



ORDINARY COUNCIL MEETING

17 APRIL 2019

Attachment Booklet 2

ATTACHMENT: 7.1

Ordinary Meeting Minutes- 20 March 2019



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

Wednesday 20 March 2019

PROCEDURE FOR PUBLIC QUESTION TIME, DEPUTATIONS, PRESENTATIONS AND PETITIONS AT COUNCIL MEETINGS

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

Petitions A formal process where members of the community present a written request to the Council.	Deputations A formal process where members of the community request permission to address Council or Committee on an issue.	Presentations An occasion where awards/gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government
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PROCEDURE FOR DEPUTATIONS

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business. Any person or group wishing to be received as a deputation by the Council shall send to the CEO an application:

- I. Setting out the agenda item to which the deputation relates;
- II. Whether the deputation is supporting or opposing the officer's or Committee's recommendation; and
- III. Include sufficient detail to enable a general understanding of the purpose of the deputation.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281192 or email governance@mingenew.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- I. is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- II. is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- III. additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

PROCEDURE FOR PRESENTATION

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281102 or email governance@mingenew.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received / awarded by the Shire President or an appropriate Councillor.

PROCEDURE FOR PETITIONS

Please note the following protocol for submissions of petitions. Petitions must:

- be addressed to the Shire President.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

PROCEDURE FOR PUBLIC QUESTION TIME

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the Local Government Act 1995) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the Shire of Mingenew Standing Orders Local Law 2017:

1. Public Questions Time will be limited to fifteen (15) minutes.
 2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
 3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
 4. Questions will be limited to two (2) per person.
 5. Please state your name and address, and then ask your question.
 6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
 7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
 8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
 9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
 10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.
- During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.
 - Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.
 - Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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SHIRE OF MINGENEW

MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 20 MARCH 2019 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	Deputy President	Town Ward
KJ McGlinn	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward

STAFF

N Hay	Chief Executive Officer
J Clapham	Finance Manager
B Bow	Governance Officer
E Budrikis	Community Services Coordinator

VISITORS

Nil

APOLOGIES

LM Eardley	Councillor	Town Ward
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3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

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

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DECLARATIONS OF INTEREST

Belinda Bow – Item 11.5 (Shire of Mingenew 2018 Compliance Audit Return)- Impartiality Interest – The report details to Council the results from an audit undertaken by the Governance Officer which included auditing and reporting on areas of her own responsibility.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 20 FEBRUARY 2019

OFFICER RECOMMENDATION AND COUNCIL DECISION – RESOLUTION 20031901
Moved: Cr McGlinn / Seconded: Cr Lucken

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 20 February 2018 be confirmed as a true and accurate record of proceedings.

AMENDMENT

Moved: Cr Cosgrove / Seconded: Cr Lucken

That it be changed to read the following:

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 20 February 2019 be confirmed as a true and accurate record of proceedings.

CARRIED 6/0

SUBSTANTIVE MOTION:

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 20 February 2019 be confirmed as a true and accurate record of proceedings.

VOTING DETAILS:

CARRIED 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Newton wished to notify fellow Councillors and community members that Cr Lucken has tendered his resignation from Council. Pr Newton acknowledged and thanked Cr Lucken for his 5 years of service to the Shire of Mingenew and wished him well in his future business endeavours.

President Newton also congratulated the Mingenew Turf Club on hosting an excellent race meet.

9.0 REPORTS/MINUTES OF COMMITTEES

9.1 AUDIT COMMITTEE MEETING HELD 20 MARCH 2019

OFFICER RECOMMENDATION AND COUNCIL DECISION – RESOLUTION 20031902

Moved: Cr Lucken / Seconded: Cr McGlinn

That the minutes of the Audit Committee Meeting of the Shire of Mingenew held in the Council Chambers on 20 March 2019 be received.

VOTING DETAILS:

CARRIED 6/0

10 REPORTS BY THE CHIEF EXECUTIVE OFFICER

10.1 CODES OF CONDUCT- COUNCILLORS AND EMPLOYEES

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0489
Date: 14 March 2019
Author: Nils Hay, Chief Executive Officer

Summary

The Shire of Mingenew is working through a program of updating its policies and other legislatively required documents. The Shire is liaising with the Western Australian Local Government Association as part of this process and maintains a subscription to its governance/local laws service.

At the November 2018 Council Meeting, it was highlighted that a review of the existing Code of Conduct (to facilitate separate but complimentary Elected Members; and Employees; Codes) was underway.

Whilst the Employees Coded of Conduct was developed using samples obtained from other local governments, in consultation with staff, the Code of Conduct for Council Members and Committee Members was formatted from the Model Code provided by the Western Australian Local Government Association.

This report puts forward for Council consideration, a revised Code of Conduct for Councillors and Committee Members and also provides for noting, a copy of the Code of Conduct for Shire of Mingenew Employees.

Attachments

New draft of Code of Conduct for Council Members and Committee Members
New draft of Code of Conduct for Employees
Existing Shire of Mingenew Code of Conduct
Code of Conduct for Council Members and Committee Members (WALGA Model)
Code of Conduct Guide (Public Sector Commission)
Local Government (Rules of Conduct) Regulations 2007

Background

All local governments are legislatively required to adopt a Code of Conduct(s). While Council reviews this document on an annual basis, it has not undergone any changes for a number of years.

Whilst Mingenew has historically maintained a single Code of Conduct, it is becoming more common for local governments to now have up to three individual Codes. An Elected Members/Councillors; a Committee Members; and an Employees Code. The division of the Codes enables the separate requirements of each classification of Shire stakeholder to be individually addressed, and also highlights the separation between the strategic (Council) and the Operational (employees) areas of the local government.

The Local Government (Rules of Conduct) Regulations 2007 also went some way to facilitating this change, as it introduced statutory standards that Elected Members are required to adhere to. This has reduced the requirement to provide for some items within individual local government Codes of Conduct. A copy of these Regulations are attached for reference purposes and need to be read in conjunction with the Shire of Mingenew's Code of Conduct.

Comment

The current Code of Conduct has provided for the Shire's past needs, but the WALGA Model has been updated over past years and for Mingenew to be reflective of best practice, it is considered timely to update the Code, to ensure its relevance to current policy and legislation. Note of the direction of other local governments (who are more commonly moving towards multiple Codes) is also warranted.

The development of the proposed two "new" Codes would seem to better reflect the legislative requirements placed on Elected Members; Committee Members; and Employees. The proposed Codes of Conduct are based on the following information and are considered to meet good levels of contemporary best practice –

1. Shire of Mingenew's previous Code of Conduct;
2. West Australian Local Government Association's Model Code of Conduct;
3. Other Local Government Codes of Conduct; and
4. Advice provided by the Public Sector Commission

Consultation

- WALGA (governance/local laws service)
- Other local government Code of Conduct examples
- Shire of Mingenew staff

Statutory Environment

Section 5.103(1) of the Local Government Act 1995 requires every Local Government to prepare and adopt a Code of Conduct to be observed by Council Members, Committee Members and Employees.

The Local Government (Administration) Regulations 1996 regulations 34B and 34C contain requirements (namely, gifts, and interests affecting impartiality) that must be included in an Employee Code of Conduct.

The Local Government (Rules of Conduct) Regulations 2007 provide statutory standards that Elected Members are required to adhere to (and should be read in conjunction with the Councillors & Committee Members Codes of Conduct).

Sections 5.8 and 5.9 of the Local Government Act outline how committees are established and their types. In particular, a local government may establish committees and delegate duties to those to committees, which can include council members, employees and other persons (i.e. a person who is not a council member or an employee). The inclusion of Committee Members within a local government's Code of Conduct therefore, adequately provides for those members who are not elected members, to have suitable ethical standards set for them.

The Corruption, Crime and Misconduct Act 2003 is now administered, in part, by the Public Sector Commission. The Public Sector Commission is responsible for providing misconduct prevention education and also an investigatory role into cases of alleged minor misconduct.

Policy Implications

Nil.

Financial Implications

There are no financial implications beyond the cost of staff time to implement and manage the Codes.

Strategic Implications

The 2017 – 2021 Corporate Business Plan has a range of objectives, outcomes and actions that revolve around good governance, including 'being an open and accountable local government that is respected, professional and trustworthy'; and 'to achieve a high level of compliance.'

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION – RESOLUTION 20031903

Moved: Cr Cosgrove / Seconded: Cr Bagley

That Council:

1. Adopts the Code of Conduct for Councillors and Committee Members as attached; and
2. Notes that a Code of Conduct for Employees has been developed and will be implemented (and updated as required) by the CEO.

AMENDMENT

Moved: Cr Cosgrove / Seconded: Cr McGlinn

That point 1 be changed to read the following:

1. Revoke the existing joint Code of Conduct and adopt the newly drafted Code of Conduct for Council Members and Committee Members (as presented in Attachment 1) effective as of the 1st April 2019.

CARRIED 6/0

SUBSTANTIVE MOTION:

That Council:

1. Revoke the existing joint Code of Conduct and adopt the newly drafted Code of Conduct for Council Members and Committee Members (as presented in Attachment 1) effective as of the 8th April 2019.
2. Notes that a Code of Conduct for Employees has been developed and will be implemented (and updated as required) by the CEO.

VOTING DETAILS:

CARRIED 6/0

REASON FOR CHANGE TO RESOLUTION

To ensure that the Code of Conduct for Employees is approved and implemented by the CEO prior to the repeal of the joint Code of Conduct.

11.0 REPORTS OF ADMINISTRATION

11.1 FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 11 March 2019
Author: Jeremy Clapham – Finance Manager

Summary

This report recommends that the Monthly Financial Report for the period ending 28 February 2019 as presented to the Council be received.

Attachment

Monthly Financial Report for period ending 28 February 2019

Background

The Monthly Financial Report to 28 February 2019 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 as at 28 February 2019	
Municipal Fund	\$494,478
Cash on Hand	\$300
Restricted Funds – 3 Month Term Deposit @ 2.50%	\$545,000
Trust Fund	\$21,620
Reserve fund (3 Month Term Deposit) @ 2.50%	\$411,269

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered.

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2018/2019 financial year.

Consultation

Nil

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

No financial implications are indicated in this report.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION – RESOLUTION 20031904

Moved: Cr Newton / Seconded: Cr Bagley

That the Monthly Financial Report for the period 1 July 2018 to 28 February 2019 be received.

VOTING DETAILS:

CARRIED 6/0

11.2 LIST OF PAYMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Attachment/s: List of Payments – February 2019
Disclosure of Interest: Nil
Date: 11 March 2019
Author: Helen Sternick, Finance Officer
Authorising Officer: Jeremy Clapham, Finance Manager

Summary

This report recommends that Council receive the list of payments for period ending 28 February 2019 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachments

List of payments for the period ending 28 February 2019

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 AND COUNCIL DECISION - RESOLUTION 20031905

Moved: Cr Lucken / Seconded: Cr Newton

That Council receive the attached list of payments for the month of February 2019 as follows:

\$7,550.50 Municipal Cheques 8591 to 8592;

\$462,997.33	Municipal EFT12205 to EFT12240;
\$20,761.19	Municipal Direct Debit Superannuation & Payroll Deduction Payments;
\$55,026.45	Municipal Direct Debit Department of Transport (Licencing) Payments;
\$612.15	Municipal Direct Debit National Australia Bank Fees; and
\$585.75	Municipal Direct Debit Other.

Totalling \$547,533.37.

VOTING DETAILS:

CARRIED 6/0

11.3 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 March 2019
Author: Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer: Nils Hay, Chief Executive Officer

Summary

Council resolved at its 21 February 2018 meeting to adopt draft Shire of Mingenew Local Planning Scheme No.4 and draft Shire of Mingenew Outbuildings Local Planning Policy for the purpose of advertising. The advertising period has now been completed and this matter is returned to Council for its further consideration. This report recommends that Council resolve to adopt the new Scheme, subject to modifications arising from the submissions received during the advertising period and forward it to the Western Australian Planning Commission ('WAPC') seeking final approval and adopt the Shire of Mingenew Outbuildings Local Planning Policy.

Attachment

- 11.3.a – draft Shire of Mingenew Local Planning Scheme No.4 (provided as **separate attachment** to agenda)
- 11.3.b – Copy of received submissions (provided as **separate attachment** to agenda)
- 11.3.c – Schedule of Submissions
- 11.3.d – draft Shire of Mingenew 'Outbuildings' Local Planning Policy (provided as **separate attachment** to agenda)

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 Scheme No.4.

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 was duly modified with regards for these directions and Council resolved at its 21 February 2018 meeting as follows:

"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."*

The Environmental Protection Authority ('EPA') determined on 2 July 2018 that Scheme No.4 should not be assessed under Part IV of the *Environmental Protection Act 1986* and the Shire advised the WAPC of the EPA's determination and requested the WAPC's consent to advertise Scheme No.4.

Shire and WAPC staff then discussed and reached agreement on a Schedule of Modifications to the Scheme Text and Maps that were considered minor and gave regard for recently gazetted Schemes in the state and their standardised provisions.

The WAPC advised on 17 September 2018 of its consent to advertise Scheme No.4 subject to the prepared Schedule of Modifications and these modifications were completed by the Shire and sent to the WAPC on 14 November 2018.

Advertising of Scheme No.3 commenced on 28 November 2018 and concluded on 1 March 2019.

A copy of the advertised version of Scheme No.4 has been provided as **separate Attachment 11.3.a** and a copy of the current Scheme No.3 can be viewed for comparative purposes at the following link to the WAPC website: <https://www.dplh.wa.gov.au/mingenew>. A hard copy of either document can also be provided to Councillors upon request should they prefer.

Comment

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 wrote to 22 government agencies and service authorities and the 4 surrounding local governments, inviting any recommendations in respect of the resolution and requests for issues for consideration in Scheme No.4.

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

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

Scheme No.4 was advertised as per Section 84 of the Act and Regulation 22 for a period of 90 days, commencing on 28 November 2018 and concluding on 1 March 2019, and the advertising included the following actions:

- display of the Scheme at the Shire office;
- display of the Scheme at the WAPC office in Perth;
- display of the Scheme on the Shire website;
- notice inviting comment in the Mid West Times on 28 November 2018;
- correspondence inviting comment being sent to the following 29 government agencies and service authorities :
 - Department of Biodiversity, Conservation & Attractions
 - Department of Communities
 - Department of Education
 - Department of Finance
 - Department of Fire & Emergency Services
 - Department of Health
 - Department of Jobs, Tourism, Science & Innovation
 - Department of Lands
 - Department of Local Government, Sport & Cultural Industries
 - Department of Mines, Industry Regulation & Safety
 - Department of Planning, Lands & Heritage (Aboriginal Heritage Directorate)
 - Department of Planning, Lands & Heritage (Heritage Council)
 - Department of Primary Industries & Regional Development
 - Department of Transport
 - Department of Water & Environment Regulation
 - Horizon Power
 - Housing Authority
 - Land Authority Western Australia (LandCorp)
 - Land Information Authority Western Australia (Landgate)
 - Main Roads WA
 - Telstra
 - Water Corporation
 - Western Power
 - City of Greater Geraldton
 - Shire of Irwin
 - Shire of Morawa

- Shire of Three Springs
- ATCO Gas
- Australian Gas (Dampier Bunbury Pipeline)

At the conclusion of the advertising period 10 submissions had been received, all offering either support for the Scheme or expressing technical comment/seeking minor modification to the Scheme, no objections to the Scheme were received.

Copies of the received submissions have been provided as **separate Attachment 11.3.b**.

A Schedule of Submissions has been provided as **Attachment 11.3.c** that identifies the respondents, the nature of their submissions, and provides individual comment and recommends a modification to the Scheme based upon the submissions (if considered required). Regulation 28(1)(a) requires that the Schedule of Submissions is forwarded to the WAPC with Council's resolution.

A Schedule of Modifications will also be prepared by Shire staff following Council's determination. The Schedule of Modifications will draw upon the individual recommendations of the Schedule of Submissions, and any required Council modification and will list the suggested changes to the Scheme. Regulation 28(1)(c) requires that the Schedule of Modifications is forwarded to the WAPC with Council's resolution.

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 must be in compliance with the Regulations.

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

Policy Implications

Schedule 2 Part 2 Division 2 of the Regulations 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.

In areas where Council wishes to establish development guidelines and assessment criteria a Local Planning Policy can be better 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.

It was considered as part of the Scheme Review process that the assessment of outbuildings within the Shire was one area where Council might wish to establish a policy to set out its requirements and assist applicants (the Policy would sit alongside Scheme No.4 and effectively replace Section 5.17 of Scheme No.3).

A draft 'Outbuildings' Local Planning Policy (provided as **separate Attachment 11.3.d**) was prepared for Council's consideration, and it was resolved at the 21 February 2018 meeting to advertise the policy concurrently with Scheme No.4. No submissions were received in relation to the draft Outbuildings 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 reviewed against evaluation criteria.

Strategic Implications

The Scheme Review has provided an 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

Pr Newton foreshadowed a motion.

OFFICER RECOMMENDATION AND COUNCIL DECISION- RESOLUTION 20031906

Motion Lapsed for want of a mover

That Council:

- 1 Note the submissions received during the formal advertising period of the Shire of Mingenew Local Planning Scheme No.4 as outlined in the Schedule of Submissions provided as Attachment 11.3.c pursuant to Regulation 25 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 2 Adopt Shire of Mingenew Local Planning Scheme No.4 pursuant to Regulation 25 of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the modifications as outlined in the recommendations of the Schedule of Submissions and instruct Shire staff to accordingly prepare the Schedule of Modifications pursuant to Regulation 28 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 3 Forward to the Western Australian Planning Commission the following, pursuant to Section 87 of the *Planning and Development Act 2005* and Regulation 28 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - (a) Notice of Council's resolution to adopt Shire of Mingenew Local Scheme No.4;
 - (b) Schedule of Submissions made on Shire of Mingenew Local Scheme No.4;
 - (c) Schedule of Modifications made to Shire of Mingenew Local Scheme No.4.
- 4 Request that the Honourable Minister for Planning grant final approval to Shire of Mingenew Local Planning Scheme No.3.
- 5 Inform those agencies and persons who made a submission on the Shire of Mingenew Local Planning Scheme No.4 of its decision.
- 6 Adopt Local Planning Policy – Outbuildings 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* and proceed to publish a notice to this effect in a local newspaper.

FORESHADOWED MOTION

Moved: Pr Newton / Seconded: Cr Cosgrove

That Council:

1. Refer the item back to the reporting officer so that the following information can be provided:
 - a) The ramifications of the Outbuilding Policy to a property owner who would require an oversized shed [exceed the maximum height].
 - b) The ramifications to existing residential or hobby farming owners, if any, who are in a zone that is to be classified as industrial.
2. That point 4 be changed to read:
Request that the Honourable Minister for Planning grant final approval to Shire of Mingenew Local Planning Scheme No.4.

VOTING DETAILS:

CARRIED 6/0

11.4 EMPLOYEE SUPERANNUATION POLICY

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0489
Date: 6/03/2019
Author: Jeremy Clapham, Finance Manager
Authorising Officer: Nils Hay, Chief Executive Officer

Summary

To present an Employee Superannuation Policy for Council consideration.

Attachment

Proposed Policy – 1.3.8 Employee Superannuation

Background

Council does not presently have a Policy on how employee superannuation arrangements are carried out. This Policy details the arrangements and contributions the Shire will make to employee superannuation.

Comment

Presently the Shire pays the Super Guarantee Charge as per legislation and also contributes up to 5% extra of an employees salary, based on whether the employee elects to also pay an extra 5% of their salary. These arrangements are contained within the Employment Contracts signed between the employees and the Shire. This Policy addresses the formalisation of these arrangements.

Consultation

Nils Hay – Chief Executive Officer, Belinda Bow – Governance Officer

Statutory Environment

Superannuation Guarantee Contribution (Administration) Act 1992.

Policy Implications

The adoption of this policy will ensure that Council is adhering to the Superannuation Guarantee Contribution (Administration) Act 1992 and also make clear how the arrangements and contributions of employee superannuation are processed.

Financial Implications

There will be an increase in employee costs of up to 5% of an employee's salary, dependant on whether an employee elects to take advantage of the matching contribution that the Shire may make.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Pr Newton foreshadowed a motion.

OFFICER RECOMMENDATION AND COUNCIL DECISION– ITEM 11.4 [PROCEDURAL MOTION]
That Council adopt the attached Policy – 1.3.8 Employee Superannuation, effective immediately.

The motion lapsed for want of a mover.

FORESHADOWED MOTION

Moved: Pr Newton / Seconded: Cr McGlinn

That Council lay Item 11.4 on the table until the following information can be provided:

- a) The financial impact if all employees took advantage of the co-contribution;
- b) The current percentage of staff accessing the matched co-contribution; and
- c) The current percentage/s of co-contribution offered to staff.

VOTING DETAILS:

CARRIED 6/0

11.5 SHIRE OF MINGENEW 2018 COMPLIANCE AUDIT RETURN

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0057
Disclosure of Interest: Belinda Bow- Impartiality- Auditing and reporting on own work
Date: 10 March 2019
Author: Belinda Bow, Governance Officer
Authorising Author: Nils Hay, Chief Executive Officer

Summary

The Compliance Audit Return for the calendar year of 2018 will undergo review by the Shire of Mingenew's Audit Committee on Wednesday 20th March. Subject to a positive recommendation by the Committee, Council are requested to adopt the CAR so that it may be submitted to the Department of Local Government and Communities by 31 March 2018.

Attachment

1. Department of Local Government and Communities 2018 Compliance Audit Return (CAR).

Background

The aim of the Compliance Audit Return is to build good governance by promoting and enforcing compliance through continuous improvement. It is a checklist of a local government's compliance with the requirements of the Local Government Act 1995 (the Act) and its regulations and it focuses on areas considered high risk as determined by the Department.

Each year local governments are required to complete the Compliance Audit Return for the period 1 January to 31 December. The CAR is to be reviewed by the Audit Committee, adopted by Council and submitted to the Director of the Department of Local Government and Communities by 31 March each year.

For the year 2018, the CAR focused on the following areas:

- Commercial Enterprises by Local Government
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services

2 new questions were included in this return which related to whether the appropriateness and effectiveness of the local government's systems and procedures in accordance with regulation 17 of the Local Government (Audit) Regulations 1996 had been undertaken.

Comment

The annual Compliance Audit Return for the Shire of Mingenew was completed by Internal Audit. The audit required sourcing of evidence of compliance for each legislative requirement on the return. Evidence was found through the source documents such as, but not limited to, minutes of meetings and resolutions of Council, declarations of interest, annual/primary returns, registers, financial reports, synergy records and

newspapers / public notices. Links to such evidence have been recorded on the CAR for easy reference should, in future, the audit result come into question.

The audit identified 3 areas in which the Shire was non-compliant in meeting requirements of the Act and its regulations as contained within the Compliance Audit Return.

Tenders for Providing Goods & Services- Non-Compliant

Q24- Did the LG comply with F&G r24F in relation to an adopted regional price preference policy

- r24F (1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.....
- (3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.
- (4) The local government is to ensure that a copy of an adopted regional price preference policy is — (a) included with any specifications for tenders to which the policy applies.....

In relation to r24F(4)- on one occasion a tender request package was found not to include information pertaining to the availability of a Regional Price Preference Policy. I have not examined the quotation documentation for expenditure (>\$150,000) that was disseminated via the Walga e-quotes portal, but it would be prudent to ensure future quotation for all expenditure above tender threshold, even through Walga e-quotes, includes a copy of the Regional Price Preference Policy given that we want to encourage regional investment.

In relation to r24F(1) and (2), I have not been able to locate any evidence of state-wide advertising of the Shire's proposal to implement a Regional Price Preference Policy or any Council Report presenting feedback on such a proposal, going back to 2001-2002. I have found the Council Report in the March 2002 Minutes, advising the then Council that the Regional Price Preference Policy was non-compliant as it had not undertaken the state-wide advertising and consultation period as per r24F, prior to becoming operational. Council's resolution at that time was for the CEO to advertise and report back to Council however I have been unable to locate the subsequent report. Given that I am unable to verify that the process was completed as per statutory requirements I believe it would be prudent for Council to review in the near future, the policy and commence the advertisement and consultation process again to ensure the Shire is in future able to demonstrate that a complete process was undertaken. The process as per F&G r24E, would require the Shire to:

- r24E(1)....(b) give Statewide public notice of the intention to have a regional price preference policy and include in that notice —
- (i) the region to which the policy is to relate; and
- (ii) details of where a complete copy of the proposed policy may be obtained; and (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions; and
- (c) make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice.....
- (4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

Integrated Planning and Reporting- Non-Compliant

This section of the CAR is a non-statutory requirement for 2018.

Strategic Plan

- The Strategic Community Plan outlines community long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities. A full review with community consultation is required every four years with a desktop review every two years.

- The Shire's community Strategic Plan was last adopted in 2012 and was due for its major review in 2016. It is now 3 years over-due. The strategic plan is in its final stages of preparation and is expected to be presented to Council in the coming months.

Corporate Business Plan

- The Corporate Business Plan is a plan that details the services, operations and projects a local government will deliver within a rolling 4-year period. It also includes the processes for delivering these and the costs associated. The financial representation of "Year 1" of the Corporate Business Plan, including detailed statutory financial requirements would be the 'annual budget'. The remainder of the plan should outline the local government's operations (including services, assets, Council priorities and projects), with detailed financial estimates, administrative responsibility and link to the Strategic Community Plan.
- Council last reviewed and endorsed its Corporate Business Plan in 2017. It requires review every 12 months in accordance with r19DA(4). It is expected to be reviewed once the Shire's Community Strategic Plan is complete.

Asset Management Plan

- The Asset Management Plan feeds into the Corporate Business Plan and Long-Term Financial Plan and is to be reviewed every 4 years, though ideally updated every 12 months. The last Asset Management Plan was last adopted by Council in 2013 and was due in 2017. The development of a new plan was outsourced to Moore Stephens in 2018 however with staff turnover its completion was delayed. This plan is now in the final stages of review and is expected to be presented to Council in the coming months.

Workforce Plan

- The workforce plan was last adopted by Council in 2013. This requires review at least 4 yearly in line with review of the Community Strategic Plan to ensure service provision levels are maintained and knowledge loss avoided. This is now overdue.

Long Term Financial Plan

- The Long-Term Financial Management Plan is a 10+ year plan, and to be reviewed in line with the community strategic plan (4-yearly). The plan was last adopted by Council in 2013 for the period 2013-2023. This plan was updated by the previous CEO during the 2016/17 financial year, but I have been unable to find evidence of Council endorsement of such a plan. It is expected to be presented to Council in the later stages of 2018 once the Strategic Plan has been completed.

Delegations- Non-compliant

As you can see in the comments section to question 5 & 7 for Disclosure of Interest, 2 instances of officers breaching the LGA were identified during 2018, relating to the disclosure period of 2017 and 2018. These breaches were found when cross checking the Delegations Register against the Financial Interest Register. In these 2 instances officers were recorded as having received delegated powers but failed to submit Primary or Annual Returns in accordance with s5.75 & 5.76 of the LGA. Given that the Act considers such a failure as a serious breach of the Act, these instances were reported to the Corruption and Crime Commission. An ensuing investigation was conducted and concluded in December 2018. Therefore whilst the 2018 CAR reports a non-compliance in this area- the non-compliance had already been identified and dealt with by Management and the CCC. Apart from this instance, the Delegations Register and Financial Interest Register are currently up to date and consistent with one-another.

Delegations- Compliant but Action Required

Did all personnel exercising delegations under the Act keep, on all occasions, a written record as required by s5.46(3) & Admin r19.

r19 Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

- (a) how the person exercised the power or discharged the duty; and*
- (b) when the person exercised the power or discharged the duty; and*

- (c) *the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

Whilst tasks undertaken under delegated authority do have a paper trail as per legislated requirements, the documentation is not readily available or centralised making it an onerous process to locate records within the Shire's synergy records system. The Shire would benefit from a simple centralised register to ensure this information is more readily available and should be looked at in 2019.

Consultation

Jeremy Clapham- Finance Manager

Neil Hartley- Project Officer

Logo Appointments

Statutory Environment

- Section 7.13(i) Local Government Act 1995 requires that the Local Government carry out an annual audit on their compliance with specific statutory obligations which may be prescribed in the Regulations.
- Regulation 13- prescribes the scope of the Compliance Audit Return
- Regulation 14- requires the Audit Committee to review the CAR and report the result to Council prior to adoption and submission to the Department by the 31 March each year
- Regulation 15 Local Government (Audit) Regulations 1996 refers to the requirement for a certified copy of the compliance audit return to be presented to the Director General of the Department by the 31 March each year.

Policy Implications

There are no policy implications to be considered as part of this report.

Financial Implications

There are no financial implications to be considered as part of this report.

Strategic Implications

Community Strategic Plan

Outcome 4.2 – An open and accountable local government that is respected, professional and trustworthy

Outcome 4.5 – Achieve a high level of compliance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION – RESOLUTION 20031907

Moved: Cr Newton / Seconded: Cr Lucken

That Council:

1. Notes that the Shire's Audit Committee has reviewed the compliance audit return for the period of 1 January 2018 to 31 December 2018; and
2. Adopts the Local Government Compliance Audit Return for the period 1 January to 31 December 2018 as contained in Attachment 1 noting the 3 areas of non-compliance;
3. Authorises the Shire President and the Chief Executive Officer to sign the joint certification and lodge with the Department of Local Government and Communities.

VOTING DETAILS:

CARRIED 6/0

11.6 SHIRE OF MINGENEW AUDIT AND RISK COMMITTEE TERMS OF REFERENCE

Location/Address: Shire of Mingenew
Name of Application: Shire of Mingenew
File Reference: ADM0057
Disclosure of Interest: Nil
Date: 14 March 2019
Author: Nils Hay, Chief Executive Officer

Summary

At the December 2018 Audit Committee meeting discussion was held regarding the role and structure of the Council's Audit Committee. The Terms of Reference for the Committee were further discussed at the February 2019 Ordinary Meeting. This paper seeks to confirm the Terms of Reference.

Attachments

- Draft Audit Committee Terms of Reference
- Office of the Auditor General Information for Local Governments
- Draft Expression of Interest documentation for recruitment of Independent Audit Committee Member

Background

At the December 2018 Audit Committee Meeting the following motion was passed:

OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION – ITEM 6.2

Moved: Cr Newton / Seconded: Cr Bagley

That Council on recommendation from the Audit Committee:

- 1. Requests that the Chief Executive Officer prepare an Audit Committee Terms of Reference for adoption at the February 2019 Ordinary Meeting of Council**

AMENDMENT

Moved: Cr Newton / Seconded: Cr Bagley

That the word 'adoption' be changed to 'consideration'.

SUBSTANTIVE MOTION

That Council on recommendation from the Audit Committee:

- 1. Requests that the Chief Executive Officer prepare an Audit Committee Terms of Reference for consideration at the February 2019 Ordinary Meeting of Council.**

VOTING DETAILS:

CARRIED 6/0

Council's audit function is becoming increasingly important as the Office of the Auditor General (OAG) assumes responsibility for auditing local governments. The OAG's current approach includes both External Audits (which all local governments are subject to) as well as Performance Audits related to specific areas of Local Government operations, for which a sample of local governments are selected. It is the OAG's intent that, over a period of several years, all WA local governments will undergo some form of Performance Audit.

At the February 2019 Ordinary Meeting of Council the following motion was passed:

OFFICER RECOMMENDATION AND COUNCIL DECISION- RESOLUTION 20021903

Moved: Cr Lucken / Seconded: Cr McGlinn

That Council:

- 1. Adopt the attached Audit Committee Terms of Reference, with the following modifications:**
 - i. Audit Committee Membership is made up of <4-8> members with <3-7> elected and one external person; and**
 - ii The Audit Committee shall meet <4> times per year; and**
- 2. Directs the Chief Executive Officer to release an Expression of Interest campaign to recruit a suitably qualified independent Audit Committee member; and**
- 3. Directs the Chief Executive Officer to provide Council with details of applicants and an assessment framework so that Council may select an independent Audit Committee member at the March 2019 Ordinary Meeting of Council.**

AMENDMENT

Moved: Cr Newton / Seconded: Cr Eardley

That point 1 be removed from the motion.

CARRIED 7/0

SUBSTANTIVE MOTION

That Council:

- 1. Directs the Chief Executive Officer to release an Expression of Interest campaign to recruit a suitably qualified independent Audit Committee member; and**
- 2. Directs the Chief Executive Officer to provide Council with details of applicants and an assessment framework so that Council may select an independent Audit Committee member at the March 2019 Ordinary Meeting of Council.**

VOTING DETAILS:

CARRIED 6/1

A separate paper will be presented at the March 2019 Ordinary Meeting of Council to potentially appoint an independent member to the Audit and Risk Committee.

Comment

Should Council endorse the addition of an independent party to the Audit and Risk Committee, it will be possible to clarify this element of the Terms of Reference and seek to adopt the document.

The remaining elements to clarify are:

- The number of meetings to be held per year. The Department of Local Government, Sport and Cultural Industries guidelines recommend four; and
- The number of members on the committee. Presently all seven Councillors are part of the audit committee. If this approach is endorsed, there will be a committee of eight.

These 'default' settings have been utilised in the draft Terms of Reference.

Consultation

- Lynn Fogg, Governance Advisor, WALGA
- Robert Hall and Marius van der Merwe, Auditors, Butler Settineri

Statutory Environment

Local Government Act 1995

Part 7.1A. Audit Committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Local Government (Audit) Regulations 1996

r.16. Functions of audit committee

An audit committee has the following functions —

- a. to guide and assist the local government in carrying out —
 - i. its functions under Part 6 of the Act; and
 - ii. its functions relating to other audits and other matters related to financial management;
- b. to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;
- c. to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - i. report to the council the results of that review; and;
 - ii. give a copy of the CEO's report to the council;
- d. to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - i. regulation 17(1); and
 - ii. the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- e. to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- f. to oversee the implementation of any action that the local government —
 - i. is required to take by section 7.12A(3); and
 - ii. has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - iii. has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - iv. has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c); to perform any other function conferred on the audit committee by these regulations or another written law.

Policy Implications

Nil. Policies may be required to guide Audit and Risk Committee operations in the future.

Financial Implications

Minor. No payment can be made to the external Committee member, however they are eligible to claim reasonable travel expenses related to their performance in the role. There will be some nominal administrative costs associated with the additional committee meetings.

Strategic Implications

Community Strategic Plan

Outcome 4.2 – An open and accountable local government that is respected, professional and trustworthy

Outcome 4.5 – Achieve a high level of compliance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION - RESOLUTION 20031908

Moved: Cr Bagley / Seconded: Cr McGlenn

That Council:

Adopt the attached Audit and Risk Committee Terms of Reference, where:

- i) Audit and Risk Committee Membership is made up of 8 members with 7 elected

- members and 1 external party; and
- ii) The Audit and Risk Committee shall meet 4 times per year.

AMENDMENT

Moved: Cr Newton / Seconded: Cr Bagley

Point i should read as follows:

- i) Audit and Risk Committee Membership is made up of up to 8 members, with up to 7 elected members and 1 external party; and

SUBSTANTIVE MOTION

Adopts the attached Audit and Risk Committee Terms of Reference, where:

- i) Audit and Risk Committee Membership is made up of up to 8 members with up to 7 elected members and 1 external party; and
- ii) The Audit and Risk Committee shall meet 4 times per year.

VOTING DETAILS:

CARRIED 6/0

11.7 BUDGET REVIEW

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0130
Date: 15 March 2019
Responsible Officer: Jeremy Clapham, Finance Manager

Summary

Council is requested to review and adopt the documentation tabled for the 2018/2019 Budget Review.

Attachment

Budget Review Document

Background

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires Council to conduct a review of its budget between 1 January and 31 March in each financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 30 days of the review a copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries.

Comment

The attached budget review is to comply with the Shire's statutory obligations.

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

This report provides information by program and nature or type, and is based on the eight month period from 1 July 2018 to 28 February 2019.

The budget review reflects a view of the position of the Shire of Mingenew, projected full year revenue and expenditure against full year original budget.

The projected actuals are based on the information provided for each program, with an estimated zero increase/decrease in the closing funding surplus/(deficit) compared to original budget.

In the attachment is an explanation of identified major expenditure and revenue expectations of specific projects not proceeding, reduction in revenue or timing issues.

Consultation

Nils Hay; Chief Executive Officer
Helen Sternick; Finance Officer

Statutory Environment

Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Australian Accounting Standards

Policy Implications

Nil

Financial Implications

While the proposed amended budget does re-allocate funds across several areas, the final result provides a balanced budget.

Strategic Implications

The Budget Review process is an integral part of the integrated planning frameworks and risk management processes carried out by Council.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION– RESOLUTION 20031909

Moved: Cr Newton / Seconded: Cr Bagley

That Council

1. Adopts the 2018/2019 Budget Review as tabled; and
2. That administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted in “Note 5 – Predicted Variances” within the 2018/19 Budget Review document.

VOTING DETAILS:

CARRIED 6/0

12.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

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

13.1 ELECTED MEMBERS
Nil

13.2 STAFF
Nil

14.0 CONFIDENTIAL ITEMS

OFFICER RECOMMENDATION AND COUNCIL DECISION- ITEM 14.0 [PROCEDURAL MOTION]

Moved: Cr Bagley / Seconded: Cr Lucken

That the meeting be closed to members of the public in accordance with section 5.23(2) of the Local Government Act to allow Council to discuss:

- (b) The personal affairs of any person; and
- (c) Concerns 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.

VOTING DETAILS:

CARRIED 6/0

14.1 APPOINTMENT OF AN INDEPENDENT MEMBER TO THE SHIRE OF MINGENNEW AUDIT AND RISK COMMITTEE – CLOSED [s5.23(2)(b)(c)]

OFFICER RECOMMENDATION AND COUNCIL DECISION – RESOLUTION 20031910

Moved: Cr Newton / Seconded: Cr McGlinn

That Council:

1. Note that Expressions' of Interest were called via state-wide and local public notice; and
2. Endorse Mr Maurice Battilana's application to join the Shire of Mingenew's Audit and Risk Committee as an independent member; and
3. Appoint Mr Maurice Battilana to the Shire of Mingenew's Audit and Risk Committee for a two-year term.

VOTING DETAILS:

CARRIED 6/0

OFFICER RECOMMENDATION AND COUNCIL DECISION- ITEM 14.0 [PROCEDURAL MOTION]

Moved: Cr Newton / Seconded: Cr McGlinn

That the meeting be re-opened to members of the public.

VOTING DETAILS:

CARRIED 6/0

15.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 17 April 2019 commencing at 4.30pm.

16.0 CLOSURE

The President thanked all for attending and closed the meeting at 5.05pm.

These minutes were confirmed at an Ordinary Council meeting on 17 April 2019.

Signed _____
Presiding Officer

Date: _____

ATTACHMENT: 7.2

Special Meeting- 03 April 2019



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

Wednesday 3 April 2019

PROCEDURE FOR PUBLIC QUESTION TIME, DEPUTATIONS, PRESENTATIONS AND PETITIONS AT COUNCIL MEETINGS

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

Petitions A formal process where members of the community present a written request to the Council.	Deputations A formal process where members of the community request permission to address Council or Committee on an issue.	Presentations An occasion where awards/gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government
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PROCEDURE FOR DEPUTATIONS

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business. Any person or group wishing to be received as a deputation by the Council shall send to the CEO an application:

- I. Setting out the agenda item to which the deputation relates;
- II. Whether the deputation is supporting or opposing the officer's or Committee's recommendation; and
- III. Include sufficient detail to enable a general understanding of the purpose of the deputation.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281192 or email governance@mingenew.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- I. is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- II. is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- III. additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

PROCEDURE FOR PRESENTATION

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281102 or email governance@mingenew.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received / awarded by the Shire President or an appropriate Councillor.

PROCEDURE FOR PETITIONS

Please note the following protocol for submissions of petitions. Petitions must:

- be addressed to the Shire President.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

PROCEDURE FOR PUBLIC QUESTION TIME

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the Local Government Act 1995) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the Shire of Mingenew Standing Orders Local Law 2017:

1. Public Questions Time will be limited to fifteen (15) minutes.
 2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
 3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
 4. Questions will be limited to two (2) per person.
 5. Please state your name and address, and then ask your question.
 6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
 7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
 8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
 9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
 10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.
- During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.
 - Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.
 - Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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SHIRE OF MINGENEW

MINUTES FOR THE SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 03 APRIL 2019 COMMENCING AT 6pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President HM Newton declared the meeting open at 5.58pm 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
JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward

STAFF

N Hay	Chief Executive Officer
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VISITORS

Nil

APOLOGIES

Nil

2.1 ELECTION OF DEPUTY PRESIDENT

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0025
Disclosure of Interest:	Nil
Date:	29 March 2019
Author:	Belinda Bow, Governance Officer
Authoring Author:	Nils Hay, Chief Executive Officer

Summary

Councillors are requested to elect a member from amongst themselves (other than the president) to fill the office of deputy president.

Attachment

Form 7- Declaration of Office

Background

On the 20th March 2019 Deputy President C. Lucken resigned from Council effective from the 21/03/2019. As per Schedule 2.3, Division 2, cl7(1)(b) of the Local Government Act 1995, Council is now required to elect a deputy president at its first meeting of council post the extraordinary vacancy (an extraordinary vacancy is a vacancy that occurs under s2.34(1) of the Act which includes resignation from office).

Over and above the role of a councillor, the deputy president is required to perform the following functions when either the office of president is vacant or in circumstances when the president is unavailable, unable or unwilling to do so:

- (a) presides at meetings in accordance with this Act; and
- (b) provides leadership and guidance to the community in the district; and
- (c) carries out civic and ceremonial duties on behalf of the local government; and
- (d) speaks on behalf of the local government; and
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.

The term of this appointment to the office of deputy president is from 03 April 2019 (provided a result is declared on this day) to the start of the first meeting of council post the Shire's ordinary elections in October (even if not re-elected at the ordinary elections (as per s2.34(2) of the LGA).

Section 8 of Schedule 2.3, Division 2 of the Local Government Act 1995, outlines the process for the election of the deputy president. The process is as follows:

[Extracted from Section 8 of Schedule 2.3, Division 2 of the Local Government Act 1995]

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

In the event of only one nomination being accepted by the person conducting the election, the Councillor nominated will be elected unopposed.

If there are two nominations accepted by the person conducting the election and the votes are tied, the person conducting the election is to draw lots in accordance with r77A of the Local Government (Elections) Regulations 1997. This process is prescribed below:

[Extracted from r77A of the Local Government (Elections) Regulations 1997].

-(2) As soon as possible after the occurrence of a circumstance under which the RO (Returning Officer) is required to draw lots under clause 5 of Schedule 4.1 of the LGA, the RO is to make out in respect of each of the tied candidates a slip bearing the candidate's name.
- (3) The RO is to place each of the slips in separate hollow opaque spheres of exact similarity, securely close the spheres, deposit the spheres in an empty container, and securely fasten the container.
- (4) Then the RO is to shake and rotate the container and permit anyone else present to do likewise if they so wish.

- (5) Then the RO is to open the container, take out and open one of the spheres to obtain the slip enclosed in it.
- (6) The steps set out in subregulations (2) to (5) are to be carried out in front of all the people present.
- (7) The candidate whose name appears on the slip obtained by the RO in accordance with subregulation is to be elected.

Once a result has been declared by the person conducting the election, the President is to swear in the Councillor to the office of deputy president.

Comment

Nil

Consultation

WALGA

Statutory Environment

As referenced within body of report

Policy Implications

Nil

Financial Implications

There are no financial implications as a result of filling the extraordinary vacancy in the office of deputy president.

Strategic Implications

By completing this process, the Shire will be achieving the following Community Strategic Plan 2012 civic leadership outcomes:

4.5- Achieve a high level of compliance

4.2- An open and accountable local government that is respected, professional and trustworthy.

Election Requirements

The candidate who receives the greater or greatest number of votes is elected.

VOTING PROCESS – ITEM 2.1

Nominations called for and received:

Pr Newton advised that no written nominations were received prior to the meeting.

Cr L Eardley verbally nominated Cr G Cosgrove for the position of Deputy President. Cr Cosgrove declined the nomination.

Cr Eardley verbally nominated for the position of Deputy President. Nominated accepted by Pr Newton.

Cr R Newton verbally nominated for the position of Deputy President. Nomination accepted by Pr Newton.

With no further nomination's Pr Newton closed the nominations at 6.03pm and declared the election would be held.

Election results:

The election was conducted via secret ballot. All votes were counted resulting in 3 votes for Cr R Newton and 3 votes for Cr L Eardley. The CEO then placed the two nominees inside the blue

spherical balls to draw for Office of Deputy President. The CEO then drew, in full view of the Councillors, Cr R Newton.

At 6.05pm the CEO declared Cr Robert Newton elected as Deputy President for the term ending October 2019.

Cr Newton then made the declaration required by s2.29 of the Local Government Act 1995 before Council and the CEO.

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

There being no members of public present the President proceeded with the meeting allowing a period of 15 minutes for questions.

5.0 DECLARATIONS OF INTEREST

Nil

6.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

7.0 REPORTS BY THE CHIEF EXECUTIVE OFFICER

7.1 EXTRAORDINARY ELECTION

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0026
Disclosure of Interest:	Nil
Date:	29 March 2019
Author:	Belinda Bow, Governance Officer
Authoring Author:	Nils Hay, Chief Executive Officer

Summary

Council are requested to decide on whether an extraordinary election is to be called following the resignation of Cr C. Lucken.

Attachment

Nil

Background

On the 20th March 2019 Deputy President C. Lucken resigned from Council effective from the 21/03/2019. Cr Lucken was part way through a 4-year term which expires in October 2021. The Shire is due to have its ordinary elections in October this year. As it stands there will be 4 seats vacant at the ordinary election exclusive of the seat that Cr Lucken held.

In the case of this extraordinary vacancy Council has two options:

1. Council may direct the CEO to seek approval of the Electoral Commissioner to postpone and fix the ordinary elections day (19/10/19) as the day for holding the poll needed to fill the vacancy; or

2. Council may elect to hold an extraordinary election and fix the election day to fill the vacancy at a day within the next 4 months.

Comments

There are several important factors for Councillors to consider when deciding upon the correct course of action and, in no particular order, they are outlined below:

1) Potentially significant change to Council composition

The Shire's strategic risk register notes of several risks that should be noted by council:

- I. The failure to govern effectively, transparently and in compliance with legislation.
- II. Inability to manage community expectations and increasing demands of community groups
- III. Failure to meet organisational objectives through effective/efficient use of human resources and effective workforce planning.

The above risks had the following identified as contributors to an increased risk ranking:

- a) Change in council composition- change in direction/focus
- b) Knowledge loss due to turnover of councillors

Council instability (high turnover and the associated knowledge loss) can contribute to strategic risk. This is because to be an effective councillor and provide leadership and good governance for the district, councillors require an awareness and understanding of state and federal legislation, roads, planning processes, government agencies and committees, local standing orders, integrated planning and the differentiation between that of council and that of administration. Much of this comes from training and experience.

Whilst the CEO can and does provide guidance to Councillors via way of reports, it does take time for persons new to local government to successfully understand the role of Councillor.

Given that four Council's seven seats will be open for nomination come October 2019 there is the potential for a significant change to the Council's composition at the later end of the year. If Council were to postpone the date of filling the extraordinary vacancy to that of the ordinary elections, up to five new councillors could be elected. It is noted that filling the currently vacant seat will only give the new Councillor up to five months in the role prior to the October 2019 election.

2) Duplication of on-boarding processes

Should Council elect to fill the currently vacant seat by extraordinary election, there will necessarily be an on-boarding process for the new Councillor (including formal and informal training, as well as completion of Primary Returns et cetera). Following the October election, a similar process will need to take place again for the newly elected/re-elected Councillors. This will require some duplication of administration processes and investment of administrative/finance staff time.

In mid-May 2019 we will be changing Governance Officers (as our current GO goes on leave and her replacement commences, if all goes to plan); this will be relevant from a resourcing point of view, depending upon the experience of the replacement, as they will likely be instrumental in the election process.

3) Financial Cost of an extraordinary election

As per the Concept Forum report from February 2019 (when postal voting was discussed): "Previously, management and counting of the votes have occurred internally, which has minor materials cost, but some staff time (including overtime rates for staff working over the election weekend). With overtime and on-costs, an estimated \$2,000 - \$3,000."

It will also be necessary to consider the cost of advertising the election, both formally statewide, and locally. Depending upon the timing (assuming the timeframe above) these costs will all fall due in the current financial year.

MINGENSHIRE COUNCIL SPECIAL MEETING MINUTES – 3 April 2019

In essence, Council's decision must weigh up the benefits of having the vacant seat filled for approximately five months with the financial and resourcing costs of leaving it vacant until the October 2019 Election.

Timing

The following table outlines the statutory timeframes for the extraordinary election process:

Days from Polling Day	Election Activities or Events	Relevant Act sections or Regulations
70 to 56	Between these days, the CEO of the local government is to give Statewide public notice of the closing date and time for elector enrolments.	LGA s4.39(2)
56	Last day for the local government's CEO to advise the Electoral Commissioner of the need to prepare an updated residents roll.	LGA s4.40(1)
56	Advertising may begin for council nominations from 56 days, and no later than 45 days, before election day.	LGA s4.47(1)
50	Close of Rolls – 5.00pm	LGA 4.39(1)
45	Last day for advertisement to be placed calling for council nominations.	LGA s4.47(1)
44	Nominations Open First day for candidates to lodge completed nomination papers, in the prescribed form, with the Returning Officer. Nominations are open for 8 days.	LGA s4.49(a)
38	If a candidate's nomination is withdrawn not later than 4.00pm on this day, the candidate's deposit is to be refunded.	LGA s4.50 Reg. 27(5)
37	Close of Nominations – 4.00pm	LGA 4.49(a)
36	Last day for the Electoral Commissioner to prepare an updated residents roll for the election. Last day for the local government's CEO to prepare an owners and occupiers roll.	LGA s4.40(2) LGA s4.41(1)
36	Returning Officer to give Statewide public notice of the election as soon as practicable but no later than 19 days before election day.	LGA s4.64(1)
22	The preparation of any consolidated roll (combined roll of residents, owners and occupiers) under regulation 18(1) is to be completed on or before this day.	LGA s4.38(1) Reg. 18(1)(2)
19	Last day for the Returning Officer to give Statewide public notice of the election.	LGA s4.64(1)
4	Close of absent voting and close of postal vote applications for 'voting in person' elections – 4.00pm.	LGA s4.68(1)(c) Reg. 37(3)(4)

MINGENew SHIRE COUNCIL SPECIAL MEETING MINUTES – 3 April 2019

1	Close of early voting for 'voting in person' elections – 4.00pm.	LGA s4.71(1)(e) Reg. 59(2)
0	Election Day Close of poll – 6.00pm.	LGA s4.7 LGA s4.68(1)(e)
2	Election results declared and published.	LGA s4.77
2 - 14	Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election. (See Online 'Form 20' at www.dlgc.wa.gov.au)	LGA s4.79(1)(2) Reg. 81
Within 28 days of result publication	An invalidity complaint can be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA s4.81(1)
Within 2 months of result declaration	Newly elected members to make their declarations of office.	LGA s2.29(1)(2) LGA s2.32(c) LGA s2.34(1)(c)
Within 3 months of members making declarations	Newly elected members to lodge their Primary Returns with the local government's CEO.	LGA s5.75(1)

The soonest that an election can be advertised is Saturday 6 April 2019. This would mean that the election date would need to fall between Saturday 1 June and Saturday 15 June. Council is able to set a date on either a weekday or weekend during this period.

The June Ordinary Council Meeting is scheduled for Wednesday 19 June, so it would be anticipated that this would be the new Councillor's first meeting.

As an extraordinary election, utilising the longer allowed timeframes will allow the Shire to maximise the notice given to the public, which will hopefully improve awareness, nominations and voter turnout.

Consultation

Lyn Fogg, WALGA Governance Advisor

Statutory Environment

s4.9. Election day for extraordinary election

- (1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed —
 - (a) **by the mayor or president, in writing**, if a day has not already been fixed under paragraph (b); or
 - (b) by the council at a meeting **held within one month after the vacancy occurs**, if a day has not already been fixed under paragraph (a).-
- (2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, **it cannot be later than 4 months** after the vacancy occurs.

s4.16. Postponement of elections to allow consolidation

(4) If a member's office becomes vacant under section 2.32 —

(a) after the third Saturday in January in an election year; but

(b) before the third Saturday in July in that election year,

the council may, with the approval of the Electoral Commissioner, fix the ordinary elections day in that election year as the day for holding any poll needed for the extraordinary election to fill that vacancy.

Policy Implications

Nil

Financial Implications

As noted above, there would be a financial cost to Council if an extraordinary election was to be held prior to the Ordinary Council elections in October 2019. This will include both staff time and advertising to manage the election, as well as the on-boarding of the new Councillor.

Should Council leave the seat vacant, there will be a saving of approximately \$1,500 in Councillor sitting fees for the months from June to October.

Strategic Implications

By completing this process, the Shire will be achieving the following Community Strategic Plan 2012 civic leadership outcomes:

4.2- An open and accountable local government that is respected, professional and trustworthy.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION- Resolution S03041901

Moved: Cr Bagley / Seconded: Cr Cosgrove

That Council:

1. Direct the Chief Executive Officer to seek the approval of the Electoral Commissioner to postpone filling the vacant Council seat and fix the date of the 2019 ordinary local government election (19 October 2019) as the date for holding the poll needed to fill the vacancy; or
2. Elect to hold an extraordinary election to fill its vacant seat; and
3. Fix [date between Saturday 1 June and Saturday 15 June 2019] as the date for the extraordinary election; and
4. Direct the Chief Executive Officer to give Statewide public notice of the closing date and time for elector enrolments on Saturday 6 April 2019.

AMENDMENT

Moved: Cr Bagley / Seconded: Cr Cosgrove

That:

1. Point 1 be removed from the resolution; and
2. The date for point 3 be Friday June 07, 2019.

CARRIED 6/0

SUBSTANTIVE MOTION

That Council:

1. Elect to hold an extraordinary election to fill its vacant seat; and
2. Fix the date of Friday June 7 2019 as the date for the extraordinary election; and
3. Direct the Chief Executive Officer to give Statewide public notice of the closing date and time for elector enrolments on Saturday 6 April 2019.

VOTING DETAILS:

CARRIED 6/0

8.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

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

9.1 ELECTED MEMBERS
Nil

9.2 STAFF
Nil

10.0 CONFIDENTIAL ITEMS
Nil

11.0 CLOSURE
President Newton closed the meeting at 6.15 pm.

These minutes were confirmed at an Ordinary Council meeting on 17 April 2019.

Signed _____
Presiding Officer

Date: _____

ATTACHMENT: 9.1

Bushfire Brigades' AGM Minutes- 25 March 2019



BUSHFIRE BRIGADE ANNUAL GENERAL MEETING

**MINUTES FOR THE SHIRE OF MINGENEW BUSHFIRE BRIGADES' ANNUAL GENERAL MEETING
HELD AT THE SHIRE CHAMBERS ON 25 MARCH 2019 COMMENCING AT 6PM.**

1.0 DECLARATION OF OPENING

The meeting was declared open at 6.10pm

2.0 RECORD OF ATTENDANCE / APOLOGIES ATTENDEES

Cr Robert Newton – Shire of Mingenew
Nils Hay – Shire of Mingenew
Jeremy Clapham – Shire of Mingenew
Vicki Booth – DFES
Neal Boonzaaier – Mingenew Police
Michael Krizanek – Mingenew Police
Murray Thomas
Jon Holmes
Jared Heitman
Alex Pearce
Nick Duane
Ben McTaggart
Phil Soullier
Bernie Soullier
Anthony Smyth
Bob Bolton
Ben Cobley
Rocky Brennan

APOLOGIES

Cr Justin Bagley
Tim Dempster
Noel Page
Jamie McTaggart
Daniel Michael
Jarrod Kupsch
Trevor Anderson

3.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 BUSHFIRE BRIGADES' MEETING HELD 02 OCTOBER 2018

BRIGADES' DECISION – ITEM 3.1

Moved:	Alex Pearse	Seconded: Anthony Smyth
That the minutes of the Bushfire Brigades' Annual General Meeting of the Shire of Mingenew held 02 October 2018 be confirmed as a true and accurate record of proceedings.		
VOTING DETAILS:		Carried unanimously

4.0 OFFICERS REPORTS

4.1 Chief Bush Fire Control Officer Report- Murray Thomas

- Overview of the 2018/19 Fire Season
 - Large fuel load as a result of a good season
 - Few fires, and those which arose were put out fast
 - Two pole-top fires (Holmes' and Elsegood's)
 - One lightning strike (Smart's)
 - Two fires on 23 March as a result of blown embers (on Copley's and Mingenew Football Club) taking out approximately 5ha and 10ha respectively
- Volunteer numbers have been strong
- Gazetted change in Shires Restricted Burning Times- now changed from the 17th September to the 1st October. All other timeframes remain the same (Prohibited- 1 November-31 January, Restricted 1 October-31 October and 1 February to 15 March, open season 16 March- 30 September). This means that the CBFCO can now shorten or lengthen that new restricted date by 14 days depending on seasonal conditions (so restricted timeframe can potentially be pushed out to 17 September-31 October or shortened to 14 October-31 October).
- Attended recent DOAC meeting in Carnamah

4.2 Captains Reports-

All Captains to remark on level of training of its volunteers and any identified gaps in training and training requirements

- 4.2.1 Yandanooka
Echo BFCO comments
- 4.2.2 Lockier
Echo BFCO comments; responded to fire at Smart's
- 4.2.3 Guranu
Echo BFCO comments
- 4.2.4 Mingenew North
Echo BFCO comments; was not called upon much during season
- 4.2.5 Mingenew Town
Member numbers are still good; responded to a small grass fire started by the motorcycle crash on 17 March 2019

4.3 Shire Chief Executive Officer Report

- 2017/18 Operating Grant has been fully expended and acquitted.
- ESL Grants- Have missed out in submission period for this Applications for Capital Expenditure Grant close 30/03/19, however applications needed to be accompanied by quotations and endorsed by the Regional Superintendent prior to with the Shire not submitting an application.
- Schedule for meetings now changed, with the AGM in March and then a later planning meeting during the course of the year so we do not miss opportunities for capital grant funding.

- Discussion held around shed extension; noting that the land is believed to belong to one of the churches and is provided with a peppercorn rental agreement
- Shire has been approved for a replacement Rapid Response Vehicle/Light Tanker this year- will be received in 2020.
 - Request to investigate ability to put current vehicle up for tender
 - Request to investigate ability to service current vehicles on-site, rather than having them sent away
- Have received \$ from DFES for operational expenditure over the next year – general discussion to be had about equipment supply levels, new equipment requirements and expenditure of the grant.
 - Requests for:
 - Improved lighting on firetruck
 - Firebugs
 - Hose nozzles
 - 40-channel in truck
 - Chainsaw (although this is not eligible under ESL funding)
- Nominations for Chief and Deputy Chief Bush Fire Control Officer for the 2018/19 fire season- appointment information will be sent out via the rates notices.
- Controlled burning discussion with DPAW for reserves.
 - Agreement that some slashing in/around Depot Hill (rather than burning) would be desirable.
 - Discussion around firebreaks in/around the Water Corporation infrastructure, reserves south of the Golf Course and around the rubbish tip
- Volunteer Numbers- would the brigades like to hold an open/information day for recruitment- Shire can do advertising / bbq?? Suitable date?
 - Numbers good; this is not currently required
- SJA First Aid Training for the BFB on 18 May 2019- covered by ESL so no cost. Need approximate numbers.
 - Discussion held around dates – with view to moving it to sometime between late July and September, depending upon season

4.4 DFES A/Area Officer for Midwest Gascoyne- Vikki Booth

- It was a quiet season
- Reminder to take care as we are now in an unrestricted burning period
- Thanks to brigades and volunteers for their hard work
- Current contract likely to be extended to end of 2019
- Reminder that when a Total Fire Ban is called, a Harvest and Vehicle Movement Ban must be put in place for the entire Shire when the FDI reaches 35

5.0 ELECTION OF OFFICERS FOR THE 2018/19 FIRE SEASON

5.1 Election of Captain and Deputy Captain for Shire of Mingenew Brigades'

BRIGADES' DECISION – ITEM 5.1

Moved: Ben Cobley Seconded: Alex Pearse

That the following persons be appointed to the position of Captain or Deputy Captain for the following Bush Fire Brigades:

Yandanooka

a)	Captain: Nick Duane
b)	Deputy Captain: Justin Bagley
	Lockier
a)	Captain: Daniel Michael
b)	Deputy Captain: Tim Dempster or Jared Heitman (to be confirmed)
	Guranu
a)	Captain: Ben Cobley
b)	Deputy Captain: Gavin Elsegood (to be confirmed)
	Mingenew North
a)	Captain: Alex Pearce
b)	Deputy Captain: Andrew Green
	Mingenew Town
a)	Captain: Anthony Smyth
b)	Deputy Captain: Trevor Anderson
VOTING DETAILS:	
Carried unanimously	

6.0 NOMINATIONS FOR BUSHFIRE CONTROL OFFICER & DEPUTY BUSHFIRE CONTROL OFFICER

BRIGADES' DECISION – ITEM 6.0	
Moved: Jon Holmes Seconded: Alex Pearce	
1.	That the following persons be nominated to the position of Bushfire Control Officer for the Shire of Mingenew: Murray Thomas and;
2.	That the following persons be nominated to the position of Deputy Bushfire Control Officer for the Shire of Mingenew: Nick Duane
VOTING DETAILS:	
Carried unanimously	

7.0 GENERAL BUSINESS

7.1 Response to Questions from Previous Meetings

Nil

7.2 Ability to split Shire when declaring harvest bans

This item was discussed, as the Shire has the ability to do this (a number of coastal Shires have a coastal/inland split using a major road as a boundary). The possibility of splitting the Shire along Midlands/Mingenew-Mullewa Road was raised, as was utilising the Brigade areas; although there were concerns that the latter may not be clear enough to residents.

Ultimately, the matter was left as it was the prevailing view that there were relatively few harvest and vehicle movement bans and – with the advent of the text message service – the upside of being able to selectively declare bans over portions of the Shire was relatively small.

7.3 Cross Border Cooperation

Everyone was provided information regarding access to this information.

7.4 Messaging Services

Discussion was held regarding messaging brigade members to notify them of attendance at fires, including the merits of systems like Swift Works. Support was given to WhatsApp as a platform, potentially with each Captain having access to a messaging list for each brigade.

Concerns regarding long message chains and the potential for notifications to turn into long conversations (and be utilised for means other than simply alerting people to fires) were also discussed.

7.5 Road Closures and Access

Vicki Booth from DFES discussed road closures/partial road closures and the need for vehicles to be appropriately authorised to enter closed road areas for fire-fighting purposes. There is a sticker/permit system which the Shire should administer. It was agreed that the Shire would investigate further and obtain the relevant Vehicle Identification stickers.

7.6 Block Clearing

The untidy blocks in the townsite were discussed, with a view to ensuring that they are better maintained and that owners are both made aware of their obligations and – where appropriate – penalised for failure to appropriately maintain their lots.

7.7 Community Water Tanks

It was suggested that a community water tank (or series of tanks) be investigated to assist with fire-fighting operations. The Mingenew Airstrip was raised as one site which would benefit from this infrastructure (potentially a bore and tank of 240,000L or more). It may be advantageous to speak to DCBA (Parks and Wildlife) about whether they would ever station a water bomber in Mingenew – as this would provide additional support to a funding application.

As an aside to this conversation, it was also requested that the Shire investigate the potential of access Scheme water tanks for fire-fighting purposes.

BRIGADES' DECISION – ITEM 7.1.6

Moved: Ben Cobley Seconded: Bob Bolton

The Brigades request that the Shire of Mingenew investigate the installation of improved water infrastructure, such as a bore and water tank, to assist with firefighting at the Mingenew Airstrip.

VOTING DETAILS:

Carried unanimously

7.8 Cel-Fi Purchase with ESL Funding

As the Cel-Fi units are not hands-free or messaging devices, but aerial boosters which assist with fireground communications and improve volunteer safety, it was requested that the Shire – with support from Vicki Booth – make contact again with DFES to seek inclusion of last year's Cel-Fi purchase in their ESL acquittal.

BRIGADES' DECISION – ITEM 7.1.7

Moved: Ben Cobley Seconded: Anthony Smyth

The Brigades request that the Shire of Mingenew, with support from Acting Area Officer Vicki Booth, request that previous Cel-Fi purchases with ESL funds be granted eligibility due to their impact on improving fireground communications and volunteer safety.

VOTING DETAILS: Carried unanimously

7.1.8 Volunteer Training

The Volunteer Training calendar was shared, and all were encouraged to consider courses which could be of value. The 'Bushfire 101' course was discussed as a good entry point for new workmen/staff on farms so that they become familiar with bushfire fighting operations should they ever be required to participate.

8.0 TIME AND DATE OF NEXT MEETING

Next Bush Fire Brigades' Meeting to be held on Monday 14 October 2019 commencing at 6.00 pm.

9.0 CLOSURE

The meeting was closed at 8.00pm

ATTACHMENT: 9.2

Local Emergency Management Minutes Minutes- 8 April 2019



MINGENEW EMERGENCY MANAGEMENT COMMITTEE MEETING

MINUTES FOR THE MEETING HELD AT THE MINGENEW SHIRE COUNCIL CHAMBERS
3PM MONDAY 8 APRIL 2019

1.0 DECLARATION OF OPENING

Meeting opened at 3.10pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES

2.1 ATTENDEES

- Vicki Booth - DFES
- Brendan Wilson - DFES
- Neal Boonzaaier - WAPOL
- Malcom Taylor -DFCA
- Samantha Adams -WALGA
- Grant Fidock - Shire of Carnamah
- Nils Hay – CEO Shire of Mingenew
- Cr Robert Newton – Chair, Shire of Mingenew
- Pr Helen Newton - Shire of Mingenew
- Catherine McCartney – St John's Ambulance

2.2 APOLOGIES

- Keith Shaw, Department of Communities
- Duncan Gray, CBH
- Jill Holmes, St John Ambulance
- Patrick Whitehouse, Main Roads WA
- Nadine Pulbrook, Mingenew Primary School
- Andrea Campbell – Silver Chain

3.0 OBJECTIVES

1. Review objectives of stakeholder group
 - Update of Local Emergency Management Arrangements
 - Plan State Risk Project – Local Workshops

4.0 PREVIOUS MINUTES

4.1 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

4.2 CONFIRMATION OF MINUTES

LEMC DECISION – ITEM 4.2

Moved: Cr H Newton Seconded: Grant Fidock

That the minutes of the Local Emergency Management Committee Meeting of the Shire of Mingenew held 18 October 2018 be confirmed as a true and accurate record of proceedings.

VOTING DETAILS:

Carried Unanimously

5.0 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS (LEMA)

5.1 REVIEW OF DRAFT LEMA

See attached document for review/updating Key information sought relates to:

- Equipment available to various agencies (type, location)
- Information relating to vulnerable groups/people
- Any existing emergency plans which they hold that can be shared
- Any critical infrastructure items which are not captured
- Hazardous/dangerous goods storage locations and types
- Confirm agency contact information

5.2 REVIEW OF SUPPORTING DOCUMENTS

See attached the following documents which are in the early stages of review. Feedback is sought on:

- Local Recovery Plan
- Recovery Resource Manual

Both these documents have been adapted from historical versions which covered the region (Shires of Morawa, Carnamah, Three Springs and Mingenew), so some information will necessarily be a bit out of context.

6.0 STATE RISK PROJECT – LOCAL

State Risk Project – Local is the local level component of the State Risk Project (SRP), and aims to:

- Help local governments to understand their risk
- Assist local governments to complete the emergency risk management (ERM) process as required by existing policy
- Allow the State to gain a comprehensive understanding of current risks at the local level
- Provide information to enable future mitigation at all levels which will reduce the future cost of disasters

The ERM process, particularly risk assessments, at the local level are not new as the process has been part of a local government's review of their Local Emergency Management Arrangements. However, consistent and comparable risk assessments across all 138 local governments have not been done yet. This information hasn't been recently captured and assessed for the Shire of Mingenew.

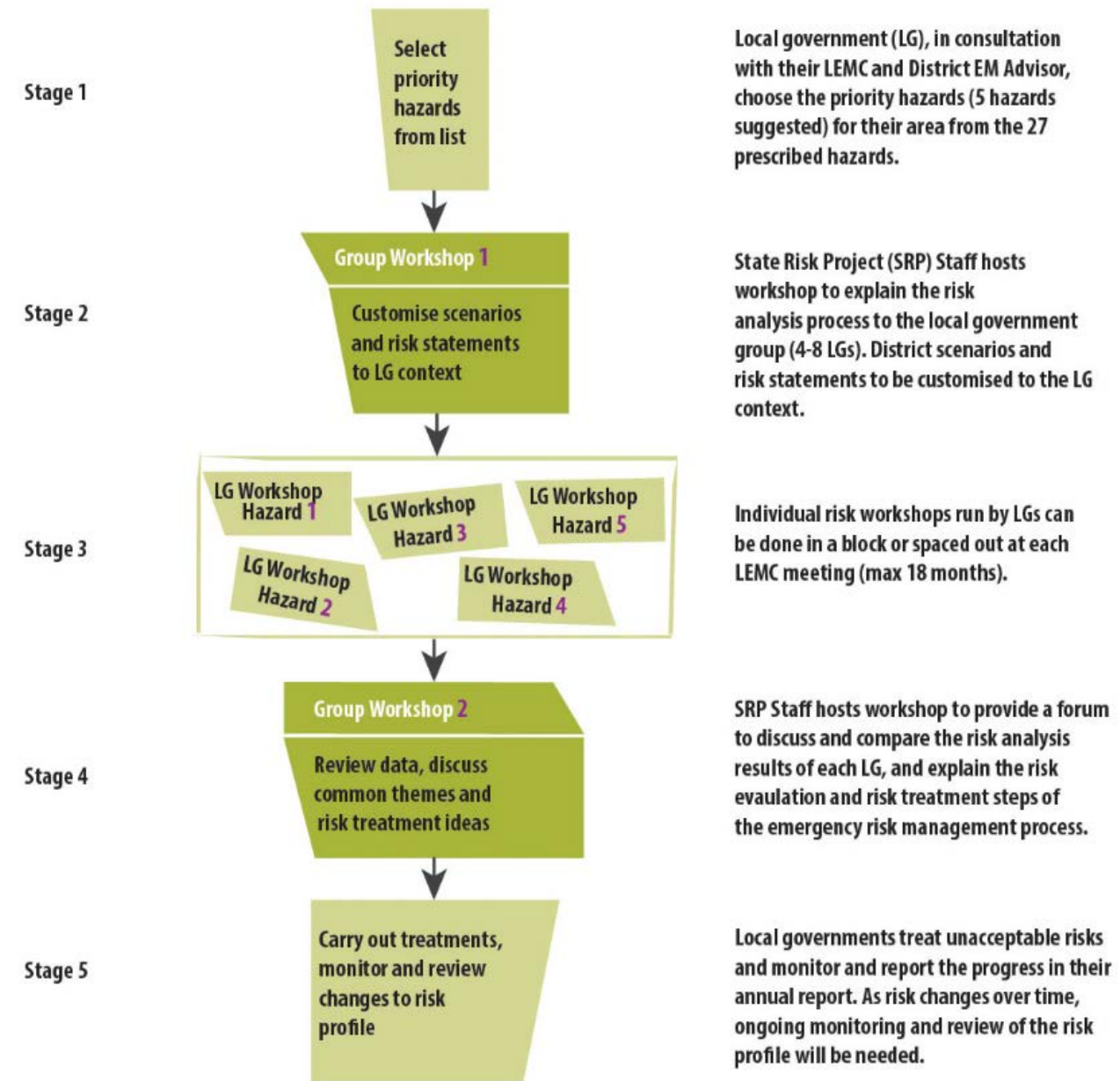
This is a requirement for local governments to complete, and future funding will be contingent upon the completion of this work.

Mingenew has chosen the following five hazards to assess in the project:

- Storm
- Flood
- Road Crash
- Fire
- Animal/Plant Disease Outbreak

MINGENew EMERGENCY MANAGEMENT MEETING MINUTES 08 APRIL 2019

The diagram over the page outlines the process of group workshops, with a copy of Mingenew's Consequence Table and the Generic Risk Statement Database (which is used for assessment of the various risks) attached:



The Shire is in the process of populating the risk assessment templates which have been provided by DFES and would like to lock in times to conduct the relevant workshops with interested local stakeholders over the coming months. It is possible to combine multiple hazards in the same workshop. It has been suggested that, at minimum, Storm and Flood and Road Crash and Fire are considered together.

Hazard	Workshop Date	Interested/Suggested Stakeholders
Storm	Next LEMC	DFES, WAPOL, CBH, MRWA, St John, SES, regional hospitals
Flood	As per Storm Workshop	
Road Crash	TBD	DFES, WAPOL, MRWA, St John, Regional hospitals
Fire	As per Road Crash Workshop	
Animal/Plant Disease	(after seeding)	Department of Ag, MIG, DFES

7.0 AGENCY REPORTS

Local agencies are invited to provide a report to the meeting, should they wish to:

1. Shire of Mingenew
 - Shire staff recently received first aid training in late February
 - WAPHA ran mental health first aid services in Mingenew in late February
 - WAPHA ran a men's mental health session in Mingenew in early March
 - Public first aid course was run in Mingenew in March
 - Shire President, Councillor Eardley and CEO met with WACHS representatives and Shane Love MLA to discuss mental health services for region; currently working on obtaining telehealth services in Mingenew
 - Shire has formally notified State Emergency Management Committee of withdrawal from regional LEMC and creation of dedicated Mingenew LEMC
 - Have been working on LEMA and associated document with assistance from DFES (thanks to the team there – especially Brendan Wilson and Vicki Booth)
 - Involved with Mid West Wellness Plan development
2. Mingenew Bushfire Brigade
 - AGM held on 25 March
3. Department of Biodiversity, Conservation and Attractions
 - Bushfire brigades will almost always be first responders as far as DBCA assets are concerned; keen to provide some guidance around desired outcomes with regard to response in such events.
 - Would be keen to attend next BFAC meeting
4. Department of Fire and Emergency Services
 - Staff Changes: Ian Comben promoted to District Officer, John Wheelock moved to Rural Fire Division.
 - Thanks to volunteers; positive to hear that volunteer numbers in Mingenew are strong
 - Working with brigades to arrange training
5. Mingenew Police
 - Multiple traffic incidents recently
 - Good emergency services response (both local and Dongara)
6. EMRS
 - Easter Break approaching, along with some controlled burning.
 - Illegal to burn public holidays if stated in Council policies
 - Need to confirm Shire policies and – if so – issue public notification
7. St. John's Ambulance
 - District sub-centre made up of Dongara with Mingenew as sub-branch. 6 trained volunteers and 2 support workers from Mingenew (of total of 55). 4 ambulances; one dual-stretcher with a second in the process of being purchased to assist with multiple-casualty incidents.
 - Mingenew volunteers very positive.
8. WALGA
 - Mingenew Expo is approaching; good time for educational quiz around 000 and speed limits
 - Could run similar to previous RoadWise quizzes; provide a reasonably desirable prize (e.g. Swag in previous years)

8.0 GENERAL BUSINESS

8.1 Vehicle Permitting and Road Closures

- Need to provide public education around what full and partial road closures mean and how they work.
- DFES may be able to provide some information which can be shared out to educate the public
- Shire can share information through Mingenew Matters/social media

8.2 Mobile Reception in Coalseam

- Concerns that with an influx of people with limited communications there will be challenges
- Was put forward (unsuccessfully) in Federal Mobile Phone Black Spot program Round 4
- Contact Telstra with a view to ensuring that Telstra towers are operating at high capacity during tourist season (Woongoondy Tower)

8.3 Deputy Chairperson

- Pr Newton Nominated Neal Boonzaaier; Cr Newton Seconded. Neal accepted and unopposed.

8.4 Bankwest Building

- One entrance/exit
- Concerns about fire emergency
- Nils to contact MIG to discuss

9.0 FUTURE MEETING DATE AND TIME

Next meeting to take place at: Tuesday 9 July, 1pm.

10.0 CLOSURE

Meeting closed at 4.20pm.

ATTACHMENT: 10.2
Asset Management Plan

SHIRE OF MINGENEW



INFRASTRUCTURE

ASSET MANAGEMENT PLAN

Version 0 December 2011

Document Control

Document ID: 59_07_101209 nams plus_amp template v11 1

Rev No	Date	Revision Details	Author	Reviewer	Approver
0	December 2011		P Johnson		

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The Institute of Public Works Engineering Australia.

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ABBREVIATIONS

AAAC	Average annual asset consumption
AMP	Asset management plan
ARI	Average recurrence interval
BOD	Biochemical (biological) oxygen demand
CRC	Current replacement cost
CWMS	Community wastewater management systems
DA	Depreciable amount
DoH	Department of Health
EF	Earthworks/formation
IRMP	Infrastructure risk management plan
LCC	Life Cycle cost
LCE	Life cycle expenditure
MMS	Maintenance management system
PCI	Pavement condition index
RV	Residual value
SS	Suspended solids
vph	Vehicles per hour

GLOSSARY

Annual service cost (ASC)

An estimate of the cost that would be tendered, per annum, if tenders were called for the supply of a service to a performance specification for a fixed term. The Annual Service Cost includes operating, maintenance, depreciation, finance/ opportunity and disposal costs, less revenue.

Asset class

Grouping of assets of a similar nature and use in an entity's operations (AASB 166.37).

Asset condition assessment

The process of continuous or periodic inspection, assessment, measurement and interpretation of the resultant data to indicate the condition of a specific asset so as to determine the need for some preventative or remedial action.

Asset management

The combination of management, financial, economic, engineering and other practices applied to physical assets with the objective of providing the required level of service in the most cost effective manner.

Assets

Future economic benefits controlled by the entity as a result of past transactions or other past events (AAS27.12).

Property, plant and equipment including infrastructure and other assets (such as furniture and fittings) with benefits expected to last more than 12 month.

Average annual asset consumption (AAAC)*

The amount of a local government's asset base consumed during a year. This may be calculated by dividing the Depreciable Amount (DA) by the Useful Life and totalled for each and every asset OR by dividing the Fair Value (Depreciated Replacement Cost) by the Remaining Life and totalled for each and every asset in an asset category or class.

Brownfield asset values**

Asset (re)valuation values based on the cost to replace the asset including demolition and restoration costs.

Capital expansion expenditure

Expenditure that extends an existing asset, at the same standard as is currently enjoyed by residents, to a new group of users. It is discretionary expenditure, which increases future operating, and maintenance costs, because it increases council's asset base, but may be associated with additional revenue from the new user group, eg. extending a drainage or road network, the provision of an oval or park in a new suburb for new residents.

Capital expenditure

Relatively large (material) expenditure, which has benefits, expected to last for more than 12 months. Capital expenditure includes renewal, expansion and upgrade. Where capital projects involve a combination of renewal, expansion and/or upgrade expenditures, the total project cost needs to be allocated accordingly.

Capital funding

Funding to pay for capital expenditure.

Capital grants

Monies received generally tied to the specific projects for which they are granted, which are often upgrade and/or expansion or new investment proposals.

Capital investment expenditure

See capital expenditure definition

Capital new expenditure

Expenditure which creates a new asset providing a new service to the community that did not exist beforehand. As it increases service potential it may impact revenue and will increase future operating and maintenance expenditure.

Capital renewal expenditure

Expenditure on an existing asset, which returns the service potential or the life of the asset up to that which it had originally. It is periodically required expenditure, relatively large (material) in value compared with the value of the components or sub-components of the asset being renewed. As it reinstates existing service potential, it has no impact on revenue, but may reduce future operating and maintenance expenditure if completed at the optimum time, eg. resurfacing or resheeting a material part of a road network, replacing a material section of a drainage network with pipes of the same capacity, resurfacing an oval. Where capital projects involve a combination of renewal, expansion and/or upgrade expenditures, the total project cost needs to be allocated accordingly.

Capital upgrade expenditure

Expenditure, which enhances an existing asset to provide a higher level of service or expenditure that will increase the life of the asset beyond that which it had originally. Upgrade expenditure is discretionary and often does not result in additional revenue unless direct user charges apply. It will increase operating and maintenance expenditure in the future because of the increase in the council's asset base, eg. widening the sealed area of an existing road, replacing drainage pipes with pipes of a greater capacity, enlarging a grandstand at a sporting facility. Where capital projects involve a combination of renewal, expansion and/or upgrade

expenditures, the total project cost needs to be allocated accordingly.

Carrying amount

The amount at which an asset is recognised after deducting any accumulated depreciation / amortisation and accumulated impairment losses thereon.

Class of assets

See asset class definition

Component

An individual part of an asset which contributes to the composition of the whole and can be separated from or attached to an asset or a system.

Cost of an asset

The amount of cash or cash equivalents paid or the fair value of the consideration given to acquire an asset at the time of its acquisition or construction, plus any costs necessary to place the asset into service. This includes one-off design and project management costs.

Current replacement cost (CRC)

The cost the entity would incur to acquire the asset on the reporting date. The cost is measured by reference to the lowest cost at which the gross future economic benefits could be obtained in the normal course of business or the minimum it would cost, to replace the existing asset with a technologically modern equivalent new asset (not a second hand one) with the same economic benefits (gross service potential) allowing for any differences in the quantity and quality of output and in operating costs.

Current replacement cost "As New" (CRC)

The current cost of replacing the original service potential of an existing asset, with a similar modern equivalent asset, i.e. the total cost of replacing an existing asset with an as NEW or similar asset expressed in current dollar values.

Cyclic Maintenance**

Replacement of higher value components/sub-components of assets that is undertaken on a regular cycle including repainting, building roof replacement, cycle, replacement of air conditioning equipment, etc. This work generally falls below the capital/ maintenance threshold and needs to be identified in a specific maintenance budget allocation.

Depreciable amount

The cost of an asset, or other amount substituted for its cost, less its residual value (AASB 116.6)

Depreciated replacement cost (DRC)

The current replacement cost (CRC) of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset

Depreciation / amortisation

The systematic allocation of the depreciable amount (service potential) of an asset over its useful life.

Economic life

See useful life definition.

Expenditure

The spending of money on goods and services. Expenditure includes recurrent and capital.

Fair value

The amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties, in an arms length transaction.

Greenfield asset values **

Asset (re)valuation values based on the cost to initially acquire the asset.

Heritage asset

An asset with historic, artistic, scientific, technological, geographical or environmental qualities that is held and maintained principally for its contribution to knowledge and culture and this purpose is central to the objectives of the entity holding it.

Impairment Loss

The amount by which the carrying amount of an asset exceeds its recoverable amount.

Infrastructure assets

Physical assets of the entity or of another entity that contribute to meeting the public's need for access to major economic and social facilities and services, eg. roads, drainage, footpaths and cycleways. These are typically large, interconnected networks or portfolios of composite assets. The components of these assets may be separately maintained, renewed or replaced individually so that the required level and standard of service from the network of assets is continuously sustained. Generally the components and hence the assets have long lives. They are fixed in place and are often have no market value.

Investment property

Property held to earn rentals or for capital appreciation or both, rather than for:

- (a) use in the production or supply of goods or services or for administrative purposes; or
- (b) sale in the ordinary course of business (AASB 140.5)

Level of service

The defined service quality for a particular service against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental, acceptability and cost).

Life Cycle Cost **

The life cycle cost (LCC) is average cost to provide the service over the longest asset life cycle. It comprises annual maintenance and asset consumption expense, represented by depreciation expense. The Life Cycle Cost does not indicate the funds required to provide the service in a particular year.

Life Cycle Expenditure **

The Life Cycle Expenditure (LCE) is the actual or planned annual maintenance and capital renewal expenditure incurred in providing the service in a particular year. Life Cycle Expenditure may be compared to Life Cycle Cost to give an initial indicator of life cycle sustainability.

Loans / borrowings

Loans result in funds being received which are then repaid over a period of time with interest (an additional cost). Their primary benefit is in 'spreading the burden' of capital expenditure over time. Although loans enable works to be completed sooner, they are only ultimately cost effective where the capital works funded (generally renewals) result in operating and maintenance cost savings, which are greater than the cost of the loan (interest and charges).

Maintenance and renewal gap

Difference between estimated budgets and projected expenditures for maintenance and renewal of assets, totalled over a defined time (eg 5, 10 and 15 years).

Maintenance and renewal sustainability index

Ratio of estimated budget to projected expenditure for maintenance and renewal of assets over a defined time (eg 5, 10 and 15 years).

Maintenance expenditure

Recurrent expenditure, which is periodically or regularly required as part of the anticipated schedule of works required to ensure that the asset achieves its useful life and provides the required level of service. It is expenditure, which was anticipated in determining the asset's useful life.

Materiality

An item is material if its omission or misstatement could influence the economic decisions of users taken on the basis of the financial report. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances.

Modern equivalent asset.

A structure similar to an existing structure and having the equivalent productive capacity, which could be built using modern materials, techniques and design. Replacement cost is the basis used to estimate the cost of constructing a modern equivalent asset.

Non-revenue generating investments

Investments for the provision of goods and services to sustain or improve services to the community that are not expected to generate any savings or revenue to the Council, eg. parks and playgrounds, footpaths, roads and bridges, libraries, etc.

Operating expenditure

Recurrent expenditure, which is continuously required excluding maintenance and depreciation, eg power, fuel, staff, plant equipment, on-costs and overheads.

Pavement management system

A systematic process for measuring and predicting the condition of road pavements and wearing surfaces over time and recommending corrective actions.

Planned Maintenance**

Repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown criteria/experience, prioritising scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

PMS Score

A measure of condition of a road segment determined from a Pavement Management System.

Rate of annual asset consumption*

A measure of average annual consumption of assets (AAAC) expressed as a percentage of the depreciable amount (AAAC/DA). Depreciation may be used for AAAC.

Rate of annual asset renewal*

A measure of the rate at which assets are being renewed per annum expressed as a percentage of depreciable amount (capital renewal expenditure/DA).

Rate of annual asset upgrade*

A measure of the rate at which assets are being upgraded and expanded per annum expressed as a percentage of depreciable amount (capital upgrade/expansion expenditure/DA).

Reactive maintenance

Unplanned repair work that carried out in response to service requests and management/supervisory directions.

Recoverable amount

The higher of an asset's fair value, less costs to sell and its value in use.

Recurrent expenditure

Relatively small (immaterial) expenditure or that which has benefits expected to last less than 12 months. Recurrent expenditure includes operating and maintenance expenditure.

Recurrent funding

Funding to pay for recurrent expenditure.

Rehabilitation

See capital renewal expenditure definition above.

Remaining life

The time remaining until an asset ceases to provide the required service level or economic usefulness. Age plus remaining life is economic life.

Renewal

See capital renewal expenditure definition above.

Residual value

The net amount which an entity expects to obtain for an asset at the end of its useful life after deducting the expected costs of disposal.

Revenue generating investments

Investments for the provision of goods and services to sustain or improve services to the community that are expected to generate some savings or revenue to offset operating costs, eg public halls and theatres, childcare centres, sporting and recreation facilities, tourist information centres, etc.

Risk management

The application of a formal process to the range of possible values relating to key factors associated with a risk in order to determine the resultant ranges of outcomes and their probability of occurrence.

Section or segment

A self-contained part or piece of an infrastructure asset.

Service potential

The capacity to provide goods and services in accordance with the entity's objectives, whether those objectives are the generation of net cash inflows or the provision of goods and services of a particular volume and quantity to the beneficiaries thereof.

Service potential remaining*

A measure of the remaining life of assets expressed as a percentage of economic life. It is also a measure of the percentage of the asset's potential to provide services that is still available for use in providing services (DRC/DA).

Strategic Management Plan (SA)**

Documents Council objectives for a specified period (3-5 yrs), the principle activities to achieve the objectives, the means by which that will be carried out, estimated income and expenditure, measures to assess performance and how rating policy relates to the Council's objectives and activities.

Sub-component

Smaller individual parts that make up a component part.

Useful life

Either:

- (a) the period over which an asset is expected to be available for use by an entity, or
- (b) the number of production or similar units expected to be obtained from the asset by the entity.

It is estimated or expected time between placing the asset into service and removing it from service, or the estimated period of time over which the future economic benefits embodied in a depreciable asset, are expected to be consumed by the council. It is the same as the economic life.

Value in Use

The present value of estimated future cash flows expected to arise from the continuing use of an asset and from its disposal at the end of its useful life. It is deemed to be depreciated replacement cost (DRC) for those assets whose future economic benefits are not primarily dependent on the asset's ability to generate new cash flows, where if deprived of the asset its future economic benefits would be replaced.

Source: DVC 2006, Glossary

Note: Items shown * modified to use DA instead of CRC
Additional glossary items shown **

1. EXECUTIVE SUMMARY

What Council Provides

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

This plan covers the following assets:-

Roads comprising roadways (597km), bridges (5), culverts (315), railway crossings (5), road signs (315), floodways (17), footpaths (length to be confirmed) and kerbing (length to be confirmed)

Buildings comprising recreation (12), Council/depot (7), public/civic (11) and housing (8)

Other assets covering recreation (12), public/civic (4) and waste (1)

What does it Cost?

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

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

The life cycle cost to provide the infrastructure service is estimated at \$1,758,600 per annum. Council's planned life cycle expenditure for year 1 of the asset management plan is \$1,538,600 which gives a life cycle sustainability index of 0.87

The total maintenance and capital renewal expenditure required to provide the infrastructure service in the next 10 years is estimated at \$23,693,000. This is an average of \$2,369,300 per annum.

Council's maintenance and capital renewal expenditure on the infrastructure service for year 1 of the asset management plan is \$2,649,000 giving a 10 year sustainability index of 1.12.

Plans for the Future

This Asset Management Plan is an initial plan and there are a number of areas where the

information is limited or confidence in the quality of data is low. It is intended that these issues will be addressed in subsequent versions of the plan.

Council plans to operate and maintain the infrastructure assets to achieve the following strategic objectives.

1. Ensure the assets are maintained at a safe and functional standard as set out in this asset management plan.
2. Continue to maintain the infrastructure assets to a standard that ensures that services are delivered to the community effectively and to the Levels of Service contained in this Plan

Measuring our Performance

Quality

The infrastructure assets will be maintained in a reasonably usable condition. Defects found or reported that are outside our service standard will be repaired. See our maintenance response service levels for details of defect prioritisation and response time.

Function

Our intent is that the infrastructure assets are maintained in partnership with other levels of government and stakeholders to deliver services to the community taking into account community expectations,, Council's strategic objectives, legislative requirements, technical standards and affordability

The assets will be maintained at a safe level and associated signage and equipment will be provided as needed to ensure public safety. We need to ensure the following key functional objectives are met:

- Levels of Service and performance targets are met
- Assets are provided to ensure that Demand Forecasts are met in the future
- Lifecycle management costs are optimised
- Asset management practices and systems are implemented to ensure efficient service delivery
- The improvement plan is implemented

Safety

We inspect all our assets in conjunction with normal operational and maintenance work. In addition, buildings have annual safety inspections. Defects and issues are noted and prioritised and defects repaired in accordance with our inspection schedule to ensure they are safe for all users.

The Next Steps

The actions resulting from this asset management plan are detailed in section 8.2 of this Plan.

2. INTRODUCTION

2.1 Background

This asset management plan is to demonstrate responsive management of assets (and services provided from assets), compliance with regulatory requirements, and to communicate funding required to provide the required levels of service.

The asset management plan is to be read in conjunction with the *Mingenew Plan for the Future 2010-13*

This asset management plan covers the following infrastructure assets:

- Roads
- Bridges
- Culverts
- Railway Crossings
- Road signs/features
- Floodways
- Kerbing
- Footpaths
- Buildings
- Public/Civic Assets
- Recreation Assets
- Waste

Table 2.1. Assets covered by this Plan

Asset category	Dimension	Replacement Value (\$)
Roads - formation	597 km	\$12,301,289
Roads - unsealed	453 km	\$17,611,077
Roads - sealed	144km	\$3,558,885
Bridges	5	\$9,000,000
Culverts	315	\$2,719,816
Railway Crossings	5	\$270,000
Road signs/features	311	\$62,200
Floodways	17	\$283,200
Kerbing	8.5km	\$477,960
Footpaths	13.7km	\$1,453,680

Asset category	Dimension	Replacement Value (\$)
Buildings		
Recreation	12	\$1,415,021
Council/Depot	7	\$1,453,873
Public/Civic	11	\$860,261
Housing	8	\$1,262,983
Public/Civic Assets	4	\$114,745
Recreation Assets	12	\$259,708
Waste Assets	1	\$40,322
TOTAL		\$53,155,020

Key stakeholders in the preparation and implementation of this asset management plan are:

Stakeholder	Comment
Council Officers	Council officers play a role in managing infrastructure assets to ensure the assets provide levels of service that meet the needs of residents and other users of the facilities. Council officers implement the asset management plan.
Council Representatives	Councillors and the President of the Council are primarily responsible to ensure that their decisions represent and reflect the needs of the wider community.
Residents and other users	The requirements of residents and other users of infrastructure assets should be reflected in the agreed levels of service.
Lessees / Licensees	Council's lessees or licensees have an interest in ensuring that the assets that they use meet their requirements.
The Crown	In many cases Council is the trust manager of Crown reserves on which Council owned assets are located. The Crown has over riding responsibility to ensure that the land on which the buildings are built is managed such that it complies with the purpose the land was set aside for and Government policy.
Visitors / community groups	The requirements of visitors and community groups should be reflected in the agreed levels of service.
Insurers	Insurers have an interest to ensure that systems are in place to ensure that Council understands the condition and risks associated with insured assets.

Stakeholder	Comment
Government Departments	Government departments have an interest in the management of the infrastructure assets as a result of funding and service delivery
Neighbouring Shires	Mingenew works in conjunction with a number of neighbouring Shires in areas related to infrastructure assets

2.2 Goals and Objectives of Asset Management

The Council exists to provide services to its community. Some of these services are provided by infrastructure assets. Council has acquired infrastructure assets by 'purchase', by contract, construction by council staff and by donation of assets constructed by developers and others to meet increased levels of service.

Council's goal in managing infrastructure assets is to meet the required level of service in the most cost effective manner for present and future consumers. The key elements of infrastructure asset management are:

- Taking a life cycle approach,
- Developing cost-effective management strategies for the long term,
- Providing defined levels of service and monitoring performance,
- Understanding and meeting the demands of growth through demand management and infrastructure investment,
- Managing risks associated with asset failures,
- Sustainable use of physical resources,
- Continuous improvement in asset management practices.

This asset management plan is prepared in accordance with the Council's mission, objectives and strategies as set out in its Plan for the Future 2010-13.

Council's mission is:

"Council will endeavour to maintain and improve the quality of life in the Shire of Mingener. The Council will strive for the recognition of a thriving and innovative community with an historical identity and encourage its future development and growth."

This asset management plan is prepared under the direction of Council's vision, mission, goals and objectives as contained in the Mingener Strategic Plan – Plan for the Future 2010-13

Relevant Council objectives and how these are addressed in this asset management plan are:

Table 2.2. Council Objectives and how these are addressed in this Plan

Objective	How Goal and Objectives are addressed in IAMP
To provide an effective, safe and economical system for moving vehicles, pedestrian and cyclists	By providing the basis and objectives for planned maintenance and renewals activities to roads assets to enable the services to be delivered
Protect and enhance community infrastructure	By providing the basis and objectives for planned maintenance, renewals and upgrade activities to Council owned assets to enable the services to be delivered
Provide high quality community infrastructure	By providing the basis and objectives for planned maintenance, renewals and upgrade activities to Council owned assets to enable the services to be delivered

2.3 Plan Framework

Key elements of the plan are:

- Levels of service – specifies the services and levels of service to be provided by council.
- Future demand – how this will impact on future service delivery and how this is to be met.
- Life cycle management – how Council will manage its existing and future assets to provide the required services
- Financial summary – what funds are required to provide the required services.
- Asset management practices
- Monitoring – how the plan will be monitored to ensure it is meeting Council's objectives.
- Asset management improvement plan

2.4 Core and Advanced Asset Management

This asset management plan is prepared as a 'core' asset management plan in accordance with the International Infrastructure Management Manual. It is prepared to meet minimum legislative and organisational requirements for sustainable service delivery and long term financial planning and reporting. Core asset management is a 'top down' approach where analysis is applied at the 'system' or 'network' level.

Future revisions of this asset management plan will move towards 'advanced' asset management using a 'bottom up' approach for gathering asset information for individual assets to support the optimisation of activities and programs to meet agreed service levels.

3. LEVELS OF SERVICE

3.1 Customer Research and Expectations

Council has not carried out any research on customer expectations. This will be investigated for future updates of the asset management plan

3.2 Legislative Requirements

Council has to meet many legislative requirements including Australian and State legislation and State regulations. These include:

Table 3.1. Legislative Requirements

Legislation	Requirement
Local Government Act	Sets out the role, purpose, responsibilities and powers of local governments and will soon include the preparation of a long term financial plan supported by asset management plans for sustainable service delivery.
Land Use Planning Act and Regulations	Provides a framework for the control and regulation of developments throughout the state. It also provides legislative provisions around environmental controls and impacts on development
Disability Discrimination Act	Eliminates, as far as possible, discrimination against persons on the ground of disability and to ensure, as far as practicable, those persons with disabilities have the same rights to equality before the law as the rest of the community.
Occupational Health and Safety	<p>The purpose of the Act as it relates to infrastructure asset management is to</p> <ul style="list-style-type: none"> to protect people at a place of work against risks to health or safety arising out of the activities of persons at work, to promote a safe and healthy work environment for people at work that protects them from injury and illness and that is adapted to their physiological and psychological needs, to ensure that risks to health and safety at a place of

Legislation	Requirement
	<p>work are identified, assessed and eliminated or controlled,</p> <ul style="list-style-type: none"> to deal with the impact of particular classes or types of dangerous goods and plant at, and beyond, places of work.
Australian Accounting Standard	Ensures that appropriate and consistent accounting standards are implemented across the industry.
Building Code of Australia	Ensures safe standards for building design and constructions throughout Australia

3.3 Current Levels of Service

Council has defined categories of Levels of Service.

Community Levels of Service relate to how the community receives the service in terms of safety, quality, quantity, reliability, responsiveness, cost/efficiency and legislative compliance.

Technical Levels of Service are operational or technical measures of performance developed to ensure that the Community Levels of Service are met. These Technical Levels of Service relate to service criteria such as:

Service Criteria	Technical measures may relate to
Quality	Smoothness of roads
Quantity	Area of parks per resident
Availability	Distance from a dwelling to a sealed road
Safety	Number of injury accidents

Council's current service levels are detailed in Tables 3.2, 3.3 and 3.4

Table 3.2. Current Service Levels - sealed and unsealed roads

Key Performance Measure	Level of Service	Performance Measurement Process	Target Performance	Current Performance
COMMUNITY LEVELS OF SERVICE				
Quality	A smooth ride is provided	Number of complaints about smoothness of ride	No increase in current number/year	To be confirmed
Function	User requirements for availability and travel time are met	Number of complaints about availability and travel time	No increase in current number/year	To be confirmed
	Customer satisfaction with roads	Community Survey	Current performance rating is maintained	To be confirmed
Safety	Safe roads are provided	Number of injury crashes on shire roads caused by road condition or layout	0	0
	Safe footpaths are provided	Number of trip incidents on footpaths caused by the condition of the footpath	No increase in current number/year	To be confirmed
TECHNICAL LEVELS OF SERVICE				
Condition	Assessed road condition	Condition assessment	Current average unsealed road condition to be maintained	2.7
	Assessed road condition	Condition assessment	Current average sealed road condition to be maintained	1.5
	Assessed footpath condition	Condition assessment	Current average footpath condition to be maintained	2.0
Sustainability	Roads network is managed sustainably	Sealed Road Sustainability Index*	Current ranking in benchmark table of Shires in Group is not worsened	Ranked in the highest 10% of Shires in Group

Key Performance Measure	Level of Service	Performance Measurement Process	Target Performance	Current Performance
	Roads network is managed sustainably	State of the roads assets*	Current ranking in benchmark table of Shires in Group is maintained	Ranked in the highest 25% of Shires in Group
Cost effectiveness	Maintenance undertaken in an efficient manner	Maintenance cost of sealed and unsealed roads	Current costs \$/km does not increase (allowing for inflation)	\$536/km (2010/11)

* Appendix 19, WALGA Report of Local Government road assets and expenditure. Group is Agricultural Shires without large towns

Note:

Asset conditions ratings are summarised below. Refer to section 5.1.3 for details

Rating	Condition	Rating	Condition
1	Excellent	4	Average
2	Very good	5	Poor/Unserviceable
3	Good.		

Table 3.3. Current Service Levels - buildings and structures

Key Performance Measure	Level of Service	Performance Measurement Process	Target Performance	Current Performance
COMMUNITY LEVELS OF SERVICE				
Quality	Buildings and structures are provided to an acceptable quality	Number of complaints about Shire buildings and structures quality	No increase in current number/year	To be confirmed
Function	User requirements for availability are met	Number of complaints about community halls and public/civic buildings availability	No increase in current number/year	To be confirmed
	Customer satisfaction with Shire buildings and facilities	Community Survey	Current performance rating is maintained	To be confirmed
Safety	Safe buildings are provided	Number of injury accidents caused by the quality or condition of Shire buildings and structures	0	0
TECHNICAL LEVELS OF SERVICE				
Condition	Assessed condition of buildings and structures	Condition assessment as part of annual inspection	Current condition to be maintained	2.3
Safety	Compliance with safety legislation	Safety inspection as part of annual inspection	100% compliance with safety legislation	To be confirmed

Note:

Asset conditions ratings are summarised below. Refer to section 5.1.3 for details

Rating	Condition	Rating	Condition
1	Excellent	4	Average
2	Very good	5	Poor/Unserviceable
3	Good.		

Table 3.4. Current Service Levels - recreation

Key Performance Measure	Level of Service	Performance Measurement Process	Target Performance	Current Performance
COMMUNITY LEVELS OF SERVICE				
Quality	Recreation facilities are provided to an acceptable quality	Number of complaints regarding recreation facilities	No increase in current number/year	To be confirmed
Function	User requirements for availability are met	Number of complaints about recreation facilities availability	No increase in current number/year	To be confirmed
	Customer satisfaction with recreation facilities	Community Survey	Current performance rating is maintained	To be confirmed
Safety	Safe recreation facilities are provided	Number of injury accidents caused by the quality or condition of recreation facilities	0	0
TECHNICAL LEVELS OF SERVICE				
Condition	Assessed condition of recreation facilities	Condition assessment as part of annual inspection	Current condition to be maintained	2.5
Safety	Compliance with safety legislation	Safety inspection as part of annual inspection	100% compliance with safety legislation	100% compliance with safety legislation

Note:

Asset conditions ratings are summarised below. Refer to section 5.1.3 for details

Rating	Condition	Rating	Condition
1	Excellent	4	Average
2	Very good	5	Poor/Unserviceable
3	Good.		

3.4 Desired Levels of Service

Council has yet to quantify desired levels of service. This will be done in future revisions of this asset management plan.

4. FUTURE DEMAND

4.1 Demand Forecast

Factors affecting demand include population change, changes in demographics, seasonal factors, vehicle ownership, consumer preferences and expectations, economic factors, agricultural practices, environmental awareness, etc.

Demand factor trends and impacts on service delivery are summarised in Table 4.1.

Table 4.1. Demand Factors, Projections and Impact on Services

Demand factor	Present position	Projection	Impact on services
Population	The population of the Shire of Mingenew is currently approximately 500	The population of the Shire is currently forecast to increase to 520 next 20 years	The forecast increase in population is unlikely to significantly increase demand on the current assets
Demographics	In 2010 work age persons represent approximately 60% of the Shire's population whilst persons aged greater than 65 represent 11% (55 persons)	In 2021 it is estimated that work age persons will represent approximately 59% of the Shire's population whilst persons aged greater than 65 will represent 18% (90 persons)	The increase in the %age older persons in the community will lead to an increased demand on older person's services.
Transport Network	A significant proportion of grain from the Shire and surrounding Shires is transported via the rail network	The WA government is proposing to close down significant lengths of the rural rail network.	A significant increase in the amount of grain being transported on roads in the Shire which will increase the rate of deterioration of the roads assets
Tourism	Moves to develop tourism in the Shire are in the process of being implemented	Increase in numbers of visitors to the Shire	Increase in demand on roads assets
Mining	New magnetite mine being developed in area	Some increase in local economy to provide the mine with support services and staff may occur	Some increase in road traffic to and from the mine and increased rail freight movements.
	New rail line being constructed to serve the mine	Temporary camp near Mingenew for construction teams for 12 months	Temporary increase in demand for all assets
Agricultural Practices	The number of farms is reducing as farmers	Farms will increase in size	Larger farm machinery and trucks using the Shire's roads, leading

Demand factor	Present position	Projection	Impact on services
	leave the land		to a requirement for wider roads and greater road clearance
Community Expectations	The communities expectations about the levels and scope of services provided by the Shire have increased over the last few years	The increase in expectation is likely to continue	Likely be wide ranging – depends on affordability

4.2 Changes in Technology

Technology changes may affect on the delivery of services covered by this plan as a result of improvements to construction materials and methods and more efficient operational practices. These may increase the life of some assets and reduce the risk of damage. Technology changes may also affect the level and nature of demand for some assets.

4.3 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading existing assets and providing new assets to meet demand and demand management. Demand management practices include non-asset solutions, insuring against risks and managing failures.

Opportunities for demand management will be developed in future revisions of this asset management plan.

4.4 New Assets from Growth

The following new assets required to meet growth and demand changes will be constructed by Council. (ref Forward Capital Works Plan). The new asset values are summarised in Table 4.2.

Table 4.2. New Assets from Growth

New Asset	Year of construction	Forecast Capital Cost
Staff Housing	2011/12	\$583,000
5 aged persons living units	2012/13	\$1,533,000
Toilet Block	2012/13	\$80,000
Staff Housing	2013/14	\$250,000
Depot	2013/14	\$750,000
Depot	2014/15	\$750,000

Acquiring these new assets will commit council to fund ongoing operations and maintenance costs for the period that the service provided from the assets is required. These future costs are identified and considered in developing forecasts of future operating and maintenance costs.

5. LIFECYCLE MANAGEMENT PLAN

The lifecycle management plan details how Council plans to manage and operate the assets at the agreed levels of service (defined in section 3) while optimising life cycle costs.

5.1 Background Data

5.1.1 Physical parameters

The assets covered by this asset management plan are shown below.

Table 5.1 Asset Summary

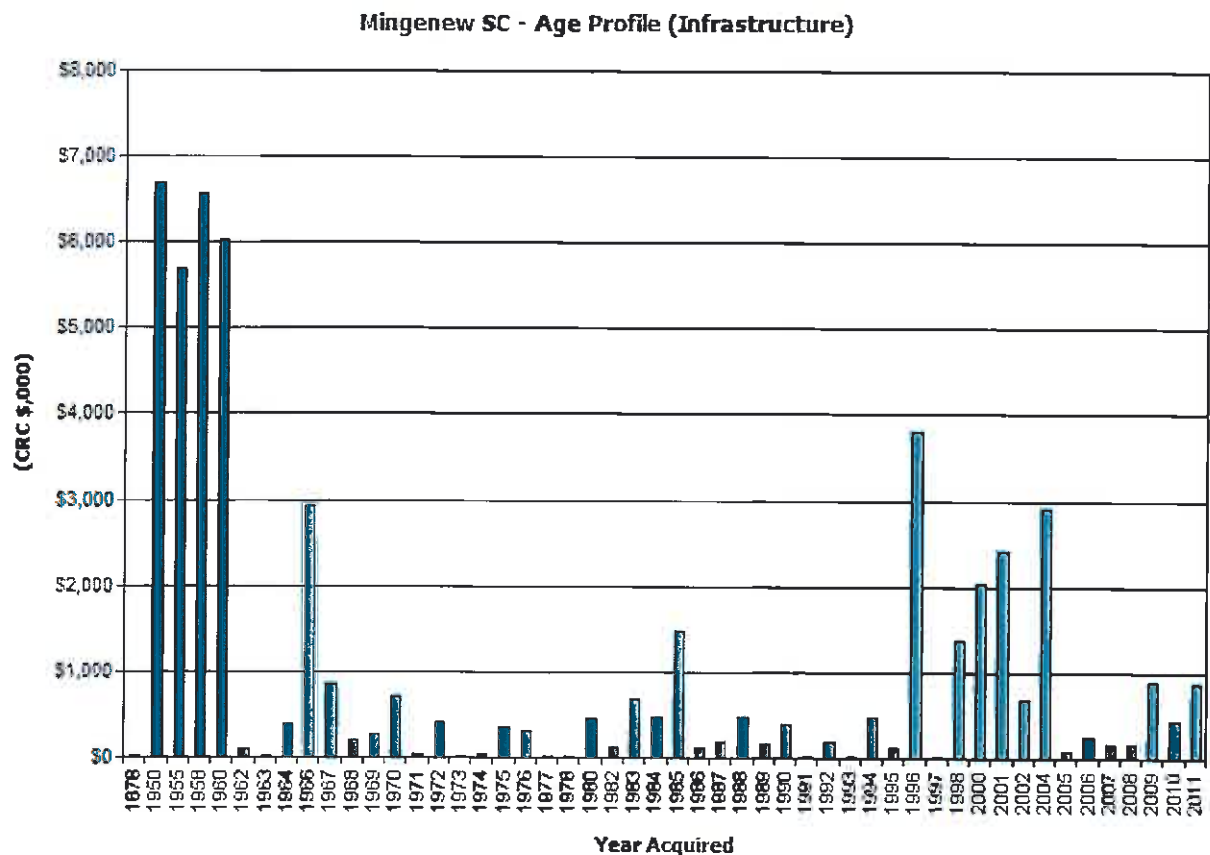
Asset category	Dimension	Replacement Value (\$)
Roads - formation	597 km	\$12,301,289
Roads - unsealed	453 km	\$17,611,077
Roads - sealed	144km	\$3,558,885
Bridges	5	\$9,000,000
Culverts	315	\$2,719,816
Railway Crossings	5	\$270,000
Road signs/features	311	\$62,200
Floodways	17	\$283,200
Kerbing	8.5km	\$477,960
Footpaths	13.7km	\$1,453,680
Buildings		
Recreation	12	\$1,415,021
Council/Depot	7	\$1,453,873
Public/Civic	11	\$860,261
Housing	8	\$1,262,983
Public/Civic Assets	4	\$114,745
Recreation Assets	12	\$259,708
Waste Assets	1	\$40,322
TOTAL		\$53,155,020

The quality of data regarding the age of Council's infrastructure assets is as follows

Roads- Unsealed	No data. Age estimated based on depreciated amount to date
Roads – Sealed	Satisfactory
Footpaths/Kerbing	Poor
Buildings	Satisfactory
Other Assets	Satisfactory

The age profile of Council's infrastructure assets is shown in Figure 1 below.

Fig 1 Asset Age Profile



Note: There is no information on the date of construction of road formations. It has been assumed that they were all constructed between 1950 and 1960, which leads to the peaks in those years. This has no impact on depreciation amounts as road formations are not depreciated.

5.1.2 Asset capacity and performance

Council's assets and services are generally provided in accordance with design standards where these are available.

Locations where deficiencies in service performance are known are detailed in Table 5.2.

Table 5.2. Known Service Performance Deficiencies

Location	Service Deficiency
Aged Persons Living Units	Only 4 units provided at present. It is intended that further units will be constructed in the future

The above service deficiencies were identified from discussions with Council officers.

5.1.3 Asset condition

The average condition of Council's infrastructure assets is shown below.

Table 5.3. Average Asset Condition

		Average Condition
Road Unsealed		2.7
Road Sealed		1.5
Footpaths		2.0
Kerbing		2.0
Buildings	Recreation	2.7
	Council/Depot	3.1
	Public/Civic	2.5
	Housing	1.3
Public/Civic Assets		3.0
Recreation Assets		2.5
Waste Assets		3.0

Condition is measured using a 1 – 5 rating system as shown below

Table 5.4. Condition Rating System

Rating	Condition	Residual Life - %age of Useful Life	Mean %age Residual Life
1	Excellent condition: Only planned maintenance required.	>86	95
2	Very good: Minor maintenance required plus planned maintenance.	65 to 85	80
3	Good: Significant maintenance required.	41 to 64	55
4	Average: Significant renewal/upgrade required.	10 to 40	35
5	Poor: Unserviceable	<10	5

The condition of roads assets is based on a condition assessment carried out by Cardno in June 2011. Pavement Condition has been taken as the cracking index and seal condition has been taken as the worst of binder condition and stone condition.

5.1.4 Asset valuations

The value of assets as at June 2011 covered by this asset management plan is summarised below.

Table 5.5. Asset Valuation

Asset category	Replacement Value (\$)	Accumulated Depreciation (\$)	Depreciated Replacement cost (\$)
Roads - formation	\$12,301,289	0	\$12,301,289
Roads - unsealed	\$17,611,077	\$3,810,938	\$13,800,139
Roads - sealed	\$3,558,885	\$1,402,052	\$2,156,832
Bridges	\$9,000,000	\$3,575,810	\$5,424,190
Culverts	\$2,719,816	\$1,080,616	\$1,639,200
Railway Crossings	\$270,000	\$107,274	\$162,726
Road signs/features	\$62,200	\$41,818	\$20,382
Floodways	\$283,200	\$184,454	\$98,746
Kerbing	\$477,960	\$90,469	\$387,491

Asset category	Replacement Value (\$)	Accumulated Depreciation (\$)	Depreciated Replacement cost (\$)
Footpaths	\$1,453,680	\$1,241,414	\$212,266
Buildings			
Recreation	\$1,415,021	\$107,315	\$1,307,706
Council/Depot	\$1,453,873	\$288,578	\$1,165,295
Public/Civic	\$860,261	\$123,929	\$736,332
Housing	\$1,262,983	\$130,701	\$1,132,282
Public/Civic Assets	\$114,745	\$18,819	\$95,926
Recreation Assets	\$259,708	\$134,132	\$125,576
Waste Assets	\$40,322	\$9,288	\$31,034
TOTAL	\$53,155,020	\$12,357,607	\$40,797,413

Council's sustainability reporting reports the rate of annual asset consumption and compares this to asset renewal and asset upgrade and expansion.

Rate of Asset Consumption	1.0% of Replacement Value
Annual Average Asset renewal	1.5% of Replacement Value
Annual Average Upgrade/expansion	1.9% of Replacement value

5.2 Risk Management Plan

An assessment of risks associated with service delivery from infrastructure assets has identified critical risks to Council. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

The identified risks are summarised in Table 5.6.

Table 5.6. Critical Risks and Treatment Plans

Risk	Consequence	Risk Rating	Risk Treatment Plan
Overall condition of assets decreases due to inadequate renewal programs	Levels of Service not achieved	High	Determine renewals priorities based on lifecycle costs and effects on service
Overall condition of assets decreases due to inadequate maintenance programs	Levels of Service not achieved	High	Determine maintenance priorities based on lifecycle costs and effects on service
Incorrect or incomplete asset data	Inaccurate financial forecasts and inappropriate maintenance and renewals programs	High	Undertake a data audit and collection program
Buildings owned by others on the Shire's land	The Shire takes over responsibility for the building if the owner defaults	Medium	Ensure lease conditions clearly identify owners responsibilities regarding building maintenance
Climate Change/major storm event	Demands on assets affected directly and via effects on local economy	Medium	Manage assets taking climate change into account
Asbestos in buildings	Potential for health issues	Medium	Implement program to remove asbestos from buildings
Resource issues affect the management of the assets	Levels of Service not achieved, condition of assets deteriorates	Medium	Establish clear management plans, with forecast costs, to maintain Levels of Service and debate with Council
Unforeseen increases in fuel, plant and materials costs	Increased costs of carrying out maintenance and renewals	Medium	Monitor costs
Failure of materials supplies	Delays to maintenance and renewals and increased materials costs	Low	Identify if there are any alternative supplies for critical materials and establish purchasing arrangements
Health and Safety incident whilst working on assets causes fatality or serious harm injury	Prosecution risk	Low	Ensure Council has H&S procedures and staff are trained in them. Ensure all contractors have H&S policy and procedures and they are complied with

Risk	Consequence	Risk Rating	Risk Treatment Plan
Decline in Population	Reduced income, under used assets	Low	Monitor population trends
Changes in legislation affect the responsibilities of Council	Changes in costs and resource requirements	Low	Monitor legislative changes
Closure of mine	Reduction in local economy and use of assets	Low	Monitor situation

5.3 Routine Maintenance Plan

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again.

5.3.1 Maintenance plan

Maintenance includes reactive, planned and cyclic maintenance work activities.

Reactive maintenance is unplanned repair work carried out in response to service requests and management/supervisory directions.

Planned maintenance is repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown experience, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

Cyclic maintenance is replacement of higher value components/sub-components of assets that is undertaken on a regular cycle including repainting, building roof replacement, etc. This work generally falls below the capital/maintenance threshold.

Maintenance expenditure levels are considered to be adequate to meet required service levels. Future revision of this asset management plan will include linking required maintenance expenditures with required service levels.

Reactive maintenance is carried out in response to customer service requests.

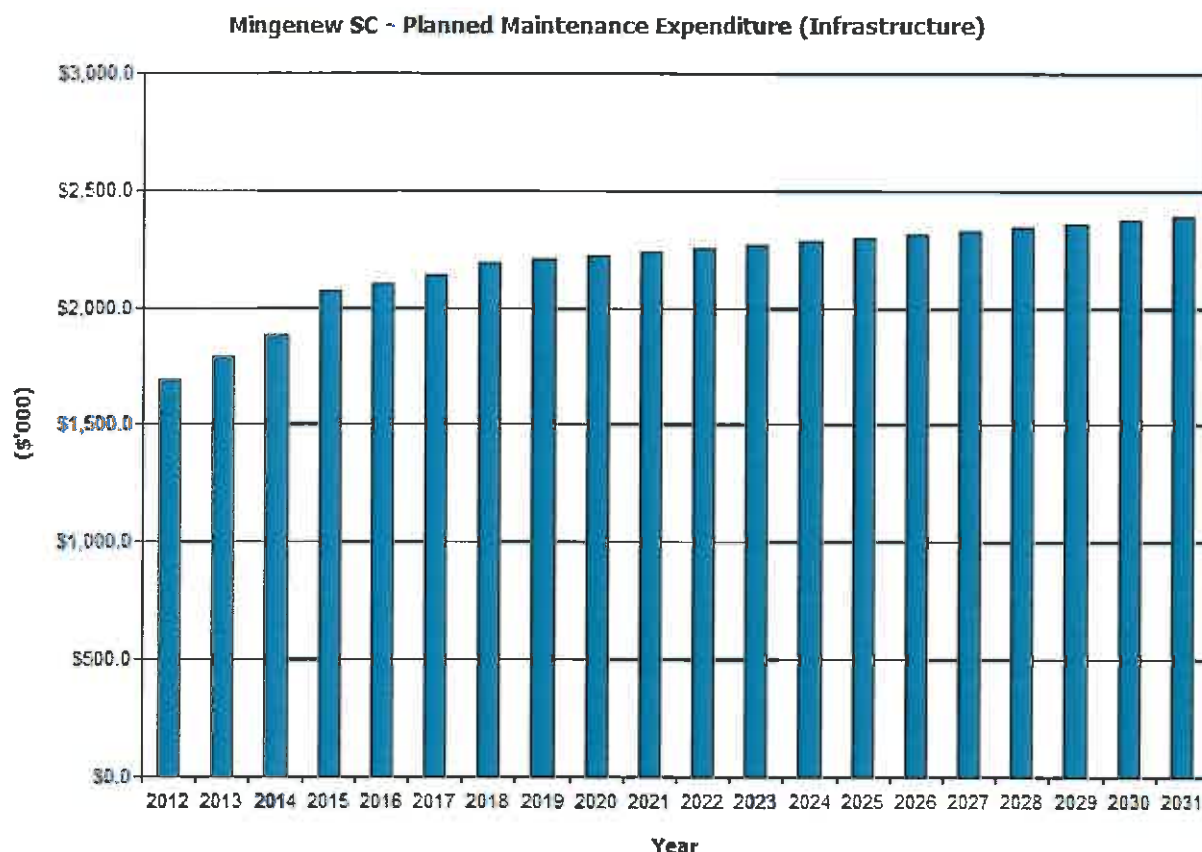
5.3.2 Standards and specifications

Maintenance work is carried out in accordance with all relevant Standards and Specifications.

5.3.3 Summary of future maintenance expenditures

Future maintenance expenditure is forecast to trend in line with the value of the asset stock as shown in Fig 2. Note that all costs are shown in current 2010/11 dollar values.

Fig 2. Planned Maintenance Expenditure



Deferred maintenance, i.e. works that are identified for maintenance and unable to be funded are to be included in the risk assessment process in the infrastructure risk management plan.

Maintenance is funded from Council's operating budget and grants where available. This is further discussed in Section 6.2.

5.4 Renewal/Replacement Plan

Renewal expenditure is major work which does not increase the asset's design capacity but restores, rehabilitates, replaces or renews an existing asset to its original service potential. Work over and above restoring an asset to original service potential is upgrade/expansion or new works expenditure.

5.4.1 Renewal plan

Assets requiring renewal are identified from estimates of remaining life obtained from the asset register worksheets. Candidate proposals are inspected to verify accuracy of remaining life estimate and to develop a preliminary renewal estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes. The priority ranking criteria related to renewals are to be developed

Renewal will be undertaken using 'low-cost' renewal methods where practical. The aim of 'low-cost' renewals is to restore the service potential or future economic benefits of the asset by renewing the assets at a cost less than replacement cost.

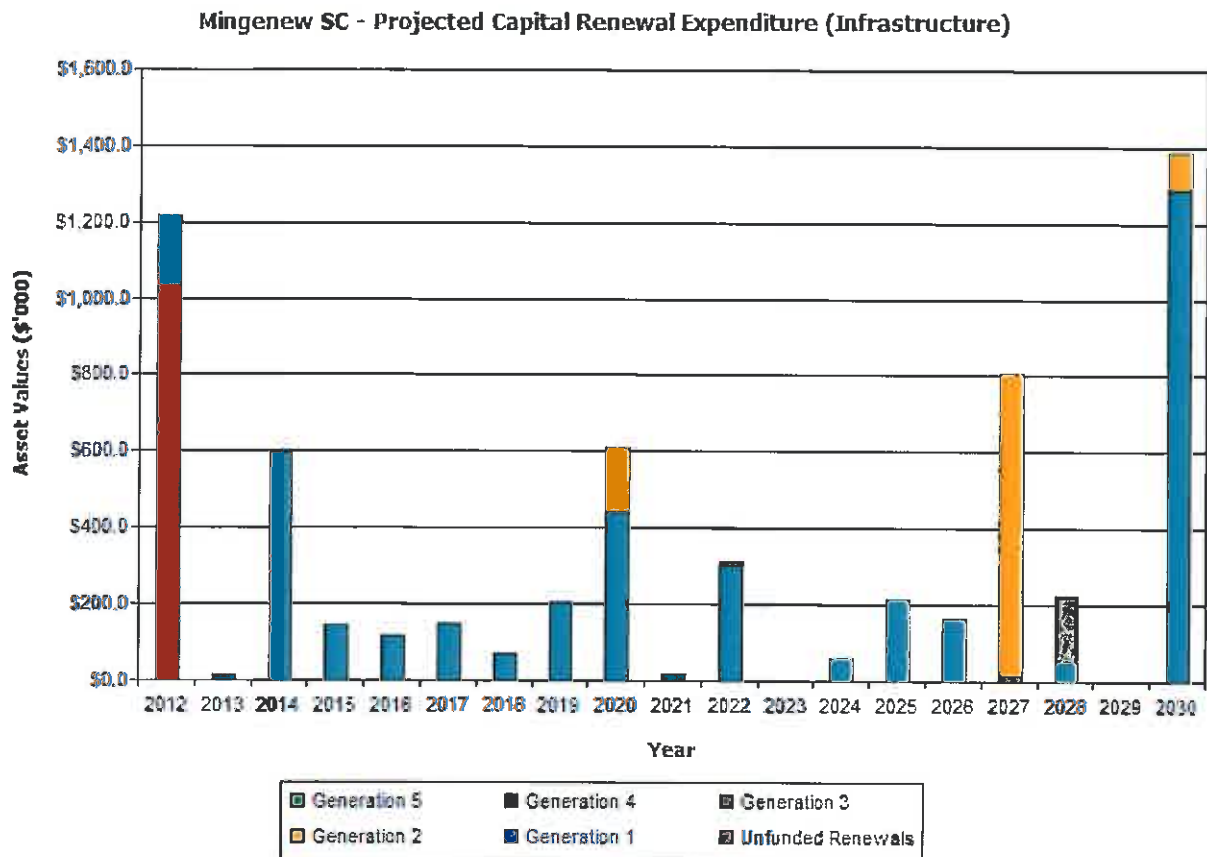
5.4.2 Renewal standards

Renewal work is carried out in accordance with relevant Standards and Specifications.

5.4.3 Summary of future renewal expenditure

Projected future renewal expenditures are forecast to increase over time as the asset stock ages. The costs are summarised in Fig 3. Note that all costs are shown in current 2010/11 dollar values.

Fig 3. Projected Capital Renewal Expenditure



In the above figure, unfunded renewals is the sum of the replacement costs of assets that have currently passed their renewal date, based on date of construction and useful life.

Generation 2 means assets that are being renewed for the second time in the plan period, e.g. road seals renewed in 2012 should be renewed again in 2027 as road seals have a standard useful life of 15 year life.

Deferred renewal, i.e. those assets identified for renewal and not scheduled for renewal in capital works programs are to be included in the risk assessment process in the risk management plan.

Renewals are to be funded from Council's capital works program and grants where available. This is further discussed in Section 6.2.

5.5 Creation/Acquisition/Upgrade Plan

New works are those works that create a new asset that did not previously exist, or works which upgrade or improve an existing asset beyond its existing capacity. They may result from growth, social or environmental needs. Assets may also be acquired at no cost to the Council from land development.

5.5.1 Selection criteria

New assets and upgrade/expansion of existing assets are identified from various sources such as councillor or community requests, proposals identified by strategic plans or partnerships with other organisations. Candidate proposals are inspected to verify need and to develop a preliminary renewal estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes.

Council's Forward Capital Works Plan provides for the Shire's expenditure on asset renewals, expansions and upgrades and any new assets over the five years commencing 2010/11. The Plan includes a project prioritisation process which has been used as the basis of project prioritisation in this asset management plan as follows.

The project prioritisation criteria for the Shire of Mingenew are as follows:

- Develop our town
- Improve social equity
- Demand
- Affordability
- Environment
- Risk

Each project has been evaluated in the Council's Forward Capital Works Plan against each of the above criteria in accordance with the following table (note that only priority ratings are included in the Forward Capital Works Plan).

Table 5.7. Project Prioritisation

Priority Score	Priority Rating	Description
6	Highly beneficial	Major positive impacts resulting in substantial and long-term improvements or enhancements of the existing environment.
5	Moderately beneficial	Moderate positive impact, possibly of short-, medium- or longer-term duration. Positive outcome may be in terms of new opportunities and outcomes of enhancement or improvement.
4	Slightly beneficial	Minimal positive impact, possibly only lasting over the short-term. May be confined to a limited area.
3	Neutral	Neutral – no discernible or predicted positive or negative impact.
2	Slightly detrimental	Minimal negative impact, probably short-term, able to be managed or mitigated, and will not cause substantial detrimental effects. May be confined to a small area.

Priority Score	Priority Rating	Description
1	Moderately detrimental	Moderate negative impact. Impacts may be short-, medium- or long-term and impacts will most likely respond to management actions.

5.5.2 Standards and specifications

Standards and specifications for new assets and for upgrade/expansion of existing assets are the same as those for renewal shown in Section 5.4.2.

5.5.3 Summary of future upgrade/new assets expenditure

The priority scores for the Shire's infrastructure projects, based on the evaluation in the FCWP are shown in table 5.8

The Mingenew Sports and Recreation Master Plan (MSRMP) includes an action plan for the provision of new and upgraded sports and recreation assets. The prioritisation of projects included in the MSRMP for 5 years from 2011/12 is shown in table 5.9.

Table 5.8. Priority scores for infrastructure projects

Project	New/Renewal	Develop our Town	Improve social equity for the Town	Demand	Affordability	Environment	Risk	Total Score
Roads Program	Renewal	6	6	6	2	2	4	26
Aged Accommodation	New	6	4	5	2	3	5	25
Recreation Centre Expansion	New	5	5	5	2	3	5	25
Footpaths Program	Renewal	4	5	4	3	4	4	24
Main Street Refurbishment	Renewal	5	5	4	3	3	4	24
Depot Accommodation	New	6	3	5	2	3	4	23
Recreation Ground Toilet Facilities	New	5	3	4	2	3	5	22
Staff Housing	New	5	2	5	3	3	3	21
Race Track Reticulation	New	4	4	3	3	3	4	21
Office Accommodation Refurbishment	Renewal	5	3	3	2	3	3	19

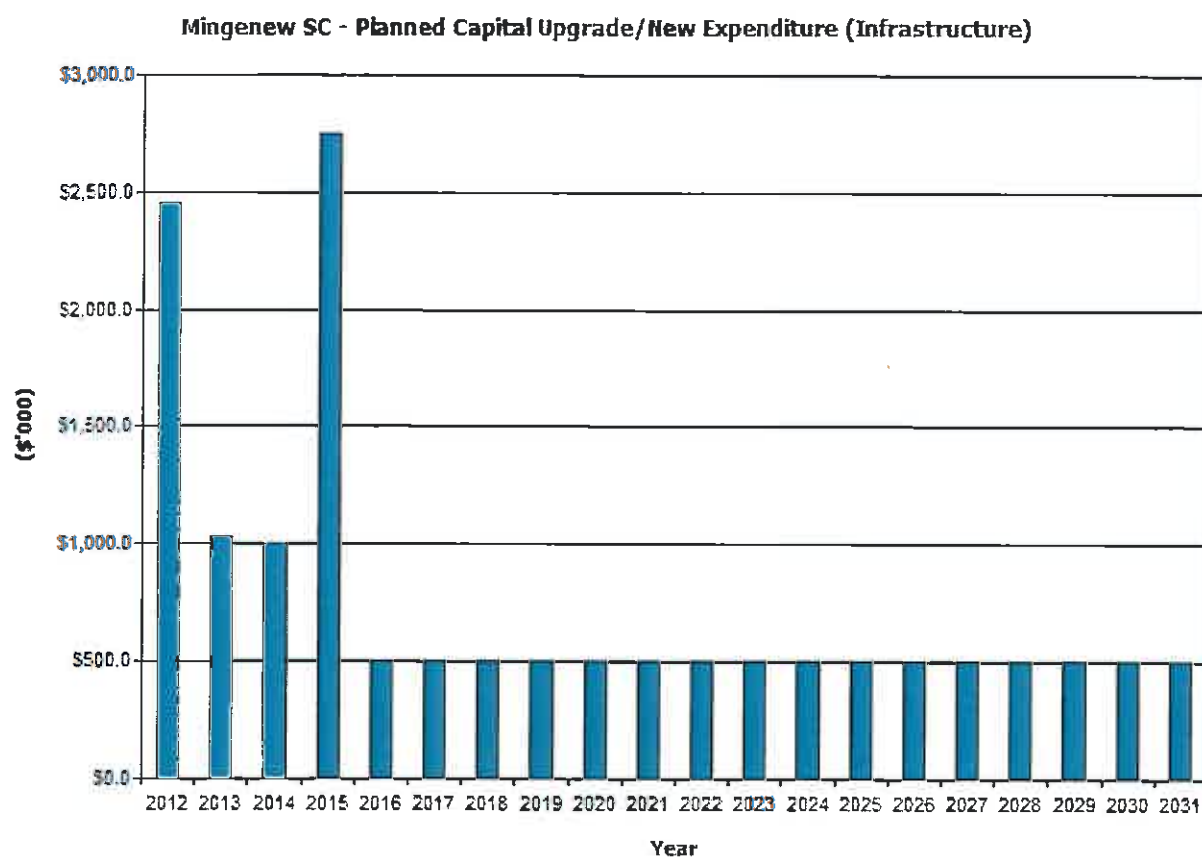
Table 5.9. Prioritisation of Projects in MSRMP

Location	Facility	Improvements	Rating
Mingenew Major Sports Ground.		major upgrades to all Headworks including; Power with minor work to Water and Septic services.	1
Irwin Polocross		Construct new Ablution facilities.	2
Mingenew Sporting Club	Bowling Greens.	Provision of shade shelters to greens.	3
Mingenew Netball Club		Replace current old lighting system to the Netball courts	4
Mingenew Turf Club	Turf Club. Assist the	Replace the old Stewards Tower and relocate Horse Stalls	5
Mingenew Hockey Club		Upgrade and extend lighting	6
Mingenew Sporting Club	Bowling Greens.	Replace Asbestos Fence to the Eastern side of the Bowling Green	7
Mingenew Football Club	Football Oval.	Upgrade on ground infrastructure and replace Coaches and Timekeepers Boxes.	8
Mingenew Golf Club	Golf Tees.	Install Limestone block protective Retainer Walls to all tees	9
Mingenew Turf Club		Upgrade Water Supply to be upgraded and reticulate the track	10
Mingenew Bowling Club	Bowling Greens.	Replace surrounds to greens with a block retaining wall and renew paving.	11
Mingenew Cricket Club	Cricket Practice Wicket.	Upgrade Practice Wicket	12
Mingenew Football Club	Football Oval.	Upgrade Football Oval Lighting to WAFL standard and provide an Electronic Scoreboard	13
Irwin Polocrosse		Upgrade Power will need to be upgraded.	14
Mingenew Hockey Club	Hockey Field.	.Install shaded area for visitors, Perimeter Fence and Fencing to Playground Construct an Equipment Storage Shed and Spectator Seating	15

Location	Facility	Improvements	Rating
Mingenew Football Club	Football Amenities.	New Ventilation system to change rooms, additional outside Spectator Seating and new Public Toilet block to the Eastern side of the oval.	16
Mingenew Golf Club	Golf Fairways & Greens.	Increase maintenance program including the mowing of fairways and brooming of greens.	17
Mingenew Bowling Club	Bowling Greens.	Replace Light Towers	18
Mingenew Tennis Club	Tennis Courts.	Upgrade Reticulation and Pumping systems and provide an outside tap to the new Equipment Shed for line marking purposes.	19
Mingenew Recreation, Centre and Turf Club	Recreation Centre & Pavilion.	Extend Shade Canopies between Rec Centre and Pavilion and install Lighting to Car park.	20

Planned upgrade/new asset expenditures are summarised in Fig 4. The planned forward capital works program is shown in Appendix A. All costs are shown in 2010/11 dollar values.

Fig 4. Planned Capital Upgrade/New Asset Expenditure



New assets and services are to be funded from Council's capital works program and grants where available. This is further discussed in Section 6.2.

5.6 Disposal Plan

Disposal includes any activity associated with disposal of a decommissioned asset including sale, demolition or relocation. There are currently no assets identified for possible decommissioning and disposal.

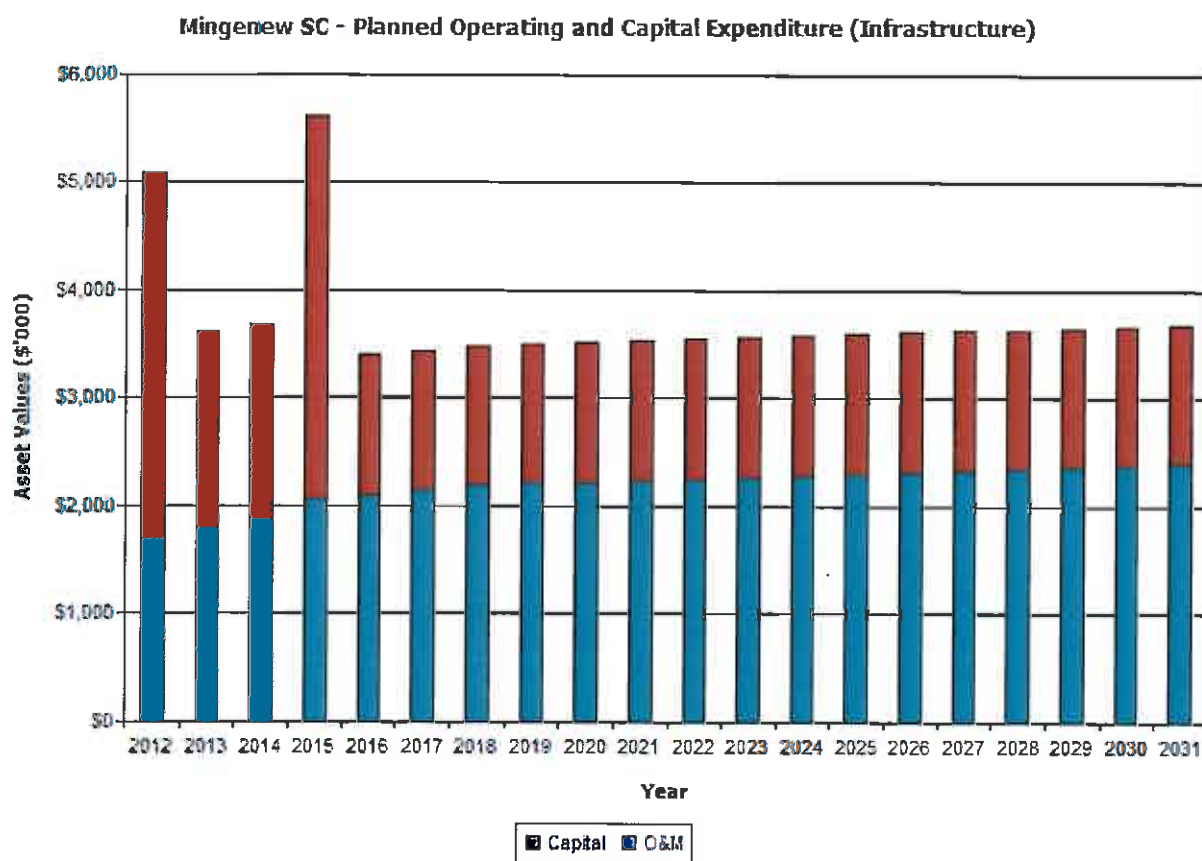
6. FINANCIAL SUMMARY

This section contains the financial requirements resulting from all the information presented in the previous sections of this asset management plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

6.1 Financial Statements and Projections

The financial projections are shown in Fig 5 for projected operating (operations and maintenance) and capital expenditure (renewal and upgrade/expansion/new assets).

Fig 5. Planned Operating and Capital Expenditure



Note that all costs are shown in current 2010/11 dollar values.

6.1.1 Sustainability of service delivery

There are two key indicators for financial sustainability that have been considered in the analysis of the services provided by this asset category, these being long term life cycle costs and medium term costs over the 10 year financial planning period.

Long term - Life Cycle Cost

Life cycle costs (or whole of life costs) are the average costs that are required to sustain the service levels over the longest asset life. Life cycle costs include maintenance and asset consumption (depreciation expense). The annual average life cycle cost for the services covered in this asset management plan is \$1,758,600

Life cycle costs can be compared to life cycle expenditure to give an indicator of sustainability in service provision. Life cycle expenditure includes maintenance plus capital renewal expenditure. Life cycle expenditure will vary depending on the timing of asset renewals.

The annual average life cycle cost and the life cycle expenditure at the start of this plan are shown in table 6.1.

A gap between life cycle costs and life cycle expenditure gives an indication as to whether present consumers are paying their share of the assets they are consuming each year. The purpose of this asset management plan is to identify levels of service that the community needs and can afford and develop the necessary long term financial plans to provide the service in a sustainable manner.

The life cycle gap per annum for services covered by this asset management plan and the life cycle sustainability index are also shown in Table 6.1.

Table 6.1. Life Cycle cost and life cycle expenditure comparisons

Asset category	Annual Average Lifecycle cost (\$)	Life cycle expenditure at start of this Plan (\$)	Life cycle gap per annum (\$)	Life cycle sustainability index
Roads - formation	\$1,479,800	\$1,127,800	\$352,000	0.76
Roads - unsealed				
Roads - sealed				
Bridges				
Culverts				
Railway Crossings				
Road signs/features				
Floodways				
Kerbing				
Footpaths				
Buildings	\$250,100	\$411,800	-\$143,000	1.53
Recreation				
Council/Depot				
Public/Civic				
Housing	\$18,700			
Public/Civic Assets				

Recreation Assets				
Waste Assets				
TOTAL	\$1,758,600	\$1,538,600	\$209,000	0.87

Note:

Annual Average Life Cycle Costs are based on the following required annual maintenance cost percentages of replacement cost in 2011/12, and annual depreciation costs in 2011/12 calculated using the asset lives indicated in section 6.4 below.

Life cycle expenditure at the start of this plan is based on records of maintenance costs incurred in 2010/11 and annual depreciation costs in 2011/12 calculated using the asset lives indicated in section 6.4 below.

Required annual maintenance costs of roads includes for gravel re-sheet of paved surface unsealed roads every 10 years at a cost of \$15,000/km.

Annual maintenance costs for recreation assets includes for parks and gardens maintenance at current levels

Table 6.2. Annual Maintenance Costs

Asset Class	Annual maintenance cost %age of replacement value
Sealed Roads	1.0%
Unsealed roads	0.5%
Bridges	1.0%
Culverts	1.0%
Railway Crossings	2.5%
Road signs/features	2.5%
Floodways	1.0%
Kerbing	0.5%
Footpaths	2.5%
Buildings	2.5%
other assets	2.0%
Airports	2.0%

This asset management plan identifies the estimated maintenance and capital expenditures required to provide an agreed level of service to the community over a 20 year period for input into a 10 year financial plan and funding plan to provide the service in a sustainable manner.

This may be compared to existing or planned expenditures in the 20 year period to identify any gap. In a core asset management plan, a gap is generally due to increasing asset renewals.

Fig 6 shows the projected asset renewals in the 20 year planning period from the asset register. The projected asset renewals are compared to planned renewal expenditure in the capital works program and capital renewal expenditure in year 1 of the planning period as shown in Fig 7. Table 6.3 shows the annual and cumulative funding gap between projected and planned renewals.

Fig 6. Projected Capital Renewal Expenditure

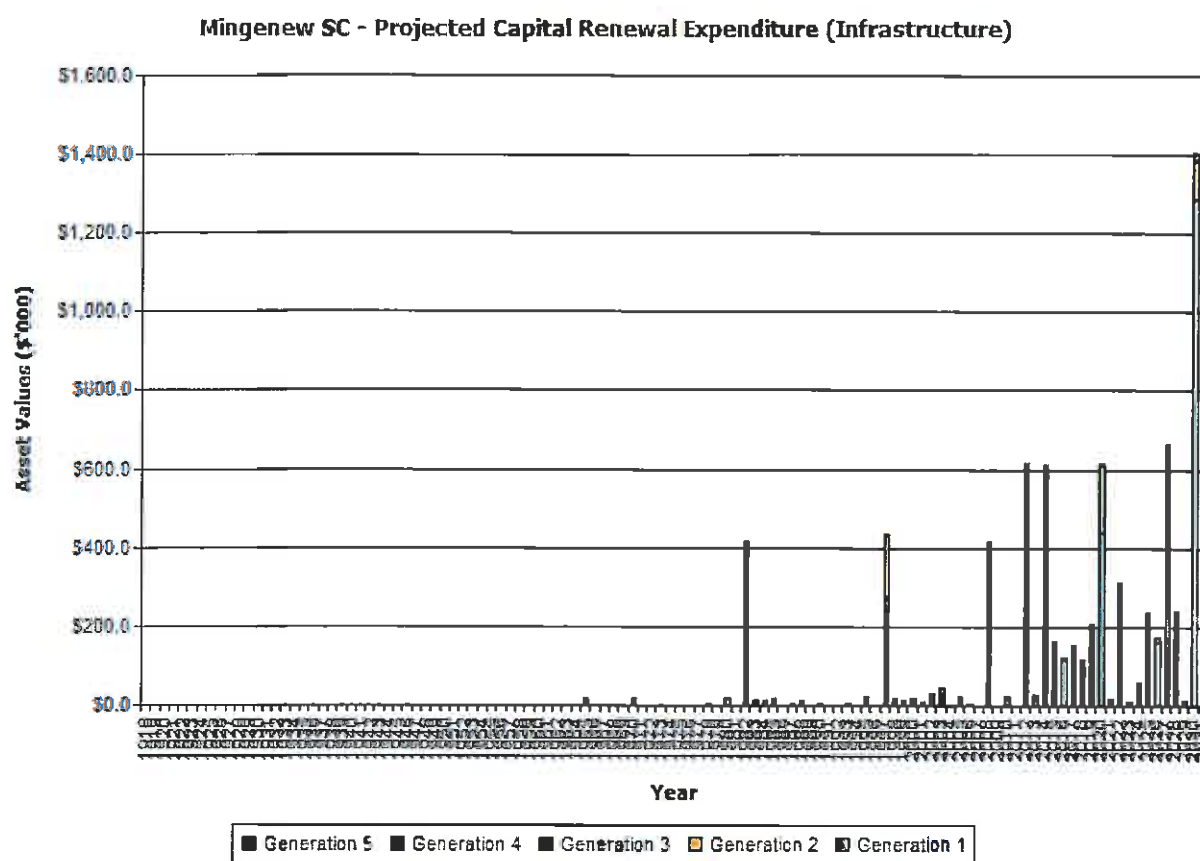


Fig 7. Projected and Planned Renewals and Current Renewal Expenditure

Mingenew SC - Projected & Planned Renewals and Current Renewal Expenditure (Infrastructure)

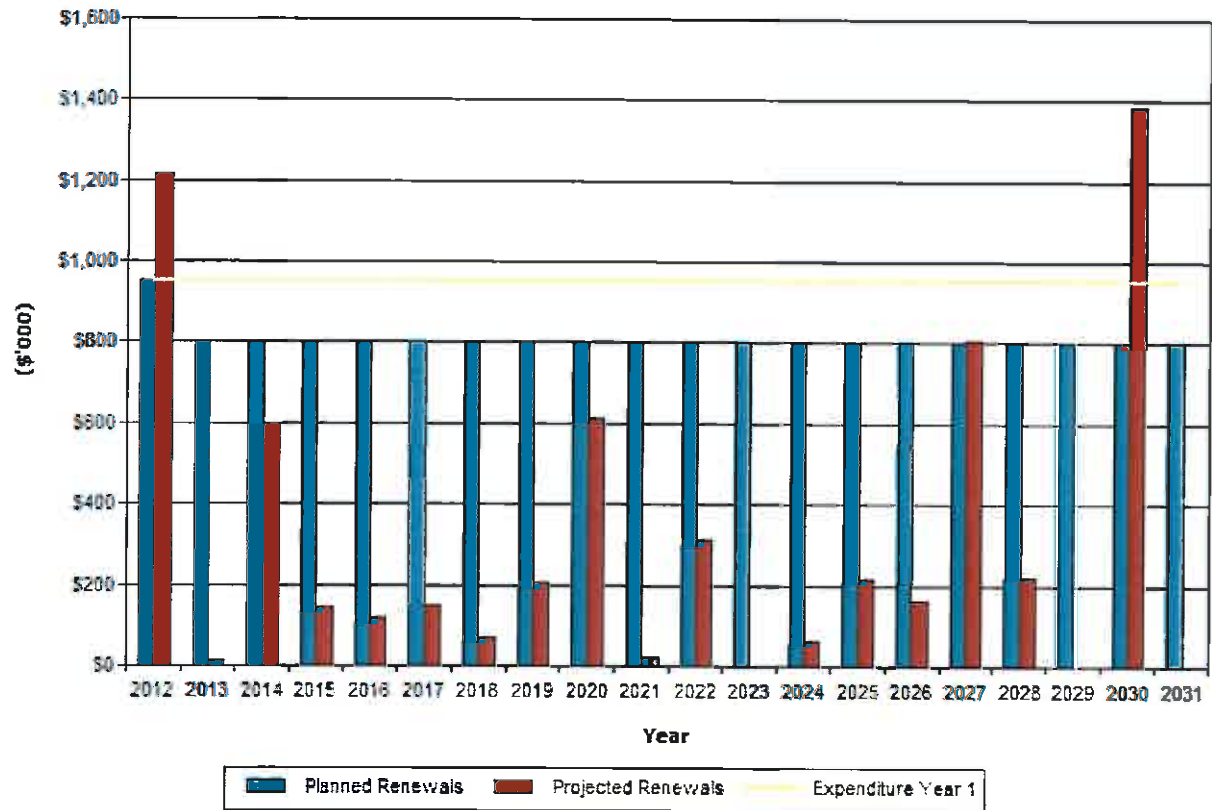


Table 6.3. Projected and Planned Renewals and Expenditure Gap

Year	Projected Renewals \$,000	Planned Renewals \$,000	Renewal Funding Gap \$,000	Cumulative Gap \$,000
2012	1,216.14	954.00	262.14	262.14
2013	12.75	800.00	-787.25	-525.12
2014	599.20	800.00	-200.80	-725.92
2015	144.93	800.00	-655.08	-1,380.99
2016	117.34	800.00	-682.66	-2,063.65
2017	150.71	800.00	-649.29	-2,712.94
2018	69.94	800.00	-730.06	-3,443.00
2019	206.03	800.00	-593.98	-4,036.97
2020	612.57	800.00	-187.43	-4,224.41
2021	19.87	800.00	-780.13	-5,004.53
2022	312.26	800.00	-487.74	-5,492.27
2023	0.00	800.00	-800.00	-6,292.27
2024	59.74	800.00	-740.26	-7,032.53
2025	215.86	800.00	-584.14	-7,616.67
2026	165.23	800.00	-634.77	-8,251.45
2027	808.38	800.00	8.38	-8,243.07
2028	222.45	800.00	-577.55	-8,820.62
2029	0.00	800.00	-800.00	-9,620.62
2030	1,385.63	800.00	585.63	-9,034.99
2031	0.00	800.00	-800.00	-9,834.99

Providing services in a sustainable manner will require matching of projected asset renewals to meet agreed service levels with planned capital works programs and available revenue.

A gap between projected asset renewals, planned asset renewals and funding indicates that further work is required to manage required service levels and funding to eliminate any funding gap. On the basis of the currently planned annual renewals expenditure, there is no renewals gap after 2012/13.

Council's long term financial plan covers the first 10 years of the 20 year planning period. The total maintenance and capital renewal expenditure required over the 10 years is \$23,693,000.

This is an average expenditure of \$2,369,300. Estimated maintenance and capital renewal expenditure in year 1 is \$2,649,000. The 10 year sustainability index is 1.12

6.2 Funding Strategy

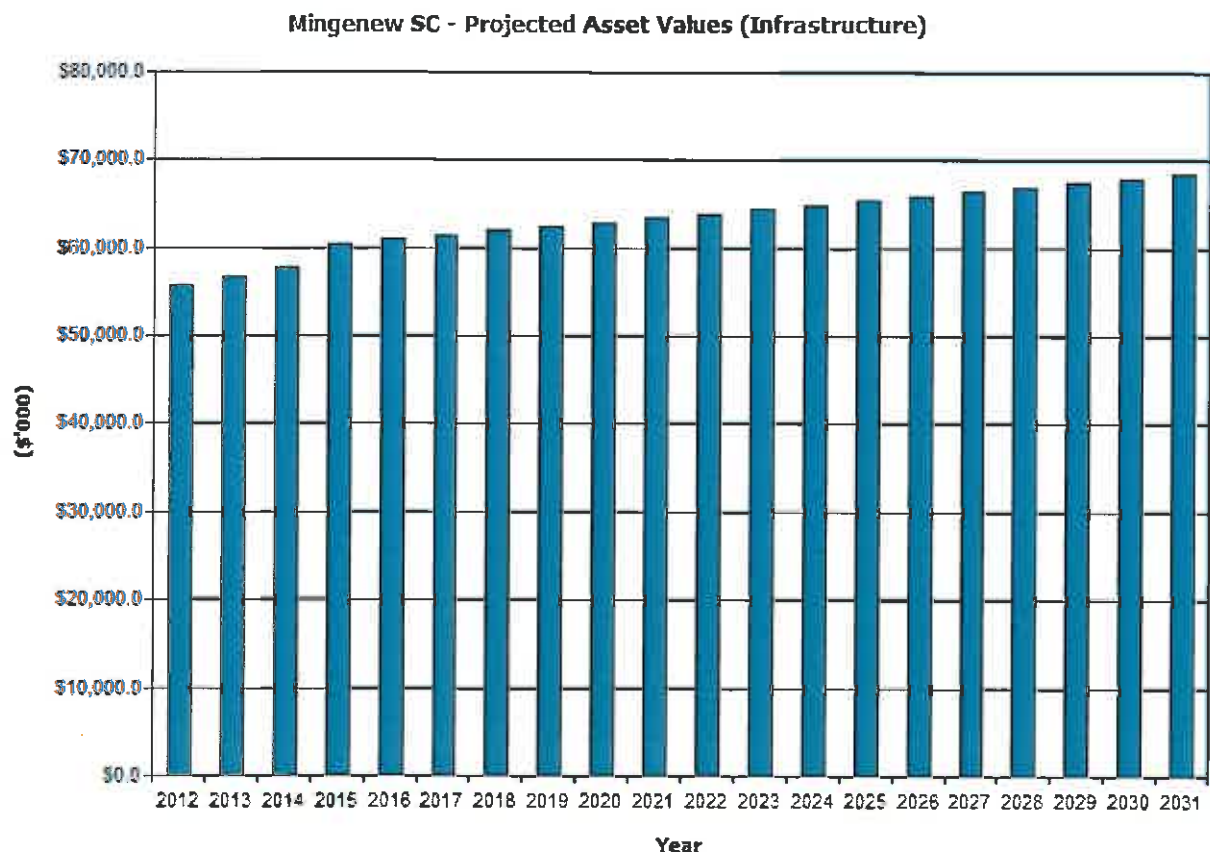
Projected expenditure identified in Section 6.1 is to be funded from Council's operating and capital budgets. The funding strategy is detailed in the Council's 10 year long term financial plan.

Achieving the financial strategy will require Council to obtain Country Local Government Funds, Road Projects grants and the Roads to Recovery program grants, any shortfall being funded by Council.

6.3 Valuation Forecasts

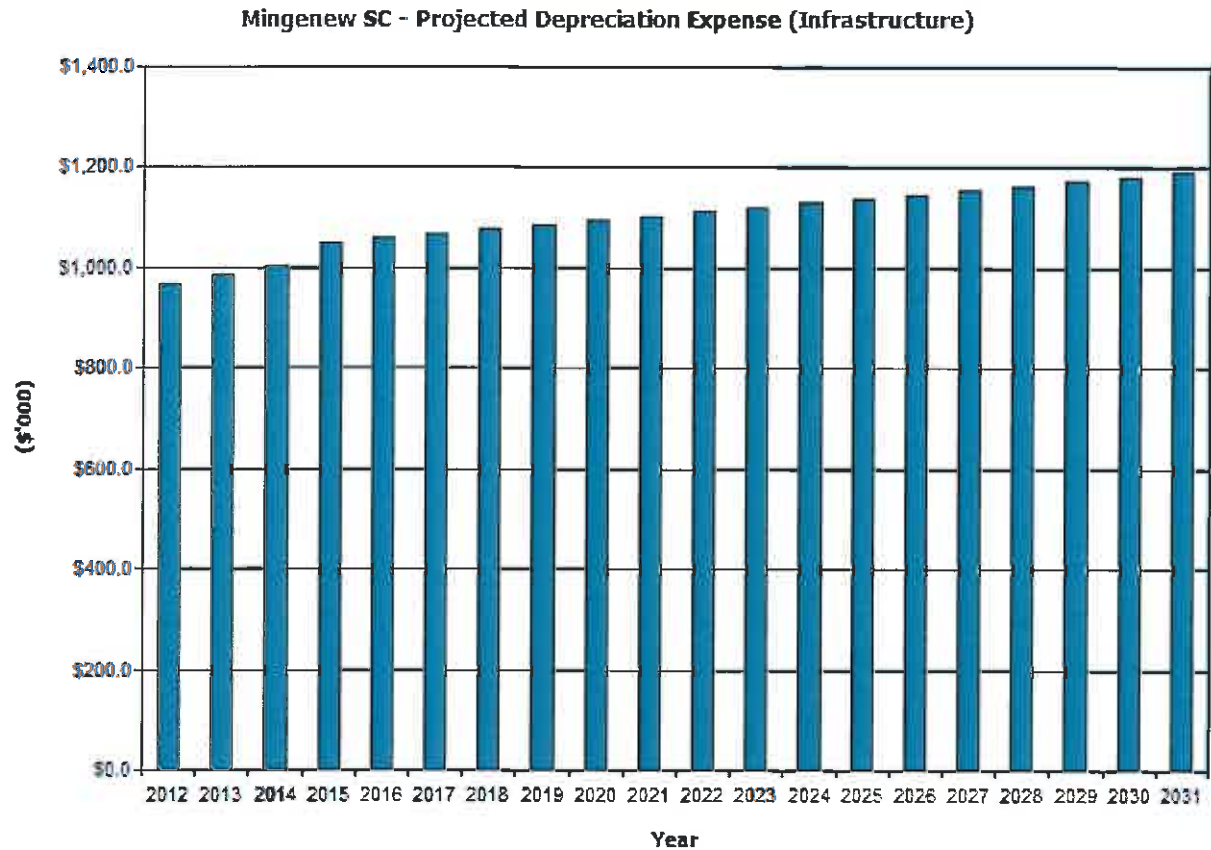
Asset values are forecast to increase as additional assets are added to the asset stock from construction and acquisition by Council and from assets constructed by land developers and others and donated to Council. Fig 8 shows the projected replacement cost asset values over the planning period in current 2010/11 dollar values.

Fig 8. Projected Asset Values



Depreciation expense values are forecast in line with asset values as shown in Fig 9.

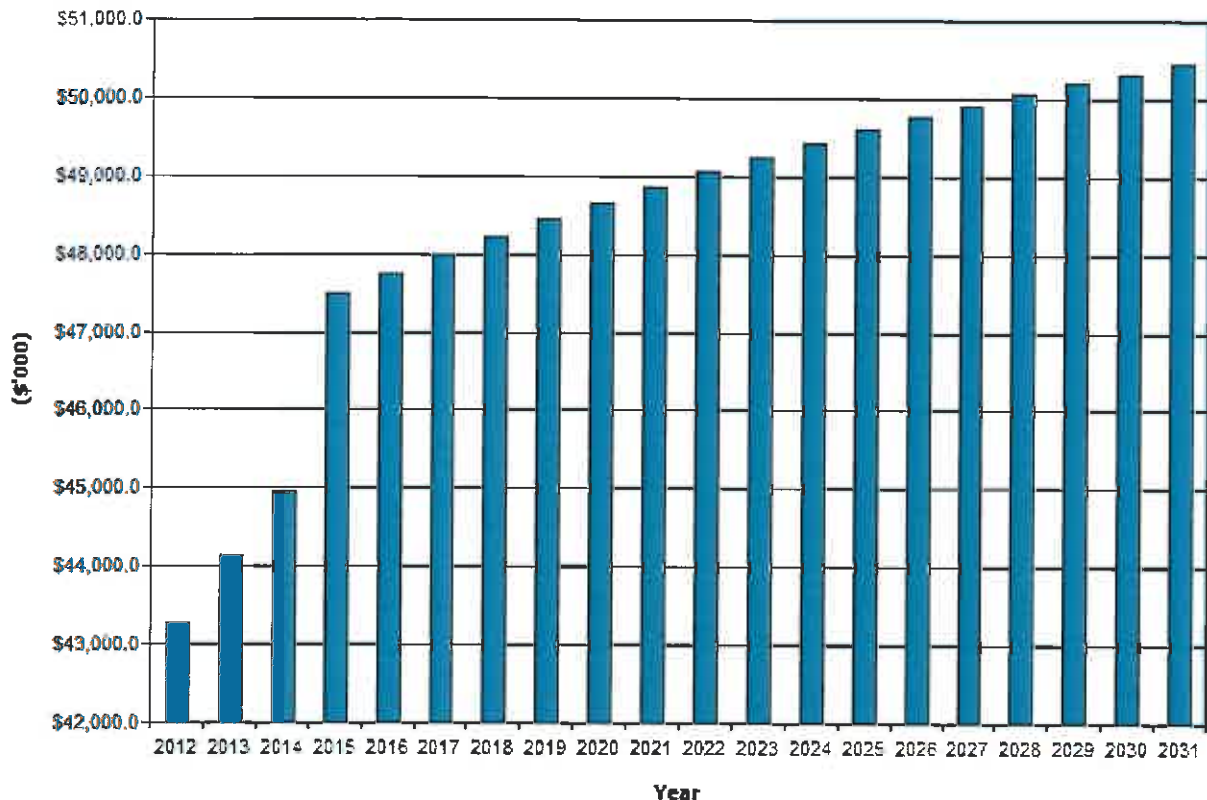
Fig 9. Projected Depreciation Expense



The depreciated replacement cost (current replacement cost less accumulated depreciation) will vary over the forecast period depending on the rates of addition of new assets, disposal of old assets and consumption and renewal of existing assets. Forecast of the assets' depreciated replacement cost is shown in Fig 10.

Fig 10. Projected Depreciated Replacement Cost

Mingenew SC – Projected Depreciated Replacement Cost (Infrastructure)



6.4 Key Assumptions made in Financial Forecasts

This section details the key assumptions made in presenting the information contained in this asset management plan and in preparing forecasts of required operating and capital expenditure and asset values, depreciation expense and carrying amount estimates. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this asset management plan are:

- Costs are at a 2010/11 price base. No allowance has been made for inflation
- Renewals and new/upgrade capital forecasts are in accordance with the Forward Capital Works Plan
- Maintenance costs allow for the forecast increase in assets due to development and increase demand on assets due to demand changes
- The average useful life and average remaining life of assets are based on current local knowledge, industry standards, historical trends and condition assessment
- Operations and maintenance forecasts have been based on current expenditure levels and percentages of replacement costs for each asset class
- Standard asset useful lives are as shown below. Some specific assets, as identified by council officers, have non standard useful lives. These have been allowed for in the asset data.

Table 6.4 Standard Asset Lives

Asset Class	Standard asset life (years)
Sealed and gravel road construction/road base	50
Bridges	80
Culverts	80
Railway Crossings	50
Road signs/features	15
Floodways	50
Kerbing	50
Footpaths	50
Road seal	15
Buildings	30 to 50

Accuracy of future financial forecasts may be improved in future revisions of this asset management plan by the following actions.

- Carrying out a condition assessment of the following assets to enable their remaining useful lives to be more accurately determined
 - Buildings
 - Bridges, culverts, railway crossings, road signs and features and floodways
 - Recreation assets
 - Public/civic assets.
- Collecting financial information so that maintenance (planned and reactive), operational, renewal and new/upgrade costs can be separately identified

7. ASSET MANAGEMENT PRACTICES

7.1 Accounting/Financial Systems

Changes to the existing cost ledger will be required to ensure that some form of asset based costing is achievable. The costs for each asset should be broken down such that operational, maintenance and capital expenditure can be identified.

Under the present system there is no clear break down of costs based on the above delineation.

7.2 Asset Management Systems

Council currently utilises ROMAN to manage its road assets. However the system is not fully utilised. ROMAN has been upgraded to allow easier modelling and as such better management of the road assets. Apart from ROMAN there is no integrated asset management system at the present time. There is no direct link between the finance system and the asset system.

7.3 Information Flow Requirements and Processes

The key information flows *into* this asset management plan are:

- The asset register data on size, age, value, remaining life of the network;
- The unit rates for categories of work/material;
- The adopted service levels;
- Projections of various factors affecting future demand for services;
- Correlations between maintenance and renewal, including decay models;
- Data on new assets acquired by council.

The key information flows *from* this asset management plan are:

- The assumed Works Program and trends;
- The resulting budget, valuation and depreciation projections;
- The useful life analysis.

These will impact the Long Term Financial Plan, Strategic Business Plan, annual budget and departmental business plans and budgets.

There are currently no formal processes for the transfer of information from the AM to the financial systems and for the recognition of new assets in either system. Refer to Improvement Plan.

7.4 Standards and Guidelines

There are currently no AM policies or procedures. Refer to Improvement Plan.

8. PLAN IMPROVEMENT AND MONITORING

8.1 Performance Measures

The effectiveness of the asset management plan can be measured in the following ways:

- The degree to which the required cash flows identified in this asset management plan are incorporated into council's long term financial plan and Strategic Management Plan;
- The degree to which 1-5 year detailed works programs, budgets, business plans and organisational structures take into account the requirements of the asset management plan;

8.2 Improvement Plan

The asset management improvement plan generated from this asset management plan is shown in Table 8.1.

Table 8.1. Improvement Plan

Task No	Task	PRIORITY	Responsibility	Resources Required
1	Prepare an asset management policy and strategy and obtain Councillors approval to them	1		
2	Prepare an asset condition inspection and assessment plan that describes condition inspection and assessment processes and frequencies and condition data management for all asset classes	1		
3	Collect financial information so that maintenance costs (planned and reactive) and operational costs can be separately identified for each asset class	1		
4	Improve financial reporting so that all capital work is separately identified as either renewal, upgrade or new and costs are correctly allocated	1		
5	Review property leases and negotiate amendments as necessary to ensure the Shires risks regarding on-going liabilities are managed	2		
6	Carry out a condition assessment of buildings, point roads assets, recreation and public/civic assets	2		
7	Prepare a program to investigate for and remove asbestos from buildings	2		
8	Prepare a Demand Management Plan that describes how forecast demand	3		

Task No	Task	PRIORITY	Responsibility	Resources Required
	changes will be managed			
9	Prepare maintenance plans for all asset classes that cover the type and frequency of maintenance required to ensure that the Levels of Service are achieved	3		
10	Develop priority ranking criteria for renewals projects	3		
11	Prepare formal processes for the transfer of information from the AM to the financial systems and for the recognition of new assets in either system	3		
12	Hold a workshop with key staff, the management team and councillors to tell them about the plans and processes that have been prepared, the benefits and how they will be affected	3		

8.3 Monitoring and Review Procedures

This asset management plan will be reviewed during annual budget preparation and amended to recognise any changes in service levels and/or resources available to provide those services as a result of the budget decision process.

The Plan has a life of 4 years and is due for revision and updating within 1 year of each Council election.

REFERENCES

Shire of Mingenew Plan for the Future 2010 - 2013

Shire of Mingenew Future Capital Works Plan February 2011

Shire of Mingenew Financial Plan for year ended 30th June 2009

Mingenew Sport and recreation Strategic Plan March 2011

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, www.ipwea.org.au

APPENDICES

Appendix A Forward Capital Works Plan

FORWARD CAPITAL WORKS PLAN

FIGURES ROUNDED TO THE NEAREST '000

Asset Group	Project	2009-2010				2010-2011				2011-2012				2012-2013				2013-2014				2014-2015				
		Count	CLF (local)	CLF (Regional)	Other Grants	Total	Count	CLF (local)	CLF (Regional)	Other Grants	Total	Count	CLF (local)	CLF (Regional)	Other Grants	Total	Count	CLF (local)	CLF (Regional)	Other Grants	Total	Count	CLF (local)	CLF (Regional)	Other Grants	Total
Road Program	Renewal																									
	Expansion New	554		330	400	1,284	554		400	450	1,404	450		350	500	1,300	450		350	500	1,300	450		350	500	1,300
Road Program		1,002																								
Footpath Program	Renewal																									
	Expansion New			20		20					0					0						0				0
Footpath Program																										
Staff Housing	Renewal																									
	Expansion New			20		20					0					0						0				0
Staff Housing																										
Aged Accommodation	Renewal																									
	Expansion New			123		143					583		283	300		0						250				0
Aged Accommodation																										
Toilet Block	Renewal																									
	Expansion New					0					0					800	283	450	1,533			0				0
Toilet Block																800										
Recreation Centre Expansion	Renewal																									
	Expansion New					0					0					60						0				0
Recreation Centre Expansion																										
Office Accommodation Refurbishment	Renewal																									
	Expansion New			25		0					0					400						0				2,000
Office Accommodation Refurbishment																										
Deport Accommodation	Renewal																									
	Expansion New					25					0					400						0				0
Deport Accommodation																										
Race Track Refurbishment	Renewal																									
	Expansion New					0					0					0						750				750
Race Track Refurbishment																										
Main Street Refurbishment	Renewal																									
	Expansion New					35					0					0						0				0
Main Street Refurbishment																										
Water Park	Renewal																									
	Expansion New					100					0					300						0				0
Water Park																										
Total		1,002	554	330	400	2,087	554	283	300	450	1,587	450	283	450	1,183	1,183	450	1,667	500	1,667	1,000	1,000	667	0	0	1,000

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SHIRE OF MINGENEW



INFRASTRUCTURE ASSET MANAGEMENT POLICY

Version 0 January 2012

Document Control					
Rev No	Date	Revision Details	Author	Reviewer	Approver
0	January 2012		P Johnson		

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1.0 Purpose

The purpose of this Policy is to provide the basis for and to guide the strategic management of the Shire's infrastructure assets in order to deliver the Shire's long term strategic objectives.

The purpose will be achieved by

- a) Developing and implementing an Asset Management Strategy
- b) Preparing and maintaining an Infrastructure Asset Management Plan
- c) Preparing operations and maintenance plans for each infrastructure asset class
- d) Maintaining up to date and validated Asset Management Systems and Processes that are aligned and integrated with the Shire's business practices

2.0 Scope

This Policy applies to all the infrastructure assets owned by Mingenew Shire Council. The asset types covered are as follows:-

Roads assets comprising

Sealed and Unsealed Roads

Bridges

Culverts

Railway Crossings

Road signs/features

Floodways

Kerbing

Footpaths

Buildings comprising

Recreation

Council/Depot

Public/civic

Housing

Other assets comprising

Public/Civic Assets

Recreation Assets

Waste

3.0 Objective

The objective of this Policy is to provide a consistent framework that is aligned and integrated with the Shire's business practices and is consistent with the State Government's Integrated Planning and Reporting requirements such that

- a) Infrastructure assets are managed in accordance with the requirements of relevant legislation;
- b) Infrastructure assets are managed in accordance current best practice, taking affordability into account;
- c) A "whole of life" approach is taken to operational, maintenance, renewal and acquisition plans;
- d) Funding levels to ensure that infrastructure assets deliver the required Levels of Service are identified and reported;
- e) Levels of Service and risks are taken into account in the development of operational, maintenance, renewal, and acquisition plans;
- f) The performance of infrastructure assets is measured and reported against the required levels of service and associated target performance levels;
- g) Infrastructure assets are accounted for in accordance with the requirements of the appropriate accounting standards and reporting requirements;

4.0 Organisational Context

The Shire's most recent Strategic Plan (Plan for the Future 2010- 2013) includes a set of objectives and strategies that form the basis for the development of the Shire as follows:-

Objectives

Governance

Provide leadership to the community.

Consult and communicate with all sectors of our community.

Provide quality local government services and facilities.

Environment

Ensure the recognition & retention of places of heritage

Support & promote environmental management principles

Support the protection of natural resources such as water

Promotion tourism opportunities that are environmentally focused

Economic

To provide an effective, safe and economical system for moving vehicles, pedestrian and cyclists

Support and encourage tourism development

Support Sustainable farming and other industry developments including mining

Protect and enhance community infrastructure

Social

Facilitate a happy and healthy life style for all shire residents
Provide high quality community infrastructure
Ensure the best use of community infrastructure

Strategies

Governance

Provision of professional development opportunities for Councillors & staff.
Ensure a planned approach to decision making by introduction of the Asset Management Plan process
Lobby government to ensure adequate services & facilities are available for our community such as residential aged care facilities
Work co-operatively with surrounding local governments
Continue to actively participate in the amalgamation process
Maintain a staff organisational structure to ensure the Shire is properly resourced to service the community including the current resource sharing arrangements.

Environment

Continue to support the Mingenew Irwin Group.
Develop & implement a Waste Management Plan.
Support & promote the efficient use of resources.
Promote recycling where practical.
Investigate options for water harvesting at the CBH facility
Investigate grant funding opportunities for water projects
Lobby Governments for the protection of natural resources

Economic

Development Asset Management Plans for all community assets such as roads, footpaths and Council owned buildings
Provide good quality tourism facilities such as rest areas and toilets
Continue to consult and support the Mingenew Tourist and Promotions committee

Social

Develop new housing for the aged through a Joint Venture Program
Implement strategies contained in the Community Safety & Crime Prevention Plan
Undertake improvements to the Mingenew Main Hall to ensure that it is continued to be used
Continue to consult and support the Mingenew Sports Advisory committee
Undertake recreation facilities planning

Asset Management plays an important role in the development and management of the Shire. Asset Management contributes to the achievement of all the above objectives and strategies, particularly in relation to the economic and social objectives and strategies.

5.0 Principles

The Shire is the owner of public assets and is responsible for the sustainable management of them and to provide for their replacement or renewal.

Asset management is a structured process which seeks to ensure best value for money from assets to deliver the strategic objectives of the Shire and which informs the operations and maintenance, renewal, disposal and acquisition of assets with an overall objective to optimize service delivery and manage related risks and costs over the asset's life cycle.

Infrastructure assets are fundamental to the Shire's overall service delivery.

The Shire recognises Asset Management as a core activity. Accordingly, every employee of the Shire is either directly or indirectly involved in the management of Shires' assets.

This Policy supports the Shires' intent to raise its Asset Management Practice to a level that is best practice, subject to affordability, through the provision of assets and their timely maintenance and renewal at appropriate levels to meet service needs.

The Shire recognises that its assets incur ongoing operating costs and require maintenance and the replacement of components to ensure that they remain serviceable throughout their life. Some assets may also be disposed of. This combined cost, together with the capital cost of asset acquisition is termed „lifecycle cost“. This policy supports the Shires' commitment to ensure that the Levels of Service delivered by the assets are achieved at the best lifecycle cost.

The Shire also acknowledges through this policy that the acquisition of new assets will take into account the full cost of acquisition, operation, maintenance, renewal and disposal over its life cycle. Accordingly, the future cost impact of new assets will be fully considered as part of any new asset approval.

In undertaking asset management of the infrastructure assets, we will:-

- Develop an Infrastructure Asset Management Strategy and a life-cycle based Infrastructure Asset Management Plan in accordance with this Policy and review them every 4 years;
- Ensure that the Infrastructure Asset Management Strategy and the Infrastructure Asset Management Plan are aligned to the Shire's Strategic Plan and to the State Governments Integrated Planning and Reporting Requirements;
- Determine future levels of service taking consultation with the community and affordability into account;
- Make decisions regarding asset operations and maintenance, renewal, disposal and acquisitions taking levels of service and affordability into account and based on lifecycle costs;
- Ensure compliance with relevant accounting standards;

- Ensure that all relevant legislation is taken into account;
- Collect, store, manage and analyse data on asset utilization, performance and condition and utilize the data to inform operations and maintenance, renewal, disposal and acquisition plans;
- Manage the risks of injury, liability and asset failure through risk and condition assessments;
- Carry out demand forecasting to inform operations and maintenance, renewal, disposal and acquisition plans;
- Develop Long Term Financial Plans on the basis of funding the asset operations and maintenance, renewal, disposal and acquisitions plans in accordance with this Policy;
- Taking affordability into account, ensure that best practice asset management practices and systems are employed to support the management of the Shire's infrastructure assets.

6.0 Roles and Responsibilities

Councillors

Adopt the Infrastructure Asset Management Policy;
 Adopt the Infrastructure Asset Management Strategy;
 Adopt the Infrastructure Asset Management Plan;
 Support the use of asset management planning throughout the organization;
 Make decisions regarding infrastructure assets in accordance with the Infrastructure Asset Management Policy, Strategy and Plan.

Chief Executive Officer

Develops and maintains the Infrastructure Asset Management Policy;
 Develops and maintains the Infrastructure Asset Management Strategy;
 Develops and maintains the Infrastructure Asset Management Plan;
 Ensures alignment between the Infrastructure Asset Management Policy, Strategy and the Asset Management Plan with other policies and processes in the organization;
 Ensures compliance with legislative requirements;
 Ensures infrastructure assets are managed in accordance with Infrastructure Asset Management Policy, Strategy and Plan;
 Supports the use of asset management planning throughout the organization;
 Facilitates best practice asset management.

7.0 Review of Policy

This policy will be reviewed in conjunction with the review of the Infrastructure Asset Management Strategy and Infrastructure Asset Management Plan.

:

SHIRE OF MINGENEW



INFRASTRUCTURE ASSET MANAGEMENT STRATEGY

Version 0 January 2012

Document Control					
Rev No	Date	Revision Details	Author	Reviewer	Approver
0	January 2012		P Johnson		

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1.0 Introduction

Asset management is a systematic process used to guide the planning, acquisition, operation and maintenance, renewal and disposal of assets. Its aim is to maximise asset service delivery potential and manage related risks and costs over their entire lifecycle.

In simple terms, asset management is about the way in which the Shire looks after its assets, both on a day-to-day basis (i.e. maintenance and operations) and in the medium to long term (i.e. strategic and forward planning).

The following diagram illustrates the typical lifecycle of an asset and associated asset management functions from planning for the need to create an asset through to its ultimate disposal including audit and review of performance of that asset.



Mingenew Shire Council is the owner of and responsible for the asset management of the following infrastructure assets which deliver services to the communities in the Shire:-

Roads assets comprising

Sealed and Unsealed Roads

Bridges

Culverts

Railway Crossings

Road signs/features

Floodways

Kerbing

Footpaths

Buildings comprising

Recreation

Council/Depot

Public/civic

Housing

Other assets comprising

Public/Civic Assets

Recreation Assets

Waste

This Infrastructure Asset Management Strategy covers all the Shire's infrastructure assets.

There are a number of issues that are affecting the assets and the current and future associated service delivery as follows:-

- Increasing community awareness and focus of the Council on economic development and lifestyle;
- Increasing community expectations about the levels of service delivered by Council;
- The introduction by the State Government of Integrated Planning and Reporting requirements;
- Availability of funding for operations and maintenance, future developments and asset renewals;
- Ageing infrastructure;
- Changes in demand as a result of growth, demographic changes and changes to economic activity in the Shire.

Asset Management plays a key role in addressing these issues by ensuring sustainable and cost effective operations, maintenance, renewal and acquisition of infrastructure assets.

It is therefore essential that the Shire utilizes sound, affordable and appropriate asset management practices in a consistent way across all the asset classes.

This Infrastructure Asset Management Strategy provides the basis for ensuring that the Shire develops its current practices to achieve the "core" asset management approach as defined by NAMS PLUS.

2.0 Objective

The objective of this Infrastructure Asset Management Strategy is to provide a set of structured strategic actions to enable the Shire to implement asset management practices and systems to ensure that the issues identified above are addressed and to support the Shire's Strategic Plan and Infrastructure Asset Management Policy.

3.0 Current Asset Management Position

3.1 Gap Analysis

An initial asset management gap analysis has been undertaken. This compares the current asset management practices and systems used in the Shire with the practices and systems that should be used in order to conform to the core level of asset management in accordance with NAMS PLUS.

The analysis has been based on information provided by Shire officers during the preparation of the infrastructure Asset Management Plan

The basis of the gap analysis scoring is shown below.

In general, the desired score is 6, which represents the core level of asset management and is a situation where data is verified and of acceptable quality and coverage, and where satisfactory written procedures are generally used across the organization and across all asset classes.

Score	Data	Procedures/processes
10	Data verified, 100% quality and coverage	Comprehensive written procedures used 100% of time by all organisation
9	Data verified, excellent quality and coverage	Comprehensive written procedures widely and consistently used
8	Data verified, very good quality and coverage	Good written procedures widely and consistently used
7	Data verified, good quality and coverage	Good written procedures generally used
6	Data verified, acceptable quality and coverage	Satisfactory written procedures generally used
5	Data verified, poor quality/coverage, or good level of unverified information	Satisfactory written procedures but not widely or consistently used
4	Reasonable level of unverified data	Unwritten procedures in most parts of organisation or written procedures but of limited value
3	Some unverified data	Unwritten procedures in some parts of organisation or written procedures of no real value
2	Very limited unverified data	Unwritten procedures used on ad hoc basis
1	Does not exist	Does not exist

The results of the gap analysis are summarised below. The detailed results are attached as Appendix A.

	Roads assets	Buildings	Other Assets	Current Average Score	Desired Score
Asset Knowledge / Data	5.3	3.8	3.8	4.3	6.0
Data processes	4.8	2.5	2.5	3.3	6.0
Strategic Asset Planning	4.0	4.0	4.0	4.0	6.0
Operations Maintenance and Work Processes	5.0	4.8	4.8	4.9	6.0
Information Systems	4.3	3.2	3.2	3.6	6.0
Organizational / Commercial Context	4.3	4.3	4.3	4.3	6.0
Current Average Score	4.7	3.8	3.8	4.1	6.0

The analysis shows that work is required in all asset management categories and all asset classes in order to achieve the desired standard.

Particular issues relate to asset data, asset management practices, asset management systems and roles and responsibilities as described below.

3.2 Asset Data

There are no written procedures for the collection, review/audit and management of location, physical attribute, condition and performance data. Roads asset location, physical attribute, condition data was collected in June 2011 as part of the roads asset valuation and is up to date and of good quality. The data for other asset classes is not up to date and is of unverified quality.

The roads assets were valued in June 2011. There has been no recent valuation of the other asset classes.

3.3 Asset Management Practices

Asset management is practiced in an ad hoc and inconsistent way across the asset classes in a number of areas

There are currently no formal written asset management procedures which set down the practices that are currently followed. This leads to uncertainty regarding the quality and comprehensiveness of the asset data and how it is managed.

3.4 Asset Management Systems

The Shire currently utilises ROMAN to manage its road assets. However the system is not fully utilised. ROMAN has been upgraded to allow easier modeling and as such better management of the road assets.

There is currently no asset management system used for buildings and other assets. Asset management data is held on a series of excel spreadsheets that are updated manually as required.

There is no direct link between the ROMAN asset management system, the asset management spreadsheets and the finance and other management systems used by the Shire.

Asset management data is currently managed by the Shire's Manager of Finance and Administration in conjunction with the Works Manager and is stored on the Shire's main server and backed up in accordance with the Shire's IT Maintenance Procedure.

3.5 Asset Management Roles and Responsibilities

Specific roles and responsibilities regarding asset management are not clearly defined, but in general will involve the Chief Executive Officer, the Manager of Finance and Administration and the Works Manager.

4.0 Asset Management Improvement Plan

The following asset management improvement plan is based on the results of the gap analysis. Separate actions are identified for each asset class. The actions have been prioritized, but no timeframe has been included at this stage. The timing of implementation of the plan will depend on the availability of resources and funding.

The full improvement plan is included as Appendix B.

Priority 1 Actions

Asset Management Activity	Action required	Asset classes covered			Comments
		Roads	Buildings	Other Assets	
Valuation, depreciation and effective life data	Undertake valuation and recalculate depreciation	X	✓	✓	Roads asset revaluation in 3 years
Asset identification / classification procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes
Condition assessment procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes
Asset handover procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes
Data management procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes
Critical assets	Critical assets to be identified	✓	✓	✓	Covers all asset classes
AM roles and responsibilities	To be clarified	✓	✓	✓	Covers all asset classes

Priority 2 Actions

Asset Management Activity	Action required	Asset classes covered			Comments
		Roads	Buildings	Other Assets	
Condition data	Complete condition assessment	X	✓	✓	To be in accordance with procedure
Asset Classification / hierarchy	Update and extend existing asset data as necessary.	✓	✓	✓	To be in accordance with procedure
Physical attributes and location data	Verify and update existing data as necessary. Future data collection in accordance with procedure.	✓	✓	✓	To be in accordance with procedure
Operational / Maintenance data	Verify and update existing data as necessary. Future data collection in accordance with procedure.	✓	✓	✓	To be in accordance with procedure

Priority 3 Actions

Asset Management Activity	Action required	Asset classes covered			Comments
		Roads	Buildings	Other Assets	
Demand forecasting	Prepare demand management plan	✓	✓	✓	Covers all asset classes
Asset rationalisation procedure	Prepare written procedure covering renewals, acquisitions and disposals and including priority ranking criteria	✓	✓	✓	Single procedure for all asset classes
Maintenance strategies and management	Prepare maintenance management plan, taking corporate strategy and Levels of Service into account	✓	✓	✓	Covers all asset classes
Asset management system / modules	Prepare written procedure for and implement formal asset management system	X	✓	✓	Covers all asset classes
Systems integration	Prepare written procedure detailing processes for transfer of data between systems	✓	✓	✓	Covers all asset classes
Training and awareness	Continue training of relevant staff. Workshop with management team and councillors required	✓	✓	✓	Covers all asset classes

Priority 4 Actions

Asset Management Activity	Action required	Asset classes covered			Comments
		Roads	Buildings	Other Assets	
Risk management	Prepare risk management policy and plan, with critical assets identified and a risk assessment undertaken	✓	✓	✓	Covers all asset classes
Capital investment planning	Prepare procedure to ensure consistency with organizational financial plans	✓	✓	✓	Single procedure for all asset classes
Asset register	Review and update register	X	✓	✓	Covers all asset classes
Works / maintenance cost management	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes
Customer request system	Implement system to record complaints, requests for service and responses	✓	✓	✓	Covers all asset classes
Levels of service	To be confirmed following community consultation	✓	✓	✓	Covers all asset classes
Lifecycle planning	Prepare written guidelines for lifecycle planning	✓	✓	✓	Covers all asset classes

An indicative schedule, based on a 3 year program is shown below. A more detailed schedule will be required prior to commencement of the improvement plan.

It is expected that the improvement plan and schedule may be implemented with an average of 0.25 to 0.33 full time equivalent staff, supplemented by specialist resources where necessary, e.g. valuations of non roads assets.

	YEAR 1				YEAR 2				YEAR 3			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Undertake valuation of non roads assets												
Prepare data, condition assessment and management procedures												
Prepare asset handover procedure												
Critical assets to be identified												
Clarification of AM roles and responsibilities												
Complete condition assessment of non roads assets												
Verify and update existing asset data as necessary												
Verify and update existing O&M data as necessary												
Prepare demand management plan												
Prepare procedure for renewals, acquisitions and disposals												
Prepare maintenance management plan												
Prepare procedure for and implement asset management system												
Prepare written procedure for transfer of data between systems												
Workshop with management team and councillors												
Prepare risk management policy and plan												
Prepare capital investment planning procedure												
Review and update asset register												
Prepare written works/maintenance cost procedure												
Implement customer request/complaints system												
Revised Levels of Service												
Prepare written guidelines for lifecycle planning												

5.0 Asset Management Performance Monitoring

Performance in relation to asset management will be measured using the Key Performance Indicators in the table below. The overall objective is to reach the target performance levels by the end of year 3 following the approval of this strategy.

Key Performance Indicator	Description	Current Performance 2011/12	Target Performance Year 3
Implementation of Improvement Plan	To be based on achieving Priority 1 actions in year 1 etc.	n/a	100%
Lifecycle sustainability Index	Ratio of planned lifecycle costs/year to required lifecycle costs per year	0.87	1.00
10 year sustainability index	Ratio of planned renewal and maintenance costs/year to required renewal and maintenance costs per year	1.12	1.00
Asset consumption Index	Ratio of depreciated replacement cost to replacement value	0.77	0.77
Customer satisfaction level	Current performance based on June 2010 customer survey	n/a	90%
Level of Service performance	Compliance with target Levels of Service performance levels, measured on a simple compliance basis	to be confirmed	90%
10 year renewal funding index	Ratio of 10 year planned renewals funding to required renewals funding	2.59	1.00
Asset sustainability index	Ratio of annual renewals funding to annual depreciation	0.87	1.00

6.0 Review of Strategy

This strategy will be reviewed in conjunction with the review of the Infrastructure Asset Management Policy and Infrastructure Asset Management Plan.

7.0 Appendix A – Gap Analysis

Roads assets	Current Score	Desired score	1	2	3	4	5	6	7	8	9	10
Asset Knowledge / Data	5.3	5.8										
Asset Classification / hierarchy	6	6										
Physical attributes and location	6	6										
Operational / Maintenance data	4	6										
Condition data	6	6										
Lifecycle cost data	4	5										
Valuation, depreciation and effective life data	6	6										
Data processes / techniques	4.8	6.0										
Asset identification / clarification processes	5	6										
Condition assessment processes / rating systems	6	6										
Asset handover procedures	3	6										
Data capture and management	5	6										
Strategic Asset Planning Processes	4.0	5.6										
Levels of service	3	6										
Demand forecasting	5	6										
Risk management	3	5										
Lifecycle planning and funding projections	3	4										
Capital investment planning	4	6										
Asset rationalisation	4	6										
Asset management plans	6	6										
Operations Maintenance and Work Processes	5.0	5.6										
Maintenance strategies	4	5										
Emergency response plans	6	6										
Contract administration	5	5										
Design / construction standards	6	6										
Critical assets	4	6										
Information Systems	4.3	5.7										
Asset register	6	6										
Plans & records	5	5										
Works / maintenance management	4	6										
Customer Request System	3	6										
Asset management system / modules	5	5										
Systems integration	3	6										
Organisational / Commercial Context	4.3	6.0										
Organisational strategy	6	6										
Corporate sponsorship / commitment	4	6										
AM roles and responsibilities	3	6										
Training and awareness	4	6										

Buildings	Current Score	Desired score	1	2	3	4	5	6	7	8	9	10
Asset Knowledge / Data	3.8	5.8										
Asset Classification / hierarchy	4	6										
Physical attributes and location	4	6										
Operational / Maintenance data	4	6										
Condition data	3	6										
Lifecycle cost data	4	5										
Valuation, depreciation and effective life data	4	6										
Data processes / techniques	2.5	6.0										
Asset identification / clarification processes	3	6										
Condition assessment processes / rating systems	2	6										
Asset handover procedures	3	6										
Data capture and management	2	6										
Strategic Asset Planning Processes	4.0	5.9										
Levels of service	3	6										
Demand forecasting	5	6										
Risk management	3	5										
Lifecycle planning and funding projections	3	6										
Capital investment planning	4	6										
Asset rationalisation	4	6										
Asset management plans	6	6										
Operations Maintenance and Work Processes	4.8	5.6										
Maintenance strategies	3	5										
Emergency response plans	6	6										
Contract administration	5	5										
Design / construction standards	6	6										
Critical assets	4	6										
Information Systems	3.2	5.7										
Asset register	3	6										
Plans & records	4	5										
Works / maintenance management	4	6										
Customer Request System	3	6										
Asset management system / modules	2	5										
Systems integration	3	6										
Organisational / Commercial Context	4.3	6.0										
Organisational strategy	6	6										
Corporate sponsorship / commitment	4	6										
AM roles and responsibilities	3	6										
Training and awareness	4	6										

Other Assets	Current Score	Desired score	1	2	3	4	5	6	7	8	9	10
Asset Knowledge / Data	3.8	5.8										
Asset Classification / hierarchy	4	6										
Physical attributes and location	4	6										
Operational / Maintenance data	4	6										
Condition data	3	6										
Lifecycle cost data	4	5										
Valuation, depreciation and effective life data	4	6										
Data processes / techniques	2.5	6.0										
Asset identification / clarification processes	3	6										
Condition assessment processes / rating systems	2	6										
Asset handover procedures	3	6										
Data capture and management	2	6										
Strategic Asset Planning Processes	4.0	5.9										
Levels of service	3	6										
Demand forecasting	5	6										
Risk management	3	5										
Lifecycle planning and funding projections	3	6										
Capital investment planning	4	6										
Asset rationalisation	4	6										
Asset management plans	6	6										
Operations Maintenance and Work Processes	4.8	5.6										
Maintenance strategies	3	5										
Emergency response plans	6	6										
Contract administration	5	5										
Design / construction standards	6	6										
Critical assets	4	6										
Information Systems	3.2	5.7										
Asset register	3	6										
Plans & records	4	5										
Works / maintenance management	4	6										
Customer Request System	3	6										
Asset management system / modules	2	5										
Systems integration	3	6										
Organisational / Commercial Context	4.3	6.0										
Organisational strategy	6	6										
Corporate sponsorship / commitment	4	6										
AM roles and responsibilities	3	6										
Training and awareness	4	6										

8.0 Appendix B – Improvement Plan

Asset Management Activity	Action required	Asset classes covered			Comments	Priority
		Roads	Buildings	Other Assets		
Valuation, depreciation and effective life data	Undertake valuation and recalculate depreciation	X	✓	✓	Roads asset revaluation in 3 years	1
Asset identification / classification procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes	1
Condition assessment procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes	1
Asset handover procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes	1
Data management procedure	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes	1
Critical assets	Critical assets to be identified	✓	✓	✓	Covers all asset classes	1
AM roles and responsibilities	To be clarified	✓	✓	✓	Covers all asset classes	1
Condition data	Complete condition assessment	X	✓	✓	To be in accordance with procedure	2
Asset Classification / hierarchy	Update and extend existing asset data as necessary.	✓	✓	✓	To be in accordance with procedure	2
Physical attributes and location data	Verify and update existing data as necessary. Future data collection in accordance with procedure.	✓	✓	✓	To be in accordance with procedure	2
Operational / Maintenance data	Verify and update existing data as necessary. Future data collection in accordance with procedure.	✓	✓	✓	To be in accordance with procedure	2
Demand forecasting	Prepare demand management plan	✓	✓	✓	Covers all asset classes	3
Asset rationalisation procedure	Prepare written procedure covering renewals, acquisitions and disposals and including priority ranking criteria	✓	✓	✓	Single procedure for all asset classes	3
Maintenance strategies and management	Prepare maintenance management plan, taking corporate strategy and Levels of Service into account	✓	✓	✓	Covers all asset classes	3
Asset management system / modules	Prepare written procedure for and implement formal asset management system	X	✓	✓	Covers all asset classes	3

Asset Management Activity	Action required	Asset classes covered			Comments	Priority
		Roads	Buildings	Other Assets		
Systems integration	Prepare written procedure detailing processes for transfer of data between systems	✓	✓	✓	Covers all asset classes	3
Training and awareness	Continue training of relevant staff. Workshop with management team and councillors required	✓	✓	✓	Covers all asset classes	3
Risk management	Prepare risk management policy and plan, with critical assets identified and a risk assessment undertaken	✓	✓	✓	Covers all asset classes	4
Capital investment planning	Prepare procedure to ensure consistency with organizational financial plans	✓	✓	✓	Single procedure for all asset classes	4
Asset register	Review and update register	X	✓	✓	Covers all asset classes	2
Works / maintenance cost management	Prepare written procedure based on current practices	✓	✓	✓	Single procedure for all asset classes	4
Customer request system	Implement system to record complaints, requests for service and responses	✓	✓	✓	Covers all asset classes	4
Levels of service	To be confirmed following community consultation	✓	✓	✓	Covers all asset classes	4
Lifecycle planning	Prepare written guidelines for lifecycle planning	✓	✓	✓	Covers all asset classes	4
Asset management plans	First cut infrastructure AMP prepared 2011.	X	X	X	Covers all asset classes	no immediate action
Emergency response plans	Emergency Response Plan in place	✓	✓	✓	Covers all asset classes	no immediate action
Contract administration	No immediate action required	✓	✓	✓	Covers all asset classes	no immediate action
Design / construction standards	No immediate action required	✓	✓	✓	Covers all asset classes	no immediate action
Plans & records	No immediate action required	✓	✓	✓	Covers all asset classes	no immediate action
Organizational strategy	Asset Management Policy and Strategy now developed	✓	✓	✓	Covers all asset classes	no immediate action
Corporate sponsorship / commitment	No immediate action, other than regular updates and confirmation of support	✓	✓	✓	Covers all asset classes	no immediate action

ATTACHMENT: 10.3
Road Hierarchy

SHIRE OF MINGENEW ROAD HIERARCHY									
LEGEND A: Highest Priority - E: Lowest Priority Funding Sources Y: Eligible for funding P: Possibly eligible for funding				Green: Sealed Yellow: Unsealed				LAST UPDATED: 9 APR 2019	
						Funding Sources			
Road No.	Road / Road Segment	Road Type (RAMM)	Proposed Road Hierarchy	Length (km)	Type	R2R	RRG / Roads 2030	Black Spot	Shire Own Funds
8	ALLANOOKA SPRINGS ROAD (8)	REGIONAL DISTRIBUTOR ROAD	A	7.50	Sealed	P	Y		Y
7	BURMA ROAD (7)	ACCESS ROAD	A	1.95	Unsealed	P	Y		Y
3	COALSEAM ROAD (3)	LOCAL DISTRIBUTOR ROAD	A	21.30	Sealed	P	Y		Y
3	COALSEAM ROAD (3)	LOCAL DISTRIBUTOR ROAD	A	13.83	Unsealed	P	Y		Y
6	DEPOT HILL ROAD (6)	REGIONAL DISTRIBUTOR ROAD	A	15.87	Sealed	P	Y		Y
80	MINGENEW - MULLEWA ROAD (80)	REGIONAL DISTRIBUTOR ROAD	A	31.04	Sealed	P	Y		Y
4	NANEKINE ROAD (4)	LOCAL DISTRIBUTOR ROAD	A	13.98	Sealed	P	Y		Y
88	DEPOT HILL NORTH (88)	LOCAL DISTRIBUTOR ROAD	B	0.20	Sealed	P			Y
88	DEPOT HILL NORTH (88)	LOCAL DISTRIBUTOR ROAD	B	16.81	Unsealed	P			Y
24	MILO ROAD (24)	ACCESS ROAD	B	0.04	Sealed	P	Y		Y
24	MILO ROAD (24)	ACCESS ROAD	B	3.21	Unsealed	P	Y		Y
1	MINGENEW SOUTH ROAD (1)	LOCAL DISTRIBUTOR ROAD	A	17.06	Sealed	P	P		Y
11	MOORIARY ROAD (11)	ACCESS ROAD	B	0.24	Sealed	P			Y
11	MOORIARY ROAD (11)	ACCESS ROAD	B	15.92	Unsealed				Y
45	PHILLIP STREET (45)	ACCESS ROAD	B	1.04	Sealed	P			Y
17	SCROOPS ROAD (17)	ACCESS ROAD	B	13.90	Unsealed	P			Y
41	VICTORIA STREET (41)	ACCESS ROAD	B	2.50	Sealed	P			Y
5	YANDANOOKA - MELARRA ROAD (5)	ACCESS ROAD	B	20.40	Unsealed				Y
2	YANDANOOKA NORTH EAST ROAD (2)	ACCESS ROAD	B	21.58	Sealed	P		P	Y
12	YANDANOOKA WEST ROAD (12)	LOCAL DISTRIBUTOR ROAD	B	13.06	Sealed	P			Y
12	YANDANOOKA WEST ROAD (12)	LOCAL DISTRIBUTOR ROAD	B	5.00	Unsealed				Y
12	YANDANOOKA WEST ROAD (12)	LOCAL DISTRIBUTOR ROAD	B	0.08	Unsealed				Y
89	YANDANOOKA WEST ROAD (2) (89)	LOCAL DISTRIBUTOR ROAD	B	0.28	Sealed	P			Y
89	YANDANOOKA WEST ROAD (2) (89)	LOCAL DISTRIBUTOR ROAD	B	0.60	Sealed	P			Y
89	YANDANOOKA WEST ROAD (2) (89)	LOCAL DISTRIBUTOR ROAD	B	9.35	Unsealed				Y
89	YANDANOOKA WEST ROAD (2) (89)	LOCAL DISTRIBUTOR ROAD	B	1.12	Unsealed				Y
82	BOOLINDA ROAD (82)	LOCAL DISTRIBUTOR ROAD	C	0.16	Unsealed				Y
56	ELEANOR STREET (56)	LOCAL DISTRIBUTOR ROAD	C	1.01	Sealed	P			Y
74	ERNEST STREET (74)	ACCESS ROAD	C	0.30	Sealed	P			Y
52	IRWIN STREET (52)	ACCESS ROAD	C	0.37	Sealed	P			Y
40	KING STREET (40)	ACCESS ROAD	C	0.75	Sealed	P			Y
15	MORAWA - YANDANOOKA ROAD (15)	ACCESS ROAD	C	15.39	Unsealed				Y
22	NARANDAGY - PINTHARUKA ROAD (22)	ACCESS ROAD	C	14.90	Unsealed				Y
18	STRAWBERRY NORTH EAST ROAD (18)	ACCESS ROAD	C	14.34	Unsealed				Y
14	YANDANOOKA SOUTH (14)	ACCESS ROAD	C	0.12	Sealed	P			Y
14	YANDANOOKA SOUTH (14)	ACCESS ROAD	C	3.56	Unsealed				Y
10	YARRAGADEE WEST ROAD (10)	ACCESS ROAD	C	0.20	Sealed	P			Y
10	YARRAGADEE WEST ROAD (10)	ACCESS ROAD	C	6.92	Unsealed				Y
62	BOUNDARY ROAD (62)	ACCESS ROAD	D	7.33	Unsealed				Y

SHIRE OF MINGENEW ROAD HIERARCHY									
LEGEND A: Highest Priority - E: Lowest Priority Funding Sources Y: Eligible for funding P: Possibly eligible for funding				Green: Sealed Yellow: Unsealed				LAST UPDATED: 9 APR 2019	
						Funding Sources			
Road No.	Road / Road Segment	Road Type (RAMM)	Proposed Road Hierarchy	Length (km)	Type	R2R	RRG / Roads 2030	Black Spot	Shire Own Funds
42	BRIDE STREET (42)	ACCESS ROAD	D	0.40	Sealed	P			Y
49	BROAD STREET (49)	ACCESS ROAD	D	0.12	Sealed	P			Y
73	COALMINES ROAD (73)	ACCESS ROAD	D	1.30	Unsealed				Y
72	COALSEAM RESERVE NORTH ROAD (72)	ACCESS ROAD	D	0.62	Unsealed				Y
34	COLGATE ROAD (34)	ACCESS ROAD	D	17.54	Unsealed				Y
76	DONALD STREET (76)	ACCESS ROAD	D	0.21	Sealed	P			Y
51	ENANTY STREET (51)	ACCESS ROAD	D	0.12	Sealed	P			Y
9	ERANGY SPRING ROAD (9)	ACCESS ROAD	D	10.87	Unsealed				Y
57	FIELD STREET (57)	ACCESS ROAD	D	0.32	Sealed	P			Y
64	FOGARTY ROAD (64)	ACCESS ROAD	D	0.21	Sealed	P			Y
54	GEORGE STREET (54)	ACCESS ROAD	D	0.11	Sealed	P			Y
55	IKEWA STREET (55)	ACCESS ROAD	D	0.30	Sealed	P			Y
23	JONES ROAD (23)	ACCESS ROAD	D	4.90	Unsealed				Y
50	LEE STEERE STREET (50)	ACCESS ROAD	D	0.27	Sealed	P			Y
46	LINTHORNE STREET (46)	ACCESS ROAD	D	0.76	Sealed	P			Y
47	LOCKIER STREET (47)	ACCESS ROAD	D	0.26	Sealed	P			Y
20	MANARRA ROAD (20)	ACCESS ROAD	D	8.25	Unsealed				Y
75	MELVILLE STREET (75)	ACCESS ROAD	D	0.15	Sealed	P			Y
86	MIDLAND ROAD NORTH (86)	ACCESS ROAD	D	0.55	Sealed	P			Y
87	MIDLAND ROAD SOUTH (87)	ACCESS ROAD	D	0.55	Sealed	P			Y
53	MOORE STREET (53)	ACCESS ROAD	D	0.16	Sealed	P			Y
21	MOUNT SCRATCH (21)	ACCESS ROAD	D	8.85	Unsealed				Y
59	NELSON PEARSE STREET (59)	ACCESS ROAD	D	0.40	Sealed	P			Y
48	OLIVER STREET (48)	ACCESS ROAD	D	0.40	Sealed	P			Y
39	SCOTT ROAD (39)	ACCESS ROAD	D	3.49	Unsealed				Y
43	SHENTON STREET (43)	ACCESS ROAD	D	0.71	Sealed	P			Y
71	SHOWGROUNDS ROAD (71)	ACCESS ROAD	D	1.22	Sealed	P			Y
58	SPRING STREET (58)	ACCESS ROAD	D	0.24	Sealed	P			Y
19	SWITCHBACK ROAD (19)	ACCESS ROAD	D	11.71	Unsealed				Y
16	TIP ROAD (16)	ACCESS ROAD	D	0.04	Sealed	P			Y
16	TIP ROAD (16)	ACCESS ROAD	D	2.68	Unsealed				Y
60	VIEW STREET (60)	ACCESS ROAD	D	0.20	Sealed	P			Y
69	WATTLE STREET (69)	ACCESS ROAD	D	0.12	Sealed	P			Y
44	WILLIAM STREET (44)	ACCESS ROAD	D	0.42	Sealed	P			Y
27	WILLIS ROAD (27)	ACCESS ROAD	D	4.19	Unsealed				Y
83	YANDANOOKA ROAD (83)	ACCESS ROAD	D	0.37	Sealed	P			Y

SHIRE OF MINGENEW ROAD HIERARCHY									
LEGEND A: Highest Priority - E: Lowest Priority Funding Sources Y: Eligible for funding P: Possibly eligible for funding				Green: Sealed Yellow: Unsealed				LAST UPDATED: 9 APR 2019	
						Funding Sources			
Road No.	Road / Road Segment	Road Type (RAMM)	Proposed Road Hierarchy	Length (km)	Type	R2R	RRG / Roads 2030	Black Spot	Shire Own Funds
66	ADJI DAJI ROAD (66)	ACCESS ROAD	E	0.73	Unsealed				Y
63	BYRO ROAD (63)	ACCESS ROAD	E	3.75	Unsealed				Y
28	CAMPBELL ROAD (28)	ACCESS ROAD	E	1.74	Unsealed				Y
65	CARRS ROAD (65)	ACCESS ROAD	E	2.28	Unsealed				Y
35	EBANO ROAD (35)	ACCESS ROAD	E	2.10	Unsealed				Y
13	ENOKURRA ROAD (13)	ACCESS ROAD	E	6.08	Unsealed				Y
84	FOSSIL'S CREEK ROAD (84)	ACCESS ROAD	E	0.38	Unsealed				Y
37	JACOBS ROAD (37)	ACCESS ROAD	E	0.62	Unsealed				Y
61	LOOK OUT (61)	ACCESS ROAD	E	2.15	Unsealed				Y
31	MICHAEL ROAD (31)	ACCESS ROAD	E	5.93	Unsealed				Y
79	MINGENEW HILL LOOK - OUT (79)	ACCESS ROAD	E	0.50	Unsealed				Y
30	MOFFETT ROAD (30)	ACCESS ROAD	E	2.49	Unsealed				Y
32	MUNGATERRA ROAD (32)	ACCESS ROAD	E	2.53	Unsealed				Y
67	NATTA ROAD (67)	ACCESS ROAD	E	0.52	Unsealed				Y
29	NEWTON ROAD (29)	ACCESS ROAD	E	1.58	Unsealed				Y
70	QUEEN STREET (70)	ACCESS ROAD	E	0.12	Sealed	P			Y
25	TELARA ROAD (25)	ACCESS ROAD	E	11.85	Unsealed				Y
68	THOMAS ROAD (68)	ACCESS ROAD	E	1.22	Unsealed				Y
38	WATSON ROAD (38)	ACCESS ROAD	E	0.70	Unsealed				Y
26	WICK ROAD (26)	ACCESS ROAD	E	10.63	Unsealed				Y

ATTACHMENT: 11.1
Finance Report Ending March 2019

SHIRE OF MINGENEW

MONTHLY FINANCIAL REPORT

For the Period Ended 31 March 2019

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Shire of Mingenew
Compilation Report
For the Period Ended 31 March 2019

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 March 2019 of \$1,691,601.

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

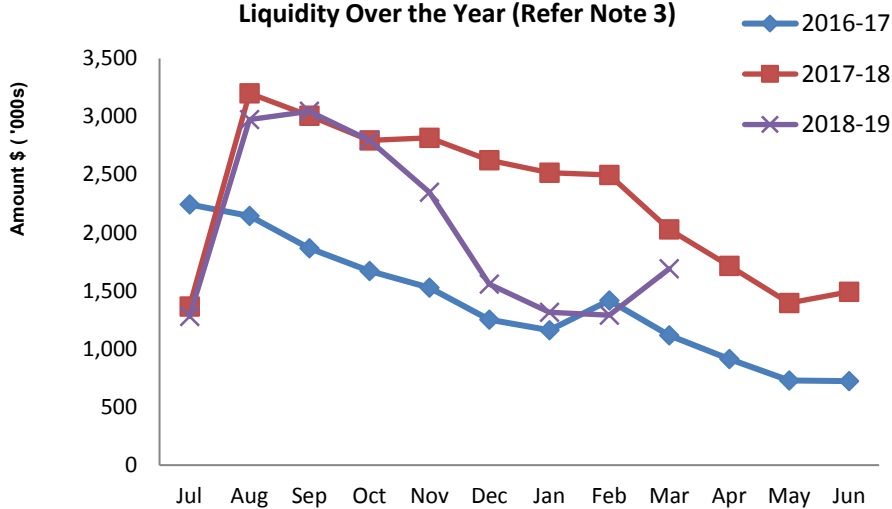
Preparation

Prepared by: Jeremy Clapham

Date prepared: 10/04/2019

Shire of Mingenew
Monthly Summary Information
For the Period Ended 31 March 2019

Liquidity Over the Year (Refer Note 3)



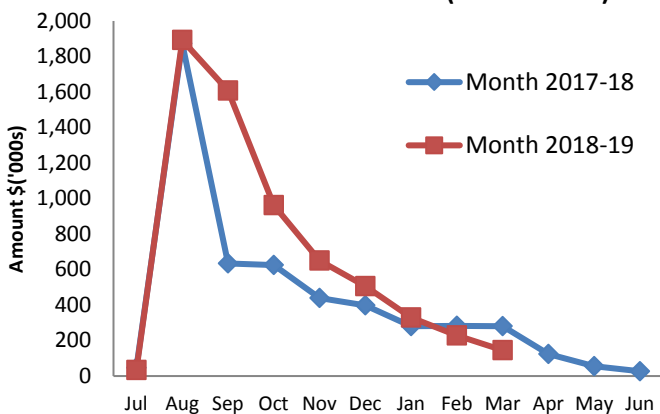
**Cash and Cash Equivalents
as at period end**

Unrestricted	\$ 1,022,614
Restricted	\$ 962,419
	<u>\$ 1,985,033</u>

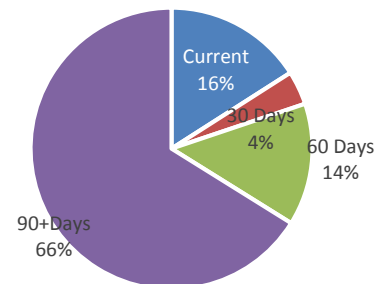
Receivables

Rates	\$ 146,111
Other	\$ 18,238
	<u>\$ 164,348</u>

Rates Receivable (Refer Note 6)



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



Comments

Rates to be issued on 30 August 2018
 First instalment due 5 October 2018
 Final notices were issued 3rd October 2018
 Second Instalment due 6 December 2018
 Third instalment due 7 February 2019
 4th & Final instalment due 8 April 2019

SUMMARY OF BILLING

Rates	1,858,704
Rubbish	65,394
ESL	29,438
	<u>1,953,536</u>

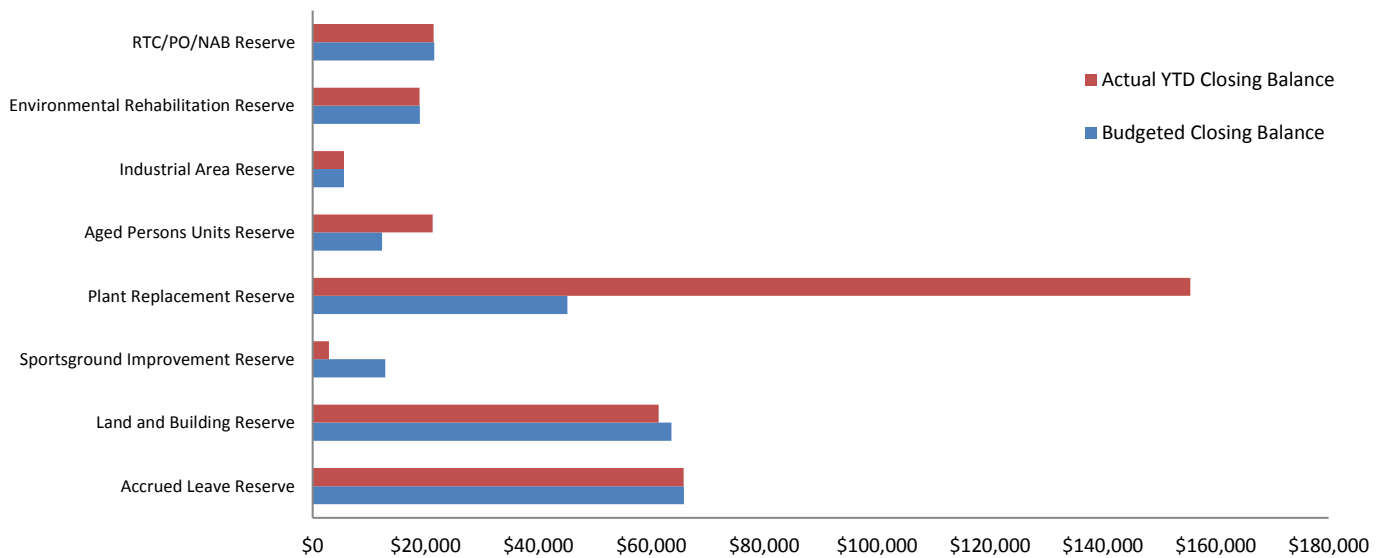
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Mingenew
Monthly Summary Information
For the Period Ended 31 March 2019

Capital Expenditure Program YTD (Refer Note 13)



Year To Date Reserve Balance to End of Year Estimate (Refer Note 7)



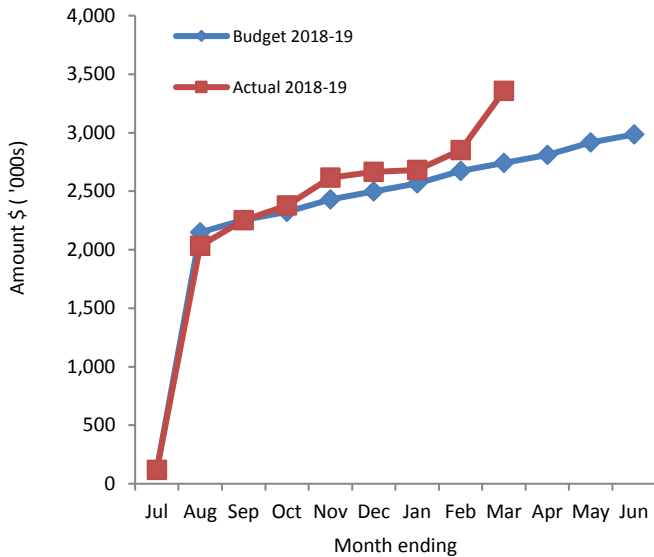
Comments

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

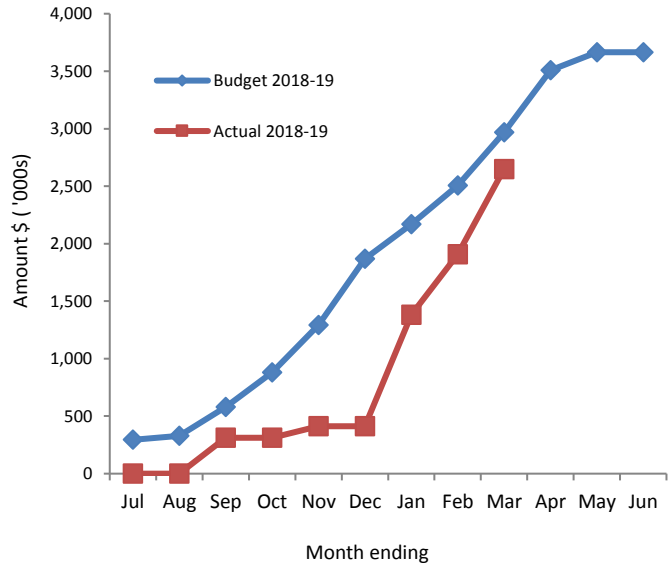
Shire of Mingenew Monthly Summary Information For the Period Ended 31 March 2019

Revenues

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

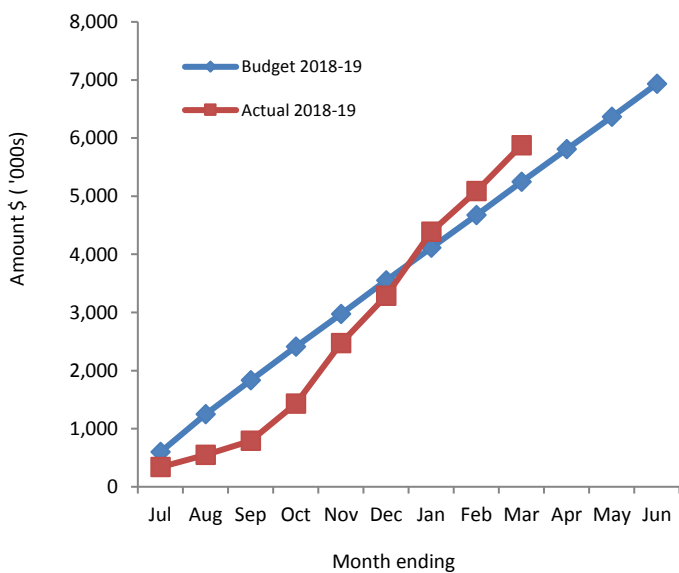


Budget Capital Revenue -v- Actual (Refer Note 2)

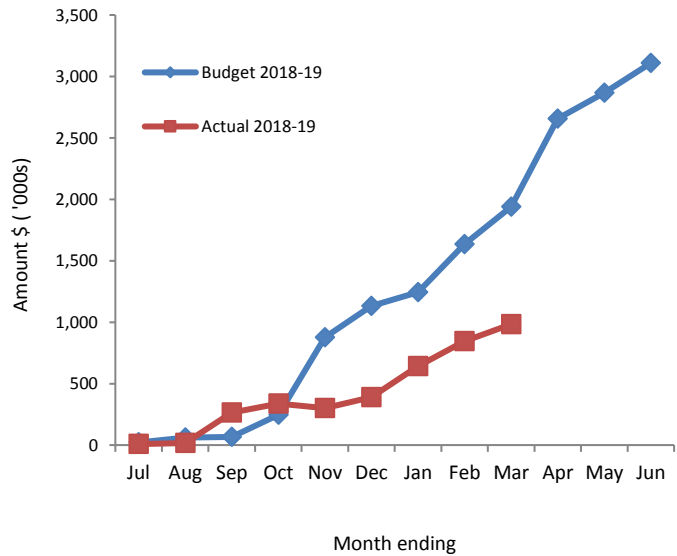


Expenditure

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 March 2019

	Note	2018/19 Original Budget	2018/19 Amended Budget	2018/19 YTD Budget (a)	2018/19 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues		\$		\$	\$	\$	%	
General Purpose Funding		2,177,109	2,183,109	2,103,565	2,120,076	16,511	0.78%	
Governance		16,669	6,669	4,986	31,672	26,686	535.23%	▲
Law, Order and Public Safety		33,037	33,037	24,761	18,883	(5,879)	(23.74%)	
Health		371	371	270	270	0	0.00%	
Education and Welfare		3,755	3,755	2,799	727	(2,072)	(74.02%)	
Housing		102,729	114,235	85,671	85,328	(343)	(0.40%)	
Community Amenities		73,722	91,372	89,812	86,846	(2,966)	(3.30%)	
Recreation and Culture		33,960	33,960	33,617	30,390	(3,227)	(9.60%)	
Transport		560,585	560,585	431,724	900,542	468,818	108.59%	▲
Economic Services		10,445	15,445	11,556	6,672	(4,884)	(42.26%)	
Other Property and Services		112,925	106,175	89,617	75,659	(13,958)	(15.57%)	▼
Total Operating Revenue		3,125,307	3,148,713	2,878,379	3,357,066	478,687		
Operating Expense								
General Purpose Funding		(100,797)	(94,797)	(71,082)	(59,102)	11,980	16.85%	▲
Governance		(218,578)	(265,479)	(238,115)	(225,850)	12,265	5.15%	
Law, Order and Public Safety		(154,914)	(154,914)	(118,806)	(94,544)	24,262	20.42%	▲
Health		(138,237)	(149,582)	(112,282)	(95,292)	16,989	15.13%	▲
Education and Welfare		(82,152)	(82,152)	(61,764)	(47,008)	14,756	23.89%	▲
Housing		(180,208)	(195,108)	(148,846)	(156,230)	(7,383)	(4.96%)	
Community Amenities		(271,710)	(262,710)	(197,102)	(147,919)	49,183	24.95%	▲
Recreation and Culture		(942,475)	(1,082,975)	(816,482)	(765,065)	51,416	6.30%	
Transport		(4,348,541)	(4,469,716)	(3,352,538)	(3,992,576)	(640,038)	(19.09%)	▼
Economic Services		(387,508)	(383,034)	(287,681)	(228,488)	59,193	20.58%	▲
Other Property and Services		(109,139)	(57,009)	(65,224)	(66,227)	(1,003)	(1.54%)	
Total Operating Expenditure		(6,934,259)	(7,197,476)	(5,469,922)	(5,878,301)	(408,380)		
Funding Balance Adjustments								
Add back Depreciation		1,850,261	1,850,261	1,387,656	1,093,525	(294,131)	(21.20%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(50,000)	(50,000)	(37,494)	(32,228)	5,266	(14.05%)	
Adjust Provisions and Accruals		0	0	0	0	0		
Net Cash from Operations		(2,008,691)	(2,248,502)	(1,241,381)	(1,459,938)	(218,557)		
Capital Revenues								
Grants, Subsidies and Contributions	11	3,525,415	3,525,415	2,930,537	2,648,809	(281,728)	(9.61%)	
Proceeds from Disposal of Assets	8	157,000	117,000	117,000	101,818	(15,182)	(12.98%)	▼
Total Capital Revenues		3,682,415	3,642,415	3,047,537	2,750,628	(296,909)		
Capital Expenses								
Land Held for Resale	13	0	0	0	0	0		
Land and Buildings	13	(163,321)	(108,506)	(105,524)	(1,695)	103,829	98.39%	▲
Infrastructure - Roads	13	(2,084,696)	(2,054,696)	(1,175,479)	(445,366)	730,113	62.11%	▲
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	0	0	0	0	0		
Infrastructure - Other	13	(401,000)	(296,000)	(109,493)	(247,294)	(137,801)	(125.85%)	
Plant and Equipment	13	(450,000)	(370,000)	(367,497)	(284,091)	83,406	22.70%	▲
Furniture and Equipment	13	(10,000)	(15,000)	(7,500)	(4,619)	2,881	38.41%	▲
Total Capital Expenditure		(3,109,017)	(2,844,202)	(1,765,493)	(983,066)	782,427		
Net Cash from Capital Activities		573,398	798,213	1,282,044	1,767,562	485,518		
Financing								
Proceeds from New Debentures		0	0	0	0	0		

SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 March 2019

	Note	2018/19 Original Budget	2018/19 Amended Budget	2018/19 YTD Budget (a)	2018/19 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Proceeds from Advances		0	0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	120,544	120,544	90,396	102	(90,294)	(99.89%)	
Repayment of Debentures	10	(154,525)	(154,525)	(115,894)	(115,472)	422	(0.36%)	
Transfer to Reserves	7	(22,710)	(22,710)	(16,614)	(7,633)	8,981	(54.06%)	
Net Cash from Financing Activities		(56,691)	(56,691)	(42,112)	(123,003)	(80,891)		
Net Operations, Capital and Financing		(1,491,984)	(1,506,980)	(1,449)	184,621	186,070		
Opening Funding Surplus(Deficit)	3	1,491,987	1,506,980	1,506,980	1,506,980	0	0.00%	
Closing Funding Surplus(Deficit)	3	0	0	1,505,531	1,691,601	186,070		

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 March 2019

	Note	2018/19 Original Budget	2018/19 Amended Budget	2018/19 YTD Budget (a)	2018/19 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
Operating Revenues								
Rates	9	\$ 1,857,912	1,863,912	1,864,172	1,858,704	(5,468)	(0.29%)	
Operating Grants, Subsidies and Contributions	11	364,398	367,648	287,018	734,096	447,079	155.77%	▲
Fees and Charges		237,487	256,643	219,377	242,938	23,561	10.74%	▲
Service Charges		0	0	0	0	0		
Interest Earnings		58,710	58,710	43,974	44,254	280	0.64%	
Other Revenue		556,800	551,800	426,344	444,845	18,501	4.34%	
Profit on Disposal of Assets	8	50,000	50,000	37,494	32,228	(5,266)	(14.05%)	
Total Operating Revenue		3,125,307	3,148,713	2,878,379	3,357,066	478,687		
Operating Expense								
Employee Costs		(1,083,085)	(1,280,569)	(960,039)	(912,050)	47,989	5.00%	
Materials and Contracts		(3,150,044)	(3,221,597)	(2,446,381)	(3,198,024)	(751,643)	(30.72%)	▼
Utility Charges		(124,853)	(124,133)	(93,024)	(71,656)	21,368	22.97%	▲
Depreciation on Non-Current Assets		(1,850,261)	(1,850,261)	(1,387,656)	(1,093,525)	294,131	21.20%	▲
Interest Expenses		(17,799)	(17,799)	(13,349)	(15,598)	(2,249)	(16.84%)	
Insurance Expenses		(129,616)	(129,616)	(129,377)	(124,537)	4,840	3.74%	
Other Expenditure		(578,601)	(573,501)	(440,096)	(462,911)	(22,815)	(5.18%)	
Loss on Disposal of Assets	8	0	0	0	0	0		
Total Operating Expenditure		(6,934,259)	(7,197,476)	(5,469,922)	(5,878,301)	(408,380)		
Funding Balance Adjustments								
Add back Depreciation		1,850,261	1,850,261	1,387,656	1,093,525	(294,131)	(21.20%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(50,000)	(50,000)	(37,494)	(32,228)	5,266	(14.05%)	
Adjust Provisions and Accruals		0	0	0	0	0		
Net Cash from Operations		(2,008,691)	(2,248,502)	(1,241,381)	(1,459,938)	(218,557)		
Capital Revenues								
Grants, Subsidies and Contributions	11	3,525,415	3,525,415	2,930,537	2,648,809	(281,728)	(9.61%)	
Proceeds from Disposal of Assets	8	157,000	117,000	117,000	101,818	(15,182)	(12.98%)	▼
Total Capital Revenues		3,682,415	3,642,415	3,047,537	2,750,628	(296,909)		
Capital Expenses								
Land Held for Resale	13	0	0	0	0	0		
Land and Buildings	13	(163,321)	(108,506)	(105,524)	(1,695)	103,829	98.39%	▲
Infrastructure - Roads	13	(2,084,696)	(2,054,696)	(1,175,479)	(445,366)	730,113	0	
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	0	0	0	0	0		
Infrastructure - Other	13	(401,000)	(296,000)	(109,493)	(247,294)	(137,801)		
Plant and Equipment	13	(450,000)	(370,000)	(367,497)	(284,091)	83,406	22.70%	▲
Furniture and Equipment	13	(10,000)	(15,000)	(7,500)	(4,619)	2,881	38.41%	▲
Total Capital Expenditure		(3,109,017)	(2,844,202)	(1,765,493)	(983,066)	782,427		
Net Cash from Capital Activities		573,398	798,213	1,282,044	1,767,562	485,518		
Financing								
Proceeds from New Debentures		0	0	0	0	0		
Proceeds from Advances		0	0	0	0	0		

SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 March 2019

	Note	2018/19 Original Budget	2018/19 Amended Budget	2018/19 YTD Budget (a)	2018/19 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	120,544	120,544	90,396	102	(90,294)	(99.89%)	
Repayment of Debentures	10	(154,525)	(154,525)	(115,894)	(115,472)	422	0.36%	
Transfer to Reserves	7	(22,710)	(22,710)	(16,614)	(7,633)	8,981	54.06%	▲
Net Cash from Financing Activities		(56,691)	(56,691)	(42,112)	(123,003)	(80,891)		
Net Operations, Capital and Financing		(1,491,984)	(1,506,980)	(1,449)	184,621	186,070		
Opening Funding Surplus(Deficit)	3	1,491,987	1,506,980	1,506,980	1,506,980	0	0.00%	
Closing Funding Surplus(Deficit)	3	0	0	1,505,531	1,691,601	186,070		

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.

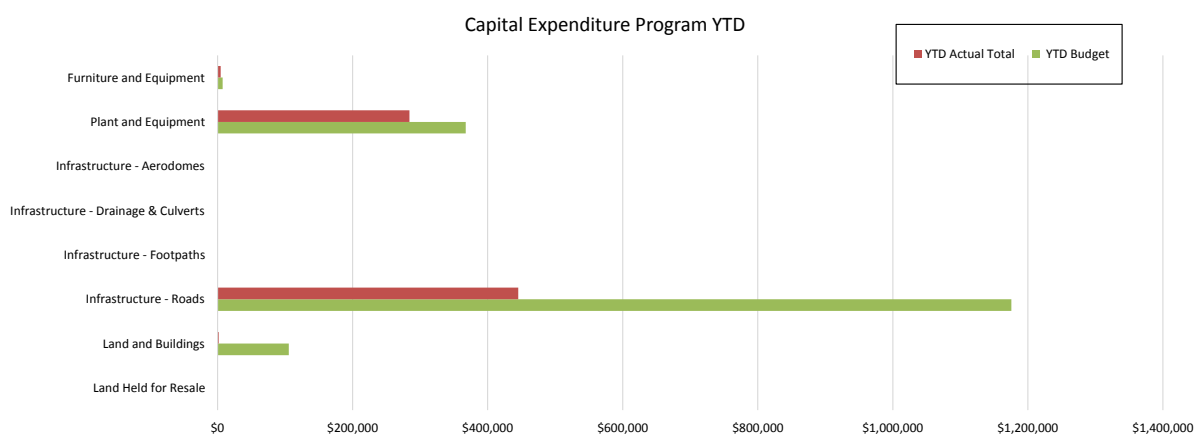
SHIRE OF MINGENEW
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 March 2019

	Note	YTD 31 03 2019		YTD 31 03 2019		Amended Annual Budget	Original Annual Budget	Variance
		YTD Actual New /Upgrade	YTD Actual (Renewal Expenditure)	YTD Actual Total	YTD Budget			
		(a)	(b)	(c) = (a)+(b)	(d)			(d) - (c)
		\$	\$	\$	\$	\$	\$	\$
Land Held for Resale	13	0	0	0	0	0	0	0
Land and Buildings	13	0	1,695	1,695	105,524	108,506	163,321	(103,829)
Infrastructure - Roads	13	0	445,366	445,366	1,175,479	2,054,696	2,084,696	(730,113)
Infrastructure - Footpaths	13	0	0	0	0	0	0	0
Infrastructure - Drainage & Culverts	13	0	0	0	0	0	0	0
Infrastructure - Aerodomes	13	0	0	0	0	0	0	0
Infrastructure -Other	13	0	247,294	247,294	109,493	296,000	401,000	137,801
Plant and Equipment	13	0	284,091	284,091	367,497	370,000	450,000	(83,406)
Furniture and Equipment	13	0	4,619	4,619	7,500	15,000	10,000	(2,881)
Capital Expenditure Totals		0	983,066	983,066	1,765,493	2,844,202	3,109,017	(782,427)

Funded By:

Capital Grants and Contributions	2,648,809	2,930,537	0	3,525,415	281,728
Borrowings	0	0	0	0	0
Other (Disposals & C/Fwd)	101,818	117,000	117,000	157,000	(15,182)
Own Source Funding - Cash Backed Reserves					
Land and Building Reserve	0	0	0	0	0
Sportsground Improvement Reserve	0	0	0	0	0
Plant Replacement Reserve	102	0	0	0	102
Aged Persons Units Reserve	0	0	0	111,463	0
Street Light Upgrade Reserve	0	0	0	9,081	0
Painted Road Reserve	0	0	0	0	0
Industrial Area Reserve	0	0	0	0	0
Total Own Source Funding - Cash Backed Reserves	(102)	90,396	0	120,544	(90,498)
Own Source Funding - Operations	(1,767,562)	(1,372,440)	2,727,202	(814,486)	(395,122)
Capital Funding Total	983,066	1,765,493	2,844,202	3,109,017	(782,427)

Comments and graphs



SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

(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

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

(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

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

(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.

(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

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

(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

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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.

(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.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	26,686	535.23%	▲	Permanent	Relates to unbudgeted funds received for Traineeship
Transport	468,818	108.59%	▲	Timing	MRWA Direct Grant higher than budget and WANDRRA grants shown as Operating instead of Capital.
Other Property and Services	(13,958)	(15.57%)	▼	Permanent	MWIRSA Reimbursement deferred; offset by no expenditure to occur in 2018/2019
Operating Expenses					
Law, Order and Public Safety	24,262	20.42%	▲	Timing	ESL expenditure underbudget
Education and Welfare	14,756	23.89%	▲	Timing	APU Expenditure underbudget
Community Amenities	49,183	24.95%	▲	Timing	Refuse site maintenance & asbestos management under budget
Recreation and Culture	51,416	6.30%		Timing	Public gardens, reserves, sporting complexes under budget
Transport	(640,038)	(19.09%)	▼	Timing	Overspent on Maintenance Grading, Asset Preservation and WANDRRA grant expenditure shown as operating instead of Capital
Other Property and Services	(1,003)	(1.54%)		Timing	PWO Allocations to be reviewed; also MRWIRSA Expenditure deferred as per revenue
Funding balance adjustments					
Depreciation	(294,131)	(21.20%)		Timing	Capital items not yet purchased
Capital Revenues					
Grants, Subsidies and Contributions	(281,728)	(9.61%)		Timing	WANDRRA, Blackspot, RRG grants
Proceeds from Disposal of Assets	(15,182)	(12.98%)	▼	Timing	Tractor not yet traded in
Capital Expenses					
Land and Buildings	103,829	98.39%	▲	Timing	No expenditure to date on capital L&B Projects (in particular Town Hall)
Infrastructure - Roads	730,113	62.11%	▲	Timing	Yandanooka NE Road, Yaragadee Bridge, Mingenew Mullewa Road
Infrastructure - other	(137,801)	(125.85%)		Timing	Netball courts
Plant and Equipment	83,406	22.70%	▲	Timing	Tractor not yet purchased
Financing					

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Transfer from reserves	(90,294)	(99.89%)		Timing	Funds not yet transferred from reserves

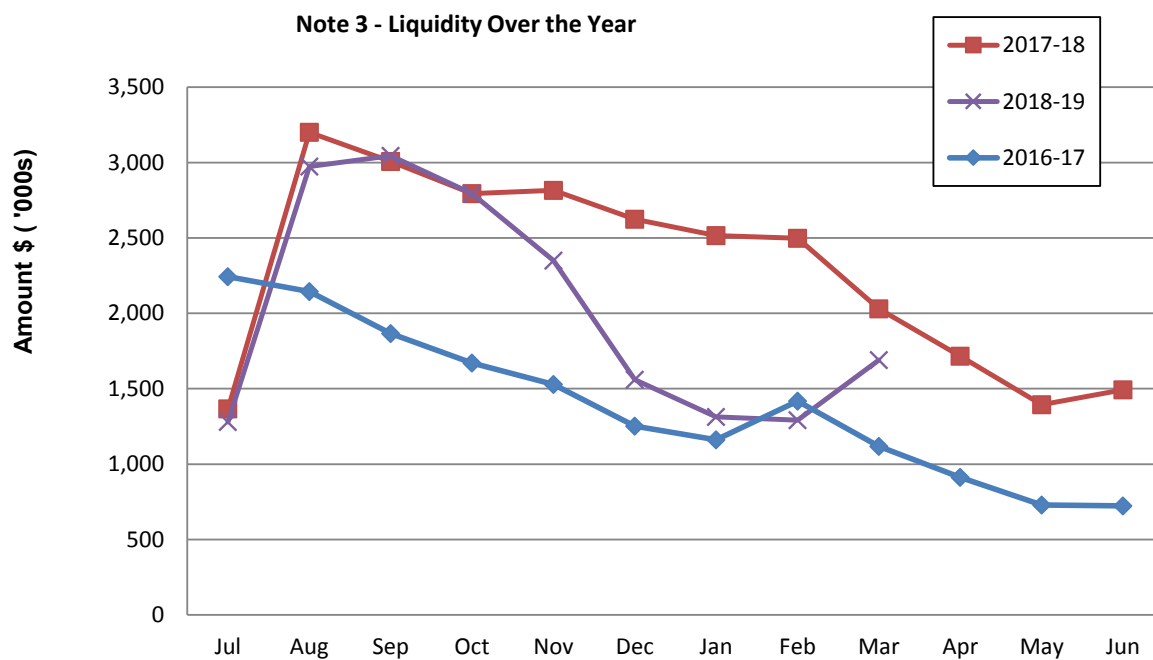
SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
Note	YTD 31 Mar 2019	30 June 2018	YTD 31 Mar 2018	
	\$	\$	\$	
Current Assets				
Cash - Unrestricted	4	1,022,614	1,044,403	1,634,039
Cash - Restricted Reserves	4	413,855	406,324	401,872
Cash - Restricted Unspent Grants		548,563	583,500	583,500
Cash - Trust		21,620	58,784	61,159
Investments		0	0	0
Rates - Current	6	146,111	44,775	156,412
Sundry Debtors	6	18,238	21,668	51,667
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	0	0
GST Receivable		56,853	18,399	38,838
Receivables - Other		0	0	0
Inventories - Fuel & Materials		3,065	3,065	3,065
Inventories - Land Held for Resale		40,394	40,394	80,788
		2,269,729	2,219,727	3,009,756
Current Liabilities				
Sundry Creditors		(64,451)	(165,321)	(394,399)
GST Payable		(11,293)	(21,340)	(20,047)
PAYG		(23,282)	(16,111)	(17,071)
Accrued Interest on Debentures		(2,496)	(2,496)	(2,496)
Accrued Salaries & Wages		(1,977)	(1,977)	(1,977)
Current Employee Benefits Provision		(214,319)	(214,319)	(231,014)
Trust Liability		(20,379)	(58,784)	(61,159)
Current Loan Liability		(1)	(115,473)	(38,259)
		(338,199)	(595,822)	(766,422)
NET CURRENT ASSETS				
		1,931,529	1,623,905	2,243,334
Less:				
Cash - Restricted Reserves		(413,855)	(406,324)	(401,872)
Inventories - Land Held for Resale		(40,394)	(40,394)	(80,788)
Add Back:				
Current Loan Liability		1	115,473	38,259
Cash Backed Employee Provisions	7	214,319	214,319	231,014
Net Current Funding Position (Surplus / Deficit)				
		1,691,600	1,506,980	2,029,947

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 3: NET CURRENT FUNDING POSITION



Comments - Net Current Funding Position

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account		1,022,314	0		1,022,314	NAB	At Call
Trust Bank Account				21,620	21,620	NAB	At Call
Cash Maximiser Account (Muni)		0	0		0	NAB	At Call
Cash On Hand	Nil	300			300	NAB	At Call
Reserve Funds	2.50%		413,855		413,855	NAB	30 June 2019
(b) Term Deposits							
Short Term Deposits	2.50%		548,563		548,563	NAB	30 June 2019
Total		1,022,614	962,419	21,620	2,006,653		

Comments/Notes - Investments

Restricted Cash

(1) Municipal Fund

Purpose for Funds Being Restricted	Funding Organisation	Due Date to be Expended	Amount
1 Nil			
2 Nil			
Sub-total			-

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 4: CASH AND INVESTMENTS

(2) Cash on Hand

Purpose for Funds Being Restricted	Funding Organisation	Date to be Expended	Amount
1 Nil			
2 Nil			
Sub-total			-

(3) Term Deposits

Purpose for Funds Being Restricted	Funding Organisation	Date to be Expended	Amount
1 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2019	47,000
2 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2019	498,000
3 Interest			3,563
Sub-total			548,563

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account / Job No.	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus(Deficit)	\$	\$	\$	\$
	Actual Opening value as per audited financial report 30/06/2018				14,992	0	1,506,979
0121	Interim Rates Levied	Confirmed	Operating Revenue		6,000		1,512,979
0482	Rates Legal Costs	Confirmed	Operating Expenses		6,000		1,518,979
0272	Salaries (Muni Fund)	Confirmed	Operating Expenses			(30,000)	1,488,979
0282	Superannuation	Confirmed	Operating Expenses			(15,000)	1,473,979
0992	Employee Expenses - Other	Confirmed	Operating Expenses			(5,000)	1,468,979
0302	Staff Training	Confirmed	Operating Expenses			(5,000)	1,463,979
0322	Staff Conferences	Confirmed	Operating Expenses		5,000		1,468,979
0422	Advertising	Confirmed	Operating Expenses		8,000		1,476,979
0532	Asset Management Expenditure	Confirmed	Operating Expenses		5,000		1,481,979
0562	Computer S / W Licensing & Support	Confirmed	Operating Expenses			(5,000)	1,476,979
0582	CEO Recruitment Expenses	Confirmed	Operating Expenses		5,000		1,481,979
1002	Maternal & Infant Health Clinic	Confirmed	Operating Expenses			(5,000)	1,476,979
1582	Medical Practitioner Support	Confirmed	Operating Expenses		8,655		1,485,634
1706	Rental Revenue - 4 William Street, Mingenew	Confirmed	Operating Revenue		8,000		1,493,634
1707	Rental Revenue - 55 King Street, Mingenew	Confirmed	Operating Revenue		10,000		1,503,634
1708	Rental Revenue - 13 Moore Street, Mingenew	Confirmed	Operating Revenue		9,250		1,512,884
1716	Rental Expenditure - 4 William Street, Mingenew	Confirmed	Operating Expenses			(6,500)	1,506,384
1717	Budget amendments	Confirmed	Operating Expenses			(8,400)	1,497,984

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account / Job No.	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
1743	Rent Silver Chain	Confirmed	Operating Revenue			(8,844)	1,489,140
1773	Predicted variances	Confirmed	Operating Expenses			(5,000)	1,484,140
1772	Rubbish Site Maintenance	Confirmed	Operating Expenses		21,000		1,505,140
2233	Town Planning - Development Application Fees	Confirmed	Operating Revenue		7,650		1,512,790
2142	Mingenew Revitalisation Plan Project	Confirmed	Operating Expenses		5,000		1,517,790
2322	Public Conveniences	Confirmed	Operating Expenses			(12,500)	1,505,290
2422	Public Halls	Confirmed	Operating Expenses			(11,000)	1,494,290
2642	Public Gardens & Reserves	Confirmed	Operating Expenses			(49,500)	1,444,790
2652	Sporting Complex & Amenities	Confirmed	Operating Expenses			(40,000)	1,404,790
3322	Maintenance Grading	Confirmed	Operating Expenses			(14,363)	1,390,427
3342	Asset Preservation Urban	Confirmed	Operating Expenses			(31,369)	1,359,058
3352	Asset Preservation Rural	Confirmed	Operating Expenses			(113,243)	1,245,815
3432	Street Cleaning	Confirmed	Operating Expenses		14,500		1,260,315
3442	Traffic Signs & Control Equipment	Confirmed	Operating Expenses		5,000		1,265,315
3452	Tree Pruning	Confirmed	Operating Expenses			(12,000)	1,253,315
3842	Noxious Weeds / Pest Plants	Confirmed	Operating Expenses		6,475		1,259,790
4332	Engineering Contractor	Confirmed	Operating Expenses			(10,000)	1,249,790
7412	Tool Box Talks & Safety Team Meetings	Confirmed	Operating Expenses		5,380		1,255,170
7442	Occ. H.S. & Welfare	Confirmed	Operating Expenses		5,000		1,260,170
4472	Fuel & Oils	Confirmed	Operating Expenses		20,000		1,280,170
4482	Tyres & Sundries	Confirmed	Operating Expenses		20,000		1,300,170

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

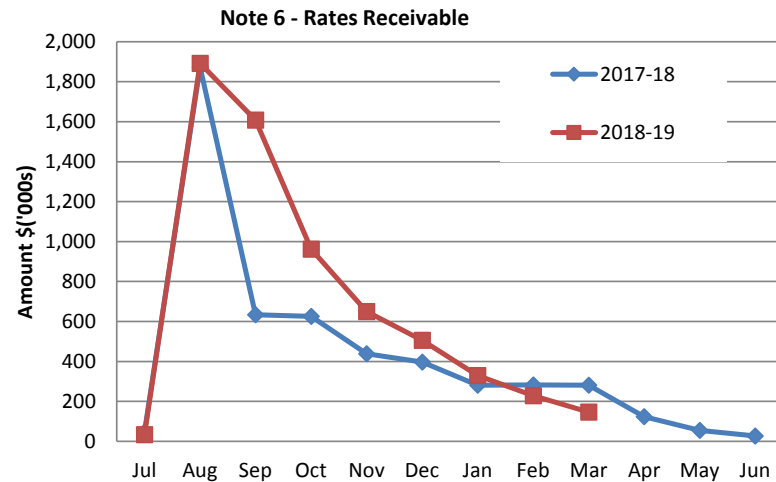
GL Account / Job No.	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
2434	Town Hall Refurbishment	Confirmed	Capital Expenses		36,817		1,336,987
0001	Road Construction; Own Resources	Confirmed	Capital Expenses		30,000		1,366,987
0145	Wildflower Town Entrance Statements	Confirmed	Capital Expenses		5,000		1,371,987
0142	Mingenew Hill Walk Trail (Installation)	Confirmed	Capital Expenses		15,000		1,386,987
3874	Digital Farm Network Project	Confirmed	Capital Expenses		70,000		1,456,987
0150	Tennis Court Lighting	Confirmed	Capital Expenses		15,000		1,471,987
0071	Little Well Project	Confirmed	Capital Expenses			(10,000)	1,461,987
0175	Loader	Confirmed	Capital Expenses		55,000		1,516,987
	Trade in of Loader	Confirmed	Capital Revenue			(10,000)	1,506,987
0180	Tractor	Confirmed	Capital Expenses			(20,000)	1,486,987
0170	Works Managers Vehicle - Capital Purchase	Confirmed	Capital Expenses		45,000		1,531,987
0170	Trade in of Works Manager Vehicle	Confirmed	Capital Revenue			(30,000)	1,501,987
5152	PO Building Maintenance - includes utility charges	Confirmed	Capital Expenses			(10,000)	1,491,987
Amended Budget Cash Position as per Council Resolution				0	467,719	(467,719)	1,491,987

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 6: RECEIVABLES

Receivables - Rates & Rubbish Receivable

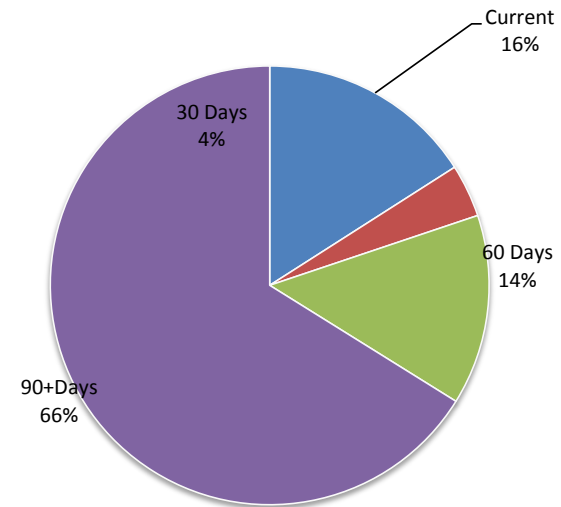
	YTD 31 Mar 2019	30 June 2018
	\$	\$
Opening Arrears Previous Years	44,775	83,832
Levied this year	1,858,704	1,852,748
Less Collections to date	(1,757,368)	(1,891,805)
Equals Current Outstanding	146,111	44,775
Net Rates Collectable	146,111	44,775
% Collected	92.32%	97.69%



Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	2,909	710	2,558	12,061
Total Receivables General Outstanding				18,238

Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables Rates

Instalment Due Dates:

Instalment 1	5-Oct-18
Instalment 2	6-Dec-18
Instalment 3	7-Feb-19
Instalment 4	8-Apr-19

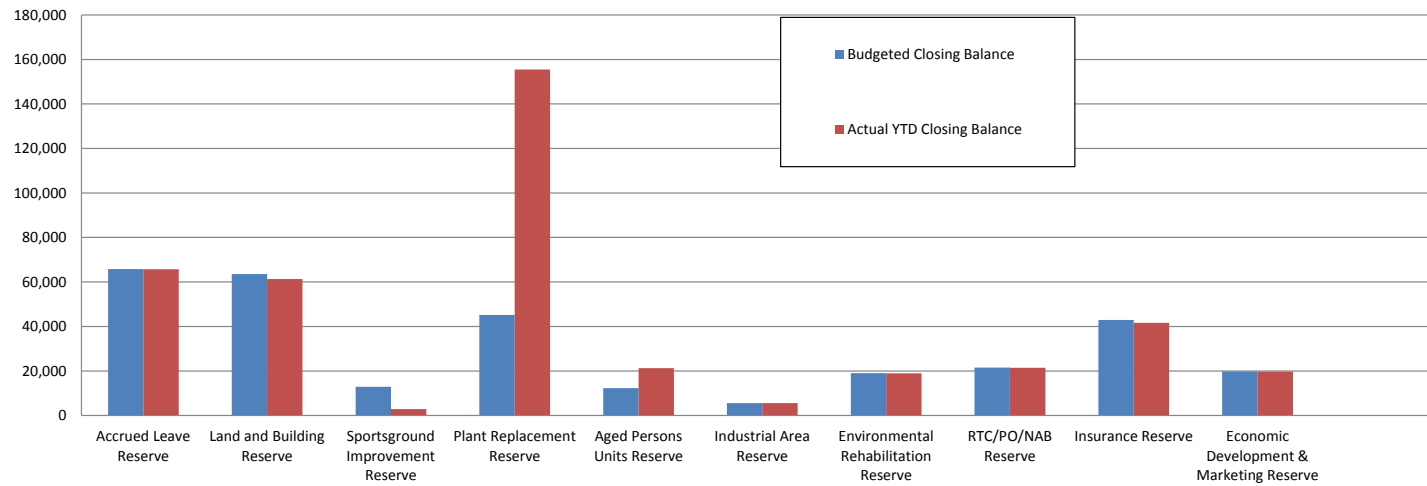
Comments/Notes - Receivables General

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	YTD Actual Transfers In (+)	Budget Transfers Out (-)	YTD Actual Transfers Out (-)	Transfer out Reference	Budgeted Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Accrued Leave Reserve	64,509	1,250	1,213	0	0	0	0		65,759	65,721
Land and Building Reserve	60,169	3,425	1,130	0	0	0	0		63,594	61,299
Sportsground Improvement Reserve	2,811	60	53	10,000	0	0	0		12,871	2,864
Plant Replacement Reserve	152,727	3,875	2,869	0	0	(111,463)	(102)		45,139	155,495
Aged Persons Units Reserve	20,868	500	391	0	0	(9,081)	0		12,287	21,259
Industrial Area Reserve	5,454	125	102	0	0	0	0		5,579	5,556
Environmental Rehabilitation Reserve	18,570	450	349	0	0	0	0		19,020	18,918
RTC/PO/NAB Reserve	21,025	500	395	0	0	0	0		21,525	21,420
Insurance Reserve	40,882	2,025	768	0	0	0	0		42,907	41,650
Economic Development & Marketing Reserve	19,309	500	363	0	0	0	0		19,809	19,672
	406,324	12,710	7,633	10,000	0	(120,544)	(102)	0	308,490	413,855

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 March 2019

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Original Budget			Comments
					YTD 31/03/2019			
Cost	Accum Depn	Proceeds	Profit (Loss)		2018/2019 Budget Profit/(Loss)	2018/2019 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$		\$	\$	\$	
				Plant and Equipment				
42,660	(12,833)	31,818	1,991	CEO Vehicle	1,000	1,991	991	
0			0	Case JC65 Tractor	9,000	0	(9,000)	
57,000	(17,236)	70,000	30,236	Volvo Loader	40,000	30,236	(9,764)	
0			0	Works Manager Vehicle	0	0	0	
99,660	(30,069)	101,818	32,227		50,000	32,227	(17,773)	

Comments - Capital Disposal/Replacements

AASB 101.10(e)

AASB 101.51

AASB 101.112

LGA S6.2(4)(b)

FM Reg 23(a)

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

9. RATING INFORMATION

RATE TYPE	Rate in \$	Number of properties	Rateable value \$	Rate Revenue \$	2018-19 interim rates \$	2018-19 back rates \$	Actual Rate Revenue \$	2018-19 Budgeted rate revenue \$	2018-19 Budgeted interim rates \$	2018-19 Budgeted back rates \$	2018-19 Budgeted total revenue \$
General rate											
GRV - Mingenew	0.149035	127	1,103,699	164,490	3,453	(325)	167,618	164,490			164,490
GRV - Yandanooka	0.149035	2	13,884	2,069			2,069	2,069			2,069
GRV- Commercial	0.149035	14	349,700	52,118	349		52,466	52,118			52,118
GRV - Industrial	0.149035	1	12,480	1,860		198	2,058	1,860			1,860
UV Rural & Mining	0.013684	115	110,855,505	1,517,398	102		1,517,501	1,516,949			1,516,949
UV Mining	0.013684	0	0	0			0	0			0
Sub-Totals		259	112,335,268	1,737,935	3,904	(127)	1,741,712	1,737,485	0	0	1,737,485
Minimum payment	Minimum \$										
GRV - Mingenew	700	64	28,162	44,800	1,400	(235)	45,965	44,800			44,800
GRV - Yandanooka	700	0	0	0			0	0			0
GRV- Commercial	700	9	6200	6,300			6,300	6,300			6,300
GRV - Industrial	700	2	1,850	1,400			1,400	1,400			1,400
UV Rural & Mining	1050	23	691,595	24,150			24,150	24,150			24,150
UV Mining	1050	8	27,199	8,400	1,050	407	9,857	8,400			8,400
Sub-Totals		106	755,006	85,050	2,450	172	87,672	85,050	0	0	85,050
		365	113,090,274	1,822,985	6,354	44	1,829,383	1,822,535	0	0	1,822,535
Discounts/concessions							(1,035)				(1,035)
Total amount raised from general rates							1,828,349				1,821,500
Write offs							(7,231)				0
Ex Gratia Rates							37,586				36,412
Total rates							1,858,704				1,857,912

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-18	Principal Repayments		Principal Outstanding		Interest Repayments	
		YTD Actual \$	Budget \$	YTD Actual \$	Budget \$	YTD Actual \$	Budget \$
Education & Welfare							
Loan 137 - Senior Citizens Buildings	87,814	15,828	21,172	71,986	66,642	2,118	2,440
Housing							
Loan 133 - Triplex	55,952	10,085	13,490	45,867	42,462	1,350	1,555
Loan 134 - SC Housing	42,623	7,683	10,276	34,940	32,347	1,028	1,185
Loan 136 - Staff Housing	106,294	19,159	25,627	87,135	80,667	2,564	2,954
Loan 142 - Staff Housing	49,086	8,872	11,935	40,214	37,151	1,184	1,364
Recreation & Culture							
Loan 138 - Pavilion Fitout	84,302	15,195	20,325	69,107	63,977	2,033	2,342
Transport							
Loan 139 - Roller	20,665	3,725	4,982	16,940	15,683	498	574
Loan 141 - Grader	71,754	12,933	17,300	58,821	54,454	1,731	1,994
Loan 144 - Side Tipping Trailer	49,086	8,847	11,835	40,239	37,251	1,184	1,364
Loan 145 - Drum Roller	72,926	13,145	17,583	59,781	55,343	1,759	2,027
	640,502	115,472	154,525	525,030	485,977	15,449	17,799

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 March 2019

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2018/2019	2018/2019	Variations	Operating	Capital	Recoup Status	
			Original Budget	Amended Budget Budget	Additions (Deletions)	2018/2019 Budget	2018/2019 Budget	2018/2019 YTD Actual	2018/2019 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING									
Financial Assistance Grant - Roads	Grants Commission	Y	139,866	139,866	0	139,866	0	111,892	104,900
Financial Assistance Grant - General	Grants Commission	Y	129,381	129,381	0	129,381	0	109,771	97,036
GOVERNANCE									
Reimbursements	Miscellaneous	Y	10,154	154	(10,000)	10,154	0	855	117
Reimbursements	Miscellaneous	Y	1,000	1,000	0	1,000	0	0	747
Reimbursements	Miscellaneous	Y	1,000	1,000	0	1,000	0	757	747
Traineeship Grants	Miscellaneous	Y	0	0	0	0	0	17,336	0
LAW, ORDER, PUBLIC SAFETY									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,000	4,000	0	0	4,000	4,400	2,997
ESL Annual Grant	Department of Fire & Emergency Services	Y	25,287	25,287	0	25,287	0	12,700	18,965
HEALTH									
Nil		N	0	0	0	0	0	0	0
EDUCATION & WELFARE									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	0	747
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	455	1,494
HOUSING									
Independent Living Units	WCHS	Y	0	0	0	0	0	0	0
COMMUNITY AMENITIES									
Thank a Volunteer Day	Department of Local Government & Comm	N	2,000	2,000	0	2,000	0	1,000	1,494
Transfer Station	Mid West Development Commission	Y	5,000	5,000	0	0	5,000	5,000	3,744
RECREATION AND CULTURE									
Netball Courts	DSR	Y	121,667	121,667	0	0	121,667	121,458	66,458
Railway Station	Lotterywest	Y	0	0	0	0	0	(2,245)	0
TRANSPORT									
Flood Damage Funding	WANDRRA	Y	2,441,696	2,441,696	0	0	2,441,696	2,298,399	2,050,000
Direct Grant	Main Roads WA	Y	45,210	45,210	0	45,210	0	73,479	45,210
Blackspot Funding	Main Roads WA	Y	188,911	188,911	0	0	188,911	75,564	151,128
Regional Road Group	Main Roads WA	Y	544,674	544,674	0	0	544,674	301,297	435,740
Roads To Recovery	Department of Infrastructure	Y	223,467	223,467	0	0	223,467	223,467	223,467
Street Lighting	Main Roads WA	Y	2,500	2,500	0	2,500	0	2,351	1,872
ECONOMIC SERVICES									
DrumMuster	Reimbursements	N	1,000	1,000	0	1,000	0	0	747
Reimbursements - RTC Building	Reimbursements	N	0	0	0	0	0	420	0
Grants - General	Reimbursements	N	0	5,000	5,000	0	0	0	3,753
OTHER PROPERTY & SERVICES									
Staff Fuel Card Reimbursements	Reimbursements	Y	0	0	0	0	0	5,872	0
Expenses Recovered	Reimbursements	Y	0	0	0	0	0	9,481	0
Reimbursements - Workers Comp	LGIS	Y	0	0	0	0	0	947	0
Reimbursements - Sundry		Y	0	8,250	8,250	0	0	8,250	6,192
TOTALS			3,889,813	3,893,063	3,250	360,398	3,529,415	3,382,906	3,217,555

Grants	Operating	351,244	356,244	3,250		703,114	278,468
Grants	Non-operating	3,525,415	3,525,415	0		2,648,809	2,930,537
Contribution & Reimbursement	Operating & Non Operating	13,154	11,404	0		30,982	8,550
		<u>3,889,813</u>	<u>3,893,063</u>	<u>3,250</u>		<u>3,382,906</u>	<u>3,217,555</u>

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

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 18	Amount Received	Amount Paid	Closing Balance 31-Mar-19
	\$	\$	\$	\$
Councillors Nomination Fees	0	0	0	0
BCITF Levy	495	0	0	495
BRB Levy	1	401	(401)	1
Autumn Committee	974	0	0	974
Community Bus	2,200	1,245	(400)	3,045
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	38,010	0	(38,010)	(0)
Mingenew Cemetery Group	4,314	0	0	4,314
Bonds	0	0	0	0
Housing Bonds	1,428	0	0	1,428
Cool Room Bond	530	0	0	530
Outdoor Camera Bond	350	0	0	350
Animal Trap Bond	0	0	0	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	6,376	(1,240)	0	5,136
Joan Trust	6	0	0	6
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
	58,785	406	(38,811)	20,380

To be paid out of Trust a/c	1240	1240
Per Note 4		21,620

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
Land Held for Resale							
Community Amenities							
Other Property & Services							
Industrial Area Development	4504	0	0	0	0	0	
Total Land Held for Resale		0	0	0	0	0	
Land & Buildings							
Shire Office	A001	5,000	10,000	3,753	0	3,753	
Council Chambers	A302	5,000	10,000	3,753	0	3,753	
Staff Housing - 2 Bedroom Key Worker Housing	H007	2,000	10,000	1,512	1,695	(183)	
Town Hall	2434	86,506	123,321	86,506	0	86,506	
Old Railway Station	0070	10,000	10,000	10,000	0	10,000	
Business Incubator	5964	0	0	0	0	0	
Total Land & Building Total		108,506	163,321	105,524	1,695	103,829	
Infrastructure - Drainage/Culverts							
Transport							
Moore Street Drainage	3284	0	0	0	0	0	
Transport Total		0	0	0	0	0	
Infrastructure - Footpaths							
Transport							
Midlands Road Footpaths	1291	0	0	0	0	0	
Transport Total		0	0	0	0	0	
Infrastructure - Other							
Waste Transfer Station	3084	25,000	25,000	25,000	16,605	8,395	
Little Well Project	0071	35,000	25,000	34,440	30,459	3,981	
Mingenew Hill Project	0142	15,000	40,000	14,053	7,705	6,348	

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
Wildflower Town Entrance	0145	5,000	10,000	0	0	0	
Drovers Rest	0144	6,000	6,000	6,000	0	6,000	
Net Ball Court	0169	200,000	200,000	20,000	190,579	(170,579)	
Parks & Gardens	0	0	0	0	0	0	
Tennis Court Lights	0150	10,000	25,000	10,000	1,200	8,800	
Water Tanks & Reticulation	0167	0	0	0	746	(746)	
Digital Farm Network	3874	0	70,000	0	0	0	
Total Other Infrastructure		296,000	401,000	109,493	247,294	(137,801)	
Furniture & Office Equip.							
Chair Trolley	0014	0	0	0	0	0	
Office PCs & Laptops	A201	15,000	10,000	7,500	4,619	2,881	
Total Furniture & Office Equip.		15,000	10,000	7,500	4,619	2,881	
Plant , Equip. & Vehicles							
Governance							
CEO Vehicle Replacement	A101	60,000	0	60,000	59,091	909	
Account Closed; Incorrectly linked to Land & Buildings Category	A100	0	60,000	0	0	0	
Transport							
Works Manager Vehicle	0170	0	45,000	0	0	0	
Sundry Plant	0171	10,000	10,000	7,497	0	7,497	
Loader	0175	225,000	280,000	225,000	225,000	0	
Tractor	0180	75,000	55,000	75,000	0	75,000	
Total Plant, Equipment & Vehicles		370,000	450,000	367,497	284,091	83,406	
Roads & Bridges							
Roadworks Construction - Own Resources	0001	22,850	52,850	17,145	115	17,030	
Roadworks Construction - Own Resources	6073	0	0	0	6,459	(6,459)	
Yandanooka North East Road	1221	223,467	223,467	223,467	0	223,467	

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2019

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
Special Purpose Grant - Yarragadee Bridge	6075	0	0	0	0	0	
Special Purpose Grant - Yarragadee Bridge	1227	210,000	210,000	210,000	163,334	46,666	
Special Purpose Grant - Coalseam Bridge	1229	498,000	498,000	0	0	0	
Mingenew Mullewa Road Reseal (RRG)	RR65	441,500	441,500	441,500	66,050	375,450	
Mingenew Morawa / Yandanooka North East Intersection	BS05	45,000	45,000	45,000	0	45,000	
Yandanooka Melara / Narandagy / Manarra Rd Intersection	BS07	238,367	238,367	238,367	205,948	32,419	
RRG - Coalseam Road	RR61	375,512	375,512	0	3,460	(3,460)	
Total Roads & Bridges		2,054,696	2,084,696	1,175,479	445,366	730,113	
						0	
Capital Expenditure Total		2,844,202	3,109,017	1,765,493	983,066	782,427	

ATTACHMENT: 11.2

List of Payments- March 2019

Date: 10/04/2019
Time: 8:48:37AM

SHIRE OF MINGENEW
List of Accounts for 1 March 2019 to 31 March 2019

USER: Accountant
PAGE: 1

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
NET0219	01/03/2019	WESTNET	Internet Charges - FEB 2019	M		129.95
NAB0301	29/03/2019	NAB	Bank Fees - March 2019	M		23.70
NAB0302	29/03/2019	NAB	Bank Fees - March 2019	M		50.00
COPY0319	07/03/2019	DE LANGE LANDEN	Photocopier Lease: March 2019	M		356.80
PHONE0319	15/03/2019	BUSINESS 1300	Live Answering Services: March 2019	M		99.00
8593	01/03/2019	SYNERGY	Rec Centre Power Account	M		9,714.95
8594	20/03/2019	SYNERGY	Rec Centre Power Account	M		2,472.20
NAB010319	01/03/2019	NAB	Mechanant Fees Feb 2019	M		100.89
DOT010319	06/03/2019	DEPARTMENT OF TRANSPORT	Licensing Transactions: 01/03/2019	M		43,226.80
EFT12241	01/03/2019	Five Star Business & Communications	Billing Period for February 2019	M		271.13
EFT12242	01/03/2019	Australian Services Union	Payroll deductions	M		25.90
EFT12243	01/03/2019	ABCO PRODUCTS	Cleaning Products	M		474.47
EFT12244	01/03/2019	ATOM SUPPLY	Purchase of Various Tools	M		564.84
EFT12245	01/03/2019	AVON WASTE	Rubbish Collection Charges	M		2,447.79
EFT12246	01/03/2019	BUNNINGS Group Limited	Purchase of Painting Materials	M		408.21
EFT12247	01/03/2019	Moore Stephens	Asset Management Planning	M		5,335.00
EFT12248	01/03/2019	Bedrock Electrical Services	Electrical Works Completed at Rec Centre	M		3,796.70
EFT12249	01/03/2019	BATAVIA COAST TRIMMERS	Shade Sail Repairs	M		275.00

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EFT12250	01/03/2019	Courier Australia	Freight Costs	M		131.34
EFT12251	01/03/2019	CHILD SUPPORT AGENCY	Payroll deductions	M		298.02
EFT12252	01/03/2019	DONGARA DRILLING & ELECTRICAL	Electrical Works Completed at Tennis Club	M		5,213.81
EFT12253	01/03/2019	DONGARA PLUMBING	Plumbing Works Completed at 114 Shenton Street	M		1,232.00
EFT12254	01/03/2019	ELDERS LIMITED	Purchase of PPE	M		167.06
EFT12255	01/03/2019	EPIC ELECTRICAL	Electrical Works Completed at Day Care	M		220.00
EFT12256	01/03/2019	GERALDTON MOWER & REPAIR SPECIALIST	Purchase of Mowers	M		825.60
EFT12257	01/03/2019	CHOICES	Installation of Carpet	M		1,700.00
EFT12258	01/03/2019	JOHN PHILLIPS CONSULTING	Professional Services	M		1,100.00
EFT12259	01/03/2019	LATERAL ASPECT	Community Consultation Fees	M		990.00
EFT12260	01/03/2019	LGRCEU	Payroll deductions	M		20.50
EFT12261	01/03/2019	Shire Of Mingenew	Payroll deductions	M		100.00
EFT12262	01/03/2019	Officeworks	Purchase of Cables	M		352.19
EFT12263	01/03/2019	Patricia Julieanne Phillips	55 King Street Rent	M		800.00
EFT12264	01/03/2019	Perfect Computer Solutions Pty Ltd	IT Support Charges	M		9,555.50
EFT12265	01/03/2019	PEMCO DIESEL PTY LTD	Mechanical Works Completed on MI 027	M		7,026.53
EFT12266	01/03/2019	SPORT AND RECREATION SURFACES	Netball Court Upgrade	M		153,465.23
EFT12267	01/03/2019	TOTALLY WORKWEAR	Shipping Costs	M		15.00
EFT12268	01/03/2019	VISAGE PRODUCTIONS	Our Town Series Payment	M		4,400.00

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12269	01/03/2019	VELPIC	Velpic Monthly Fees	M		433.40
EFT12270	01/03/2019	WALGA	Course Fees	M		130.00
EFT12271	01/03/2019	Wayne Angus Wynne	4 William Street Rent	M		600.00
EFT12272	01/03/2019	Westshore Glass	Reglaze Window	M		154.00
EFT12273	01/03/2019	YOUNG MOTORS	Service on MI 108	M		609.00
EFT12274	06/03/2019	Ocean Air	Annual Air Conditioning Servicing	M		4,180.00
EFT12275	08/03/2019	BPH	Flood Damage Repairs	M		225,531.31
EFT12276	20/03/2019	RMS Regional Media Specialists	Advertising Fees	M		500.50
EFT12277	20/03/2019	Australian Services Union	Payroll deductions	M		51.80
EFT12278	20/03/2019	AUSTRALIA POST	February 2019 Postage Fees	M		727.44
EFT12279	20/03/2019	AIT SPECIALISTS PTY LTD	Professional Services Provided	M		109.56
EFT12280	20/03/2019	BUNNINGS Group Limited	Purchase of Decorations	M		496.00
EFT12281	20/03/2019	BOC GASES	Depot Gas Bottle Charges	M		88.84
EFT12282	20/03/2019	BITUTEK PTY LTD	Bituminous Works	M		64,559.88
EFT12283	20/03/2019	Ella Budrikis	Travel Reimbursement	M		568.62
EFT12284	20/03/2019	BPH	Flood Damage Repairs	M		121,644.47
EFT12285	20/03/2019	CHILD SUPPORT AGENCY	Payroll deductions	M		807.93
EFT12286	20/03/2019	Geraldton Independent Building Supplies	Building Supplies for Day Care	M		284.59

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12287	20/03/2019	GHD PTY LTD	WANDRRA Project Management	M		4,923.72
EFT12288	20/03/2019	GNC CONCRETE AND PRECAST	Concrete Works	M		4,600.20
EFT12289	20/03/2019	INFINITUM TECHNOLOGIES	IT Support Charges	M		803.00
EFT12290	20/03/2019	Sarah Kempton	Reimbursements	M		396.14
EFT12291	20/03/2019	LGRCEU	Payroll deductions	M		41.00
EFT12292	20/03/2019	Shire Of Mingenew	Payroll deductions	M		200.00
EFT12293	20/03/2019	STARICK TYRES	Tryes Account February 2019	M		1,832.24
EFT12294	20/03/2019	GERALDTON TOYOTA	Service of 1 MI	M		401.16
EFT12295	20/03/2019	MARKETFORCE	Advertising Fees	M		209.23
EFT12296	20/03/2019	PALM ROADHOUSE	Roadhouse Account Feb 2019	M		20.80
EFT12297	20/03/2019	Perfect Computer Solutions Pty Ltd	ICT Support	M		1,064.16
EFT12298	20/03/2019	Pro Earth Civil	Wandrra Flood Works	M		139,757.54
EFT12299	20/03/2019	Telstra Corporation	Telstra February Account 2019	M		1,849.81
EFT12300	20/03/2019	TRUCKLINE	Purchase of Parts for MI 027	M		2,049.41
EFT12301	20/03/2019	TOTALLY WORKWEAR	Purchase of PPE	M		55.59
EFT12302	20/03/2019	VELPIC	Velpic Monthly Fees	M		407.00
EFT12332	29/03/2019	Western Australian Treasury Corporation	Loan Repayment	M		42,103.55
DOT050319	07/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 05/03/2019	M		483.45
DOT060319	08/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 06/03/2019	M		869.60

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DOT070319	11/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Trasnactions: 07/03/2019	M		336.05
DOT080319	13/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 08/03/2019	M		1,131.70
DD8771.1	03/03/2019	WA SUPER	Payroll deductions	M		2,692.28
DD8771.2	03/03/2019	PRIME SUPER	Superannuation contributions	M		274.04
DD8771.3	03/03/2019	Australian Super	Superannuation contributions	M		675.01
DD8771.4	03/03/2019	Sun Super	Superannuation contributions	M		307.90
DD8771.5	03/03/2019	LGIA Super	Superannuation contributions	M		951.92
DD8771.6	03/03/2019	Australlian Super	Superannuation contributions	M		203.06
DD8771.7	03/03/2019	Ioof Portfolio Service Superannuation Fund	Superannuation contributions	M		87.94
DD8771.8	03/03/2019	ANZ Smart Choice Super	Superannuation contributions	M		45.28
DD8771.9	03/03/2019	MLC SUPER FUND	Superannuation contributions	M		175.04
DD8777.1	04/03/2019	NAB BUSINESS VISA	Credit Cards February 2018	M		1,182.29
DD8779.1	08/03/2019	Motorpass	Fuel Purchases February 2019	M		10,833.74
DD8785.1	17/03/2019	WA SUPER	Payroll deductions	M		3,012.96
DD8785.2	17/03/2019	Host Plus Superannuation Fund	Superannuation contributions	M		202.44
DD8785.3	17/03/2019	PRIME SUPER	Superannuation contributions	M		274.04
DD8785.4	17/03/2019	Australian Super	Superannuation contributions	M		675.01
DD8785.5	17/03/2019	Sun Super	Superannuation contributions	M		307.90

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
DD8785.6	17/03/2019	Australlian Super	Superannuation contributions	M		202.44
DD8785.7	17/03/2019	LGIA Super	Superannuation contributions	M		951.92
DD8785.8	17/03/2019	Ioof Portfolio Service Superannuation Fund	Superannuation contributions	M		87.94
DD8785.9	17/03/2019	ANZ Smart Choice Super	Superannuation contributions	M		85.66
DD8798.1	31/03/2019	WA SUPER	Payroll deductions	M		2,683.56
DD8798.2	31/03/2019	Host Plus Superannuation Fund	Superannuation contributions	M		203.06
DD8798.3	31/03/2019	PRIME SUPER	Superannuation contributions	M		274.04
DD8798.4	31/03/2019	Australian Super	Superannuation contributions	M		1,079.99
DD8798.5	31/03/2019	Sun Super	Superannuation contributions	M		307.90
DD8798.6	31/03/2019	Australlian Super	Superannuation contributions	M		203.06
DD8798.7	31/03/2019	LGIA Super	Superannuation contributions	M		951.92
DD8798.8	31/03/2019	Ioof Portfolio Service Superannuation Fund	Superannuation contributions	M		97.36
DD8798.9	31/03/2019	ANZ Smart Choice Super	Superannuation contributions	M		86.88
DOT110319	13/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 11/03/2019	M		6,395.50
DOT120319	14/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 12/03/2019	M		271.45
DOT130319	15/03/2019	DEPARTMENT OF TRASPORT	DoT Licensing Transactions: 13/03/2019	M		782.10
DOT140319	18/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 14/03/2019	M		76.20
DOT150319	19/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 20/03/2019	M		30.00
DOT180319	20/03/2019	DEPARTMNET OF TRANSPORT	DoT Licensing Transactions: 18/03/2019	M		298.15

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DOT190319	22/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 19/03/2019	M		727.35
DOT200319	22/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transaction: 20/03/2019	M		1,590.40
DOT210319	25/03/2019	DEPARTMENT OF TRANSPORT	DoT Licesning Transactions: 25/03/2019	M		6,813.25
DOT220319	26/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 22/03/2019	M		152.85
DOT270219	01/03/2019	DEPARTMENT OF TRANSPORT	Licensing Transactions: 27/02/2019	M		1,436.50
DOT270319	29/03/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 27/03/2019	M		5,031.90
DOT280219	05/03/2019	DEPARTMENT OF TRANSPORT	Licensing Tansactions: 28/02/2019	M		1,428.65
DD8771.10	03/03/2019	Host Plus Superannuation Fund	Superannuation contributions	M		203.06
DD8785.10	17/03/2019	BT Super For Life	Superannuation contributions	M		180.35
DD8785.11	17/03/2019	MLC SUPER FUND	Superannuation contributions	M		159.13
DD8798.10	31/03/2019	BT Super For Life	Superannuation contributions	M		203.06
DD8798.11	31/03/2019	MLC SUPER FUND	Superannuation contributions	M		159.13

REPORT TOTALS

Bank Code	Bank Name	TOTAL
M	MUNI - NATIONAL AUST BANK	937,454.41
TOTAL		937,454.41

ATTACHMENT: 11.4
Local Planning Scheme Review

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, Lands and Heritage. 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, Lands and Heritage of any errors or omissions in this document.

LOCAL PLANNING SCHEME GAZETTAL DATE: [INSERT DATE]

DRAFT FOR ADVERTISING

**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.

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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 is 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 supplemental provisions contained in Schedule A.
- (c) 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"> To set aside land required for a cemetery.
Civic and Community	<ul style="list-style-type: none"> To provide for a range of community facilities which are compatible with surrounding development. 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 organisations involved in activities for community benefit.
Education	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential education facilities.
Environmental Conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
Infrastructure Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential infrastructure services.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Primary Distributor Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Regional Distributor or

Reserve Name	Objectives
	Primary Distributor under the Western Australian Road Hierarchy.
District Distributor Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy
Local Distributor Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy
Public Open Space	<ul style="list-style-type: none"> To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152. To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Public Purposes	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Railway	<ul style="list-style-type: none"> To set aside land required for passenger rail and rail freight services.

15. Additional uses for local reserves

(1) Table 2 sets out -

- (a) 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
- (b) 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"> • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Rural Townsite	<ul style="list-style-type: none"> • To provide for a range of land uses that would typically be found in a small country town. • To provide for the variety of predominantly commercial, service, social and administrative uses required to service the needs of local residents and visitors alike.
Rural Residential	<ul style="list-style-type: none"> • To provide for appropriately developed lots within proximity to the Mingenew Townsite for rural residential lifestyle purposes. • To provide for lot sizes in the range of 1 ha to 4 ha. • 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. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural	<ul style="list-style-type: none"> • To provide for the maintenance or enhancement of specific local rural character. • 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. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to

Zone name	Objectives
	<p>protect sensitive areas especially the natural valley and watercourse systems from damage.</p> <ul style="list-style-type: none"> • To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone. • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
General Industry	<ul style="list-style-type: none"> • To provide appropriately located, accessible, serviced and level industrial land to cater for the needs of anticipated industrial development within the townsite area. • 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. • Seek to manage impacts such as noise, dust and odour within the zone.
Tourism	<ul style="list-style-type: none"> • To promote and provide for tourism opportunities. • 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. • To allow limited residential uses where appropriate. • 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.
Special Use	<ul style="list-style-type: none"> • To facilitate special categories of land uses which do not sit comfortably within any other zone. • To enable the local government to impose specific conditions associated with the special use.

17. Zoning table

The zoning table for this Scheme is as follows -

Table 4 - Zoning Table

Use and development class	Residential	Rural townsite	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 Dwelling	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	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 - small	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
Roadhouse	X	P	X	A	P	X
Rural home business	X	X	P	P	X	X

Use and development class	Residential	Rural townsites	Rural residential	Rural	Tourism	General industry
Rural pursuit/hobby farm	X	A	D	P	X	X
Second-hand dwelling	A	A	A	A	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

* 'Mining' covered by the *Mining Act 1978* is exempt from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.

18. 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 all 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 all 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. If a proposed development is identified as a 'P' use in the zoning table, but the proposed development does not comply with all of the development standards and requirements of the scheme, then it is to be treated as a 'D' use.
- (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;
 - (d) the objectives of the zone.

19. Additional uses

There are no additional uses which apply to this Scheme.

20. Restricted uses

There are no restricted uses which apply to this Scheme.

21. 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

No.	Description of land	Special use	Conditions
1	Lots 43 and 66 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.

22. 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.

23. 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.

24. 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

25. 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).

26. Modification of R-Codes

There are no modifications to the R-Codes.

27. 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 29, 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.

28. Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

29. 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

State planning policies to read as part of Scheme
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.

30. 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.

31. Environmental conditions

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

32. 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.

33. 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.

34. 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

35. 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"> 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. 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"> • Abattoir • Piggery • Power Station • Fish Processing • Tannery • Woollscourer 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

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"> 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"> • potential for increased nutrient loading, in particular point source for nutrients, • e.g. poultry farm, piggery; • intensification of application of fertilisers and pesticides; • storage of chemicals, fuels and other potentially polluting substances; • substantial increase in runoff; • any other impact which Council considers could have an impact on the quality of public drinking water.

Part 6 - Terms referred to in Scheme

Division 1 - General definitions used in Scheme

36. 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 totalling 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.

37. 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 care facility means a building or group of buildings consisting of either:

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

and which includes 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;

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), sheep or other livestock in feedlots, sheds or rotational pens and excludes 'agriculture - extensive';

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 m² 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;

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 50m²; 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 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; 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
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) 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 100 m²; 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 m²;

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 a nature based park as defined in 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 m²; 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;

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;

tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5;

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) 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) 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) 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) 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"> 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. 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. 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"> (a) the bulk, scale and height of the proposed building in relation to adjacent buildings; (b) the location of access ways, car parking, storage areas and waste disposal facilities; (c) the location of services including power, water and effluent disposal systems; and (d) the interface between non-residential and residential uses in accordance with State policy and other guidelines.
2.	Rural Residential	<ol style="list-style-type: none"> 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. 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. 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. 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"> (a) any sensitive or incompatible uses that may require buffer separation from the proposed use, including the potential for spray drift

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"> (b) that adequate provision is made for any intensive use of rural roads; (c) that there is sufficient capacity within the existing services, facilities and infrastructure to support the proposed activities; (d) that there is no conflict with existing rural activities and adjacent land uses operating in the area; (e) a management plan to manage the impact of the intensive agriculture and/or extractive industry. <p>4. Development for short-stay tourist accommodation may be permitted on the basis that:</p> <ul style="list-style-type: none"> (a) it is secondary to the agricultural use of the land; and (b) is restricted to farm-stay accommodation and ancillary uses to rural activities here the use is conducted wholly on the lot.
4.	General Industry	<ul style="list-style-type: none"> 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. 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. 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. 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. 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. 6. All buildings within the General Industry zone shall be located, designed and constructed so that the

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"> (a) gardens and other landscaping including pools/pergolas etc.; (b) access driveways; and (c) parking of motor cars, commercial vehicles or caravans for periods of not more than eight hours consecutively.
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, permit the construction of</p>

Clause	Heading	General Development Requirements
		<p>buildings or structures in excess of the height limitations specified where it is satisfied:</p> <ul style="list-style-type: none"> (a) site constraints are such as to prevent the construction of a building or structure within height limits; or (b) additional height is critical to the function and operation of the proposed building or structure; and (c) the building or structure will be in harmony with the general character of buildings in the locality; and (d) the building or structure will not adversely affect the beauty, character, quality of environment or the townscape generally; and (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; (f) the building or structure will not impair the amenity or development of adjoining lots. <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"> (a) the nature of the proposed development; (b) the number of employees or others likely to be employed or engaged in the use of the land; (c) the anticipated demand for visitor parking; and (d) the orderly, proper and sustainable planning of the area. <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> <p>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.</p> <p>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:</p> <p>(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</p> <p>(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.</p> <p>6. Car parking and manoeuvring areas are to be constructed in accordance with local government standards set out in Schedule 3.</p> <p>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.</p>
9.	Caretakers dwellings	<p>1. Caretaker's dwellings:</p> <p>(a) are limited to one caretaker's dwelling per lot;</p> <p>(b) shall be limited in floor area to a maximum of 100 square metres; and</p> <p>(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</p>

Clause	Heading	General Development Requirements
		<p>requiring oversight by a caretaker, as determined by the local government.</p> <ol style="list-style-type: none"> 2. A caretaker's dwelling can only be occupied once the predominant use requiring a caretaker has been constructed and/or is operational. 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. 4. A caretaker's dwelling shall be occupied by the owner, manager or an employee of the use that is established on the land. 5. The local government will not support the caretaker's dwelling to be sold separately from the predominant use of the land.
10.	Transportable and second-hand dwellings	<ol style="list-style-type: none"> 1. The use of transportable and/or second-hand buildings for any purpose is subject to the planning approval of the local government. 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. 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"> (a) is in a satisfactory condition; (b) will not detrimentally affect the amenity of the area; (c) is permanently affixed to the ground; and (d) is finished to a high standard.
11.	Workforce accommodation	<ol style="list-style-type: none"> 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"> (a) the local government is satisfied that the Workforce Accommodation can be adequately serviced with water, power and effluent disposal; (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

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>
12.	Temporary accommodation	<p>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.</p> <p>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.</p>
13.	Telecommunications infrastructure	<p>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.</p> <p>2. Applications for the development of telecommunications infrastructure will be considered in relation to the following:</p> <p>(a) consistency of the proposed development with the objective and purpose of the zone or reserve;</p> <p>(b) social and economic benefits of the proposal;</p> <p>(c) the impact of the proposal on the landscape, heritage, environmental and rural character values of the locality;</p> <p>(d) coordination with other services; and</p> <p>(e) any relevant policy adopted by the local government.</p> <p>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>.</p>
14.	Amenity and unkempt land	<p>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,</p>

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> <p>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.</p> <p>(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;</p> <p>(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;</p> <p>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.</p> <p>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.</p> <p>5. Failure to comply with a notice issued under this clause shall be a breach of the provisions of this Scheme.</p>
15.	Vehicles	<p>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.</p> <p>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:</p> <p>(a) the vehicle shall form an essential part of the occupation of an occupant of the dwelling;</p> <p>(b) no vehicle shall exceed either 2.7 metres in height, 16 metres in length or 2 tonnes in tare weight;</p> <p>(c) major repairs to the vehicle shall not be undertaken on the lot; and</p>

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> <p>(a) refuse the application until the road has been constructed or direct access to a constructed road is provided; or</p> <p>(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</p> <p>(c) require other legal arrangements to be made for permanent legal access to the satisfaction of the local government.</p>
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 30 m ² NLA	
Bulky goods showroom	1 space per 50 m ² NLA up to 200 m ² plus 1 space per 100 m ² above 200 m ² .	
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 30 m ² NLA and an additional 1 space per employee	
Convenience store	1 space per 30 m ² 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 50 m ² NLA	
Hotel	1 space per room and an additional 1 space for 4 m ² bar/lounge area	
Industry	1 space per 50 m ² NLA	
Liquor store	1 space per 30 m ² NLA	
Medical Centre	1 space per 30 m ² 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 50 m ² 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 20 m ² NLA	
Service station	2 spaces per pump and an additional 1 space per 20 m ² NLA	
Shop	1 space per 30 m ² NLA	
Supermarket	1 space per 30 m ² NLA	
Tavern	1 space per 6 m ² public area	
Tourist development	At the discretion of local government	
Trade display	1 space per 50 m ² NLA up to 200 m ² plus 1 space per 100 m ² above 200 m ² .	
Trade supplies	1 space per 50 m ² NLA up to 200 m ² plus 1 space per 100 m ² above 200 m ² .	
Veterinary centre	1 space per 30 m ² NLA and an additional 1 space per employee	
Warehouse/storage	1 space per 50 m ² NLA up to 200 m ² plus 1 space per 100 m ² above 200 m ² .	
Workforce accommodation	At the discretion of local government	

Table 2 – Car parking dimensions

Parking angle	Width (m)	Length (m)	Separation / Aisle (m)
45 degree	3.5	5.2	3.7
60 degree	2.8	5.6	5
90 degree	2.5	5.5	6.5
Paving	All parking spaces shall be paved to the satisfaction of the local government (unless otherwise agreed with the local government).		
Landscaping	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 21st February 2018.

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:

LEGEND




LOCAL SCHEME RESERVES

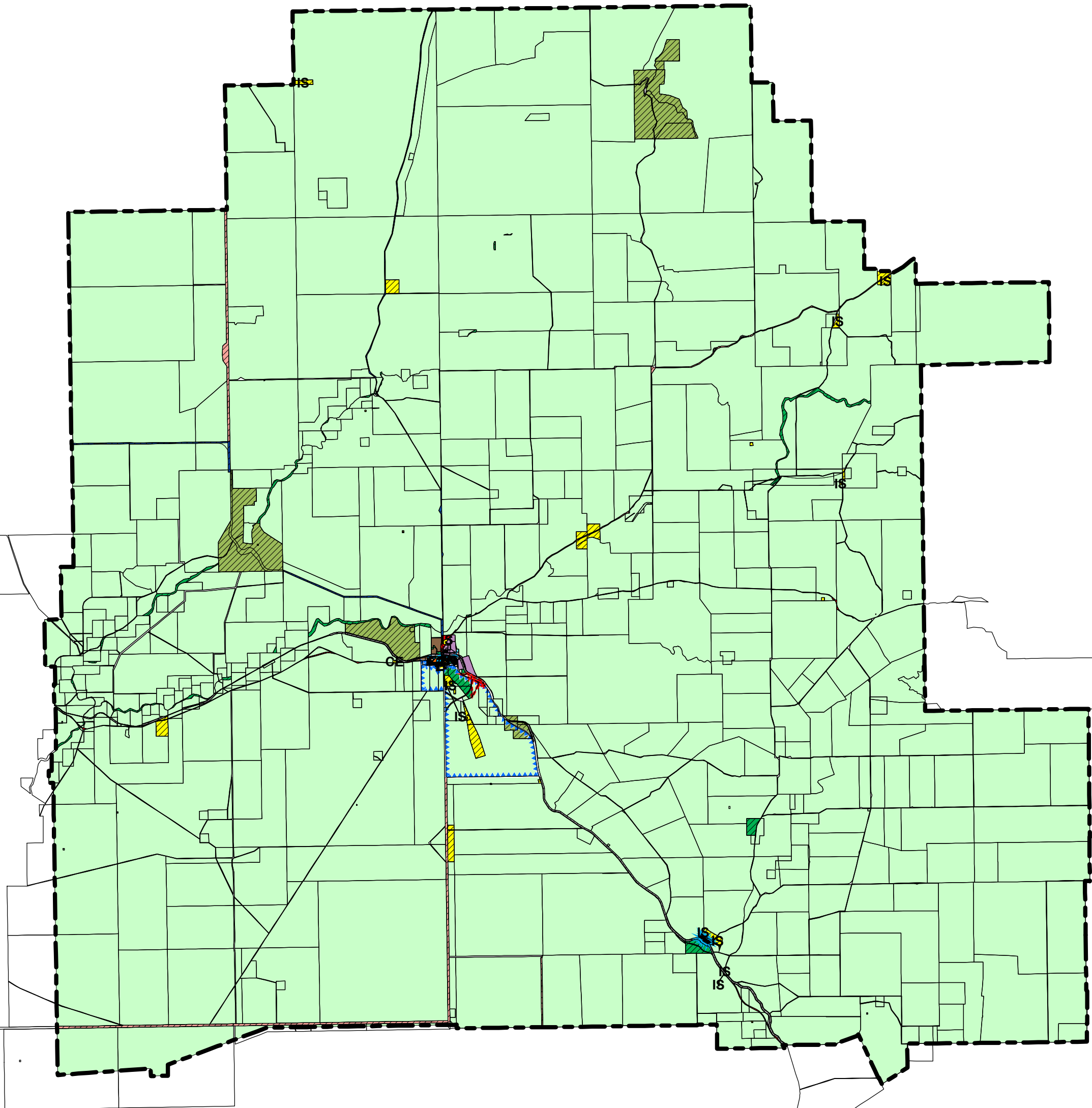
-  Public open space
-  Environmental conservation
-  Civic and community
-  Public purposes
-  Infrastructure services
-  Education
-  Cemetery
-  Railways
-  District distributor road
-  Primary distributor road
-  Local distributor road
-  Local road

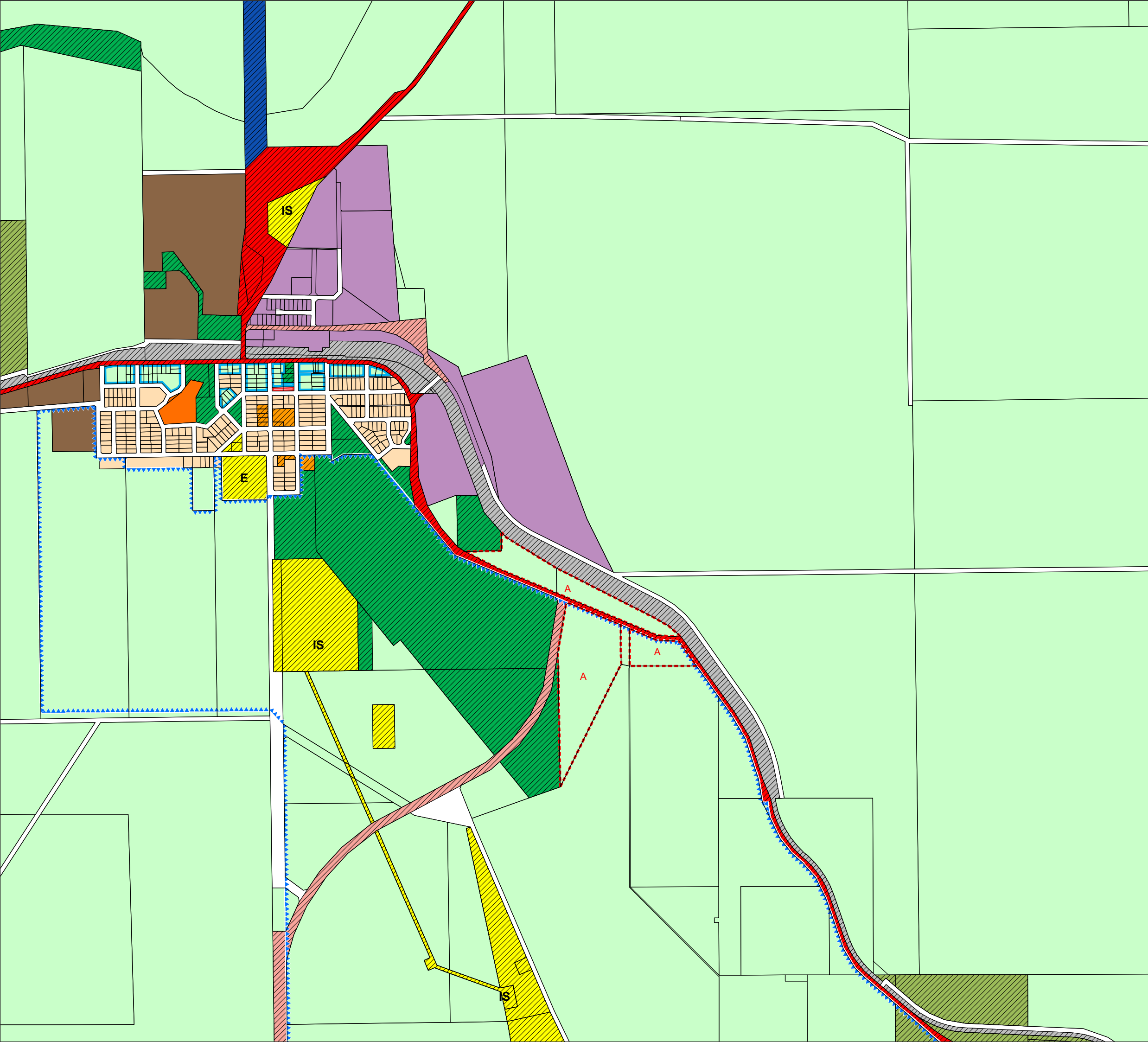
LOCAL SCHEME ZONES

-  Residential
-  Rural
-  Rural residential
-  Rural townsite
-  General industry
-  Tourism
-  Special Use Zone

OTHER CATEGORIES

-  R-Codes
-  Special control area - Public Drinking Water Source Protection Area C
-  Additional Use





LEGEND

LOCAL SCHEME RESERVES

- Public open space
- Environmental conservation
- Civic and community
- Public purposes
- IS Infrastructure services
- E Education
- CE Cemetery
- Railways
- District distributor road
- Primary distributor road
- Local distributor road
- Local road

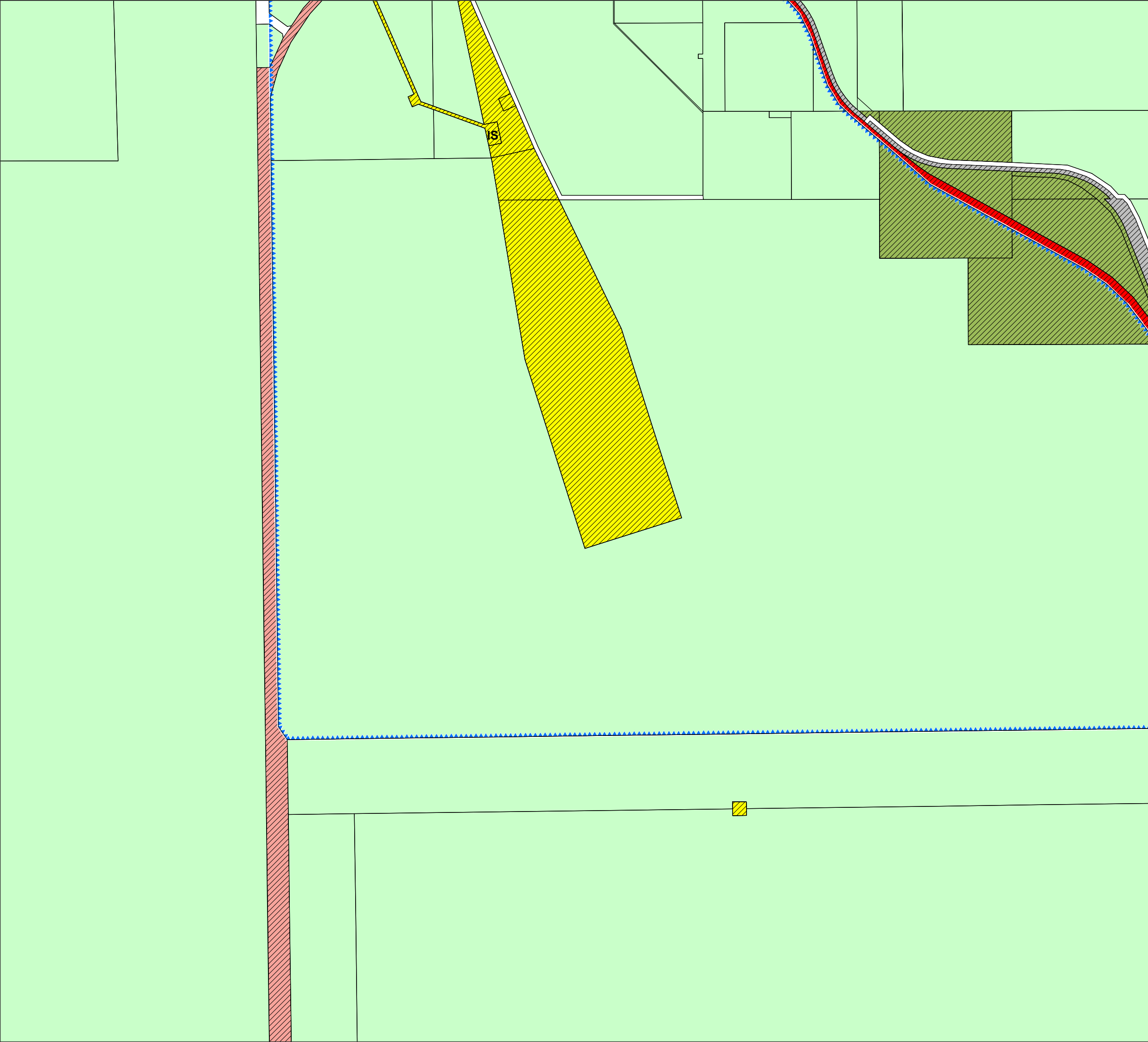
LOCAL SCHEME ZONES

- Residential
- Rural
- Rural residential
- Rural townsite
- General industry
- Tourism
- Special Use Zone

OTHER CATEGORIES













- R-Codes
- Special control area - Public Drinking Water Source Protection Area C
- A Additional Use












LEGEND




LOCAL SCHEME RESERVES

-  Public open space
-  Environmental conservation
-  Civic and community
-  Public purposes
-  Infrastructure services
-  Education
-  Cemetery
-  Railways
-  District distributor road
-  Primary distributor road
-  Local distributor road
-  Local road

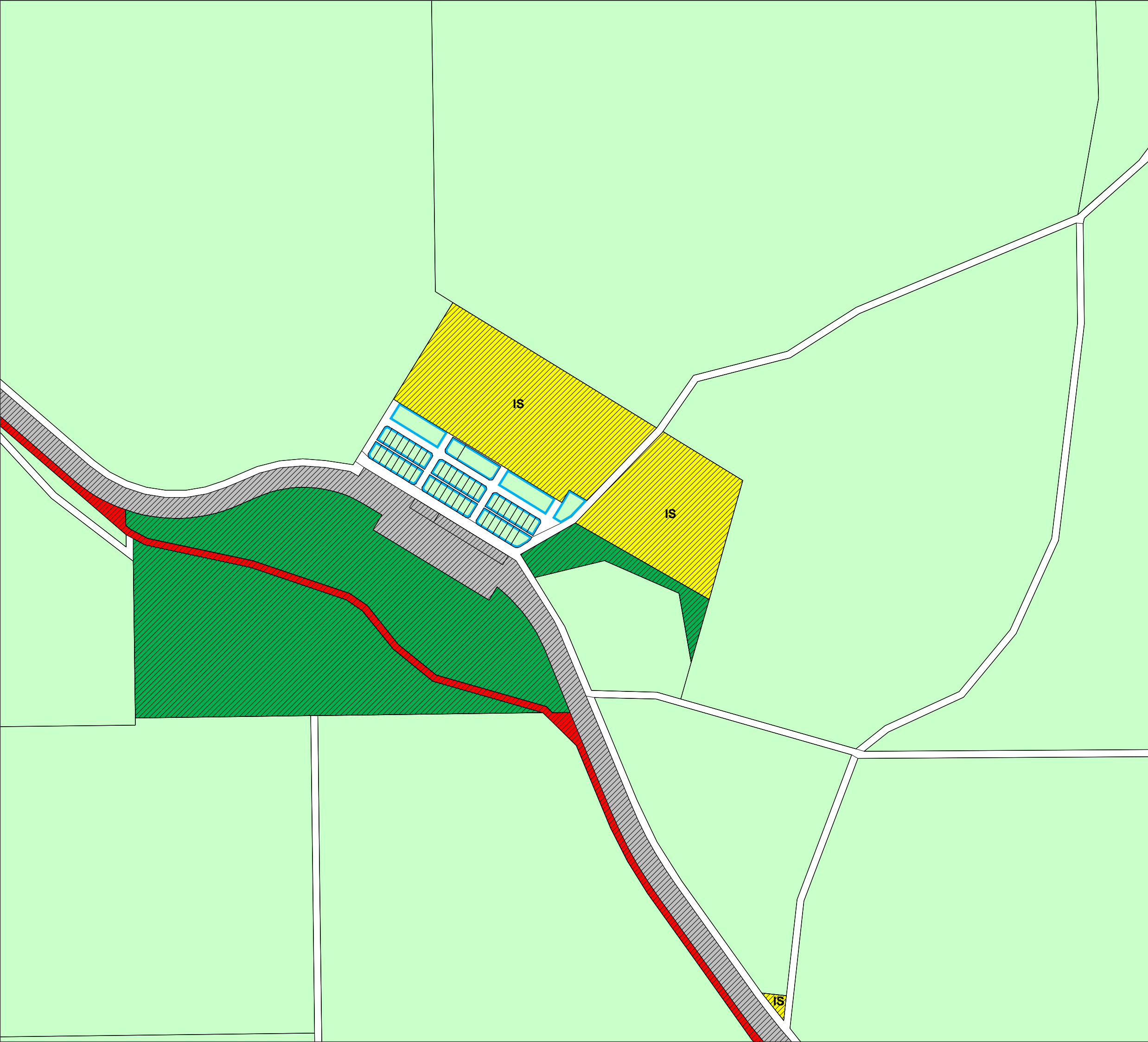
LOCAL SCHEME ZONES

-  Residential
-  Rural
-  Rural residential
-  Rural townsite
-  General industry
-  Tourism
-  Special Use Zone

OTHER CATEGORIES













-  R-Codes
-  Special control area - Public Drinking Water Source Protection Area C
-  Additional Use












LEGEND




LOCAL SCHEME RESERVES

-  Public open space
-  Environmental conservation
-  Civic and community
-  Public purposes
-  Infrastructure services
-  Education
-  Cemetery
-  Railways
-  District distributor road
-  Primary distributor road
-  Local distributor road
-  Local road

LOCAL SCHEME ZONES

-  Residential
-  Rural
-  Rural residential
-  Rural townsite
-  General industry
-  Tourism
-  Special Use Zone

OTHER CATEGORIES

-  R-Codes
-  Special control area - Public Drinking Water Source Protection Area C
-  Additional Use



Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
1 (5/12/18)	Department of Transport	<i>No objection</i> DoT has no comment to provide.	No additional comment	Note submission
2 (6/12/18)	ATCO Gas	<i>No objection</i> ATCO does not own nor operate gas mains or infrastructure within the Shire, our closest gas mains are located in the City of Greater Geraldton and the Shire of Carnamah.	No additional comment	Note submission
3 (12/12/18)	Heritage Services Branch	<p><i>Technical comment provided</i></p> <p>The Local Planning Scheme requires the Shire to create a heritage list. The heritage list is a statutory instrument which allows the Shire to consider the heritage of a place as part of its decision-making process for proposed development.</p> <p>It should be noted that Part 3 Clause 8(2)(a) of the (Regulations) deemed provisions states that the heritage list 'must set out a description of each place and the reason for its entry in the heritage list'. The heritage list should also provide detail on whether the building is identified as having a significant interior, as the new provisions require planning approval for interior works only where a place has been designated as having a significant interior.</p> <p>We recommend the Shire begins planning to create a heritage list which meet these requirements as part of its review of its planning framework.</p> <p>Point 9(a): could be amended to read "areas of cultural heritage and natural significance..."</p> <p>Point 29: consideration could be given to including State Planning Policy 3.5 Historic Heritage Conservation.</p>	<p>Upon adoption of Scheme No.4 the Shire will be in position to create a heritage list as outlined in Schedule 2 Part 3 Clause 8 of the <i>Planning and Development (Local Planning Schemes) Regulations) 2015</i>.</p> <p>Clause 9(a) of the Scheme No.4 text lists one of the aims of the Scheme as being "<i>to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural and natural significance across the Shire.</i>"</p> <p>The Heritage Services Branch are suggesting that this could be amended to state "<i>to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural significance across the Shire.</i>"</p> <p>No objection is raised to this minor addition.</p> <p>Part 4 clause 29 Table 6 of the Scheme No.4 text lists the following state planning policies to be read</p>	<p>Note submission and amend Section 9(a) of the Scheme No.4 text to state:</p> <p><i>"to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural significance across the Shire."</i></p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			<p>as part of the Scheme:</p> <ul style="list-style-type: none"> - SPP2.7 - Public Drinking Water Source - SPP3.7 - Planning in Bushfire Prone Areas - SPP5.2 - Telecommunications Infrastructure <p>Whilst Table 6 could be modified to include SPP3.5 –Historic Heritage Conservation to this list it is noted that the listing (or otherwise) of SPP's in a Scheme does not alter the recognition that state planning policies are already afforded in the planning system as providing the highest level of planning policy control and guidance in Western Australia through their preparation under Part 3 of the <i>Planning and Development Act 2005</i>.</p>	
4 (14/1/19)	Department of Jobs, Tourism, Science & Innovation	<p><i>No objection</i></p> <p>The Department has reviewed the proposal and has no comment to provide.</p>	No additional comment	Note submission
5 (22/1/19)	Department of Health	<p><i>Technical comment provided</i></p> <p>Good public health is not specifically recognised as part of the purpose and aims of the Scheme. The purpose or aim of the Scheme should include a direct reference to 'enhancing the public health of the community' or words to that effect.</p> <p>Although the Scheme focuses on development outcomes for the Shire it does not address potential issues in relation to disaster preparedness, recovery management or the associated impacts on public health. The document should also consider potential negative of anti-social issues and how the built design can minimise the potential future harm.</p> <p>A risk assessment of each of the potential outcome/goals should be incorporated into the scheme, for your</p>	<p>The Shire's Scheme Review has been undertaken with the primary aim of ensuring its Local Planning Scheme accords with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> to provide consistency and remove confusion. On this basis it is considered that the Scheme No.3 text should not be modified from the Regulations standard.</p> <p>It is considered that Clause 9 – Aims of the Scheme already adequately addresses the issue of lifestyle, opportunities, community facilities, recreation and open space and preserving, protecting and enhancing the natural and cultural environment.</p> <p>The DoH may wish to approach the Department for Planning, Lands & Heritage and become involved in a future regulations review if it has the view that public health outcomes should be recognised more prominently within schemes.</p> <p>It is considered that the issues raised by DoH are more appropriate when commenting upon a strategic planning document. It is further considered that the issues raised in this submission are</p>	Note submission.

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>reference consider the enHealth document 'Risky Business – a resource to manage environmental health risks specifically tailored for local governments'. To further enhance liveability DoH also has a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist you with planning elements related to this Scheme.</p> <p>The development tables within the Scheme should where infrastructure permits, require that those developments be connected to scheme water, reticulated sewerage and be in accordance with the draft Country Sewerage Policy. Where reticulated sewerage is not available the Scheme should provide guidance for on-site effluent disposal. To assess if on-site wastewater disposal systems are to be effective a site and soil evaluation in accordance with Australian Standard 1547 (AS/NZS1547) is required for each site and should be referenced in the document. Where scheme water is not available developments are to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Guidelines 2004.</p> <p>The Scheme is to acknowledge and incorporate appropriate separation distances in accordance with the EPA Environmental Assessment Guidelines 'Guidance for the assessment of Environmental Factors No.3 – Separation Distances between Industrial and Sensitive Land Uses'.</p> <p>The Scheme should also acknowledge DoH's 'Guidelines for the Separation of Agricultural and Residential Land Use' as a means to help avoid conflict and potential adverse health effects and nuisance impacts from chemical use, dust and other rural pursuits.</p>	<p>already, and more appropriately, contained within various strategic planning documents (such as Strategic Community Plan, Local Planning Strategy, Townsite Local Planning Strategy, Structure Plan, Townsite Revitalisation Plan, Local Planning Policy) rather than within the statutory planning document of a scheme.</p> <p>Disaster and recovery management is more appropriately, addressed in strategic planning and operational documents and through other state legislation rather than planning legislation.</p> <p>Part 4 clause 29 Table 6 of the Scheme No.4 text already requires that SPP3.7-Planning in Bushfire Prone Areas be read as part of the scheme.</p> <p>The issue of reticulated sewerage and the draft Country Sewerage Policy is already discussed at length in the Shire's Local Planning Strategy and Mingenew Townsite Local Planning Strategy. Applications to construct or install an apparatus for the treatment of sewage are already addressed separately through the <i>Health Act 1911</i> and the <i>Health (Treatment Of Sewage And Disposal Of Effluent And Liquid Waste) Regulations 1974</i>.</p> <p>Again it must be noted that the underlying basis for this Scheme Review was to ensure that the Shire's Local Planning Scheme accorded with the Regulations to provide consistency and remove confusion, and to do so within the prescribed timeframe. On this basis it is considered that the Scheme No.4 text should not be modified from the Regulations standard as is suggested by this submission.</p>	

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
6 (13/2/19)	Department of Primary Industries & Regional Development	<p><i>Technical comment provided</i></p> <p>Agricultural production from the Shire continues to make an important contribution to the state's economy and DPIRD supports the Shire's intention to retain rural land for primary production and the prevention of further fragmentation and loss of productive agricultural land. Recognition of buffers as a planning tool is also supported.</p> <p>DPIRD supports Aims of Scheme 9(e) to prevent the fragmentation and/or loss of agricultural land and reduce land use conflict. This point meets the intent of State Planning Policy 2.5-Rural Planning</p> <p>DPIRD does not support the land use 'Bed & Breakfast' as a P (Permitted) use in the Rural zone. This is regarded as a sensitive land use and introducing it into the Rural zone may create conflict for primary production. DPIRD recommends that it should be a D (Discretionary) use to match the zoning for the Rural Residential land.</p> <p>DPIRD recommends that State Planning Policy 2.5-Rural Planning is included in the policies to be read as part of the Scheme. This policy underpins and guides Rural Zone land use planning.</p>	<p>Clause 9(a) of the Scheme No.4 text lists one of the aims of the Scheme as being <i>"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."</i></p> <p>DPIRD's requested change would not remove the ability to give consideration to Bed & Breakfast developments in the Rural zone where appropriate. It would require a higher level of scrutiny, and in practice would mean that Shire staff would not have delegated authority to assess such applications but that they would be presented to Council for consideration. Council would have the ability to approve/refuse applications on merit.</p> <p>No objection is raised to this minor modification.</p> <p>Part 4 clause 29 Table 6 of the Scheme No.4 text lists the following state planning policies to be read as part of the Scheme:</p> <ul style="list-style-type: none"> - SPP2.7 - Public Drinking Water Source - SPP3.7 - Planning in Bushfire Prone Areas - SPP5.2 - Telecommunications Infrastructure <p>Table 6 can be modified to include SPP2.5 – Rural Planning to this list although it is noted that the listing (or otherwise) of SPP's in a Scheme does not alter the recognition that state planning policies are already afforded in the planning system as providing the highest level of planning policy control and guidance in Western Australia through their preparation under Part 3 of the <i>Planning and Development Act 2005</i>.</p>	<p>Note submission and modify the Scheme as follows:</p> <p>Amend Clause 9(a) of the Scheme No.4 text to include State Planning Policy 2.5 – Rural Planning as a state planning policy to be read as part of the Scheme.</p> <p>Amend Table 4 -Zoning table so that the 'Bed and Breakfast' land use in the 'Rural' zone is changed from the P (Permitted) use to the D (Discretionary) use.</p> <p>Amend Schedule 1-General development requirements-Table 1, Clause 3:Rural Point 2(a) of Scheme No.4 to state:</p> <p><i>"2 In considering an application for planning approval in the Rural zone the local government will have due regard for the following:</i></p> <p><i>(a) any sensitive or incompatible uses and how the application has addressed minimisation of potential environmental and health impacts</i></p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		DPIRD finds the statement in Schedule 1-General development requirements-Table 1, Clause 3:Rural Point 2(a) and its intent confusing, recommend it is rewritten for clarity.	<p>Schedule 1-General development requirements-Table 1, Clause 3:Rural Point 2(a) of Scheme No.4 states:</p> <p><i>"2 In considering an application for planning approval in the Rural zone the local government will have due regard for the following:</i></p> <p><i>(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"</i></p> <p>It is suggested that this clause could be amended as follows to improve its intent:</p> <p><i>"2 In considering an application for planning approval in the Rural zone the local government will have due regard for the following:</i></p> <p><i>(a) any sensitive or incompatible uses and how the application has addressed minimisation of potential environmental and health impacts through separation distances and other measures."</i></p>	<i>through separation distances and other measures."</i>
7 (27/2/19)	Department of Mines, Industry Regulation & Safety	<p><i>No objection</i></p> <p>The Department has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.</p>	No additional comment	Note submission
8 (1/3/19)	Department of Fire & Emergency Services	<p><i>Technical comment provided</i></p> <p>It is unclear if the application of SPP3.7 is required, as the areas of land use intensification as proposed by the Scheme are not represented spatially with the designated bushfire prone areas.</p> <p>High level consideration of bushfire risk is one of the most effective means of preventing inappropriate development in bushfire prone areas. Where the Scheme aims to identify suitable land for land use intensification within designated bushfire prone areas, it is important an assessment of the bushfire hazard issues is undertaken that informs the suitability of areas for land use intensification. The minimum requirement to satisfy</p>	<p>The Scheme 3 and Scheme 4 maps were made available to DFES for comparison.</p> <p>The only additional area of land identified for land use intensification in the new Scheme is the Rural Residential area upon the 30ha Lot 11976 to the immediate north of the Mingenew townsite. This area has been previously identified in the Shire's Townsite Local Planning Strategy for this purpose, with the issue of bushfire addressed.</p> <p>It is suggested that to address the comment raised by DFES that Schedule 1, Table 1 Clause 2-Rural Residential be modified to read:</p>	<p>Note submission and modify Schedule 1, Table 1 Clause 2 - Rural Residential as follows:</p> <p><i>"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</i></p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>SPP3.7 is the preparation of a Bushfire Hazard Level (BHL) assessment and an assessment against the bushfire protection criteria requirements contained within the Guidelines.</p> <p>At this strategic level, it is acknowledged that bushfire management is likely to be only one consideration of the decision maker in determining the suitability of the land for proposed intensification. However, this emphasises the need for an understanding of what the bushfire risks are, so an informed decision can be made as to the suitability of areas for expansion or intensification of land use.</p> <p>A BHL assessment provides a 'broad brush' means of determining the potential intensity of a bushfire for an area and assists in determining the suitability of land contained within strategic planning proposals for future land use/development intensification. It is a predevelopment tool used to inform decision making at subsequent planning stages to ensure a holistic understanding of the bushfire risk. Opportunities and constraints and the presentation of information within a matrix should be considered, where relevant.</p> <p>Although not a requirement of SPP3.7, the Shire could also consider a BHL assessment for areas zoned in the current Scheme, but not yet developed. A BHL assessment will identify those areas that cannot comply with SPP3.7 or alternatively identify measures to ensure future compliance, such as an improved road network. Identification of measures to improve the resilience of those areas that are developed within or adjoining areas with an extreme bushfire hazard; this could improve vehicular access and egress; increased hazard separation; improved water infrastructure; implementation of fire management strategies and vegetation management.</p> <p>An opportunities/constraints assessment can address issues related to the bushfire protection criteria that have arisen following the BHL assessment.</p> <p>It is critical at this level of the planning to connect the</p>	<p><i>"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 and a Bushfire Hazard Level Assessment shall be completed if the land is identified as bushfire prone area. A structure plan may be required to address identified issues."</i></p> <p>Part 4 clause 29 Table 6 of the Scheme No.4 text specifically lists SPP3.7-Planning in Bushfire Prone as a state planning policy to be read as part of the Scheme, and the Scheme takes a conservative approach as follows.</p> <p>There are a small number of undeveloped lots (estimated 10 lots) zoned Residential at the very southern and eastern ends of the Mingenew townsite that are within the area identified by the State Map of Bushfire Prone Areas. WAPC Planning Bulletin 111/2016 notes that they would be exempted from the provision of SPP3.7 on the basis that the lots are less than 1,100m². However, the ability exists for the Shire to take a conservative position under Part 7 Clause 61(3) and require development approval to be applied for on Residential zoned land that is identified as potentially bushfire prone.</p> <p>There are a small number of undeveloped lots (estimated 9 lots) zoned Rural Townsite in the north-western corner of the Mingenew townsite that are within the area identified by the State Map of Bushfire Prone Areas. WAPC Planning Bulletin 111/2016 notes that they would be exempted from the provision of SPP3.7 on the basis that the lots are less than 1,100m². Nevertheless Schedule A-Supplemental provisions to the deemed provisions of the Scheme No.4 text specifically requires that development approval is</p>	<p><i>proposed number and layout of lots and a Bushfire Hazard Level Assessment shall be completed if the land is identified as bushfire prone area. A structure plan may be required to address identified issues."</i></p>

Shire of Mingenew Local Planning Scheme No.4

Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>spatial understanding of bushfire threat with strategic decisions about intensification of land use to reduce the vulnerability of people, property and infrastructure to the threat of bushfire. An understanding of the bushfire hazard provides for the identification of opportunities and constraints for areas proposed for land use intensification. These areas can then be evaluated against each other, as well as each element of the bushfire protection criteria, to highlight the locations where it is unlikely compliance with the criteria can be achieved.</p> <p>If the BHL assessment is being prepared with multiple development or investigation areas for land use intensification, the assessment should provide a comparison of the areas.</p> <p>This can be in the form of a matrix and provide a qualitative assessment identifying if the areas proposed for land use intensification are likely, possibly or unlikely to meet the criteria. It should recognise that compliance may be subject to subsequent stages of the planning process.</p> <p>The above guidance is provided to inform application of SPP 3.7 for the draft Scheme. A bushfire assessment may be necessary to ensure that all recommendations for land use intensification within the Scheme, avoid any increase in the threat of bushfire to people, property and infrastructure. The assessment should demonstrate how compliance with the bushfire protection criteria can be achieved at subsequent stages of the planning process.</p>	<p>required for any development within the Rural and Rural Townsite zones (including the erection or extension of a single house, or any incidental development to the single house) where it is within a designated bushfire prone area.</p> <p>The purpose of the introduction of this clause as a supplemental scheme provision was to require the lodgement of a planning application (and associated BAL assessment) for development that would normally be considered as-of-right, to allow for further scrutiny and regard for bushfire risk.</p> <p>Not relevant in this instance.</p>	
9 (1/3/19)	Shire of Mingenew	<p><i>Scheme Map Modification requested</i></p> <p>The Scheme No.4 Map identifies Lot 10443 Coalseam Road, Ikewa as being zoned 'Public Purposes'.</p> <p>This should be amended to the 'Rural' zone to reflect that the property is privately owned and used for farming purposes and is not a Crown Reserve.</p>	<p>Lot 10443 is zoned 'Public Purposes' on the Scheme No.4 Map.</p> <p>This cartographic error appears to be a legacy from previous Scheme Maps where it was also zoned 'Public Purposes' possibly due to the land abutting (and being mistakenly considered part of) Reserve 22298 to the north.</p> <p>Lot 10443 is cleared land used for cropping purposes and the zoning should be corrected in the Scheme Review process to the 'Rural' zoning to reflect both the on-ground land use and also that</p>	<p>Modify the Scheme No.4 Map (page 1) so that Lot 10443 Coalseam Road, Ikewa is zoned 'Rural' and not 'Public Purposes'.</p> <p>Modify the Scheme No.4 Map (page 4) so that the former (now disused) Midlands Road alignment south of the Yandanooka</p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>During discussions between Main Roads WA and the Shire during the advertising of Scheme No.4 it was identified that the former (now disused) Midlands Road alignment south of the Yandanooka townsite is zoned 'Primary Distributor Road' and the on-ground (constructed) realignment of Midlands Road and the northern-most section of Yandanooka South Road (immediately south of the Midlands Road intersection) are zoned 'Public Open Space'.</p> <p>This anomaly is a legacy from previous Scheme Maps and should be corrected during the Scheme Review.</p>	<p>Lot 10443 is privately owned freehold land and is not a Crown Reserve.</p> <p>The Midlands Road realignment near Yandanooka townsite was undertaken by Main Roads WA several decades ago.</p> <p>However, during discussions between Main Roads WA and the Shire during the Scheme Review period it emerged that the cadastral finalisation of this matter had not occurred with the former Midlands Road alignment not being closed as a road reserve, and the new superseding (on-ground) alignment of Midlands Road not being created as road reserve and proclaimed.</p> <p>Main Roads WA and Shire staff agreed that the Scheme Map should be amended to accurately reflect the actual on-ground alignments, and Main Roads WA will commence the necessary Crown Survey instruction and proclamation actions to correct the cadastre.</p> <p>The Zoning Table for Scheme No.4 lists 'Workforce Accommodation as an 'X' use. However Schedule 1 Table 1 (Part 11) of Scheme No.4 notes that:</p> <p><i>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:</i></p> <p><i>(a) the local government is satisfied that the Workforce Accommodation can be adequately serviced with water, power and effluent disposal;</i></p> <p><i>(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 approval for permanent Workforce</i></p>	<p>townsite is rezoned from 'Primary Distributor Road' to 'Public Open Space', and the on-ground (constructed) realignment of Midlands Road is rezoned from 'Public Open Space' to 'Primary Distributor Road', and the northern-most section of Yandanooka South Road (immediately south of the Midlands Road intersection) is rezoned from 'Public Open Space' to 'Local Road' to accurately reflect the on-ground land use.</p> <p>Modify the Scheme No.4 Zoning Table to list 'Workforce Accommodation' as an 'A' use in the 'Rural' zone.</p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			<p><i>Accommodation being issued;</i></p> <p><i>(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."</i></p> <p>To avoid confusion within Scheme No.4 the Zoning Table requires modification to list 'Workforce Accommodation' as an 'A' use in the 'Rural' zone to avoid the potential for interpreting contradiction with Schedule 1 Table 1 (Part 11).</p> <p>This modification would maintain the intent of Aim of the Scheme (g) which is <i>"ensuring that mining-related land uses and developments such as workforce accommodation are developed within existing townsites where appropriate"</i> as this can promote local economic benefits. However, enabling consideration of Workforce Accommodation within the Rural zone would recognise that part of Aim of the Scheme (g) which states <i>"where appropriate"</i> as in certain instances (e.g. exploration operations that propose 24hour/7days a week activity) it may be impractical to house workers away from the operations, and would also be disruptive to have them based within a townsite if workers are leaving/arriving from shift at odd hours. Also in some instances the distance of the operation from the townsite may make it impractical to house workers at a location other than on-site.</p> <p>This modification would also maintain the intent of Aim of the Scheme (f) which is <i>"to facilitate and promote mining, including any subsequent and related land uses and developments that are required as a result"</i> as it would set the primary aim to encourage workforce accommodation in the townsite where appropriate but also allow for Council to consider as a second option on-site accommodation subject to conditions.</p>	

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			The modification is not a departure from the advertised Scheme No.4 as Schedule 1 Table 1 (Part 11) already allowed for this consideration, but the modification would remove potential for misunderstanding due to the Scheme seemingly containing contradiction.	
LATE SUBMISSION (7/3/19)	Department of Biodiversity, Conservation & Attractions	<p><i>Technical comment provided</i></p> <p>The inclusion within Scheme No.4 of Environmental Conservation local scheme reserves and the objectives of those reserves which relate to the identification and protection of areas of biosecurity and conservation value is supported by DBCA. The inclusion of all DBCA managed nature reserves and conservation parks within the Environmental Conservation zone is supported.</p> <p>DBCA notes that areas containing biodiversity values requiring protection from impacts of future developments including areas of remnant vegetation and areas containing flora and fauna species and ecological communities of conservation significance are found through the Shire. These are located within the Environmental Conservation zone and other zones. A list of conservation significant species and communities recorded within the Shire is provided.</p> <p>DBCA recommends that the Scheme Aims be strengthened to highlight the need to protect and enhance environmental and biodiversity values throughout the Shire. The WAPC's Local Planning Manual provides the following scheme aim which may be suitable for inclusion in Scheme No.4:</p> <p><i>"protecting the natural environment and biodiversity while ensuring appropriate development opportunities within the local government are realised."</i></p>	<p>One of the tasks undertaken as part of the Scheme Review was to identify the location of DBCA managed land and assign it the appropriate zoning.</p> <p>The Scheme addresses this, listing in Part 3 Table 3, the following objectives for the 'Rural Residential' and 'Rural' zone respectively:</p> <p><i>"To set aside areas for the retention of vegetation and landform or other features which distinguish the land."</i></p> <p><i>"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."</i></p> <p>Further general development requirements relating to having regard for remnant vegetation in the assessment of planning applications in the 'Rural Residential' and 'Rural' zones are listed in Schedule 1 Table 1 of the Scheme.</p> <p>It is considered that the modification of the Scheme Aim as outlined in the response to Submission 3 addresses this issue i.e. amend Section 9(a)-Aims of the Scheme to state:</p> <p><i>"to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural significance across the Shire."</i></p>	<p>Note submission and amend Section 9(a) of the Scheme No.4 text to state:</p> <p><i>"to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural significance across the Shire."</i></p>

Shire of Mingenew Local Planning Scheme No.4				
Submission No. & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>In addition to Schemes native vegetation is protected by the <i>Environmental Protection Act 1986</i> and <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>. Individual species and communities are further protected under the <i>Biodiversity Conservation Act 2018</i> and <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>It is anticipated that the Scheme and any associated environmental impacts will be appropriately managed through the existing planning framework.</p>	<p>The existence of legislation outside of the planning framework is noted but not necessary to include reference to within the Scheme.</p> <p>The Scheme Review has been conducted with the primary purpose of ensuring that the Shire of Mingenew Local Planning Scheme accords with the <i>Planning and Development (Local Planning Schemes) Regulations) 2015</i>.</p>	



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 9m² 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 ²)	Maximum wall length (m)	Maximum wall height (m) <i>(to be measured at natural ground level)</i>	Maximum roof height (m)
Rural, Rural Residential	Exempt from the area and height requirements of this policy			
All other zones - on lots under 1,500m ²	80	10	3	4
All other zones - on lots over 1,500m ²	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	21/2/18	Minute Ref: 9.4.1
	Final Approval		
	Adoption		

REVIEW

Review timeframe: Annually
Review responsibility: Chief Executive Officer

ATTACHMENT: 11.5
Community Assistance Policy



COUNCIL POLICY

Community

1.4.2

Title:	1.4.2 SUPPORTING THE COMMUNITY
Adopted:	21 March 2018
Reviewed:	11 April 2019
Associated Legislation:	Local Government Act 1995
Associated Documents:	Community Assistance Scheme 2019/20 Supporting the Community Procedures Delegation Register- CD02 Debts, Waiver, Concessions, Write Off and Recovery
Review Responsibility:	Community Development Officer
Delegation:	Chief Executive Officer

Previous Policy Number/s 3004

Objective:

To assist community organisations and groups to undertake activities and provide facilities for the benefit of its residents in the Shire region.

Policy Statement:

The Shire acknowledges its role as a facilitator and partner in the development and sustainable management of local community-based organisations and to support the aspirations and achievements of its residents. To fulfil these roles and to enable the continued provision of a broad range of projects, activities and events, the Shire supports:

- a) The annual allocation of funding towards community projects that are consistent with the values and strategies contained within the Shire of Mingenew Strategic Plan; and
- b) Where able, will endeavour to provide facilities and services that increase opportunities for inclusion, participation social wellbeing and physical activity as the Shire recognises the value of accessibility and community involvement; and
- c) In exceptional circumstances and when financial circumstances permit, will consider self-supporting loans to provide community organisations with an opportunity to raise loan funds through the Shire at competitive rates.

To acknowledge the role the Shire of Mingenew plays in supporting the community, recipients of Shire funding for the delivery of community activities and events are to acknowledge the Shire of Mingenew in any advertising and promotional material relating to the activity or event for which the funding has been provided.

Community Financial Assistance Scheme

Council will allocate 1.5% of the value of rates per financial year to the Community Financial Assistance Scheme. The allocated funding will be distributed between the two funding categories within the Scheme in line with the following:

1. 80% is to be allocated to Community Grants and is to be allocated via a competitive grants process and in line with Management Procedures, and



2. 20% is allocated to the Waiver of Fees and Sundry Donations combined.

Community Grants

For projects and events that support and promote social, economic, recreational, art and cultural development of persons living within the Shire of Mingenew, the Chief Executive Officer is authorised to commit funds of up to the \$5,000 per application (project), subject to the confinements of the budgetary allocation as set by Council.

All community grants will be considered by a panel, comprising of the Community Services Coordinator, the Chief Executive Officer and two Councillors, who are to assess and prioritise the applications in accordance with the above listed criteria.

Criteria to award grant/commit Shire funds:

1. Applicants must be incorporated, not-for-profit, community-based organisations, groups and event organisers. Local state and federal government departments, private companies, private and public schools including employees of these bodies acting on behalf of their employers (excluding relevant community purpose representative bodies such as P&C Associations are ineligible.
2. The activity, event, competition, project or celebration must be offered within the Shire of Mingenew local government boundaries and open for attendance by the local community;
 - a. Where Shire funds are used towards an event, it is preferable that entry for locals be free of charge
3. The activity, event, competition, project or celebration must demonstrate alignment with the Shire's Community Strategic Plan;
4. The Community Organisation is not to have already received funding from the Shire by way of a Sponsorship, Donation, Community Assistance Scheme Funding or Council Contribution or received financial assistance from the Shire for the project for which the application has been made under any existing written agreement during the relevant financial year.
5. Applicants acknowledge that funding is subject to an Acquittal and Evaluation Form being completed and submitted to the Shire within 8 weeks of the stated completion date of the project or activity, or before the 20 June of the current financial year, whichever falls first. Failure to complete this step will result in disqualification for the next round of funding.

Waiver of Fees and Charges

Waivers will be considered for local clubs and not-for-profit organisations to conduct activities that support the Shire's Community Strategic Plan.

Applications for waiver of fees and charges shall be made via written application to the Chief Executive Officer and shall not exceed a value of \$1,000.00 per application. Applications above \$1,000.00 are to be made via the Community Grants Process.

The decision to waive fees and charges shall be at the discretion of the Chief Executive Officer. All waivers shall be within the limits of Council's Delegation to the Chief Executive Officer- *CD02 Debts, Waiver, Concessions, Write Off and Recovery* and is subject to the confinements of the budgetary allocation as set by Council.



Sundries Donations

Small grants up to \$200.00 can be applied for at any time through a written request directed to the Chief Executive Officer.

The Chief Executive Officer, at their discretion, is authorised to commit funds of up to \$200.00 per application provided it is within the budgetary allocation as set by Council.

Sponsorship

All applications for financial sponsorship shall be referred to the Council for decision.

Marketing Assistance

Small grants of up to \$500.00 per business can be applied for at any time through a written request directed to the Chief Executive Officer. Funds can be used for business promotion provided the Shire's logo is applied to all materials and approval of final design is sort from Shire CEO.

Self-Supporting Loans

Self-supporting loans are loans taken out by the Shire on behalf of clubs or organisations who undertake to meet the capital, interest and loan guarantee payments.

The Shire of Mingenew will only provide access to self-supporting loans in exceptional circumstances, when financial circumstances permit, and when there is compelling evidence of positive benefits to the community. Council will only consider providing self-supporting loans to community or sporting groups in the following circumstances:

- a) In exceptional circumstances to mitigate serious risks and/or meet urgent capital requirements that will deliver substantial benefits to the community consistent with the Shire's Strategic Community Plan and priorities identified in the Corporate Business Plan.
- b) Where the self-supporting loan forms part of a matching community grant component
- c) Where, in the view of Council, the use of Shire borrowings for the intended purpose will deliver benefits to the community materially outweighing likely benefits from the alternative purposes from which the said borrowings would have to be diverted.
- d) Where in the view of Council there is compelling justification for the Shire to act as lender instead of a bank or other financial institution.

Organisations seeking assistance from Council to raise a loan shall:

- a) Be an incorporated body that leases or occupies land and/or buildings owned or vested in the Shire.
- b) Provide a copy of the last three years' audited trading and balance sheet statements.
- c) Agree to enter into a Deed of Agreement for the period of the loan repayments.
- d) Provide whatever security or guarantees that Council considers appropriate to ensure that the loan is repaid.
- e) Insure and keep insured premises where the premises are security over repayment of a loan.
- f) Pay all costs associated with the preparation and stamping of legal documents concerned with the raising of the loan.
- g) Provide a copy of the minutes of a legally constituted meeting of the organisation showing the formal resolution agreeing to the raising of the loan.



h) Provide any other information that Council requires.

All applications for self-supporting loans shall be referred to the Council for review and decision.

ATTACHMENT: 11.6
Employee Superannuation Policy



COUNCIL POLICY

Finance

1.3.8

Title:	1.3.8 EMPLOYEE SUPERANNUATION
Adopted:	17 April 2019
Reviewed:	New Policy – Not applicable
Associated Legislation:	Superannuation Guarantee Contribution (Administration) Act 1992
Associated Documents:	Shire of Mingenew – Authority to Deduct From Pay Form Shire of Mingenew – Induction Documentation Shire of Mingenew – Contract of Employment
Review Responsibility:	Chief Executive Officer
Delegation:	-

Objective:

To detail the arrangements and contributions the Shire will make to employee superannuation.

Policy Statement:

- This Policy applies to all employees whether full time, part time or casual.
- Employees will have freedom of choice over the complying fund that their Superannuation Guarantee Contributions (SGC) are paid in to.
- Employees may elect to contribute additional superannuation , either as a deduction (after tax) or as a salary sacrifice (before tax).
- The Shire will pay:
 1. The statutory SGC amount, and
 2. Match an employees contribution to a maximum of 5% of the employees gross salary; subject to the combined total contribution from the Shire not exceeding 15% of the employees salary. Accordingly, it should be noted that as the SGC component increases, the maximum matching contribution by the Shire will decrease once the SGC component is more than 10%.
- Employees can voluntarily contribute more than the threshold but will not receive a further contribution from the Shire.
- The additional contribution and the voluntary contribution can be deposited into the employees fund of choice.
- The superannuation default fund of the Shire shall be the WA Super.

ATTACHMENT: 11.9
Annual Review of Delegations Register



Document Approval			
Document Development Officer:		Document Owner:	
Governance Officer		Governance Officer	
Document Control			
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Synergy Reference Number:	NLM19931		
Meta Data: Key Search Terms	Register of Delegated Authority		
Status of Document:	Council Decision: Approved.		
Document file details:	Location of Document: M: /Shire Council/Delegation Register		
Quality Assurance:	Governance Officer		
Distribution :	Public Document		
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	GO & CEO	Draft Approved by CEO	05/06/2018
1.0	COUNCIL	Adopted by Council	20/06/2018
1.1	COUNCIL	CD12 altered- CGG Building Officers removed	18/07/2018
1.2	COUNCIL	CD13 altered- s18(5) added to delegation	19/09/2018
1.3	COUNCIL	Updated Council Delegations to Committees & Task Specific Delegations	19/12/2018

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The Purpose of Delegating Authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the Shire of Mingenew's (the Shire) commitment to a strong customer service focus. The register details the related document(s) where the power to delegate is derived from. This enables easier cross-referencing. This delegated authority register will be reviewed in accordance with the Local Government Act 1995 (the Act) on an annual basis.

Council's Understanding

It is the understanding of council that by delegating its authority it is granting sufficient power to enable the Shire's responsibilities to be fulfilled in a timely, open and accountable manner.

It is the expectation of council that the Chief Executive Officer and other officers will use the delegated authority conferred on them in a manner that aligns with council's values and objectives and they will demonstrate appropriate judgment and accountability in regard to the circumstances and extent of the use of that power.

Legislation

The Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the council must be by absolute majority decision [s5.42 (1)].

Associated Legislation

Legislation other than the Local Government Act 1995, its regulations and the local government's local laws created under the Act where delegations or authorisations may occur are as follows:-

Building Act 2011	Road Traffic Act 1974
Public Health Act 2016	Road Traffic (Vehicles) Act 2012
Caravan Parks and Camping Grounds Act 1955	
Bush Fires Act 1954	
Planning and Development Act 2005	
Shire of Mingenew Local Planning Scheme No. 3	
Food Act 2008	
Dog Act 1976	
Cat Act 2011	

Delegation by the Chief Executive Officer

The Act allows for the CEO to delegate any of the powers to another employee [s5.44 (1)]. This must be done in writing [s5.44 (2)]. The Act allows for the CEO to place conditions on any delegations [s 5.44 (4)].

A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year [s.5.46(1) and (2)]. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used [s 5.46 (3)].

The record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty {Local Government (Administration) Regulations 1996 Regulation 19.

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under s5.74(b) of the Act and is required to complete a primary and annual return each year.

PART 1

Delegations to Committee's

SHIRE OF MINGENEW – COMMITTEE DELEGATIONS / AUTHORISATIONS

Council Meeting & Resolution No.	Delegation From	Delegation To:	Delegation with Conditions	Absolute Majority
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Delegate s5.38 of the Local Government Act 1995 and r18D of the Local Government (Administration) Regulations 1996 to the Executive Management Committee to serve as Reviewer for the Chief Executive Officer's <i>Probationary Review</i> ;	6/0
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Delegate s5.38 of the Local Government Act 1995 and r18D of the Local Government (Administration) Regulations 1996 to the Executive Management Committee to serve as Reviewer for the Chief Executive Officer's Performance Reviews for the remainder of the CEO's Contract of Employment;	6/0
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Authorise the Executive Management Committee to decide, in consultation with the Chief Executive Officer, whether an external facilitator will be engaged to assist with future performance reviews and, if so, the identity of that third party.	6/0

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD1 Chief Executive Officer's Performance Appraisal		
Authorisation No.:	CD1		
Authorisation from:	Council	Authorised to:	Executive Management Committee
Date Adopted:	19 December 2018	Date Last Reviewed:	-

Statutory power to delegate:	Local Government Act 1995 Section 5.16- Delegation of some powers and duties to certain committees
Statutory Power delegated:	Local Government Act 1995 Section 5.38- Annual review of certain employee's performances
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Review the performance of the Chief Executive Officer at least once in relation to every year of employment
<u>Conditions.</u> 1. Authority is subject to the Local Government Act 1995 and it's associated Regulations. 2. The review and report are to be presented to Council for acceptance [of the review], with or without modification, or to reject the review.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	Local Government Act 1995- s5.17- may not delegate powers/duties requiring absolute majority
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PART 2

Delegations to the Chief Executive Officer

SHIRE OF MINGENew - COUNCIL DELEGATION

Title:	CD01 Payments from Municipal or Trust Fund		
Authorisation No.:	CD01		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government (Financial Management) Regulations 1996</i> Regulation 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 2. Incur liabilities and make payments from the municipal fund [r12(1)(a)]

Conditions.

3. Authority is subject to the Local Government Act 1995 and it's associated Regulations.
4. The purchase of freehold land and real estate are to be by Council Resolution.
5. Incurring expenses prior to the adoption of the annual budget is to be limited to capital and operating expenditure that is of routine nature and/or was a budgeted expense in the previous financial year.
6. Verification of a payment and authorization of the same payment cannot be undertaken by the same person.
7. Subject to the following expenditure requirements:

Purchasing Threshold	Quotation Requirement
Up to \$4'999	No quotations are required if the expenditure is approved in the Budget.
\$5'000-\$9'999	Obtain at least one verbal or written quotation from suppliers.
\$10'000-\$39'999	Obtain at least two written quotations
\$40'000-\$149'000	Obtain at least three written quotations
\$150'000	Via tender or tender-exempt process. To be referred to Council for decision.

8. Incurring expenses and applying money to be undertaken in accordance with the Shire's procedures and systems for Purchasing, Legal Representation and Elected Members Entitlements.
9. Procedures are to be administratively reviewed by the CEO for continuing compliance and confirmed as 'fit for purpose' in accordance with [r5(2)(c)] and [r5(1)] of the Local Government (Financial Management) Regulations 1996.
10. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	1.3.1 Purchasing 1.2.2 Legal Representation 1.1.1 Elected Members Entitlements	Policy No.	1.3.1 Purchasing 1.2.2 Legal Representation 1.1.1 Elected Members Entitlements
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Compliance Links:	<u>Local Government Act 1995</u> Section 9.56- Certain persons protected from liability for wrongdoing <u>Local Government (Financial Management) Regulations 1996</u> Regulation 13- Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD02 Debts, Waiver, Concessions, Write Off and Recovery		
Authorisation No.:	CD02		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 6.12(1)(b) and (c) and (3) - Power to defer, grant discounts, waive or write off debts. Section 6.56- Rate or service charges recoverable in court
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Mingenew [s6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Mingenew [s6.12(3)]. 3. Write off an amount of money which is owed to the Shire of Mingenew [s6.12(1)(c)] 4. Recover debts

Conditions.

1. The power to waive or write off debt and grant a concession does not apply to debts which are prescribed as debts, that are taken to be a rate or service charge.
2. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Mingenew.
3. Limited to individual debts valued below \$100 or cumulative debts of a debtor valued below \$100. Write off of debts greater than these values must be referred for Council decision.
4. Limited to individual debt concessions of \$100.
5. **Debt recovery is to be in accordance with the Shire's Internal Debt Recovery Policy and Procedures** and subject to the provisions of the Local Government Act 1995.
6. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	2.3.2 Debt Collection	Policy No.	2.3.2 Debt Collection
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Compliance Links:	<u>Local Government Act 1995</u> Section 6.12 - Power to defer, grant discounts, waive or write off debts <u>Local Government (Financial Management) Regulations 1996</u> Regulation 26 - Discount, incentive, concession, waiver
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD03 Rates		
Authorisation No.:	CD03		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43- Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 6.41- Service of rate notice Section 6.49- Agreement as to payment of rates and service charges Section 6.56- Rate or service charges recoverable in court Section 6.60- Local Government may require lessee to pay rent Section 6.76- Grounds of objection
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Issue a rate notice [s6.41] 2. Make an agreement with a person for the payment of rates or service charges [s6.49]. 3. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Mingenew [s6.60]. 4. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s6.60]. 5. Extend the time for a person to make an objection to a rate record [s6.76]. 6. Consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s6.76].
<u>Conditions.</u> 1. Agreements relating to s6.49 must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied, otherwise to be referred to Council for it's decision. 2. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this delegation. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:	<u>Local Government Act 1995</u>		

SHIRE OF MINGENew - COUNCIL DELEGATION

Title:	CD04 Expressions of Interest, Tenders and Tender Exempt Procurement		
Authorisation No.:	CD04		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO		
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.57(1) - Tenders for providing goods or services <i>Local Government (Functions & General) Regulations 1996</i> Regulations 11- When tenders have to be publicly invited Regulations 13- Requirements when local government invites tenders though not required to do so. Regulation 14 - Publicly inviting tenders Regulation 18- Rejecting and accepting tenders (<i>note- is not delegation to award a tender</i>) Regulation 20 - Variation of requirements before entry into contract Regulation 21A – Varying a Contract Regulation 21(1) - Limiting who can tender Regulation 23(3) - Rejecting and accepting expressions of interest to be an acceptable tenderer		
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r23]. 3. Authority to call tenders [F&G r11(1)]. 4. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r11(f)]. 5. Authority to undertake tender exempt procurement [F&G.r11(2)]. 6. Authority to invite tenders although not required to do so [F&G r13]. 7. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r14(2a)]. 8. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r14(4)(a)]. 9. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 10. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r18(4)]. 11. Authority to accept, or reject tenders [in regards to submission of tenders] [r18(2)] 12. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and to then enter into minor variations with the successful tenderer <u>before</u> entering into a contract [F&G r20(1) and (3)]. 13. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r18(4a)]. 14. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G 		

	<p>r20(2)]</p> <p>15. Authority to:</p> <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r11(2)(j). [F&G r21A]. <p>16. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r18(6) & (7)].</p>
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Conditions:

1. May only call tenders where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new annual budget where the proposed procurement is required to fulfil a routine contract related to the day the day operations of the Shire, with an imminent expiry date and the value of the proposed contract has been included in the draft annual budget papers.
2. This delegation is subject to Part 4 Division 2 of the Local Government (Functions & General) Regulations 1996
3. This delegation is to be carried out in accordance with the Shire of Mingenew Internal Purchasing Procedures.
4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	1.3.1	Policy No.	1.3.1
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Compliance Links:	<u>Local Government (Functions and General) Regulations 1996</u>
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD05 Disposal of Land (Including Buildings) Via Lease or Licence		
Authorisation No.:	CD05		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.58(2) and (3) - Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none">1. Enter into new leases;2. Terminate existing leases;3. Extend leases; and4. Vary existing lease terms for property that the Shire owns or that it controls under a management order which confers the power to lease or licence.
<u>Conditions.</u> <ol style="list-style-type: none">1. Disposal of land and/or property other than by lease or licence requires a Council resolution.2. All <i>new</i> leases for commercial organisations require a Council resolution [excludes renewal].3. Renewals of commercial organisations leases are limited to a maximum term of five years.4. Subject to the requirements of section 3.58 of the Local Government Act 1995.5. In the event an objecting submission is received this delegation does not apply and the proposal is to be presented to Council for consideration.6. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Notes:			

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD06 Authorised Persons for the Purposes of the Local Government Act 1995		
Authorisation No.:	CD06		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995.</i> Section 3.24- Authorising persons under this subdivision (Part 3, Division 3, Subdivision 2- Certain provisions about land) Section 3.39- Power to remove and impound Section 9.10 – Appointment of authorised persons
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Appoint persons or classes of persons as authorised persons for the purpose of fulfilling Part 3 Division 3 Subdivision 2 of the Local Government Act 1995 [s3.24]; 2. Undertake the powers of an 'authorised person' as prescribed in s3.24, s3.39 and s9.10 of the Local Government Act 1995; 3. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding; 4. Appoint persons or classes of persons to be authorised to perform certain functions under Part 9 Division 2 and issue them with a certificate stating they are authorised [s9.10]. 5. Appoint and authorise persons to exercise the powers and duties of an authorised person under the Shire's local laws [s9.10].
<u>Conditions.</u> <ol style="list-style-type: none"> 1. A register of Authorised Persons is to be maintained as a Local Government Record. 2. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD07 Reserves under Control of Local Government		
Authorisation No.:	CD07		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.54 Reserves under control of a local government
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <div>1. Authority to do anything for the purposes of controlling and management land that is vest in or under the management of the Shire [s.3.54(1)].</div>
<u>Conditions.</u> <div>1. Subject to the local law's of the Shire.</div> <div>2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.</div>	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD08 Thoroughfares		
Authorisation No.:	CD08		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government (Uniform Provisions) Regulations 1996</i> Regulation 6(4)- Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a) Regulation 9(2) and r9(4). Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1) Regulation 11(1) and r11(6)- Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6 Regulation 12(1)- 12. Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2) Regulation 13(1)- Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3) Regulation 17(5)- Private works on, over, or under public places — Sch. 9.1 cl. 8
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Grant permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare [r6.4] 2. Grant permission including, but not limited to, conditions on the construction, placement and maintenance of the gate or other device across the public thoroughfare [r9(4)]. 3. Grant permission to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare [r11(4)]. 4. Approve the construction of a crossing giving access from a public thoroughfare to private land or thoroughfare [r12(1)] 5. Issue a notice to the owner or occupier of private land to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare [r13]. 6. Grant Permission for private works on, over, or under public places [r17(5)].
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Subject to the Local Government Act 1995 and its Regulations. 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENew - COUNCIL DELEGATION

Title:	CD09 Closing of Thoroughfares		
Authorisation No.:	CD09		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.44. CEO may delegate powers and duties to other employees
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.50 - Closing certain thoroughfares to vehicles Section 3.50A - Partial closure of thoroughfares for repairs or maintenance Section 3.50(4) - Give local public notice Section 3.51 - Affected owners to be notified of certain proposals (fixing or altering of levels or alignment, or draining water) <i>Road Traffic Act 1974</i> Section 81C(2)(b)- Order for road closure for event, making <i>Road Traffic (Events on Roads) Regulations 1991</i> Regulation 4- Approvals Regulation 9(3)- Erection of barriers, signs and other equipment
Function Delegated:	Authority to: 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)]; 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)]. 3. Approve an application for an order for a road closure [for an event] [r4] 4. Waive the payment of all or any of the costs referred to in subregulation (2) [r9(3)].
<u>Conditions.</u> 1. Subject to the provisions of Section 3.50 of the Local Government Act 1995. 2. All submissions relating to the closure of roads for <i>an event</i> must not be approved unless presented in the format of Form 1 in Schedule 1 of the <i>Road Traffic (Events on Roads) Regulations 1991</i> . 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No:	
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Notes:	Road Traffic Act 1974 s81C. Order for road closure for event, making s81D. Road closure, how effected by local government
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD10 Powers of Entry		
Authorisation No.:	CD10		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.31 - General procedure for entering property Section 3.32 - Notice of Entry Section 3.33 - Entry under Warrant Section 3.34 - Entry in an Emergency Section 3.36 - Opening Fences
Function Delegated:	Authority to: 1. Give a notice of entry [s3.32] 2. Execute entry in an emergency. [s3.34] 3. Give notice and effect entry by opening a fence onto private land. [s.3.36]

Conditions.

1. Section 3.36 is limited to those activities that expressly state such authority under Schedule 3.2 of the Local Government Act 1995.
2. Entry under this delegation may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required in accordance with s3.30 of the Local Government Act 1995.
3. Delegation is subject to the provisions in Part 3 Division 3 Subdivision 3 of the Local Government Act 1995
4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
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SHIRE OF MINGENew - COUNCIL DELEGATION

Title:	CD11 Remove, Impound and Dispose of Property		
Authorisation No.:	CD11		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.40A- Abandoned vehicle wreck may be taken Section 3.42(1)- Impounded non-perishable goods Section 3.44- Notice to collect goods if not confiscated Section 3.46- Goods may be within until costs paid Section 3.47- Confiscated or uncollected goods, disposal of Section 3.47A- Sick or injured animals, disposal of Section 3.48- Impounding expenses, recovery of Section 3.58- Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 6. Authorise an abandoned wreck to be impounded [s3.40A]. 7. Give notice in accordance with s3.42 and s3.44 to collect goods 8. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46; 9. Dispose of goods in accordance with the Local Government Act 1995 [s3.47] 10. Recover costs associated with impounding expenses [s3.48] 11. Destroy and dispose of an animal that is determined to be too sick or injured to treat [s3.47A]. 12. Dispose of surplus plant, equipment and material [3.58].

Conditions.

- Subject to Section 3.58 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations
- All goods, plant and equipment with a market value of less than \$20'000, in accordance with r30(3) of Local Government (Functions and General) Regulations 1996, must be:
 - Advertised for sale in a local newspaper; or
 - Donated to suitable not for profit community groups or schools.
 - Sold by public auction
 - Offered for sale by public tender [r30]
- Notwithstanding *CD04 Expressions of Interest, Tenders and Tender Exempt Procurement*, the CEO is authorised to call and except tenders to accommodate the disposal of goods under this delegation provided the total estimated value is below \$20'000.
- In the absence of any sale being made, the CEO may dispose of any surplus goods, plant and equipment in any manner thought suitably appropriate/ accountable by the CEO [r30(2a) of Local Government (Functions and General) Regulations 1996].
- This delegation does not apply to the disposal of plant or light vehicles or equipment that is being replaced by a tender process involving trade-in.
- Subject to Part 3, Division 3 Subdivision 4 of the Local Government Act 1995.
- Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Notes:	<u>Local Government (Functions & General) Regulations 1996</u> r30(3) states: (3) A disposition of property other than land is an exempt disposition if: (a) its market value is less than \$20,000; or (b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$75000.
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD12 Building Act 2011		
Authorisation No.:	CD12		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	18/07/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Building Act 2011</i> Section 127 - Delegation: special permit authorities and local governments
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Building Act 2011</i> Section 18- Further information Section 20- Grant of building permit Section 21- Grant of demolition permit Section 22 – Refusal of Permits Section 24- Notice of decision not to grant building or demolition permit Section 27(1)(3)- Conditions imposed by permit authority Section 55- Further Information Section 58(1)(2)(3) Grant of occupancy permit, building approval certificate Section 62(1), (3), (4) and (5) - Conditions imposed by permit authority Section 65(4) - Extension of period of duration Section 93 (2)(d)- Changing building standards, requirements, as to existing buildings Section 96(3), (5) and (6)- Authorised persons Section 99(3)- Limitation on powers of authorised persons Section 110 – Issue Building Orders Section 111- Notice of proposed building order other than building order (emergency) Section 117 – Revoke Building Orders Section 145A- Local government functions <i>Building Regulations 2012</i> Regulation 23 - Application to extend time during which the permit has effect (s32) Regulation 24 - Extension of time during which permit has effect (s32) Regulation 26 - Approval of new responsible person (35) Regulation 40 - Extension of period of duration of time limited occupancy permit or building approval certificate (s65) Regulation 53 - Inspection of barrier to private swimming pool Regulation 55 – Terms used (alternative building solution approval) Regulation 61 – Local Government approval of battery powered smoke alarms.
Function Delegated:	1. Appoint authorised persons: I. To administer the Building Act 2011 (the Building Act) and sign the certificate of appointment. II. Conduct duties as an authorised person pursuant to s96 of the Building Act: 2. Serve Notices: I. To stop unlawful work in accordance with s191 of the Building Act; II. Where a building is deemed to be in a dangerous state, cause it to be shored up or otherwise secured and a proper hoarding or fence to be put up for the protection of the public from danger, and shall cause written notice to be served on the owner or occupier, under s192 of the Building Act; III. On the owner or occupier of a neglected and/or dangerous building, to compel removal in accordance with the Building Act, [s192 & s193] IV. On the owner or occupier of a dilapidated building, to compel renovation in accordance with s194 of the Building Act;

	<p>V. On the owner or occupier of an uncompleted building, in accordance with s195 of the Building Act.</p> <p>3. Permits:</p> <p>I. Approve or refuse a Building Permit [s20];</p> <p>II. Approve or refuse a Demolition Permit [s21]</p> <p>III. Impose, vary or revoke conditions on a building or demolition permit [s27]</p> <p>IV. Extend the time during which a building or demolition permit has effect [s32(3), r24]</p> <p>V. Approve, modify or refuse to approve applications for Granting of an Occupancy Permit and Building Approval Certificate [s58].</p> <p>VI. Approve, modify or refuse to approve applications for an <i>extension of period of duration</i> for a Occupancy Permit and Building Approval Certificate [s65]</p> <p>4. The authority to issue or revoke building orders under section 110 and 117 of the Building Act 2011.</p>
<p><u>Conditions.</u></p> <p>1. Authorisation (1): Authorised Persons:</p> <p>I. Subject to person being employed by the authorising Local Government under s 5.36 of the LGA 1995, or appointed under contract or other agreement to the Shire of Mingenew.</p> <p>II. Appointed authorised person must hold a current authority card.</p> <p>III. An authorised person, shall on demand by the builder, owner or person apparently in charge thereof, produce his authority to so enter to the person demanding it.</p> <p>2. Authorisation (2): Serve Notices</p> <p>I. A notice under subsection (3)(III) must inform the person of the person's right of review under section 119.</p> <p>3. Authorisation (3): Permits are subject to:</p> <p>I. The provisions of the Building Act 2011 and Building Regulations 2012;</p> <p>II. Outbuildings not exceeding 75m2 in area or 3m in height.</p> <p>III. Applicant being advised of objection and/or appeal rights.</p> <p>4. In undertaking the functions of these delegations, Building Surveyors must:</p> <p>I. Be employed by the Shire in accordance with s5.36 of the Local Government Act 1995 or or appointed under contract or other agreement to the Shire of Mingenew.</p> <p>II. Hold the appropriate qualifications as set out under r.6 of the Building Services (Registration) Regulations 2011.</p> <p>5. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.</p>	

CROSS REFERENCES (If any):

Procedure No.	Policy No.
Compliance Links:	<p><u>Building Act 2011</u></p> <p>1. Section 17- Uncertified application to be considered by building surveyor</p> <p>2. Section 23- Time for deciding application for building or demolition permit</p> <p>3. Section 119- Building and demolition permits- application review by SAT</p> <p>4. Section 59- Time for granting occupancy permit or building approval certificate</p> <p>5. Section 60--. Notice of decision not to grant occupancy permit or grant building approval certificate</p> <p><u>Building Regulations 2012</u></p> <p><u>Building Code of Australia</u></p>

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD13 Delegations under the Bush Fire Act 1954		
Authorisation No.:	CD13		
Authorisation from:	Council	Authorised to:	Chief Executive Officer Chief Bush Fire Control Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	Bush Fires Act 1954 Section 17(10) - Prohibited burning times Section 48 - Delegation by local governments Section 59(3) - Prosecution of offences
Statutory Power delegated:	Bush Fires Act 1954 Section 17(7) and (8)- Prohibited burning times may be declared by Minister Section 27(3)- Prohibition on use of tractors or engines except under certain conditions Section 33- Local government may require occupier of land to plough or clear fire-break Section 36- Local government may expend moneys in connection with control and extinguishment of bush fires Section 38 - Local government may appoint bush fire control officer Section 59(3) - Prosecution of offences Section 59A(2) Alternative procedure – Infringement notices
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Vary the prohibited burning times in respect of that year in the district or a part of the district and give notice of the variation to any local government whose district adjoins that district [s17(7), s17(8)] 2. Give notice in writing to an owner/occupier of land to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks [s33(1)] 3. At the request and expense of the landowner or occupier, authorise any such works for the removal or abatement of a fire danger [s33(6)] 4. Purchase and maintain appliances, equipment, and apparatus for the prevention, control and extinguishment of bush fires [36(a)] 5. Clear a street, road or reserve vested in the local government of bush and other inflammable material for the purpose of preventing the occurrence or spread of a bushfire [s36(b)] 6. Establish and maintain bush fire brigades as a part of its organisation for the prevention, control, and extinguishment of bush fires [s36(d)] 7. Appoint bush fire control officers under and for the purposes of the Bush Fire Act 1954 and cause notice [s38(1) and s38(2)]. 3. Issue authorised bush fire control officers with a certificate of appointment [s38(2E)] 4. Prohibit the operation in its district of any vehicles and/or equipment. 5. Issue infringement notices and instigate proceedings in the name of the local government against any person alleged to have committed an offence against this Act within the district [s59 and 59A].

Conditions.

1. The Chief Bush Fire Control Officer is delegated the below points only-
 - a) Section 17(7)(8) is delegated to the President and the Chief Bush Fire Control Officer *jointly* and is subject to the provisions of section 17 of the Bush Fire Act 1954 (as per s17[10]).
 - b) Section 27 is delegated to the Chief Bush Fire Officer and subject to local public notice in accordance with s27(3)
2. The CEO is delegated all provisions listed within the delegation with the exception of s17.
3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:	<i>Bush Fires Act 1954</i> s 23(2)(a)- Burning during prohibited burning times- notice s38(2)- Local government may appoint bush fire control officer- Notice s38(2E)- Local government may appoint bush fire control officer- Certificate <i>Bush Fires Regulations 1954</i> <i>Bush Fires (Infringement) Regulations 1978</i>		

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD14 Powers and Duties under Local Planning Scheme No. 3		
Authorisation No.:	CD14		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 82- Delegations by local government Clause 11.3.1- Shire of Mingenew Local Planning Scheme No. 3
Statutory Power delegated:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 64(3)- Advertising of Applications Clause 66- Consultation with Other Authorities Clause 79(1)- Entry and Inspection Powers Shire of Mingenew Local Planning Scheme No. 3 Clause 9.4.3- Advertising of Applications Clause 10.1- Consultation with Other Authorities Clause 11.1.2- Powers of the Local Government
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Designate an officer of the local government as an authorised officer for the purposes of (cl11.1.2) 2. Give notice of an application for planning approval (cl9.4.3) 3. Consult with other authorities on behalf of the Local Government (c10.1)
<u>Conditions.</u> 1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:			

SHIRE OF MINGENOW - COUNCIL DELEGATION

Title:	CD15 Authorised Persons- Public Health Act 2016		
Authorisation No.:	CD15		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Public Health Act 2016</i> Section 21- Enforcement agency may delegate
Statutory Power delegated:	<i>Public Health Act 2016</i> Section 24 - Designation of authorised officers
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Designate environmental health officers (either as a person or as a class of persons) to be authorised officers for the purposes of the Public Health Act 2016 or another specified Act [s24] 2. Designate a qualified person (either as a person or as a class of persons) who is not an environmental health officer to be an authorised officer for the purposes of the Public Health Act 2016 or another specified Act [s24]
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. The appointer of authorised officers who are not environmental health officers must be satisfied they are suitably qualified for the powers and duties they are authorised for and have regard to any guidelines issues by the Department under s 29(1) 2. Certificates of authority must be issued in accordance with section 30 the Public Health Act 2016. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	<i>Public Health Act 2016:</i> Section 30- Certificates of authority Section 18- Chief Health Officer to approve qualifications and experience Delegated Authority Register 2017/18 93 required by environmental health officers Section 25- Certain authorised officers required to have qualifications and experience Section 29- Chief Health Officer may issue guidelines about qualifications and experience of authorised officers Section 27- Lists of authorised officers to be maintained.
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD16 Food Act 2008		
Authorisation No.:	CD16		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Food Act 2008</i> Section 118(2)(b)- Local government (enforcement agency) may delegate a function conferred on it Section 118(3)- Delegation subject to conditions [s119] and guidelines adopted [s120] Section 118(4)- Sub-delegation only permissible if expressly provided in regulations.
Statutory Power delegated:	<i>Food Act 2008</i> Section 65(1)- Prohibition Order Section 66- Certificate of Clearance Section 67(4)- Request for Re-Inspection Section.110- Registration of food business Section.112- Variation of conditions or cancellation of registration of food businesses. Section 122(1)- Appointment of authorised officers Section 123- Certificates of authority Section 126(2) - Infringement notices - designated officers
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Appoint authorised persons to exercise the Powers and duties set out in respect to the Food Act 2008 [122(1)]. 2. Provide each authorised officer appointed by the Shire with a certificate of authority as an authorised officer [s123] 3. Appoint a person to be a Designated Officer for the purposes of the Food Act 2008. [s126(13)] for either issuing infringements or extending, withdrawing or accepting payment for infringements. 4. Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008 [s65]. 5. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66]. 6. Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)]. 7. Applications for registration of a food business in respect of any premises for the purposes of Part 9 of the Food Act 2008 and issue a certificate of registration [s110(1)]. 8. After considering an application, to grant (with or without conditions) or refuse the application [s110(5)]. 9. To vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the Food Act 2008 [s112(1)].
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Certificates of authority must be issued in accordance with section 123 of the Food Act 2008 2. Infringement notices must be issued in accordance with section 126 of the Food Act 2008 3. Appointment of authorised Officers is to be subject to s126(13) of the Food Act 2008. 4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.	Policy No.
Compliance Links:	<p><u>Food Act 2008</u></p> <p>Section 122(3) required the Enforcement Agency to maintain a list of authorised officers appointed by the agency.</p> <p>Section 123(1) requires the Enforcement Agency to provide each authorised officer with a certificate of authority as an authorised officer.</p> <p><u>Food Regulations 2009</u></p> <p>Dept of Health: Guideline on the Appointment of Authorised Officers as Meat Inspectors</p> <p>Dept of Health: Guideline on the Appointment of Authorised Officers</p> <p>Dept of Health: Guideline on the Appointment of Authorised Officers - Designated Officers only (section 126)</p> <p>Dept of Health: Guideline on the Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an authorised officer</p> <p>Department of Health: Food Act 2008 Regulatory Guideline No.1: Introduction of Regulatory Food Safety Auditing in WA</p> <p>Department of Health: Food Unit Fact Sheet 8: Guide to Regulatory Guideline No.1</p> <p>Department of Health: WA Priority Classification System</p> <p>Department of Health: Food Act 2008 Verification of Food Safety Program Guideline</p>

SHIRE OF MINGENOW - COUNCIL DELEGATION

Title:	CD17 Authorised Persons- Caravan Parks and Camping Grounds Act 1995		
Authorisation No.:	CD17		
Authorisation from:	Council	Authorised to:	Chief Executive Officer Environmental Health Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Caravan Parks and Camping Grounds Act 1995</i> Section 17(1) - Appointment of authorised person <i>Caravan Parks and Camping Grounds Regulations 1997</i> Regulation 6 - Local government
Statutory Power delegated:	<i>Caravan Parks and Camping Grounds Act 1995</i> Section 17(1) - Appointment of authorised person
Function Delegated:	1. Undertake the powers of an 'authorised person' as prescribed in the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997

Conditions.

1. Subject to each person appointed under 17(1) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act.
2. Within section 23 the Environmental Health Officer is delegated s23(2) only as per s23(11) of the Caravan Parks and Camping Grounds Act 1995.
3. The delegation to the CEO excludes s23(2) as per s23(11) of the Caravan Parks and Camping Grounds Act 1995
4. Subject to Division 3 of the Caravan Parks and Camping Grounds Act 1995.

CROSS REFERENCES (If any):

Business Operation Procedure No.		Policy No.:	
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Compliance Links:	Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997
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SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD18 Dog Act 1976		
Authorisation No.:	CD18		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Dog Act 1976</i> Section 10AA(1)- Delegation of local government powers and duties
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Dog Act 1976</i> Section 10AA (3)- Delegation of local government powers and duties Section 10A- Payments to veterinary surgeons towards cost of sterilisation Section 1- Staff and services Section 15 (4A)- Registration periods and fees Section 16- Registration procedure Section 16AA- Owner's delegate Section 17- Refusal or cancellation of registration Section 19- Refund of fee on cancellation Section 26- Limitation as to numbers Section 29- Power to seize dogs Section 33E. Individual dog may be declared to be dangerous dog (declared) Section 44- Enforcement proceedings
Function Delegated:	<ol style="list-style-type: none"> 1. The registration of dogs (s15-19) 2. The management of dogs (s26, s29) 3. Appoint authorised officers for the purposes of the Dog Act 2011 (s29[1]) 4. Commence enforcement proceedings (s44) 5. The authority to sub-delegate (10AA(3))
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Authorised officers are issued with a certificate of authority. 2. Powers to be used in accordance with the provisions of the Dog Act 1976. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:			

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD19 Cat Act 2011		
Authorisation No.:	CD19		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	20/02/2018

Statutory power to delegate:	<i>Cat Act 2011</i> Section 44- Delegation by local government
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Cat Act 2011</i> Section 9- Registration Section 10- Cancellation of registration Section 11. Registration numbers, certificates and tags Section 12. Register of cats Section 13- Notice to be given of certain decisions made under this Subdivision Section 26- Cat control notice may be given to cat owner Section 27. Cats may be seized Section 34. Dealing with unidentified and unclaimed cats Section 37- Approval to breed cats Section 38- Cancellation of approval to breed cats Section 40- Notice to be given of certain decisions made under this Subdivision Section 48- Authorised persons
Function Delegated:	1. The registration of cats (s10-13) 2. The Management of cats (s26-40) 3. Appoint authorised officers for the purposes of the Cat Act 2011 (s48)
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Authorised officers are issued with a certificate of authority. 2. Subject to the provisions off the Cat Act 2011 and its associated regulations. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:	Cat Act 2011 Part 3 Division 4 Breeding of Cats		

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	CD21 Road Traffic Code 2000		
Authorisation No.:	CD21		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Road Traffic Code 2012</i> Regulation 297(2)
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	See the attached Instrument of Authorisation from the Commissioner of Main Roads.
Function Delegated:	
<u>Conditions.</u> 1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENEW – TASK SPECIFIC DELEGATIONS/ AUTHORISATIONS

Council Meeting & Resolution No.	Delegation From	Delegation To:	Delegation with Conditions	Absolute Majority
21 February 2018	Council	CEO	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.	7/0
16 May 2018 Item 9.1.5	Council	CEO	Conditionally endorses the assignment of the existing lease to Gradow Pty Ltd (trading as Great Southern Fuels) subject to all legal and other transfer costs being met by the Lessee, and delegates to the CEO the authority to negotiate a suitably worded Deed of Assignment, ensuring that the best interests of the Shire of Mingenew are maintained.	7/0
20 June 18 Item 9.1.1	Council	CEO	Requires that the CEO progress the finalisation of the License(s) with the ARC Infrastructure Pty Ltd and authorises the President and/or CEO to execute the Licenses by signing them and applying (if required) the Shire's common seal.	6/0
20 June 18 Item 12.1	Council	CEO	Authorises the CEO to negotiate, execute and manage the Contract including and variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope; Further resolves that if Remote Roads Pty Ltd cannot accommodate the conditions as outlined in (1) above, then Council accepts the tender from Pro Earth Civil to undertake the Flood Damage Supervisor responsibilities for the WANDRRA program of works, at the prices outlined in its tender; and authorises the CEO to negotiate, execute and manage the Contract including and variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope.	6/0
18 July 18 Item 12.1	Council	CEO	Authorises the CEO to negotiate, execute and manage the Contracts (including settling on which roads each party will undertake responsibility for) plus any variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope.	5/1

19 September 18 Resolution 19091804	Council	CEO	Delegates to the CEO the authority to negotiate and enter into a suitably worded Deed of Assignment, ensuring that the best interests of the Shire of Mingenew are maintained.	6/0
19 September 18 Resolution 19091808	Council	CEO	Delegates authority to the CEO to negotiate, execute and manage the Contract including any variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope.	6/0
17 October 18 Resolution 1710185	Council	CEO	Authorises the Chief Executive Officer to sign the Deed of Agreement (as attached) on behalf of the Shire of Mingenew and requires that the CEO put in place an internal procedure that captures the above position, so that the Murchison Region Aboriginal Corporation's 14 Field Street property (Assessment 219) is levied the annual 20% ex-gratia rates equivalent payment.	7/0
17 October 18 Resolution 17101810	Council	CEO	Authorise the President and Chief Executive Officer to sign and execute the assigned Water Use Agreement and apply the Shire's Common Seal.	7/0
21 November 18 Resolution 21111813	Council	CEO	Delegates authority to the CEO to negotiate, execute and manage the Contract including any variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope.	4/0
21 November 18 Resolution 21111817	Council	CEO	Delegate authority to the Chief Executive Officer to manage the Bitutek Pty Ltd contract, including the provision of possible variations, providing the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract and that it is managed within the overall budget for the projects.	4/0

SHIRE OF MINGENEW - COUNCIL AUTHORISATION

Title:	CA1 Road Traffic (Vehicles) Act 2012		
Authorisation No.:	CA1		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	Road Traffic (Vehicles) Act 2012
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Not a delegation but a Council Authorisation.
Function Delegated:	1. To provide commentary on behalf of the Local Government to Main Roads on the suitability of issuing an extra mass permit.
<u>Conditions.</u> 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

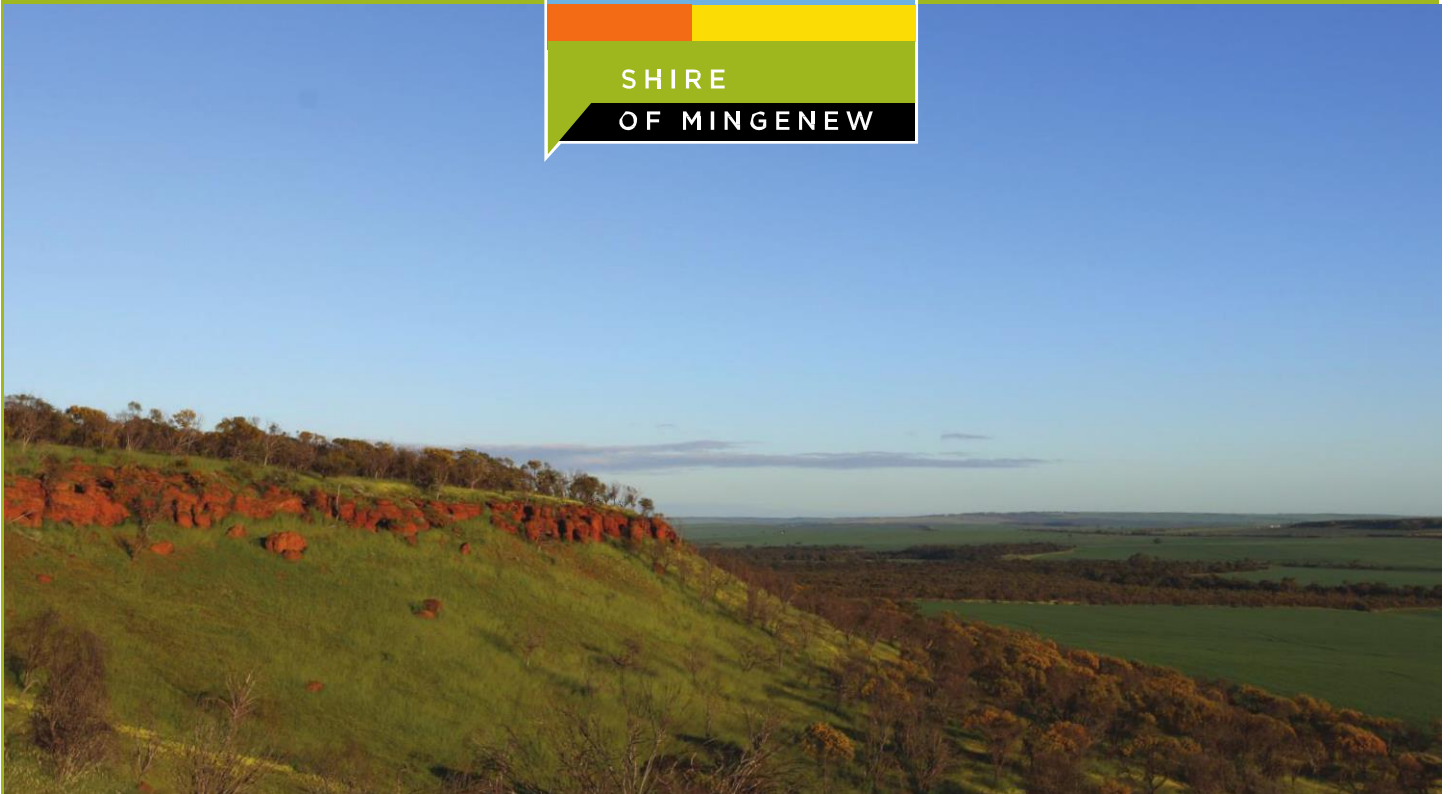
Procedure No.		Policy No.	
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Compliance Links:	
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PART 3

Delegations from the Chief Executive Officer

SHIRE OF MINGENEW REGISTER OF DELEGATED AUTHORITY v1.4



[illegible]

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The Purpose of Delegating Authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the Shire of Mingenew's (the Shire) commitment to a strong customer service focus. The register details the related document(s) where the power to delegate is derived from. This enables easier cross-referencing. This delegated authority register will be reviewed in accordance with the Local Government Act 1995 (the Act) on an annual basis.

Council's Understanding

It is the understanding of council that by delegating its authority it is granting sufficient power to enable the Shire's responsibilities to be fulfilled in a timely, open and accountable manner.

It is the expectation of council that the Chief Executive Officer and other officers will use the delegated authority conferred on them in a manner that aligns with council's values and objectives and they will demonstrate appropriate judgment and accountability in regard to the circumstances and extent of the use of that power.

Legislation

The Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the council must be by absolute majority decision [s5.42 (1)].

Associated Legislation

Legislation other than the Local Government Act 1995, its regulations and the local government's local laws created under the Act where delegations or authorisations may occur are as follows:-

Building Act 2011	Road Traffic Act 1974
Public Health Act 2016	Road Traffic (Vehicles) Act 2012
Caravan Parks and Camping Grounds Act 1955	
Bush Fires Act 1954	
Planning and Development Act 2005	
Shire of Mingenew Local Planning Scheme No. 3	
Food Act 2008	
Dog Act 1976	
Cat Act 2011	

Delegation by the Chief Executive Officer

The Act allows for the CEO to delegate any of the powers to another employee [s5.44 (1)]. This must be done in writing [s5.44 (2)]. The Act allows for the CEO to place conditions on any delegations [s 5.44 (4)].

A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year [s.5.46(1) and (2)]. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used {[s 5.46 (3)]}.

The record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty {Local Government (Administration) Regulations 1996 Regulation 19.

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under s5.74(b) of the Act and is required to complete a primary and annual return each year.

PART 1

State Government Delegations to Local Government

SHIRE OF MINGENEW -STATE GOVERNMENT DELEGATION

Title:	SD52 Environmental Protection Act- Noise		
Delegation No.:	SD52		
Delegation from:	State Government	Delegation to:	Local Government Chief Executive Officer

Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Published by: Environment	GOVERNMENT GAZETTE Western Australia Previous Close Next	No. 47. 19-Mar-2004 Page: 919 Pdf - 476kb
	<p>EV401</p> <p>ENVIRONMENTAL PROTECTION ACT 1986</p> <p>Section 20</p> <p>Delegation No. 52</p> <p>Pursuant to section 20 of the <i>Environmental Protection Act 1986</i>, the Chief Executive Officer hereby delegates as follows—</p> <p>Powers and duties delegated—</p> <p>All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.</p> <p>Persons to whom delegation made—</p> <p>This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the <i>Local Government Act 1995</i>.</p> <p>Pursuant to section 59(1)(e) of the <i>Interpretations Act 1984</i>, Delegation No. 32, dated 4 February 2000 is hereby revoked.</p> <p>Dated this 9th day of January 2004.</p> <p>Approved—</p> <p>FERDINAND TROMP, A/Chief Executive Officer.</p> <p>Dr JUDY EDWARDS MLA, Minister for the Environment.</p>		

SHIRE OF MINGENEW -STATE GOVERNMENT DELEGATION

Title:	SD112 Environmental Protection Act- Noise		
Delegation No.:	SD112		
Delegation from:	State Government	Delegation to:	Local Government Chief Executive Officer

<p>Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<p>Published by: GOVERNMENT GAZETTE No. 232. 20-Dec-2013 Environment Western Australia Page: 6282 Pdf - 3Mb Previous Close Next</p>		
	<p>EV402</p> <p>ENVIRONMENTAL PROTECTION ACT 1986</p> <p>Delegation No. 112</p> <p>I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i>, my powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation, in relation to--</p> <ul style="list-style-type: none"> (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B; (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); (c) community activities--noise control notices in respect of community noise under regulation 16; (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3; (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4; (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation-- <ul style="list-style-type: none"> (i) Subregulation 18(13)(b) is not delegated. <p>Under section 59(1)(e) of the <i>Interpretation Act 1984</i>, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.</p> <p>Dated the 12th day of December 2013.</p> <p style="text-align: right;">JASON BANKS, Acting Chief Executive Officer.</p> <p>Approved by--</p> <p style="text-align: right;">JOHN DAY, Acting Minister for Environment; Heritage.</p>		

SHIRE OF MINGENEW- STATE GOVERNMENT DELEGATION

Title:	SD119 Environmental Protection Act- Noise		
Delegation No.:	SD119		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Published by: GOVERNMENT GAZETTE Environment Western Australia Previous Close Next		
	No. 71. 16-May-2014 Page: 1548 Pdf - 2Mb		
	EV405 ENVIRONMENTAL PROTECTION ACT 1986 Delegation No. 119 I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of-- (a) Chief Executive Officer under the <i>Local Government Act 1995</i> ; and (b) to any employee of the local government under the <i>Local Government Act 1995</i> who is appointed as an Authorised Person under section 87 of the Act, all my powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation. Under section 59(1)(e) of the <i>Interpretation Act 1984</i> , Delegation No. 111, gazetted 20 December 2013, is hereby revoked. Dated the 1st day of May 2014. JASON BANKS, Acting Chief Executive Officer.		

SHIRE OF MINGENEW -STATE GOVERNMENT DELEGATION

Title:	SD01 Planning and Development Act- Development Applications		
Delegation No.:	SD01		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

<div>Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</div>	<div>DoL FILE 1738/2002v8; 858/2001v9</div> <div>PLANNING AND DEVELOPMENT ACT 2005</div> <div>INSTRUMENT OF AUTHORISATION</div> <div>I, Donald Terrence Redman MLA, Minister for Lands, a body corporate continued by section 7(1) of the <i>Land Administration Act 1997</i>, under section 267A of the <i>Planning and Development Act 2005</i>, HEREBY authorise, in respect of each local government established under the <i>Local Government Act 1995</i> and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.</div> <div>Dated the 2nd day of June 2016</div> <div></div> <div>HON DONALD TERRENCE REDMAN MLA MINISTER FOR LANDS</div>
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SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road, <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Bayswater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brookton Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/Weir Kimberley Shire of Donnybrook-Balingup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

SHIRE OF MINGENEW- STATE GOVERNMENT DELEGATION

Title:	SD02 Planning and Development Act- Strata Titles Act		
Delegation No.:	SD02		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

<p>Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<p>Published by: GOVERNMENT GAZETTE Western Australia Planning and Infrastructure</p> <p style="text-align: right;">No. 98. 09-Jun-2009 Page: 1936 Pdf - 429kb</p> <p style="text-align: center;">Previous Close Next</p>		
	<p>PI409</p> <p style="text-align: center;">PLANNING AND DEVELOPMENT ACT 2005 Instrument of Delegation Del 2009/03 Powers of Local Governments</p> <p>Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of the <i>Strata Titles Act 1985</i></p> <p>Preamble</p> <p>Under section 16 of the <i>Planning and Development Act 2005</i> (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the <i>Government Gazette</i>, delegate any function under the Act or any other written law to a local government, a committee established under the <i>Local Government Act 1995</i> or an employee of a local government.</p> <p>In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.</p> <p>Resolution under section 16 of the Act (delegation)</p> <p>On 26 May 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—</p> <p>A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the <i>Strata Titles Act 1985</i> as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.</p> <p style="text-align: right;">TONY EVANS, Western Australian Planning Commission.</p> <p>SCHEDULE 1</p> <p>1. Applications made under section 25 of the <i>Strata Titles Act 1985</i></p> <p>Power to determine applications for the issuing of a certificate of approval under section 25 of the <i>Strata Titles Act 1985</i> for a plan of subdivision, re-subdivision or consolidation, except those applications that—</p> <ul style="list-style-type: none"> (a) propose the creation of a vacant lot; (b) propose vacant air stratas in multi-tiered strata scheme developments; (c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to— <ul style="list-style-type: none"> (i) a type of development; and/or (ii) land within an area, <p>which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.</p> <p>2. Reporting requirements</p> <p>A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.</p>		

SHIRE OF MINGENEW- STATE GOVERNMENT DELEGATION

Title:	SD03 Road Traffic Code 2000- Events		
Delegation No.:	SD03		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

Statutory Power delegated:

This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].

WESTERN AUSTRALIA ROAD TRAFFIC CODE 2000 REGULATION 297(2) INSTRUMENT OF AUTHORISATION

RELATING TO TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (Insert name of Local Government) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

SHIRE OF MINGENEW- STATE GOVERNMENT DELEGATION

Title:	SD04 Road Traffic Code 2000- Traffic Signage		
Delegation No.:	SD04		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

Statutory Power delegated:
This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].

WESTERN AUSTRALIA ROAD TRAFFIC CODE 2000 REGULATION 297(2) INSTRUMENT OF AUTHORISATION

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

SHIRE OF MINGENEW- STATE GOVERNMENT DELEGATION

Title:	SD05 Road Traffic (Vehicles) Act 2012- Special Use Vehicles		
Delegation No.:	SD05		
Delegation from:	State Government Entity	Delegation to:	Local Government Chief Executive Officer

Statutory Power delegated:

This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

CONDITIONS

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:

PART 2

Council Delegations to Committee's

SHIRE OF MINGENEW- COUNCIL DELEGATIONS / AUTHORISATIONS

Council Meeting & Resolution No.	Delegation From	Delegation To:	Delegation with Conditions	Absolute Majority
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Delegate s5.38 of the Local Government Act 1995 and r18D of the Local Government (Administration) Regulations 1996 to the Executive Management Committee to serve as Reviewer for the Chief Executive Officer's <i>Probationary</i> Review;	6/0
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Delegate s5.38 of the Local Government Act 1995 and r18D of the Local Government (Administration) Regulations 1996 to the Executive Management Committee to serve as Reviewer for the Chief Executive Officer's Performance Reviews for the remainder of the CEO's Contract of Employment;	6/0
19 December 2018 RESOLUTION - 19121809	Council	Executive Management Committee	Authorise the Executive Management Committee to decide, in consultation with the Chief Executive Officer, whether an external facilitator will be engaged to assist with future performance reviews and, if so, the identity of that third party.	6/0

SHIRE OF MINGENEW- COUNCIL TO COMMITTEE DELEGATIONS / AUTHORISATIONS

Title:	CDC01 Chief Executive Officer's Performance Appraisal		
Delegation No.:	CDC01		
Delegation from:	Council	Delegation to:	Executive Management Committee
Date Adopted:	19 December 2018	Date Last Reviewed:	-

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.16- Delegation of some powers and duties to certain committees
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 5.38- Annual review of certain employee's performances
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Review the performance of the Chief Executive Officer at least once in relation to every year of employment
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Authority is subject to the Local Government Act 1995 and it's associated Regulations. 2. The review and report are to be presented to Council for acceptance [of the review], with or without modification, or to reject the review. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	Local Government Act 1995- s5.17- may not delegate powers/duties requiring absolute majority
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PART 3

Delegations to the Chief Executive Officer

SHIRE OF MINGENew - COUNCIL DELEGATION

Title:	CD01 Payments from Municipal or Trust Fund		
Delegation No.:	CD01		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government (Financial Management) Regulations 1996</i> Regulation 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 2. Make payments from the municipal fund [r12(1)(a)]

Conditions.

1. Authority is subject to the Local Government Act 1995 and its associated Regulations.
2. The purchase of freehold land and real estate are to be by Council Resolution.
3. Authority to make payments is subject to annual budget limitations.
4. Verification of a payment and authorisation of the same payment cannot be undertaken by the same person.
5. Subject to the following expenditure documentation requirements:

Purchasing Threshold	Documentation Requirements
Up to \$4'999	No quotations are required if the expenditure is approved in the Budget.
\$5'000-\$9'999	At least one verbal or written quotation from suppliers.
\$10'000-\$39'999	At least two written quotations
\$40'000-\$149'000	At least three written quotations
\$150'000+	Via tender or tender-exempt process with Council resolution.

6. Procedures are to be administratively reviewed by the CEO for continuing compliance and confirmed as 'fit for purpose' in accordance with [r5(2)(c)] and [r5(1)] of the Local Government (Financial Management) Regulations 1996.
7. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	<u>Local Government Act 1995</u> <u>Local Government (Financial Management) Regulations 1996</u> Regulation 13- Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. <u>Local Government (Financial Management) Regulations 1996 -</u> refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD02 Debts, Waiver, Concessions, Write Off and Recovery		
Delegation No.:	CD02		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 6.12(1)(b) and (c) and (3) - Power to defer, grant discounts, waive or write off debts. Section 6.56- Rate or <i>service charges</i> recoverable in court
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Mingenew [s6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Mingenew [s6.12(3)]. 3. Write off an amount of money which is owed to the Shire of Mingenew [s6.12(1)(c)] 4. Recover debts

Conditions.

1. The power to waive or write off debt and grant a concession does not apply to debts which are prescribed as debts, that are taken to be a rate or service charge.
2. A *debt may only be waived* where:
 - a) in accordance with the Supporting the Community Policy a local club and/or not for profit organisation submit in writing, an application to conduct activities that support the Shire's Community Strategic Plan; and
 - b) Does not exceed the value of \$1,000 per application and is subject to the confinements of the budgetary allocation as set by Council.
3. A *concession may only be granted* where:
 - a) In accordance with the Supporting the Community Policy a local club and/or not for profit organisation submit in writing, an application to conduct activities that support the Shire's Community Strategic Plan; and
 - b) Does not exceed the value of \$1,000 per application and is subject to the confinements of the budgetary allocation as set by Council.
4. A *debt may only be written off* where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Mingenew.
5. Limited to individual debts valued below \$100 or cumulative debts of a debtor valued below \$100. Write off of debts greater than these values must be referred for Council decision.
6. Debt recovery is to be in accordance with the Shire's Internal Debt Recovery Policy and Procedures and subject to the provisions of the Local Government Act 1995.
7. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	2.3.2 Debt Collection	Policy No.	2.3.2 Debt Collection
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Compliance	<u>Local Government Act 1995</u>
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Links:

Section 6.12 - Power to defer, grant discounts, waive or write off debts Local Government (Financial Management) Regulations 1996
Regulation 26 - Discount, incentive, concession, waiver

SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD03 Rates		
Delegation No.:	CD03		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42- Delegation of some powers or duties to the CEO Section 5.43- Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 6.49- Agreement as to payment of rates and service charges Section 6.50- Rates or service charges due and payable Section 6.56- Rate or service charges recoverable in court Section 6.60- Local Government may require lessee to pay rent Section 6.76- Grounds of objection
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none">1. Make an agreement with a person for the payment of rates or service charges [s6.49].2. Authority to determine the date on which rates or service charges become due and payable to the Shire of Mingenew [s.6.50].3. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].4. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Mingenew [s6.60(2)].5. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s6.60(4)].6. Extend the time for a person to make an objection to a rate record [s6.76(4)].7. Consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s6.76(5)].
<u>Conditions.</u> <ol style="list-style-type: none">1. Agreements relating to s6.49 must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied, otherwise to be referred to Council for decision.2. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this delegation.3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD04 Expressions of Interest, Tenders and Tender Exempt Procurement		
Delegation No.:	CD04		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO		
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.57(1) - Tenders for providing goods or services <i>Local Government (Functions & General) Regulations 1996</i> Regulations 11- When tenders have to be publicly invited Regulations 13- Requirements when local government invites tenders though not required to do so. Regulation 14 - Publicly inviting tenders Regulation 18- Rejecting and accepting tenders (<i>note- is not delegation to award a tender</i>) Regulation 20 - Variation of requirements before entry into contract Regulation 21A – Varying a Contract Regulation Regulation 21(1) - Limiting who can tender Regulation 23 - Rejecting and accepting expressions of interest to be an		
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r23]. 3. Authority to call tenders [F&G r11(1)]. 4. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r11(f)]. 5. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$150,000 or less and the expense is included in the adopted Annual Budget [F&G.r11(2)]. 6. Authority to invite tenders although not required to do so [F&G r13]. 7. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r14(2a)]. 8. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r14(4)(a)]. 9. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 10. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r18(4)]. 11. Authority to accept, or reject tenders, only within the \$value detailed as a condition on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)]. 12. Authority to determine that a variation proposed is minor in context of the total goods or 		

	<p>this Delegation, and to then enter into minor variations with the successful tenderer <u>before</u> entering into a contract [F&G r.20(1) and (3)].</p> <p>13. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r18(4a)].</p> <p>14. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r20(2)]</p> <p>15. Authority to:</p> <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r11(2)(j). [F&G r21A]. <p>16. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r18(6) & (7)].</p>
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Conditions:

1. Tenders may only be called where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new annual budget where the proposed procurement is
 - a) required to fulfil a routine contract related to the day the day operations of the Shire,
 - b) current supply contract expiry is imminent,
 - c) the value of the proposed contract has been included in the draft annual budget papers, and
 - d) the tender specification includes a provision that the contract will be awarded subject to the budget adoption by Council.
2. In accordance with s.5.43, tenders may only be accepted, and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$150,000 or less and the expense is included in the adopted Annual Budget.
3. This delegation is subject to Part 4 Division 2 of the Local Government (Functions & General) Regulations 1996
4. This delegation is to be carried out in accordance with the Shire of Mingenew Internal Purchasing Procedures.
5. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.	1.3.1	Policy No.	1.3.1
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Compliance Links:	<u>Local Government (Functions and General) Regulations 1996</u>
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SHIRE OF MINGENew – COUNCIL DELEGATION

Title:	CD05 Disposal of Land (Including Buildings) Via Lease or License		
Delegation No.:	CD05		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.58(2) and (3) - Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> Authority to dispose of property to: <ol style="list-style-type: none"> to the highest bidder at public auction [s.3.58(2)(a)]. to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s3.58(2)(b)] Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s3.58(3)]

Conditions.

- Disposal of land and/or property [exclusive of plant and equipment- see delegation CD11] other than by lease or license requires a Council resolution.
- All *new* leases for *commercial* organisations require a Council resolution [excludes renewal].
- Renewals of commercial organisations leases are limited to a maximum term of five years.
- Subject to the requirements of section 3.58 of the Local Government Act 1995.
- In the event an objecting submission is received this delegation does not apply and the proposal is to be presented to Council for consideration.
- Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENOW – COUNCIL DELEGATION

Title:	CD06 Authorised Persons for the Purposes of the Local Government Act 1995		
Delegation No.:	CD06		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995.</i> Section 3.24- Authorising persons under this subdivision (Part 3, Division 3, Subdivision 2- Certain provisions about land) Section 3.39- Power to remove and impound Section 9.10 – Appointment of authorised persons
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Appoint persons or classes of persons as authorised persons for the purpose of fulfilling Part 3 Division 3 Subdivision 2 of the Local Government Act 1995 [s3.24]; 2. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding; 3. Appoint persons or classes of persons to be authorised to perform certain functions under Part 9 Division 2 and issue them with a certificate stating they are authorised [s9.10]. 4. Appoint and authorise persons to exercise the powers and duties of an authorised person under the Shire's local laws [s9.10].
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	
<u>Recordkeeping.</u> <ol style="list-style-type: none"> 1. Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file. 2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record. 	

CROSS REFERENCES

Procedure No.		Policy No.	
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Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD07 Reserves under Control of Local Government		
Delegation No.:	CD07		
Delegation from:	Council	Delegated to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.53(3) Control of certain unvested facilities Section 3.54(1) Reserves under control of a local government
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <div><div>1.</div><div>Authority to agree the method for control and management of an unvested facility [thoroughfare, bridge, jetty, drain or watercourse belonging to the Crown] which is partially within 2 or more local government districts. [s.3.53(3)].</div></div> <div><div>2.</div><div>Authority to do anything for the purposes of controlling and management land that is vested in or under the management of the Shire, that the Shire could do under s.5 of the <u>Parks and Reserves Act 1895</u>. [s.3.54(1)].</div></div>
<u>Conditions.</u> <div><div>1.</div><div>Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.</div></div> <div><div>2.</div><div>Subject to the reporting of the exercise of this delegation to the Concept Forum each month.</div></div>	

CROSS REFERENCES:

Procedure No.		Policy No.	
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Notes:	
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD08 Thoroughfares		
Delegation No.:	CD08		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<p><i>Local Government Act 1995</i></p> <p>Section 5.42 - Delegation of some powers or duties to the CEO</p> <p>Section 5.43 - Limitations on delegations to the CEO</p>
Statutory Power delegated:	<p><i>Local Government (Uniform Provisions) Regulations 1996</i></p> <p>Regulation 5(2) Interfering with, or taking from, local government land</p> <p>Regulation 6- Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a) [of the LGA].</p> <p>Regulation 7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) [of the LGA].</p> <p>Regulation 7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2) [of the LGA].</p> <p>Regulation 9- Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1) [of the LGA].</p> <p>Regulation 11(1), (4), (6), (8)- Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6 [of the LGA].</p> <p>Regulation 12(1)- Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)</p> <p>Regulation 13(1)- Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3)</p> <p>Regulation 17- Private works on, over, or under public places — Sch. 9.1 cl. 8</p>
<p>Function Delegated:</p> <p>This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<ol style="list-style-type: none"> 1. Grant permission, including imposing appropriate conditions, or to refuse to provide permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare [r6.4(2) and (4)] 2. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [r.6.4(6)] 3. Grant permission, including imposing appropriate conditions, or to refuse to provide permission for the placement and maintenance of a gate or other device across a public thoroughfare under control of the local government [r9(1) & (4)]. 4. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 5. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [r9(5)]. 6. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)]. 7. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [r.11(1)]. 8. Grant permission to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare [r11(4)]. 9. Approve the construction of a crossing giving access from a public thoroughfare to private land or thoroughfare [r12(1)]. 10. Authority to determine the specifications for construction of crossings to the

	<p>satisfaction of the Local Government [r12(1)(a)].</p> <p>11. Issue a notice to the owner or occupier of private land to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare [r13].</p> <p>12. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [r13(2)].</p> <p>13. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [r17(3)].</p> <p>14. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [r17(5)].</p>
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Conditions.

1. Subject to the Local Government Act 1995 and its Regulations.
2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.
3. Actions under this Delegation must comply with procedural requirements detailed in the [Local Government \(Uniform Local Provisions\) Regulations 1996](#).
4. Each approval granted under r9 provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.
5. Permission for r6, r11 and r17 are only to be granted where, the proponent has:
 - Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.
 - Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.
 - Provided evidence of sufficient Public Liability Insurance.
 - Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD09 Closing of Thoroughfares		
Delegation No.:	CD09		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.44. CEO may delegate powers and duties to other employees
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.50- Closing certain thoroughfares to vehicles Section 3.50A- Partial closure of thoroughfares for repairs or maintenance Section 3.51- Affected owners to be notified of certain proposals (fixing or altering of levels or alignment, or draining water)
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ol style="list-style-type: none"> a) give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and b) consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES:

Procedure No.		Policy No:	
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Notes:	Road Traffic Act 1974 s81C. Order for road closure for event, making s81D. Road closure, how effected by local government
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SHIRE OF MINGENOW – COUNCIL DELEGATION

Title:	CD10 Powers of Entry		
Delegation No.:	CD10		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.28 - When this Subdivision applies Section 3.32 - Notice of Entry Section 3.33 - Entry under Warrant Section 3.34 - Entry in an Emergency Section 3.36 - Opening Fences
Function Delegated:	Authority to: <ol style="list-style-type: none"> 1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Give a notice of entry [s3.32] 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Give notice and effect entry by opening a fence onto private land. [s.3.36]
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Delegated authority may only be used, where there is imminent or substantial risk to public safety or property. 2. Section 3.36 is limited to those activities that expressly state such authority under Schedule 3.2 of the Local Government Act 1995. 3. Entry under this delegation may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required in accordance with s3.30 of the Local Government Act 1995. 4. Delegation is subject to the provisions in Part 3 Division 3 Subdivision 3 of the Local Government Act 1995 5. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES:

Procedure No.		Policy No.	
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Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
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SHIRE OF MINGENew – COUNCIL DELEGATION

Title:	CD11 Remove, Impound and Dispose of Property		
Delegation No.:	CD11		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.40A- Abandoned vehicle wreck may be taken Section 3.46- Goods may be within until costs paid Section 3.47- Confiscated or uncollected goods, disposal of Section 3.47A- Sick or injured animals, disposal of Section 3.48- Impounding expenses, recovery of Section 3.58- Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Authorise an abandoned wreck to be impounded [s3.40A]. 2. Authority to refuse to allow goods impounded under s.3.39 [CD06] or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 3. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 4. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. 5. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s3.47A]. 6. Dispose of plant, equipment and material [3.58].

Conditions.

1. Exercising of delegation s3.47A is only to be used where reasonable efforts have been made to identify and contact an owner have failed.
2. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
3. Disposal of goods, plant and equipment with a market value of less than \$20'000, may in accordance with r30(3) of Local Government (Functions and General) Regulations 1996, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Examples include-
 - I. Advertised for sale in a local newspaper; or
 - II. Donated to suitable not for profit community groups or schools.
 - III. Sold by public auction
 - IV. Offered for sale by public tender [r30]
3. Notwithstanding *CD04 Expressions of Interest, Tenders and Tender Exempt Procurement*, the CEO is authorised to call and except tenders to accommodate the disposal of goods under this delegation provided the total estimated value is below \$20'000.

4. In the absence of any sale being made, the CEO may dispose of any surplus goods, plant and equipment in any manner thought suitably appropriate/ accountable by the CEO [r30(2a) of Local Government (Functions and General) Regulations 1996].
5. This delegation does not apply to the disposal of plant or light vehicles or equipment that is being replaced by a tender process involving trade-in.
6. This delegation does not apply to the disposal of land/property [see Council Delegation 05]
7. Subject to Part 3, Division 3 Subdivision 4 of the Local Government Act 1995.
8. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	
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SHIRE OF MINGENew – COUNCIL DELEGATION

Title:	CD12 Building Act 2011		
Delegation No.:	CD12		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	18/07/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Building Act 2011</i> Section 127 - Delegation: special permit authorities and local governments
Statutory Power delegated:	<i>Building Act 2011</i> Section 18- Further information Section 20- Grant of building permit Section 21- Grant of demolition permit Section 22– Refusal of Permits Section 27(1)(3)- Conditions imposed by permit authority Section 55- Further Information Section 58(1)(2)(3) Grant of occupancy permit, building approval certificate Section 62(1), (3), (4) and (5) - Conditions imposed by permit authority Section 65(4) - Extension of period of duration Section 96(3), (5) and (6)- Authorised persons Section 99(3)- Limitation on powers of authorised persons Section 110 – Issue Building Orders Section 111- Notice of proposed building order other than building order (emergency) Section 117 – Revoke Building Orders Section 118(2) - Permit authority may give effect to building order if non-compliance Section 131(2) Inspection, copies of building records Section 145A- Local government functions <i>Building Regulations 2012</i> Regulation 23 - Application to extend time during which the permit has effect (s32) Regulation 24 - Extension of time during which permit has effect (s32) Regulation 26 - Approval of new responsible person (35) Regulation 40 - Extension of period of duration of time limited occupancy permit or building approval certificate (s65) Regulation 51- Approvals by permit authority [Private Pool Barriers] Regulation 55 – Terms used (alternative building solution approval) Regulation 61 – Local Government approval of battery powered smoke alarms.
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	1. Appoint authorised persons: a) To administer the Building Act 2011 (the Building Act) and sign the certificate of appointment. b) Conduct duties as an authorised person pursuant to s96 of the Building Act: 2. Serve Notices: a) To stop unlawful work in accordance with s191 of the Building Act; b) Where a building is deemed to be in a dangerous state, cause it to be shored up or otherwise secured and a proper hoarding or fence to be put up for the protection of the public from danger, and shall cause written notice to be served on the owner or occupier, under s192 of the Building Act; c) On the owner or occupier of a neglected and/or dangerous building, to compel removal in accordance with the Building Act, [s192 & s193] d) On the owner or occupier of a dilapidated building, to compel renovation in accordance with s194 of the Building Act;

	<p>e) On the owner or occupier of an uncompleted building, in accordance with s195 of the Building Act.</p> <p>3. Permits:</p> <p>a) Approve or refuse a Building Permit [s20];</p> <p>b) Approve or refuse a Demolition Permit [s21]</p> <p>c) Impose, vary or revoke conditions on a building or demolition permit [s27]</p> <p>d) Extend the time during which a building or demolition permit has effect [s32(3), r24]</p> <p>e) Approve, modify or refuse to approve applications for Granting of an Occupancy Permit and Building Approval Certificate [s58].</p> <p>f) Approve, modify or refuse to approve applications for an <i>extension of period of duration</i> for a Occupancy Permit and Building Approval Certificate [s65]</p> <p>4. The authority to issue or revoke building orders under section 110 and 117 of the Building Act 2011.</p> <p>5. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].</p>
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Conditions.

1. Authorisation (1): Authorised Persons:
 - a) Subject to person being employed by the authorising Local Government under s 5.36 of the LGA 1995, or appointed under contract or other agreement to the Shire of Mingenew.
 - b) Appointed authorised person must hold a current authority card.
 - c) An authorised person, shall on demand by the builder, owner or person apparently in charge thereof, produce his authority to so enter to the person demanding it.
2. Authorisation (2): Serve Notices
 - a) A notice under subsection (3)(III) must inform the person of the **person's right** of review under section 119.
3. Authorisation (3): Permits are subject to:
 - a) The provisions of the Building Act 2011 and Building Regulations 2012;
 - b) Outbuildings not exceeding 75m² in area or 3m in height.
 - c) Applicant being advised of objection and/or appeal rights.
4. In undertaking the functions of these delegations, Building Surveyors must:
 - a) Be employed by the Shire in accordance with s5.36 of the Local Government Act 1995 or or appointed under contract or other agreement to the Shire of Mingenew.
 - b) Hold the appropriate qualifications as set out under r.6 of the Building Services (Registration) Regulations 2011.
5. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	<p><u>Building Act 2011</u></p> <ol style="list-style-type: none"> 1. Section 17- Uncertified application to be considered by building surveyor 2. Section 23- Time for deciding application for building or demolition permit 3. Section 119- Building and demolition permits- application review by SAT 4. Section 59- Time for granting occupancy permit or building approval certificate 5. Section 60--. Notice of decision not to grant occupancy permit or grant building approval certificate <p><u>Building Regulations 2012</u></p> <p><u>Building Code of Australia</u></p>
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD13 Bush Fire Act 1954		
Delegation No.:	CD13		
Delegation from:	Council	Delegation to:	Chief Executive Officer Chief Bush Fire Control Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	Bush Fires Act 1954 Section 17(10) - Prohibited burning times Section 48 - Delegation by local governments Section 59(3) - Prosecution
Statutory Power delegated:	Bush Fires Act 1954 Section 13(4)- Duties and powers of bush fire liaison officers Section 17(7) and (8)- Prohibited burning times may be declared by Minister Section 24F Burning garden refuse during limited burning times Section 27- Prohibition on use of tractors or engines except under certain conditions Section 33- Local government may require occupier of land to plough or clear fire-break Section 36- Local government may expend moneys in connection with control and extinguishment of bush fires Section 38 - Local government may appoint bush fire control officer Section 59A(2) and (5) Alternative procedure – Infringement notices <i>Bush Fire Regulations 1954:</i> Regulation 15- Permit to burn (Act s.18), form of and apply for after refusal etc. Regulation 39B- Crop dusters etc., use of in restricted or prohibited burning times
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<p>Authority to:</p> <ol style="list-style-type: none"> Authority to request on behalf of the Shire of Mingenew that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)]. Vary the prohibited burning times in respect of that year in the district or a part of the district and give notice of the variation to any local government whose district adjoins that district [s17(7), s17(8)] Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. Give notice in writing to an owner/occupier of land to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks [s33(1)] Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. At the request and expense of the landowner or occupier, authorise any such works for the removal or abatement of a fire danger [s33(6)] Purchase and maintain appliances, equipment, and apparatus for the prevention, control and extinguishment of bush fires [36(a)] Clear a street, road or reserve vested in the local government of bush and other inflammable material for the purpose of preventing the occurrence or spread of a bushfire [s36(b)] Establish and maintain bush fire brigades as a part of its organisation for the prevention,

	<p>control, and extinguishment of bush fires [s36(d)]</p> <p>10. Appoint bush fire control officers under and for the purposes of the Bush Fire Act 1954 and cause notice [s38(1) and s38(2)].</p> <p>11. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].</p> <p>12. Issue authorised bush fire control officers with a certificate of appointment [s38(2E)]</p> <p>13. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</p> <p>14. Authority to withdraw an infringement notice for an offence against this Act [s.59A(5)].</p>
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Conditions.

1. The Chief Bush Fire Control Officer is delegated the below points only-
 - a) Section 17(7)(8) is delegated to the President and the Chief Bush Fire Control Officer *jointly* and is subject to the provisions of section 17 of the Bush Fire Act 1954 (as per s17[10]).
 - b) Section 27 is delegated to the Chief Bush Fire Officer and subject to local public notice in accordance with s27(3).
 - c) Section 59A(2) [to serve an infringement notice for an offence against this Act] is delegated to the Chief Bush Fire Officer only.
2. The CEO is delegated all provisions listed within the delegation with the exception of s17 and s59A(2).
3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	<p><i>Bush Fires Act 1954</i></p> <p>s 23(2)(a)- Burning during prohibited burning times- notice</p> <p>s38(2)- Local government may appoint bush fire control officer- Notice</p> <p>s38(2E)- Local government may appoint bush fire control officer- Certificate</p> <p><i>Bush Fires Regulations 1954</i></p> <p><i>Bush Fires (Infringement) Regulations 1978</i></p>
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD14 Powers and Duties under Local Planning Scheme No. 3		
Delegation No.:	CD14		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 82- Delegations by local government Clause 11.3.1- Shire of Mingenew Local Planning Scheme No. 3
Statutory Power delegated:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 64(3)- Advertising of Applications Clause 66- Consultation with Other Authorities Clause 79(1)- Entry and Inspection Powers Shire of Mingenew Local Planning Scheme No. 3 Clause 9.4.3- Advertising of Applications Clause 10.1- Consultation with Other Authorities Clause 11.1.2- Powers of the Local Government
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Designate an officer of the local government as an authorised officer for the purposes of (cl11.1.2) 2. Give notice of an application for planning approval (cl9.4.3) 3. Consult with other authorities on behalf of the Local Government (c10.1)
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES:

Procedure No.		Policy No.	
Compliance Links:			

SHIRE OF MINGENew – COUNCIL DELEGATION

Title:	CD15 Public Health Act 2016		
Delegation No.:	CD15		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	09/04/2019

Statutory power to delegate:	<i>Public Health Act 2016</i> Section 21- Enforcement agency may delegate
Statutory Power delegated:	<i>Public Health Act 2016</i> Section 24 - Designation of authorised officers
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Designate environmental health officers (either as a person or as a class of persons) to be authorised officers for the purposes of the Public Health Act 2016 or another specified Act [s24] 2. Designate a qualified person (either as a person or as a class of persons) who is not an environmental health officer to be an authorised officer for the purposes of the Public Health Act 2016 or another specified Act [s24]

Conditions.

1. The appointer of authorised officers who are not environmental health officers must be satisfied they are suitably qualified for the powers and duties they are authorised for and have regard to any guidelines issues by the Department under s 29(1)
2. Certificates of authority must be issued in accordance with section 30 the Public Health Act 2016.
3. A Register (list) of authorised officers is to be maintained in accordance with s.27.
4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	<i>Public Health Act 2016:</i> Section 30- Certificates of authority Section 18- Chief Health Officer to approve qualifications and experience Delegated Authority Register 2017/18 93 required by environmental health officers Section 25- Certain authorised officers required to have qualifications and experience Section 29- Chief Health Officer may issue guidelines about qualifications and experience of authorised officers Section 27- Lists of authorised officers to be maintained.
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD16 Food Act 2008		
Delegation No.:	CD16		
Delegation from:	Council	Delegation to:	Chief Executive Officer Environmental Health Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Food Act 2008</i> Section 118(2)(b)- Local government (enforcement agency) may delegate a function conferred on it Section 118(3)- Delegation subject to conditions [s119] and guidelines adopted [s120] Section 118(4)- Sub-delegation only permissible if expressly provided in regulations.
Statutory Power delegated:	<i>Food Act 2008</i> Section 65(1)- Prohibition Order Section 66- Certificate of Clearance Section 67(4)- Request for Re-Inspection Section.110- Registration of food business Section.112- Variation of conditions or cancellation of registration of food businesses. Section 122(1)- Appointment of authorised officers Section 123- Certificates of authority Section 126(6), (7) and (13) Infringement Officers Regulation 51- Enforcement agency may make list of food
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Appoint authorised persons to exercise the Powers and duties set out in respect to the Food Act 2008 [s122]. 2. Provide each authorised officer appointed by the Shire with a certificate of authority as an authorised officer [s123] 3. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)]. 4. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)]. 5. Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008 [s65]. 6. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66]. 7. Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)]. 8. Applications for registration of a food business in respect of any premises for the purposes of Part 9 of the Food Act 2008 and issue a certificate of registration [s110(1)]. 9. After considering an application, to grant (with or without conditions) or refuse the application [s110(5)]. 10. To vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the Food Act 2008 [s112(1)]. 11. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].

Conditions.

1. The Environmental Health Officer is delegated s65, s66, s67, s110 & s112 only.
2. The Chief Executive Officer is delegated all sections.
3. Certificates of authority must be issued in accordance with section 123 of the Food Act 2008
4. Infringement notices must be issued in accordance with section 126 of the Food Act 2008
5. Appointment of authorised Officers is to be subject to s126(13) of the Food Act 2008.
In accordance with s118(3)(b), section's 110 & 112 are subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:
 - a) Food Act 2008
 - b) Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA
 - c) Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1
 - d) WA Priority Classification System
 - e) Verification of Food Safety Program Guideline
6. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.	Policy
Compliance Links:	<u>Food Act 2008</u> Section 122(3) required the Enforcement Agency to maintain a list of authorised officers appointed by the agency. Section 123(1) requires the Enforcement Agency to provide each authorised officer with a certificate of authority as an authorised officer. <u>Food Regulations 2009</u> Dept of Health: Guideline on the Appointment of Authorised Officers as Meat Inspectors Dept of Health: Guideline on the Appointment of Authorised Officers Dept of Health: Guideline on the Appointment of Authorised Officers - Designated Officers only (section 126) Dept of Health: Guideline on the Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an authorised officer Department of Health: Food Act 2008 Regulatory Guideline No.1: Introduction of Regulatory Food Safety Auditing in WA Department of Health: Food Unit Fact Sheet 8: Guide to Regulatory Guideline No.1 Department of Health: WA Priority Classification System Department of Health: Food Act 2008 Verification of Food Safety Program Guideline

SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD18 Dog Act 1976		
Delegation No.:	CD18		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Dog Act 1976</i> Section 10AA(1)- Delegation of local government powers and duties
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Dog Act 1976</i> Section 11(1)- Staff and services Section 15(2) Registration periods and fees Section 16(3)- Registration procedure Section 17A(2)- If no application for registration made Section 17(4) and (6) Refusal or cancellation of registration Section 29- Power to seize dogs Section 33E. Individual dog may be declared to be dangerous dog (declared)
Function Delegated:	<ol style="list-style-type: none"> 1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3]. 2. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.11(1)]. 3. The registration of dogs (s15-19) 4. The management of dogs (s26, s29) 5. Commence enforcement proceedings (s44)
<u>Conditions.</u> <ol style="list-style-type: none"> 1. Authorised officers are issued with a certificate of authority. 2. Powers to be used in accordance with the provisions of the Dog Act 1976. 3. The CEO is authorised to sub-delegate any power conferred on the position by Council. 4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES:

Procedure No.		Policy No.	
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD19 Cat Act 2011		
Delegation No.:	CD19		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to delegate:	<i>Cat Act 2011</i> Section 44- Delegation by local government
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Cat Act 2011</i> Section 9- Registration Section 10- Cancellation of registration Section 11. Registration numbers, certificates and tags Section 26- Cat control notice may be given to cat owner Section 37- Approval to breed cats Section 38- Cancellation of approval to breed cats Section 39- Certificate to be given to approved cat breeder Section 48- Authorised persons Section 49(3)- Authorised person may cause cat to be destroyed <i>Cat (Uniform Local Provisions) Regulations 2013:</i> Regulation 8- Application to keep additional number of cats Regulation 9- Grant of approval to keep additional number of
Function Delegated:	1. The registration of cats (s10-13) 2. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire's District [s.26]. 3. The Management of cats (s26-40) 4. Appoint authorised officers for the purposes of the Cat Act 2011 (s48) 5. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)]. 6. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
<u>Conditions.</u> 1. Authorised officers are issued with a certificate of authority. 2. Notices must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> . 3. Subject to the provisions of the Cat Act 2011 and its associated regulations. 4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES:

Procedure No.		Policy No.	
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Compliance Links:	Cat Act 2011 Part 3 Division 4 Breeding of Cats
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SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD20 Planning and Development Act- Illegal Development		
Delegation No.:	CD20		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	17/04/2019	Date Last Reviewed:	New

Statutory power to delegate:	<i>Local Government Act 1995:</i> Section 5.42(b)- Delegation of some powers or duties to the CEO Section 5.43- Limitations on delegations to the CEO
Statutory Power delegated:	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.

Conditions.

1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.		Policy No.	
Compliance Links:			

SHIRE OF MINGENEW – COUNCIL DELEGATION

Title:	CD22 Power to Invest and Manage Investments		
Delegation No.:	CD22		
Delegation from:	Council	Delegation to:	Chief Executive Officer
Date Adopted:	17/04/2019	Date Last Reviewed:	New

Statutory power to delegate:	<i>Local Government Act 1995:</i> Section 5.42(b)- Delegation of some powers or duties to the CEO Section 5.43- Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995:</i> Section 6.14- Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> Regulation 19- Investments, control procedures
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> Invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. Establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].

Conditions.

- All investment activity must comply with the Financial Management Regulation 19C and Council Policy 1.3.3 Investment of Surplus Funds and 1.3.3 Investment of Surplus Funds Management Procedure.
- Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]
- Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES:

Procedure No.	1.3.3 Investment of Surplus Funds Management Procedure	Policy No.	1.3.3 Investment of Surplus Funds
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Compliance Links:	
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PART 4

Council Authorisation's

SHIRE OF MINGENew – COUNCIL AUTHORISATION

Title:	CA1 Authorised Persons under the Caravan Parks and Camping Grounds Act 1995		
Authorisation No.:	CA1		
Authorisation from:	Council	Authorised to:	Chief Executive Officer Environmental Health Officer
Date Adopted:	20/06/2018	Date Last Reviewed:	17/04/2019

Statutory power to Authorise:	s.17 Appointment of authorised persons
Statutory Power Authorised:	Part 3 and s23(2), (3), (5), (7)
Function Authorised: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	1. Undertake the powers of an 'authorised person' as prescribed in the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997;
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. In the context of s23 the Environmental Health Officer is authorised to issue infringements under s23(2) only as per s23(11) of the Caravan Parks and Camping Grounds Act 1995. 2. In the context of s23 the CEO is authorised to withdraw infringements in accordance with all other subsections of s23. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
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Compliance Links:	
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PART 5

Delegations from the Chief Executive Officer