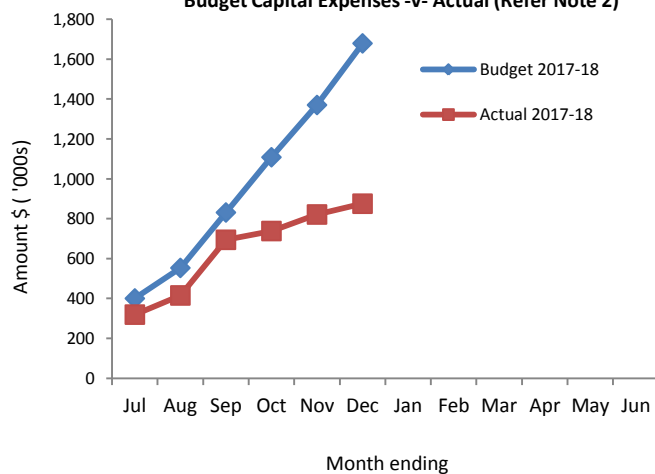


### Expenditure

**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 December 2017**

	Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Operating Revenues</b>							
General Purpose Funding		\$ 2,018,070	\$ 1,917,812	\$ 1,990,424	\$ 72,612	3.79%	
Governance		12,586	6,288	13,266	6,978	110.98%	
Law, Order and Public Safety		60,874	45,432	12,388	(33,044)	(72.73%)	▼
Health		371	180	315	135	75.25%	
Education and Welfare		3,755	1,866	3,749	1,883	100.93%	
Housing		104,924	52,440	47,728	(4,712)	(8.98%)	
Community Amenities		83,595	79,605	65,556	(14,049)	(17.65%)	▼
Recreation and Culture		38,665	35,225	32,393	(2,832)	(8.04%)	
Transport		3,372,042	1,686,012	181,248	(1,504,764)	(89.25%)	▼
Economic Services		11,355	5,652	4,421	(1,231)	(21.78%)	
Other Property and Services		157,475	78,720	37,314	(41,406)	(52.60%)	▼
<b>Total Operating Revenue</b>		<b>5,863,712</b>	<b>3,909,232</b>	<b>2,388,803</b>	<b>(1,593,040)</b>		
<b>Operating Expense</b>							
General Purpose Funding		(47,511)	(23,742)	(26,827)	(3,085)	(12.99%)	
Governance		(205,931)	(165,915)	(129,723)	36,192	21.81%	▲
Law, Order and Public Safety		(124,627)	(66,873)	(69,550)	(2,677)	(4.00%)	
Health		(111,511)	(55,710)	(33,913)	21,797	39.13%	▲
Education and Welfare		(76,019)	(37,968)	(25,634)	12,334	32.48%	▲
Housing		(163,757)	(81,786)	(84,800)	(3,014)	(3.69%)	
Community Amenities		(314,842)	(169,846)	(138,088)	31,759	18.70%	▲
Recreation and Culture		(895,693)	(447,750)	(513,167)	(65,417)	(14.61%)	▼
Transport		(5,227,876)	(2,613,786)	(963,293)	1,650,493	63.15%	▲
Economic Services		(400,524)	(200,172)	(135,115)	65,057	32.50%	▲
Other Property and Services		(114,012)	(56,910)	170,882	227,792	400.27%	▲
<b>Total Operating Expenditure</b>		<b>(7,682,303)</b>	<b>(3,920,458)</b>	<b>(1,949,228)</b>	<b>1,971,230</b>		
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,190,310	1,095,132	873,343	(221,789)	(20.25%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals		0	0	0	0		
<b>Net Cash from Operations</b>		<b>331,719</b>	<b>1,083,906</b>	<b>1,314,571</b>	<b>158,053</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	1,429,305	697,134	538,597	(158,537)	(22.74%)	▼
Proceeds from Disposal of Assets	8	365,650	232,712	4,545	(228,167)	(98.05%)	▼
<b>Total Capital Revenues</b>		<b>1,794,955</b>	<b>929,846</b>	<b>543,143</b>	<b>(386,703)</b>		
<b>Capital Expenses</b>							
Land Held for Resale	13	(200,000)	(99,996)	0	99,996	100.00%	▲
Land and Buildings	13	(867,720)	(283,788)	(212,072)	71,716	25.27%	▲
Infrastructure - Roads	13	(1,177,100)	(588,498)	(376,274)	212,224	36.06%	▲
Infrastructure - Other		(617,000)	(308,454)	(227,974)	80,480	26.09%	
Plant and Equipment	13	(742,364)	(388,670)	(58,864)	329,806	84.85%	▲
Furniture and Equipment	13	(21,000)	(10,494)	0	10,494	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,625,184)</b>	<b>(1,679,900)</b>	<b>(875,185)</b>	<b>804,715</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,830,229)</b>	<b>(750,054)</b>	<b>(332,042)</b>	<b>418,012</b>		
<b>Financing</b>							
Transfer from Reserves	7	0	0	0	0		
Procced from new debenture	10	85,507	0	0	0		
Repayment of Debentures	10	(150,774)	(74,936)	(74,936)	0	0.00%	
Transfer to Reserves	7	(125,510)	(5,396)	(5,396)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(190,777)</b>	<b>(80,332)</b>	<b>(80,332)</b>	<b>0</b>		
<b>Net Operations, Capital and Financing</b>		<b>(1,689,287)</b>	<b>253,520</b>	<b>902,197</b>	<b>576,065</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,722,222</b>	<b>1,722,222</b>	<b>1,721,405</b>	<b>(817)</b>	<b>(0.05%)</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>32,937</b>	<b>1,975,742</b>	<b>2,623,601</b>	<b>575,248</b>		

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 December 2017**

	Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
<b>Operating Revenues</b>							
Rates	9	\$ 1,816,567	\$ 1,817,072	\$ 1,813,962	\$ (3,110)	% (0.17%)	
Operating Grants, Subsidies and Contributions	11	3,023,945	1,526,946	170,854	(1,356,092)	(88.81%)	▼
Fees and Charges		257,210	182,264	160,711	(21,553)	(11.82%)	▼
Interest Earnings		65,440	32,688	39,630	6,942	21.24%	
Other Revenue		660,550	330,264	203,646	(126,618)	(38.34%)	▼
Profit on Disposal of Assets	8	40,000	19,998	0			
<b>Total Operating Revenue</b>		<b>5,863,712</b>	<b>3,909,232</b>	<b>2,388,803</b>	<b>(1,500,431)</b>		
<b>Operating Expense</b>							
Employee Costs		(1,456,983)	(728,184)	(370,236)	357,948	49.16%	▲
Materials and Contracts		(3,097,470)	(1,609,140)	(344,418)	1,264,722	78.60%	▲
Utility Charges		(136,355)	(68,124)	(43,116)	25,008	36.71%	▲
Depreciation on Non-Current Assets		(2,190,310)	(1,095,132)	(873,343)	221,789	20.25%	▲
Interest Expenses		(22,523)	(11,226)	(11,911)	(685)	(6.11%)	
Insurance Expenses		(91,762)	(65,234)	(106,984)	(41,750)	(64.00%)	▼
Other Expenditure		(686,900)	(343,418)	(197,566)	145,852	42.47%	▲
Loss on Disposal of Assets	8	0	0	(1,653)			
<b>Total Operating Expenditure</b>		<b>(7,682,303)</b>	<b>(3,920,458)</b>	<b>(1,949,228)</b>	<b>1,972,883</b>		
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,190,310	1,095,132	873,343	(221,789)	(20.25%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals		0	0	0	0		
<b>Net Cash from Operations</b>		<b>331,719</b>	<b>1,083,906</b>	<b>1,314,571</b>	<b>252,316</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	1,429,305	697,134	538,597	(158,537)	(22.74%)	▼
Proceeds from Disposal of Assets	8	365,650	232,712	4,545	(228,167)	(98.05%)	▼
<b>Total Capital Revenues</b>		<b>1,794,955</b>	<b>929,846</b>	<b>543,143</b>	<b>(386,703)</b>		
<b>Capital Expenses</b>							
Land Held for Resale	13	(200,000)	(99,996)	0	99,996	100.00%	▲
Land and Buildings	13	(867,720)	(283,788)	(212,072)	71,716	25.27%	▲
Infrastructure - Roads	13	(1,177,100)	(588,498)	(376,274)	0	0	
Infrastructure - Other	13	(617,000)	(308,454)	(227,974)			
Plant and Equipment	13	(742,364)	(388,670)	(58,864)	329,806	84.85%	▲
Furniture and Equipment	13	(21,000)	(10,494)	0	10,494	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,625,184)</b>	<b>(1,679,900)</b>	<b>(875,185)</b>	<b>512,012</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,830,229)</b>	<b>(750,054)</b>	<b>(332,042)</b>	<b>125,309</b>		
<b>Financing</b>							
Transfer from Reserves	7	0	0	0	0		
Advances to Community Groups	10	85,507	0	0	0		
Repayment of Debentures	10	(150,774)	(74,936)	(74,936)	0	0.00%	
Transfer to Reserves	7	(125,510)	(5,396)	(5,396)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(190,777)</b>	<b>(80,332)</b>	<b>(80,332)</b>	<b>0</b>		
<b>Net Operations, Capital and Financing</b>		<b>(1,689,287)</b>	<b>253,520</b>	<b>902,197</b>	<b>377,624</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,722,222</b>	<b>1,722,222</b>	<b>1,721,405</b>	<b>(817)</b>	<b>(0.05%)</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>32,937</b>	<b>1,975,742</b>	<b>2,623,601</b>	<b>376,807</b>		

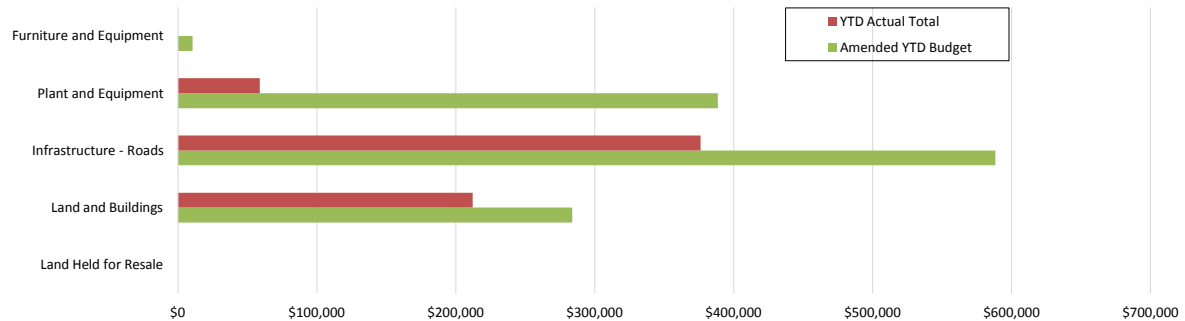
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

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 December 2017

Capital Acquisitions	Note	YTD 31 12 2017					
		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	212,072		212,072	283,788	867,720	(71,716)
Infrastructure - Roads	13	376,274		376,274	588,498	1,177,100	(212,224)
Infrastructure -Other	13	227,974		227,974	308,454	617,000	(80,480)
Plant and Equipment	13	58,864		58,864	388,670	742,364	(329,806)
Furniture and Equipment	13	0		0	10,494	21,000	(10,494)
<b>Capital Expenditure Totals</b>		<b>875,185</b>	<b>0</b>	<b>875,185</b>	<b>1,579,904</b>	<b>3,625,184</b>	<b>(704,719)</b>

Capital Expenditure Program YTD



**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

**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 December 2017**

**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 December 2017**

**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 December 2017**

**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 December 2017**

**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 December 2017**

**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 December 2017**

**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**

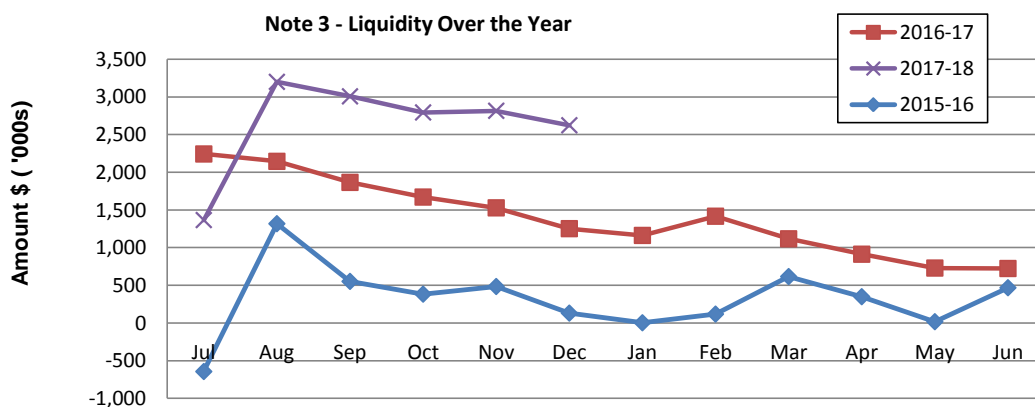
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
General Purpose Funding	72,612	3.79%			Special purpose Grants is more than expected \$249K
Governance	6,978	110.98%			Nil
Law, Order and Public Safety	(33,044)	(72.73%)	▼		Timing of receiving bush fire management plan Grants \$30K
Health	135	75.25%			Nil
Education and Welfare	1,883	100.93%			Nil
Housing	(4,712)	(8.98%)			Nil
Community Amenities	(14,049)	(17.65%)	▼		Rubbish removable fees are less than expected \$13,916
Recreation and Culture	(2,832)	(8.04%)			Nil
Transport	(1,504,764)	(89.25%)	▼		Timing of receiving flood damage grants \$1379K
Economic Services	(1,231)	(21.78%)			Nil
Other Property and Services	(41,406)	(52.60%)	▼		MWIRSA reimbursement is under \$ 19K.
<b>Operating Expenses</b>					
General Purpose Funding	(3,085)	(12.99%)			Nil
Governance	36,192	21.81%	▲		Assets Depreciation and admin allocations is over \$45K however there won't be any impact on cash position.
Law, Order and Public Safety	(2,677)	(4.00%)			Assets depreciation is over by 13K as depreciation is non cash item therefore there is no impact on the cash position.
Health	21,797	39.13%	▲		Internal Admin allocations is under \$6K
Education and Welfare	12,334	32.48%	▲		Internal Admin allocations is under \$5K
Housing	(3,014)	(3.69%)			Nil
Community Amenities	31,759	18.70%	▲		The following jobs are over and under: Rubbish tip maintenance is under \$16K, Pubic conveniences maintenance cost is over by \$11, Mingenew Town revitalisation project cost is under \$25,000
Recreation and Culture	(65,417)	(14.61%)	▼		Assets Depreciation and admin allocations is over \$57K
Transport	1,650,493	63.15%	▲		Flood damage works is under \$1.4 Millions and roads depreciation is under \$271K
Economic Services	65,057	32.50%	▲		Tourism and areas promotion is under \$15K, post office building maintenance is under \$9K and internal admin allocation is under \$13K
Other Property and Services	227,792	400.27%	▲		Gross Salary and wages is under \$182K Internal admin allocation is under \$56K
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(158,537)	(22.74%)	▼		Regional roads group grants is under by \$55K as 2nd lot of RRG grants still to be claimed
Proceeds from Disposal of Assets	(228,167)	(98.05%)	▼		Timing of disposal of assets \$228K
<b>Capital Expenses</b>					
Land Held for Resale	99,996	100.00%	▲		Industrial subdivision allocation is under due to timing issue
Land and Buildings	71,716	25.27%	▲		independent living units is under due to timing issue
Infrastructure - Roads	212,224	36.06%	▲		Roads construction cost is under \$212 due to timing issue
Infrastructure - Footpaths	0				Nil
Infrastructure - Drainage & Culverts	0				Nil
Infrastructure - Aerodromes	0				Nil
Plant and Equipment	329,806	84.85%	▲		Timing of purchases
Furniture and Equipment	10,494	100.00%	▲		Timing of purchases
<b>Financing</b>					
Loan Principal	0	0.00%			Nil

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

**Note 3: NET CURRENT FUNDING POSITION**

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Dec 2017	30th June 2017	YTD 31 Dec 2016
		\$	\$	\$
<b>Current Assets</b>				
Cash - Unrestricted	4	1,621,118	1,276,249	1,463,652
Cash - Restricted Reserves	4	401,872	396,475	309,763
Cash - Restricted Unspent Grants		568,498	568,498	216,626
Investments		0	0	0
Rates - Current	6	413,552	83,832	389,575
Sundry Debtors	6	43,267	79,873	1,670
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	0	0
GST Receivable		8,258	30,077	19,760
Receivables - Other		0	0	0
Inventories - Fuel & Materials		3,065	3,197	6,543
Inventories - Land Held for Resale		40,394	40,394	80,788
		3,098,440	2,477,010	2,486,793
<b>Current Liabilities</b>				
Sundry Creditors		(2,313)	(261,624)	(39,029)
GST Payable		(10,251)	(29,012)	(10,798)
PAYG		(15,453)	(12,709)	(6,620)
Accrued Interest on Debentures		(2,578)	(13,414)	0
Accrued Salaries & Wages		(1,977)	(1,977)	(1,977)
Current Employee Benefits Provision		(231,014)	(231,014)	(261,493)
Current Loan Liability		(75,839)	(150,775)	(91,854)
		(339,426)	(700,525)	(411,772)
<b>NET CURRENT ASSETS</b>		<b>2,759,014</b>	<b>1,776,485</b>	<b>2,075,021</b>
<b>Less:</b>				
Cash - Restricted Reserves		(401,872)	(396,475)	(309,763)
Inventories - Land Held for Resale		(40,394)	(40,394)	(80,788)
<b>Add Back:</b>				
Current Loan Liability		75,839	150,775	91,854
Cash Backed Employee Provisions	7	231,014	231,014	261,493
<b>Net Current Funding Position (Surplus / Deficit)</b>		<b>2,623,601</b>	<b>1,721,405</b>	<b>2,037,818</b>

0.00



**Comments - Net Current Funding Position**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

**Note 4: CASH AND INVESTMENTS**

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>							
3 Month term Deposit	2.45%	945,324	568,498		1,513,822	NAB	31 March 2018
Municipal Bank Account	1.25%	675,494			675,494	NAB	At Call
Trust Bank Account	1.25%			67,504	67,504	NAB	At Call
Cash Maximiser Account (Muni)	0.70%	0	0		0	NAB	At Call
Cash On Hand	Nil	300	0		300	NAB	At Call
Reserve Funds	2.55%	0	401,872		401,872	NAB	30 June 2018
(b) <b>Term Deposits</b>							
Short Term Deposits	0.00%	0	0		0		
<b>Total</b>		<b>1,621,118</b>	<b>970,370</b>	<b>67,504</b>	<b>2,658,992</b>		

**Comments/Notes - Investments**

A review of bank accounts held has been undertaken in conjunction with National Australia Bank. Following this review some changes have been made to the type of accounts we use. To improve interest earnings, the Cash Maximizer Accounts are no longer used (they were earning approximately 0.7% interest) and the Municipal, Trust and Reserve accounts are corporate cheque accounts and will earn interest at the RBA cash rate when balances are >\$250,000 and RBA Cash rate -0.25% when balances are <\$250,000

**Restricted Cash**

**(1) Municipal Fund**

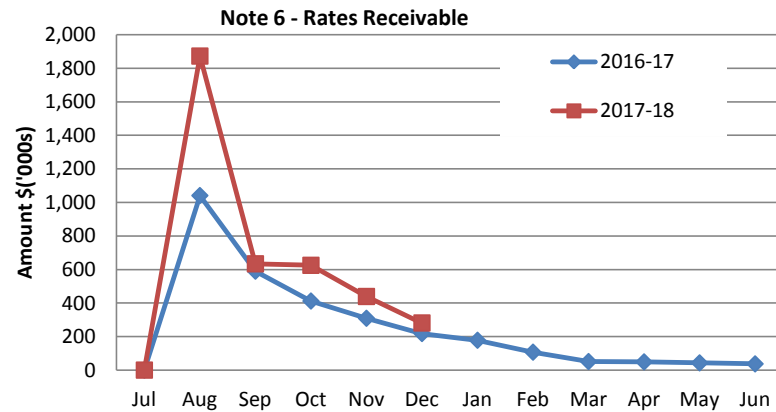
Purpose for Funds Being Restricted	Funding Organisation	Due Date to be Expended	Amount
1 Various Roads	Roads to Recovery	30 June 2019	151,206
2 Town Revitalisation Plan	Department of Planning	30 June 2018	60,000
3 Town Planning Scheme	Department of Planning	30 June 2018	25,000
4 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2018	210,000
5 Mingenew Transfer Station	Mid West Development Commission	31 December 2017	45,000
6 Mingenew Museum	Mid West Development Commission	31 December 2017	13,712
7 Little Well Reserve	Lotterywest	30 June 2018	13,580
8 Recreation Oval Lights	DSR	30 June 2018	50,000
<b>Sub-total</b>			<b>568,498</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**Note 6: RECEIVABLES**

**Receivables - Rates & Rubbish Receivable**

	YTD 31 Dec 2017	30 June 2016
Opening Arrears Previous Years	\$ 83,832	\$ 83,832
Levied this year	1,852,748	1,757,549
Less Collections to date	(1,523,028)	(1,757,549)
Equals Current Outstanding	413,552	83,832
<b>Net Rates Collectable</b>	<b>413,552</b>	<b>83,832</b>
% Collected	78.65%	95.45%



**Comments/Notes - Receivables Rates**

Instalment Due Dates:

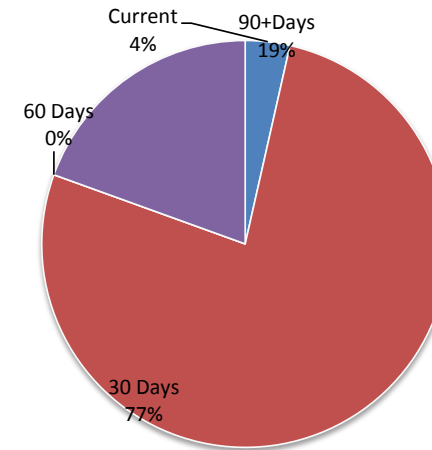
Instalment 1	30-Sep-17
Instalment 2	30-Nov-17
Instalment 3	31-Jan-18
Instalment 4	1-Apr-18

**Receivables - General**

	Current	30 Days	60 Days	90+Days
Receivables - General	\$ 1,530	\$ 33,310	\$ 0	\$ 8,427
<b>Total Receivables General Outstanding</b>				<b>43,267</b>

**Note 6 - Accounts Receivable (non-rates)**

An



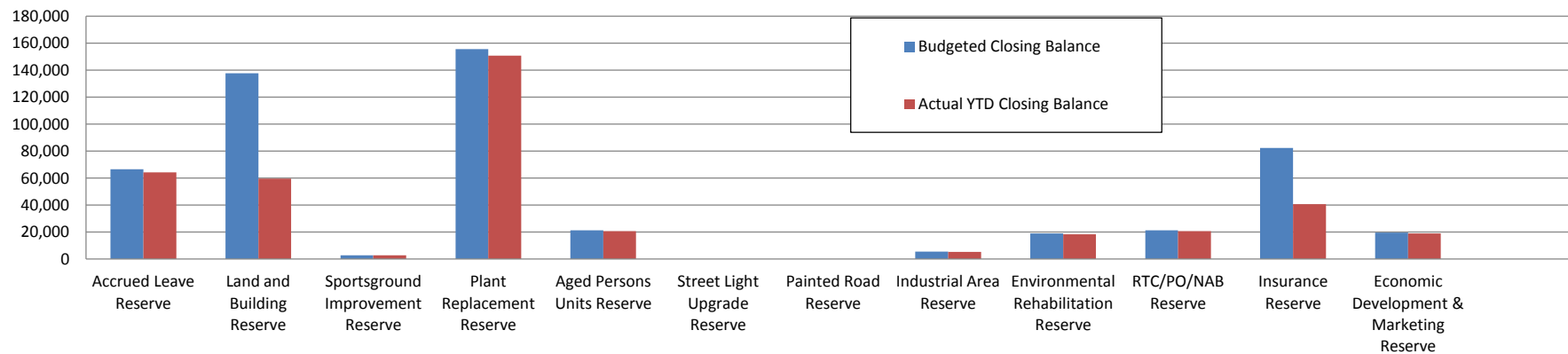
**Comments/Notes - Receivables General**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**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	64,065	1,250	243	1,250	0	0			66,565	64,308
Land and Building Reserve	58,767	1,450	768	77,450	0	0			137,667	59,535
Sportsground Improvement Reserve	2,725	60	47	60	0	0	0		2,845	2,772
Plant Replacement Reserve	148,056	3,700	2,560	3,700	0	0	0		155,456	150,616
Aged Persons Units Reserve	20,230	500	350	500	0	0	0		21,230	20,579
Street Light Upgrade Reserve	0	0	0	0	0	0	0		0	0
Painted Road Reserve	0	0	0	0	0	0	0		0	0
Industrial Area Reserve	5,287	125	91	125	0	0	0		5,537	5,378
Environmental Rehabilitation Reserve	18,002	450	311	450	0	0	0		18,902	18,313
RTC/PO/NAB Reserve	20,382	500	352	500	0	0	0		21,382	20,734
Insurance Reserve	40,243	1,000	350	41,000	0	0	0		82,243	40,593
Economic Development & Marketing Reserve	18,719	475	324	475	0	0	0		19,669	19,042
				0	0	0				
	396,475	9,510	5,396	125,510	0	0	0	0	531,495	401,872

**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 December 2017

**Note 8 CAPITAL DISPOSALS**

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
					YTD 31 12 2017			
Cost	Accum Depr	Proceeds	Profit (Loss)		2017/18 Budget Profit/(Loss)	2017/18 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$	
0			0	CEO Vehicle		0		
			0	DCEO Vehicle			0	
			0	Works Manager Vehicle		0	0	
0	0	0	0		0	0	0	

Comments - Capital Disposal/Replacements

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

LGA S6.2(4)(b)  
FM Reg 23(a)

**9. RATING INFORMATION**

<b>RATE TYPE</b>	<b>Rate in \$</b>	<b>Number of properties</b>	<b>Rateable value \$</b>	<b>2017/18 interim rates \$</b>	<b>2017/18 back rates \$</b>	<b>Actual Rate Revenue \$</b>	<b>2017/18 Budgeted rate revenue \$</b>	<b>2017/18 Budgeted interim rates \$</b>	<b>2017/18 Budgeted back rates \$</b>	<b>2017/18 Budgeted total revenue \$</b>
<b>General rate</b>										
GRV - Mingenew	0.145400	129	1,131,000	0	0	164,447	164,447	0	0	164,447
GRV - Yandanooka	0.145400	2	13,884	0	0	2,019	2,019	0	0	2,019
GRV- Commercial	0.145400	14	349,700			50,846	50,846			50,846
GRV - Industrial	0.145400	1	12,480			1,815	1,815			1,815
UV Rural & Mining	0.013350	120	110,861,500			1,480,001	1,480,001			1,480,001
UV Mining	0.013350	0	0			0	0			0
<b>Sub-Totals</b>		266	112,368,564	0	0	1,699,128	1,699,128	0	0	1,699,128
<b>Minimum payment</b>	<b>Minimum \$</b>									
GRV - Mingenew	682	64	28,026	0	0	43,648	43,648	0	0	43,648
GRV - Yandanooka	682	0	0	0	0	0	0	0	0	0
GRV- Commercial	682	9	6,200			6,138	6,138			6,138
GRV - Industrial	682	2	1,850			1,364	1,364			1,364
UV Rural & Mining	1025	23	671,100			23,575	23,575			23,575
UV Mining	1025	8	39,885			8,200	8,200			8,200
<b>Sub-Totals</b>		106	747,061	0	0	82,925	82,925	0	0	82,925
		<b>372</b>	<b>113,115,625</b>	<b>0</b>	<b>0</b>	<b>1,782,053</b>	<b>1,782,053</b>	<b>0</b>	<b>0</b>	<b>1,782,053</b>
Discounts/concessions (Refer note 13)						(1,009)				(1,009)
<b>Total amount raised from general rates</b>						<b>1,781,044</b>				<b>1,781,044</b>
Specified area rates (Refer note 10)						0				0
Ex Gratia Rates						35,523				35,523
<b>Total rates</b>						<b>1,816,567</b>				<b>1,816,567</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**10. INFORMATION ON BORROWINGS**

**(a) Debenture Repayments**

Particulars	Principal 1-Jul-17	Refinancing Cost	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual \$	YTD Budget \$	YTD Actual \$	Budget \$	YTD Actual \$	Budget \$
<b>Education &amp; Welfare</b>								
Loan 137 - Senior Citizens Buildings	91,633	11,102	9,729	19,576	93,006	72,057	1,515	3,088
					0			
<b>Housing</b>					0			
Loan 133 - Triplex	61,766	7,483	6,520	13,195	62,729	48,571	218	1,967
Loan 134 - SC Housing	46,481	5,631	2,460	9,930	49,652	36,551	163	1,499
Loan 136 - Staff Housing	110,736	13,416	0	23,656	124,152	87,080	382	3,738
Loan 142 - Staff Housing	56,153	6,803	19,986	11,996	42,970	44,157	3,784	1,726
					0			
<b>Recreation &amp; Culture</b>					0			
Loan 138 - Pavilion Fitout	87,967	10,658	9,587	18,792	89,038	69,175	1,485	2,964
					0			
<b>Transport</b>					0			
Loan 139 - Roller	24,255	2,939	2,576	5,182	24,618	19,073	433	727
Loan 141 - Grader	82,243	9,964	8,732	17,570	83,475	64,673	1,397	2,523
Loan 143 - 2 x Trucks	0		0	0	0	0	60	0
Loan 144 - Side Tipping Trailer	56,154	6,803	5,962	11,996	56,995	44,158	937	1,726
Loan 145 - Drum Roller	88,381	10,708	9,385	18,881	89,704	69,500	1,537	2,565
	705,769	85,507	74,936	150,774	716,340	554,995	11,911	22,523

All debenture repayments were financed by general purpose revenue.

**(b) New Debentures**

Nil

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2017-18 Forecast Budget	2017-18 Original Budget	Variations Additions (Deletions)	Operating 2017/18 Budget	Capital 2017/18 Budget	Recoup Status	
								2017-18 YTD Actual	2017-18 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>									
Financial Assistance Grant - Roads	Grants Commission	Y	167,449	167,449	0	0	167,449	74,358	83,724
Financial Assistance Grant - General	Grants Commission	Y	142,313	142,313	0	142,313	0	64,872	71,154
<b>LAW, ORDER, PUBLIC SAFETY</b>									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,000	4,000	0	4,000	0	0	1,998
ESL Annual Grant	Department of Fire & Emergency Services	Y	23,194	23,194	0	23,194	0	6,140	11,598
Bushfire Management Plan	Department of Fire & Emergency Services	Y	30,000	30,000	0	30,000	0	0	30,000
<b>HEALTH</b>									
Nil		N	0	0	0	0	0	0	0
<b>EDUCATION &amp; WELFARE</b>									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	2,658	498
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	909	996
<b>HOUSING</b>									
Independent Living Units	WCHS	Y	0	0	0	0	0	0	0
<b>COMMUNITY AMENITIES</b>									
Thank a Volunteer Day	Department of Local Government & Communities	N	2,000	2,000	0	1,000	0	0	0
Transfer Station	Mid West Development Commission	Y	5,000	5,000	0	0	5,000	0	2,496
<b>RECREATION AND CULTURE</b>									
Museum	MWDC	N	1,523	1,523	0	0	1,523	0	756
Museum	Museum Committee	Y	5,000	5,000	0	0	0	0	2,496
Enanty Barn	TBA	N	0	0	0	0	0	0	0
Littlewell	TBA	N	0	0	0	0	0	0	0
Railway Station	Lotterywest (Town Hall)	N	210,000	210,000	0	0	210,000	0	210,000
Railway Station	Lotterywest	N	35,000	35,000	0	0	35,000	0	17,496
Football Oval Lights	DSR	Y	200,000	200,000	0	0	200,000	0	0
Football Oval Lights	Football Club	Y	30,000	30,000	0	0	0	0	0
Expo for lighting Tower	Expo Lights	Y	15,000	15,000	0	0	45,000	45,000	0
Hockey Oval Lights	Hockey Club	Y						0	0
<b>TRANSPORT</b>									
Flood Damage Funding	WADRRRA	Y	2,759,248	2,759,248	0	2,759,248	0	0	1,379,622
Direct Grant	Main Roads WA	Y	41,594	41,594	0	41,594	0	42,113	20,796
Blackspot Funding	Main Roads WA	Y	0	0	0	0	0	0	0
Regional Road Group	Main Roads WA	Y	515,333	515,333	0	0	515,333	202,484	257,664
Financial Assistance Special Grant - Bridge	Department of Infrastructure	Y	0	0	0	0	0	249,000	0
Roads To Recovery	Department of Infrastructure	Y	0	0	0	0	0	0	0
Street Lighting	Main Roads WA	Y	2,500	2,500	0	2,500	0	0	1,248
<b>ECONOMIC SERVICES</b>									
Mingenew Hill Walk Trail	TBA	N	0	0	0	0	0	0	0
<b>OTHER PROPERTY &amp; SERVICES</b>									
Industrial Subdivision	Mid West Development Commission	N	150,000	150,000	0	0	150,000	0	124,998
Rural Residential Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
<b>TOTALS</b>			<b>4,442,154</b>	<b>4,442,154</b>	<b>0</b>	<b>3,006,849</b>	<b>1,429,305</b>	<b>687,535</b>	<b>2,217,540</b>
Operating	Operating		3,012,849	3,012,849	0	3,006,849	0	191,051	1,520,406
Non-Operating	Non-operating		1,429,305	1,429,305	0	0	1,429,305	496,484	697,134
Contribution & Reimbursement	Operating & Non Operating		11,096	11,096				21,916	
			<u>4,453,250</u>	<u>4,453,250</u>				<u>709,451</u>	<u>2,217,540</u>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

**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 17	Amount Received	Amount Paid	Closing Balance 31-Dec-17
	\$	\$	\$	\$
Councillors Nomination Fees	0	560	0	560
BCITF Levy	0	495	0	495
BRB Levy	4	511	(514)	1
Autumn Committee	974	0	0	974
Community Bus	2,200	400	(400)	2,200
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	21,294	68,700	(39,604)	50,390
Mingenew Cemetery Group	4,314	0	0	4,314
Bonds		0	0	0
Housing Bonds	1,428	0	0	1,428
Cool Room Bond	530	145	(145)	530
Outdoor Camera Bond	350	0	0	350
Animal Trap Bond	0	100	(100)	0
Projector Screen	0	0	0	0
Other Bonds	200	0	0	200
Rates Incentive Prizes	100	0	0	100
Sinosteel Community Trust Fund	0	0	0	0
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Mingenew P & C - NBN Rental	0	0	0	0
Joan Trust	2,161	0	0	2,161
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	432	0	0	432
Silverchain Committee	0	0	0	0
Seniors Donations	50	0	0	50
	<b>37,356</b>	<b>70,351</b>	<b>(40,763)</b>	<b>67,504.04</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
Land Held for Resale						
Community Amenities						
Other Property & Services						
Industrial Area Development	4504	200,000	200,000	99,996	0.00	200,000
<b>Total Land Held for Resale</b>		<b>200,000</b>	<b>200,000</b>	<b>99,996</b>	<b>0</b>	<b>200,000</b>
<b>Land &amp; Buildings</b>						
Shire Office	A001	10,000	10,000	4,998	0.00	10,000
Child Care Facility	0075	20,000	20,000	9,996	0.00	20,000
Lot 66 Shenton Street	H001	5,000	5,000	2,496	0.00	5,000
13 Moore Street	H005	5,000	5,000	2,496	0.00	5,000
King Street Triplex - Unit 1	H008	4,000	4,000	1,992	0.00	4,000
King Street Triplex - Unit 2	H009	4,000	4,000	1,998	0.00	4,000
King Street Triplex - Unit 3	H010	4,020	4,020	2,004	0.00	4,020
Staff Housing - 34 William Street (ex Silver Chain)	H011	12,000	12,000	5,988	0.00	12,000
Staff Housing - 2 Bedroom Key Worker Housing	H007	5,000	5,000	2,496	0.00	5,000
Lot 5 Field Street	H002	7,500	7,500	3,750	0.00	7,500
Lot 15 Field Street	H003	10,000	10,000	4,992	0.00	10,000
Lot 89 Victoria Street	H004	5,000	5,000	2,496	0.00	5,000
Aged Care Units	0165	265,000	265,000	132,498	212,072.00	52,928
Silver Chain House	0166	0	0	0	0.00	0
Town Hall	2434	300,000	300,000	0	0.00	300,000
Enanty Barn	0067	10,000	10,000	4,998	0.00	10,000
Museum	0068	25,000	25,000	12,498	0.00	25,000
Old Roads Building	0069	6,200	6,200	3,096	0.00	6,200
Old Railway Station	0070	70,000	70,000	34,998	0.00	70,000
Business Incubator	5964	100,000	100,000	49,998	0.00	100,000
<b>Total Land &amp; Building Total</b>		<b>867,720</b>	<b>867,720</b>	<b>283,788</b>	<b>212,072</b>	<b>655,648</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 December 2017

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
<b>Infrastructure - Other</b>						
Waste Transfer Station	3084	140,000	140,000	69,984	70,810.30	69,190
Little Well Project	0071	35,000	35,000	17,490	0.00	35,000
Mingenew Hill Project	0142	40,000	40,000	19,986	0.00	40,000
Net Ball Court	0169	150,000	150,000	75,000	0.00	150,000
Bride Street Recreation Area	0141	100,000	100,000	49,998	0.00	100,000
Football Oval Lights	0140	140,000	140,000	69,996	157,164.0	(17,164)
Water Tanks & Reticulation	0167	12,000	12,000	6,000	0.00	12,000
<b>Total Other Infrastructure</b>		<b>617,000</b>	<b>617,000</b>	<b>308,454</b>	<b>227,974</b>	<b>389,026</b>
<b>Furniture &amp; Office Equip.</b>						
Office PC's & Laptops	A201	8,000	8,000	3,996	0.00	8,000
Council Chamber - Tables & Chairs	A302	10,000	10,000	4,998	0.00	10,000
Christmas Lights	0065	3,000	3,000	1,500	0.00	3,000
<b>Total Furniture &amp; Office Equip.</b>		<b>21,000</b>	<b>21,000</b>	<b>10,494</b>	<b>0</b>	<b>21,000</b>
<b>Plant , Equip. &amp; Vehicles</b>						
<b>Governance</b>						
CEO Vehicle Replacement	A100	135,000	135,000	67,500	0.00	135,000
DCEO Vehicle Replacement	A101	86,000	86,000	42,996	0.00	86,000
Works Manager Vehicle	0170	86,000	86,000	42,996	0.00	86,000
Sundry Plant	0171	10,000	10,000	4,998	0.00	10,000
Portable Traffic Lights	0172	35,000	35,000	35,000	33,955.00	1,045
Grader	0174	345,000	345,000	172,500	0.00	345,000
Road Broom	0177	25,000	25,000	12,498	0.00	25,000
Slasher	0178	20,364	20,364	10,182	24,909.09	(4,545)
<b>Total Plant, EQUIP &amp; Vehicles</b>		<b>742,364</b>	<b>742,364</b>	<b>388,670</b>	<b>58,864</b>	<b>683,500</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 2017**

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
<b>Roads &amp; Bridges</b>						
Roadworks Construction - Own Resources	0001	72,500	72,500	36,234	0.00	72,500
Mooriary Road (R2R)	6074	121,600	121,600	60,792	115,244.35	6,356
Special Purpose Grant - Yarragadee Bridge	6075	210,000	210,000	105,000	0.00	210,000
Mingenew Mullewa Road Reseal (RRG)	RR65	450,000	450,000	224,988	161,682.38	288,318
Nanekine Road	1205	0	0	0	0.00	0
RRG - Coalseam Road	RR61	323,000	323,000	161,484	99,347.74	223,652
<b>Total Roads &amp; Bridges</b>		<b>1,177,100</b>	<b>1,177,100</b>	<b>588,498</b>	<b>376,274.47</b>	<b>800,826</b>
<b>Capital Expenditure Total</b>		<b>3,625,184</b>	<b>3,625,184</b>	<b>1,679,900</b>	<b>875,185</b>	<b>2,749,999</b>

## 9.2.2 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JANUARY 2018

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0304  
**Date:** 15 February 2018  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

### Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 January 2018 is presented to Council for adoption.

### Attachment

Finance Report for period ending 31 January 2018

### Background

The Monthly Financial Report to 31 January 2018 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 Fund & Cash on Hand	\$667,790
3 Month Term Deposit @ 2.45%	\$1,513,822
Restricted Funds ( Unspent Grants) included in the above term deposit	\$568,498
Trust Fund	\$67,504
Reserve fund (6 Month Term Deposit) @ 2.55%	\$401,872

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 January 2018:

# MINGENSHIRE COUNCIL ORDINARY MEETING AGENDA – 21 February 2018

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	46,842	945	33,310	10,264	91,360

Rates Outstanding at 31 January 2018 were:

	<b>January 2018</b>	<b>December 2017</b>
Rates	279,330	393,957
Rubbish	13,846	14,104
ESL	4,742	5,491
<b>TOTAL</b>	<b>297,918</b>	<b>413,552</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 financial year.

## **Consultation**

Martin Whitely, Chief Executive 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 sub regulation (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.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 21 February 2018

- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (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

<b>OFFICER RECOMMENDATION – ITEM 9.2.2</b>
--

**That the Monthly Statement of Financial Activity for the period 1 July 2017 to 31 January 2018 be received.**

**SHIRE OF MINGENEW**

**MONTHLY FINANCIAL REPORT**

**For the Period Ended 31 January 2018**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

**TABLE OF CONTENTS**

Compilation Report	2
Monthly Summary Information	3 - 5
Statement of Financial Activity by Program	6
Statement of Financial Activity By Nature or Type	7
Statement of Capital Acquisitions and Capital Funding	8
Note 1      Significant Accounting Policies	9 - 15
Note 2      Explanation of Material Variances	16
Note 3      Net Current Funding Position	17
Note 4      Cash and Investments	18
Note 5      Budget Amendments	19
Note 6      Receivables	20
Note 7      Cash Backed Reserves	21
Note 8      Capital Disposals	22
Note 9      Rating Information	23
Note 10      Information on Borrowings	24
Note 11      Grants and Contributions	25
Note 12      Trust	26
Note 13      Capital Acquisitions	27-29

## 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 January 2018 of \$2,474,074.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

## Preparation

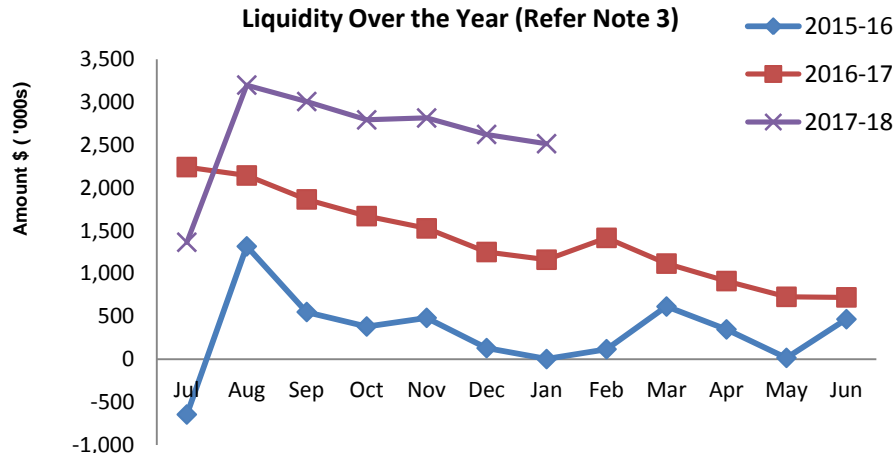
Prepared by: Durga Ojha  
Reviewed by: Martin Whitely  
Date prepared: 13/02/2018

# Shire of Mingenew

## Monthly Summary Information

For the Period Ended 31 January 2018

**Liquidity Over the Year (Refer Note 3)**



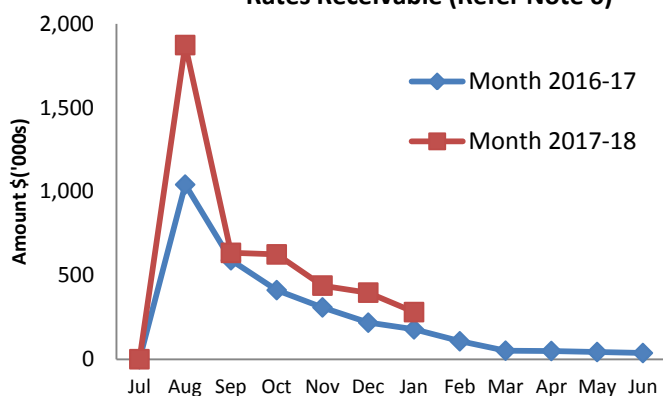
### Cash and Cash Equivalents as at period end

Unrestricted	\$ 1,613,414
Restricted	\$ 970,370
	<u>\$ 2,583,783</u>

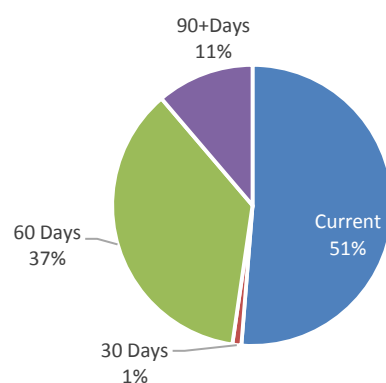
### Receivables

Rates	\$ 297,918
Other	\$ 91,390
	<u>\$ 389,308</u>

**Rates Receivable (Refer Note 6)**



**Accounts Receivable Ageing (non-rates)  
(Refer Note 6)**



### Comments

Rates were issued on 20 August 2017.  
First instalment was due 29 September 2017.  
Second Instalment was due 30 November 2017  
Third instalment was due 31 January 2018  
4th & Final instalment was due 1 April 2018

### SUMMARY OF BILLING

Rates	1,816,567
Rubbish	71,291
ESL	<u>27,450</u>
	<u>1,915,308</u>

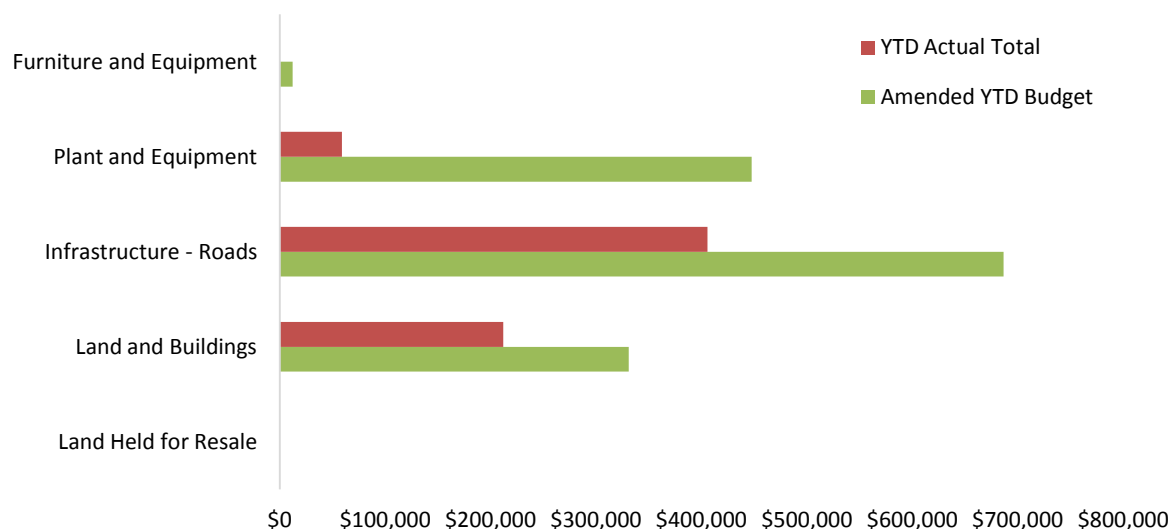
This information is to be read in conjunction with the accompanying Financial Statements and notes.

# Shire of Mingenew

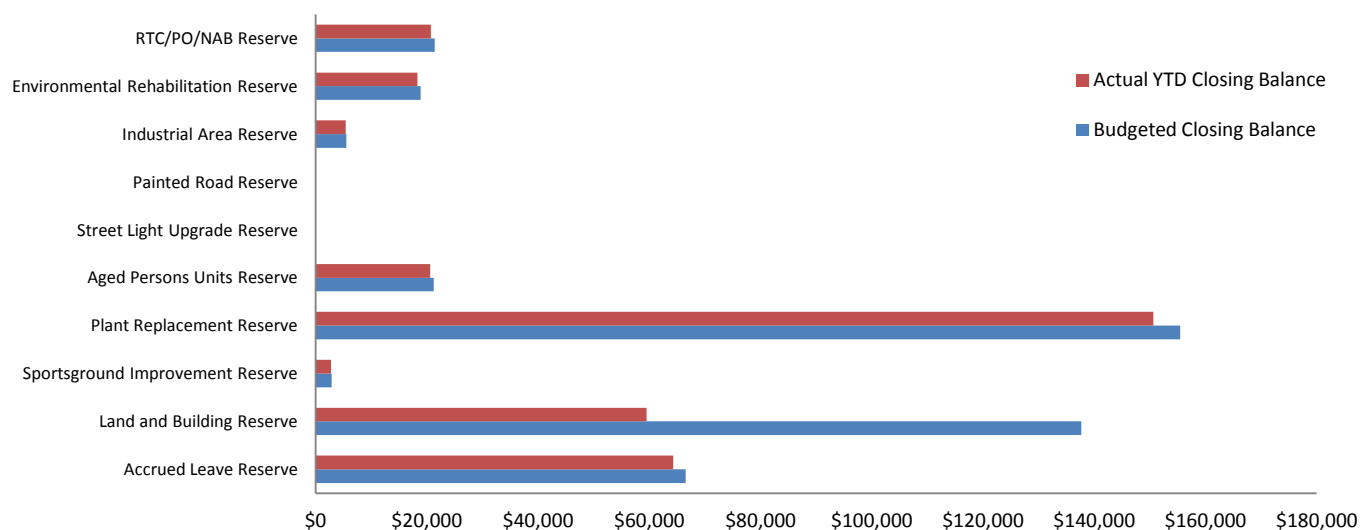
## Monthly Summary Information

For the Period Ended 31 January 2018

### 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.

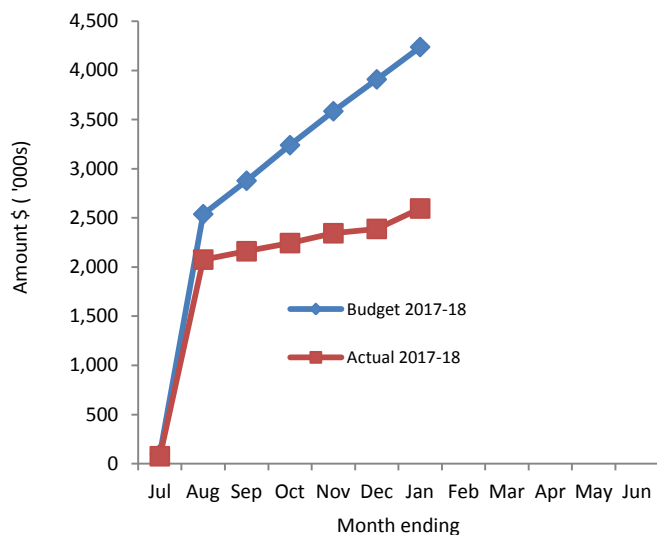
# Shire of Mingenew

## Monthly Summary Information

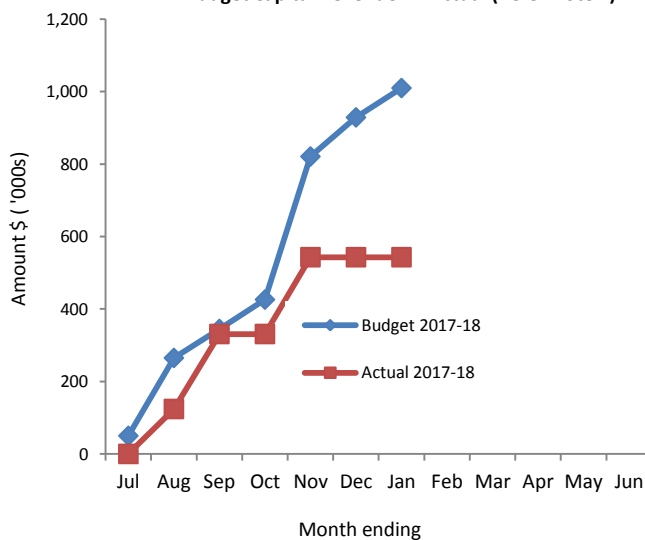
For the Period Ended 31 January 2018

### Revenues

Budget Operating Revenues -v- Actual (Refer Note 2)

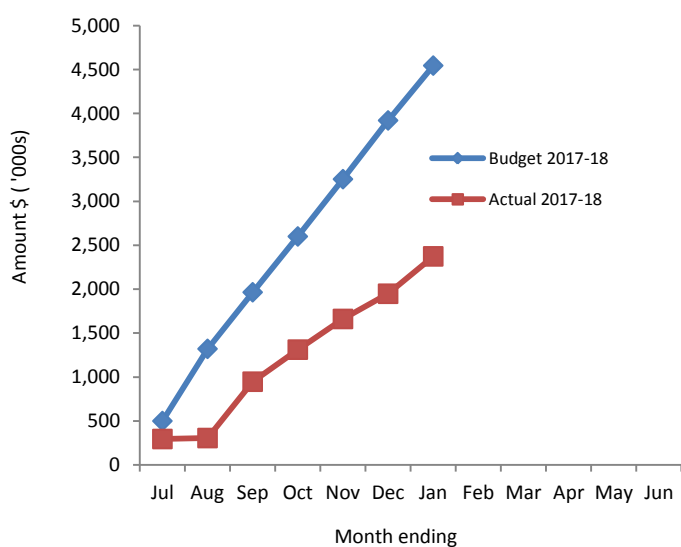


Budget Capital Revenue -v- Actual (Refer Note 2)

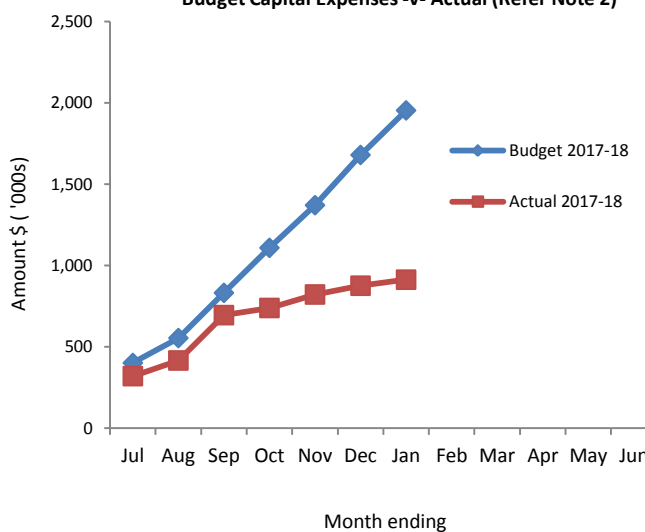


### Expenditure

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 January 2018**

	Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Operating Revenues</b>							
General Purpose Funding		\$ 2,018,070	\$ 1,934,518	\$ 1,990,633	\$ 56,115	2.90%	
Governance		12,586	7,336	13,925	6,589	89.82%	
Law, Order and Public Safety		60,874	51,870	61,059	9,189	17.72%	
Health		371	210	315	105	50.21%	
Education and Welfare		3,755	2,177	3,749	1,572	72.23%	
Housing		104,924	61,180	59,467	(1,713)	(2.80%)	
Community Amenities		83,595	80,265	65,556	(14,709)	(18.33%)	▼
Recreation and Culture		38,665	35,795	32,393	(3,402)	(9.50%)	
Transport		3,372,042	1,967,014	280,063	(1,686,951)	(85.76%)	▼
Economic Services		11,355	6,594	5,175	(1,419)	(21.52%)	
Other Property and Services		157,475	91,840	41,639	(50,201)	(54.66%)	▼
<b>Total Operating Revenue</b>		<b>5,863,712</b>	<b>4,238,799</b>	<b>2,553,975</b>	<b>(1,740,939)</b>		
<b>Operating Expense</b>							
General Purpose Funding		(47,511)	(27,699)	(33,022)	(5,323)	(19.22%)	
Governance		(205,931)	(169,590)	(157,403)	12,187	7.19%	
Law, Order and Public Safety		(124,627)	(76,482)	(76,674)	(192)	(0.25%)	
Health		(111,511)	(64,995)	(37,643)	27,352	42.08%	▲
Education and Welfare		(76,019)	(44,296)	(30,032)	14,264	32.20%	▲
Housing		(163,757)	(95,417)	(102,172)	(6,755)	(7.08%)	
Community Amenities		(314,842)	(193,987)	(154,910)	39,077	20.14%	▲
Recreation and Culture		(895,693)	(522,375)	(599,601)	(77,226)	(14.78%)	▼
Transport		(5,227,876)	(3,049,417)	(1,219,272)	1,830,145	60.02%	▲
Economic Services		(400,524)	(233,534)	(158,529)	75,005	32.12%	▲
Other Property and Services		(114,012)	(66,395)	195,618	262,013	394.63%	▲
<b>Total Operating Expenditure</b>		<b>(7,682,303)</b>	<b>(4,544,187)</b>	<b>(2,373,640)</b>	<b>2,170,547</b>		
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,190,310	1,277,654	1,020,452	(257,202)	(20.13%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals		0	0	0	0		
<b>Net Cash from Operations</b>		<b>331,719</b>	<b>972,266</b>	<b>1,202,440</b>	<b>174,059</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	1,429,305	764,369	538,597	(225,772)	(29.54%)	▼
Proceeds from Disposal of Assets	8	365,650	246,044	4,545	(241,499)	(98.15%)	▼
<b>Total Capital Revenues</b>		<b>1,794,955</b>	<b>1,010,413</b>	<b>543,143</b>	<b>(467,270)</b>		
<b>Capital Expenses</b>							
Land Held for Resale	13	(200,000)	(116,662)	0	116,662	100.00%	▲
Land and Buildings	13	(867,720)	(331,086)	(212,072)	119,014	35.95%	▲
Infrastructure - Roads	13	(1,177,100)	(686,581)	(405,795)	280,786	40.90%	▲
Infrastructure - Other		(617,000)	(359,627)	(235,850)	123,777	34.42%	
Plant and Equipment	13	(742,364)	(447,615)	(58,864)	388,751	86.85%	▲
Furniture and Equipment	13	(21,000)	(12,243)	0	12,243	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,625,184)</b>	<b>(1,953,814)</b>	<b>(912,581)</b>	<b>1,041,233</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,830,229)</b>	<b>(943,401)</b>	<b>(369,438)</b>	<b>573,963</b>		
<b>Financing</b>							
Transfer from Reserves	7	0	0	0	0		
Procced from new debenture	10	85,507	0	0	0		
Repayment of Debentures	10	(150,774)	(74,936)	(74,936)	0	0.00%	
Transfer to Reserves	7	(125,510)	(5,396)	(5,396)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(190,777)</b>	<b>(80,332)</b>	<b>(80,332)</b>	<b>0</b>		
<b>Net Operations, Capital and Financing</b>		<b>(1,689,287)</b>	<b>(51,467)</b>	<b>752,669</b>	<b>748,021</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,722,222</b>	<b>1,722,222</b>	<b>1,721,405</b>	<b>(817)</b>	<b>(0.05%)</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>32,937</b>	<b>1,670,755</b>	<b>2,474,074</b>	<b>747,204</b>		

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.

**SHIRE OF MINGENEW**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 31 January 2018**

	Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
<b>Operating Revenues</b>							
Rates	9	\$ 1,816,567	\$ 1,816,988	\$ 1,813,962	\$ (3,026)	% (0.17%)	
Operating Grants, Subsidies and Contributions	11	3,023,945	1,780,303	222,132	(1,558,171)	(87.52%)	▼
Fees and Charges		257,210	194,733	175,028	(19,705)	(10.12%)	▼
Interest Earnings		65,440	38,136	39,694	1,558	4.08%	
Other Revenue		660,550	385,308	303,159	(82,149)	(21.32%)	▼
Profit on Disposal of Assets	8	40,000	23,331	0			
<b>Total Operating Revenue</b>		<b>5,863,712</b>	<b>4,238,799</b>	<b>2,553,975</b>	<b>(1,661,493)</b>		
<b>Operating Expense</b>							
Employee Costs		(1,456,983)	(849,548)	(517,598)	331,950	39.07%	▲
Materials and Contracts		(3,097,470)	(1,857,097)	(358,593)	1,498,504	80.69%	▲
Utility Charges		(136,355)	(79,478)	(45,274)	34,204	43.04%	▲
Depreciation on Non-Current Assets		(2,190,310)	(1,277,654)	(1,020,452)	257,202	20.13%	▲
Interest Expenses		(22,523)	(13,097)	(14,637)	(1,540)	(11.76%)	
Insurance Expenses		(91,762)	(69,630)	(106,984)	(37,354)	(53.65%)	▼
Other Expenditure		(686,900)	(397,683)	(308,449)	89,234	22.44%	▲
Loss on Disposal of Assets	8	0	0	(1,653)			
<b>Total Operating Expenditure</b>		<b>(7,682,303)</b>	<b>(4,544,187)</b>	<b>(2,373,640)</b>	<b>2,172,199</b>		
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,190,310	1,277,654	1,020,452	(257,202)	(20.13%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals		0	0	0	0		
<b>Net Cash from Operations</b>		<b>331,719</b>	<b>972,266</b>	<b>1,202,440</b>	<b>255,158</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	1,429,305	764,369	538,597	(225,772)	(29.54%)	▼
Proceeds from Disposal of Assets	8	365,650	246,044	4,545	(241,499)	(98.15%)	▼
<b>Total Capital Revenues</b>		<b>1,794,955</b>	<b>1,010,413</b>	<b>543,143</b>	<b>(467,270)</b>		
<b>Capital Expenses</b>							
Land Held for Resale	13	(200,000)	(116,662)	0	116,662	100.00%	▲
Land and Buildings	13	(867,720)	(331,086)	(212,072)	119,014	35.95%	▲
Infrastructure - Roads	13	(1,177,100)	(686,581)	(405,795)	0	0	
Infrastructure - Other	13	(617,000)	(359,627)	(235,850)			
Plant and Equipment	13	(742,364)	(447,615)	(58,864)	388,751	86.85%	▲
Furniture and Equipment	13	(21,000)	(12,243)	0	12,243	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,625,184)</b>	<b>(1,953,814)</b>	<b>(912,581)</b>	<b>636,670</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,830,229)</b>	<b>(943,401)</b>	<b>(369,438)</b>	<b>169,400</b>		
<b>Financing</b>							
Transfer from Reserves	7	0	0	0	0		
Advances to Community Groups	10	85,507	0	0	0		
Repayment of Debentures	10	(150,774)	(74,936)	(74,936)	0	0.00%	
Transfer to Reserves	7	(125,510)	(5,396)	(5,396)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(190,777)</b>	<b>(80,332)</b>	<b>(80,332)</b>	<b>0</b>		
<b>Net Operations, Capital and Financing</b>		<b>(1,689,287)</b>	<b>(51,467)</b>	<b>752,669</b>	<b>424,557</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,722,222</b>	<b>1,722,222</b>	<b>1,721,405</b>	<b>(817)</b>	<b>(0.05%)</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>32,937</b>	<b>1,670,755</b>	<b>2,474,074</b>	<b>423,740</b>		

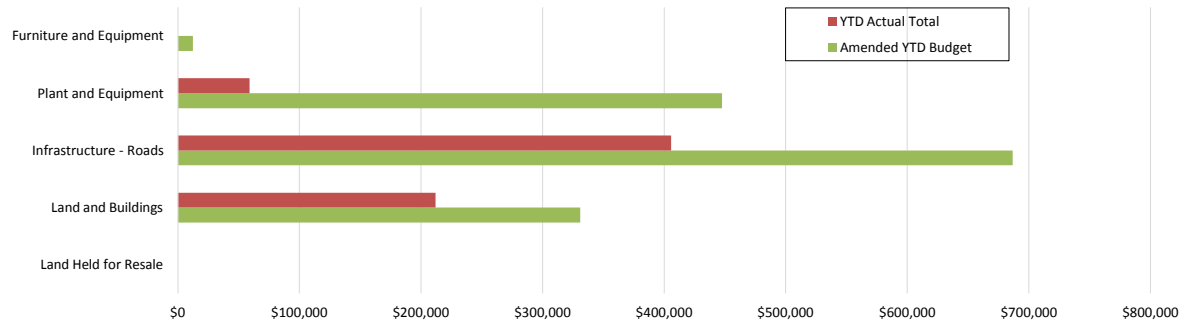
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

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 January 2018

Capital Acquisitions	Note	YTD 31 01 2018					
		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	212,072		212,072	331,086	867,720	(119,014)
Infrastructure - Roads	13	405,795		405,795	686,581	1,177,100	(280,786)
Infrastructure -Other	13	235,850		235,850	359,627	617,000	(123,777)
Plant and Equipment	13	58,864		58,864	447,615	742,364	(388,751)
Furniture and Equipment	13	0		0	12,243	21,000	(12,243)
<b>Capital Expenditure Totals</b>		<b>912,581</b>	<b>0</b>	<b>912,581</b>	<b>1,837,152</b>	<b>3,625,184</b>	<b>(924,571)</b>

Capital Expenditure Program YTD



**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**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 January 2018**

**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 January 2018**

**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 January 2018**

**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 January 2018**

**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 January 2018**

**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 January 2018**

**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**

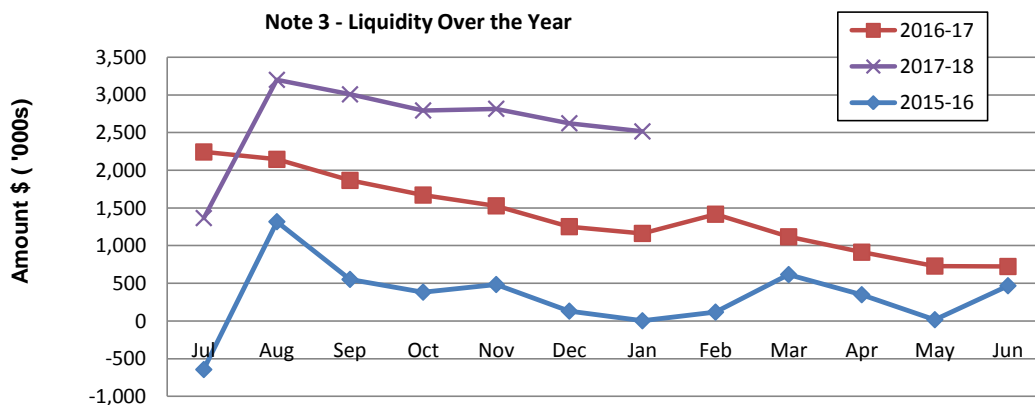
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
General Purpose Funding	56,115	2.90%			Special purpose Grants is more than expected \$249K. The Income was received after finalising the budget therefore no provision was made for the current budget.
Governance	6,589	89.82%			Nil
Law, Order and Public Safety	9,189	17.72%			Bush Fire Management plan is more than expected. Budget income was \$30K however grants was received \$42,500.
Health	105	50.21%			Nil
Education and Welfare	1,572	72.23%			Nil
Housing	(1,713)	(2.80%)			Nil
Community Amenities	(14,709)	(18.33%)	▼		Rubbish removable fees are less than expected \$13,916
Recreation and Culture	(3,402)	(9.50%)			Nil
Transport	(1,686,951)	(85.76%)	▼		Timing of receiving flood damage grants \$1,686K
Economic Services	(1,419)	(21.52%)			Nil
Other Property and Services	(50,201)	(54.66%)	▼		MWIRSA reimbursement is under \$ 23K.
<b>Operating Expenses</b>					
General Purpose Funding	(5,323)	(19.22%)			Nil
Governance	12,187	7.19%			Nil
Law, Order and Public Safety	(192)	(0.25%)			Assets depreciation is over by 13K as depreciation is non cash item therefore there is no impact on the cash position.
Health	27,352	42.08%	▲		Internal Admin allocations is under \$27K due to timing issue
Education and Welfare	14,264	32.20%	▲		Internal Admin allocations is under \$7K
Housing	(6,755)	(7.08%)			Nil
Community Amenities	39,077	20.14%	▲		The following jobs are over and under: Rubbish tip maintenance is under \$24K, Pubic conveniences maintenance cost is over by \$12, Mingenew Town revitalisation project cost is under \$25,000
Recreation and Culture	(77,226)	(14.78%)	▼		Assets Depreciation and admin allocations is over \$74K
Transport	1,830,145	60.02%	▲		Flood damage works is under \$1.6 Millions and roads depreciation is under \$315K
Economic Services	75,005	32.12%	▲		Tourism and areas promotion is under \$15K, post office building maintenance is under \$9K and internal admin allocation is under \$13K
Other Property and Services	262,013	394.63%	▲		Gross Salary and wages is under \$150K Internal admin allocation is under \$82K
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(225,772)	(29.54%)	▼		Regional roads group grants is under by \$98K as 2nd lot of RRG grants still to be claimed
Proceeds from Disposal of Assets	(241,499)	(98.15%)	▼		Timing of disposal of assets \$228K
<b>Capital Expenses</b>					
Land Held for Resale	116,662	100.00%	▲		Industrial subdivision allocation is under due to timing issue
Land and Buildings	119,014	35.95%	▲		independent living units is under due to timing issue
Infrastructure - Roads	280,786	40.90%	▲		Roads construction cost is under \$212 due to timing issue
Infrastructure - Footpaths	0				Nil
Infrastructure - Drainage & Culverts	0				Nil
Infrastructure - Aerodromes	0				Nil
Plant and Equipment	388,751	86.85%	▲		Timing of purchases
Furniture and Equipment	12,243	100.00%	▲		Timing of purchases
<b>Financing</b>					
Loan Principal	0	0.00%			Nil

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 3: NET CURRENT FUNDING POSITION**

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Jan 2018	30th June 2018	YTD 31 Jan 2017
		\$	\$	\$
<b>Current Assets</b>				
Cash - Unrestricted	4	1,613,414	1,276,249	1,341,636
Cash - Restricted Reserves	4	401,872	396,475	310,124
Cash - Restricted Unspent Grants		568,498	568,498	216,626
Investments		0	0	0
Rates - Current	6	297,918	83,832	332,951
Sundry Debtors	6	91,390	79,873	3,430
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	0	0
GST Receivable		2,899	30,077	11,540
Receivables - Other		0	0	0
Inventories - Fuel & Materials		3,065	3,197	5,994
Inventories - Land Held for Resale		40,394	40,394	80,788
		3,017,865	2,477,010	2,301,505
<b>Current Liabilities</b>				
Sundry Creditors		(52,049)	(261,624)	(12,251)
GST Payable		(10,842)	(29,012)	(15,481)
PAYG		(34,160)	(12,709)	(11,211)
Accrued Interest on Debentures		(2,496)	(13,414)	0
Accrued Salaries & Wages		(1,977)	(1,977)	(1,977)
Current Employee Benefits Provision		(231,014)	(231,014)	(261,493)
Current Loan Liability		(75,839)	(150,775)	(91,854)
		(408,378)	(700,525)	(394,268)
<b>NET CURRENT ASSETS</b>		<b>2,609,487</b>	<b>1,776,485</b>	<b>1,907,237</b>
<b>Less:</b>				
Cash - Restricted Reserves		(401,872)	(396,475)	(310,124)
Inventories - Land Held for Resale		(40,394)	(40,394)	(80,788)
<b>Add Back:</b>				
Current Loan Liability		75,839	150,775	91,854
Cash Backed Employee Provisions	7	231,014	231,014	261,493
<b>Net Current Funding Position (Surplus / Deficit)</b>		<b>2,474,074</b>	<b>1,721,405</b>	<b>1,869,672</b>

0.00



**Comments - Net Current Funding Position**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 4: CASH AND INVESTMENTS**

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>							
3 Month term Deposit	2.45%	945,324	568,498		1,513,822	NAB	31 March 2018
Municipal Bank Account	1.25%	667,790			667,790	NAB	At Call
Trust Bank Account	1.25%			67,504	67,504	NAB	At Call
Cash Maximiser Account (Muni)	0.70%	0	0		0	NAB	At Call
Cash On Hand	Nil	300	0		300	NAB	At Call
Reserve Funds	2.55%	0	401,872		401,872	NAB	30 June 2018
(b) <b>Term Deposits</b>							
Short Term Deposits	0.00%	0	0		0		
<b>Total</b>		<b>1,613,414</b>	<b>970,370</b>	<b>67,504</b>	<b>2,651,287</b>		

**Comments/Notes - Investments**

A review of bank accounts held has been undertaken in conjunction with National Australia Bank. Following this review some changes have been made to the type of accounts we use. To improve interest earnings, the Cash Maximizer Accounts are no longer used (they were earning approximately 0.7% interest) and the Municipal, Trust and Reserve accounts are corporate cheque accounts and will earn interest at the RBA cash rate when balances are >\$250,000 and RBA Cash rate -0.25% when balances are <\$250,000

**Restricted Cash**

**(1) Municipal Fund**

Purpose for Funds Being Restricted	Funding Organisation	Due Date to be Expended	Amount
1 Various Roads	Roads to Recovery	30 June 2019	151,206
2 Town Revitalisation Plan	Department of Planning	30 June 2018	60,000
3 Town Planning Scheme	Department of Planning	30 June 2018	25,000
4 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2018	210,000
5 Mingenew Transfer Station	Mid West Development Commission	31 December 2017	45,000
6 Mingenew Museum	Mid West Development Commission	31 December 2017	13,712
7 Little Well Reserve	Lotterywest	30 June 2018	13,580
8 Recreation Oval Lights	DSR	30 June 2018	50,000
<b>Sub-total</b>			<b>568,498</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

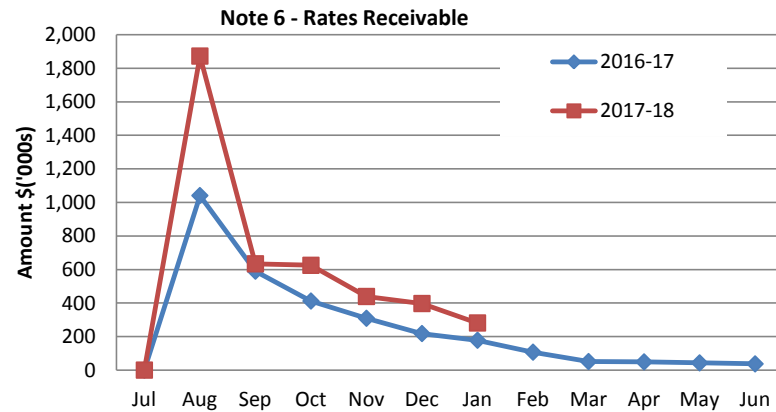
**Note 6: RECEIVABLES**

**Receivables - Rates & Rubbish Receivable**

Opening Arrears Previous Years  
 Levied this year  
 Less Collections to date  
 Equals Current Outstanding

**Net Rates Collectable**  
 % Collected

YTD 31 Jan 2018	30 June 2016
\$	\$
83,832	83,832
1,852,748	1,757,549
(1,654,883)	(1,757,549)
<b>281,697</b>	<b>83,832</b>
<b>281,697</b>	<b>83,832</b>
85.45%	95.45%



**Comments/Notes - Receivables Rates**

Instalment Due Dates:

Instalment 1	30-Sep-17
Instalment 2	30-Nov-17
Instalment 3	31-Jan-18
Instalment 4	1-Apr-18

**Receivables - General**

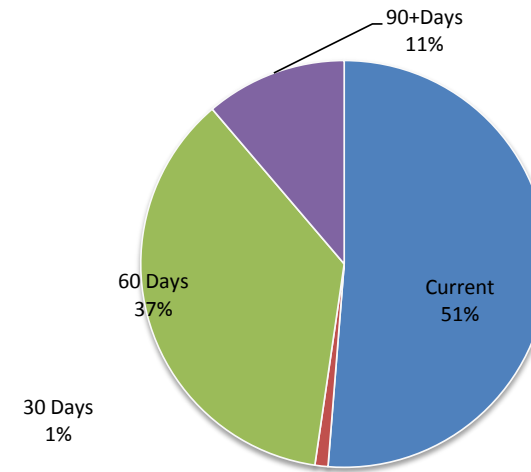
Receivables - General

**Total Receivables General Outstanding**

Current	30 Days	60 Days	90+Days
\$	\$	\$	\$
46,842	945	33,310	10,264
<b>Total Receivables General Outstanding</b>			<b>91,360</b>

An

**Note 6 - Accounts Receivable (non-rates)**



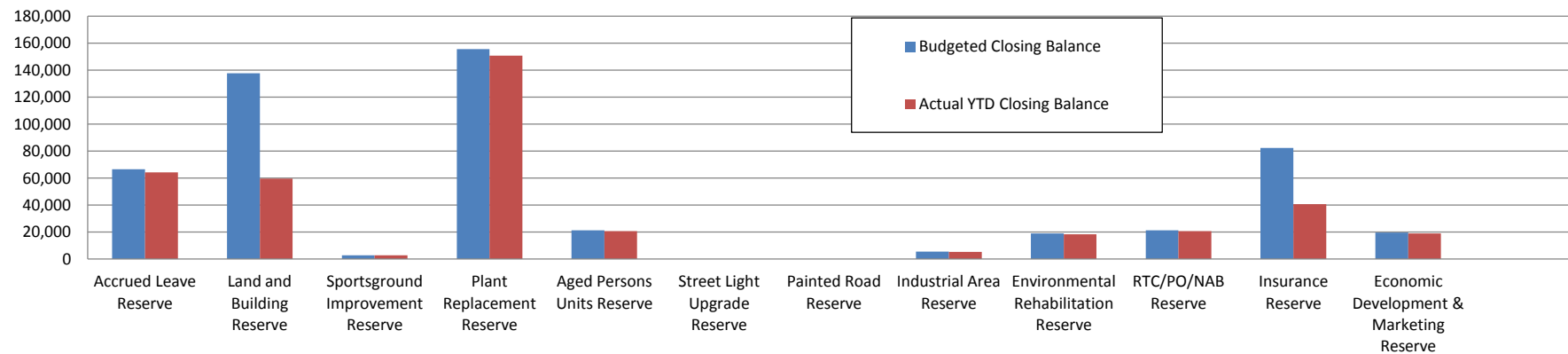
**Comments/Notes - Receivables General**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 January 2018

**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	64,065	1,250	243	1,250	0	0			66,565	64,308
Land and Building Reserve	58,767	1,450	768	77,450	0	0			137,667	59,535
Sportsground Improvement Reserve	2,725	60	47	60	0	0	0		2,845	2,772
Plant Replacement Reserve	148,056	3,700	2,560	3,700	0	0	0		155,456	150,616
Aged Persons Units Reserve	20,230	500	350	500	0	0	0		21,230	20,579
Street Light Upgrade Reserve	0	0	0	0	0	0	0		0	0
Painted Road Reserve	0	0	0	0	0	0	0		0	0
Industrial Area Reserve	5,287	125	91	125	0	0	0		5,537	5,378
Environmental Rehabilitation Reserve	18,002	450	311	450	0	0	0		18,902	18,313
RTC/PO/NAB Reserve	20,382	500	352	500	0	0	0		21,382	20,734
Insurance Reserve	40,243	1,000	350	41,000	0	0	0		82,243	40,593
Economic Development & Marketing Reserve	18,719	475	324	475	0	0	0		19,669	19,042
				0	0	0				
	396,475	9,510	5,396	125,510	0	0	0	0	531,495	401,872

**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 January 2018

**Note 8 CAPITAL DISPOSALS**

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			
					YTD 31 01 2018			
Cost	Accum Depr	Proceeds	Profit (Loss)		2017/18 Budget Profit/(Loss)	2017/18 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$		\$	\$	\$	
0			0	Plant and Equipment				
			0	CEO Vehicle		0		
			0	DCEO Vehicle			0	
			0	Works Manager Vehicle		0	0	
0	0	0	0		0	0	0	

Comments - Capital Disposal/Replacements

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

LGA S6.2(4)(b)  
FM Reg 23(a)

**9. RATING INFORMATION**

<b>RATE TYPE</b>	<b>Rate in \$</b>	<b>Number of properties</b>	<b>Rateable value \$</b>	<b>2017/18 interim rates \$</b>	<b>2017/18 back rates \$</b>	<b>Actual Rate Revenue \$</b>	<b>2017/18 Budgeted rate revenue \$</b>	<b>2017/18 Budgeted interim rates \$</b>	<b>2017/18 Budgeted back rates \$</b>	<b>2017/18 Budgeted total revenue \$</b>
<b>General rate</b>										
GRV - Mingenew	0.145400	129	1,131,000	0	0	164,447	164,447	0	0	164,447
GRV - Yandanooka	0.145400	2	13,884	0	0	2,019	2,019	0	0	2,019
GRV- Commercial	0.145400	14	349,700			50,846	50,846			50,846
GRV - Industrial	0.145400	1	12,480			1,815	1,815			1,815
UV Rural & Mining	0.013350	120	110,861,500			1,480,001	1,480,001			1,480,001
UV Mining	0.013350	0	0			0	0			0
<b>Sub-Totals</b>		266	112,368,564	0	0	1,699,128	1,699,128	0	0	1,699,128
<b>Minimum payment</b>	<b>Minimum \$</b>									
GRV - Mingenew	682	64	28,026	0	0	43,648	43,648	0	0	43,648
GRV - Yandanooka	682	0	0	0	0	0	0	0	0	0
GRV- Commercial	682	9	6,200			6,138	6,138			6,138
GRV - Industrial	682	2	1,850			1,364	1,364			1,364
UV Rural & Mining	1025	23	671,100			23,575	23,575			23,575
UV Mining	1025	8	39,885			8,200	8,200			8,200
<b>Sub-Totals</b>		106	747,061	0	0	82,925	82,925	0	0	82,925
		<b>372</b>	<b>113,115,625</b>	<b>0</b>	<b>0</b>	<b>1,782,053</b>	<b>1,782,053</b>	<b>0</b>	<b>0</b>	<b>1,782,053</b>
Discounts/concessions (Refer note 13)						(1,009)				(1,009)
<b>Total amount raised from general rates</b>						<b>1,781,044</b>				<b>1,781,044</b>
Specified area rates (Refer note 10)						0				0
Ex Gratia Rates						35,523				35,523
<b>Total rates</b>						<b>1,816,567</b>				<b>1,816,567</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 January 2018

**10. INFORMATION ON BORROWINGS**

**(a) Debenture Repayments**

Particulars	Principal 1-Jul-17	Refinancing Cost	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual \$	YTD Budget \$	YTD Actual \$	Budget \$	YTD Actual \$	Budget \$
<b>Education &amp; Welfare</b>								
Loan 137 - Senior Citizens Buildings	91,633	11,102	9,729	19,576	93,006	72,057	1,826	3,088
					0			
<b>Housing</b>					0			
Loan 133 - Triplex	61,766	7,483	6,520	13,195	62,729	48,571	437	1,967
Loan 134 - SC Housing	46,481	5,631	2,460	9,930	49,652	36,551	327	1,499
Loan 136 - Staff Housing	110,736	13,416	0	23,656	124,152	87,080	850	3,738
Loan 142 - Staff Housing	56,153	6,803	19,986	11,996	42,970	44,157	3,982	1,726
					0			
<b>Recreation &amp; Culture</b>					0			
Loan 138 - Pavilion Fitout	87,967	10,658	9,587	18,792	89,038	69,175	1,784	2,964
					0			
<b>Transport</b>					0			
Loan 139 - Roller	24,255	2,939	2,576	5,182	24,618	19,073	548	727
Loan 141 - Grader	82,243	9,964	8,732	17,570	83,475	64,673	1,714	2,523
Loan 143 - 2 x Trucks	0		0	0	0	0	120	0
Loan 144 - Side Tipping Trailer	56,154	6,803	5,962	11,996	56,995	44,158	1,135	1,726
Loan 145 - Drum Roller	88,381	10,708	9,385	18,881	89,704	69,500	1,914	2,565
	705,769	85,507	74,936	150,774	716,340	554,995	14,637	22,523

All debenture repayments were financed by general purpose revenue.

**(b) New Debentures**

Nil

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2017-18 Forecast Budget	2017-18 Original Budget	Variations Additions (Deletions)	Operating 2017/18 Budget	Capital 2017/18 Budget	Recoup Status	
								2017-18 YTD Actual	2017-18 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>									
Financial Assistance Grant - Roads	Grants Commission	Y	167,449	167,449	0	0	167,449	74,358	83,724
Financial Assistance Grant - General	Grants Commission	Y	142,313	142,313	0	142,313	0	64,872	83,013
<b>LAW, ORDER, PUBLIC SAFETY</b>									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,000	4,000	0	4,000	0	0	2,331
ESL Annual Grant	Department of Fire & Emergency Services	Y	23,194	23,194	0	23,194	0	12,280	17,397
Bushfire Management Plan	Department of Fire & Emergency Services	Y	30,000	30,000	0	30,000	0	42,500	30,000
<b>HEALTH</b>									
Nil		N	0	0	0	0	0	0	0
<b>EDUCATION &amp; WELFARE</b>									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	2,658	581
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	909	1,162
<b>HOUSING</b>									
Independent Living Units	WCHS	Y	0	0	0	0	0	0	0
<b>COMMUNITY AMENITIES</b>									
Thank a Volunteer Day	Department of Local Government & Communities	N	2,000	2,000	0	1,000	0	0	0
Transfer Station	Mid West Development Commission	Y	5,000	5,000	0	0	5,000	0	2,912
<b>RECREATION AND CULTURE</b>									
Museum	MWDC	N	1,523	1,523	0	0	1,523	0	882
Museum	Museum Committee	Y	5,000	5,000	0	0	0	0	2,912
Enanty Barn	TBA	N	0	0	0	0	0	0	0
Littlewell	TBA	N	0	0	0	0	0	0	0
Railway Station	Lotterywest (Town Hall)	N	210,000	210,000	0	0	210,000	0	210,000
Railway Station	Lotterywest	N	35,000	35,000	0	0	35,000	0	20,412
Football Oval Lights	DSR	Y	200,000	200,000	0	0	200,000	0	0
Football Oval Lights	Football Club	Y	30,000	30,000	0	0	0	0	0
Expo for lighting Tower	Expo Lights	Y	15,000	15,000	0	0	45,000	45,000	0
Hockey Oval Lights	Hockey Club	Y						0	0
<b>TRANSPORT</b>									
Flood Damage Funding	WADRRRA	Y	2,759,248	2,759,248	0	2,759,248	0	0	1,609,559
Direct Grant	Main Roads WA	Y	41,594	41,594	0	41,594	0	42,113	24,262
Blackspot Funding	Main Roads WA	Y	0	0	0	0	0	0	0
Regional Road Group	Main Roads WA	Y	515,333	515,333	0	0	515,333	202,484	300,608
Financial Assistance Special Grant - Bridge	Department of Infrastructure	Y	0	0	0	0	0	249,000	0
Roads To Recovery	Department of Infrastructure	Y	0	0	0	0	0	0	0
Street Lighting	Main Roads WA	Y	2,500	2,500	0	2,500	0	0	1,456
<b>ECONOMIC SERVICES</b>									
Mingenew Hill Walk Trail	TBA	N	0	0	0	0	0	0	0
<b>OTHER PROPERTY &amp; SERVICES</b>									
Industrial Subdivision	Mid West Development Commission	N	150,000	150,000	0	0	150,000	0	145,831
Rural Residential Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
<b>TOTALS</b>			<b>4,442,154</b>	<b>4,442,154</b>	<b>0</b>	<b>3,006,849</b>	<b>1,429,305</b>	<b>736,175</b>	<b>2,537,042</b>
Operating	Operating		3,012,849	3,012,849	0	3,006,849	0	239,691	1,772,673
Non-Operating	Non-operating		1,429,305	1,429,305	0	0	1,429,305	496,484	764,369
Contribution & Reimbursement	Operating & Non Operating		11,096	11,096				24,555	
			<u>4,453,250</u>	<u>4,453,250</u>				<u>760,729</u>	<u>2,537,042</u>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**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 17	Amount Received	Amount Paid	Closing Balance 31-Jan-18
	\$	\$	\$	\$
Councillors Nomination Fees	0	560	0	560
BCITF Levy	0	495	0	495
BRB Levy	4	511	(514)	1
Autumn Committee	974	0	0	974
Community Bus	2,200	400	(400)	2,200
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	21,294	68,700	(39,604)	50,390
Mingenew Cemetery Group	4,314	0	0	4,314
Bonds		0	0	0
Housing Bonds	1,428	0	0	1,428
Cool Room Bond	530	145	(145)	530
Outdoor Camera Bond	350	0	0	350
Animal Trap Bond	0	100	(100)	0
Projector Screen	0	0	0	0
Other Bonds	200	0	0	200
Rates Incentive Prizes	100	0	0	100
Sinosteel Community Trust Fund	0	0	0	0
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Mingenew P & C - NBN Rental	0	0	0	0
Joan Trust	2,161	0	0	2,161
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	432	0	0	432
Silverchain Committee	0	0	0	0
Seniors Donations	50	0	0	50
	<b>37,356</b>	<b>70,351</b>	<b>(40,763)</b>	<b>67,504.04</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 13: CAPITAL ACQUISITIONS**

		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
<b>Infrastructure Assets</b>						
Land Held for Resale						
Community Amenities						
Other Property & Services						
Industrial Area Development	4504	200,000	200,000	116,662	0.00	200,000
<b>Total Land Held for Resale</b>		<b>200,000</b>	<b>200,000</b>	<b>116,662</b>	<b>0</b>	<b>200,000</b>
<b>Land &amp; Buildings</b>						
Shire Office	A001	10,000	10,000	5,831	0.00	10,000
Child Care Facility	0075	20,000	20,000	11,662	0.00	20,000
Lot 66 Shenton Street	H001	5,000	5,000	2,912	0.00	5,000
13 Moore Street	H005	5,000	5,000	2,912	0.00	5,000
King Street Triplex - Unit 1	H008	4,000	4,000	2,324	0.00	4,000
King Street Triplex - Unit 2	H009	4,000	4,000	2,331	0.00	4,000
King Street Triplex - Unit 3	H010	4,020	4,020	2,338	0.00	4,020
Staff Housing - 34 William Street (ex Silver Chain)	H011	12,000	12,000	6,986	0.00	12,000
Staff Housing - 2 Bedroom Key Worker Housing	H007	5,000	5,000	2,912	0.00	5,000
Lot 5 Field Street	H002	7,500	7,500	4,375	0.00	7,500
Lot 15 Field Street	H003	10,000	10,000	5,824	0.00	10,000
Lot 89 Victoria Street	H004	5,000	5,000	2,912	0.00	5,000
Aged Care Units	0165	265,000	265,000	154,581	212,072.00	52,928
Silver Chain House	0166	0	0	0	0.00	0
Town Hall	2434	300,000	300,000	0	0.00	300,000
Enanty Barn	0067	10,000	10,000	5,831	0.00	10,000
Museum	0068	25,000	25,000	14,581	0.00	25,000
Old Roads Building	0069	6,200	6,200	3,612	0.00	6,200
Old Railway Station	0070	70,000	70,000	40,831	0.00	70,000
Business Incubator	5964	100,000	100,000	58,331	0.00	100,000
<b>Total Land &amp; Building Total</b>		<b>867,720</b>	<b>867,720</b>	<b>331,086</b>	<b>212,072</b>	<b>655,648</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
<b>Infrastructure - Other</b>						
Waste Transfer Station	3084	140,000	140,000	81,648	78,685.59	61,314
Little Well Project	0071	35,000	35,000	20,405	0.00	35,000
Mingenew Hill Project	0142	40,000	40,000	23,081	0.00	40,000
Net Ball Court	0169	150,000	150,000	87,500	0.00	150,000
Bride Street Recreation Area	0141	100,000	100,000	58,331	0.00	100,000
Football Oval Lights	0140	140,000	140,000	81,662	157,164.0	(17,164)
Water Tanks & Reticulation	0167	12,000	12,000	7,000	0.00	12,000
<b>Total Other Infrastructure</b>		<b>617,000</b>	<b>617,000</b>	<b>359,627</b>	<b>235,850</b>	<b>381,150</b>
<b>Furniture &amp; Office Equip.</b>						
Office PC's & Laptops	A201	8,000	8,000	4,662	0.00	8,000
Council Chamber - Tables & Chairs	A302	10,000	10,000	5,831	0.00	10,000
Christmas Lights	0065	3,000	3,000	1,750	0.00	3,000
<b>Total Furniture &amp; Office Equip.</b>		<b>21,000</b>	<b>21,000</b>	<b>12,243</b>	<b>0</b>	<b>21,000</b>
<b>Plant , Equip. &amp; Vehicles</b>						
<b>Governance</b>						
CEO Vehicle Replacement	A100	135,000	135,000	78,750	0.00	135,000
DCEO Vehicle Replacement	A101	86,000	86,000	50,162	0.00	86,000
Works Manager Vehicle	0170	86,000	86,000	50,162	0.00	86,000
Sundry Plant	0171	10,000	10,000	5,831	0.00	10,000
Portable Traffic Lights	0172	35,000	35,000	35,000	33,955.00	1,045
Grader	0174	345,000	345,000	201,250	0.00	345,000
Road Broom	0177	25,000	25,000	14,581	0.00	25,000
Slasher	0178	20,364	20,364	11,879	24,909.09	(4,545)
<b>Total Plant, EQUIP &amp; Vehicles</b>		<b>742,364</b>	<b>742,364</b>	<b>447,615</b>	<b>58,864</b>	<b>683,500</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 January 2018**

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
<b>Roads &amp; Bridges</b>						
Roadworks Construction - Own Resources	0001	72,500	72,500	42,273	0.00	72,500
Mooriary Road (R2R)	6074	121,600	121,600	70,924	115,244.35	6,356
Special Purpose Grant - Yarragadee Bridge	6075	210,000	210,000	122,500	0.00	210,000
Mingenew Mullewa Road Reseal (RRG)	RR65	450,000	450,000	262,486	161,682.38	288,318
Nanekine Road	1205	0	0	0	0.00	0
RRG - Coalseam Road	RR61	323,000	323,000	188,398	128,868.61	194,131
<b>Total Roads &amp; Bridges</b>		<b>1,177,100</b>	<b>1,177,100</b>	<b>686,581</b>	<b>405,795.34</b>	<b>771,305</b>
<b>Capital Expenditure Total</b>		<b>3,625,184</b>	<b>3,625,184</b>	<b>1,953,814</b>	<b>912,581</b>	<b>2,712,603</b>

### 9.2.3 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 DECEMBER 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 15 February 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council confirm the payment of creditors for the month of December 2017 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).

List of Payments  
Payroll, Licensing & Credit Card

#### **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

<b>OFFICER RECOMMENDATION – ITEM 9.2.3</b>
--

That Council confirm the accounts as presented for DECEMBER 2017 from the Municipal & Trust Fund totalling \$260,167.97 represented by Electronic Funds Transfers of EFT11191 to EFT11222, and EFT 11224 to EFT 11263 Direct Deduction DD8303.1, 2, 3, 4, 5 & 6 , DD 8314.1, DD 8317.1, 2, 3, 4,&6 and Municipal Cheque numbers 8531 to 8539.

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 1

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
8531	15/12/2017	SYNERGY	Street Lights November 2017	M		2,183.10
8532	15/12/2017	Shire Of Mingenew Petty Cash	Petty Cash as at Novemebr 30th 2017	M		184.79
8534	15/12/2017	BLACKWOODS	Purchase of Various PPE for Outdoor Staff	M		1,725.05
8535	15/12/2017	DEPARTMENT OF TRANSPORT	Annual Registration Fees	M		7,465.05
8536	21/12/2017	SYNERGY	Power Accounts November 2017	M		6,906.40
8537	21/12/2017	WATER CORPORATION	Water Accounts for November 2017	M		4,761.01
8538	22/12/2017	BLACKWOODS	Purchase of PPE for Building/Maintenance Officer	M		137.38
8539	22/12/2017	SYNERGY	Power Accounts November 2017	M		685.45
EFT11191	15/12/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Printer Service	M		77.00
EFT11192	15/12/2017	Australian Services Union	Payroll deductions	M		54.90
EFT11193	15/12/2017	ABCO PRODUCTS	Purchase of Cleaning Products	M		2,435.72
EFT11194	15/12/2017	AVON WASTE	Rubbish Collection Charges	M		2,419.62
EFT11195	15/12/2017	ALCOLIZER TECHNOLOGY	Alcolizer Training	M		327.80
EFT11196	15/12/2017	Afgri Equipment	Purchase of Air Filter	M		37.25
EFT11197	15/12/2017	BUNNINGS Group Limited	Purchase of various materials	M		171.85
EFT11198	15/12/2017	BOC GASES	Gas Bottle Charges	M		92.17
EFT11199	15/12/2017	Ella SUCKLING	Subscriptions Reimbursement	M		142.95
EFT11200	15/12/2017	BRAMATT INSTALLATIONS WA	Installation of RCDS	M		1,053.80

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 2

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT11201	15/12/2017	CHILD SUPPORT AGENCY	Payroll deductions	M		550.04
EFT11202	15/12/2017	Central Earthmoving Company Pty Ltd	Clearing of Roadside Vegetation	M		20,526.00
EFT11203	15/12/2017	David Gray & Co Pty Ltd	Purchase of Insecticide	M		470.98
EFT11204	15/12/2017	ELGAS LTD	Gas Charges	M		128.70
EFT11205	15/12/2017	HARVEY NORMAN	Councillor Ipad Accessories	M		280.00
EFT11206	15/12/2017	FLICK ANTICIMEX PTY LTD	Annual Sanitary Disposal Service Fee 2017/2018	M		2,466.46
EFT11208	15/12/2017	LATERAL ASPECT	Social Media Fees - November 2017	M		5,078.33
EFT11209	15/12/2017	LGRCEU	Payroll deductions	M		41.00
EFT11210	15/12/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		480.00
EFT11211	15/12/2017	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	Professional Services Provided in November 2017	M		3,750.00
EFT11212	15/12/2017	MARKETFORCE	Advertising Fees	M		786.58
EFT11213	15/12/2017	MINGENEW IGA X-PRESS & LIQUOR	IGA Account for November 2017	M		590.94
EFT11214	15/12/2017	PEST A KILL WA	EXTERRA TERMITE FEES	M		2,585.00
EFT11215	15/12/2017	PALM ROADHOUSE	Roadhouse Account November 2017	M		305.10
EFT11216	15/12/2017	PEMCO DIESEL PTY LTD	Repairs to MI 028	M		1,373.35
EFT11217	15/12/2017	SHIRE OF CARNAMAH	Ranger & Emergency Services Fees	M		2,682.83
EFT11218	15/12/2017	S & K ELECTRICAL PTY LTD	Lighting Works to Tennis Club	M		2,060.85
EFT11219	15/12/2017	Telstra Corporation	CEO & MFA Mobile Bill November 2017	M		244.54

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 3

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT11220	15/12/2017	Urbis	Review of Town Planning Scheme	M		3,091.96
EFT11221	15/12/2017	VELPIC	Monthly Velpic Fees	M		446.60
EFT11222	15/12/2017	YOUNG MOTORS	1Mi Service	M		316.34
EFT11224	19/12/2017	Kenwick Auto Electrics	Purchase of Traffic Lights	M		37,350.50
EFT11225	21/12/2017	Australian Taxation Office	BAS return for the month of November 2017	M		16,262.00
EFT11226	21/12/2017	Martin Gerard Whitely	Expenses Claim for December 2017	M		191.06
EFT11227	22/12/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Billing Period for December 2017	M		220.56
EFT11228	22/12/2017	Australian Services Union	Payroll deductions	M		27.45
EFT11229	22/12/2017	AUSTRALIA POST	November Postage Fees	M		322.05
EFT11230	22/12/2017	Afgri Equipment	Mower Blades	M		270.07
EFT11231	22/12/2017	BUNNINGS Group Limited	Various Materials for Repairs to Shire Buildings	M		1,161.81
EFT11232	22/12/2017	Bryan Riddell	Maintenance to Various Shire Properties	M		1,110.00
EFT11233	22/12/2017	Batavia Coast Firearms & Ammunition Sales	Purchase of Ammunition	M		150.00
EFT11234	22/12/2017	Courier Australia	Freight Charges	M		432.08
EFT11235	22/12/2017	CHILD SUPPORT AGENCY	Payroll deductions	M		275.02
EFT11236	22/12/2017	LANDGATE	Minimum Charge Fee	M		65.50
EFT11237	22/12/2017	DONGARA DRILLING & ELECTRICAL	13 Moore Street Electrical Work	M		208.16
EFT11238	22/12/2017	Dongara Tyrepower	Repairs to Roller Tyres	M		62.00

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 4

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT11239	22/12/2017	ELDERS LIMITED	Chemicals for Main Oval	M		1,161.60
EFT11240	22/12/2017	GERALDTON MOWER & REPAIR SPECIALISTS	Purchase of Stihl Blower	M		114.70
EFT11241	22/12/2017	GERALDTON TROPHY CENTRE	Engraving Costs	M		199.10
EFT11242	22/12/2017	GREAT SOUTHERN FUEL SUPPLIES	Fuel Account for the Month of November 2017	M		9,169.77
EFT11243	22/12/2017	LGRCEU	Payroll deductions	M		20.50
EFT11244	22/12/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		240.00
EFT11245	22/12/2017	MCDONALDS WHOLESALEERS	Community Christmas Tree Supplies	M		378.10
EFT11246	22/12/2017	STARICK TYRES	Tyres for Various Plant Items	M		877.85
EFT11247	22/12/2017	MIDWEST MOWERS & SMALL ENGINES	Purchase of Mower Blades	M		509.90
EFT11248	22/12/2017	MINGENEW SPRING CARAVAN PARK	Accommodation for Daryl Forrest	M		261.00
EFT11249	22/12/2017	MINGENEW BAKERY	December 2017 Bakery Account	M		383.68
EFT11250	22/12/2017	Mjb Industries	Purchase of Wall Panels	M		19,305.00
EFT11251	22/12/2017	PALM ROADHOUSE	Catering for Seniors	M		104.50
EFT11252	22/12/2017	RPS Australia East Pty Ltd	Townsite Revitalisation Plan	M		11,000.00
EFT11253	22/12/2017	LANDMARK	Purchase of Pressure Pump	M		1,695.42
EFT11254	22/12/2017	STEWART & HEATON CLOTHING	Fire Uniforms	M		9,559.64
EFT11255	22/12/2017	Smith Consulting	Bushfire Risk Management Plan	M		4,000.00
EFT11256	22/12/2017	Telstra Corporation	November 2017 Telstra Account	M		1,230.22

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 5

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT11257	22/12/2017	TROPHIES AND TREASURES	Engraving Fees	M		217.00
EFT11258	22/12/2017	TOTALLY WORKWEAR	Purchase of PPE for Building Maintenece Officer	M		15.84
EFT11259	22/12/2017	PRIME MEDIA GROUP PTY	PRIME MEDIA INVOICE FOR MWIRSA	T		4,119.50
EFT11260	22/12/2017	Geraldton Independent Building Supplies	Purchase of Fencing	M		3,023.55
EFT11261	31/12/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Photocopier Lease for the month of December	M		421.30
EFT11262	31/12/2017	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan repayment for December 2017 quarter	M		42,103.55
EFT11263	31/12/2017	WESTNET PTY LTD	Office interent	M		259.01
DD8303.1	13/12/2017	WA SUPER	Payroll deductions	M		4,362.24
DD8303.2	13/12/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,115.21
DD8303.3	13/12/2017	MLC SUPER FUND	Superannuation contributions	M		77.82
DD8303.4	13/12/2017	Sun Super	Superannuation contributions	M		217.50
DD8303.5	13/12/2017	PRIME SUPER	Superannuation contributions	M		274.04
DD8303.6	13/12/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		185.49
DD8314.1	13/12/2017	WA SUPER	Superannuation contributions	M		190.82
DD8317.1	27/12/2017	WA SUPER	Payroll deductions	M		4,261.68
DD8317.2	27/12/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,115.21
DD8317.3	27/12/2017	MLC SUPER FUND	Superannuation contributions	M		77.82
DD8317.4	27/12/2017	Sun Super	Superannuation contributions	M		236.58

Date: 12/02/2018  
Time: 4:00:51PM

**Shire of MINGENEW**  
**List of Accounts for 1 December 2017 to 31 December 2017**

USER: Finmanager  
PAGE: 6

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
DD8317.5	27/12/2017	PRIME SUPER	Superannuation contributions	M		274.04
DD8317.6	27/12/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		183.64

**REPORT TOTALS**

<b>Bank Code</b>	<b>Bank Name</b>	<b>TOTAL</b>
M	MUNI - NATIONAL AUST BANK	<b>256,048.47</b>
T	TRUST- NATIONAL AUST BANK	<b>4,119.50</b>
<b>TOTAL</b>		<b>260,167.97</b>

## 9.2.4 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JANUARY 2018

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 15 February 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

### **Summary**

This report recommends that Council confirm the payment of creditors for the month of January 2018 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).

List of Payments  
Payroll, Licensing & Credit Card

### **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

<b>OFFICER RECOMMENDATION – ITEM 9.2.4</b>
--

That Council confirm the accounts as presented for January 2018 from the Municipal & Trust Fund totalling 78634.37 represented by Electronic Funds Transfers of EF11264 to EFT 11304 Direct Deduction DD8336.1, 2, 3, 4, &5 , DD 8337.1, DD 8317.1, 2, 3, 4,&5 and 8338.1 Municipal Cheque numbers 8542.

Date: 14/02/2018  
Time: 1:53:01PM

**Shire of MINGENEW**  
**List of Accounts for 1 January 2018 to 31 January 2018**

USER: Finmanager  
PAGE: 1

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
8542	24/01/2018	SYNERGY	Rec Centre Power Account December 2017	M		1,890.15
EFT11264	23/01/2018	Portatech	Purchase of Portable Office for Transfer station	M		7,260.00
EFT11265	24/01/2018	Australian Services Union	Payroll deductions	M		54.90
EFT11266	24/01/2018	AUSTRALIA POST	December 2017 Postage Fees	M		169.13
EFT11267	24/01/2018	ABCO PRODUCTS	Cleaning Products	M		341.11
EFT11268	24/01/2018	AVON WASTE	Rubbish Collection Charges	M		2,402.45
EFT11269	24/01/2018	BUNNINGS Group Limited	Various Materials for Repairs to Shire Buildings	M		1,025.49
EFT11270	24/01/2018	BOC GASES	Gas Bottle Charges	M		130.67
EFT11271	24/01/2018	CHILD SUPPORT AGENCY	Payroll deductions	M		550.04
EFT11272	24/01/2018	Darrell Forrest Advisory Services	Governance Advice Fees	M		962.50
EFT11273	24/01/2018	Harold Ross Rowe	Expenses Claimed	M		194.50
EFT11274	24/01/2018	Len Hobson	Flood Damage Fees	M		5,200.00
EFT11275	24/01/2018	LGRCEU	Payroll deductions	M		41.00
EFT11276	24/01/2018	MINGENEW SHIRE COUNCIL	Payroll deductions	M		480.00
EFT11277	24/01/2018	MCDONALDS WHOLESALEERS	Catering for Staff XMAS Function	M		270.00
EFT11278	24/01/2018	STARICK TYRES	Change Grader Tyre	M		100.05
EFT11279	24/01/2018	Mingenew - Irwin Group	2018 Sponsorship	M		3,300.00
EFT11280	24/01/2018	Motorpass	Fuel Card Activation Fees	M		220.57
EFT11281	24/01/2018	PEMCO DIESEL PTY LTD	Repairs to Remove Yellow Sticker from Vehicle MI 029	M		4,768.82

Date: 14/02/2018  
Time: 1:53:01PM

**Shire of MINGENEW**  
**List of Accounts for 1 January 2018 to 31 January 2018**

USER: Finmanager  
PAGE: 2

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT11282	24/01/2018	Rocky Brennan	Reimbursements	M		127.80
EFT11283	24/01/2018	LANDMARK	Purchase of Cement	M		38.02
EFT11284	24/01/2018	SHIRE OF CHAPMAN VALLEY	Planning Service Fees	M		2,448.49
EFT11285	24/01/2018	STEWART & HEATON CLOTHING	Purchase of Fire Uniforms	M		90.93
EFT11286	24/01/2018	SHIRE OF COOROW	Long Service Leave Fee	M		649.11
EFT11287	24/01/2018	STATEWIDE BEARINGS	Purchase of Bearings	M		11.00
EFT11288	24/01/2018	Telstra Corporation	TIMS fee - December 2017	M		3.33
EFT11289	24/01/2018	Urbis	Review of Town Planning Scheme	M		4,386.79
EFT11290	25/01/2018	Australian Taxation Office	BAS return for the Month of December 2017	M		12,272.00
EFT11291	25/01/2018	CR Justin Bagley	Sitting fees for Dec 2017 Qrt	M		602.67
EFT11292	25/01/2018	Cr Michelle Bagley	Pro - rata president allowance and sitting fees	M		1,120.33
EFT11293	25/01/2018	CR GARY COSGROVE	Pro - rata deputy allowance and sitting fees	M		1,097.92
EFT11294	25/01/2018	CR KARL CRIDDLE	Pro- rata sitting fees for Dec 2017 Qrt	M		301.33
EFT11295	25/01/2018	CR LEAH EARDLEY	Sitting fees for Dec 2017 Qrt	M		904.00
EFT11296	25/01/2018	CR Crispian Charles Reginald Lucken	Deputy president allowance and sitting fees for Dec 2017 Qrt	M		1,291.83
EFT11297	25/01/2018	Kym McGlinn	Sitting fees for Dec 2017 Qrt	M		602.67
EFT11298	25/01/2018	CR Robert William Newton	Sitting fees for Dec 2017 Qrt	M		602.67
EFT11299	25/01/2018	CR HELEN NEWTON	President allowance and sitting fees	M		2,240.67
EFT11300	31/01/2018	Telstra Corporation	Telstra Account December 2017	M		1,990.76

Date: 14/02/2018  
Time: 1:53:01PM

**Shire of MINGENEW**  
**List of Accounts for 1 January 2018 to 31 January 2018**

USER: Finmanager  
PAGE: 3

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT11301	31/01/2018	NAB BUSINESS VISA	CEO Credit card expenses for the month of December 2017	M		1,821.10
EFT11302	31/01/2018	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Photocopy lease payment for January 2018	M		421.30
EFT11303	31/01/2018	WESTERN AUSTRALIAN TREASURY CORPORATION	Government Gurantee Fees.	M		2,725.59
EFT11304	31/01/2018	WESTNET PTY LTD	Office Internet and Finance Manager Internet for January 2018	M		709.53
DD8336.1	24/01/2018	WA SUPER	Payroll deductions	M		4,612.65
DD8336.2	24/01/2018	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,263.75
DD8336.3	24/01/2018	MLC SUPER FUND	Superannuation contributions	M		141.15
DD8336.4	24/01/2018	Sun Super	Superannuation contributions	M		228.95
DD8336.5	24/01/2018	PRIME SUPER	Superannuation contributions	M		274.04
DD8337.1	10/01/2018	WA SUPER	Payroll deductions	M		4,360.97
DD8337.2	10/01/2018	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,263.75
DD8337.3	10/01/2018	MLC SUPER FUND	Superannuation contributions	M		141.15
DD8337.4	10/01/2018	Sun Super	Superannuation contributions	M		228.95
DD8337.5	10/01/2018	PRIME SUPER	Superannuation contributions	M		274.04
DD8338.1	10/01/2018	WA SUPER	Superannuation contributions	M		23.75

Date: 14/02/2018  
Time: 1:53:01PM

**Shire of MINGENEW**  
**List of Accounts for 1 January 2018 to 31 January 2018**

USER: Finmanager  
PAGE: 4

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
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**REPORT TOTALS**

<b>Bank Code</b>	<b>Bank Name</b>	<b>TOTAL</b>
M	MUNI - NATIONAL AUST BANK	78,634.37
<b>TOTAL</b>		78,634.37

**Licensing , Payroll and Credit Card Transaction**

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**Transport Licensing**

Direct Debit from Muni Bank	
1/12/2017 to 31 /1/2018	\$112,643.50

**Staff Payroll**

PPE 13/12/2017	\$27,741.48
PPE 27/12/2017	\$29,486.92
PPE 10/1/2018	\$27,521.95
PPE 24/1/2018	\$27,162.17

**Credit Card**

CEO's Credit Card - December 2017	\$1,682.06
CEO's Credit Card - January 2018	\$139.04

## **9.3 ADMINISTRATION**

### **9.3.1 CEO DELEGATIONS**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0228  
**Disclosure of Interest:** Nil  
**Date:** 14 February 2018  
**Author:** Belinda Bow, Governance Officer  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### **SUMMARY**

The purpose of this report is to recommend the delegation of powers under the Cat Act 2011 and the Dog Act 1976 to the Chief Executive Officer to enable efficient administration and enforcement of the aforementioned Acts.

#### **ATTACHMENT**

Nil

#### **BACKGROUND**

The Cat Act 2011 and the Dog Act 1976 makes provisions for a number of actions and decisions that may be taken by the local government or an authorised officer of the local government. These include but are not limited to registration, breeding, operational management of facilities, delegations, authorisations and infringements.

Section 44 of the Cat Act 2011 and section 10AA of the Dog Act 1976 provides for the Council to delegate authority to the Chief Executive Officer the exercise of its powers or the discharge of any of its duties, by absolute majority.

#### **COMMENT**

The purpose of the delegations is to:

1. Enable the Shire to be able to administer and enforce the Cat Act 2011 and the Dog Act 1976; and
2. Provide Council with measures that control
  - (a) The number of cats/dogs that can be kept
  - (b) Places where cats/dogs can be kept,
  - (c) Encourage responsible pet ownership, and
  - (d) Provide for better management of the impacts of cats and dogs on the community and environment.

#### **CONSULTATION**

Darrell Forrest, Darrell Forrest Advisory Services

#### **STATUTORY ENVIRONMENT**

##### **Cat Act 2011**

##### **Part 4 Division 2 - s44 Delegation by local government**

- (1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) A decision to delegate under this section is to be made by an absolute majority.

### **Dog Act 1976**

#### **Part II s10AA Delegation of local government powers and duties**

- (1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.
- (2) The delegation must be in writing.
- (3) The delegation may expressly authorise the delegate to further delegate the power or duty.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Community Strategic Plan

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

### **VOTING REQUIREMENTS**

Absolute Majority

<b>OFFICER RECOMMENDATION – ITEM 9.3.1</b>
--

1. That Council delegates to the Chief Executive Officer under section 44 of the Cat Act 2011 the exercise of power and discharge of duties to administer and enforce provisions of the Cat Act 2011.
2. That Council delegates to the Chief Executive Officer under section 10AA of the Dog Act 1976 the exercise of power and discharge of duties to administer and enforce provisions of the Dog Act 1976.

## 9.4 TOWN PLANNING

### 9.4.1 SHIRE OF MINGENEW LOCAL PLANNING SCHEME REVIEW

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0110
<b>Date:</b>	12 February 2018
<b>Author:</b>	Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
<b>Senior Officer:</b>	Martin Whitely, Chief Executive Officer

#### Summary

Council resolved at its 20 December 2017 meeting to defer its determination upon draft Shire of Mingenew Local Planning Scheme No.4 until the February meeting to allow further time for consideration with particular regard for exempting residences and outbuildings from the requirement to make planning application in the Rural Zone.

Draft Scheme No.4 has been updated with regard for the issues raised by Council at its 20 December 2017 meeting and this report recommends that Council resolve to forward the Scheme to the Environmental Protection Authority ('EPA') and the Western Australian Planning Commission ('WAPC') seeking consent to advertise.

#### Attachment

9.4.1a – draft Shire of Mingenew Local Planning Scheme No.4

9.4.1b – draft Shire of Mingenew 'Outbuildings' Local Planning Policy

#### Background

The current Shire of Mingenew Local Planning Scheme No.3 was gazetted on 18 April 2008 and requires review to ensure the Shire's statutory planning document is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'). The review of the Scheme has also provided an opportunity to update it with regard for the Mingenew Townsite Local Planning Strategy that was adopted by Council at its 18 November 2015 meeting and endorsed by the WAPC on 18 January 2017.

Council resolved at its 14 August 2017 meeting to initiate the preparation of Shire of Mingenew Local Planning Scheme No.4.

The draft Scheme No.4 was presented to Council at its 20 December 2017 meeting for initial consideration and feedback from Council was that it sought modification to ensure that residences within the Rural Zone were exempted from the requirement to make planning application, and that greater flexibility be introduced to enable consideration to be given to development of a second residence or workers accommodation within the Rural Zone.

Draft Scheme No.4 has been modified with regards for these directions of Council and a copy of the updated document has been provided as **Attachment 9.4.1.a** with the modified sections shown in purple to highlight the amendments.

In summary the modifications that have been undertaken to the version of draft Scheme No.4 previously reviewed by Council are as follows:

- Table 4-Zoning Table of draft Scheme No.4 has been updated to individually list and assign symbols for several land uses that relate to habitable developments, these generally align with their status under existing Scheme No.3.
- Part 6-Section 36 of the Scheme has been updated to reflect the updates made in Table 4.

## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 21 February 2018

- Schedule A has been introduced to provide supplemental provisions to the deemed provisions of the Regulations. These new provisions allow for exemptions from the requirement to lodge planning application for a residence, residence extension and associated outbuildings etc. in the Rural and Rural Townsite zones unless the development is located within an area identified upon the State Map of Bushfire Prone Areas or the development proposes alteration to, or is in proximity to, a heritage listed building, in which case a planning application is required to be lodged. This clause is similar to many other rural and regional local governments' Schemes and when read with the deemed provisions of the Regulations, which address exemptions for the Residential Zone, will streamline compliant development but retain Council's ability to give consideration on-merit to forms of development that warrant greater scrutiny.
- Removal of Clause 4 from Schedule 1, Table 1 (3.Rural) that previously limited the total number of dwellings on any Rural Zoned lot to 1 dwelling. With the designation of 'Grouped Dwelling' as a 'D' use in the 'Rural' Zone this now means that an application for a second residence in the Rural Zone will require a planning application and be at the discretion of Council.

### **Comment**

The current Shire of Mingenew Local Planning Scheme No.3 can be viewed at the following link to the WAPC website:

[https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20\(Scheme%203\)/index.aspx](https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20(Scheme%203)/index.aspx)

The Scheme Review process was not one of major overhauling of Scheme No.3, rather a fine-tuning exercise with changes generally limited to the following:

- Updating the Scheme text provisions to reference those as contained in the Regulations to ensure consistency and assist Council in statutory matters.
- Minor modifications to the Scheme map around the Mingenew townsite to reflect Council's planning directions as contained in the Mingenew Townsite Local Planning Strategy.
- Review of the zonings to ensure that privately owned land was not identified for public purposes and that zonings for public/Crown land matched the management purpose.

It is considered that draft Scheme No.4 is now able to be forwarded to the EPA and the WAPC seeking consent to advertise. It is noted that Scheme No.4 is required to be returned to Council for its further consideration, and modification, as required following the conducting of an advertising period.

### **Consultation**

Following its resolution to prepare a new Local Planning Scheme at the 14 August 2017 meeting, Council was required as per Part 4 of the Regulations to provide notification of the resolution to stakeholders that may be affected by the scheme. The Shire therefore wrote to 22 government agencies and service authorities and the 4 surrounding local governments, inviting within 21 days any recommendations in respect of the resolution and requests for issues for consideration in Scheme No.4.

In the event that Council and the WAPC are satisfied with draft Scheme No.4, the consultation process required for the advertising of a Local Planning Scheme is set by the Regulations. It is proposed that Scheme No.4 would be advertised for a period of 3 months, and the advertising would include the following actions:

- display of Scheme No.4 at the Shire office;
- display of Scheme No.4 at the WAPC office;
- display of Scheme No.4 on the Shire website;
- notice inviting comment to be published in a newspaper circulating in the district (i.e. Mid West Times);
- notice inviting comment being sent to all relevant government agencies.

At the conclusion of the advertising period Scheme No.4 would be returned to Council for its consideration of the received submissions.

A Stakeholder Engagement Strategy was also provided as an attachment with the 14 August 2017 Council Agenda that summarised the consultation actions that have informed the Mingenew Scheme Review process.

The consultant also made presentation to Councillors at the 20 December 2017 Forum Session.

### **Statutory Environment**

Section 88 of the *Planning and Development Act 2005* ('the Act') requires local governments to review their planning scheme every five years. Schemes are prepared and adopted under Part 5 of the Act and in compliance with the Regulations.

Should Council be satisfied with draft Scheme No.4, then Section 81 of the Act and Section 48 of the *Environmental Protection Act 1986* require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. Given that the Scheme does not propose wholesale rezoning of land, rather more detailed refinement of existing zones, then it is anticipated that there would not be any basis for an Environmental Review to be requested. In the event that an Environmental Review was requested by the EPA this matter would be returned to Council for its further consideration.

Should the EPA not require the preparation of an Environmental Review, then Scheme No.4 can then be forwarded to the WAPC seeking its consent to advertise.

A chart illustrating the Scheme Review process was provided as an attachment with the 14 August 2017 Council Agenda.

### **Policy Implications**

Part 5 of current Scheme No.3 contains a number of sections that provide prescriptive direction relating to planning issues. It is suggested that some of these sections have been superseded by state-wide legislation that provide for enforcement including the *Environmental Protection Act 1986*, *Environmental (Noise) Regulations 1997*, *Caravan and Camping Grounds Act 1995*, *Local Government Act 1995*, *Land Administration Act 1997* and Residential Design Codes 2015.

Schedule 2 Part 2 Division 2 of the Regulations also provides Council with the ability to prepare Local Planning Policies. A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between a Policy and the Scheme.

It is suggested that in areas where Council wishes to establish development guidelines and assessment criteria that a Local Planning Policy can be more suited than Scheme provisions. A Policy is still considered as reasonable basis for Council to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal, but a Policy also has an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning, or Council considers that an individual application should be supported based upon its displayed merits.

A draft 'Outbuildings' Local Planning Policy (**Attachment 9.4.1.b**) has been prepared for Council's consideration, and were Council to be satisfied with this approach, the Policy would sit alongside Scheme No.4 and effectively replace Section 5.17 of Scheme No.3.

In the event that draft Scheme No.4 was given consent to advertise by the WAPC it is proposed that the draft 'Outbuildings' Local Planning Policy would be advertised concurrently to provide the opportunity for comment to be made, and for Council to consider those comments in its final deliberation upon the Scheme No.4 and Local Planning Policy.

### **Financial Implications**

The cost of preparation of the new Scheme is being funded through a grant received by the Shire from the Royalties for Regions Northern Planning Funding Program. The Shire called for expressions of interest in accordance with the procedures laid out in its Policy Manual, and received 7 submissions that were subsequently reviewed against evaluation criteria, with Urbis being appointed as the successful firm.

### **Strategic Implications**

The Scheme review will provide opportunity to ensure that the outcomes identified within the Shire of Mingenew Strategic Community Plan are incorporated into its statutory planning and zoning document.

### **Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.4.1</b>
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That:

- 1 Council resolve to adopt Shire of Mingenew Local Planning Scheme No.4 pursuant to Part 5 of the *Planning and Development Act 2005* and forward, in accordance with Part 5 Division 3 Section 81 of the *Planning and Development Act 2005*, notice of the resolution to adopt and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.
- 2 Forward the Shire of Mingenew Local Planning Scheme No.4, in accordance with Part 4 Division 2 Section 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Western Australian Planning Commission seeking its consent to advertise.
- 3 Delegate to the Chief Executive Officer to undertake minor modifications to the Shire of Mingenew Local Planning Scheme No.4 that do not significantly alter the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model or Deemed provisions; updates necessitated by Scheme Amendments, Structure Plans, Policies or other Strategies that have been given approval in the interim period etc.) as may be required by the Western Australian Planning Commission or otherwise prior to its advertising consent being granted.
- 4 Upon receipt of the Western Australian Planning Commission's advice that the Shire of Mingenew Local Planning Scheme No.4 can be advertised, and compliance with Part 5 Division 3 Section 82 of the *Planning and Development Act 2005*, proceed to advertise the Scheme in accordance with Part 4 Division 2 Section 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5 At the conclusion of the advertising period return the draft Shire of Mingenew Local Planning Scheme No.4, and any received submissions, to Council for its further consideration.
- 6 Adopt draft Local Planning Policy – Outbuildings as a draft for public comment and advertise it concurrently with the Shire of Mingenew Local Planning Scheme No.4 pursuant to Section 2.4 of the Shire of Mingenew Local Planning Scheme No.3. and Schedule 2 Part 2 Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

# SHIRE OF MINGENEW

## LOCAL PLANNING SCHEME NO. 4

### DISCLAIMER

This is a copy of the Local Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning of any errors or omissions in this document.

LOCAL PLANNING SCHEME GAZETTAL DATE: **[INSERT DATE]**

**SHIRE OF MINGENEW LOCAL PLANNING SCHEME NO. 4  
AMENDMENTS**

AMD.NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	

# SCHEME DETAILS

## **SHIRE OF MINGENEW** **LOCAL PLANNING SCHEME NO. 4**

The Shire of **Mingenew** under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

## TABLE OF CONTENTS

**Part 1 Preliminary** - sets out the Scheme title, responsible authority for implementing the Scheme, definitions used in the Scheme, Scheme area, contents, purpose, aims and relationship to other Schemes and laws.

**Part 2 Reserves** - sets out the reserves which apply in the Scheme area and related provisions.

**Part 3 Zones and the use of land** - sets out the zones which apply in the Scheme area and the uses which may require approval or may be prohibited.

**Part 4 General development requirements** — sets out the general planning requirements which apply to land use and development within the Scheme area.

**Part 5 Special control areas** — sets out particular provisions which may apply in addition to the zone requirements and generally concerns landscape, environmental, built form, and land and site management issues.

**Part 6 Terms referred to in Scheme** — lists the general definitions and terms used in the Scheme and also lists the land use terms used in the Scheme.

### Schedules

**A - Supplemental provisions to the deemed provisions**

**1 - Site development requirements**

**2 - Car parking**

Note full table of contents to be added prior to finalisation

## Part 1 - Preliminary

### 1. Citation

This local planning scheme is the Shire of Mingenew Scheme No. 4.

### 2. Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day on which it is published in the *Gazette*.

### 3. Scheme revoked

The following local planning scheme(s) is (are) revoked -

Shire of Mingenew Local Planning Scheme No. 3 as gazetted 18/04/2008.

### 4. Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note: The *Interpretation Act 1984* section 32 makes provision in relation to whether headings form part of the written law.

### 5. Responsibility for Scheme

The Shire of Mingenew is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

### 6. Scheme area

This Scheme applies to the area shown on the Scheme Maps 1 - 4.

### 7. Contents of Scheme

In addition to the provisions set out in this document (the **scheme text**), this Scheme includes the following -

- (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).
- (b) the Scheme Maps (sheets 1 – 4).

This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

### 8. Purposes of Scheme

The purposes of this Scheme are to -

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in this Scheme; and
- (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

## 9. Aims of Scheme

The aims of this Scheme are –

- (a) to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural and natural significance across the Shire.
- (b) to ensure there is sufficient supply of serviced and suitable land within Mingenew for existing and future housing, employment, commercial activities, community facilities, recreation and open space.
- (c) to provide for a range of accommodation and lifestyle choices that meet the needs and aspirations of the community.
- (d) provide opportunities for the ongoing use and potential expansion of commercial areas, and tourist facilities to serve the needs of the residents and visitors;
- (e) to ensure the protection of agricultural land by discouraging land uses and developments that may detract from the principle function of the land while maintaining opportunities for innovations in agriculture to establish within the Shire.
- (f) to facilitate and promote mining, including any subsequent and related land uses and developments that are required as a result.

- (g) ensuring that mining-related land uses and developments such as workforce accommodation are developed within existing townsites where appropriate.

**10. Relationship with local laws**

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

**11. Relationship with other local planning schemes**

There are no other local planning schemes of the Shire of Mingenew which apply to the Scheme area.

**12. Relationship with region planning scheme**

There are no region planning schemes which apply to the Scheme area.

## Part 2 – Reserves

### 13. Regional reserves

There are no regional reserves in the Scheme area.

### 14. Local reserves

(1) In this clause -

**Department of Main Roads** means the department principally assisting in the administration of the *Main Roads Act 1930*;

**Western Australian Road Hierarchy** means the document of that name available on the website maintained by the Department of Main Roads.

(2) Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.

(3) The objectives of each local reserve are as follows -

**Table 1 Reserve objectives**

Reserve Name	Objectives
Cemetery	<ul style="list-style-type: none"> <li>To set aside land required for a cemetery.</li> </ul>
Community and Civic	<ul style="list-style-type: none"> <li>To provide for a range of community facilities which are compatible with surrounding development.</li> <li>To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged and other services by organizations involved in activities for community benefit.</li> </ul>
Education	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential education facilities.</li> </ul>
Environmental Conservation	<ul style="list-style-type: none"> <li>To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.</li> <li>To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.</li> </ul>
Infrastructure Services	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential infrastructure services.</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>
Primary Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</li> </ul>

Reserve Name	Objectives
Public Open Space	<ul style="list-style-type: none"> <li>To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152.</li> <li>To provide for a range of active and passive recreation</li> <li>uses such as recreation buildings and courts and associated car parking and drainage.</li> </ul>
Public Purpose	<ul style="list-style-type: none"> <li>To provide for a range of essential physical and community infrastructure.</li> </ul>
Railway	<ul style="list-style-type: none"> <li>To set aside land required for passenger rail and rail freight services.</li> </ul>

## 15. Additional uses for local reserves

- (1) Table 2 sets out -
- classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and
  - the conditions that apply to that additional use.

**Table 2 Specified additional uses for land in local reserves in Scheme area**

No.	Description of land	Additional use	Conditions
1.	Lot 300 on P044446 Lot 11886 on P240331	Aboriginal Cultural Heritage Site	

- (2) Despite anything contained in clause 14, land that is specified in the Table to sub clause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

## Part 3 - Zones and use of land

### 16. Zones

- (1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.
- (2) The objectives of each zone are as follows -

**Table 3 Zone objectives**

Zone name	Objectives
Residential	<ul style="list-style-type: none"> <li>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>
Rural Townsite Zone	<ul style="list-style-type: none"> <li>To provide for a range of land uses that would typically be found in a small country town.</li> <li>To provide for the variety of predominantly commercial, service, social and administrative uses require to service the needs of local residents and visitors alike.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>To provide for appropriately developed lots within proximity to the Mingenew Townsite for rural residential lifestyle purposes.</li> <li>To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>
Rural	<ul style="list-style-type: none"> <li>To provide for the maintenance or enhancement of specific local rural character.</li> <li>To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> </ul>

Zone name	Objectives
	<ul style="list-style-type: none"> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses to the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul>
General Industry	<ul style="list-style-type: none"> <li>• To provide appropriately located, accessible, serviced and level industrial land to cater for the needs of anticipated industrial development within the townsite area.</li> <li>• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</li> <li>• Seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>• To promote and provide for tourism opportunities.</li> <li>• To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.</li> <li>• To allow limited residential uses where appropriate.</li> <li>• To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.</li> </ul>
Special Use	<ul style="list-style-type: none"> <li>• To facilitate special categories of land uses which do not sit comfortably within any other zone.</li> <li>• To enable the local government to impose specific conditions associated with the special use.</li> </ul>

## 17. Zoning table

The zoning table for this Scheme is as follows -

**Table 4 - Zoning Table**

Use and development class	Residential	Rural townsites zone	Rural residential	Rural	Tourism	General industry
Aged care facility	D	D	A	X	X	X
Agriculture — extensive	X	X	X	P	X	X
Agriculture — intensive	X	X	X	P	X	X
Ancillary Accommodation	D	D	D	D	X	X
Animal establishment	X	A	A	P	X	X
Animal husbandry — intensive	X	X	X	A	X	X
Bed and breakfast	P	P	D	P	P	X
Betting agency	X	A	X	X	X	X
Bulky goods showroom	X	A	X	X	X	P
Car park	D	P	X	X	X	P
Caravan park	X	X	X	X	P	X
Caretaker's dwelling	X	X	X	X	D	D
Childcare premises	A	A	A	X	X	X
Civic use	D	D	D	D	D	D
Club premises	X	D	X	X	X	X
Commercial vehicle parking	X	X	X	A	X	P
Community purpose	D	P	X	X	X	X
Consulting rooms	A	P	X	X	X	X
Convenience store	X	P	X	X	X	X
Educational establishment	X	P	X	D	X	X
Exhibition centre	A	P	X	A	A	X
Family day care	A	A	X	X	X	X
Fuel depot	X	X	X	A	X	P

Use and development class	Residential	Rural townsite zone	Rural residential	Rural	Tourism	General industry
Garden centre	D	P	P	D	X	P
Grouped dwelling	D	D	X	D	X	X
Holiday accommodation	A	A	A	A	P	X
Holiday house	A	A	A	A	X	X
Home business	A	D	D	D	X	X
Home occupation	D	P	D	D	X	X
Home office	D	P	D	D	X	X
Home store	A	D	D	D	X	X
Hotel	X	A	X	X	P	X
Industry	X	X	X	X	X	P
Industry — extractive	X	X	X	A	X	X
Industry — light	X	A	X	X	X	P
Industry — primary production	X	X	A	P	X	X
Liquor store	X	A	X	X	X	X
Market	D	P	D	X	X	X
Medical Centre	D	P	D	X	X	X
Mining operations	X	X	X	A	X	X
Motel	A	D	X	X	P	X
Motor vehicle repair	X	X	D	X	X	P
Motor vehicle wash	X	D	X	X	X	P
Nature based park	X	X	X	A	D	X
Office	D	P	X	X	X	P
Place of worship	D	P	X	A	X	X
Reception centre	D	P	A	A	X	X
Recreation - private	D	D	A	A	X	X
Renewable energy facility	X	X	X	A	X	A
Restaurant/cafe	A	P	A	A	P	X
Road house	X	P	X	A	P	X
Rural home business	X	X	P	P	X	X

Use and development class	Residential	Rural townsites zone	Rural residential	Rural	Tourism	General industry
Rural pursuit/hobby farm	X	A	D	P	X	X
Service station	X	D	X	A	X	P
Shop	A	P	X	X	X	X
Single House	P	P	P	P	X	X
Supermarket	X	P	X	X	X	X
Tavern	X	A	X	X	X	X
Telecommunications infrastructure	D	D	D	D	D	P
Tourist development	A	D	X	X	P	X
Trade display	X	A	X	A	X	P
Trade supplies	X	A	X	A	X	P
Transport depot	X	X	X	X	X	P
Tree farm	X	X	A	D	X	X
Veterinary centre	X	D	X	A	X	D
Warehouse/storage	A	D	X	X	X	P
Waste disposal facility	X	X	X	A	X	A
Waste storage facility	X	X	X	X	X	A
Workforce accommodation	A	A	X	X	A	X

### Interpreting zoning table

- (1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.
- (2) The symbols used in the zoning table have the following meanings -
  - P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
  - I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land

and it complies with any relevant development standards and requirements of this Scheme;

D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;

X means that the use is not permitted by this Scheme.

Note: 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.

2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.

(3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

(4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table -

(a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

(b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

(c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

(5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

(6) If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless -

(a) the development approval application relates to land that is being used for a non-conforming use; and

- (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
- (7) If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land -
  - (a) a structure plan;
  - (b) an activity centre plan;
  - (c) a local development plan;

#### **18. Additional uses**

There are no additional uses which apply to this Scheme.

#### **19. Restricted uses**

There are no restricted uses which apply to this Scheme.

#### **20. Special use zones**

- (1) Table 5 sets out -
  - (a) special use zones for specified land that are in addition to the zones in the zoning table; and
  - (b) the classes of special use that are permissible in that zone; and
  - (c) the conditions that apply in respect of the special uses.

**Table 5 - Special use zones in Scheme area**

<b>No.</b>	<b>Description of land</b>	<b>Special use</b>	<b>Conditions</b>
1	Lots 11 and 12 King Street (located between Victoria Road and Shenton Street)	Aged Persons Accommodation	

- (2) A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

#### **21. Non-conforming uses**

- (1) Unless specifically provided, this Scheme does not prevent -

- (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
  - (b) the carrying out of development on land if -
    - (i) before the commencement of this Scheme, the development was lawfully approved; and
    - (ii) the approval has not expired or been cancelled.
- (2) Subclause (1) does not apply if -
  - (a) the non-conforming use of the land is discontinued; and
  - (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
- (3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government -
  - (a) purchases the land; or
  - (b) pays compensation to the owner of the land in relation to the non-conforming use.

## **22. Changes to non-conforming use**

- (1) A person must not, without development approval-
  - (a) alter or extend a non-conforming use of land; or
  - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
  - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
  - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use -
  - (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and

- (b) is closer to the intended purpose of the zone in which the land is situated.

### **23. Register of non-conforming uses**

- (1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- (2) A register prepared by the local government must set out the following -
  - (a) a description of each area of land that is being used for a non-conforming use;
  - (b) a description of any building on the land;
  - (c) a description of the non-conforming use;
  - (d) the date on which any discontinuance of the non-conforming use is noted.
- (3) If the local government prepares a register under subclause (1) the local government -
  - (a) must ensure that the register is kept up-to-date; and
  - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
  - (c) may publish a copy of the register on the website of the local government.
- (4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

## **Part 4 - General development requirements**

### **24. R-Codes**

- (1) The R-Codes are to be read as part of this Scheme.
- (2) The local government -
  - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
  - (b) may publish a copy of the R-Codes on the website of the local government.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

### **25. Modification of R-Codes**

There are no modifications to the R-Codes.

### **26. State Planning Policy 3.6 to be read as part of Scheme**

- (1) *State Planning Policy 3.6 - Development Contributions for Infrastructure*, modified as set out in clause 28, is to be read as part of this Scheme.
- (2) The local government -
  - (a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the offices of the local government; and
  - (b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

### **27. Modification of State Planning Policy 3.6**

There are no modifications to State Planning Policy 3.6.

### **28. Other State planning policies to be read as part of Scheme**

- (1) The State planning policies set out in Table 6, are to be read as part of this Scheme.

**Table 6 - State planning policies to be read as part of Scheme**

<b>State planning policies to read as part of Scheme</b>
State Planning Policy 2.7 - Public Drinking Water Source
State Planning Policy 3.7 - Planning in Bushfire Prone Areas
State Planning Policy 5.2 – Telecommunications Infrastructure

- (2) The local government -
- (a) must make a copy of each State planning policy referred to in subclause (1) available for public inspection during business hours at the offices of the local government; and
  - (b) may publish a copy of each of those State planning policies on the website of the local government.

**29. Modification of State planning policies**

There are no modifications to a State planning policy that, under clause 29 is to be read as part of the Scheme.

**30. Environmental conditions**

There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.

**31. Additional site and development requirements**

- (1) Schedule 1 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.
- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

**32. Variations to site and development requirements**

- (1) In this clause -  
  
***additional site and development requirements*** means requirements set out in Schedule 1 and Schedule 2.
- (2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.

- (4) If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must -
- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
  - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The local government may only approve an application for development approval under this clause if the local government is satisfied that -
- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
  - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

### **33. Restrictive covenants**

- (1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- (2) If subclause (1) operates to extinguish or vary a restrictive covenant
- (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
  - (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

## Part 5 - Special control areas

### 34. Special control areas

- (1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in the Table.

**Table 7 - Special control areas in Scheme area**

Name of area	Purpose	Objectives	Additional provisions
Public Drinking Water Source Protection Area (PDWSPA)	Identify the proclaimed PDWSPA.	Ensure that land use and development within the PDWSPA is compatible with the protection and long-term management of water resources for public water supply.	<u>Relevant Considerations</u> <ol style="list-style-type: none"> <li>1. In determining land uses and development proposals within the PDWSPA Special Control Area, the local government will have due regard to relevant State Government policies and the most recent Department of Environment Land Use Compatibility Tables for PDWSPAs.</li> <li>2. Notwithstanding any permissibility of land uses in the Zoning Table, the following uses are not permitted within the PDWSPA Special Control Areas: <ul style="list-style-type: none"> <li>• Abattoir</li> <li>• Piggery</li> <li>• Power Station</li> <li>• Fish Processing</li> <li>• Tannery</li> <li>• Woolscourer</li> </ul> </li> <li>3. In determining proposals, the local government is to have due regard to any comments or recommendations from the Department of Water and Environmental Regulation and may impose relevant conditions to prevent or minimise the potential risk of groundwater contamination. Council should also have regard to the management direction provided by the priority classification of the PDWSPA Special Control Area, noting that Priority 2 (P2) areas are defined to ensure there is no</li> </ol>

Name of area	Purpose	Objectives	Additional provisions
			<p>increased risk of pollution to the water source.</p> <p>Referral of Applications</p> <ol style="list-style-type: none"> <li>1. The local government shall refer any development application which involves the following activities to the Department of Water and Environmental Regulation for advice prior to determination of the application: <ul style="list-style-type: none"> <li>• potential for increased nutrient loading, in particular point source for nutrients,</li> <li>• e.g. poultry farm, piggery;</li> <li>• intensification of application of fertilisers and pesticides;</li> <li>• storage of chemicals, fuels and other potentially polluting substances;</li> <li>• substantial increase in runoff;</li> <li>• any other impact which Council considers could have an impact on the quality of public drinking water.</li> </ul> </li> </ol>

## Part 6 - Terms referred to in Scheme

### Division 1 - General definitions used in Scheme

#### 35. Terms used

- (1) If a word or expression used in this Scheme is listed in this clause, its meaning is as follows —

**building envelope** means the area of land within which all buildings and effluent disposal facilities on a lot must be contained;

**building height**, in relation to a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes;

**cabin** means a dwelling forming part of a tourist development or caravan park that is —

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guests;

**chalet** means a dwelling forming part of a tourist development or caravan park that is —

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short-term accommodation for guests;

**commencement day** means the day this Scheme comes into effect under section 87(4) of the Act;

**commercial vehicle** means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including —

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

**floor area** has meaning given in the Building Code;

**frontage**, in relation to a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces;

**incidental use** means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;

**minerals** has the meaning given in the *Mining Act 1978* section 8(1);

**net lettable area** or **nla** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas-

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

**non-conforming use** has the meaning given in the *Planning and Development Act 2005* section 172;

**plot ratio** means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

**precinct** means a definable area where particular planning policies, guidelines or standards apply;

**predominant use** means the primary use of premises to which all other uses carried out on the premises are incidental;

**retail** means the sale or hire of goods or services to the public;

**short-term accommodation** means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totaling more than 3 months in any 12 month period;

**wall height**, in relation to a wall of a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet;

**wholesale** means the sale of goods or materials to be sold by others.

(2) A word or expression that is not defined in this Scheme —

- (a) has the meaning it has in the *Planning and Development Act 2005*; or
- (b) if it is not defined in that Act — has the same meaning as it has in the R-Codes.

### 36. Land use terms used

- (1) If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows —

**aged persons accommodation** -means a building or group of buildings consisting of either:

- (a) an aged persons' home; or
- (b) two or more aged persons' dwellings,

and which may include buildings or parts of buildings used for communal facilities, food preparation, dining, recreation, laundry or medical care;

**agriculture — extensive** means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture — intensive or animal husbandry — intensive;

**agriculture — intensive** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following —

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture;

**ancillary accommodation** means a self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

**animal establishment** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry — intensive or veterinary centre;

**animal husbandry — intensive** means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens;

**bed and breakfast** means a dwelling —

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms;

**betting agency** means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

**bulky goods showroom** means premises —

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;

- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and childrens' goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools;
- and
- (b) used to sell by retail goods and accessories by retail if —
  - (i) a large area is required for the handling, display or storage of the goods; or
  - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods;
- (c) the list of products in subclause (a) is not exhaustive;

**caravan park** means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

**caretaker's dwelling** means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant;

**car park** means premises used primarily for parking vehicles whether open to the public or not but does not include —

- (a) any part of a public road used for parking or for a taxi rank;  
or
- (b) any premises in which cars are displayed for sale;

**child care premises** means premises where —

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided;

**civic use** means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes;

**club premises** means premises used by a legally constituted club or association or other body of persons united by a common interest;

**commercial vehicle parking** means premises used for parking of one or two commercial vehicles but does not include —

- (a) any part of a public road used for parking or for a taxi rank;  
or
- (b) parking of commercial vehicles incidental to the predominant use of the land;

**community purpose** means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

**consulting rooms** means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

**convenience store** means premises —

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 sq.m net lettable area;

**educational establishment** means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;

**exhibition centre** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum;

**family day care** means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

**fuel depot** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle;

**garden centre** means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

**grouped dwelling** means a dwelling that is one of a group of 2 or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictates otherwise, and includes a dwelling on survey strata with common property;

**holiday accommodation** means two or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

**holiday house** means a single dwelling on one lot used to provide short term accommodation but does not include a bed and breakfast;

**home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use

normally required in the zone in which the dwelling is located;

**home occupation** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m<sup>2</sup>; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not —
  - (i) require a greater number of parking spaces than normally required for a single dwelling; or
  - (ii) result in an increase in traffic volume in the neighbourhood;and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
  - (i) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
  - (ii) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**home office** means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

**home store** means a shop attached to a dwelling that —

- (a) has a net lettable area not exceeding 100m<sup>2</sup>; and
- (b) is operated by a person residing in the dwelling;

**hotel** means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including **any** betting agency on the premises;

**industry** means premises used for the manufacture, dismantling, **processing**, assembly, treating, testing, servicing, maintenance or repairing **of** goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

**industry — extractive** means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

**industry — light** means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;

**industry — primary production** means premises used —

- (a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

**liquor store — small** means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300 m<sup>2</sup>;

**market** means premises used for the display and sale of goods from stalls by **independent vendors**;

**medical centre** means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

**mining operations** means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out;

**motel** means premises, which may be licensed under the *Liquor Control Act 1988* —

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles;

**motor vehicle repair** means premises used for or in connection with —

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or re-treading of tyres;

**motor vehicle wash** means premises primarily used to wash motor vehicles;

**nature based park** means premises used for small scale, nature based and/or seasonal campgrounds used for the lodging of persons on a temporary basis as per the *Caravan Parks and Camping Grounds Regulations 1997*;

**office** means premises used for administration, clerical, technical, professional or similar business activities;

**place of worship** means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

**reception centre** means premises used for hosted functions on formal or ceremonial occasions;

**recreation — private** means premises that are —

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge;

**renewable energy facility** means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include solar panels or a wind turbine located on a lot with a single house where the energy produced only supplies that house or private rural use or anemometers;

**restaurant/cafe** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;

**road house** means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —

- (a) a full range of automotive repair services;
- (b) wrecking, panel beating and spray painting services;
- (c) transport depot facilities;
- (d) short-term accommodation for guests;
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies;
- (f) dump points for the disposal of black and/or grey water from recreational vehicles.

**rural home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight;

**rural pursuit/hobby farm** means any premises, other than premises used for agriculture — extensive or agriculture — intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household —

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises;

**second-hand dwelling** means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling;

**service station** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

**single house** means a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property;

**shop** means premises other than a supermarket, bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

**supermarket** means a business for the retail sale of household goods where the customer collects the proposed purchase from open shelves, payment being made at a central check point but does not include a convenience store, shop or a bulky goods showroom;

**tavern** means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*;

**telecommunications infrastructure** means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;

**tourist development** means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide —

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development;

**trade display** means premises used for the display of trade goods and equipment for the purpose of advertisement;

**trade supplies** means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

**transport depot** means premises used primarily for the parking or garaging of 3 or more commercial vehicles including —

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and

- (c) the transfer of goods or persons from one vehicle to another;

**veterinary centre** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

**warehouse/storage** means premises including indoor or outdoor facilities used for —

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;

**waste disposal facility** means premises used —

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

**waste storage facility** means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

**workforce accommodation** means premises, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

## Schedule A - Supplemental provisions to the deemed provisions

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### 61. Development for which Development Approval Not Required

- 61(1)(k)** the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the Rural zone and where the development standards set out in the scheme for the Rural zone (including boundary setbacks) are satisfied, unless the development is located in a place that is:
- (i) the development is located within a designated bushfire prone area;
  - (ii) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
  - (iii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
  - (iv) included on a heritage list prepared in accordance with this Scheme; or
  - (v) within an area designated under the Scheme as a heritage area; or
  - (vi) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.
- 61(1)(l)** the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted (“P”) in the Rural zone and where the development standards set out in the scheme for the Rural zone (including boundary setbacks) are satisfied, unless the development is located in a place that is:
- (i) the development is located within a designated bushfire prone area;
  - (ii) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
  - (iii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
  - (iv) included on a heritage list prepared in accordance with this Scheme; or
  - (v) within an area designated under the Scheme as a heritage area; or
  - (vi) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.
- 61(1)(m)** the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the Rural Townsite zone and where the development standards set out in the scheme for the Rural Townsite zone (including boundary setbacks) and the deemed-to-comply requirements of the R-Codes (R12.5) are satisfied, unless the development is located in a place that is:
- (i) the development is located within a designated bushfire prone area;

- (ii) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
- (iii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
- (iv) included on a heritage list prepared in accordance with this Scheme; or
- (v) within an area designated under the Scheme as a heritage area; or
- (vi) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.

**61(1)(n)**

the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") in the Rural Townsite zone and where the development standards set out in the scheme for the Rural Townsite zone (including boundary setbacks) and the deemed-to-comply requirements of the R-Codes (R12.5) are satisfied, unless the development is located in a place that is:

- (i) the development is located within a designated bushfire prone area;
- (ii) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
- (iii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
- (iv) included on a heritage list prepared in accordance with this Scheme; or
- (v) within an area designated under the Scheme as a heritage area; or
- (vi) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.

## Schedule 1 – General development requirements

**Table 1 – General development requirements**

Clause	Heading	General Development Requirements
General development requirements relating to zones		
1.	Rural Townsite	<ol style="list-style-type: none"> <li>1. All development within the Rural Townsite zone shall be designed and constructed from materials that complement the existing character and amenity of the townsite as determined by the local government or as outlined in any local government policy.</li> <li>2. All residential development within the Rural Townsite Zone shall comply with the relevant provisions of the Residential Design Codes to a maximum density of R12.5.</li> <li>3. Where non-residential development is proposed on or adjacent to land with an existing residential development, the local government shall have regard to the following when assessing an application for planning approval: <ol style="list-style-type: none"> <li>(a) the bulk, scale and height of the proposed building in relation to adjacent buildings;</li> <li>(b) the location of access ways, car parking, storage areas and waste disposal facilities;</li> <li>(c) the location of services including power, water and effluent disposal systems; and</li> <li>(d) the interface between non-residential and residential uses in accordance with State policy and other guidelines.</li> </ol> </li> </ol>
2.	Rural Residential	<ol style="list-style-type: none"> <li>1. Prior to any subdivision within the Rural Residential zone a land use capability study shall be completed to confirm the land can appropriately accommodate the proposed number and layout of lots.</li> <li>2. All buildings and structures shall be designed and constructed of materials which are sympathetic to the surrounding landscape and characteristics of the Rural Residential zone as outlined in any local government policy.</li> <li>3. All trees shall be retained unless their removal is authorised by the local government and where such vegetation is dead or diseased, or where the clearing is required for the purpose of fire control, development within a building envelope and access to the envelope, or for a fence.</li> <li>4. In considering an application for planning approval in the Rural Residential Zone the local government will have due regard for the following: <ol style="list-style-type: none"> <li>(a) any sensitive or incompatible uses that may require buffer separation from the proposed use, including the potential for spray drift</li> </ol> </li> </ol>

Clause	Heading	General Development Requirements
		<p>and the need to contain any spray drift within the land the subject of the application;</p> <p>(b) any wetland or remnant vegetation or other sensitive feature, and how the application has addressed the protection of the feature;</p> <p>(c) evidence of a sustainable water supply that does not rely on catchment outside the lot, or damming of a stream that will impact on the water availability for another lot or lots;</p> <p>(d) soil conditions, slope, soil type, rock, potential for water logging, foundation stability, and how the application has addressed these site characteristics; and</p> <p>(e) proposals for treatment and disposal of waste products.</p> <p>5. The keeping of livestock/animals requires approval of the local government. The livestock/animals will be required to be kept within appropriately fenced areas as approved by the local government.</p>
3.	Rural	<p>1. Local government shall have regard to the WAPC Development Control Policy 3.4 Subdivision of Rural Land, in its consideration of applications for subdivision of rural land.</p> <p>2. In considering an application for planning approval in the Rural Zone the local government will have due regard for the following:</p> <p>(a) any sensitive or incompatible uses that may require buffer separation from the proposed use, including the potential for spray drift and the need to contain any spray drift within the land the subject of the application;</p> <p>(b) any wetland or remnant vegetation or other sensitive feature, and how the application has addressed the protection of the feature;</p> <p>(c) evidence of a sustainable water supply that does not rely on catchment outside the lot, or damming of a stream that will impact on the water availability for another lot or lots;</p> <p>(d) soil conditions, slope, soil type, rock, potential for water logging, foundation stability, and how the application has addressed these site characteristics; and</p> <p>(e) proposals for treatment and disposal of waste products.</p> <p>3. In determining the establishment of intensive agricultural pursuits, and extractive industries on land within the Rural Zone local government shall consider the following:</p> <p>(a) that environmental and landscape qualities of the locality are not detrimentally affected;</p>

Clause	Heading	General Development Requirements
		<ul style="list-style-type: none"> <li>(b) that adequate provision is made for any intensive use of rural roads;</li> <li>(c) that there is sufficient capacity within the existing services, facilities and infrastructure to support the proposed activities;</li> <li>(d) that there is no conflict with existing rural activities and adjacent land uses operating in the area;</li> <li>(e) a management plan to manage the impact of the intensive agriculture and/or extractive industry.</li> </ul> <p>4. Development for short-stay tourist accommodation may be permitted on the basis that:</p> <ul style="list-style-type: none"> <li>(a) it is secondary to the agricultural use of the land; and</li> <li>(b) is restricted to farm-stay accommodation and ancillary uses to rural activities here the use is conducted wholly on the lot.</li> </ul>
4.	General Industry	<ol style="list-style-type: none"> <li>1. The local government shall not grant planning approval in the General Industry Zone, unless the proponent can adequately demonstrate to the satisfaction of the local government that there will be no adverse impacts on other properties from noise, dust, odour, risk, or gaseous emissions.</li> <li>2. In determining an application for planning approval in the General Industry Zone, the local government may impose conditions to control emissions including, but not limited to, industrial liquid, solid or gaseous wastes in accordance with Environmental Protection Authority's guidelines and advice from the Department of Environmental Regulation.</li> <li>3. In determining an application for planning approval, the local government will have due regard to the Environmental Protection Authority's Separation Distances between Industrial and Sensitive Land Uses.</li> <li>4. Where a proposal will generate industrial liquid, solid, or gaseous wastes, such wastes shall be treated and disposed of in accordance with Department of Environmental Regulation and Department of Health guidelines.</li> <li>5. Land uses within the General Industry Zone that are not required to be housed in buildings shall be designed and laid out on the land so as not to detract from the visual amenity of the area and where open storage of goods and materials is proposed on the land they shall, at the discretion of the local government, be screened from view from the street and/or other public viewpoints.</li> <li>6. All buildings within the General Industry Zone shall be located, designed and constructed so that the</li> </ol>

Clause	Heading	General Development Requirements
		<p>external appearance arising from height, bulk, method of construction, materials used, colour texture of the external appearance do not have an adverse impact on the locality.</p> <p>7. Where a security fence is proposed on a front lot boundary or a side boundary fronting onto a road, it shall be setback a distance of 1.5 metres from the lot boundary and landscaping shall be established and maintained between these lines by the owner to the satisfaction of local government.</p>
General development requirements relating to all land		
5.	Site development requirements	<p>1. Development on all lots is subject to the setbacks, plot ratio and site coverage as outlined in Schedule 2.</p> <p>2. Where development is proposed on a lot which has more than one street frontage the local government shall decide which street (if any) is the street frontage for the purposes of the Development Table and the other provisions of the Scheme.</p> <p>3. In any zone other than the Residential Zone the land between the street and the front building setback shall not be used unless otherwise approved by local government.</p> <p>4. Within the Residential Zone the land between the street alignment and the front building setback shall not be used except for one or more of the following purposes:</p> <ul style="list-style-type: none"> <li>(a) gardens and other landscaping including pools/pergolas etc.;</li> <li>(b) access driveways; and</li> <li>(c) parking of motor cars, commercial vehicles or caravans for periods of not more than eight hours consecutively.</li> </ul>
6.	Landscaping	<p>1. The landscaping requirement referred to in Schedule 2 means an open area designed, developed and maintained as garden planting and areas for pedestrian use. At the discretion of the local government, natural bushland, swimming pools and areas under covered ways may be included within the landscaped area.</p> <p>2. No vegetation is to be cleared from any road reservation within the Shire without the written consent of Council.</p>
7.	Building height	<p>1. The maximum height limits for buildings and structures above natural ground level irrespective of whether or not planning approval is required is 10m.</p> <p>2. Notwithstanding the provisions of clause 7.1, the local government may, after following the advertising procedures set out at clause 64 of the deemed provisions,</p>

Clause	Heading	General Development Requirements
		<p>permit the construction of buildings or structures in excess of the height limitations specified where it is satisfied:</p> <ul style="list-style-type: none"> <li>(a) site constraints are such as to prevent the construction of a building or structure within height limits; or</li> <li>(b) additional height is critical to the function and operation of the proposed building or structure; and</li> <li>(c) the building or structure will be in harmony with the general character of buildings in the locality; and</li> <li>(d) the building or structure will not adversely affect the beauty, character, quality of environment or the townscape generally; and</li> <li>(e) the building or structure will maintain a satisfactory relationship to the boundaries of the lot on which it is to be constructed and relates generally to the siting, design and aspect of buildings on other nearby lots;</li> <li>(f) the building or structure will not impair the amenity or development of adjoining lots.</li> </ul> <p>3. Proposals to vary the height limits shall be accompanied by plans including sections and elevations of the proposed development and are determined by the local government as being satisfactory for the purposes of assessment and advertising;</p> <p>4. For the purpose of clause 7.1, a building or structure does not include reference to a chimney, mast, satellite dish (not exceeding a diameter of 4 metres), pole, wind turbine or signal receiving or transmitting tower provided that the structure or facility is designed, sited and/or treated so as not to detract from the visual amenity of the locality.</p>
8.	Car parking and servicing	<p>1. Car parking for land uses is to be provided at the rates set out in Schedule 3.</p> <p>2. Where land is proposed to be development as a use not listed in Schedule 3, the number of spaces required is to be determined by the local government having due regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed development;</li> <li>(b) the number of employees or others likely to be employed or engaged in the use of the land;</li> <li>(c) the anticipated demand for visitor parking; and</li> <li>(d) the orderly, proper and sustainable planning of the area.</li> </ul> <p>3. Where, on any lot, if there are land uses operate at different times to each other, the local government,</p>

Clause	Heading	General Development Requirements
		<p>upon being satisfied that the operating times will be permanent, may approve a reduced number of bays to that specified in Schedule 3 or otherwise agreed to by the local government, on a reciprocal use basis.</p> <ol style="list-style-type: none"> <li>4. When considering a development application, the local government may approve a reduced number of bays from that specified in Schedule 3 having due regard to (a) to (d) outlined in clause 8.2 above when considering the total number of bays required.</li> <li>5. Where a lot is to be developed for commercial purposes and the applicant can demonstrate that the minimum car parking requirements cannot be met on site, the local government may decide to accept cash payments in lieu of the provision of car parking spaces subject to:               <ol style="list-style-type: none"> <li>(a) the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the scheme plus the value, as estimated by the local government of that area of the land which would have been occupied by the parking spaces; and</li> <li>(b) payments under this clause shall be paid into a parking fund to be used for the provision of public car parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.</li> </ol> </li> <li>6. Car parking and manoeuvring areas are to be constructed in accordance with local government standards set out in Schedule 3.</li> <li>7. Where a land use or development involves the delivery or dispatch of goods of any kind, a loading and unloading area will be required to be provided clear of the street or right-of-way as appropriate and the local government will seek to ensure that, where such an area is provided, vehicles using the area must, unless otherwise approved by the local government, be able to enter the street in a forward direction.</li> </ol>
9.	Caretakers dwellings	<ol style="list-style-type: none"> <li>1. Caretaker's dwellings:               <ol style="list-style-type: none"> <li>(a) are limited to one caretaker's dwelling per lot;</li> <li>(b) shall be limited in floor area to a maximum of 100 square metres; and</li> <li>(c) prior to approval being granted the land upon which it is to be established is developed and/or is in use for a purpose</li> </ol> </li> </ol>

Clause	Heading	General Development Requirements
		<p>requiring oversight by a caretaker, as determined by the local government.</p> <ol style="list-style-type: none"> <li>2. A caretaker's dwelling can only be occupied once the predominant use requiring a caretaker has been constructed and/or is operational.</li> <li>3. The use of a caravan as a caretaker's dwelling is not permitted except in the conjunction with an approved caravan park or camping ground.</li> <li>4. A caretaker's dwelling shall be occupied by the owner, manager or an employee of the use that is established on the land.</li> <li>5. The local government will not support the caretaker's dwelling to be sold separately from the predominant use of the land.</li> </ol>
10.	Transportable and second-hand dwellings	<ol style="list-style-type: none"> <li>1. The use of transportable and/or second-hand buildings for any purpose is subject to the planning approval of the local government.</li> <li>2. The standards of finish of transportable and/or second-hand buildings shall be agreed on between the applicant and the local government prior to the issue of planning approval and must be consistent with those prevailing in the locality in which the building is to be located or any policy adopted by local government.</li> <li>3. Local government may permit the erection or placement of a transportable and/or second-hand building on a lot providing that the design of the building is to the satisfaction of the local government and: <ol style="list-style-type: none"> <li>(a) is in a satisfactory condition;</li> <li>(b) will not detrimentally affect the amenity of the area;</li> <li>(c) is permanently affixed to the ground; and</li> <li>(d) is finished to a high standard.</li> </ol> </li> </ol>
11.	Workforce accommodation	<ol style="list-style-type: none"> <li>1. On land within the Rural, Residential, Mixed Use or Rural Townsite Zones, the local government may consider an application for Workforce Accommodation associated with an existing or proposed construction project, resource, agricultural or industrial operation to accommodate the worker(s), provided that: <ol style="list-style-type: none"> <li>(a) the local government is satisfied that the Workforce Accommodation can be adequately serviced with water, power and effluent disposal;</li> <li>(b) where an operation is proposed and not yet operational, it can be adequately demonstrated to the local government that the operation will proceed prior to the</li> </ol> </li> </ol>

Clause	Heading	General Development Requirements
		<p>approval for permanent Workforce Accommodation being issued;</p> <p>(c) a management plan is prepared and submitted with the local government that outlines how the Workforce accommodation will be decommissioned should it no longer be required; and</p> <p>(d) where Workforce Accommodation is proposed within the Residential and Rural Townsite Zones it is to be setback from boundaries in accordance with the Residential Design Codes.</p>
14.	Temporary accommodation	<ol style="list-style-type: none"> <li>1. The local government may approve the occupation of a caravan or other temporary accommodation on a lot only if it has approved an application for the development of a habitable building(s) in accordance with the Building Code of Australia.</li> <li>2. The local government shall not issue further approvals unless it is satisfied that there has been a genuine effort to complete the approved building pursuant to the original temporary accommodation approval.</li> </ol>
13.	Telecommunications infrastructure	<ol style="list-style-type: none"> <li>1. An application for planning approval to the local government is required for the development of all telecommunications infrastructure excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent amendments to that determination.</li> <li>2. Applications for the development of telecommunications infrastructure will be considered in relation to the following: <ol style="list-style-type: none"> <li>(a) consistency of the proposed development with the objective and purpose of the zone or reserve;</li> <li>(b) social and economic benefits of the proposal;</li> <li>(c) the impact of the proposal on the landscape, heritage, environmental and rural character values of the locality;</li> <li>(d) coordination with other services; and</li> <li>(e) any relevant policy adopted by the local government.</li> </ol> </li> <li>3. Applications for telecommunications infrastructure on Crown land must be accompanied by the written consent of the Department of Planning Lands and Heritage and any applicable management body under the <i>Lands Administration Act 1997</i>.</li> </ol>
14.	Amenity and unkempt land	<ol style="list-style-type: none"> <li>1. Where in the opinion of the local government, any land, building, structure, site work or use is considered to adversely affect the amenity, health,</li> </ol>

Clause	Heading	General Development Requirements
		<p>comfort or convenience of the surrounding land, residents and/or visitors to the Shire, the local government may, by notice in writing, require the upgrade of the offending aspect so as to meet the local government requirements.</p> <ol style="list-style-type: none"> <li>2. No lot, building or appliance shall be used in such a manner as to permit the escape of smoke, dust, fumes, odour, noise, vibration or waste products in such quantity or extend in such manner as to create or to be a nuisance to any inhabitant of the surrounding neighbourhood or to traffic or persons using roads in the vicinity.               <ol style="list-style-type: none"> <li>(a) Any owner or occupier of land shall be responsible for implementing appropriate measures to prevent dust pollution and soil erosion to the satisfaction of the local government;</li> <li>(b) Where in the opinion of the local government a use or activity is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the occupier requiring the appropriate remedial action;</li> </ol> </li> <li>3. Land within the Scheme Area shall not be used for the purposes of storage or the disposal of rubbish, refuse or industrial wastes (whether liquid or solid) without the prior written approval of the local government.</li> <li>4. A person to whom a notice under this clause is given may apply for a review of the requirement to the State Administrative Tribunal in accordance with the <i>Planning and Development Act 2005</i> Part 14.</li> <li>5. Failure to comply with a notice issued under this clause shall be a breach of the provisions of this Scheme.</li> </ol>
15.	Vehicles	<ol style="list-style-type: none"> <li>1. Where located within the Residential Zone, caravans, trailers and boats are to be stored behind the front building setback line as set out in Schedule 2.</li> <li>2. Planning approval is required for the parking of commercial vehicles on any lot within the Residential Zone. The following requirements shall apply to any person parking a commercial vehicle in a Residential Zone:               <ol style="list-style-type: none"> <li>(a) the vehicle shall form an essential part of the occupation of an occupant of the dwelling;</li> <li>(b) no vehicle shall exceed either 2.7 metres in height, 16 metres in length or 2 tonnes in tare weight;</li> <li>(c) major repairs to the vehicle shall not be undertaken on the lot; and</li> </ol> </li> </ol>

Clause	Heading	General Development Requirements
		<p>(d) any minor repairs, servicing or cleaning of the vehicle shall be carried out in an area which is screened from view from outside the lot.</p> <p>3. Local government shall not permit the storage and/or wrecking of any vehicle considered derelict by the local government on any street verge or on any lot other than within the General Industry Zone.</p>
16.	Development of land abutting an unconstructed road	<p>1. Notwithstanding any other provision of the Scheme, planning approval is required for the development of land abutting an unconstructed road reserve. In considering such a proposal, the local government shall either:</p> <ul style="list-style-type: none"> <li>(a) refuse the application until the road has been constructed or direct access to a constructed road is provided; or</li> <li>(b) grant approval subject to a condition requiring the applicant to contribute to the full or partial cost of constructing the road as determined by the local government and impose any other conditions it considers necessary; or</li> <li>(c) require other legal arrangements to be made for permanent legal access to the satisfaction of the local government.</li> </ul>
17.	Development within proximity to watercourses	<p>1. The local government shall not permit the erection of any habitable building or effluent disposal system on any land within 100 metres of the nearest definable bank of any permanent watercourse, river or estuary, or within 30 metres of the nearest definable bank of any seasonally flowing watercourse.</p>
18.	Development on land subject to dampness or flooding	<p>1. Where a development is proposed on a site such that, in the opinion of local government, that development may be impacted upon by flooding and/or inundation, local governments shall require the applicants to provide technical advice from an appropriately qualified person to demonstrate that the development and surrounding areas will not be adversely impacted on by flooding and/or inundation.</p>

## Schedule 2 – Site development requirements

Table 1 - Site development requirements

Zone	Coverage (max. %)	Setbacks (min. m)			Landscaping (min. %)	Special Conditions
		Front	Rear	Side		
Residential	As per the R-Codes					
Rural Townsite – Residential Uses	As per the R-Codes					
Rural Townsite – Non-Residential Uses	75	Nil	Nil*	Nil*	10	*Where non-residential development is adjacent to residential development the setback shall be determined as appropriate by local government.
Rural Residential	N/A	15	5	5	10	
Rural		30	20	20	N/A	
Tourism	At the discretion of local government				10	
General Industry		10	3	Nil or 3*	10	Where development is to abut the boundary it shall have a nil setback. Where development does not sit on the boundary it shall have a minimum 3m setback.
Special Use	At the discretion of local government				10	

## Schedule 3 – Car parking

**Table 1 – Car parking rates**

Land Use	Car parking rate	Additional requirements or conditions
All Residential uses	As per R-Codes	
Bed and breakfast	1 space per lettable room	
Betting agency	1 space per 30sq.m NLA	
Bulky goods showroom	1 space per 50sq.m NLA up to 200sq.m plus 1 space per 100sq.m above 200sq.m.	
Child care premises	1 space per 5 children	
Civic use	1 space for every 5 persons accommodated	
Club premises	1 space for every 5 persons accommodated	
Community purpose	1 space for every 5 persons accommodated	
Consulting rooms	1 space per 30sq.m NLA and an additional 1 space per employee	
Convenience store	1 space per 30sq.m NLA	
Educational establishment	1 space for every 5 persons accommodated	
Exhibition centre	1 space for every 5 persons accommodated	
Family day care	1 space per 5 children	
Garden centre	1 space per 50sq.m NLA	
Hotel	1 space per room and an additional 1 space for 4sq.m bar/lounge area	
Industry	1 space per 50sq.m NLA	
Liquor store	1 space per 30sq.m NLA	
Medical Centre	1 space per 30sq.m NLA and an additional 1 space per employee	
Motel	1 space per unit plus and an additional 1 space for every 4 units	
Motor vehicle repair	4 spaces per working bay and an additional 1 space per employee	
Motor vehicle wash	2 spaces per wash bay	

Land Use	Car parking rate	Additional requirements or conditions
Office	1 space per 50sq.m NLA	
Place of worship	1 space for every 5 persons accommodated	
Reception centre	1 space for every 5 persons accommodated	
Restaurant/cafe	1 space for every 4 seats	
Road house	2 spaces per pump and an additional 1 space per 20sq.m NLA	
Service station	2 spaces per pump and an additional 1 space per 20sq.m NLA	
Shop	1 space per 30sq.m NLA	
Supermarket	1 space per 30sq.m NLA	
Tavern	1 space per 6sq.m public area	
Tourist development	At the discretion of local government	
Trade display	1 space per 50sq.m NLA up to 200sq.m plus 1 space per 100sq.m above 200sq.m.	
Trade supplies	1 space per 50sq.m NLA up to 200sq.m plus 1 space per 100sq.m above 200sq.m.	
Veterinary centre	1 space per 30sq.m NLA and an additional 1 space per employee	
Warehouse/storage	1 space per 50sq.m NLA up to 200sq.m plus 1 space per 100sq.m above 200sq.m.	
Workforce accommodation	At the discretion of local government	

**Table 2 – Car parking dimensions**

Parking angle	Width (m)	Length (m)	Separation / Aisle (m)
<b>45 degree</b>	3.5	5.2	3.7
<b>60 degree</b>	2.8	5.6	5
<b>90 degree</b>	2.5	5.5	6.5
<b>Paving</b>	All parking spaces shall be paved to the satisfaction of the local government (unless otherwise agreed with the local government).		
<b>Landscaping</b>	Landscaping shall be undertaken at a rate of 1 tree per every 10 bays being proposed.		

## **COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME**

Adopted by resolution of the Council of the **Shire of Mingenew** at the Ordinary Council Meeting of Council held on the \_\_\_\_\_

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

\_\_\_\_\_  
**PRESIDENT / MAYOR**

## **COUNCIL RESOLUTION TO SUPPORT SCHEME FOR APPROVAL**

Council resolved to **support** approval of the draft Scheme of the **Shire of Mingenew** at the Ordinary Council Meeting of Council held on the \_\_\_\_\_

The Common Seal of the **Shire of Mingenew** was

hereunto affixed by authority of a resolution

of the Council in the presence of:

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

\_\_\_\_\_  
**PRESIDENT/ MAYOR**

WAPC Recommended for Approval

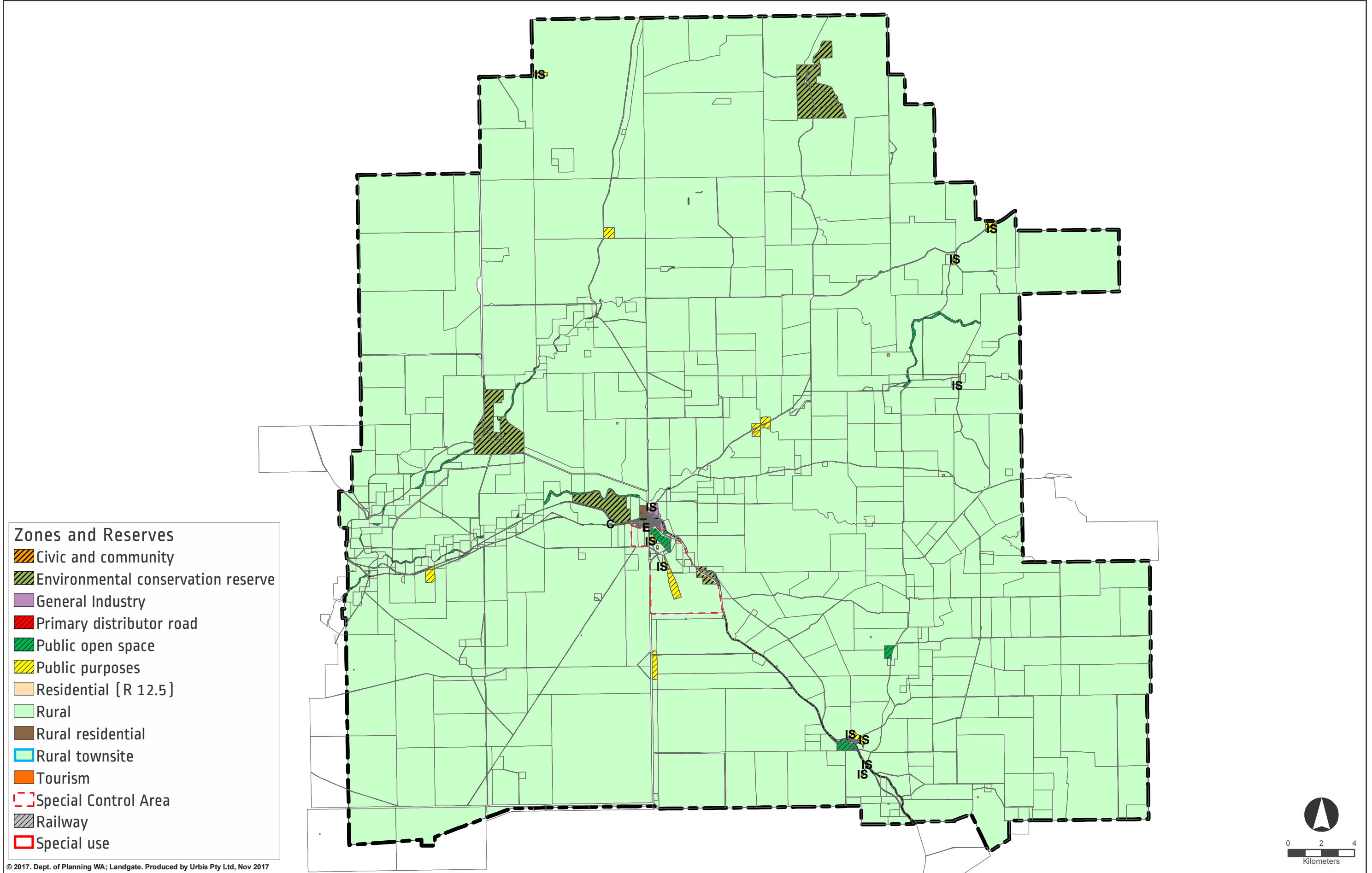
\_\_\_\_\_  
**Delegated under S.16 of the Planning  
and Development Act, 2005**

**Date:**

Approval Granted

\_\_\_\_\_  
**MINISTER FOR PLANNING**

**Date:**





# OUTBUILDINGS

## LOCAL PLANNING POLICY - DRAFT FOR ADVERTISING

### PURPOSE

Local Planning Policies assist the local government in making decisions under the Scheme.

It is not intended that a policy be applied rigidly, but each planning application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, will be limited to the policy provisions and that mere compliance will result in an approval.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances, the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. The Scheme prevails should there be any conflict between this Policy and the Scheme.

### OBJECTIVES

1. To provide development standards for outbuildings specific to the Shire of Mingenew, as appropriate.
2. To provide a clear definition of what constitutes an "outbuilding".
3. To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
4. To limit the visual impact of outbuildings.
5. To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.
6. To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.

### DEFINITIONS

**'Outbuilding'** means an enclosed non-habitable structure that is detached from any dwelling. For the purpose of this policy an open sided, roofed patio completely detached from the dwelling is also considered an outbuilding. For the purpose of this policy a non-enclosed addition to an existing outbuilding (e.g. veranda, patio, lean-to or carport etc.) shall constitute an extension to that outbuilding.

**'Front Building Line'** means the closest point of a house to the front boundary, drawn parallel to the that boundary. In the case of a corner lot, the front building line applies to both streets.

## POLICY PROVISIONS

### General

1. Pre-fabricated garden sheds, “cubby houses”, kennels and other animal enclosures (such as aviaries, stables) less than 9m<sup>2</sup> in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.
2. Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or industrial use without prior approval from Council.
3. The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.

### Height, Size and Setbacks

Outbuildings within the Residential, Rural Townsite or Tourism zones shall;

- (a) be single storey;
- (b) be located behind any dwelling on site;
- (c) meet all setback requirements set out in the Local Planning Scheme and this policy;
- (d) not be approved by the local government on a lot not containing a dwelling;
- (e) be attached to, or setback 1.8m from any dwelling and 1.2m from any septic tank.

The following maximum standards apply to outbuildings:

Zone / Lot Size	Maximum area (m <sup>2</sup> )	Maximum wall length (m)	Maximum wall height (m) (to be measured at natural ground level)	Maximum roof height (m)
Rural, Rural Residential	Exempt from the area and height requirements of this policy			
All other zones - on lots <b>under</b> 1,500m <sup>2</sup>	80	10	3	4
All other zones - on lots <b>over</b> 1,500m <sup>2</sup>	200	N/A	4	5

(Table 1 – Site layout requirements)

### Materials

The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only permitted upon land zoned ‘Rural Residential’ or ‘Rural’.

### Consultation

Applications that propose variation to any part of the Policy may require consultation with effected owners and/or occupiers, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 14 days, prior to the application and any received submissions being placed before a meeting of Council for consideration.

*Note: The advertising of a received application that proposes variation to any part of the Policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.*

*The local government in determining the application will take into account the submissions received but is not obliged to support those views.*

## ADMINISTRATION

### REFERENCES

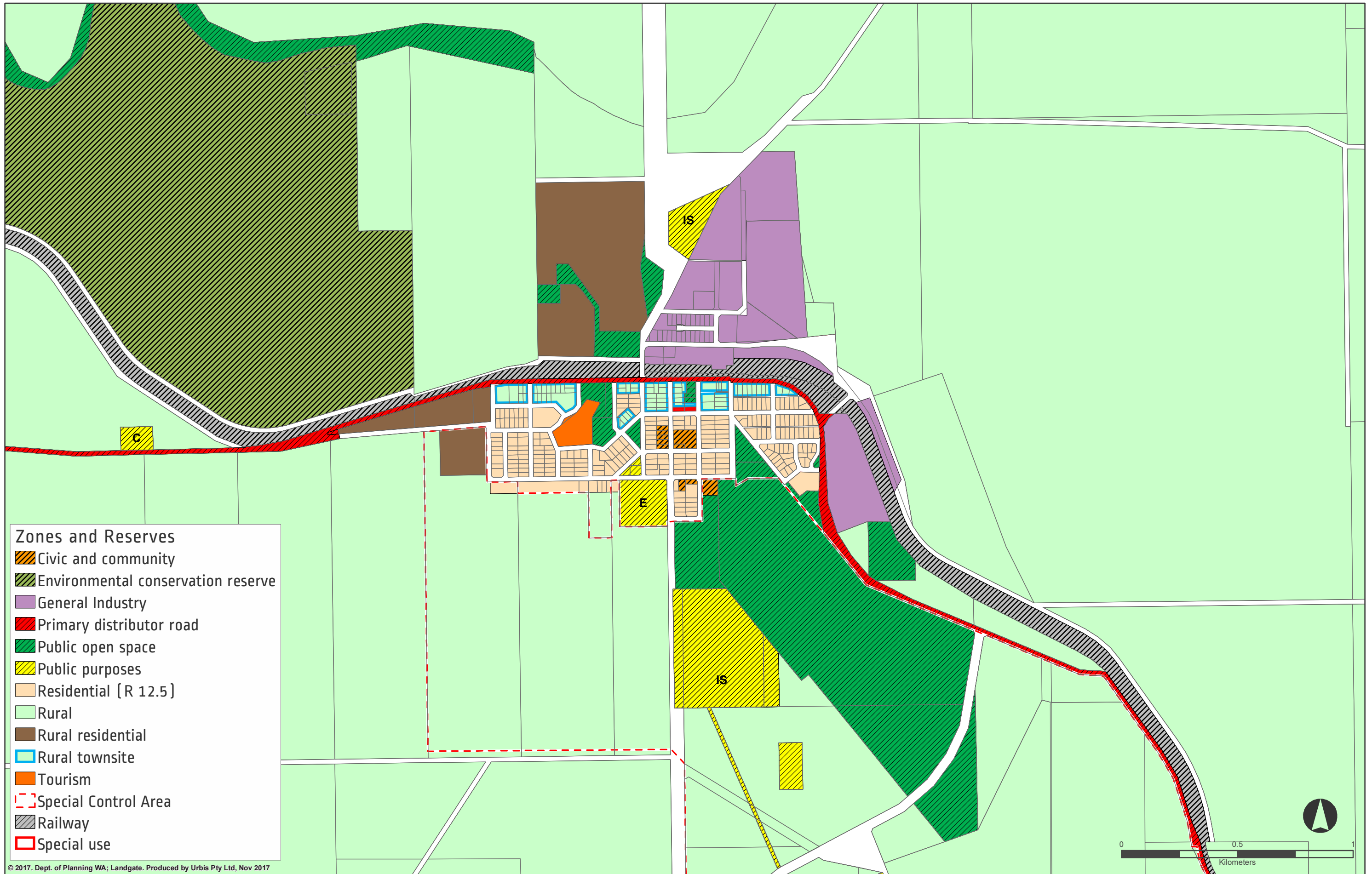
*Shire of Mingenew Local Planning Scheme 4*  
*Residential Design Codes Western Australia*  
*Planning and Development Act 2005*  
*Planning and Development Regulations 2015*

### ADOPTION

VERSION	STATUS	DATE	REFERENCE
DRAFT V1	Advertising		
	Final Approval		
	Adoption		

### REVIEW

Review timeframe: Annually  
Review responsibility: Chief Executive Officer



## 9.4 TOWN PLANNING

### 9.4.2 THIRD PARTY APPEAL RIGHTS

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0110  
**Date:** 12 February 2018  
**Author:** Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### Summary

The Western Australian Local Government Association ('WALGA') have been reviewing the issue of Third Party Appeal Rights i.e. the ability for parties other than the applicant to lodge appeals against a decision to refuse an application or lodge appeal against a condition(s) imposed as part of the approval of an application. Third Party Appeal Rights can also extend to the ability for a party other than the applicant to lodge appeal against the approval of an application.

#### Attachment

links provided in report

9.4.2a – WALGA Discussion Paper

9.4.2b – WALGA Submissions Report

#### Background

A Discussion Paper was presented to WALGA's May 2017 State Council meeting that provided a review of the arguments both for and against Third Party Appeal Rights, and this can be viewed at the following link:

[https://api.ning.com/files/\\*mpdmyo75l35DJu3lir5CmtV-NXfll37tQDi3-BYjWKMnDkW5CE88GV4zzfppkqXdzZKURxg5DUPuMmr0y5DNz4gaLy7wvPJ/ThirdPartyAppealsDiscussionPaperFinalDraft3April2017.pdf](https://api.ning.com/files/*mpdmyo75l35DJu3lir5CmtV-NXfll37tQDi3-BYjWKMnDkW5CE88GV4zzfppkqXdzZKURxg5DUPuMmr0y5DNz4gaLy7wvPJ/ThirdPartyAppealsDiscussionPaperFinalDraft3April2017.pdf)

WALGA subsequently sought feedback from Local Governments on the discussion paper and a Report outlining the submissions received can be viewed at the following link:

[https://api.ning.com/files/77IPnUIUbUQ4weXk-AE9u2K24QcVI4K2tavljegmziqEBqpFP2RVbANmmmnJ\\*C4rKacrxsepnv0VsUWwSpSbhP-AiSZ9milO/OutcomesofConsultationandPreferredModelReportFINALNov2017.pdf](https://api.ning.com/files/77IPnUIUbUQ4weXk-AE9u2K24QcVI4K2tavljegmziqEBqpFP2RVbANmmmnJ*C4rKacrxsepnv0VsUWwSpSbhP-AiSZ9milO/OutcomesofConsultationandPreferredModelReportFINALNov2017.pdf)

This matter was again discussed at WALGA's September 2017 State Council Meeting where it was resolved that:

- "1 State Council notes that there is increased support for the introduction of some form of Third Party Appeal rights.
- 2 WALGA undertake further consultation with members on Third Party Appeal Rights, including Elected Member workshops, discuss the various concerns and suggestions raised in response to the discussion paper, the form and scope of any such appeal right should include the appropriate jurisdiction including JDAPS, SAT and WAPC to determine a preferred model.
- 3 The findings to be distributed for comment and the Item then be reconsidered by State Council.
- 4 WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process."

WALGA's current position is to not support Third Party Appeal Rights and this was made at its February 2008 State Council meeting. This position was formed on the basis that the strategic and statutory planning process in WA, and consideration of applications by Local Governments, already takes into account the views of affected parties and the community generally. WALGA's 2008 stance considered that there was no justification for Third Party Appeal Rights legislation and there were significant negative implications for Local Government, industry and the community.

WALGA now considers that in the intervening years there have been several changes to planning legislation, including changes to the structure planning process, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the introduction of Development Assessment Panels (DAP's). These changes have resulted in the removal of Local Government in determining many aspects of the planning process, which in turn has led to the request to investigate the introduction of Third Party Appeal Rights to improve community representation in the planning process.

WALGA is requesting that its Local Government members consider the following as the preferred model for Third Party Appeal Rights in Planning in Western Australia, and advise of their support or otherwise of this model by 15 March 2018:

*"Support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels."*

#### **Comment**

It might be considered that the biggest drivers for this call for WALGA to review the issue of Third Party Appeal Rights are Local Governments who have taken issue with the decisions of DAP's, particularly those inner metropolitan Local Governments that have not supported higher density developments that have been subsequently approved by DAP's.

Whilst many Local Governments hold the view that DAP'S are unwanted, inefficient, unrepresentative and bureaucratic, it is suggested that the introduction of any level of Third Party Appeal Rights should not be supported as it will create a precedent for their introduction at all levels of the planning system. Third Party Appeal Rights will encourage vexatious or competitive parties to lodge appeals, they will add further levels of bureaucracy, uncertainty and delay to the planning system, raise an unrealistic level of expectation for communities in the ability to prevent development, and will increase costs to Local Governments in defending appeals. Local Government remains the most representative, accountable and transparent tier of government and it is considered that Councillors make decisions that take account of the communities they represent and there is little benefit and substantial risk in pursuing any form of Third Party Appeal Rights.

#### **Consultation**

WALGA is seeking feedback from Local Governments in the formulation of its position.

#### **Statutory Environment**

The *Planning and Development Act 2005* establishes a right of appeal and Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015* establishes the parties able to lodge appeal as being:

"76 *Review of decisions*  
(1) *In this clause —*

*affected person, in relation to a reviewable determination, means —*

- (a) *the applicant for development approval; or*
- (b) *the owner of land in respect of which an application for development approval is made;*

*reviewable determination means a determination by the local government to —*

- (a) refuse an application for development approval; or*
- (b) to grant development approval subject to conditions; or*
- (c) to refuse to amend or cancel a development approval on an application made under clause 77.*

- (2) An affected person may apply to the State Administrative Tribunal for a review of a reviewable determination in accordance with the Planning and Development Act 2005 Part 14.”*

On 24 March 2011 the *Planning and Development (Development Assessment Panels) Regulations 2011* commenced operation.

**Policy Implications**

Nil

**Financial Implications**

The introduction of Third Party Appeal Rights will ultimately lead to greater costs to Local Government through greater numbers of appeals being lodged, and appeals becoming more complex and lengthy.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.4.2</b>
--

**That Council advise WALGA that it does not support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels, as it is considered that this will create a precedent for the state government to introduce Third Party Appeal Rights for all development decisions.**

**9.5 BUILDING**

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**

Nil

**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 21 March 2018 commencing at 4.30pm.

**14.0 CLOSURE**