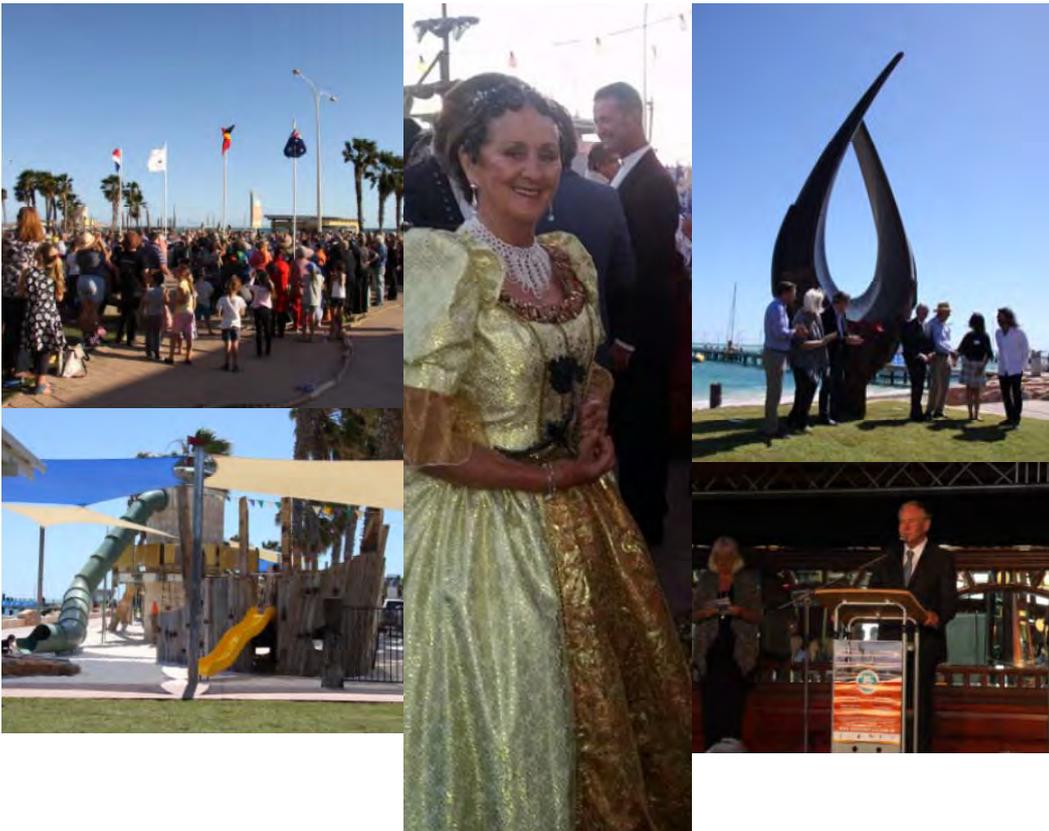


# Shire of Shark Bay

## Minutes of the Ordinary Council meeting held on the 26 October 2016



Festival of Discovery – Shark Bay  
1616 Celebrations



26 OCTOBER 2016



## DISCLAIMER

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The Shire of Shark Bay advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome and any conditions attaching to the decision made by the Shire of Shark Bay.

## MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 26 October 2016 commencing at 3.03 pm.

### TABLE OF CONTENTS

<b>1.</b>	<b>DECLARATION OF OPENING</b>	<b>3</b>
<b>2.</b>	<b>RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED</b>	<b>3</b>
<b>3.</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE</b>	<b>3</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME</b>	<b>3</b>
<b>5.</b>	<b>APPLICATIONS FOR LEAVE</b>	<b>3</b>
5.1	APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR RIDGLEY	3
5.2	APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR PRIOR	4
<b>6.</b>	<b>PETITIONS</b>	<b>6</b>
<b>7.</b>	<b>CONFIRMATION OF MINUTES</b>	<b>6</b>
7.1	CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 SEPTEMBER 2016	6
7.2	CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 12 OCTOBER 2016	6
<b>8.</b>	<b>ANNOUNCEMENTS BY THE CHAIR</b>	<b>6</b>
<b>9.</b>	<b>PRESIDENT’S REPORT</b>	<b>6</b>
<b>10.</b>	<b>COUNCILLORS’ REPORTS</b>	<b>8</b>
<b>11.</b>	<b>ADMINISTRATION REPORT</b>	<b>10</b>
11.1	ORDINARY COUNCIL MEETING DATES FOR 2017	10
<b>12.</b>	<b>FINANCE REPORT</b>	<b>15</b>
12.1	SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED	15
12.2	FINANCIAL REPORTS TO 30 SEPTEMBER 2016	27
12.3	ANNUAL REPORT 2015/2016	58
<b>13.</b>	<b>TOWN PLANNING REPORT</b>	<b>63</b>
13.1	APPLICATION FOR PORTABLE SIGN IN A THOROUGHFARE (KNIGHT TERRACE ROAD RESERVE) – ADJACENT UNIT 1/71 KNIGHT TERRACE, DENHAM	63
13.2	PROPOSED RETAINING WALL – LOT 154 (7) SUNTER PLACE, DENHAM	82
13.3	PROPOSED RETAINING WALL – LOT 23 (36) DENHAM ROAD, DENHAM	87
13.4	PROPOSED HORIZON POWER EASEMENT – UNALLOCATED CROWN LAND LOT 3001 HUGHES STREET, DENHAM	93
13.5	PLANNING APPLICATION FOR PROPOSED OFFSHORE AQUACULTURE OPERATION IN WATERWAYS ADJACENT TO NANGA	98
13.6	PROPOSED ACQUISITION OF PORTION OF LOT 3002 FRANCIS ROAD, DENHAM, (TO EXPAND RESERVE 33517)	109
<b>14.</b>	<b>BUILDING REPORT</b>	<b>113</b>
<b>15.</b>	<b>HEALTH REPORT</b>	<b>113</b>
15.1	AMENDED <i>HEALTH ACT 1911</i> AND THE NEW <i>PUBLIC HEALTH ACT 2016</i>	113
<b>16.</b>	<b>WORKS REPORT</b>	<b>122</b>
<b>17.</b>	<b>TOURISM, RECREATION AND CULTURE REPORT</b>	<b>122</b>
<b>18.</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>122</b>
<b>19.</b>	<b>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION</b>	<b>122</b>
<b>20.</b>	<b>MATTERS BEHIND CLOSED DOORS</b>	<b>122</b>
<b>21.</b>	<b>DATE AND TIME OF NEXT MEETING</b>	<b>122</b>
<b>22.</b>	<b>CLOSURE OF MEETING</b>	<b>122</b>

26 OCTOBER 2016

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**1. DECLARATION OF OPENING**

The President declared the meeting open at 3.03 pm.

**2. RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED**

**ATTENDANCES**

Cr C Cowell	President
Cr K Capewell	Deputy President
Cr L Bellottie	
Cr K Laundry	
Cr M Prior	
Cr G Ridgley	
Vacant Position	Useless Loop / Pastoral Ward
Mr P Anderson	Chief Executive Officer
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant

**APOLOGIES**

**VISITORS**

Nil

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE**

There are no previous public questions on notice.

**4. PUBLIC QUESTION TIME**

The President opened Public Question Time at 3.03 pm and as there were no public present the President closed Public Question Time at 3.03pm.

**5. APPLICATIONS FOR LEAVE**

**5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR RIDGLEY**

GV00008 – Item pulled as Cr Ridgley in attendance to the meeting

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

5.2 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR PRIOR  
GV00006

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved            Cr Ridgley  
Seconded       Cr Laundry

**Council Resolution**

**Councillor Prior is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on the 30 November 2016 and 19 December 2016.**

**6/0 CARRIED**

Background

Councillor Prior has applied for leave of absence from the ordinary meeting of Council scheduled for the 30 November 2016 and 19 December 2016. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Prior has advised the Chief Executive Officer due to work commitments will be unable to attend the Ordinary meeting of Council scheduled to be held on the 30 November 2016 and 19 December 2016 and has requested leave of absence be granted by Council for these two meetings.

I advised it would be prudent to seek Council's approval for the leave to ensure that obligations have been met in accordance with the Local Government Act.

The Council may consider not granting Councillor Prior leave of absence but must include the reasons for the refusal for not granting the leave in the resolution.

Legal Implications

***Local Government Act 1995*** Section 2.25 Disqualification for Failure to Attend Meetings

- (1) A council may, by resolution grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
- (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for the meeting.
- (4) A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –

MINUTES OF THE ORDINARY COUNCIL MEETING

---

26 OCTOBER 2016

- a) If no meeting of the council at which a quorum is present is actually held on that day; or
- b) If the non attendance occurs while –
  - i. the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
  - ii. while proceedings in connection with the disqualification of the member have been commenced or are pending; or
  - iii. while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

Policy Implications

There are no policy implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer      *P Anderson*

Date of Report                      17 October 2016

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

6. **PETITIONS**

There were no petitions presented to Council.

7. **CONFIRMATION OF MINUTES**

7.1 **CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 SEPTEMBER 2016**

Moved Cr Capewell  
Seconded Cr Ridgley

**Council Resolution**

**That the minutes of the Ordinary Council meeting held on 28 September 2016, as circulated to all Councillors, be confirmed as a true and accurate record.**

**6/0 CARRIED**

7.2 **CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 12 OCTOBER 2016**

Moved Cr Ridgley  
Seconded Cr Capewell

**Council Resolution**

**That the minutes of the Special Council meeting held on 12 October 2016, as circulated to all Councillors, be confirmed as a true and accurate record.**

**6/0 CARRIED**

8. **ANNOUNCEMENTS BY THE CHAIR**

The President announced that there will be a presentation from the RAC after the Ordinary Council meeting.

9. **PRESIDENT'S REPORT**

GV00002

**Council Committee Membership**

Member	Audit Committee
Member (Chair)	Western Australian Local Government Association Country Zone – Gascoyne Region
Member	Development Assessment Panel
Member (Chair)	Shark Bay 2016 Commemoration Advisory Committee
Deputy Delegate	Works Committee
Deputy Delegate	Gascoyne Regional Collaboration Group
Deputy Delegate	The Aviation Community Consultation Group

**Other Committee Membership**

Member	Gascoyne Development Commission Board
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## MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Member (Chair)	Gascoyne Development Commission Audit and Risk Sub-Committee
Acting Chair	Ningaloo-Shark Bay National Landscapes Steering Committee
Member (Chair)	Local Emergency Management Committee
Member	Gascoyne Tourism Board
Delegate	Western Australian Local Government Association – State Council

### Meeting Attendance

23 September 2016	ABC North West – radio interview
27	Dirk Hartog Island inspection
28	September Council meeting
29	Gavin Robins – CEO, Gascoyne Development Commission
30	Shark Bay World Heritage Discovery and Visitor Centre – 1616 Ball ticket prize draw
10 October	District Emergency Management - Geraldton
12	Interview Dutch journalist Special Meeting of Council Community Forum – Festival of Discovery
13	ABC Geraldton – radio interview
14	School assembly – Western Australian Local Government Association Roadwise Award
17	Local Emergency Management Committee exercise and meeting
20	Duyfken Welcome event – Denham jetty
21	Opening Ceremony – Festival of Discovery
22-24	Dirk Hartog Festival of Discovery events
25	Cape Inscription Dirk Hartog Commemoration Official opening of Denham Foreshore Official unveiling Union Art Piece - foreshore Official unveiling Interactive Multimedia Panels – Discovery Centre
26	Conclusion of reception and Festival A Taste of Shark Bay – Spiegeltent Denham foreshore October Council meeting

### Signatures

Councillor	<i>Councillor Cowell</i>
Date of Report	14 October 2016

Moved Cr Prior  
Seconded Cr Ridgley

### Council Resolution

**That the President's activity report for October 2016 be received.**

**6/0 CARRIED**

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

**10. COUNCILLORS' REPORTS**

10.1 Cr Prior  
GV00006

Committee Membership

Member	Audit Committee
Member	Shark Bay Commerce and Tourism Committee
Member	Shark Bay Arts Council
Member	The Aviation Community Consultation Group
Deputy Member	2 <sup>nd</sup> Deputy for Works Committee

Meeting Attendance

20 October 2016	Duyfken Community Welcome
21	Festival Opening
22	Dirk Hartog Race and Rally Finish
25	Attended the commemoration ceremony at Dirk Hartog Island
25	Community Art Piece and Foreshore Opening
	Festival closing event

Signatures

Councillor	<i>Councillor Prior</i>
Date of Report	13 October 2016

Moved	Cr Capewell
Seconded	Cr Bellottie

**Council Resolution**

**That Councillor Prior's October 2016 report on activities as Council representative be received.**

**6/0 CARRIED**

10.2 Cr Bellottie  
GV00010

Nil Report for the October 2016 Ordinary Council meeting.

10.3 Cr Capewell  
GV00005

Committee Membership

Member	Works Committee
Member	Audit Committee
Deputy Delegate	Shark Bay Marine Facilities Management Committee
Deputy Delegate	Regional Road Group
Deputy Delegate	Gascoyne Zone of Western Australian Local Government Association

MINUTES OF THE ORDINARY COUNCIL MEETING

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26 OCTOBER 2016

Meeting Attendance

12 October 2016 Attend Special Council meeting  
26 Ordinary Council meeting

Signatures

Councillor *Councillor Capewell*

Date of Report 18 October 2016

Moved Cr pRIOR  
Seconded Cr Bellottie

**Council Resolution**

**That Councillor Capewell's October 2016 report on activities as Council representative be received.**

**6/0 CARRIED**

10.4 Cr Ridgley  
GV00008

Nil Report for the October 2016 Ordinary Council meeting.

10.5 Cr Laundry  
GV00013

Nil Report for the October 2016 Ordinary Council meeting.

26 OCTOBER 2016

**11. ADMINISTRATION REPORT**

**11.1 ORDINARY COUNCIL MEETING DATES FOR 2017**  
CM00016

Author

Executive Assistant

Disclosure of Any Interest

Nil

Officer Recommendation

That Council, in accordance with Section 5.25(1)(a) of the *Local Government Act 1995*, approve the following schedule of meeting dates for Council's 2017 Ordinary meetings:

January 2017 – No ordinary meeting of Council to be held;  
February 2017 – Wednesday 22 Commencing at 3.00 pm in Council Chambers;  
March 2017 – Wednesday 29 Commencing at 3.00 pm in Council Chambers;  
April 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;  
May 2017 – Wednesday 31 Commencing at 3.00 pm in Council Chambers;  
June 2017 – Wednesday 28 Commencing at 3.00 pm in Council Chambers;  
July 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;  
August 2017 – Wednesday 30 Commencing at 9.30 am at Useless Loop;  
September 2017–Wednesday 27 Commencing at 3.00 pm in Council Chambers;  
October 2017 – Wednesday 25 Commencing at 3.00 pm in Council Chambers;  
November 2017 –Wednesday 29 Commencing at 3.00 pm in Council Chambers; and  
December 2017 – Wednesday 20 Commencing at 3.00 pm in Council Chambers.

**AMENDMENT TO OFFICERS RECOMMENDATION**

**Reason:** The Council consider that it should vary the scheduled meeting for Useless Loop to the pastoral area.

Moved           Cr Bellottie  
Seconded       Cr Capewell

**Council Resolution**

**That Council, in accordance with Section 5.25(1)(a) of the *Local Government Act 1995*, approve the following schedule of meeting dates for Council's 2017 Ordinary meetings:**

**January 2017 – No ordinary meeting of Council to be held;**  
**February 2017 – Wednesday 22 Commencing at 3.00 pm in Council Chambers;**  
**March 2017 – Wednesday 29 Commencing at 3.00 pm in Council Chambers;**  
**April 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;**  
**May 2017 – Wednesday 31 Commencing at 3.00 pm in Council Chambers;**  
**June 2017 – Wednesday 28 Commencing at 3.00 pm in Council Chambers;**  
**July 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;**  
**August 2017 – Wednesday 30 Commencing at 9.30 am at Hamelin Reserve;**  
**September 2017–Wednesday 27 Commencing at 3.00 pm in Council Chambers;**  
**October 2017 – Wednesday 25 Commencing at 3.00 pm in Council Chambers;**  
**November 2017 –Wednesday 29 Commencing at 3.00 pm in Council Chambers;**  
**and**  
**December 2017 – Wednesday 20 Commencing at 3.00 pm in Council Chambers.**

**6/0 CARRIED**

## MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

### Background

The *Local Government Act 1995* Section 5.25 requires the Council to advertise its Ordinary Council meeting dates for the forthcoming year.

### Comment

Listed below is a proposed schedule for Council meetings in the year 2017 for consideration and approval:

January 2017 – No ordinary meeting of Council to be held;  
February 2017 – Wednesday 22 Commencing at 3.00 pm in Council Chambers;  
March 2017 – Wednesday 29 Commencing at 3.00 pm in Council Chambers;  
April 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;  
May 2017 – Wednesday 31 Commencing at 3.00 pm in Council Chambers;  
June 2017 – Wednesday 28 Commencing at 3.00 pm in Council Chambers;  
July 2017 – Wednesday 26 Commencing at 3.00 pm in Council Chambers;  
August 2017 – Wednesday 30 Commencing at 9.30 am at Useless Loop;  
September 2017–Wednesday 27 Commencing at 3.00 pm in Council Chambers;  
October 2017 – Wednesday 25 Commencing at 3.00 pm in Council Chambers;  
November 2017 –Wednesday 29 Commencing at 3.00 pm in Council Chambers; and  
December 2017 – Wednesday 20 Commencing at 3.00 pm in Council Chambers.

Ordinary meetings of Council are held on the last Wednesday of each month unless specifically resolved by Council to allow for other circumstances. As in previous years a meeting has been scheduled to be held at Useless Loop in August 2017 to commence at 9.30am giving enough time to travel to Useless Loop and setup before the meeting.

Council regularly amends its December meeting due to Christmas. The schedule indicates that the December 2017 meeting be held on Wednesday 20 December in lieu of 27 December, being the last Wednesday in the month. There are no other Public Holidays during the 2017 year that affect the Ordinary Council meetings.

### Legal Implications

Section 5.25 of the *Local Government Act 1995* and the Local Government Regulations Section 12 Public notice of council or committee meetings –

At least once each year a local government is to give local public notice of the dates on which and the time and place at which –

The ordinary council meetings; and

The committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next twelve (12) months.

### Policy Implications

Policy 1.1 - Meetings of Council

Ordinary Council meetings will be held on the last Wednesday of each month except January, unless resolved by Council to allow for other circumstances.

### Financial Implications

The only financial implication is the travel costs associated with all members of Council and Council staff traveling to Useless Loop.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Strategic Implications

There are no Strategic Implications association with this report.

Risk Management

This is a low risk item to Council.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

*P Anderson*

Date of Report

5 October 2016

# Calendar for Year 2017 (Australia)

January

Week	Su	Mo	Tu	We	Th	Fr	Sa
1	1	2	3	4	5	6	7
2	8	9	10	11	12	13	14
3	15	16	17	18	19	20	21
4	22	23	24	25	26	27	28
5	29	30	31				

February

Week	Su	Mo	Tu	We	Th	Fr	Sa
5			1	2	3	4	9
6	5	6	7	8	9	10	11
7	12	13	14	15	16	17	18
8	19	20	21	22	23	24	25
9	26	27	28				

March

Week	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4	
5	6	7	8	9	10	11	
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	

April

Week	Su	Mo	Tu	We	Th	Fr	Sa
13							1
14	2	3	4	5	6	7	8
15	9	10	11	12	13	14	15
16	16	17	18	19	20	21	22
17	23	24	25	26	27	28	29
18	30						

May

Week	Su	Mo	Tu	We	Th	Fr	Sa
18		1	2	3	4	5	6
19	7	8	9	10	11	12	13
20	14	15	16	17	18	19	20
21	21	22	23	24	25	26	27
22	28	29	30	31			

June

Week	Su	Mo	Tu	We	Th	Fr	Sa
					1	2	3
4	5	6	7	8	9	10	
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29	30	

July

Week	Su	Mo	Tu	We	Th	Fr	Sa
26							1
27	2	3	4	5	6	7	8
28	9	10	11	12	13	14	15
29	16	17	18	19	20	21	22
30	23	24	25	26	27	28	29

August

Week	Su	Mo	Tu	We	Th	Fr	Sa
31			1	2	3	4	5
32	6	7	8	9	10	11	12
33	13	14	15	16	17	18	19
34	20	21	22	23	24	25	26
35	27	28	29	30	31		

September

Week	Su	Mo	Tu	We	Th	Fr	Sa
							1
2	2	3	4	5	6	7	8
3	9	10	11	12	13	14	15
4	16	17	18	19	20	21	22
5	23	24	25	26	27	28	29

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

31 30 31

<u>October</u>								<u>November</u>								<u>December</u>								
Week	Su	Mo	Tu	We	Th	Fr	Sa	Week	Su	Mo	Tu	We	Th	Fr	Sa	Week	Su	Mo	Tu	We	Th	Fr	Sa	
40	1	2	3	4	5	6	7	44				1	2	3	4	48							1	2
41	8	9	10	11	12	13	14	45	5	6	7	8	9	10	11	49	3	4	5	6	7	8	9	
42	15	16	17	18	19	20	21	46	12	13	14	15	16	17	18	50	10	11	12	13	14	15	16	
43	22	23	24	25	26	27	28	47	19	20	21	22	23	24	25	51	17	18	19	20	21	22	23	
44	29	30	31					48	26	27	28	29	30			52	24	25	26	27	28	29	30	
																	1	31						

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

**Holidays and Observances:**

1 Jan	<a href="#">New Year's Day</a>	21 Mar	<a href="#">Harmony Day</a>	11 Nov	<a href="#">Remembrance Day</a>
2 Jan	<a href="#">'New Year's Day' observed</a>	14 Apr	<a href="#">Good Friday</a>	24 Dec	<a href="#">Christmas Eve</a>
26 Jan	<a href="#">Australia Day</a>	15 Apr	<a href="#">Holy Saturday (Most regions)</a>	25 Dec	<a href="#">Christmas Day</a>
6 Mar	<a href="#">Labour Day (Western Australia)</a>	16 Apr	<a href="#">Easter Day (All)</a>	26 Dec	<a href="#">Boxing Day</a>
		17 Apr	<a href="#">Easter Monday</a>	31 Dec	<a href="#">New Year's Eve</a>
		25 Apr	<a href="#">ANZAC Day (All)</a>		
				5 Jun	<a href="#">Western Australia Day (Western Australia)</a>
				25 Sep	<a href="#">Queen's Birthday (Western Australia)</a>

26 OCTOBER 2016

**12. FINANCE REPORT**

**12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED**  
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any interest

Nil

Moved Cr Ridgley

Seconded Cr Prior

**Council Resolution**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$2,262,348.55 be accepted.**

**6/0 CARRIED**

Comment

The schedules of accounts for payment covering -

Municipal fund credit card direct debits for the month of September 2016 totalling \$9,299.88

Municipal fund account cheque numbers 26827 to 26828 totalling \$9,229.72

Municipal fund direct debits to Council for the month of September 2016 totalling \$20,842.56

Municipal fund account electronic payment numbers MUNI 20110 to 20280 totalling \$1,932,077.70

Municipal fund account for September 2016 payroll totalling \$115,264.00

No Trust fund account cheque's were raised for September 2016

Trust fund Police Licensing for September 2016 cheque number 161703 totalling \$21,935.55 and

Trust fund account electronic payment numbers 20151 to 20153, 20156 to 20157, 20195 to 20219, 20269 and 20287 to 20314 totalling \$153,699.14

The schedule of accounts submitted to each member of Council on 21 October 2016 has been checked and are fully supported by vouchers and invoices. All vouchers and invoices have been duly certified as to the receipt of goods and services and the cost of goods and services received.

MINUTES OF THE ORDINARY COUNCIL MEETING

---

26 OCTOBER 2016

LEGAL IMPLICATIONS

Section 13.3 of the Local Government (Financial Management) Regulations 1996, requires that a list of payments be presented to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

These payments have been paid and are subject to internal checks and appraisals and therefore are considered a low risk to council.

Voting Requirements

Simple Majority Required

Signature

Author

*C Wood*

Chief Executive Officer

*P Anderson*

Date of Report

10 October 2016

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

**SHIRE OF SHARK BAY – CREDIT CARD  
SEPTEMBER 2016**

**CREDIT CARD TOTAL \$9,299.88**

**CEO**

<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
16/7/2016	THE GOOD GUYS	CORDLESS PHONE PACK – 5 SPAVEN WAY	78.00
1/8/2016	CABCHARGE	TRAVEL - CONFERENCE	32.76
1/8/2016	TAXI	TRAVEL - CONFERENCE	32.13
2/8/2016	INGOGO	TRAVEL - CONFERENCE	32.44
3/8/2016	SPOTLESS FACILITY SERVICES	REFRESHMENTS - CONFERENCE	16.80
4/8/2016	CABCHARGE	TRAVEL - CONFERENCE	9.66
4/8/2016	CABCHARGE	TRAVEL - CONFERENCE	10.50
5/8/2016	HILTON	MEALS – CONFERENCE	46.10
5/8/2016	HILTON	S CAPEWELL (REIMBURSED)	132.00
5/8/2016	HILTON	ACCOMMODATION - CONFERENCE	5881.60
5/8/2016	CABCHARGE	TRAVEL - CONFERENCE	39.80
5/8/2016	CABCHARGE	TRAVEL - CONFERENCE	44.42

**\$6,356.21**

**EMCD**

16/7/2016	TARGET	CAMERA, FLASH DRIVE, USB-SBDC	164.00
1/8/2016	WORLD OF PETS	MERCHANDISE SBDC	480.84
2/8/2016	WORLD OF PETS	CREDIT FROM LAST MONTH	-10.58
3/8/2016	LOCAL GOV MANAGERS	CONFERENCE FEES	950.00
9/8/2016	THE GOOD GUYS	MICROWAVE – DENHAM HALL	199.00

**\$1,783.26**

**EMFA**

13/7/2016	CRAZY DOMAIN	DOMAIN NAME FEES	61.98
20/7/2016	SHARK BAY FUEL	EMFA VEHICLE - FUEL	56.14

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

25/7/2016	THE TELECOM SHOP	TELE-CONFERENCE PHONES – DEPOT & COUNCIL CHAMBERS	940.50
29/7/2016	BUNNINGS	PLANTS 51 DURLACHER	76.49
2/8/2016	SHIRE OF SHARK BAY (dot)	RETAINED PLATES-WORKS MANAGER'S VEHICLE	25.30

**\$1,160.41**

SHIRE OF SHARK BAY – DIRECT DEBITS  
SEPTEMBER 2016

<b>D/D</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
DD13130.1	04/09/2016	AUSTRALIAN ETHICAL	SUPERANNUATION CONTRIBUTIONS	-74.38
DD13130.2	04/09/2016	MACQUARIE SUPER	SUPERANNUATION CONTRIBUTIONS	-194.45
DD13130.3	04/09/2016	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-189.40
DD13130.4	04/09/2016	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-550.19
DD13130.5	04/09/2016	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-185.96
DD13130.6	04/09/2016	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-185.96
DD13130.7	04/09/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-372.39
DD13130.8	04/09/2016	REST	SUPERANNUATION CONTRIBUTIONS	-213.96
DD13130.9	04/09/2016	WALGA	PAYROLL DEDUCTIONS	-5067.77
DD13153.1	18/09/2016	AUSTRALIAN ETHICAL	SUPERANNUATION CONTRIBUTIONS	-129.49
DD13153.2	18/09/2016	WESTPAC SECURITIES	SUPERANNUATION CONTRIBUTIONS	-228.83
DD13153.3	18/09/2016	MACQUARIE SUPER	SUPERANNUATION CONTRIBUTIONS	-196.14
DD13153.4	18/09/2016	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-189.40
DD13153.5	18/09/2016	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-601.79
DD13153.6	18/09/2016	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-185.96
DD13153.7	18/09/2016	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-185.96
DD13153.8	18/09/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-372.39
DD13153.9	18/09/2016	WALGA SUPER	PAYROLL DEDUCTIONS	-5173.14
DD13130.10	04/09/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-686.86
DD13130.11	04/09/2016	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1403.28
DD13130.12	04/09/2016	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-230.98
DD13130.13	04/09/2016	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-217.70
DD13130.14	04/09/2016	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-164.99

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

<b>D/D</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
DD13130.15	04/09/2016	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-133.25
DD13130.16	04/09/2016	WESTPAC SECURITIES	SUPERANNUATION CONTRIBUTIONS	-196.26
DD13153.10	18/09/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-686.86
DD13153.11	18/09/2016	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1756.79
DD13153.12	18/09/2016	REST	SUPERANNUATION CONTRIBUTIONS	-301.36
DD13153.13	18/09/2016	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-230.98
DD13153.14	18/09/2016	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-229.62
DD13153.15	18/09/2016	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-186.44
DD13153.16	18/09/2016	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-119.63
<b>TOTAL</b>				<b>\$20,842.56</b>

SHIRE OF SHARK BAY – MUNI EFT  
SEPTEMBER 2016 EFT 20110-20280

<b>EFT</b>	<b>DATE</b>	<b>COMPANY</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT20110	05/09/2016	SHARK BAY BRIDGE CLUB	PHOTOCOPYING	-300.00
EFT20111	05/09/2016	STATE LIBRARY OF WA	BETTER BEGINNINGS 2016 / 2017	-22.00
EFT20112	05/09/2016	REBECCA STANLEY	REIMBURSEMENT-WEIGHTS FOR GAZEBO	-44.97
EFT20113	05/09/2016	AMANDA BRITTON	POLICE CLEARANCE REIMBURSEMENT	-52.60
EFT20114	05/09/2016	DPAW	MONKEY MIA PASSES	-1800.00
EFT20115	05/09/2016	ELGAS LIMITED	GAS BOTTLES	-332.00
EFT20116	05/09/2016	ENVIROPACIFIC SERVICES PTY LTD	DEPARTMENT OF TRANSPORT FORESHORE- FUEL FACILITY RELOCATION	-6020.17
EFT20117	05/09/2016	FIRE & EMERGENCY SERVICES	2016/17 ESL LEVY	-52537.72
EFT20118	05/09/2016	SHARK BAY FUEL	MONTHLY ACCOUNT AUGUST	-129.35
EFT20119	05/09/2016	HUGGABLE TOYS	MERCHANDISE - SBDC	-244.75
EFT20120	05/09/2016	LANDGATE	RESERVES REPORT	-201.30
EFT20121	05/09/2016	MCLEODS BARRISTERS	LEGAL COSTS	-2262.77
EFT20122	05/09/2016	MARKET CREATIONS	PROJECT MANAGEMENT – SIGNAGE - SBDC FRONT WINDOW	-500.50
EFT20123	05/09/2016	OCLC (UK) LTD	ANNUAL LIBRARY LICENCE	-1863.07

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20124	05/09/2016	OSA PRODUCTIONS TRUST	COMMUNITY CONCERT MARCH 2017 RAY RYDER	-550.00
EFT20125	05/09/2016	PROFESSIONAL PC SUPPORT	2 LAPTOPS PLUS HP NOTEBOOK BAGS	-2417.40
EFT20126	05/09/2016	PAPER PLUS OFFICE NATIONAL	STATIONERY	-497.45
EFT20127	05/09/2016	DPAW	MERCHANDISE SBDC	-74.75
EFT20128	05/09/2016	RICHARD CLAUDE MORONEY	CLEAN UP & REMOVE RUBBISH SBDC	-32.00
EFT20129	05/09/2016	SKIPPERS AVIATION	FLIGHTS EARTHCARE REIMBURSABLE	-5385.00
EFT20130	05/09/2016	SHARK BAY NEWSAGENCY	STATIONERY	-349.50
EFT20131	05/09/2016	SHARK BAY CLEANING SERVICE	MONTHLY CLEANING ACCOUNT AUGUST	-19405.80
EFT20132	05/09/2016	MCKELL FAMILY TRUST	MONTHLY-RUBBISH/STREET SWEEPING AUGUST	-10963.75
EFT20133	05/09/2016	STRUT & FRET	2016 CELEBRATIONS CONSULTANT	-14850.00
EFT20134	05/09/2016	SHARK BAY CAR HIRE	CAR HIRE TO TRANSPORT DOCTOR	-495.00
EFT20135	05/09/2016	ST JOHN AMBULANCE	HEART START MACHINE FOR SBDC	-1440.00
EFT20136	05/09/2016	TELSTRA	SMS - PUBLIC WITH COMMUNITY MESSAGES	-2447.00
EFT20137	05/09/2016	COOK'S TOURS	ADVERTISING FULL PAGE COOKS TOURS	-1350.00
EFT20138	05/09/2016	TELEMALL	MESSAGE ON HOLD FEE	-355.30
EFT20139	05/09/2016	UDLA	DENHAM VISITOR INFORMATION BAY ARCHITECTURAL CONCEPT DESIGN	-4070.00
EFT20140	06/09/2016	M & B SALES	MATERIALS FOR CAPE INSCRIPTION	-864.40
EFT20141	06/09/2016	AIR CONDITIONING WHOLESALERS	AIR VENT FOR RECREATION CENTRE	-530.86
EFT20142	06/09/2016	AUSTRAL PLUMBING	ONGOING REFURBISHMENT TO OLD JAIL	-4686.00
EFT20143	06/09/2016	BLACKWOODS ATKINS	MATERIALS FOR DOOR AT DEPOT WORKSHOP	-725.12
EFT20144	06/09/2016	BUNNINGS BUILDING SUPPLIES	MATERIALS – CAPE INSCRIPTION MAINTENANCE	-389.13
EFT20145	06/09/2016	CORAL COAST PLUMBING	UNBLOCK DUMP POINT	-108.90
EFT20146	06/09/2016	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-401.61
EFT20147	06/09/2016	MITCHELL & BROWN,	AIRCONDITIONER- SHOP 6 MCCLEARY BUILDING	-580.00
EFT20148	06/09/2016	PRESTIGE	REPAIRS TO AC IN UNIT 6	-925.10
EFT20149	06/09/2016	SOFTFALLGUYS	TO SUPPLY AND INSTALL 63M2 SOFTFALL	-7010.96
EFT20150	06/09/2016	UNIVERSAL MARINA SYSTEMS	TO MANUFACTURE, DELIVER AND SUPERVISE INSTALLATION OF PONTOON	-31070.46
EFT20151	20153	TRUST		
EFT20154	13/09/2016	EARTHCARE	DENHAM FORESHORE REVITALISATION PROJECT	-390909.48
EFT20155	13/09/2016	ERTECH PTY LTD	CONTRACT FOR DENHAM FORESHORE DOT AREA	-1094497.00

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20156	20157	TRUST		
EFT20158	14/09/2016	JOHN JAMES WILSON	CONCRETE FOR ROUNDABOUT WALL @ IGA	-786.50
EFT20159	14/09/2016	REBECCA STANLEY	CDO CONFERENCE - MEALS	-120.09
EFT20160	14/09/2016	AIR LIQUIDE	HIRE OF CYLINDERS	-1229.90
EFT20161	14/09/2016	A & O FACILITY MANAGEMENT	DEVELOPMENT OF MAINTENANCE REPORT	-12870.00
EFT20162	14/09/2016	AUSTRALIA POST	MONTHLY ACCOUNT AUGUST	-301.70
EFT20163	14/09/2016	SHARK BAY AVIATION	FLIGHTS TO USELESS LOOP - COUNCILLORS AND STAFF - COUNCIL MEETING-AUGUST	-1320.00
EFT20164	14/09/2016	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY COMMISSION AUGUST	-950.19
EFT20165	14/09/2016	BOC LIMITED	CONTAINER RENTAL	-34.05
EFT20166	14/09/2016	EARTHCARE	FORESHORE RAMP-CONTRACTOR	-20900.00
EFT20167	14/09/2016	ELGAS LIMITED	GAS BOTTLE	-166.00
EFT20168	14/09/2016	DENHAM IGA X-PRESS	MONTHLY ACCOUNT - AUGUST	-855.98
EFT20169	14/09/2016	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-293.26
EFT20170	14/09/2016	GASCOYNE OFFICE EQUIPMENT	PHOTOCOPIER REPAIRS	-180.00
EFT20171	14/09/2016	REFUEL AUSTRALIA	MONTHLY ACCOUNT AUGUST	-12370.01
EFT20172	14/09/2016	GETAWAY OUTDOOR GERALDTON	CHEMICAL TOILETS – CAPE INSCRIPTION	-487.95
EFT20173	14/09/2016	GRAY & LEWIS	PLANNING ADVICE	-3588.75
EFT20174	14/09/2016	GYPNUM SUPPLIES	GYPNUM FOR FORESHORE GARDENS	-485.35
EFT20175	14/09/2016	HORIZON POWER	STREET LIGHTING	-3361.55
EFT20176	14/09/2016	HORIZON POWER	ELECTRICITY BI MONTHLY ACCOUNT	-2482.95
EFT20177	14/09/2016	HUGGABLE TOYS	MERCHANDISE SBDC	-328.63
EFT20178	14/09/2016	TOLL IPEC PTY LTD	FREIGHT WEEKLY ACCOUNT	-98.65
EFT20179	14/09/2016	J & T FREIGHT	FREIGHT-BI -MONTHLY ACCOUNT	-1295.90
EFT20180	14/09/2016	JASON SIGNMAKERS	ROADS TO RECOVERY SIGNS	-2866.05
EFT20181	14/09/2016	JOANNA YORKE	REIMBURSEMENT - DEPT OF TRANSPORT LICENSING TRAINING	-185.51
EFT20182	14/09/2016	LANDGATE	GRV VALUATION	-64.70
EFT20183	14/09/2016	TRUE VALUE HARDWARE	MONTHLY ACCOUNT-AUGUST	-1711.00
EFT20184	14/09/2016	RHONDA JOY METTAM	REIMBURSEMENT DISWASHER TABLETS- RECREATION CENTRE	-27.99
EFT20185	14/09/2016	PROFESSIONAL PC SUPPORT	REMOTE SERVER MAINTENANCE	-35.00
EFT20186	14/09/2016	PERTH STITCHINGS	MERCHANDISE SBDC	-1276.00
EFT20187	14/09/2016	BUCKINGHAM PEWTER	MERCHANDISE SBDC	-1839.20

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20188	14/09/2016	SHARK BAY COMMUNITY	SPORTS AND REC CENTRE MANAGEMENT	-5511.00
EFT20189	14/09/2016	SHARK BAY CLEANING SERVICE	CLEANING UNIT 6/34, GAS BOTTLES LITTLE LAGOON	-816.50
EFT20190	14/09/2016	SHARK BAY ARTS COUNCIL INC	SHARK BAY ART AWARDS 2016	-7000.00
EFT20191	14/09/2016	MCKELL FAMILY TRUST	REPAIR AND PAINTING - SIGN SBDC	-1188.00
EFT20192	14/09/2016	SAFE MASTER SAFETY PRODUCTS	HEIGHT SAFETY INSPECTION FOR SBDC AND RECREATION CENTRE	-2158.20
EFT20193	14/09/2016	TOTALLY WORKWEAR	DEPOT STAFF UNIFORM AND SAFETY BOOTS	-7098.76
EFT20194	14/09/2016	WEST AUSTRALIAN NEWSPAPERS	TRAVEL FEATURE IN SATURDAY'S PAPER	-440.00
EFT20195	20219	TRUST		
EFT20220	28/09/2016	TREMOR EARTHMOVING	SEMI SIDE TIPPER LOAD OF RIVER STONE.	-1188.00
EFT20221	28/09/2016	TOP COLOUR	REFLECTIVE KERB NUMBERING	-8280.00
EFT20222	28/09/2016	AUSTRAL PLUMBING	ONGOING REFURBISHMENT TO OLD JAIL	-4719.00
EFT20223	28/09/2016	ART ON THE MOVE	COST FOR BOTANICA EXHIBITION	-990.00
EFT20224	28/09/2016	AUSCOINSWEST	MERCHANDISE - SBDC	-173.80
EFT20225	28/09/2016	BUNNINGS BUILDING	ESKY – USELESS LOOP CAMP	-289.00
EFT20226	28/09/2016	BATAVIA COAST REPLICIA BOAT	SPONSORSHIP IN DIRK HARTOG VOYAGE OF DISCOVERY FESTIVAL	-500.00
EFT20227	28/09/2016	BURTON TILING MAINTENANCE	TILING WORKS FOR FORESHORE TOILETS	-5280.00
EFT20228	28/09/2016	BEST WESTERN INN CARNARVON	ACCOMMODATION-TRAINING DOT	-153.00
EFT20229	28/09/2016	DPAW	MONKEY MIA PASSES	-1188.00
EFT20230	28/09/2016	CDP MEDIA PTY LTD	REPAIR TO MULTIMEDIA HARDWARE & SOFTWARE SBDC	-884.40
EFT20231	28/09/2016	CHUBB FIRE & SECURITY LTD	SECURITY MONITORING	-139.67
EFT20232	28/09/2016	COATES HIRE	HIRE OF FLOOR SANDER	-534.92
EFT20233	28/09/2016	CARNARVON MOTOR GROUP	NEW TOYOTA HILUX	-47546.25
EFT20234	28/09/2016	COVS AUTOMOTIVE	MATERIALS FOR SIDE TIPPER	-310.16
EFT20235	28/09/2016	CDH ELECTRICAL	REWIRE-162 LIGHT FITTINGS SBDC	-7700.00
EFT20236	28/09/2016	DIRK HARTOG ISLAND TOURS	TRANSPORTATION BY BARGE TO DIRK HARTOG ISLAND-FOR CAPE INSCRIPTION MAINTENANCE	-680.00
EFT20237	28/09/2016	ELGAS LIMITED	GAS BOTTLES	-332.00
EFT20238	28/09/2016	SHARK BAY SUPERMARKET	MONTHLY ACCOUNT AUGUST	-784.18
EFT20239	28/09/2016	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-162.61
EFT20240	28/09/2016	THINK WATER GERALDTON	MATERIALS MAINTENANCE TOWN OVAL	-85.70

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20241	28/09/2016	HORIZON POWER	ELECTRICITY – SES-ST JOHN ACCOUNT	-545.40
EFT20242	28/09/2016	HAMES SHARLEY	PROJECT MANAGEMENT-FORESHORE	-5478.00
EFT20243	28/09/2016	HUGGABLE TOYS	MERCHANDISE SBDC	-240.13
EFT20244	28/09/2016	ILLUMINATED DESIGN	MUSEUM LIGHTING UPGRADE	-16500.00
EFT20245	28/09/2016	TOLL IPEC PTY LTD	FREIGHT – WEEKLY ACCOUNT	-335.66
EFT20246	28/09/2016	JOANNA YORKE	BUILDING TRAINING - GERALDTON	-123.76
EFT20247	28/09/2016	LGIS WORKCARE	ADJUSTMENT TO INSURANCE 15/16	-182.36
EFT20248	28/09/2016	MARKET CREATIONS	EXIT SIGNAGE FOR THE MUSEUM	-572.00
EFT20249	28/09/2016	PEST-A-KILL	TERMITE TREATMENT-KEEPERS QUARTERS	-13330.00
EFT20250	28/09/2016	PROFESSIONAL PC SUPPORT	REMOTE SERVER MAINTENANCE	-486.30
EFT20251	28/09/2016	PAINT N QUIP	PAINT FOR TOWN HALL EXTERIOR	-2125.20
EFT20252	28/09/2016	PERTH STITCHINGS	COMMUNITY HOST T SHIRTS	-804.10
EFT20253	28/09/2016	BUCKINGHAM PEWTER	MERCHANDISE SBDC	-1347.50
EFT20254	28/09/2016	DPAW	MONKEY MIA PASSES SBDC	-4150.00
EFT20255	28/09/2016	RICHARD CLAUDE MORONEY	CLEAN UP AND REMOVE RUBBISH SBDC	-32.00
EFT20256	28/09/2016	RAY WHITE REAL ESTATE	RENT ON 34 HUGHES ST	-1127.00
EFT20257	28/09/2016	SKIPPERS AVIATION	FLIGHTS MR F BURKE, K D'ALTON, A WATKINS	-2872.00
EFT20258	28/09/2016	SHARK BAY SERVICES	2 X S80D26R BATTERIES	-390.00
EFT20259	28/09/2016	STATEWIDE BEARINGS	FINAL DRIVE BEARING FOR PP124	-66.99
EFT20260	28/09/2016	SHARK BAY RESOURCE CENTRE	PHOTOCOPYING	-381.50
EFT20261	28/09/2016	SHARK BAY FREIGHTLINES	FREIGHT	-198.68
EFT20262	28/09/2016	1616 SALT CO. PTY LTD	MERCHANDISE SBDC	-1417.00
EFT20263	28/09/2016	MCKELL FAMILY TRUST	REPAINTING OF DISPLAY BOXES SBDC	-563.20
EFT20264	28/09/2016	SOFTFALLGUYS	TO SUPPLY AND INSTALL SOFTFALL	-10516.44
EFT20265	28/09/2016	NORTHERN GLASS	GLASS FOR OLD JAIL	-112.23
EFT20266	28/09/2016	SHARK BAY RESOURCES	COUNCIL MEETING CATERING - AUGUST	-402.00
EFT20267	28/09/2016	TELSTRA	MONTHLY ACCOUNT	-2492.18
EFT20268	28/09/2016	WORLEYPARSONS SERVICES	PROVISION OF CONSULTANCY-DENHAM FORESHORE REVITALISATION	-14095.73
EFT20269		TRUST		
EFT20270	30/09/2016	ALLELECTRIX PTY LTD	MAINTENANCE 80 DURLACHER ST	-416.35
EFT20271	30/09/2016	ETCHED GLASS DESIGN	MERCHANDISE SBDC	-300.30
EFT20272	30/09/2016	MCLEODS SOLICITORS	ANNUAL AUDIT 2016	-165.00
EFT20273	30/09/2016	NINGALOO DESIGNS	MERCHANDISE SBDC	-1730.00

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20274	30/09/2016	PROFESSIONAL PC SUPPORT	REMOTE SERVER MAINTENANCE	-105.01
EFT20275	30/09/2016	PERTH STITCHINGS	MERCHANDISE SBDC	-753.50
EFT20276	30/09/2016	SHARK BAY NEWSAGENCY	MONTHLY ACCOUNT	-470.30
EFT20277	30/09/2016	SHARK BAY RESOURCE CENTRE	SENIORS WEEK ACTIVITY	-200.00
EFT20278	30/09/2016	1616 SALT CO. PTY LTD	MERCHANDISE SBDC	-349.20
EFT20279	30/09/2016	SUNPRINTS CLOTHING	MERCHANDISE SBDC	-4200.90
EFT20280	30/09/2016	SANTALEUCA SANDLEWOOD	MERCHANDISE SBDC	-160.60
<b>TOTAL</b>				<b>\$1,932,077.70</b>

SHIRE OF SHARK BAY – TRUST CHEQUE  
SEPTEMBER 2016 TRUST CHEQUE # 161703

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
161703	30/09/2016	COMMISSIONER OF POLICE	POLICE LICENSING SEPTEMBER 2016	-21935.55

SHIRE OF SHARK BAY – TRUST EFT  
SEPTEMBER 2016

EFT 20151-20153, 20156, 20157, 20195-20219, 20269, 20287-20314

EFT	Date	Name	Description	Amount
EFT20151	08/09/2016	MEGAN ROSS	GYM CARD DEPOSIT REFUND	-20.00
EFT20152	08/09/2016	NARELLE LUKINS	GYM CARD DEPOSIT REFUND	-20.00
EFT20153	08/09/2016	RAYMOND WISCOMBE	LIBRARY CARD DEPOSIT REFUND	-50.00
EFT20156	13/09/2016	KEVIN JACKSON	LIBRARY CARD DEPOSIT REFUND	-50.00
EFT20157	14/09/2016	PHIL THOMSON	GYM CARD REFUND	-20.00
EFT20195	16/09/2016	LINDA BUTTERLY	GYM CARD REFUND	-20.00
EFT20196	16/09/2016	SHIRE OF SHARK BAY	GYM CARD DEPOSIT FORFEIT	-140.00
EFT20197	21/09/2016	JAMES SNR POLAND	BOOKEASY 15/9/16	-172.00
EFT20198	21/09/2016	MAC ATTACK FISHING	BOOKEASY 15/9/16	-212.50
EFT20199	21/09/2016	BOTANICA PHOTOGRAPHY	BOOKEASY 15/9/16	-20.00
EFT20200	21/09/2016	BAY LODGE MIDWEST OASIS	BOOKEASY 15/9/16	-360.80
EFT20201	21/09/2016	CASSA'S COTTAGE	BOOKEASY 15/9/16	-272.00

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

EFT20202	21/09/2016	SHARK BAY COASTAL TOURS	BOOKEASY 15/9/16	-850.00
EFT20203	21/09/2016	DENHAM SEASIDE CARAVAN	BOOKEASY 15/9/16	-699.35
EFT20204	21/09/2016	ECO ADVENTURES DIRK HARTOG	BOOKEASY 15/9/16	-2812.50
EFT20205	21/09/2016	HARTOG COTTAGES	BOOKEASY 15/9/16	-2980.00
EFT20206	21/09/2016	HINCHY PUBLICATIONS	BOOKEASY 15/9/16	-22.16
EFT20207	21/09/2016	INTEGRITY COACH LINES	BOOKEASY 15/9/16	-282.20
EFT20208	21/09/2016	MONKEY MIA YACHT CHARTERS	BOOKEASY 15/9/16	-5426.08
EFT20209	21/09/2016	MONKEYMIA WILDSIGHTS	BOOKEASY 15/9/16	-2271.20
EFT20210	21/09/2016	NINGALOO REEF RESORT	BOOKEASY 15/9/16	-458.15
EFT20211	21/09/2016	NANGA BAY RESORT	BOOKEASY 15/9/16	-217.00
EFT20212	21/09/2016	WA OCEAN PARK PTY LTD	BOOKEASY 15/9/16	-289.00
EFT20213	21/09/2016	OCEANSIDE VILLAGE	BOOKEASY 15/9/16	-294.80
EFT20214	21/09/2016	SHARK BAY HOTEL MOTEL	BOOKEASY 15/9/16	-212.50
EFT20215	21/09/2016	SHARK BAY HOLIDAY COTTAGES	BOOKEASY 15/9/16	-459.00
EFT20216	21/09/2016	SHARKBAY CARAVAN PARK	BOOKEASY 15/9/16	-238.00
EFT20217	21/09/2016	SHIRE OF SHARK BAY	BOOKEASY COMMISSION TO 15/9/16	-2412.77
EFT20218	21/09/2016	TRADEWINDS APARTMENTS	BOOKEASY 15/9/16	-739.20
EFT20219	21/09/2016	WULA GUDA NYINDA (CAPES)	BOOKEASY 15/9/16	-350.24
EFT20269	30/09/2016	SHIRE OF SHARK BAY	TRANSFER TO MUNI-RECREATION UPGRADE	-96781.24
EFT20287	30/09/2016	JAMES SNR POLAND	BOOKEASY SEPTEMBER 2016	-32.00
EFT20288	30/09/2016	MAC ATTACK CHARTERS	BOOKEASY SEPTEMBER 2016	-2035.00
EFT20289	30/09/2016	SHARK BAY AVIATION	BOOKEASY SEPTEMBER 2016	-1198.50
EFT20290	30/09/2016	BAY LODGE MIDWEST OASIS	BOOKEASY SEPTEMBER 2016	-2328.50
EFT20291	30/09/2016	BLUE LAGOON PEARLS	BOOKEASY SEPTEMBER 2016	-199.50
EFT20292	30/09/2016	CASSA'S COTTAGE	BOOKEASY SEPTEMBER 2016	-816.00
EFT20293	30/09/2016	SHARK BAY COASTAL TOURS	BOOKEASY SEPTEMBER 2016	-1922.70
EFT20294	30/09/2016	DIRK HARTOG ISLAND TOURS	BOOKEASY SEPTEMBER 2016	-824.50
EFT20295	30/09/2016	DENHAM SEASIDE PARK	BOOKEASY SEPTEMBER 2016	-386.74
EFT20296	30/09/2016	ECO ADVENTURES DIRK	BOOKEASY SEPTEMBER 2016	-371.00
EFT20297	30/09/2016	HARTOG COTTAGES	BOOKEASY SEPTEMBER 2016	-638.00
EFT20298	30/09/2016	HINCHY PUBLICATIONS	BOOKEASY SEPTEMBER 2016	-22.16
EFT20299	30/09/2016	INTEGRITY COACH LINES	BOOKEASY SEPTEMBER 2016	-177.65
EFT20300	30/09/2016	MONKEY MIA YACHT CHARTERS	BOOKEASY SEPTEMBER 2016	-3965.28

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

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EFT20301	30/09/2016	MONKEYMIA WILDSIGHTS	BOOKEASY SEPTEMBER 2016	-3313.57
EFT20302	30/09/2016	NINGALOO REEF RESORT	BOOKEASY SEPTEMBER 2016	-525.00
EFT20303	30/09/2016	NANGA BAY RESORT	BOOKEASY SEPTEMBER 2016	-420.50
EFT20304	30/09/2016	WA OCEAN PARK PTY LTD	BOOKEASY SEPTEMBER 2016	-3927.00
EFT20305	30/09/2016	PATRICA ANDREW	BOOKEASY SEPTEMBER 2016	-480.00
EFT20306	30/09/2016	SHARK BAY SCENIC QUAD BIKE	BOOKEASY SEPTEMBER 2016	-204.00
EFT20307	30/09/2016	RAC TOURISM ASSETS P/L	BOOKEASY SEPTEMBER 2016	-336.32
EFT20308	30/09/2016	SHARK BAY COACHES	BOOKEASY SEPTEMBER 2016	-105.60
EFT20309	30/09/2016	SHARK BAY HOLIDAY COTTAGES	BOOKEASY SEPTEMBER 2016	-1105.00
EFT20310	30/09/2016	SHARKBAY CARAVAN PARK	BOOKEASY SEPTEMBER 2016	-1504.50
EFT20311	30/09/2016	SAILS GERALDTON	BOOKEASY SEPTEMBER 2016	-106.25
EFT20312	30/09/2016	SHIRE OF SHARK BAY	COMMISSION SEPTEMBER 2016	-3981.74
EFT20313	30/09/2016	TRADEWINDS SEAFRONT	BOOKEASY SEPTEMBER 2016	-563.20
EFT20314	30/09/2016	WULA GUDA NYINDA (CAPES)	BOOKEASY SEPTEMBER 2016	-3056.24
			<b>TOTAL</b>	<b>\$153,699.14</b>

26 OCTOBER 2016

12.2 FINANCIAL REPORTS TO 30 SEPTEMBER 2016

CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Capewell

Seconded Cr Ridgley

**Council Resolution**

**That the monthly financial report to 30 September 2016 as attached be received.  
6/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **30 September 2016** are attached.

LEGAL IMPLICATIONS

Section 34 of the *Local Government (Financial Management) Regulations 1996*, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows that the finances of the Shire are in line with its adopted budget.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author  
Chief Executive Officer  
Date of Report

*C Wood*  
*P Anderson*  
12 October 2016

26 OCTOBER 2016

<b>SHIRE OF SHARK BAY</b>			
<b>MONTHLY FINANCIAL REPORT</b>			
<b>For the Period Ended 30 September 2016</b>			
<b>LOCAL GOVERNMENT ACT 1995</b>			
<b>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</b>			
<b><u>TABLE OF CONTENTS</u></b>			
Compilation Report			
Monthly Summary Information			
Statement of Financial Activity by Program			
Statement of Financial Activity By Nature or Type			
Statement of Capital Acquisitions and Capital Funding			
Statement of Budget Amendments			
Note 1	Significant Accounting Policies		
Note 2	Explanation of Material Variances		
Note 3	Net Current Funding Position		
Note 4	Cash and Investments		
Note 6	Receivables		
Note 7	Cash Backed Reserves		
Note 8	Capital Disposals		
Note 9	Rating Information		
Note 10	Information on Borrowings		
Note 11	Grants and Contributions		
Note 12	Trust		
Note 13	Capital Acquisitions		

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 30 September 2016							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Operating Revenues</b>							
Governance		5,000	0	8,532	8,532	0.00%	▲
General Purpose Funding - Rates	9	1,242,752	1,234,628	1,216,169	(18,459)	(1.50%)	▼
General Purpose Funding - Other		1,955,540	480,751	483,034	2,283	0.5%	▲
Law, Order and Public Safety		52,830	11,907	5,025	(6,882)	(58%)	▼
Health		750	750	995	245	32.67%	▲
Housing		84,760	21,201	21,106	(95)	(0.4%)	▼
Community Amenities		284,000	221,749	219,839	(1,910)	(0.86%)	▼
Recreation and Culture		520,150	149,036	204,710	55,674	37.4%	▲
Transport		4,310,014	3,116,603	3,442,728	326,125	10.5%	▲
Economic Services		1,130,314	575,842	544,534	(31,308)	(5.4%)	▼
Other Property and Services		34,000	8,499	18,956	10,457	123.0%	▲
<b>Total Operating Revenue</b>		<b>9,620,110</b>	<b>5,820,966</b>	<b>6,165,628</b>	<b>344,662</b>	<b>5.92%</b>	
<b>Operating Expense</b>							
Governance		(307,761)	(108,179)	(88,196)	19,983	(18.5%)	▲
General Purpose Funding		(118,973)	(32,368)	(31,272)	1,096	(3.4%)	▲
Law, Order and Public Safety		(303,147)	(89,135)	(88,340)	795	(0.9%)	▲
Health		(65,372)	(6,205)	(14,192)	(7,987)	128.7%	▼
Housing		(184,713)	(50,678)	(39,097)	11,581	(22.9%)	▲
Community Amenities		(620,366)	(166,181)	(135,173)	31,008	(18.7%)	▲
Recreation and Culture		(2,099,333)	(498,811)	(558,857)	(60,046)	12.0%	▼
Transport		(5,266,537)	(4,191,621)	(2,365,973)	1,825,648	(43.6%)	▲
Economic Services		(1,773,085)	(653,621)	(685,210)	(31,589)	4.8%	▼
Other Property and Services		(33,500)	(18,997)	(16,664)	2,333	(12.3%)	▲
<b>Total Operating Expenditure</b>		<b>(10,772,787)</b>	<b>(5,815,796)</b>	<b>(4,022,974)</b>	<b>1,792,822</b>	<b>(30.8%)</b>	
<b>Funding Balance Adjustments</b>							
Add back Depreciation		1,782,700	445,680	443,312	(2,368)		
Adjust (Profit)/Loss on Asset Disposal	8	3,343	0	20,410	20,410		
Adjust Provisions and Accruals		0	0	0			
<b>Net Cash from Operations</b>		<b>633,366</b>	<b>450,850</b>	<b>2,606,376</b>	<b>2,155,526</b>	<b>478.10%</b>	
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	1,388,106	541,306	144,687	(396,619)	(73.3%)	▼
Proceeds from Disposal of Assets	8	115,000	55,062	55,062	0	0.0%	▲
<b>Total Capital Revenues</b>		<b>1,503,106</b>	<b>596,368</b>	<b>199,749</b>	<b>(396,619)</b>	<b>(66.5%)</b>	
<b>Capital Expenses</b>							
Land Held for Resale							
Land and Buildings	13	(200,000)	(88,000)	(31,416)	56,584	64.30%	▲
Infrastructure - Roads	13	(1,345,789)	(292,825)	(295,403)	(2,578)	(0.9%)	▼
Infrastructure - Public Facilities	13	(1,771,341)	(1,270,130)	(1,111,869)	158,261	12.5%	▲
Infrastructure - Streetscapes	13	(60,000)	(12,501)	(38,280)	(25,779)	(206.2%)	▼
Infrastructure - Footpaths	13	(50,000)	0	0	0	0.00%	▲
Infrastructure - Drainage	13	(40,000)	0	0	0	0.00%	▲
Heritage Assets	13	(110,000)	(98,000)	(52,172)	45,828	46.8%	▼
Plant and Equipment	13	(865,000)	(200,000)	(194,015)	5,985	3.0%	▲
Furniture and Equipment	13	(10,000)	0	(1,458)	(1,458)	0.00%	▼
<b>Total Capital Expenditure</b>		<b>(4,452,130)</b>	<b>(1,961,456)</b>	<b>(1,724,613)</b>	<b>236,843</b>	<b>12.1%</b>	
<b>Net Cash from Capital Activities</b>		<b>(2,949,024)</b>	<b>(1,365,088)</b>	<b>(1,524,864)</b>	<b>(159,776)</b>	<b>(11.70%)</b>	
<b>Financing</b>							
Proceeds from New Debentures					0		
Transfer from Reserves	7	1,382,458	0	0	0	0.00%	
Repayment of Debentures	10	(63,588)	(23,560)	(23,561)	(1)	(0.0%)	
Transfer to Reserves	7	(415,707)	0	0	0	0.0%	
<b>Net Cash from Financing Activities</b>		<b>903,163</b>	<b>(23,560)</b>	<b>(23,561)</b>	<b>(1)</b>	<b>(0.00%)</b>	
<b>Net Operations, Capital and Financing</b>		<b>(1,412,495)</b>	<b>(937,798)</b>	<b>1,057,951</b>	<b>1,995,749</b>	<b>212.81%</b>	<b>▲</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,412,495</b>	<b>1,412,495</b>	<b>1,386,714</b>	<b>(25,781)</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>474,697</b>	<b>2,444,665</b>	<b>1,969,968</b>	<b>(414.99%)</b>	<b>▲</b>

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

MINUTES OF THE ORDINARY COUNCIL MEETING

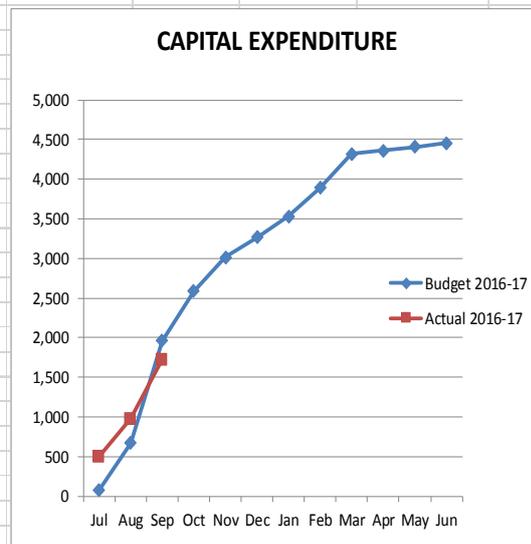
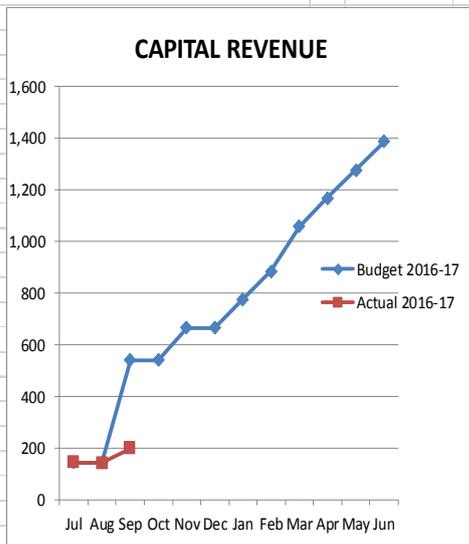
26 OCTOBER 2016

<b>SHIRE OF SHARK BAY</b>				
<b>STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>(By Nature or Type)</b>				
<b>For the Period Ended 30 September 2016</b>				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
<b>Operating Revenues</b>				
Rates	9	\$ 1,233,252	\$ 1,232,252	\$ 1,211,172
Operating Grants, Subsidies and Contributions	11	6,896,734	4,021,637	3,616,884
Fees and Charges		1,201,174	436,829	468,384
Interest Earnings		68,540	10,002	13,444
Other Revenue		217,000	120,247	855,744
Profit on Disposal of Assets	8	3,410	0	0
<b>Total Operating Revenue</b>		<b>9,620,110</b>	<b>5,820,967</b>	<b>6,165,628</b>
<b>Operating Expense</b>				
Employee Costs		(2,158,915)	(505,904)	(421,878)
Materials and Contracts		(6,295,604)	(4,699,093)	(2,902,604)
Utility Charges		(145,960)	(36,441)	(32,395)
Depreciation on Non-Current Assets		(1,782,700)	(445,680)	(443,312)
Interest Expenses		(17,505)	(2,305)	(1,445)
Insurance Expenses		(160,850)	(81,750)	(96,412)
Other Expenditure		(204,500)	(44,624)	(104,519)
Loss on Disposal of Assets	8	(6,753)	0	(20,409)
<b>Total Operating Expenditure</b>		<b>(10,772,787)</b>	<b>(5,815,797)</b>	<b>(4,022,974)</b>
<b>Funding Balance Adjustments</b>				
Add back Depreciation		1,782,700	445,680	443,312
Adjust (Profit)/Loss on Asset Disposal	8	3,343	0	20,410
Adjust Provisions and Accruals		0	0	0
<b>Net Cash from Operations</b>		<b>633,366</b>	<b>450,850</b>	<b>2,606,376</b>
<b>Capital Revenues</b>				
Grants, Subsidies and Contributions	11	1,388,106	541,306	144,687
Proceeds from Disposal of Assets	8	115,000	55,062	55,062
<b>Total Capital Revenues</b>		<b>1,503,106</b>	<b>596,368</b>	<b>199,749</b>
<b>Capital Expenses</b>				
Land Held for Resale			0	0
Land and Buildings	13	(200,000)	(88,000)	(31,416)
Infrastructure - Roads	13	(1,345,789)	(292,825)	(295,403)
Infrastructure - Public Facilities	13	(1,771,341)	(1,270,130)	(1,111,869)
Infrastructure - Streetscapes	13	(60,000)	(12,501)	(38,280)
Infrastructure - Footpaths	13	(50,000)	0	0
Infrastructure - Drainage	13	(40,000)	0	0
Heritage Assets	13	(110,000)	(98,000)	(52,172)
Plant and Equipment	13	(865,000)	(200,000)	(194,015)
Furniture and Equipment	13	(10,000)	0	(1,458)
<b>Total Capital Expenditure</b>		<b>(4,452,130)</b>	<b>(1,961,456)</b>	<b>(1,724,613)</b>
<b>Net Cash from Capital Activities</b>		<b>(2,949,024)</b>	<b>(1,365,088)</b>	<b>(1,524,864)</b>
<b>Financing</b>				
Proceeds from New Debentures		0	0	0
Transfer from Reserves	7	1,382,458	0	0
Repayment of Debentures	10	(63,588)	(23,560)	(23,561)
Transfer to Reserves	7	(415,707)	0	0
<b>Net Cash from Financing Activities</b>		<b>903,163</b>	<b>(23,560)</b>	<b>(23,561)</b>
<b>Net Operations, Capital and Financing</b>		<b>(1,412,495)</b>	<b>(937,798)</b>	<b>1,057,951</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,412,495</b>	<b>1,412,495</b>	<b>1,386,714</b>
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>474,697</b>	<b>2,444,665</b>

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY								
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING								
For the Period Ended 30 September 2016								
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Annual Budget	Variance (d) - (c)	
Land and Buildings	13	\$ 0	\$ 31,416	\$ 31,416	\$ 88,000	\$ 305,000	\$ 56,584	
Infrastructure Assets - Roads	13		295,403	295,403	292,825	1,127,400	(2,578)	
Infrastructure Assets - Public Facilities	13	82,729	1,029,140	1,111,869	1,270,130	1,746,341	158,261	
Infrastructure Assets - Footpaths	13	0	0	0	0	50,000	0	
Infrastructure Assets - Drainage	13		0	0	0	40,000	0	
Infrastructure Assets - Streetscapes	13		38,280	38,280	12,501	278,389	(25,779)	
Heritage Assets	13		52,172	52,172	98,000	30,000	45,828	
Plant and Equipment	13	98,681	95,334	194,015	200,000	865,000	5,985	
Furniture and Equipment	13		1,458	1,458	0	10,000	(1,458)	
<b>Capital Expenditure Totals</b>		<b>181,410</b>	<b>1,543,203</b>	<b>1,724,613</b>	<b>1,961,456</b>	<b>4,452,130</b>	<b>236,843</b>	



MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>1. SIGNIFICANT ACCOUNTING POLICIES</b>					
<b>(a) Basis of Preparation</b>					
	This report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government 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 budget 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.				
	<b>The Local Government Reporting Entity</b>				
	All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.				
	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 financial statements. A separate statement of those monies appears at Note 16 to this budget document.				
<b>(b) Rounding Off Figures</b>					
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.				
<b>(c) Rates, Grants, Donations and Other Contributions</b>					
	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.				
<b>(d) Goods and Services Tax (GST)</b>					
	Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).				
	Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.				
	Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.				
<b>(e) Superannuation</b>					
	The Council contributes to a number of Superannuation Funds on behalf of employees.				
	All funds to which the Council contributes are defined contribution plans.				

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(f) Cash and Cash Equivalents</b>					
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, 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 shown as short term borrowings in current liabilities in the statement of financial position.			1		
<b>(g) Trade and Other Receivables</b>					
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.					
<b>(h) Inventories</b>					
<b>General</b>					
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.					
<b>Land Held for Resale</b>					
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.					
<b>(i) Fixed Assets</b>					
Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.					
<b>Mandatory Requirement to Revalue Non-Current Assets</b>					
Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.					



MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2016				
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>				
<b>(j) Fixed Assets (Continued)</b>				
<b>Revaluation</b>				
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.				
<b>Transitional Arrangement</b>				
During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.				
Those assets carried at cost will be carried in accordance with the policy detailed in the <b>Initial Recognition</b> section as detailed above.				
Those assets carried at fair value will be carried in accordance with the <b>Revaluation Methodology</b> section as detailed above.				
<b>Land Under Roads</b>				
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.				
Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.				
Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.				
<b>Depreciation</b>				
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.				

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 30 September 2016			
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>			
<b>(j) Fixed Assets (Continued)</b>			
Major depreciation periods used for each class of depreciable asset are:			
Buildings			10 to 50 years
Furniture and Equipment			5 to 10 years
Plant and Equipment			5 to 10 years
Heritage			25 to 100 years
Sealed Roads and Streets			
- Subgrade			Not Depreciated
- Pavement			80 to 100 years
- Seal	Bituminous Seals		15 to 22 years
	Asphalt Surfaces		30 years
Formed Roads (Unsealed)			
- Subgrade			Not Depreciated
- Pavement			18 years
Footpaths			40 to 80 years
Drainage Systems			
- Drains and Kerbs			20 to 60 years
- Culverts			60 years
- Pipes			80 years
- Pits			60 years
The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.			
An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.			
Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.			
When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.			
<b>Capitalisation Threshold</b>			
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.			
<b>(k) Fair Value of Assets and Liabilities</b>			
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:			
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.			

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>				
	<b>(k) Fair Value of Assets and Liabilities (Continued)</b>				
	As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.				
	To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).				
	For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.				
	<b><i>Fair Value Hierarchy</i></b>				
	AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:				
	<b>Level 1</b>				
	Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.				
	<b>Level 2</b>				
	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.				
	<b>Level 3</b>				
	Measurements based on unobservable inputs for the asset or liability.				
	The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.				
	<b><i>Valuation techniques</i></b>				
	The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:				
	<b>Market approach</b>				
	Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.				

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(k) Fair Value of Assets and Liabilities (Continued)</b>					
<b>Income approach</b>					
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.					
<b>Cost approach</b>					
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.					
Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.					
As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.					
<b>(l) Financial Instruments</b>					
<b>Initial Recognition and Measurement</b>					
Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).					
Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.					
<b>Classification and Subsequent Measurement</b>					
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.					
Amortised cost is calculated as:					
(a) the amount in which the financial asset or financial liability is measured at initial recognition;					
(b) less principal repayments and any reduction for impairment; and					
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.					

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2016				
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>			
	<b>(l) Financial Instruments (Continued)</b>			
	<p>The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.</p>			
	<i>(i) Financial assets at fair value through profit and loss</i>			
	<p>Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.</p>			
	<i>(ii) Loans and receivables</i>			
	<p>Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.</p>			
	<p>Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.</p>			
	<i>(iii) Held-to-maturity investments</i>			
	<p>Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.</p>			
	<p>Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.</p>			
	<i>(iv) Available-for-sale financial assets</i>			
	<p>Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.</p>			
	<p>They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.</p>			
	<p>Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.</p>			
	<i>(v) Financial liabilities</i>			
	<p>Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.</p>			

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>				
<b>(l)</b>	<b>Financial Instruments (Continued)</b>				
	<b><i>Impairment</i></b>				
	A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).				
	In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.				
	In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.				
	For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.				
	<b><i>Derecognition</i></b>				
	Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.				
	Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.				
<b>(m)</b>	<b>Impairment of Assets</b>				
	In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.				
	Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.				
	Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.				

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2016				
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>				
<b>(m) Impairment of Assets (Continued)</b>				
	For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.			
<b>(n) Trade and Other Payables</b>				
	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.			
<b>(o) Employee Benefits</b>				
	<b>Short-Term Employee Benefits</b>			
	Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.			
	The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.			
	<b>Other Long-Term Employee Benefits</b>			
	Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.			
	The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.			

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2016				
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>				
<b>(p) Borrowing Costs</b>				
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 until such time as the asset is substantially ready for its intended use or sale.				
<b>(q) Provisions</b>				
Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.				
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.				
<b>(r) Current and Non-Current Classification</b>				
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 the 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 sale where it is held as non-current based on the Council's intentions to release for sale.				

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 30 September 2016					
<b>Note 2: EXPLANATION OF MATERIAL VARIANCES</b>					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
Governance	8,532	0.0%	▲	Permanent	Insurance reimbursement received.
General Purpose Funding - Rates	(18,459)	(1.5%)	▼	Permanent	Variance due to reversal of prepaid rates from 2015/16.
General Purpose Funding - Other	2,283	0.5%	▲	Timing	No reporting variance.
Law, Order and Public Safety	(6,882)	(57.8%)	▼	Permanent	1st quarter Grant for SES prepaid in June 16.
Health	245	32.7%	▲	Timing	Increase due to Itinerant food vendors licence.
Housing	(95)	(0.4%)	▼	Timing	No reporting variance.
Community Amenities	(1,910)	(0.9%)	▼	Timing	No reporting variance.
Recreation and Culture	55,674	37.4%	▲	Timing	Increase in Discovery Centre sales.
Transport	326,125	10.5%	▲	Timing	Foreshore Grant for DOT area received.
Economic Services	(31,308)	(5.4%)	▼	Timing	Grants for 1616 Celebrations yet to be received.
Other Property and Services	10,457	123.0%	▲	Permanent	Increase in refunds income.
<b>Operating Expense</b>					
Governance	19,983	(18.5%)	▲	Timing	Less salaries and wages expenditure at this time.
General Purpose Funding	1,096	(3.4%)	▲	Timing	No reportable variance.
Law, Order and Public Safety	795	(0.9%)	▲	Timing	No reportable variance.
Health	(7,987)	128.7%	▼	Timing	Consultant expenses higher than expected at this time.
Housing	11,581	(22.9%)	▲	Timing	Less pensioner house maintenance untaken.
Community Amenities	31,008	(18.7%)	▲	Timing	Planning project yet to commence.
Recreation and Culture	(60,046)	12.0%	▼	Permanent	Maintenance for Cape Inscription, Foreshore shades and increase in merchandise for 1616 celebration.
Transport	1,825,648	(43.6%)	▲	Timing	DOT area project progressing.
Economic Services	(31,589)	4.8%	▼	Timing	Expenditure due to preparation of 1616 celebrations.
Other Property and Services	2,333	(12.3%)	▲	Timing	Overall under expenditure in overheads, plant and refunds expenditure.
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(396,619)	(73.3%)	▼	Timing	Foreshore Revitalisation grant yet to received.
Proceeds from Disposal of Assets	0	0.0%	▲	Timing	No reportable variance.
<b>Capital Expenses</b>					
Land and Buildings	56,584	64.3%	▲	Timing	Some projects are yet to commence.
Infrastructure - Roads	(2,578)	(0.9%)	▼	Timing	No reportable variance.
Infrastructure - Public Facilities	158,261	12.5%	▲	Timing	Less expenditure on Foreshore Project.
Infrastructure - Footpaths	0	0.0%	▲	Timing	No reportable variance.
Infrastructure - Drainage	0	0.0%	▲	Timing	No reportable variance.
Infrastructure - Streetscapes	(25,779)	(206.2%)	▲	Timing	Expenditure on Info Bay signage commenced.
Heritage Assets	45,828	46.8%	▼	Timing	Old Jail and Stables and museum lighting project progressing.
Plant and Equipment	5,985	3.0%	▲	Timing	Plant replacement program progressing.
Furniture and Equipment	(1,458)	0.0%	▼	Timing	No reportable variance.
<b>Financing</b>					
Loan Principal	(1)	(0.0%)	▼	Timing	No reportable variance.

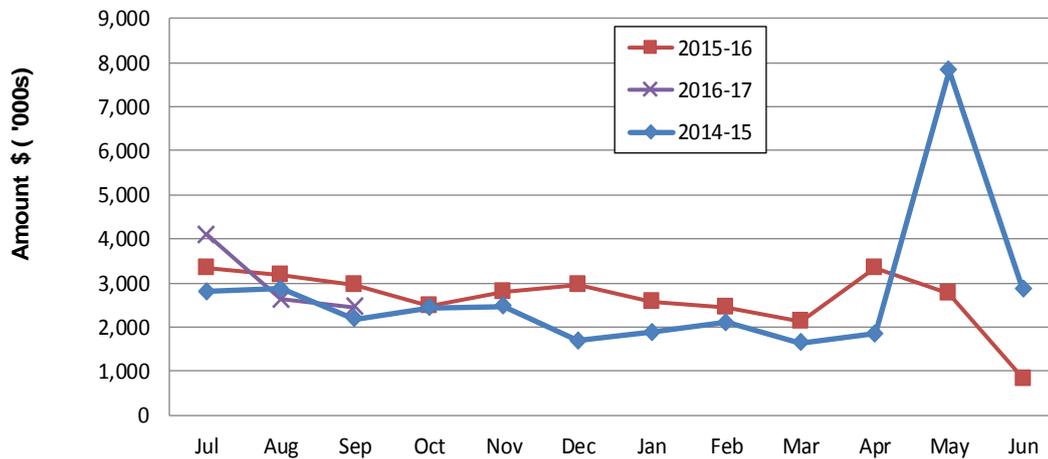
Note: YTD budgets are an estimation at the time of preparing the annual budget.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2016				
<b>Note 3: NET CURRENT FUNDING POSITION</b>				
		Positive=Surplus (Negative=Deficit)		
		30 September 2016	30th June 2016	30 September 2015
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	2,594,026	5,204,530	8,187,322
Cash Restricted	4	1,955,268	1,955,268	2,054,668
Receivables - Rates	6	558,642	32,321	508,935
Receivables -Other	6	981,967	687,966	217,623
Interest / ATO Receivable		10,916	8,541	14,090
Inventories		190,159	190,158	110,379
		6,290,978	8,078,784	11,093,017
<b>Less: Current Liabilities</b>				
Payables		(993,944)	(1,339,701)	(163,397)
Provisions		(197,101)	(197,101)	(226,945)
Royalties for Regions Funding		(700,000)	(3,200,000)	(5,700,000)
		(1,891,045)	(4,736,802)	(6,090,342)
Less: Cash Reserves	7	(1,955,268)	(1,955,268)	(2,054,668)
<b>Net Current Funding Position</b>		<b>2,444,665</b>	<b>1,386,714</b>	<b>2,948,007</b>

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

Liquidity lower due to expenditure on Foreshore.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 September 2016

<b>Note 4: CASH AND INVESTMENTS</b>							
	<b>Interest Rate</b>	<b>Unrestricted \$</b>	<b>Restricted \$</b>	<b>Trust \$</b>	<b>Total Amount \$</b>	<b>Institution</b>	<b>Maturity Date</b>
<b>(a) Cash Deposits</b>							
Municipal Bank Account	0.10%	147,323			147,323	Bankwest	At Call
Reserve Bank Account	0.00%		55,268		55,268	Bankwest	At Call
Telenet Saver	1.10%	1,634,536			1,634,536	Bankwest	At Call
Trust Bank Account	0.00%			9,806	9,806	Bankwest	At Call
Cash On Hand		800			800		On Hand
<b>(b) Term Deposits</b>							
WATC Grant Funding	1.45%	811,367			811,367	WATC	At Call
Reserve Investment	2.50%		1,900,000		1,900,000	Bankwest	Sept 2016
<b>Total</b>		<b>2,594,026</b>	<b>1,955,268</b>	<b>9,806</b>	<b>4,559,100</b>		
<b>Comments/Notes - Investments</b>							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay

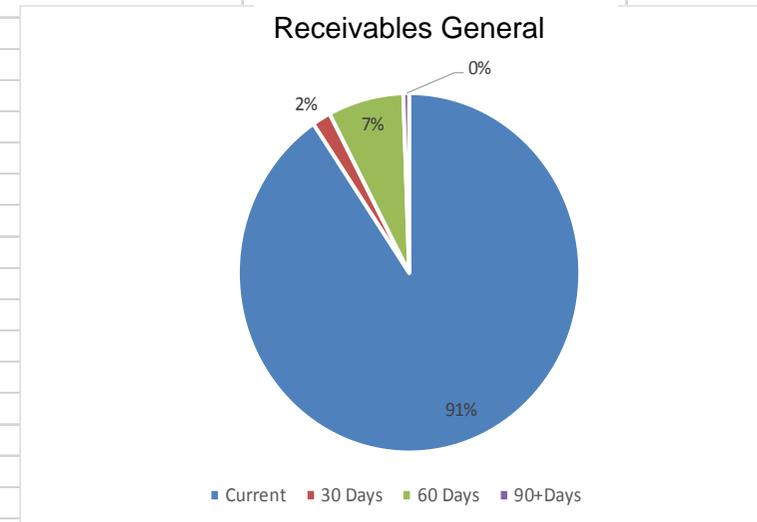
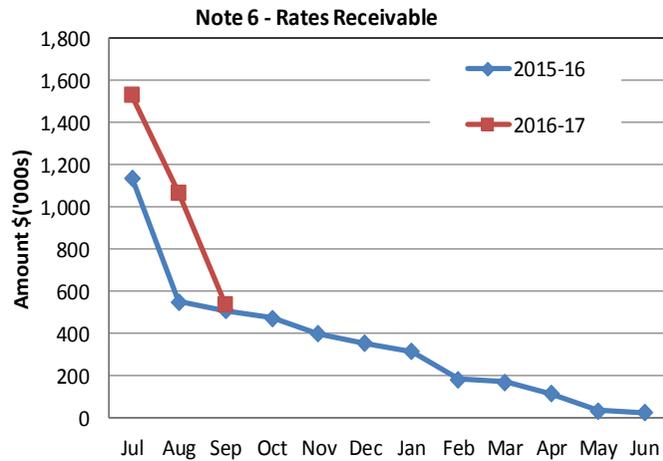
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 September 2016

**Note 6: RECEIVABLES**

Receivables - Rates Receivable	30 September 2016	30 June 2016
	\$	\$
Opening Arrears Previous Years	25,814	5,744
Levied this year	1,520,406	1,175,951
Less Collections to date	(1,004,998)	(1,155,881)
Equals Current Outstanding	541,222	25,814
<b>Net Rates Collectable</b>	<b>541,222</b>	<b>25,814</b>
% Collected	65.00%	97.82%

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	868,817	16,818	68,472	5,272
<b>Total Receivables General Outstanding</b>				<b>959,379</b>
<b>Amounts shown above include GST (where applicable)</b>				



**Comments/Notes - Receivables Rates**

Rates collection similar to last year.

No major issues at this time - awaiting reimbursements from DOT.

MINUTES OF THE ORDINARY COUNCIL MEETING

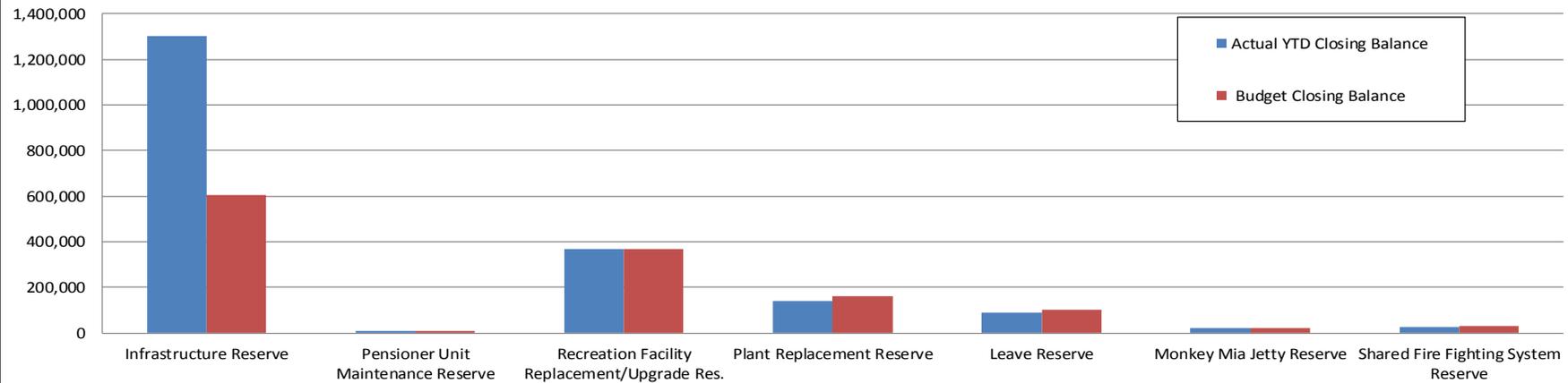
26 OCTOBER 2016

Shire of Shark Bay  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 September 2016

**Note 7: Cash Backed Reserve**

2016-17 Name	Opening Balance	2016/17 Budget Interest Earned	Actual Interest Earned	2016/17 Budget Transfers In (+)	Actual Transfers In (+)	2016/17 Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Budget Closing Balance	Actual YTD Closing Balance
Infrastructure Reserve	\$ 1,302,197	\$ 15,000	\$	\$ 0	\$	\$ (712,734)	\$		\$ 604,463	\$ 1,302,197
Pensioner Unit Maintenance Reserve	10,160	100		72		0			10,332	10,160
Recreation Facility Replacement/Upgrade Res.	366,294	6,400		0		(5,530)			367,164	366,294
Plant Replacement Reserve	140,462	4,000		18,183		0			162,645	140,462
Leave Reserve	87,921	2,100		10,623		0			100,644	87,921
Monkey Mia Jetty Reserve	20,627	400		146		0			21,173	20,627
Shared Fire Fighting System Reserve	27,607	540		195		0			28,342	27,607
	<b>1,955,268</b>	<b>28,540</b>	<b>0</b>	<b>29,219</b>	<b>0</b>	<b>(718,264)</b>	<b>0</b>		<b>1,294,763</b>	<b>1,955,268</b>

Note 7 - Year To Date Reserve Balance to End of Year Estimate



Higher balances at this time as no transfers have been actioned - will occur in October

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 September 2016					
<b>Note 7a: Cash Backed Reserve Detail</b>					
2016-17	Opening Balance	Source of Funds	Transfers In (+)	Transfers Out (-)	Closing Balance
Name	\$		\$	\$	\$
<b>Infrastructure Reserve</b>	<b>1,302,197</b>				
Interest		Investment	15,000		
Transfer of funds		General Revenue	66,667		
Foreshore project				216,458	
Jinker				200,000	
Admin Office Carpark				20,000	
Staff Housing				40,000	
Overlander Solar Relocation				10,000	
Museum Lighting				80,000	
Footpath Upgrades				50,000	
Drainage Upgrades				40,000	
Abultion Depot				10,000	
Information Signage				50,000	
Shade Shelters Eastern Foreshore				15,000	
Denham Hall				30,000	
SBDC Emergency Power				5,000	
Town Oval Bore 14-15 CFWD				40,000	
Town Oval Toilets				50,000	
Old Jail and Stables 14-15 CFWD				30,000	
Info Signage - extra approved Aug meeting				20,000	
	<b>1,302,197</b>		<b>81,667</b>	<b>906,458</b>	<b>477,406</b>
<b>Pensioner Unit Maintenance Reserve</b>	<b>10,160</b>				
Interest		Investment	100		
Transfer of Funds		General Revenue	10,500		
Upgrade to Units				20,000	
	<b>10,160</b>		<b>10,600</b>	<b>20,000</b>	<b>760</b>
<b>Recreation Facility Replacement/Upgrade Res.</b>	<b>366,294</b>				
Interest		Investment	6,400		
Childcare Centre Softfall				25,000	
Recreation Centre 3 Phase Power				5,000	
Rectification Works Rec Centre				20,000	
Cricket Practice Nets				6,000	
Recreation Centre Signage				20,000	
	<b>366,294</b>		<b>6,400</b>	<b>76,000</b>	<b>296,694</b>
<b>Plant Replacement Reserve</b>	<b>140,462</b>				
Interest		Investment	4,000		
Depreciation		General Funds	300,000		
Camp Upgrades				85,000	
Major Plant items				20,000	
Prime Mover				215,000	
Works Manager- Dual Cab Ute				27,000	
Town Supervisor- Dual Cab Ute				28,000	
Town- Single Cab Ute				25,000	
	<b>140,462</b>		<b>304,000</b>	<b>400,000</b>	<b>44,462</b>
<b>Leave Reserve</b>	<b>87,921</b>				
Interest		Investment	2,100		
Transfer of Funds		General Funds	10,000		
LSL Taken					
	<b>87,921</b>		<b>12,100</b>	<b>0</b>	<b>100,021</b>
<b>Monkey Mia Jetty Reserve</b>	<b>20,627</b>				
Interest		Investment	400		
	<b>20,627</b>		<b>400</b>	<b>0</b>	<b>21,027</b>
<b>Shared Fire Fighting System Reserve</b>	<b>27,607</b>				
Interest		Investment	540	0	
	<b>27,607</b>		<b>540</b>	<b>0</b>	<b>28,147</b>
<b>Total</b>	<b>\$1,955,268</b>		<b>\$415,707</b>	<b>\$1,402,458</b>	<b>\$968,517</b>

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 30 September 2016							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Original Budget		
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 30 09 2016		
\$	\$	\$	\$		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
				Plant and Equipment	\$	\$	\$
				<b>Transport</b>			
0	0	0	0	Primemover Powerstar	0	0	0
43,000	(1,019)	30,000	(11,981)	Ute -Hilux 4x4	(3,718)	(11,981)	(8,263)
34,000	(509)	25,062	(8,429)	Ute -Dual Cab	(3,035)	(8,429)	(5,394)
0	0	0	0	Ute- Ford Ranger	3,410	0	(3,410)
					0		
<b>77,000</b>	<b>(1,528)</b>	<b>55,062</b>	<b>(20,410)</b>		<b>(3,343)</b>	<b>(20,410)</b>	<b>(17,067)</b>
<b>Comments - Capital Disposal/Replacements</b>							
Plant Replacement program just commencing							

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 30 September 2016											
NOTE 9: RATING INFORMATION	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2016/17 Budget Rate Revenue \$	2016/17 Budget Interim Rate \$	2016/17 Budget Back Rate \$	2016/17 Budget Total Revenue \$
RATE TYPE											
<b>Differential General Rate</b>											
GRV Rateable Property	0.092319	299	3,595,145	322,891	(681)	(723)	321,486	331,900			331,900
GRV Vacant	0.092319	18	345,894	28,041			28,041	31,933			31,933
GRV - Commercial	0.094872	43	2,041,029	191,231			191,231	193,637			193,637
GRV - Industrial/Residential	0.102160	44	610,127	61,093			61,093	62,331			62,331
GRV Industrial /Residential Vacant	0.092315	2	17,100	(474)			-474	1,579			1,579
GRV Rural Commercial	0.095949	5	304,200	29,188			29,188	29,188			29,188
GRV Resort	0.101279	2	1,112,800	112,703			112,703	112,700			112,700
UV General	0.190448	6	739,348	219,156			219,156	140,807			140,807
UV Mining	0.259757	1	21,367	4,579	(4,579)		0	5,550			5,550
UV Pastoral	0.130428	12	654,760	85,399			85,399	85,399			85,399
UV Exploration	0.249757	9	581,262	148,786			148,786	145,174			145,174
<b>Sub-Totals</b>		441	10,023,032	1,202,593	(5,260)	(723)	1,196,609	1,140,198	0	0	1,140,198
<b>Minimum Payment</b>											
GRV Rateable Property	800.00	67		53,600			53,600	53,600			53,600
GRV Vacant	800.00	85		68,000			68,000	68,000			68,000
GRV - Commercial	800.00	26		20,800			20,800	20,800			20,800
GRV - Industrial/Residential	800.00	4		3,200			3,200	3,200			3,200
GRV Industrial /Residential Vacant	500.00	1		0			0	500			500
Rural Commercial	800.00	0		0			0	0			0
GRV Resort	800.00	0		0			0	0			0
UV General	835.00	5		4,175			4,175	4,175			4,175
UV Mining	835.00	1		835			835	835			835
UV Pastoral	835.00	0		0			0	0			0
UV Exploration	835.00	1		0			0	835			835
<b>Sub-Totals</b>		190	0	5,010			150,610	151,945			151,945
Concessions							(174,515)				(98,361)
<b>Amount from General Rates</b>							<b>1,172,704</b>				<b>1,193,782</b>
Specified Area Rates							38,468				38,470
<b>Totals</b>							<b>1,211,172</b>				<b>1,232,252</b>
<b>Comments - Rating Information</b>											
The variance between the budget and the actual amounts is due to the transfer of rates paid in advance in 2015/16 being applied to 2015/16 and reversed in 2016/17. Should the same trend of excess payments continue in 2016/17 then the level of rates received should reach the budgeted amount.											

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 30 September 2016								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-16	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2016/17 Actual	2016/17 Budget	2016/17 Actual	2016/17 Budget	2016/17 Actual	2016/17 Budget
			\$	\$	\$	\$	\$	\$
Loan 57 Monkey Mia Bore	222,287	0	13,888	28,060	208,399	194,227	1,986	9,425
Loan 53 - Staff Housing	62,945	0	9,673	19,660	53,272	43,285	66	3,200
Loan 56 - Staff Housing	79,415	0	0	15,870	79,415	63,545	(607)	4,880
	364,647	0	23,561	63,590	341,086	301,057	1,445	8,080

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Shire of Shark Bay  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 September 2016

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details	Grant Provider	Approval	2016-17 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>								
Grants Commission - General	WALGGC	Y	1,455,000	0	1,455,000	0	362,921	1,092,079
Grants Commission - Roads	WALGGC	Y	418,000	0	418,000	0	103,527	314,473
<b>LAW, ORDER, PUBLIC SAFETY</b>								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Y	8,130	0	8,130	0	0	8,130
Grant FESA - SES	Dept. of Fire & Emergency Serv.	Y	35,000	0	35,000	0	0	35,000
<b>RECREATION AND CULTURE</b>								
Foreshore Revitalisation	Royalties for Regions	Y	0	0	0	0	0	0
Community Bus	Lotterywest	N	150,000	0	150,000	0	0	0
Grant- Foreshore	Stronger Communities	Y	20,000	0	0	20,000	20,000	0
Grant- Walking Trail		N	50,000		50,000	0	0	
<b>TRANSPORT</b>								
Road Preservation Grant	State Initiative	Y	99,000	0	99,000	0	99,131	(131)
Useless Loop Road - Mtce	Main Roads WA	Y	300,000	0	300,000	0	126,000	174,000
Contributions - Road Projects	Pipeline	Y	8,000	0	8,000	0	0	8,000
Roads To Recovery Grant - Cap	Roads to Recovery	Y	0	0	0	0	0	0
Foreshore - DOT Boat Area	Royalties for Regions	Y	2,893,604	0	2,893,604	0	2,500,000	393,604
RRG Grants - Capital Projects	Regional Road Group	Y	312,000	0	0	124,687	124,687	0
Grant-RBFS Trailer Parking	Recreational Boating Facilities Scheme	Y	750,000	0	750,000	0	0	0
DOT - Trailer Parking-Non Cash Contribution	Department of Transport	Y	250,000	0	250,000	0	0	0
<b>ECONOMIC SERVICES</b>								
Contribution - Monkey Mia	Dept. of Parks and Wildlife	Y	50,000	0	50,000	0	57,524	(7,524)
Grants - 2016 Celebrations	GDC and WA Tourism	Y	430,000	0	430,000	0	367,700	62,300
Communitycontribution	Miscellaneous Revenue	Y	0	0	0	0	82	0
<b>TOTALS</b>			<b>7,228,734</b>	<b>0</b>	<b>6,896,734</b>	<b>144,687</b>	<b>3,761,572</b>	<b>2,079,931</b>
			Operating		6,896,734		3,616,885	
			Non-operating		332,000		144,687	
					7,228,734		3,761,572	
<b>Comments - Operating and Non Operating Grants</b>								

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

<b>Shire of Shark Bay</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 30 September 2016</b>				
<b>Note 12: TRUST FUND</b>				
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:				
Description	Opening Balance 1 Jul 16	Amount Received	Amount Paid	Closing Balance 30-Sep-16
	\$	\$	\$	\$
BCITF Levy Income	112	200	(112)	200
Library Card Bond	100	100	(150)	50
Bookeasy- Sales	0	156,176	(156,513)	(337)
Kerb/Footpath Deposit	4,300	0	0	4,300
Building Completion Bond	0	0	0	0
Bond Key	2,450	550	(460)	2,540
Hall Bond	0	550	(275)	275
Police Licensing	4,470	90,231	(92,760)	1,941
Marquee Deposit	0	700	0	700
Building Licence Levy	0	137	0	137
Sunter Place - Recreation Reserve	95,343	1,438	(96,781)	0
	<b>106,775</b>	<b>250,082</b>	<b>(347,051)</b>	<b>9,806</b>

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

CAPITAL WORKS PROGRAM 2016/17								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	2016/17 Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Land and Buildings</b>								
<b>Governance</b>								
Admin Office Carpark	3.7.1	WKM	(20,000)	0	(25,439)	25,439	25,439	Project completed
<b>Governance Total</b>			<b>(20,000)</b>	<b>0</b>	<b>(25,439)</b>	<b>25,439</b>		
<b>Housing</b>								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	1.2.4	CEO	(10,000)	0	0	0	0	
Staff Housing - 65 Brockman St	1.2.4	EMCD	(10,000)	0	0	0	0	
Staff Housing - 51 Durlacher St	1.2.4	EMFA	(10,000)	0	0	0	0	
Staff Housing - 80 Durlacher St	1.2.4	EMCD	(10,000)	0	0	0	0	
Pensioner Units Capital	3.7.1	EMCD	(20,000)	0	0	0	0	
<b>Housing Total</b>			<b>(60,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Recreation and Culture</b>								
Denham Town Hall	3.7.1	EMCD	(30,000)	(18,000)	(1,340)	(16,660)	1,340	Project commenced.
Recreation Centre - 3 Phase Power	3.7.1	EMCD	(5,000)	0	(1,737)	1,737	1,737	Project completed.
Discovery Centre-Emergency Power	3.7.1	EMCD	(5,000)	0	(2,900)	2,900	2,900	Project completed.
Town Oval Toilets			(50,000)	(50,000)	0	(50,000)	0	
Recreation Centre - Signage	3.7.1	EMCD	(20,000)	(20,000)	0	(20,000)	0	
<b>Recreation and Culture Total</b>			<b>(110,000)</b>	<b>(88,000)</b>	<b>(5,977)</b>	<b>(82,023)</b>		
<b>Transport</b>								
Depot- New Ablution	3.7.1	WKM	(10,000)	0	0	0		
<b>Transport Total</b>			<b>(10,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Land and Buildings Total</b>			<b>(200,000)</b>	<b>(88,000)</b>	<b>(31,416)</b>	<b>(56,584)</b>		
<b>Drainage/Culverts</b>								
<b>Transport</b>								
Drainage upgrades	3.7.1	WKM	(40,000)	0	0	0	0	
<b>Transport Total</b>			<b>(40,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Drainage/Culverts Total</b>			<b>(40,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Footpaths</b>								
<b>Transport</b>								
Footpath Construction-Denham Footpath Plan	3.7.1	WKM	(50,000)	0	0	0		
<b>Transport Total</b>			<b>(50,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Footpaths Total</b>			<b>(50,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Furniture &amp; Office Equip.</b>								
<b>Recreation And Culture</b>								
Discovery Centre - Furniture & Equipment	2.4.1	EMCD	(10,000)	0	(1,458)	1,458	1,458	
<b>Recreation And Culture Total</b>			<b>(10,000)</b>	<b>0</b>	<b>(1,458)</b>	<b>1,458</b>		
<b>Furniture &amp; Office Equip. Total</b>			<b>(10,000)</b>	<b>0</b>	<b>(1,458)</b>	<b>1,458</b>		
<b>Heritage Assets</b>								
<b>Recreation And Culture</b>								
Museum and Art Gallery Lighting	2.2.2	WKM	(80,000)	(80,000)	(42,560)	(37,440)	42,560	Project to be completed in October.
Refurbishment of Old Jail and Stables - c/fwd	2.2.2	WKM	(30,000)	(18,000)	(9,612)	(8,388)	9,612	Project continuing.
<b>Recreation And Culture Total</b>			<b>(110,000)</b>	<b>(98,000)</b>	<b>(52,172)</b>	<b>(45,828)</b>		
<b>Heritage Assets Total</b>			<b>(110,000)</b>	<b>(98,000)</b>	<b>(52,172)</b>	<b>(45,828)</b>		
<b>Plant , Equipment and Vehicles</b>								
<b>Recreation and Culture</b>								
Community Bus	1.1.6	WKM	(150,000)	0	0	0	0	
<b>Recreation and Culture</b>			<b>(150,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Transport</b>								
Prime Mover	1.1.6	WKM	(265,000)	0	0	0	0	
Works Manager-Dual Cab Ute	1.1.6	WKM	(52,000)	0	(52,081)	52,081	52,081	Purchase completed.
Town- Dual Cab Ute	1.1.6	WKM	(48,000)	0	(43,253)	43,253	43,253	Purchase completed.
Town- Single Cab Ute	1.1.6	WKM	(45,000)	0	0	0	0	
Camp Upgrades	1.1.6	WKM	(85,000)	0	0	0	0	
Major Plant Items	1.1.6	WKM	(20,000)	0	0	0	0	
Boat Jinker	1.1.6	WKM	(200,000)	(200,000)	(98,681)	(101,319)		First two payments made for this purchase.
<b>Transport Total</b>			<b>(715,000)</b>	<b>(200,000)</b>	<b>(194,015)</b>	<b>(5,985)</b>		
<b>Plant , Equipment and Vehicles Total</b>			<b>(865,000)</b>	<b>(200,000)</b>	<b>(194,015)</b>	<b>(5,985)</b>		

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	2016/17 Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Public Facilities</b>								
<b>Community Amenities</b>								
Refuse Tip and Recycling	2.4.2	WKM	(378,341)	0	0	0	0	
<b>Community Amenities Total</b>			<b>(378,341)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Recreation And Culture</b>								
Recreation Grounds	1.6.7	WKM	(52,000)	0	0	0	0	
Foreshore Revitalisation	3.7.1	CEO	(1,125,000)	(1,125,000)	(1,007,440)	(117,560)	1,007,440	Project continuing.
Pontoon for Foreshore	3.7.1	WKM	(90,000)	(90,000)	(42,729)	(47,271)		Pontoon paid for - installation in October.
Beach Access Ramp	3.7.1	WKM	(40,000)	(40,000)	(40,000)	0		Project Completed
Replace Shade shelters - Eastern Foreshore	3.7.1	WKM	(15,000)	(9,130)	(4,668)	(4,462)	4,668	Project continuing.
Practice Cricket Nets	3.7.1	WKM	(6,000)	(6,000)	0	(6,000)	0	
Childcare Centre Softfall	3.7.1	WKM	(25,000)	0	(15,934)	15,934	15,934	Project completed.
Town Oval Bore	3.7.1	WKM	(40,000)	0	(1,098)	1,098	1,098	
<b>Recreation And Culture Total</b>			<b>(1,393,000)</b>	<b>(1,270,130)</b>	<b>(1,111,869)</b>	<b>(158,261)</b>		
<b>Public Facilities Total</b>			<b>(1,771,341)</b>	<b>(1,270,130)</b>	<b>(1,111,869)</b>	<b>(158,261)</b>		

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Roads (Non Town)</b>								
<b>Transport</b>								
Useless Loop Road - RRG 16/17	1.1.6	WKM	(377,600)	(74,436)	(147,971)	73,535	147,971	Project continuing.
R2R Nanga Road	1.1.6	WKM	(90,000)	0	0	0	0	
R2R Cycle Ways - Foreshore	1.1.6	WKM	(218,389)	(218,389)	(48,926)	(169,463)	48,926	Project continuing.
R2R 15/16 - Knight Terrace	1.1.6	WKM	0	0	(82,882)		82,882	Carry over from 15/16
R2R 15/16 -Hughes Street	1.1.6	WKM	0	0	(15,624)		15,624	Carry over from 15/16
Road Projects R2R 16/17	1.1.6	WKM	(659,800)	0	0	0	0	
<b>Transport Total</b>			<b>(1,345,789)</b>	<b>(292,825)</b>	<b>(295,403)</b>	<b>(95,928)</b>		
<b>Roads (Non Town) Total</b>			<b>(1,345,789)</b>	<b>(292,825)</b>	<b>(295,403)</b>	<b>(95,928)</b>	<b>0</b>	
<b>Streetscapes</b>								
<b>Economic Services</b>								
Overlander - Solar Light Improvements	2.1.3	EMCD	(10,000)	0	0		0	
Welcome Signage	2.1.3	EMCD	(50,000)	(12,501)	(38,280)	25,779	38,280	Project Commenced.
<b>Economic Services Total</b>			<b>(60,000)</b>	<b>(12,501)</b>	<b>(38,280)</b>	<b>0</b>		
<b>Capital Expenditure Total</b>			<b>(4,452,130)</b>	<b>(1,961,456)</b>	<b>(1,724,613)</b>	<b>(361,128)</b>		

26 OCTOBER 2016

12.3 ANNUAL REPORT 2015/2016  
FM00009

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Officer Recommendation

That Council –

1. Receive and Accept the Annual Report for the 2015/2016 financial year.
2. Receive and Accept the Annual Financial and Auditors reports for the 2015/2016 financial year and note the comment on ratios.
3. Set the date for the Annual General Meeting of electors for Wednesday 16 November 2016 commencing at 5.00pm at the Shark Bay Recreation Centre in accordance with section 5.27(2) of the *Local Government Act 1995*.

**AMENDMENT TO OFFICERS RECOMMENDATION**

**Reason:** The Council consider that the date of the electors meeting should coincide with the Council meeting and amended the recommendation.

Moved           Cr Laundry  
Seconded       Cr Prior

**Council Resolution**

**That Council –**

1. **Receive and Accept the Annual Report for the 2015/2016 financial year.**
2. **Receive and Accept the Annual Financial and Auditors reports for the 2015/2016 financial year and note the comment on ratios.**
3. **Set the date for the Annual General Meeting of electors for Wednesday 30 November 2016 commencing at 6.30pm at the Shark Bay Recreation Centre in accordance with section 5.27(2) of the *Local Government Act 1995*.**

**6/0 CARRIED**

Background

The 2015/2016 Annual Report, which includes the annual financial statements and auditor's report, has been prepared in accordance with section 5.53 of the *Local Government Act 1995* and is attached under separate cover.

The Annual Report highlights the Shire's achievements in 2015/2016 under the outcomes in the Strategic Community Plan.

Following the acceptance of the Annual Report the Council must have a meeting of electors not more than 56 days after the acceptance of the Annual Report for the previous financial year. This means that the last day that the Council can hold an electors' meeting is 21 December 2016.

Comment

The annual financial statements are included in the Annual Report and reflect an unqualified audit report.

# MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

The audit management report comments on the financial ratios which local government is now required to report on in the annual financial statements. The ratios particularly identified by the auditor include the debt service cover ratio, operating service ratio and the own source revenue ratio.

The auditor's comments follow:

## COMMENT ON RATIOS

Ratios provide useful information when compared to industry and internal benchmarks and assist in identifying new trends. By providing this overview, we aim to improve the understanding of the trends and how they interact. This is beneficial for the allocation of scarce resources and planning for the future.

Information relating to the statutory ratios disclosed in the financial report is summarised in the table below and our commentary is provided on the following pages.

	Target Ratio <sup>1</sup>	Actual 2016	Council's Adjusted Ratios					Council's 5 Year Trend <sup>2</sup>	4 Year Average <sup>3</sup>	
			2016	2015	2014	2013	2012		Regional	State
Current Ratio	≥ 1	1.34	1.34	2.78*	2.91	3.27	2.78	↓	2.44	2.29
Asset Sustainability Ratio	≥ 1.1	1.50	1.50	0.77	0.76	1.20	1.16	↑	1.49	1.23
Debt Service Cover Ratio	≥ 15	(0.96)	6.09*	8.81*	(0.15)	19.23	16.66	↓	2.40	14.01
Operating Surplus Ratio	≥ 0.15	(0.72)	(0.40)*	(0.36)*	(0.67)	0.05	(0.01)	↓	(0.50)	(0.02)
Own Source Revenue Coverage Ratio	≥ 0.9	0.35	0.36	0.45	0.46	0.46	0.47	↓	0.52	0.68
Asset Consumption Ratio	≥ 0.75	0.98	0.98	0.99	0.82	0.77	0.70	↑	15.32	1.16
Asset Renewal Funding Ratio	≥ 1.05	1.25	1.25	0.87	N/A	N/A	N/A	↑	3.49	1.00

<sup>1</sup> Target ratios per Department of Local Government and Communities (DLGC) Guidelines except the Debt Service Ratio which is a target devised by Moore Stephens (and based on experience). For information, DLGC Guidelines indicate a target Debt Service Cover Ratio of 5.

<sup>2</sup> The 5-year trend compares the adjusted 2016 ratio to the average of the adjusted ratios for last 5 years (except for the Asset Consumption and Asset Renewal Funding Ratios which are a 4-year trend).

<sup>3</sup> The average in relation to the Regional and State comparisons is a 4 year average of 2012, 2013, 2014 and 2015.

\* Adjusted for "one-off" timing/ non-cash items.

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**COMMENT ON RATIOS (CONTINUED)****Adjustment relating to 2016**

Two of the ratios in the accompanying table were distorted by an item of significant revenue relating to the early payment of 2015/16 Financial Assistance Grants (FAGs) totaling \$948,945 received on 30 June 2015. The early payment of the grant increased operating revenue in 2015 and decreased operating revenue in 2016.

This item is considered "one-off" in nature and was adjusted when calculating the ratios in the above table (as shown by "\*\*") as were relevant comparative year ratios (which had been affected by similar "one-off" items).

**Regional and State 4 Year Averages**

Regional and State 4 year averages have not been adjusted for "one-off" items even though these items may have been applicable in prior years as they are based on the statutory ratios which have been reported in published financial reports. However, they still provide a useful reference point as they are indicative of a trend.

**Commentary on Specific Ratios****• Debt Service Cover Ratio**

The Debt Service Cover Ratio measures the Shire's ability to service debt out of its uncommitted or general purpose funds available from its operations.

After adjusting for the one-off items mentioned above, the adjusted ratio remains below the target level and has continued to trend downwards. It is currently above the Regional 4 year average but below the State 4 year average.

Whilst we acknowledge the overall level of borrowings has decreased, the low level and downward trend in the ratio have occurred as a result of a decreasing operating surplus (before interest and depreciation) (refer to comments in Operating Surplus Ratio below).

**• Operating Surplus Ratio**

The Operating Surplus Ratio represents the percentage by which the operating surplus (or deficit) differs from the Shire's own source revenue which includes rates and operating grants.

This adjusted ratio has been trending downwards over the last five years and is currently below the target level and the State average. However, it is above the Regional average.

A negative ratio indicates the local government is experiencing an operating deficit. A sustained period of deficits will erode the Shire's ability to service debt and maintain both its operational service level and asset base over the longer term.

Analysis of the Shire's Statement of Comprehensive Income indicates the main reason for the deterioration of the ratio to be the increase in operating expenditure associated mainly with the increase in materials and contracts expenditure not being matched by an increase in operating revenue during the year ended 30 June 2016.

Both Council and Management will need to consider ways to improve the operating surplus position further either via increasing revenue or by decreasing expenditure (or a combination of both). This will be dependent upon the Council and management's understanding of the Shire circumstances and the interaction operating surplus has on other ratios and operations in general.

**• Own Source Revenue Ratio**

The Own Source Revenue Coverage Ratio measures the Shire's ability to cover operating expenses from their own source revenue. The higher the ratio, the more self-reliant the Shire is.

The ratio is below the Regional and State 4 year averages and is trending downwards. The current year has seen a significant decline in comparison to prior years.

**COMMENT ON RATIOS (CONTINUED)**

• **Own Source Revenue Ratio (continued)**

The downward trend appears to be due to operating expenses increasing at a greater rate than the Shire's own sources of revenue. It is noted this is mostly due to Department of Transport costs incurred which are reimbursable but received after balance date.

As can be seen in our comments for all the ratios mentioned above, the operating surplus is a common theme. The operating surplus can be improved by either increasing revenue or by decreasing expenditure (or a combination of both). Whilst we note that some grants were received in advance in the prior year and some costs were "one off" expenses, strict cash management processes should remain in place in order to improve operating surpluses.

**SUMMARY**

The Shire's ratio position appears reasonably consistent with prior years.

Whilst some ratios are below the accepted industry benchmark, given the relative strength of the other ratios and the Shire's balance sheet, lower ratios may be expected and acceptable in the short term, provided other measures/strategies are maximised.

Notwithstanding this, a number of the ratios do appear to be trending downwards over the longer term and this should be considered moving forward.

We would also like to take this opportunity to stress one-off assessments of ratios at a particular point in time can only provide a snapshot of the financial position and operating situation of the Shire. As is the case with all ratios and indicators, their interpretation is much improved if they are calculated as an average over time with the relevant trends being considered.

We will continue to monitor the financial position and ratios in future financial years and suggest it is prudent for Council and management to do so also as they strive to manage the scarce resources of the Shire.

The auditor also commented that Council and management will need to consider ways to improve the operating position either by increasing own source revenue or by decreasing expenditure.

The budgets presented over the past have indicated the reliance upon external funding, escalating operational costs due to new assets and the importance of establishing whole of life costs when considering the procurement of additional assets.

It is important that the Council and management review all areas of service delivery in each budget and ensure all new asset proposals have the ongoing operational requirements fully assessed against the community's willingness to fund the ongoing expense.

Legal Implications

Sections 5.53, 5.54 and 5.55 of the *Local Government Act 1995* refer to the acceptance of the annual report.

Policy Implications

There are no policy implications associated with this report.

26 OCTOBER 2016

Financial Implications

The annual report includes the Shire's audited annual financial statements, which present the Shire's financial position as at 30 June 2016 and is a useful tool for evaluating the Shire's operations.

Strategic Implications

Outcome 4.1            The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community's needs.

Strategy 4.1.3        Maintain accountability and financial responsibility

Risk Management

There is a low risk associated with this item. Council needs to adopt the annual report to maintain compliance with the *Local Government Act 1995*.

Voting Requirements

Absolute Majority Required

Signatures

Author	<i>C Wood</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	11 October 2016

26 OCTOBER 2016

**13. TOWN PLANNING REPORT**

**13.1 APPLICATION FOR PORTABLE SIGN IN A THOROUGHFARE (KNIGHT TERRACE ROAD RESERVE) – ADJACENT UNIT 1/71 KNIGHT TERRACE, DENHAM  
LE00007 / P1503**

AUTHOR

Liz Bushby, Gray and Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Ridgley

Nature of Interest: Proximity Interest as rents a shop in the same Street.

Cr Ridgley left the Council Chamber at 3.38 pm.

Officer Recommendation

That Council:

1. Refuse the application for a Permit for a portable sign within Knight Terrace Road Reserve (adjacent to 1/71 Knight Terrace, Denham) under the Shire of Shark Bay Local Law 'Activities in Thoroughfares and Public Places and Trading Local Law' for the following reasons:

- (i) The sign is proposed on a footpath with a minimal setback to the carriageway (constructed road reserve of Knight Terrace).

Council does not have discretion to approve a portable sign in this location as Clause 3.2(3) of the Local Law does not permit signs on footpaths or within 3 metres of a carriageway.

2. Note the (confidential) legal advice provided in Attachment 1.

3. Resolve to adopt Option 1 to retain existing local laws without review as outlined in this report.

Moved Cr Capewell

Seconded Cr Laundry

**Council Resolution**

**That Council:**

**1. Refuse the application for a Permit for a portable sign within Knight Terrace Road Reserve (adjacent to 1/71 Knight Terrace, Denham) under the Shire of Shark Bay Local Law 'Activities in Thoroughfares and Public Places and Trading Local Law' for the following reasons:**

- (i) The sign is proposed on a footpath with a minimal setback to the carriageway (constructed road reserve of Knight Terrace).**

26 OCTOBER 2016

**Council does not have discretion to approve a portable sign in this location as Clause 3.2(3) of the Local Law does not permit signs on footpaths or within 3 metres of a carriageway.**

2. **Note the (confidential) legal advice provided in Attachment 1.**
3. **Resolve to adopt Option 1 to retain existing Local Law without review as outlined in this report.**

**5/0 CARRIED**

Cr Ridgley returned to Council Chamber at 3.46 pm.

BACKGROUND

**Zoning**

Knight Terrace is reserved for 'Local Road' under the Shire of Shark Bay Local Planning Scheme No 3. As it is a scheme reserve all development requires planning approval.

Gray & Lewis has not requested lodgement of a planning application by the applicant due to non-compliance with the Local Laws which is explained in this report.

**Location**

There is an existing surf shop located on Strata Lot 1 Knight Terrace (near the corner of Durlacher Street). The verandah of the shop is within the Knight Terrace Road Reserve.



Source: Landgate

26 OCTOBER 2016

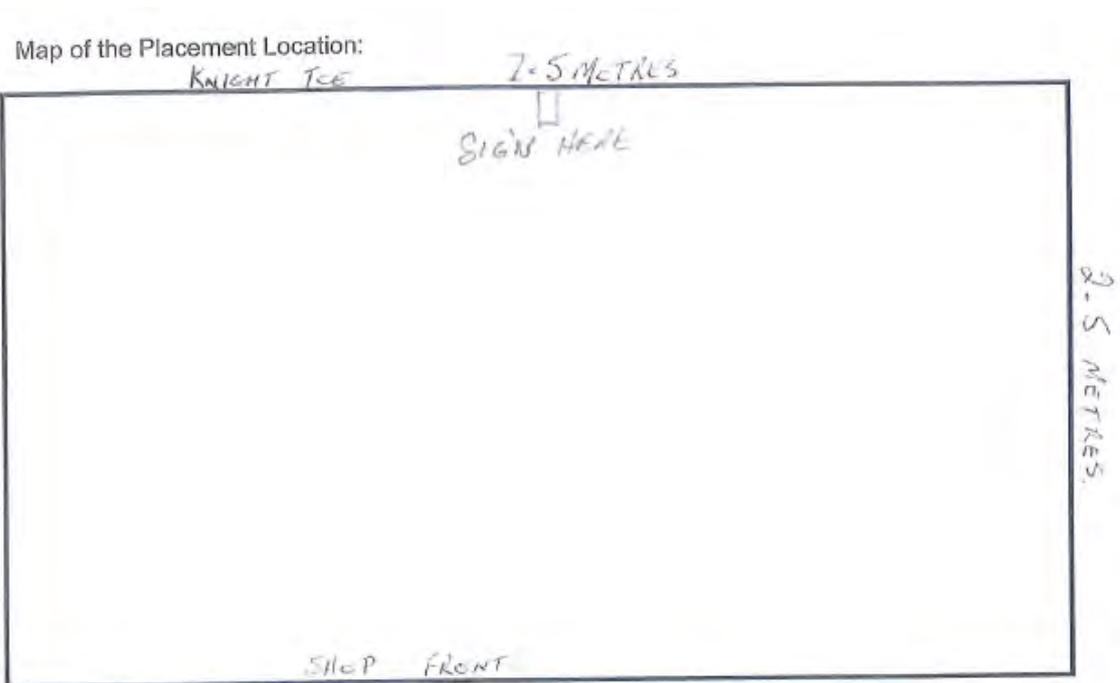
COMMENT

**Description of Proposal**

An application has been lodged by Ms Wendy Farcich proposing a portable A-frame sign within the Knight Terrace Road Reserve directly in front of an existing surf shop (known as 'Surf N Dolphin').

The sketch plan provided by the applicant indicates that the building is 2.5 metres from the constructed road – refer plan overpage.

The portable sign is proposed to measure 60 centimetres in width and 90 centimetres in height.



Shire staff have advised that the sign is already being displayed – photograph over page.

26 OCTOBER 2016



**Officer Comment**

- *Assessment in accordance with Local Law Requirements*

The proposed sign is construed as a 'portable sign' under the Shire of Shark Bay 'Activities in Thoroughfares and Public Places and Trading Local Law'. A portable sign is defined in the Local Law as 'means a portable free standing advertising sign'.

The application does not comply with the local law as summarised in the table below:

Clause 3.2(3)	Officer Comment
A person shall not erect or place an advertising sign -	
a) on a footpath	The sign is located on a brick paved footpath.
b) over a footpath where the vertical clearance between the sign and footpath is less than 2.5 metres	N/A
c) on or within 3 metres of a carriageway	The sign is located less than 3 metres from the carriageway (which is the constructed road). The surf shop building is only located approximately 2.5 metres from the carriageway.

26 OCTOBER 2016

<p>d) in any other location where, in the opinion of the local government the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare or</p>	<p>This is subjective however there may be potential for the sign to be a trip hazard, especially for visually impaired people.</p> <p>The sign also reduces the width of available unimpeded footpath for pedestrians, wheelchairs, and gophers.</p>
<p>e) on any natural feature, including a rock or tree, on a thoroughfare or any ridge or the structural approaches to a bridge.</p>	<p>N/A</p>

Legal advice has been obtained from McLeods Barristers and Solicitors and Council has no discretion to approve a permit for the proposed sign under the Local Law – refer Confidential Attachment 1.

- *Local Laws – Options available to Council*

The Local Laws were last amended in August 2014. Council may continue with the current Local Laws or may instigate a future review of the Local Laws.

The options are discussed below:

**OPTION 1 – RETAIN EXISTING LOCAL LAWS WITHOUT REVIEW**

The existing Local Laws place restrictions which substantially limit potential for portable signs to be used extensively along Knight Terrace as:

1. The majority of the verge adjacent to businesses is brick paved footpath.
2. There are limited locations where a 3 metre distance to the constructed road reserve can be achieved.

The benefit of the existing local law is that it prevents any proliferation of portable signs along Knight Terrace. The use of portable signs by multiple businesses along Knight Terrace has potential to have an accumulative visual impact and negatively impact on the existing streetscape.

It also means that existing footpaths are protected from signs to maximise walkability, pedestrian safety and reduce potential ‘trip hazard’ or obstruction for persons with disabilities.

Gray & Lewis has researched a random sample of 14 other metropolitan and regional local government Local Laws for ‘Activities in Thoroughfares and Public Places’ to provide a comparisons to the Shire of Shark Bay Local Law.

Most of the sample checked have identical provisions to Shark Bay. The following Shires have Local laws which do not allow signs on a footpath or within 3 metres of a carriageway:

- Shire of Kojonup
- Shire of Moora
- Shire of Geraldton

26 OCTOBER 2016

- Shire of Irwin
- Shire of Kalgoorlie Boulder
- Town of Victoria Park
- City of Stirling
- City of Subiaco
- Shire of Exmouth
- Shire of Collie
- Shire of Esperance

Three exceptions were found as the following local governments do not allow signs on footpaths, however have different distances permissible between a sign and the carriageway:

Local Government	Distance to carriageway
City of Subiaco	2 metres
Shire of Busselton	1 metre
Shire of Lake Grace	No distance stipulated. Does not permit signs on a carriageway.

Gray & Lewis favours Option 1 to maximise pedestrian safety and minimise potential for signs to impact on streetscape. Ultimately this is however a matter for Council determination.

It should be noted that there are a range of other signs that businesses such as the Surf Shop can use for advertising such as signs within the building facing outwards from a window, or signs overhanging pathways which achieve a minimum vertical distance of 2.5 metres.

## **OPTION 2 – REVIEW EXISTING LOCAL LAWS**

The Shire can undertake a review of the existing Local Laws especially if Council seeks to allow increased flexibility for portable signs in the Knight Terrace Road Reserve.

As a minimum the review could potentially allow signs on footpaths and relax the distance between signs and the carriageway / constructed road.

If the Shire sought to undertake a more comprehensive review it could employ several measures such as:

- Take into account established building setbacks
- Consult with other local governments who have more relaxed local laws
- Undertake a community survey to gauge wider public opinion.

### LEGAL IMPLICATIONS

*Shire of Shark Bay Local Planning Scheme No 3* – Discussed in the body of this report.

### POLICY IMPLICATIONS

There are no policy implications relative to this report.

### FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for planning advice. The Shire would need to allocate funds for any Local Law review.

MINUTES OF THE ORDINARY COUNCIL MEETING

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26 OCTOBER 2016

STRATEGIC IMPLICATIONS

The Local Laws have strategic implications as signs have potential to change the existing streetscape.

RISK MANAGEMENT

If the Local laws are reviewed the Shire needs to take into account pedestrian safety.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

12 October 2016

Kojanup

"portable direction sign" means a portable free standing direction sign; and  
 "portable sign" means a portable free standing advertising sign.

*Division 2—Permit*

**3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit—

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign—

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (c) on or within 3 metres of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3—Conditions on permit*

**3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions—

- (a) the portable sign shall—
  - i. not exceed one metre in height;
  - ii. not exceed an area of 1 metre square on any side;
  - iii. relate only to the business activity described on the permit;
  - iv. contain letters not less than 200mm in height;
  - v. not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
  - vi. be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - vii. be secured in position in accordance with any requirements of the local government;
  - viii. be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
  - ix. be maintained in good condition; and
- (b) no more than one portable sign shall be erected in relation to the one building or business.

**3.5 Conditions on election sign**

If the local government approves an application for a permit for the erection or placement of an election sign on a thoroughfare, the application is to be taken to be approved subject to the sign

- (a) being erected at least 30 metres from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
- (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare, or access to a place by any person;
- (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (e) being maintained in good condition;
- (f) not being erected until the election to which it relates has been officially announced;

26 OCTOBER 2016

Moo/a

**advertising sign** means a sign used for the purpose of advertisement and includes an election sign;

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

**election sign** means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election; and

**portable direction sign** means a portable free standing direction sign; and

**portable sign** means a portable free standing advertising sign.

*Division 2 - Permit*

**3.2 Advertising signs and portable direction signs**

- (1) A person shall not, without a permit –
  - (a) erect or place an advertising sign on a thoroughfare; or
  - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign –
  - (a) on a footpath;
  - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
  - (c) on or within 3m of a carriageway;
  - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or

26 OCTOBER 2016

Gardner

3120

GOVERNMENT GAZETTE, WA

13 July 2012

*Division 7—Driving on a closed thoroughfare***2.19 No driving on closed thoroughfare**

(1) A person shall not drive or take a vehicle on a closed thoroughfare unless—

- (a) it is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
- (b) the person has first obtained a permit.

(2) In this clause—

*closed thoroughfare* means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.**PART 3—ADVERTISING SIGNS ON THOROUGHFARES***Division 1—Preliminary***3.1 Interpretation**

In this Part, unless the context otherwise requires—

*advertising sign* means a sign used for the purpose of advertisement and includes an election sign;*direction sign* means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;*election sign* means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election;*portable direction sign* means a portable free standing direction sign; and*portable sign* means a portable free standing advertising sign.*Division 2—Permit***3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit—

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 600 millimetres in height nor 0.5 square metres in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign—

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (c) on or within 3 metres of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or its structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3—Conditions on permit***3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions—

- (a) the portable sign shall—
  - (i) not exceed 1 metre in height;
  - (ii) not exceed an area of 1 square metre on any side;

IRWIN

**PART 3 – ADVERTISING SIGNS ON THOROUGHFARES**

**Division 1 - Preliminary**

**3.1 Interpretation**

In this Part, unless the context otherwise requires -

"advertising sign" means a sign used for the purpose of advertisement and includes an "election sign";

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

"election sign" means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election; and

"portable direction sign" means a portable free standing direction sign; and

"portable sign" means a portable free standing advertising sign.

**Division 2 - Permit**

**3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit –

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign -

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
- (c) on or within 3m of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or

26 OCTOBER 2016

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

“election sign” means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election; and

“portable direction sign” means a portable free standing direction sign; and

“portable sign” means a portable free standing advertising sign.

## DIVISION 2 – PERMIT

### 3.2 ADVERTISING SIGNS AND PORTABLE DIRECTION SIGNS

- (1) A person shall not, without a permit –
  - (a) erect or place an advertising sign on a thoroughfare; or
  - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Erection or placement of a direction sign under subclause (1) may only be approved if, in the opinion of the local government, the place, activity or event to which the sign is giving direction, is of special interest and importance to members of the travelling public.
- (3) The local government may approve an application for a permit under subclause (1) from a person engaged in the sale of real estate in respect of a specified number and type of ‘Home Open’ signs.
- (4) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (5) Notwithstanding subclause (1), a person shall not erect or place an advertising sign –
  - (a) on a footpath;
  - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.4m;
  - (c) on or within 3m of a carriageway;
  - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
  - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

### 3.3 MATTERS TO BE CONSIDERED IN DETERMINING APPLICATION FOR PERMIT

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and

"portable direction sign" means a portable free standing direction sign; and  
 "portable sign" means a portable free standing advertising sign.

*Division 2—Permit*

**3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit—

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or print, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 1,000mm in height nor 1.0m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign—

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
- (c) on or within 3m of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3—Conditions on permit*

**3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions—

- (a) the portable sign shall—
  - (i) not exceed 1m in height;
  - (ii) not exceed an area of 1m<sup>2</sup> on any side;
  - (iii) relate only to the business activity described on the permit;
  - (iv) contain letters not less than 100mm in height;
  - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
  - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - (vii) be secured in position in accordance with any requirements of the local government;
  - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
  - (ix) be maintained in good condition; and
- (b) no more than one portable sign shall be erected in relation to the one building or business.

**3.5 Conditions on election sign**

If the local government approves an application for a permit for the erection or placement of an election sign on a thoroughfare, the application is to be taken to be approved subject to the sign—

- (a) being erected at least 30m from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
- (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare, or access to a place by any person;
- (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (e) being maintained in good condition;
- (f) not being erected until the election to which it relates has been officially announced;

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"portable sign" means a portable free standing advertising sign.

*Division 2 - Permit*

**3.2 Advertising signs and portable direction signs**

- (1) A person shall not, without a permit –
  - (a) erect or place an advertising sign on a thoroughfare; or
  - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign -
  - (a) on a footpath;
  - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
  - (c) on or within 3m of a carriageway;
  - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
  - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to -

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3 – Conditions on permit*

**3.4 Conditions on portable sign**

*Exempt*

**PART 3 – ADVERTISING SIGNS ON THOROUGHFARES**

**Traffic-control signals and traffic signs**

See regulation 301 of the *Road Traffic Code 1975*.

*Division 1 - Preliminary*

**3.1 Interpretation**

In this Part, unless the context otherwise requires -

"advertising sign" means a sign used for the purpose of advertisement and includes an "election sign";

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

"election sign" means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election; and

"portable direction sign" means a portable free standing direction sign; and

"portable sign" means a portable free standing advertising sign.

*Division 2 - Permit*

**3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit -

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign -

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;

26 OCTOBER 2016

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- (c) on or within 3m of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to -

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3 – Conditions on permit*

**3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions -

- (a) the portable sign shall -
  - (i) not exceed 1m in height;
  - (ii) not exceed an area of 1m<sup>2</sup> on any side;
  - (iii) relate only to the business activity described on the permit;
  - (iv) contain letters not less than 200mm in height;
  - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
  - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - (vii) be secured in position in accordance with any requirements of the local government;
  - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
  - (ix) be maintained in good condition; and
- (a) no more than one portable sign shall be erected in relation to the one building or business.

**PART 3—ADVERTISING SIGNS ON THOROUGHFARES***Division 1—Preliminary***3.1 Interpretation**

In this Part, unless the context otherwise requires—

- advertising sign* means a sign used for the purpose of advertisement and includes an "election sign";
- direction sign* means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;
- election sign* means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election;
- portable direction sign* means a portable free standing direction sign excluding mobile electronic message boards; and
- portable sign* means a portable free standing advertising sign excluding mobile electronic message boards.

*Division 2—Permit***3.2 Advertising signs and portable direction signs**

(1) A person shall not, without a permit—

- (a) erect or place an advertising sign on a thoroughfare; or
- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.

(2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.

(3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign—

- (a) on a footpath;
- (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
- (c) on or within 3m of a carriageway;
- (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
- (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3—Conditions on permit***3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions—

- (a) the portable sign shall—
  - (i) not exceed 1m in height;
  - (ii) not exceed an area of 1m<sup>2</sup> on any side;
  - (iii) relate only to the business activity described on the permit;
  - (iv) contain letters not less than 200mm in height;
  - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
  - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - (vii) be secured in position in accordance with any requirements of the local government;
  - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
  - (ix) be maintained in good condition; and
- (b) no more than one portable sign shall be erected in relation to the one building or business.

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**3.2 Advertising signs and portable direction signs**

- (1) A person shall not, without a permit –
- (a) erect or place an advertising sign on a thoroughfare; or
  - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign –
- (a) on a footpath;
  - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
  - (c) on or within 3m of a carriageway;
  - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
  - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

**3.3 Matters to be considered in determining application for permit**

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

*Division 3 – Conditions on permit*

**3.4 Conditions on portable sign**

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions –

- (a) the portable sign shall –
  - (i) not exceed 1m in height;
  - (ii) not exceed an area of 1m<sup>2</sup> on any side;
  - (iii) relate only to the business activity described on the permit;
  - (iv) contain letters not less than 200mm in height;
  - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
  - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;

*Donaghbrook Balingup*

## Division 2 - Permit

### 4.2 Advertising signs and portable direction signs

- (1) A person shall not, without a permit –
  - (a) erect or place an advertising sign on a thoroughfare, or
  - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding sub-clause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m<sup>2</sup> in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding sub-clause (1), a person shall not erect or place an advertising sign –
  - (a) on a pathway;
  - (b) over any pathway where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
  - (c) on or within 3m of a carriageway;
  - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
  - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

### 4.3 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clause 4.2(1), the local government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

## Division 3 – Conditions on permit

### 4.4 Conditions on portable sign

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions –

26 OCTOBER 2016

13.2 PROPOSED RETAINING WALL – LOT 154 (7) SUNTER PLACE, DENHAM P1389

AUTHOR

Liz Bushby, Gray and Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Cowell

Nature of Interest: Proximity Interest as owns property across the road in Sunter Place.

Cr Cowell left Council Chamber at 3.47pm

Cr Capewell assumed the Chair.

Moved            Cr Ridgley  
Seconded       Cr Laundry

**Council Resolution**

**That Council:**

1. **Approve the planning application for a retaining wall on Lot 154 (7) Sunter Place, Denham subject to the following conditions:**
  - (i) **The plans lodged with this application received on the 10 October 2016 shall form part of this planning approval. All development shall be in accordance with the approved plans.**
2. **Include an advice note on the planning approval that:**
  - (a) **Planning consent is not an approval to commence construction. A separate building permit must be obtained for all work.**
3. **Note that adjacent Lot 2 (5) Sunter Place, Denham is owned by the Housing Authority who has lodged a written no objection to the proposed retaining wall.**

**5/0 CARRIED**

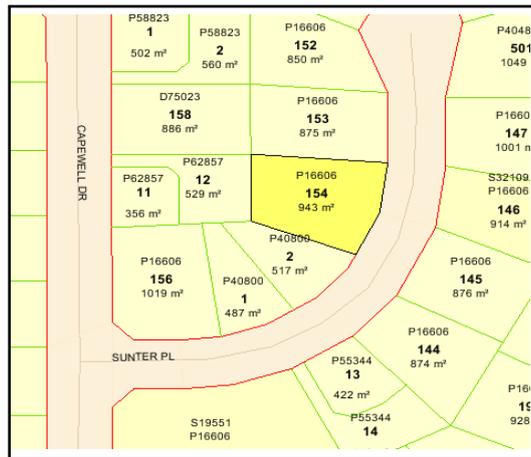
Cr Cowell returned to Council Chamber at 3.49 pm and resumed the Chair.

BACKGROUND

Lot 154 is zoned 'Residential R12.5/30' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme'). The lot contains an existing single house and ancillary outbuilding. It has an approximate area of 943m<sup>2</sup> – location plan overpage.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016



COMMENT

The applicant has advised that the ground level of Lot 154 is higher than adjacent Lot 2 to the south. The soil was being held up by a dividing fence which has since collapsed, and they propose to address the level difference through construction of a post and panel retaining wall along a portion of the southern boundary.

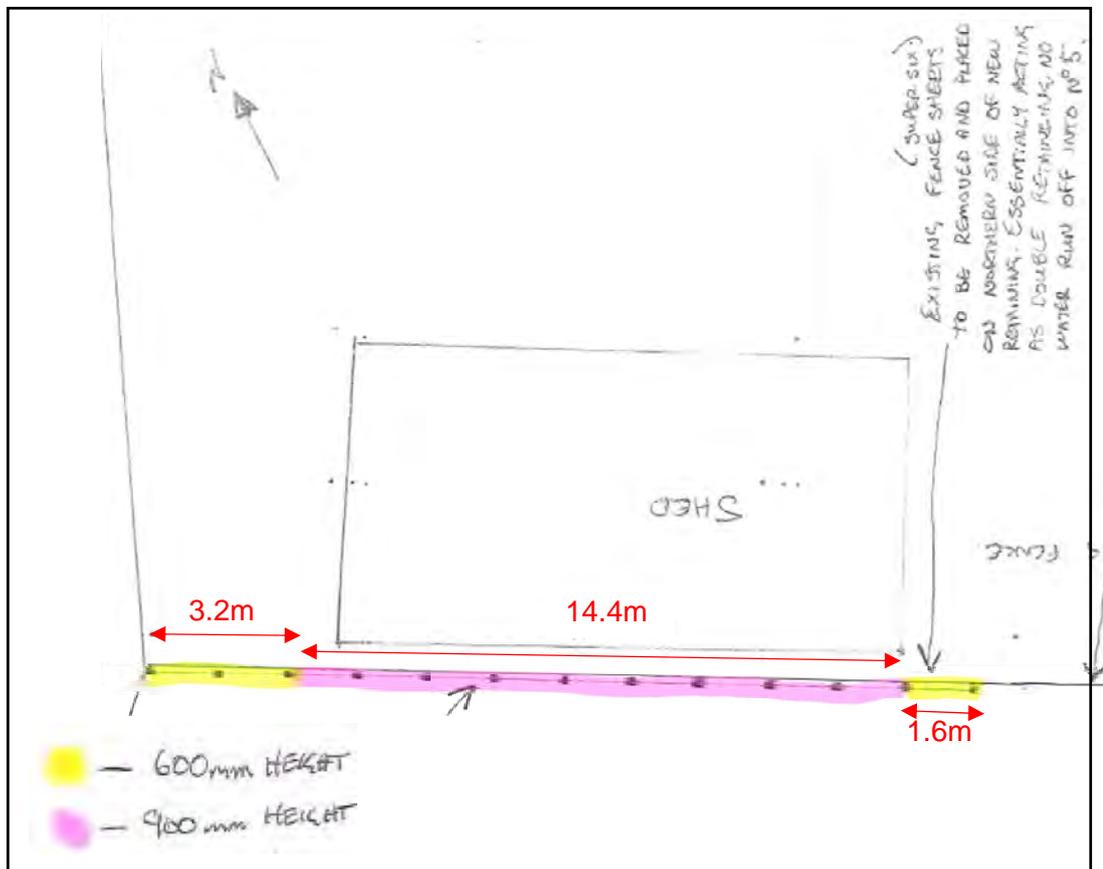


The retaining wall will be approximately 19 metres long in it's entirety. A site plan is included overpage.

26 OCTOBER 2016



The height of the retaining wall will range from 600mm (shown in yellow) to 900mm (shown in pink).



26 OCTOBER 2016

The applicant has advised the 600mm height (starting west) is for a length of 3.2 metres, the 900mm wall is for a length of 14.4 metres and the last 600mm high section will have a length of 1.6 metres. Gray & Lewis has superimposed these lengths onto the above plan (in red) for ease of reference.

- *Residential Design Codes (Deemed to Comply criteria)*

The Residential Design Codes include 'Deemed to Comply' requirements and "Design Criteria' for the assessment of retaining walls on Residential zoned lots.

The Residential Design Codes (R Codes) treat retaining walls similar to the walls of a building, and require them to be setback from side boundaries to meet 'Deemed to Comply' requirements.

Walls that do not exceed 0.5 metres can be located up to a lot boundary to allow for an area of landscaping, however the proposed retaining wall exceeds that height.

- *Residential Design Codes (Design Principle)*

The proposed retaining wall does not meet the 'Deemed to Comply' criteria of the R Codes so it has to be assessed in accordance with the following Design Principle:

*'Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped'.*

The difference in ground level between Lot 154 and adjacent Lot 2 is an existing situation, and a retaining wall is a practical solution. It is not considered that the retaining wall will have a detrimental impact and support is recommended.

- *Neighbour Comments*

The adjacent Lot 2 is owned by the Housing Authority. The applicant has liaised with the Housing Authority directly who have provided an email of 'non objection' to the retaining wall.

#### LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 – explained in the body of this report.

*Planning and Development (Local Planning Schemes) Regulations 2015* - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 3.

Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

MINUTES OF THE ORDINARY COUNCIL MEETING

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26 OCTOBER 2016

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this matter.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

12 October 2016

26 OCTOBER 2016

13.3 PROPOSED RETAINING WALL – LOT 23 (36) DENHAM ROAD, DENHAM P1107

AUTHOR

Liz Bushby, Gray and Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved            Cr Capewell  
Seconded       Cr Prior

**Council Resolution**

**That Council:**

1. **Approve the planning application for a retaining wall on Lot 23 (36) Denham Road, Denham subject to the following condition:**
  - (i) **The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans.**
2. **Include an advice note on the planning approval that:**
  - (a) **Planning consent is not an approval to commence construction. A separate building permit must be obtained for all work.**
3. **Note that the adjacent landowner of Lot 24 Denham Road, Denham has no objection to the proposal.**
4. **Note that the planning application has written endorsement by all of the strata owners.**

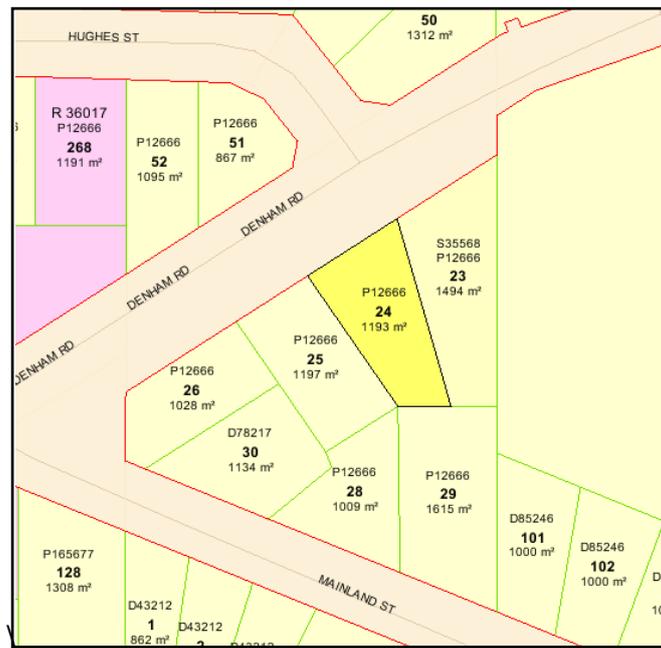
**6/0 CARRIED**

BACKGROUND

Lot 23 is zoned 'Residential R12.5/30' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme'). The lot contains four units which on separate strata lots.

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016



Location Plan

As the retaining wall is along the common boundary and adjacent to common property all 4 unit owners have to endorse the planning application.



26 OCTOBER 2016

Individual strata owners can only sign a planning application form where all development is within their own strata lot and it does not traverse any common property. In this case the all own the driveway area 'in common'.

The applicant has obtained written consent and signatures from all of the strata owners.

COMMENT

The ground level of Lot 23 is higher than adjacent Lot 24 to the west. The soil was being held up by a dividing fence which has since collapsed, and they propose to address the level difference through construction of a retaining wall.

The site photographs below show the existing ground level difference.



View looking towards Denham Road along the common boundary between Lots 23 and 24



View looking south south west from Lot 23 to Lot 24

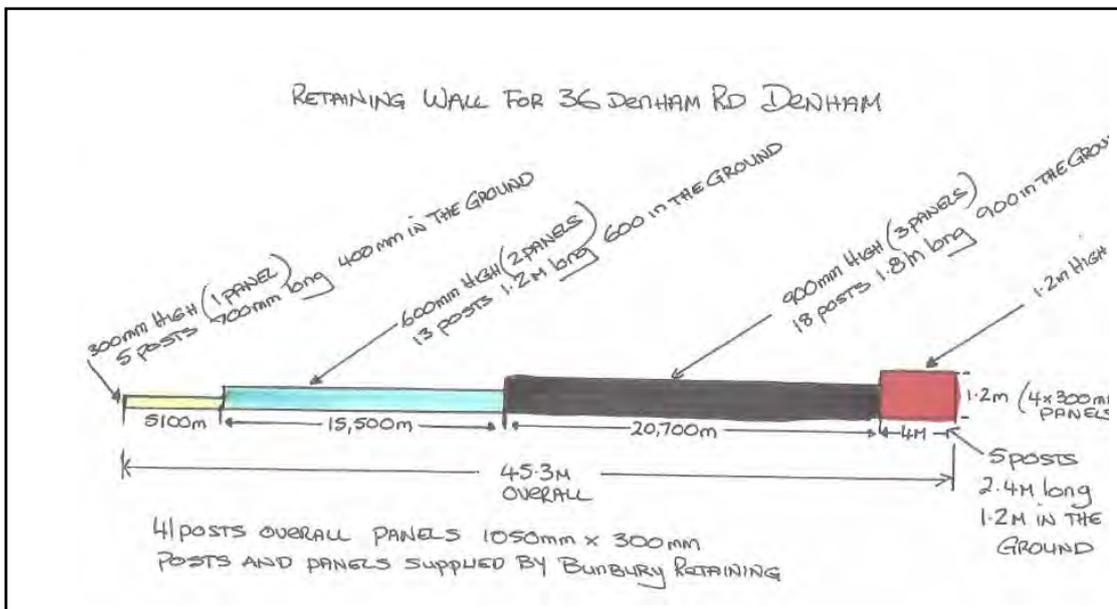
MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

The retaining wall will be 43.5 metres long in it's entirety. A site plan is included below.



The height of the retaining wall will range from 300mm to 1.2 metres.



26 OCTOBER 2016

- *Residential Design Codes (Deemed to Comply criteria)*

The Residential Design Codes include 'Deemed to Comply' requirements and 'Design Criteria' for the assessment of retaining walls on Residential zoned lots.

The Residential Design Codes (R Codes) treat retaining walls similar to the walls of a building, and require them to be setback from side boundaries to meet 'Deemed to Comply' requirements.

Walls that do not exceed 0.5 metres can be located up to a lot boundary to allow for an area of landscaping, however the proposed retaining wall exceeds that height.

- *Residential Design Codes (Design Principle)*

The proposed retaining wall does not meet the 'Deemed to Comply' criteria of the R Codes so it has to be assessed in accordance with the following Design Principle:

*'Retaining walls that result in land which can be effectively used for the benefit of residents and do no detrimentally affect adjoining properties and are designed, engineered and landscaped'.*

The difference in ground level between Lot 23 and adjacent Lot 24 is an existing situation, and a retaining wall is a practical solution. It is not considered that the retaining wall will have a detrimental impact and support is recommended.

- *Neighbour Comments*

An email of non objection has been lodged by Robert James, on behalf of his father Allan James, who owns adjacent Lot 24 Denham Road (to the west).

#### LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 – explained in the body of this report.

*Planning and Development (Local Planning Schemes) Regulations 2015* - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 3.

Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

#### POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

MINUTES OF THE ORDINARY COUNCIL MEETING

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26 OCTOBER 2016

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this matter.

RISK MANAGEMENT

This is a low risk item to council.

VOTING REQUIREMENTS

Simple Majority required.

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

19 October 2016

26 OCTOBER 2016

13.4 PROPOSED HORIZON POWER EASEMENT – UNALLOCATED CROWN LAND LOT 3001  
HUGHES STREET, DENHAM  
P4010

AUTHOR

Liz Bushby, Gray and Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved Cr Ridgely  
Seconded Cr Capewell

Council Resolution

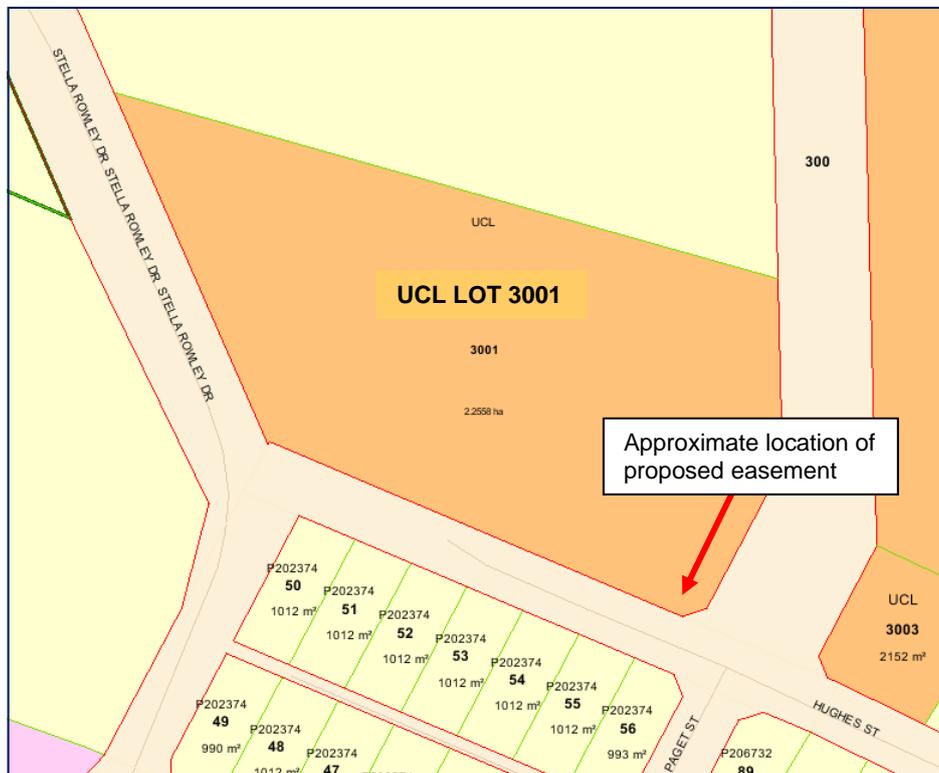
That Council:

1. **Resolve to advise the Department of Lands that the Shire of Shark Bay has no objections to the proposed Western Power easement within Lot 3001 Hughes Street Denham.**

**6/0 CARRIED**

BACKGROUND

Lot 3001 is Unallocated Crown Land which has street frontage to Stella Rowley Drive, Hughes Street and (unconstructed) Bellottie Street – refer location plan below. It has an area of 2.2558 hectares.



26 OCTOBER 2016

The lot is zoned 'Residential Development' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').

COMMENT

The Department of Lands has requested the Shires comments on a proposal for an easement over a portion of Lot 3001.

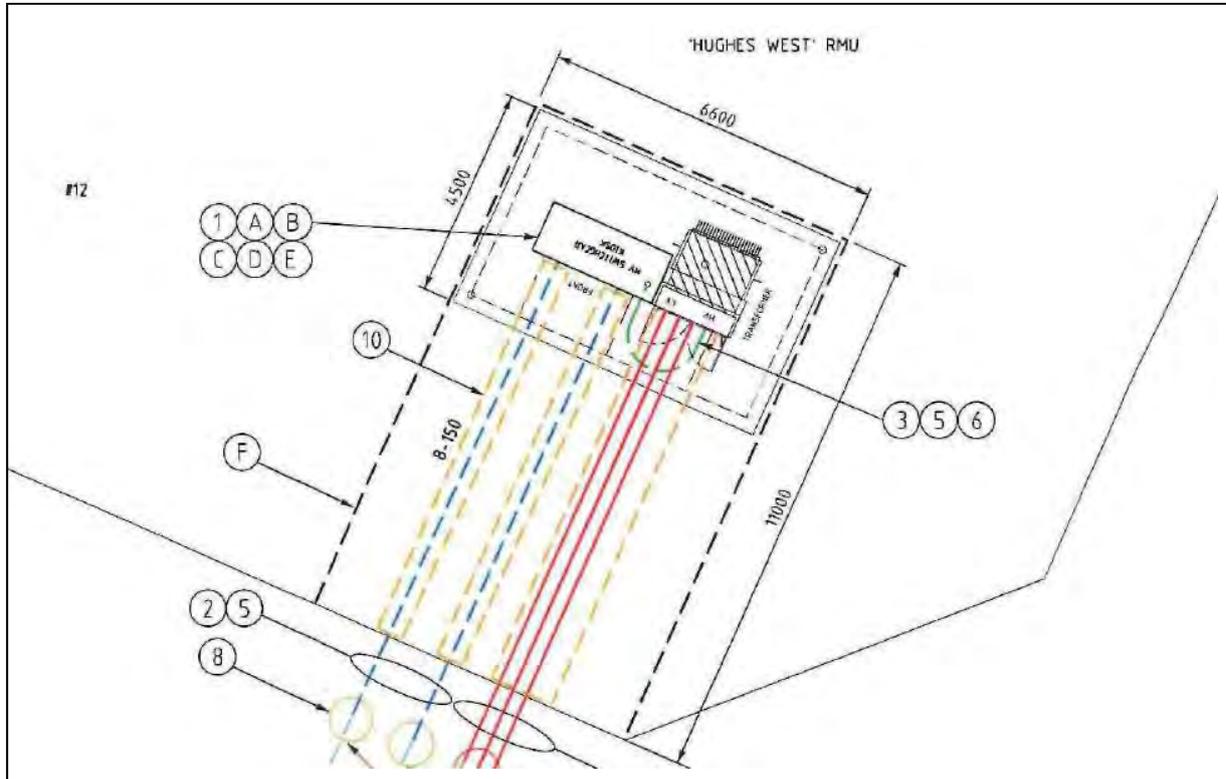
The easement is proposed with access from Hughes Street within the south east corner of Lot 3001 – as on the next page.



26 OCTOBER 2016

Department of Lands has advised as follows:

- The easement request has been lodged by Horizon Power to provide access and tenure for a substation proposed to be installed on the lot.
- The total area (including the easement and substation site) will be approximately 72.6m<sup>2</sup>.



It is recommended that the proposal be supported as it will facilitate infrastructure works in the locality.

As Horizon Power is state government owned they can proceed with installation of any future sub station without the need for any planning approval. The development would be construed as a 'public work' exempt from planning consent under the Planning and Development Act 2005.

#### LEGAL IMPLICATIONS

Planning and Development Act 2005 - Under the Act there are exemptions for public works conducted by a 'public authority'. Horizon Power can be classified as a 'public authority' exempt from the requirement to obtain planning approval for the proposed public works.

#### POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

#### FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for advice.

MINUTES OF THE ORDINARY COUNCIL MEETING

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26 OCTOBER 2016

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this matter.

RISK MANAGEMENT

Not Applicable – the Shire is only commenting on a proposal.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

13 October 2016

26 OCTOBER 2016

13.5 PLANNING APPLICATION FOR PROPOSED OFFSHORE AQUACULTURE OPERATION IN WATERWAYS ADJACENT TO NANGA  
P4174

AUTHOR

Liz Bushby, Gray and Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved            Cr Cowell  
Seconded       Cr Ridgley

**Council Resolution**

**That Council:**

1. **Authorise the Chief Executive Officer to advertise the Planning Application (No 14/2016) lodged by TPG (Town Planners) for off shore aquiculture adjacent to Lot 2, Nanga by:**
  - (i) **Writing to nearby landowners and providing them with opportunity to comment within 14 days.**
  - (ii) **Displaying a Public Notice on the Shire noticeboard.**
  - (iii) **Publishing a notice in a local newspaper or newsletter.**
2. **Authorise Gray & Lewis Landuse Planners to refer the Planning Application lodged by TPG Town Planning for off shore aquaculture (adjacent to Nanga) to the Shark Bay World Heritage Advisory Committee and the Department of Parks and Wildlife as the waterways are within the Special Control Area for the Shark Bay World Heritage Property under the Shire of Shark Bay Local Planning Scheme No 3.**
3. **Note that under Regulation 66 of the Planning and Development (Local Planning Schemes) Regulations 2015 consultation with any statutory, public or planning authority is for a minimum of 42 days however Gray & Lewis will request that the Department of Parks and Wildlife provide comments as soon as practical.**
4. **Note that a further report will be referred to a future Council meeting.**
5. **Note that a revised Aquiculture Management and Environmental Monitoring Plan has been lodged to the Shire in support of the related (but separate) application for a licence being processed by the Department of Fisheries. The Management and Environmental Monitoring Plan has been referred to the Shark Bay World Heritage Advisory Committee and the Department of Parks and Wildlife for comment.**
6. **Request that the Chief Executive Officer advise TPG of this resolution.**

**6/0 CARRIED**

26 OCTOBER 2016

BACKGROUND

- **Local Scheme Reserve – Waterways**

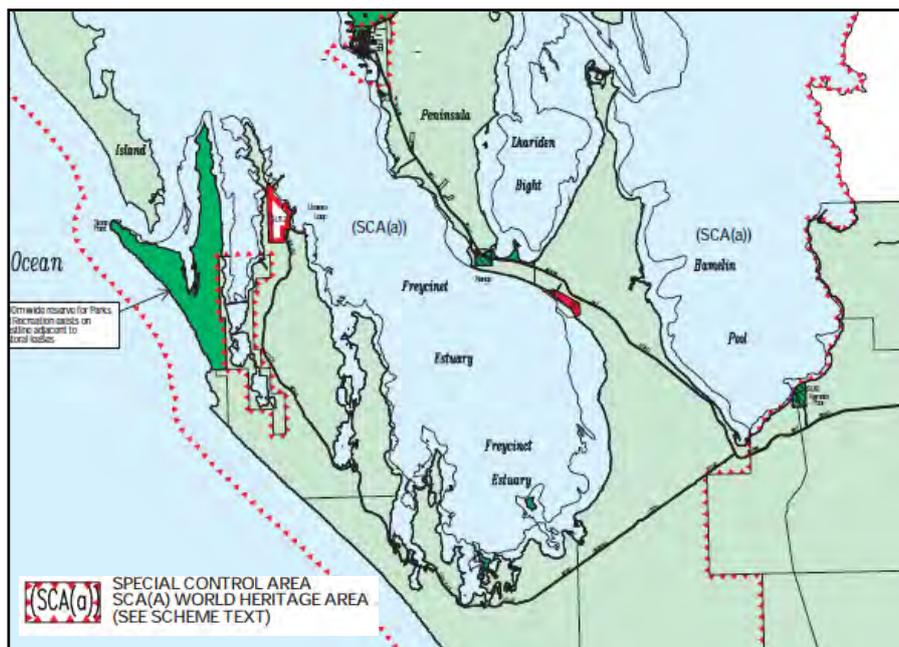
The ocean to the immediate west of Nanga is a Local Scheme Reserve for 'Waterways'. Waterways is also listed as a local scheme reserve under Clause 3.1 of the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').



The red line on the scheme map that follows the coastline is the local government boundary. The local government boundary has changed since gazettal of the Scheme.

- **Special Control Area – World Heritage**

The waterway is within the Special Control Area for the Shark Bay World Heritage Property area.



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26 OCTOBER 2016

- ***Related Matter – Application Licence to Department of Fisheries***

An application for an aquaculture licence has been lodged with the Department of Fisheries. In support of the Licence Application to the Department of Fisheries an Aquaculture Management and Environmental Monitoring Plan was prepared.

The Department of Fisheries wrote to the Shire on the 21 June 2016 seeking comment on the proposal. The Department of Fisheries did not provide a copy of the Management and Environmental Monitoring Plan at that time.

The matter was referred to Council on the 21 July 2016. The Department of Fisheries was requested to place the licence on hold as the aquaculture use required planning approval under the Scheme. A copy of the Management and Environmental Monitoring Plan was requested to enable the Department of Parks and Wildlife and the Shark Bay World Heritage Advisory Committee sufficient information to make meaningful comment on the proposal.

The Department of Fisheries provided a confidential copy of the Management and Environmental Monitoring Plan which was referred to the Department of Parks and Wildlife and the Shark Bay World Heritage Advisory Committee. Both agencies raised concerns over the Management and Environmental Monitoring Plan which was reported to Council on the 28 September 2016.

The applicant was requested to lodge a revised Management and Environmental Monitoring Plan to address the issues raised. A revised Management and Environmental Monitoring Plan was lodged on the 7 October 2016 and has been referred to the Department of Parks and Wildlife and Shark Bay World Heritage Advisory Committee.

Comments on the revised Management and Environmental Monitoring Plan have not yet been received. Department of Parks and Wildlife have advised they will provide comment by the 24 October 2016.

COMMENT

- ***Description of Application***

A planning application has been signed by the Department of Transport who has jurisdiction over the waterways proposed to be used for aquaculture. The planning application has been lodged so that the related aquaculture licence (and lease) can be progressed.

The applicant seeks to utilise a 400.6 hectare area for aquaculture. A copy of the application is included at the end of this report.

The proposed species include rock oyster, black lipped pearl oyster, akoya pearl oyster, shark bay pearl oyster, penguin shell, clams / cockles, sea cucumbers/sandfish, sponges and abalone.

The applicant has advised that:

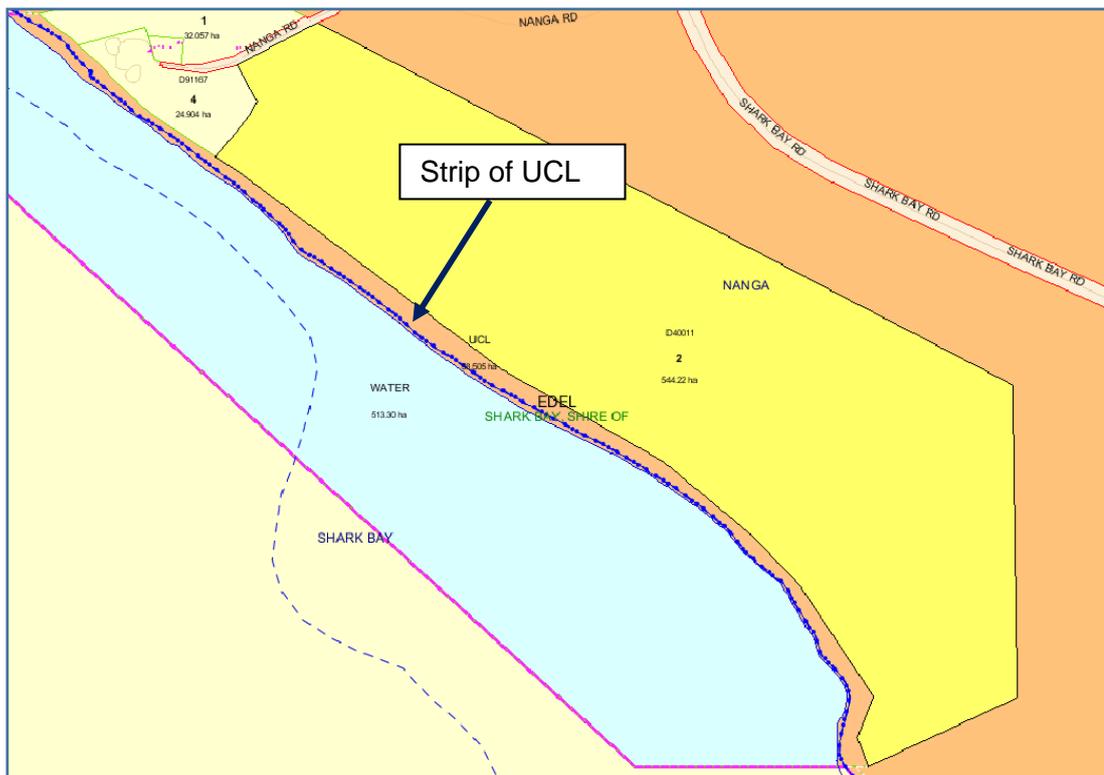
- A range of farming methodologies will be employed dependent on the subject species, inclusive of both surface and subsurface technologies such as longlines, fencelines, racks, baskets, panels, purpose built grow-out structures and ranching.

26 OCTOBER 2016

- There is potential for the listed species to be farmed in unison, with possible combinations of edible oyster, pearl oyster, sandfish (sea cucumbers), abalone, clam and sponge polyculture.
- The proposed aquaculture area will be appropriately demarcated in accordance with the Department of Transport requirements using a series of marker buoys/beacons.
- No additional land based infrastructure is proposed as part of this application, however, this may be explored in the future subject to further investigations as to the feasibility of such development.

- **Access**

The applicant has advised that access to the waterway will be via a strip of Unallocated Crown Land which sits between Lot 2 and the waterline – refer plan below.



In order to secure tenure over this Unallocated Crown Land for the purposes of access, a Licence under Section 91 of the *Land Administration Act (1997)* is currently being arranged between Pan Holdings Pty Ltd (‘the proponent’) and the Department of Lands.

The applicant advises that it is anticipated that the Licence will be issued for a period of 24 months as an interim measure, with an easement being pursued thereafter to provide tenure in the longer term.

The Department of Lands consulted with the Shire in regards to access over the Unallocated Crown Land and the matter was considered by Council on the 28 September 2016. The Shire has notified the Department of Lands that it has no objection any licence, lease or easement over the Unallocated Crown Land.

26 OCTOBER 2016

- **Advertising**

The Shire has discretion to refer the application to both the Shark Bay World Heritage Advisory Committee and the Department of Parks and Wildlife in accordance with Clause 6.2.5 of the Scheme. Gray & Lewis refers the vast majority of applications within the World Heritage Area to these agencies as a standard procedure.

It is also recommended that the application be advertised to provide the wider community opportunity to make submissions.

LEGAL IMPLICATIONS

***Planning and Development (Local Planning Schemes) Regulations 2015 –***

Regulation 61 outlines ‘development for which development approval is not required’ and does not provide any exemption for development in a local scheme reserve.

The Shire has discretion to advertise applications under Regulation 64(3).

The Shire can consider any submissions received on the application as outlined in Regulation 67 which outlines ‘Matters to be considered by the local government’.

***Shire of Shark Bay Local Planning Scheme No 3*** – Clause 3.2.1 of the Shire of Shark Bay Local Planning Scheme No 3 (‘the Scheme’) states that ‘*a person must not (a) use a Reserve; or (b) commence or carry out development on a Local Reserve, with first having obtained planning approval...*’

Accordingly the proposed aquiculture use requires planning approval.

Clause 3.2.2 requires the local government to have regard the matters set out in Clause 10.2, and the ultimate purpose intended for the reserve. The Scheme does not specify any ultimate purpose of the waterway reserve.

POLICY IMPLICATIONS

There are no policy implications relative to the report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for planning advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

14 October 2016

26 OCTOBER 2016



Our Ref: 716-371

13 October 2016

Chief Executive Officer  
Shire of Shark Bay  
65 Knight Terrace  
DENHAM WA 6537

Attention: Liz Bushby

**DEVELOPMENT APPLICATION – PROPOSED AQUACULTURE OPERATION IN WATERWAYS  
ADJACENT TO LOT 2 NANGA ROAD, NANGA**

TPG Town Planning, Urban Design and Heritage + Place Match, on behalf of Pan Holdings Pty Ltd, is pleased to submit the following development application seeking approval for an offshore aquaculture operation in waters adjacent to Lot 2 Nanga Road, Nanga (the subject site).

In accordance with the Shire's requirements, please find enclosed the following:

- A completed and signed 'Application for Planning Approval' form signed by the Department of Transport on behalf of the State of Western Australia pursuant to Section 267A of the *Planning and Development Act 2005*;
- Two (2) copies of a site plan outlining the extent of the proposed aquaculture licence/lease area; and
- A cheque in favour of the Shire of Shark Bay for \$147, being the required fee for a development application where the cost of development does not exceed \$50,000.

**Background**

An application for the grant of an aquaculture licence and lease (DoF Ref: L23/16 & 209/16) has been lodged with the Department of Fisheries by Pan Holdings Pty Ltd, which seeks to utilise a 400.6 hectare portion of offshore waters within Shark Bay that sits adjacent to their freehold landholding at Lot 2 Nanga Road, Nanga.

The application was subsequently referred by the Department of Fisheries to the Shire of Shark Bay for comment, where it was requested that the application be put on hold until formal planning approval is obtained. Accordingly, this application now seeks planning approval for the use of this area under the Shire of Shark Bay Local Planning Scheme No. 3 (LPS3) so that the related aquaculture lease and licence application can be progressed.

**Proposal**

The proposal seeks to utilise a 400.6 hectare portion of offshore waters within Shark Bay for the purposes of an aquaculture operation, with the proposed lease area being largely rectangular in shape and extending in a predominantly north-south direction from the shoreline into marine waters that have been specifically excluded from the Shark Bay Marine Park. A copy of the proposed aquaculture lease area is provided as Appendix A.

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Chief Executive Officer  
Shire of Shark Bay



DEVELOPMENT APPLICATION – PROPOSED AQUACULTURE OPERATION IN WATERS ADJACENT TO LOT 2 NANGA ROAD, NANGA

It is proposed that a combination of the following species will be cultivated as part of the aquaculture operation:

- Rock Oyster (*Saccostrea species* – *S. glomerata*, *S. aciculata*, *S. scyphophilla*);
- Black-Lipped Pearl Oyster (*Pinctada margaritifera*);
- Akoya Pearl Oyster (*Pinctada fucata*);
- Shark Bay Pearl Oyster (*Pinctada albina*);
- Penguin Shell (*Pterina penguin*);
- Clams/Cockles (Family *Veneridae* – species of Venus Clams endemic to Shark Bay, including *Callista inpar*, *Gomphina undulosa*, *Callista planatella*, *Antigona lamellaris*, *Circe rivularis*, *Circe sulcata*, *Paphia crassisulca*, *Paphia semirugata*, *Pitar nancyae*);
- Sea Cucumbers/Sandfish (*Holothuria scabra* & other endemic *Holothurid/Stricopus species*);
- Sponges (*Spongidae* (Order *Dictyoceratida*), *Irinidae* (Order *Dictyoceratida*), *Thorectidae* (Order *Dictyoceratida*), *Hymedesmiidae* (Order *Poecilosderida*), *Latrunculiidae* (Order *Poecilosderida*), *Mycalidae* (Order *Poecilosderida*), *Raspaliidae* (Order *Poecilosderida*)); and
- Roe's Abalone (*Haliotis roe*).

A range of farming methodologies will be employed dependent on the subject species, inclusive of both surface and subsurface technologies such as longlines, fences/lines, racks, baskets, panels, purpose built grow-out structures and ranching. There is potential for the listed species to be farmed in unison, with possible combinations of edible oyster, pearl oyster, sandfish (sea cucumbers), abalone, clam and sponge polyculture.

The proposed aquaculture area will be appropriately demarcated in accordance with the Department of Transport requirements using a series of marker buoys/beacons. No additional land based infrastructure is proposed as part of this application, however, this may be explored in the future subject to further investigations as to the feasibility of such development.

Access to the proposed lease area will be via a strip of Unallocated Crown Land (UCL) which sits between the proponents landholdings and the waterline. In order to secure tenure over this UCL for the purposes of access, a Licence under s. 91 of the *Land Administration Act (1997)* is currently being arranged between the proponent and the Department of Lands. It is anticipated that the Licence will be issued for a period of 24 months as an interim measure, with an easement being pursued thereafter to provide tenure in the longer term.

### Planning Framework

#### Shire of Shark Bay Local Planning Scheme No. 3

The subject site is a Local Scheme Reserve for "Waterways" pursuant to LPS3. Clause 3.2.1 of LPS3 states the following in relation to the use and development of a Local Reserve:

'A person must not:

- a) use a Reserve; or
- b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.'

Clause 3.2.2 of LPS3 further states that in determining an application for planning approval for the use and development of a Local Reserve, the local government is to have due regard to the matters set out in Clause 10.2 of LPS3, as well as the ultimate purpose intended for the Reserve. Whilst LPS3 is silent on the purpose of the "Waterways" Reserve, the *Planning and Development (Local Planning Schemes) Regulations 2015* provide that the reservation is to set aside land required for significant waterways. In this regard, the proposed aquaculture operation is considered to be in conformity with the purpose of the reservation as there will be minimal modification to the waterway/marine environment from the proposed operation, while

# MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Chief Executive Officer  
Shire of Shark Bay



DEVELOPMENT APPLICATION – PROPOSED AQUACULTURE OPERATION IN WATERS ADJACENT TO LOT 2 NANGA ROAD, NANGA

also having little to no impact on related activities such as commercial shipping operations or the like, owing to the remote location of the site and shallow depth of the bay in this location.

In addition to the above, the following provisions of Clause 10.2 are considered relevant to the proposal:

Provision	Response
<i>The aims and provisions of the Scheme.</i>	The proposal accords with the aims of LPS3 with particular reference to subsection f) which states an intention to protect and enhance the environmental values and natural resources of the local government area and promote ecologically sustainable land use and development. In this regard, the proposed development is considered to be ecologically sustainable as it involves minimal modification or impact on the marine environment, while providing a commercially viable development that will have economic benefits to the community through local employment generation and the subsequent multiplier effect on the local economy.
<i>The requirements of orderly and proper planning including any relevant proposed new Local Planning Scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought.</i>	The proposed use of the site is considered to be appropriate in the context of the requirements of orderly and proper planning as it will have a negligible impact on surrounding development or land use activities owing to its remote location and in particular the approximate 800 metre separation from tourist developments on the adjacent Lot 4. In addition, the proposal is considered to align with the planning vision for the area which designates the area for intensive marine use, as discussed in the <i>Shark Bay Regional Strategy (1997)</i> section below.
<i>Any approved environmental protection policy under the Environmental Protection Act 1986.</i>	Refer to Shark Bay World Heritage Property section below.
<i>Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.</i>	Refer to <i>Shark Bay Regional Strategy (1997)</i> section below.
<i>In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.</i>	As detailed above, the proposed aquaculture operation is considered to be in conformity with the purpose of the reservation as there will be minimal modification to the waterway/marine environment from the proposed operation, while also having little to no impact on related activities such as commercial shipping operations or the like, owing to the remote location of the site and shallow depth of the bay in this location.
<i>The compatibility of a use or development with its setting.</i>	The proposal is considered to be compatible with its setting as it involves only low impact farming methods and is situated in a remote location so as to not interfere with incompatible surrounding land uses or activities.
<i>The cultural significance of any place or area affected by the development.</i>	There is one site identified in a portion of the lease area as being of possible aboriginal heritage significance (DAA 8077 Nanga Bay 1). Advice received from The Department of Aboriginal Affairs indicates that potential impacts on this location can be mitigated by not undertaking activities within this

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

Chief Executive Officer  
Shire of Shark Bay



DEVELOPMENT APPLICATION – PROPOSED AQUACULTURE OPERATION IN WATERS ADJACENT TO LOT 2 NANGA ROAD, NANGA

	location. As such, the proponents have removed this location from the proposed access Licence with the Department of Lands and have provided a 20m buffer either side to further mitigate any impacts on the significance of this site.
<i>The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.</i>	The species proposed are filter-feeding and sediment-feeding in nature and therefore will not require supplemental feeding and will have a minimal impact on the surrounding environment. A Management and Environmental Management Plan has also been prepared for the site in accordance with the Department of Fisheries requirements for the grant of an aquaculture licence/lease. The MEMP includes an Environmental Monitoring Program to identify, monitor and manage potential environmental impacts from aquaculture activities in Shark Bay relating to water quality, sediment quality, marine fauna monitoring and injury prevention, provisioning of wildlife, lighting, genetics, broodstock collection, biofouling and biosecurity.
<i>The preservation of the amenity of the locality.</i>	Due to the remote location of the site and the limited extent of surrounding development, there will be little to no amenity impacts arising from the proposal. It is further noted that a separation distance of approximately 800 metres has been implemented between the lease area and the tourist development on the adjacent Lot 4 to mitigate an potential impacts on that site.
<i>The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.</i>	The proposed aquaculture operation will be of minimal impact on surrounding land as it will be confined to a designated lease area, with associated activities being largely submerged and therefore having limited visual impact.
<i>Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.</i>	In terms of road access, the site is connected to the wider road network via existing linkages with Nanga Road. In addition, the proponent is in the process of obtaining the required Licence/Easement from the Department of Lands to secure tenure over the UCL which will provide an appropriate means of access to the proposed aquaculture operation from the proponents landholdings.

Shark Bay World Heritage Area

Under LPS3, the site is also located within the Shark Bay World Heritage Property Special Control Area. Clause 6.2.4 of LPS3 provides that when determining a development application, the local government is to have regard to the *Environmental Protection Authority Guidance Statement No 49 - Assessment of Development Proposals in Shark Bay World Heritage Property (GS49)*. GS49 states that development proposals within the Shark Bay World Heritage Property are to pay particular attention to the World Heritage values for which the Property was nominated, such as the high genetic biodiversity, species diversity and unique marine environment.

In this regard, the impact on the marine environment has been considered through the preparation of the associated Management and Environmental Management Plan which provides clarification as to potential environmental impacts, as well outlining a proposed monitoring program that will be implemented to identify, monitor and manage these impacts. Provision is made for ongoing monitoring of water and

26 OCTOBER 2016

Chief Executive Officer  
Shire of Shark Bay



DEVELOPMENT APPLICATION – PROPOSED AQUACULTURE OPERATION IN WATERS ADJACENT TO LOT 2 NANGA ROAD,  
NANGA

sediment quality, biosecurity measures, as well as operational measures to ensure the protection of marine mammals and other aquatic species. These measures will be implemented with auditing and review being undertaken on a continuous basis to ensure the World Heritage Values of the surrounding area are not detrimentally impacted on through the proposed development.

Shark Bay Regional Strategy 1997

The Western Australian Planning Commission (WAPC) undertook a review of the *Shark Bay Regional Strategy (1988)* which culminated in the preparation of the *Shark Bay Regional Strategy (1997)* (the Strategy). The Strategy seeks to provide guidance for land, water and resource use and management in the World Heritage Property and provides specific commentary on the high level planning strategies to protect and enhance World Heritage Values.

The Strategy designates the marine waters adjacent to Nanga which are the subject of this application as being for 'Intensive Marine Use'. Table 2 of the Strategy states that these areas were specifically not included within the Shark Bay Marina Park to allow for commercial development and managed intensive use such as marine facilities associated with urban, industrial, tourism and recreational activity. Clause 6.2.2 of the Strategy further states an intention to develop aquaculture operations in appropriate locations within the Gascoyne region including Shark Bay. It is therefore considered that the proposal is well aligned with the intentions of the Strategy, being wholly located within an area specifically designated for intensive marine uses, while also being an industry specifically advocated by the Strategy.

**Summary**

As demonstrated above, the proposed aquaculture operation is considered to be appropriate in the context of orderly and proper planning as it is situated in a remote location that has a limited extent of surrounding development or land use activities, and one that has environmental and climatic conditions conducive to such an operation. Extensive steps will also be undertaken to mitigate any potential impacts on the surrounding marine environment, including a detailed environmental monitoring and management program to be implemented as part of the associated Management and Environmental Management Plan.

The proposal is also considered to align with the broader planning vision for the area which specifically identifies intensive marine use for this location, as well as advocating for the development of ecologically sustainable commercial enterprises such as aquaculture operations that will provide local employment generation and will have flow on effects to the local economy.

We therefore look forward to the Shire's favourable consideration of this application and would be pleased to discuss any aspects of the proposal with you during your consideration of this submission. Should you have any queries or require clarification on any matters raised herein, please do not hesitate to contact Brandon Avery or the undersigned on (08) 9289 8300.

Yours sincerely  
TPG + PLACE MATCH

David Caddy  
Senior Director

MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

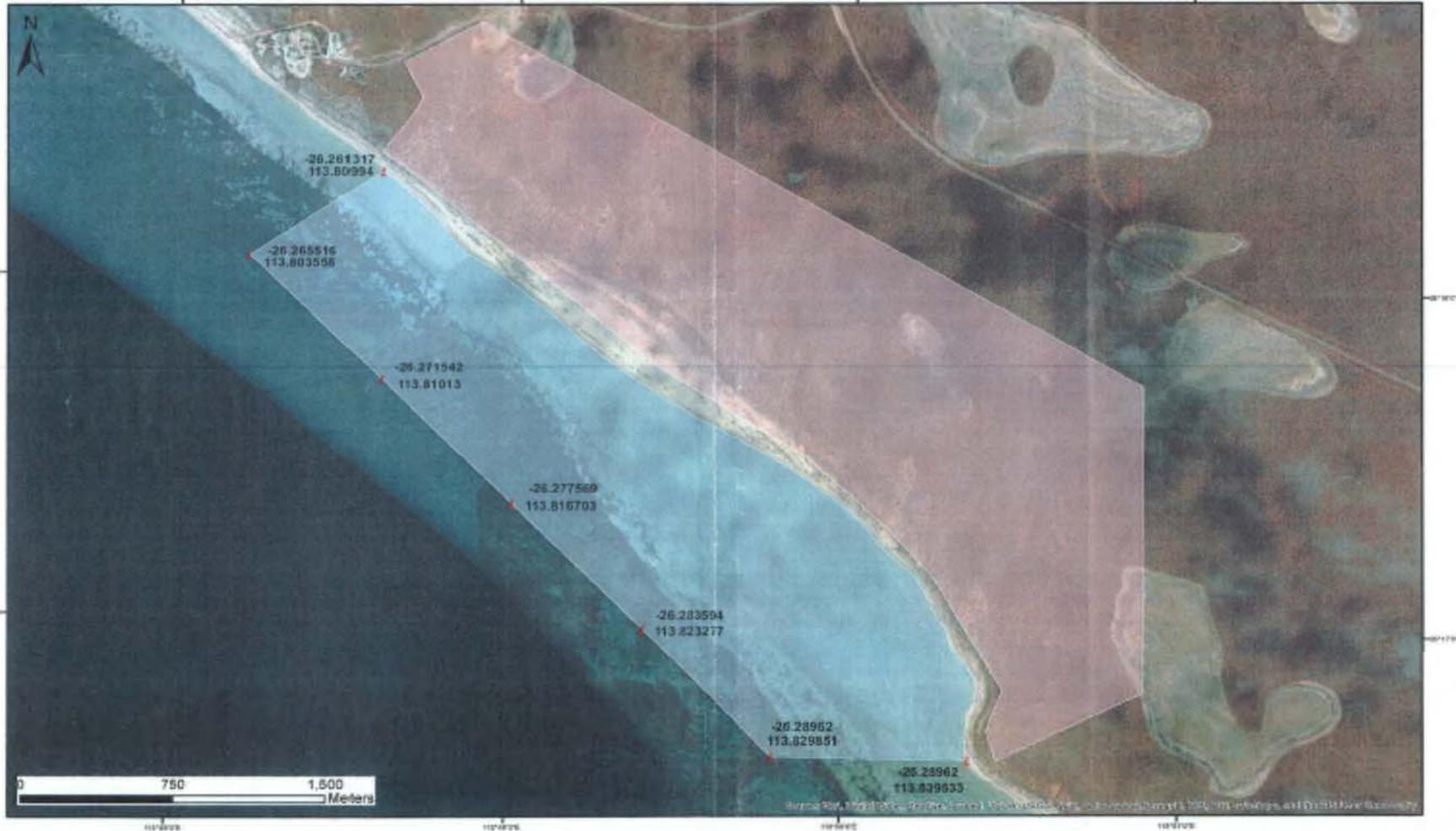


Coordinate System: GDA 1994 MGA Zone 49  
Projection: Transverse Mercator  
Datum: GDA 1994  
15-05-2015 smadlead

Cadastral survey boundaries, Lot 2 Nanga

Southern Forests, Technical Services  
111 IABN 95973462739  
11 46 Paper Street, Hillson WA 6163  
11 Mobile: 0429 42 1228

APPENDIX A  
LICENCE AREA PLAN



26 OCTOBER 2016

- 13.6 PROPOSED ACQUISITION OF PORTION OF LOT 3002 FRANCIS ROAD, DENHAM, (TO EXPAND RESERVE 33517)  
RES 33517

AUTHOR

Liz Bushby, Gray and Lewis Land Use Planners

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Gray and Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Bellottie

Nature of Interest: Financial Interest as Chairperson of Yadgalah Aboriginal Corporation

Declaration of Interest: Cr Capewell

Nature of Interest: Financial Interest as Vice Chair member of Yadgalah Aboriginal Corporation

Cr Capewell and Cr Bellottie left the Council Chamber at 3.56 pm.

Moved            Cr Prior  
Seconded       Cr Ridgley

The President invited Cr Capewell and Cr Bellottie to address the Council meeting in regards to the item in their capacity as committee members of Yadgalah Aboriginal Corporation, Cr Capewell and Cr Bellottie entered Council Chamber at 4.05 pm.

Cr Bellottie and Cr Capewell left Council Chamber at 4.12pm

**Council Resolution**

**That Council:**

1. **Advise the Department of Lands that:**
  - (a) **The Shire of Shark Bay has no objections to the proposed acquisition of a portion of Unallocated Crown Land (Lot 3002) for expansion of existing Reserve 33517.**
  - (b) **The Shire would like to be kept informed as the acquisition is finalised so that the zoning of the Reserve can be refined / updated as part of the Scheme Review process.**
2. **Note that the zoning of any expanded reserve can be consolidated / corrected as part of the Scheme Review process.**

**4/0 CARRIED**

Cr Capewell and Cr Bellottie returned to Council Chamber at 4.17 pm.

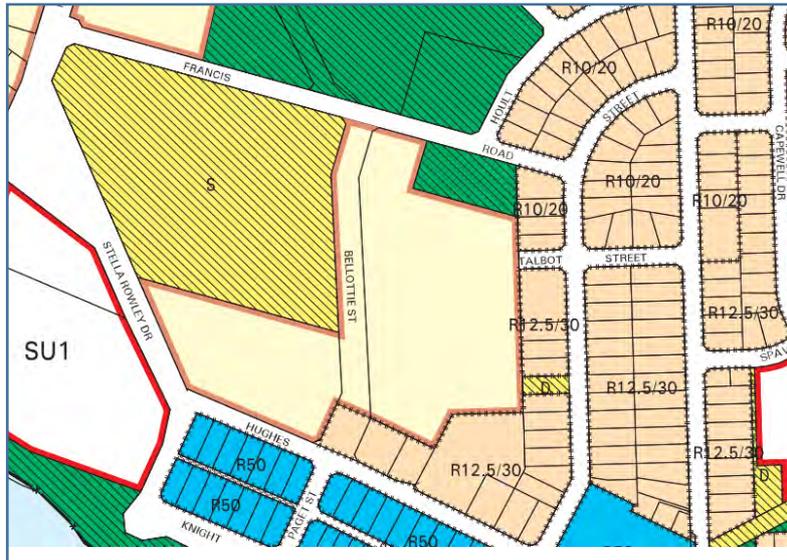
BACKGROUND

**Zoning**

Reserve 33517 is reserved for 'Parks and Recreation' under the Shire of Shark Bay Local Planning Scheme No 3. Adjacent Lot 3002 is zoned 'Residential Development'.

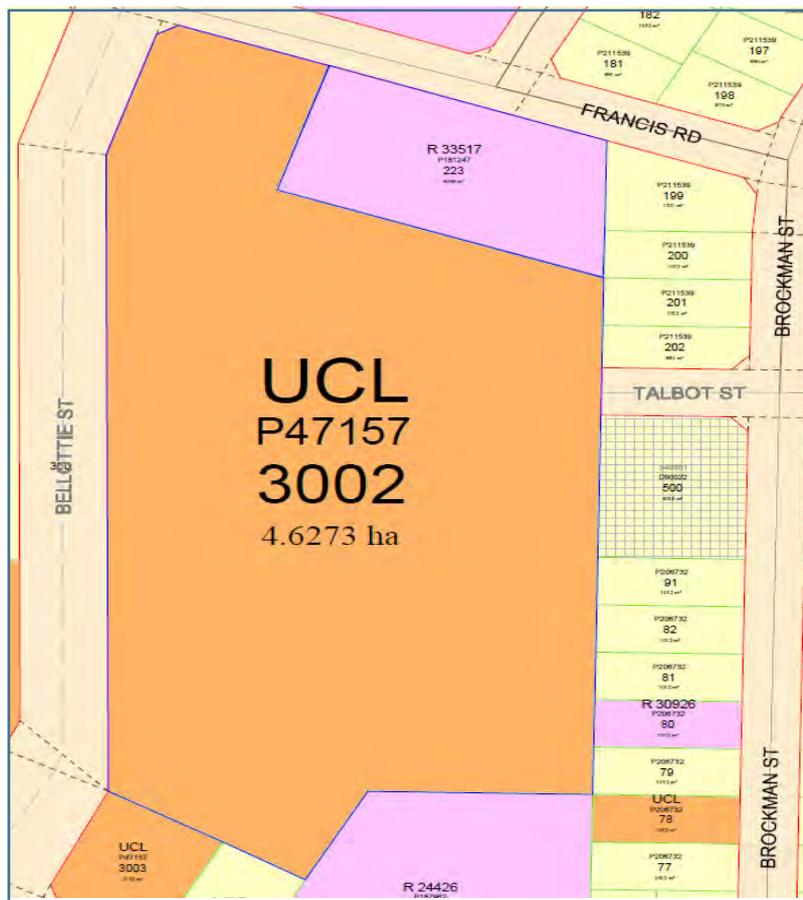
MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016



**Location**

Existing Reserve 33517 is located near the corner of Francis Road and Brockman Street in Denham townsite.



26 OCTOBER 2016

COMMENT

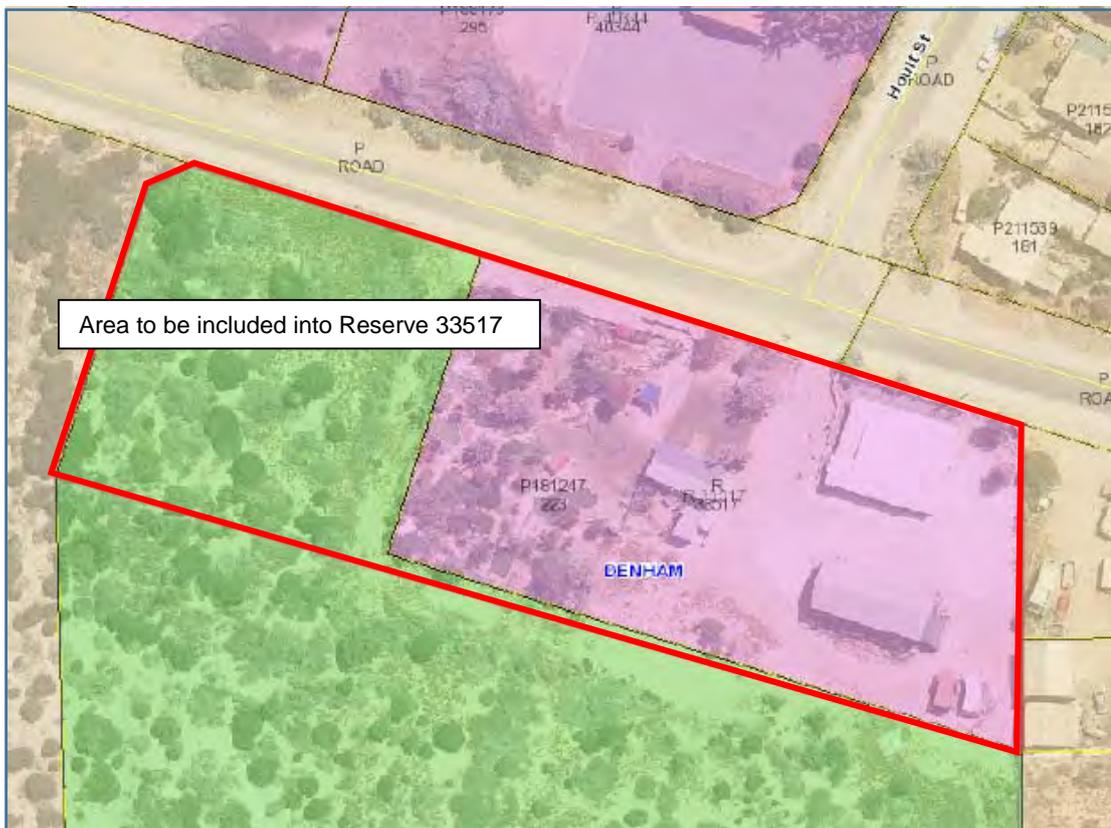
**Description of Proposal**

The Yadgalah Aboriginal Corporation holds a Management Order over Reserve 33517 for Community Purposes and Recreation.

Part of their mini golf course encroaches into adjacent Lot 3002 which is Unallocated Crown Land. Yadgalah Aboriginal Corporation has approached the Department of Lands seeking to acquire part of Lot 3002 to rectify the encroachment and to enable future expansion of their training facilities.

The Department of Lands has referred the proposal to the Shire for comment.

The plan below illustrates the area proposed to be acquired.



**Officer Comment**

The proposal is generally supported as it would resolve the issue of the golf course encroachment, and it will also strategically cater for future expansion of existing facilities.

The proposal will facilitate future development of underutilised land.

Reserve 33517 is proposed to be reserved 'civic and community' under the Shires Draft Local Planning Scheme No 4. After the Scheme is advertised the Shire will be able to consider modifications to the Draft Scheme Maps.

26 OCTOBER 2016

As part of the Scheme Review the zoning of Reserve 33517 can be extended to reflect any expanded reserve area.

LEGAL IMPLICATIONS

*Shire of Shark Bay Local Planning Scheme No 3* – Discussed in the body of this report.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis for planning advice.

STRATEGIC IMPLICATIONS

Draft *Shire of Shark Bay Local Planning Scheme No 4* – discussed in the body of this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

29 September 2016

26 OCTOBER 2016

**14. BUILDING REPORT**

There is no building report for the October 2016 Council meeting.

**15. HEALTH REPORT**

**15.1 AMENDED HEALTH ACT 1911 AND THE NEW PUBLIC HEALTH ACT 2016  
PH00012**

AUTHOR

ENVIRONMENTAL HEALTH OFFICER

DISCLOSURE OF ANY INTEREST

NIL

Moved            Cr Ridgley  
Seconded       Cr Prior

**Council Resolution**

**That Council note the report from the Environmental Health Officer in regards to the new *Public Health Act 2016*.**

**6/0 CARRIED**

BACKGROUND

On 25 July 2016 the Western Australian Parliament passed legislation to adopt the new *Public Health Act 2016* (new Act), together with the supporting *Public Health (Consequential Provisions) Act 2016*. These Acts will repeal much of the *Health Act 1911* and are designed to better protect and promote the health of all Western Australians. The Acts will be progressively introduced over the next 3 to 5 years.

COMMENT

The purpose of the Act is to:

1. Promote and improve public health and wellbeing and to prevent disease, injury, disability and premature death.
2. Protect individuals and communities from diseases and other public health risks and to provide, to the extent reasonably practicable, a healthy environment for all Western Australians.
3. Promote the provision of information to individuals and communities about public health risks.
4. Encourage individuals and communities to plan for, create and maintain a healthy environment.
5. Provide for the prevention or early detection of diseases and other public health risks, and certain other conditions of health.
6. Support programmes and campaigns intended to improve public health.
7. Facilitate the provision of information to decision-making authorities about public health risks and benefits to public health that may result from certain proposals.
8. Provide for the collection, disclosure and use of information about the incident and prevalence of diseases, other public health risks in the State and certain other conditions of health, for research or public health purposes.

26 OCTOBER 2016

9. Reduce the inequalities in public health of disadvantaged communities.
10. Provide for functions in relation to public health to be performed by the State and local governments.

There are five principles of the Act:-

Sustainability – Ensure that our decisions and actions not only benefit people today, but do not have adverse consequences for future generations.

Precautionary – When there is limited scientific evidence it is better to ‘err on the side of caution’ to protect public health.

Proportionality – Decisions and responses should be made proportionate to the public health risk present.

Intergenerational Equity – The present generation should ensure that public health is maintained or enhanced to ensure future generations benefit.

Local Government – The functions of local governments in relation to public health should be acknowledged and respected through its involvement in a range of activities that include –

- Planning processes
- Environmental monitoring and management
- Health promotion and
- More traditional public health concerns such as:
  - Waste management
  - Prevention of infectious diseases
  - Food safety, and
  - Monitoring drinking water quality.

The Crown is bound by the Act, however, the Crown can apply to the Minister for an exemption for up to 10 years to give it time to become compliant. Whether an exemption can be extended after 10 years is unknown. The Crown cannot be exempt from compliance with the following Parts of the Act:

- Part 9 – Notifiable infectious diseases and related conditions
- Part 11 – Serious public health incident powers
- Part 12 – Public Health emergencies
- Part 15 – Inquiries
- Part 16 – Powers of entry, inspection and seizure
- Part 18 – Liability, evidentiary and procedural matters, and
- Part 19 – Miscellaneous matters.

Some people believe that Local Governments will be required to play a more active part in improving the health of their communities. Whether this is just through the identification of health issues within the community such as a large number of people suffering from obesity or asthma or diabetes and acknowledging this in its local Public Health Plan and Public Health Policies, or whether the Local Government is required to provide means to actively combat these health issues is unclear at present.

The State Government will prepare a Public Health Plan. Local Governments will need to write and submit to the Health Department its Public Health Plan within 2 years of stage 5 of the implementation being implemented (that is in approximately 5 years’ time).

26 OCTOBER 2016

The new *Public Health Act 2016* will be less prescriptive than the old *Health Act 1911* and will be based on the health risk to the community. Similar to the Building legislation which allows for alternative means or applications to meet certain standards or criteria, the new Act will be written in the same way. Officers have always had the ability to consider alternative methods or means to some extent but now individual interpretations are likely to mean less uniformity across the State.

Reference to Environmental Health Officers is being removed and replaced with Authorised Officers. An Authorised Officer is someone that the Local Government appoints to carry out certain tasks. Authority identification cards are issued by the Local Government.

The Health Department of Western Australian Environmental Health Directorate (EHD) has recently advised that its role will become a broader state-wide system manager. The Directorate's changes will be phased in over five years as the new Act is implemented. The Western Australian Environmental Health Directorate has identified improvements in the process of environmental health licensing to reduce red-tape. The Western Australian Environmental Health Directorate will be restructured to continue to provide core health services, supported by system support and licensing, with team members channelled into being Risk Assessors (remain specialised in key fields of food, water, hazards, radiation and science, and policy), and Functional Streams (responsible for risk management and streamlining processes across the Western Australian Environmental Health Directorate).

Attached is some additional information regarding this legislation changes and includes some Frequently Asked Questions and Answers regarding the new Acts which may be of interest to Council.

#### LEGAL IMPLICATIONS

There are no policy implications relative to this report

#### POLICY IMPLICATIONS

There are no policy implications relative to this report

#### FINANCIAL IMPLICATIONS

Council may need to budget for a consultant to draft its local Public Health Plan and Policies (depending on how extensive the Plan and Policies need to be) in 5 years' time, but there may be other financial implications that are identified as the new Act is implemented.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report, but the Community Strategic Plan will need to include or reflect outcomes identified in the local Public Health Plan when next reviewed.

#### RISK MANAGEMENT

This is a low risk item to Council.

The new Public Health Act 2016 and the Public Health (Consequential Provisions) Act 2016, along with the amendments to the Health Act 1911 will occur over the next 3 to 5 years.

26 OCTOBER 2016

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

Chief Executive Officer

*P Anderson*

Date of Report

5 October 2016

**Legislation Update**

**Amended Health Act 1911 (amended on 25 July 2016) and the Public Health Act 2016**

**About the Public Health Act 2016**

The Public Health Act 2016 (new Act), together with the supporting Public Health (Consequential Provisions) Act 2016, are now law in Western Australia.

These Acts will repeal much of the outdated Health Act 1911 and are designed to better protect and promote the health of all Western Australians.

As there is a significant amount of work required to transition to the new regulatory framework, the Acts will be progressively introduced over the next 3 to 5 years.

**FAQs**

**Q. What is the purpose of the new Act?**

A. The Public Health Act 2016 provides a flexible and proactive framework for the regulation of public health, with key features including:

- Promoting public health and well-being in the community
- Helping to prevent disease, injury, disability and premature death
- Informing individuals and communities about public health risks
- Encouraging individuals and their communities to plan for, create and maintain a healthy environment
- Supporting programs and campaigns intended to improve public health
- Collecting information about the incidence and prevalence of diseases and other public health risks for research purposes
- Reducing the health inequalities in public health of disadvantaged communities.

**Q. Why is WA's public health legislation being changed?**

A. New and modern law is needed to protect the health of Western Australians. The Health Act 1911 is limited in that it:

- Makes reference to out-dated public health risks and issues (eg. Removal of night soil, and lime washing walls after a person with an infectious disease has left a boarding house, etc)
- Deals with issues that have since been captured by other legislation
- Does not address emerging public health issues such as bio-terrorism, new industries and epidemic chronic diseases
- Is prescriptive and reactive.

26 OCTOBER 2016

The Public Health Act 2016 provides a modern, flexible and proactive risk based framework for the regulation of public health.

**Q. What are the key features of the new Act?**

A. The key features are as follows:

- A risk based framework which provides a set of regulatory tools which can be applied to regulate any given risk to public health
- The binding of the Crown which gives effect to the principle that all persons are entitled to the same public health standards
- A modern framework for infectious diseases that uses four public health tools to aid in the prevention and control of the spread of infectious diseases and related conditions
- A modern framework for public health emergencies which provided for the exercise of wide scale where there is an overwhelming need to take action to protect public health
- Public health planning that requires government to take a strategic and forward thinking approach to protecting and promoting public health
- Public health assessments that provide for an assessment of the public health risks and benefits arising from particular proposals to be undertaken in conjunction with existing approval processes
- A coordinated and streamlined approach to regulation that provides that all regulation relating to broad policy areas will be consolidated and streamlined into single regulatory instruments
- Appropriate penalties that will deter unlawful conduct thereby preventing or minimising harm to public health

**Q. When does the new Act take effect?**

A. As there is a significant amount of work required to transition to the new regulatory framework, the Public Health Act 2016 will be implemented in a staged manner over the next 3 to 5 years.

This means that the old Health Act 1911 (which will be known as the Health (Miscellaneous Provisions) Act 1911), and all regulations made under the Health Act 1911, will continue to be the main enforcement tool, until the new provisions of the Public Health Act 2016 are proclaimed over the coming years.

There will be five stages of implementation:-

Stages 1 and 2 –

Stage 1 will come into operation upon Royal Assent of the new legislation and stage 2 on the following day. These 2 stages involve various technical matters required to facilitate the transition from the Health Act 1911 to the Public Health Act 2016. During this process the Health Act 1911 and its associated regulations, by-laws and local laws will remain in force.

Local Government Preparation

The first six months following Royal Assent should be considered business as usual for local government, who are to continue to enforce the Health Act 1911 and subsidiary legislation. While these introductory stages will have no practical implications for local governments, local governments will need to start preparing for stage 3. The Department of Health will work closely with local governments in the lead up to stage 3 providing further information on how to prepare for this stage.

Stage 3 -

Stage 3 will occur on a date fixed by proclamation, although it is anticipated this will occur within 6 months of the date of Stages 1 and 2.

26 OCTOBER 2016

During this stage, key elements of the administrative framework provided by Part 2 of the Public Health Act 2016 will come into operation to replace the equivalent administrative framework provided by Part II of the Health Act 1911. This includes provisions establishing the Chief Health Officer and enabling enforcement agencies to designate authorised officers for the purposes of the Act.

Technical amendments will also be made to facilitate the transition from the old to the new legislation. This will include making relevant amendments to the Health Act 199 and its associated regulations and by-laws, to replace references to:

- The “Health Act 1911” with references to the “Health (Miscellaneous Provisions) Act 1911”
- “Executive Director, Public Health” with references to “Chief Health Officer”
- “environmental health officer” with references to “authorised officer”.

The following regulations and by-laws made under the Health (Miscellaneous Provisions) Act 1911 will also be repealed:

- Annual Report Form (Local Authorities) Regulations
- Form for Result of Sample Analysis Regulations
- Health Act (Local Authorities Sewerage Undertakings) Model By-Laws
- Local Health Boards (Annual Statement of Accounts) regulations 1961
- Model By-laws – Handling Dead Bodies
- Model By-laws – Series “A”.

All other regulations, by-laws and local laws made under the Health (Miscellaneous Provisions) Act 1911 will remain in operation.

Local government preparation

In order to minimise the impact on local governments, section 312 of the Public Health Act includes a transitional provision. Under that section, persons who are currently appointed as environmental health officers will be deemed to be designated as authorised officers for the purpose of the Public Health Act, the Health Act and a range of other relevant Acts.

To prepare for this stage, local governments should:

- Identify all persons who hold a current appointment as an environmental health officer
- Issue to each of those persons a certificate of authority in accordance with section 30 of the Public Health Act
- Prepare and maintain a list of those authorised officers in accordance with section 27 of the Public Health Act.

Designations of persons to whom the transitional provision does not apply are to be made in accordance with Part 2 Division 4 of the Public Health Act.

It is noted that an amendment will be made to section 3.5 of the Local Government Act 1995 to authorise local laws for matters relating to public health to be made under that Act.

Local governments are encouraged to utilise this mechanism for all new local laws in anticipation of the repeal of the local law making powers provided by the Health (Miscellaneous Provisions) act 1911 in stage 5. The Department of Health will be coordinating a working group comprising of representatives from the Department, Western Australian Local Government Association (WALGA) and local governments to consider the new regulatory framework and what it means for existing health local laws.

Stage 4 –

Stage 4 will occur on a date fixed by proclamation.

26 OCTOBER 2016

Provisions in the Public Health Act relating to notifiable infectious diseases and related conditions, prescribed conditions of health, serious public health incident powers and public health emergencies will commence during this stage.

Equivalent provisions in the Health (Miscellaneous Provisions) Act 1911 and regulations made under that Act will be repealed.

Local government preparation

No action is required by local governments to implement this stage.

Stage 5 –

Stage 5 will occur on a date fixed by proclamation and will be the most significant stage of implementation for enforcement agencies as it represents the point at which they move from the framework provided by the Health (Miscellaneous Provisions) Act 1911 to the Public Health Act 2016.

The development of new regulations under the Public Health Act 2016 relating to environmental health matters will commence, and feature provisions for:

- The built environment
- Water
- Body art and personal appearances
- Pests and vectors.

Equivalent provisions in the health (Miscellaneous Provisions) Act 1911 and regulations and by-laws made under that Act will be repealed.

The following provisions will also commence with the enforcement provisions:

- Public Health Planning
- Public Health Assessments and
- Registration and Licensing.

Local government preparation

Stage 5 will be the most significant stage of implementation for local government.

The Department of Health will work closely with local government in the lead up to this stage, including consulting in respect of the development of required regulations.

**Q. What is meant by the general public health duty?**

A. The centrepiece of the Act is the legal duty on all persons to conduct their activities in a way that does not cause harm to the health of others.

In essence, we all have a legal responsibility to protect another person from harm.

If a person is found to breach the general duty by putting another person's health at risk, further enforcement action can be taken under the Act.

**Q. Who enforces the new Act?**

A. Local governments are the recognised enforcement agency for public health matters within their jurisdiction.

Local governments delegate the power to enforce the Act to "authorised Officers" (previously known as environmental health officers). Authorised officers are responsible for investigating any public health related matter.

**Q. Will the Health Act 1911 be retained?**

A. Yes. The Health Act 1911 will be retained in an amended format and re-named the Health (Miscellaneous Provisions) Act 1911. It will contain various matters relating to public health such as community health centres, child health and Mortality Committees.

**Q. What will happen to the regulations under the old Act?**

A. There are 45 regulations made under the Health Act.

The following regulations will be retained under the Health Act (re-named the Health (Miscellaneous Provisions) Act 1911):

- Health (Notifications by Midwives) Regulations 1994
- Health (Rottneest Island) By-Laws

## MINUTES OF THE ORDINARY COUNCIL MEETING

26 OCTOBER 2016

- Health (Section 335(5)(d) Abortion Notice) Regulations 1998
- Notification of Stillbirth and Neo-Natal Death Regulations
- Registration, Enforcement and Discharge of Local Authority Charges on Land, Regulations.

The following regulations will be repealed in Stage 3 of implementation:

- Annual Report Form (Local Authorities) Regulations
- Form for Result of Sample Analysis Regulations
- Health Act (Local Authorities Sewerage Undertakings) Model By-Laws
- Local Health Boards (Annual Statement of Accounts) regulations 1961
- Model By-laws – Handling Dead Bodies
- Model By-laws – Series “A”.

The following regulations will be transitioned under the Public Health Act during Stage 4 of implementation:

- Blood and Tissue (Transmissible Diseases) Regulations 1985
- Health (Cervical Screening Register) Regulations 1991
- Health (Notification of Lead Poisoning) Regulations 1985
- Health (Notification of Stimulant Induced Psychosis) Regulations 2010
- Health (Western Australian Cancer Register) Regulations 2011
- Health (Western Australian Register of Developmental Anomalies) Regulations 2010.

The remaining regulations will be repealed. Where required, new regulations will be made in accordance with the regulatory framework provided by the Public Health Act.

The timeline for implementation Stages 1 to 5 outlined above gives further details of the staged approach to implementing the Act.

### **Q. How will the Act be enforced?**

A. A graduated process of enforcement action is provided in the new legislation to give people the opportunity to discuss compliance issues with a local government authorised officer and take the necessary steps to comply.

Where a person does not comply, the Public Health Act 2016 provides four main types of enforcement options:

#### Enforcement Options

Infringement Notice	An infringement notice is a notice that the person to whom it is directed has committed an offence under a regulation, and requires payment of a specified monetary amount for the offence within a specified time.
Improvement Notice	An improvement notice is a written legal notice that either requires or prohibits a person from taking specified action. There are no penalties associated with a failure to comply with an improvement notice.
Enforcement Order	An enforcement order is a written legal order that orders specific action to be taken or prohibits action to be taken by a person. Non-compliance with an enforcement order gives rise for prosecution.
Prosecution	In cases that warrant prosecution in a court of law.

#### Changes in Penalties

The new legislation prescribes significantly higher penalties that can be applied to people who create public health risks. The aim is to deter unlawful conduct and prevent or minimise harm to public health.

26 OCTOBER 2016

It is the responsibility of the Courts to determine the appropriate punishment and penalties that apply.

#### Fees

Local government have an important role in enforcing public health legislation within their local jurisdiction.

In order to fund the cost of administration, inspection regimes and other service provision, local government are now able to charge a fee for service in accordance with Sect 6.16(2) of the Local Government Act 1995.

#### **Local Government Enforcement Agencies**

A number of resources are being developed to assist enforcement agencies to prepare for the implementation of the new Act. These include:

- Timeline to implement the Public Health Act 2016
- Public Health Act Toolkit for Local Government
- Public Health Planning.

#### **The Crown – the Binding of the Crown and the Exemptions**

The Public Health Act binds the Crown which means the Crown is required to comply with the provisions of the Act and new regulations.

However, it is recognised that some Crown and Crown authorities may not be capable of achieving immediate compliance with the Act. This is because improvements to infrastructure or service delivery to meet health requirements may only be achieved in the medium to long term.

The Act recognises that incremental measures may be required, and in appropriate circumstances the Minister for Health may exempt the Crown or a Crown authority from compliance with specific provisions of the Act or regulations.

Local government will primarily be the enforcement agency responsible for enforcing the Act on Crown land.

The Crown or a Crown authority may submit a request to the Minister for Health seeking an exemption under Part 17 from compliance with the Act.

An exemption may be granted from one or more provisions of the Act, or from one or more provisions of the regulations, or from a combination of both. An exemption can be issued for a period of up to 10 years.

The Crown or Crown authority may apply for an exemption by submitting a request in writing to the Minister. The request should include a completed copy of the Department's preferred exemption request form and any other relevant documentation.

The Crown cannot be exempt from the provisions of the following Parts of the Act:

- Part 9 – Notifiable infectious diseases and related conditions
- Part 11 – Serious public health incident powers
- Part 12 – Public Health emergencies
- Part 15 – Inquiries
- Part 16 – Powers of entry, inspection and seizure
- Part 18 – Liability, evidentiary and procedural matters
- Part 19 – Miscellaneous matters.

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26 OCTOBER 2016

**16. WORKS REPORT**

There are no works reports for the October 2016 Ordinary Council meeting.

**17. TOURISM, RECREATION AND CULTURE REPORT**

There are no tourism, recreation and culture reports for the October 2016 Ordinary Council meeting.

**18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

There are no motions of which previous notice having been given.

**19. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

The President thanked all Shire staff for their efforts over the Festival of Discovery – Shark Bay 1616 event.

**20. MATTERS BEHIND CLOSED DOORS**

**21. DATE AND TIME OF NEXT MEETING**

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 30 November 2016 commencing at 3.00 pm.

**22. CLOSURE OF MEETING**

With no further business the President closed the Ordinary Council meeting closed at 4.21pm.