

# Shire of Shark Bay

## Minutes of the Ordinary Council Meeting 26 June 2013



Sandalwood - Shark Bay WA







## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Shark Bay for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Council members or staff.

The Shire of Shark Bay disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Shark Bay during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Shark Bay.

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.

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 June 2013 commencing at 9.11 am

**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>
<b>6.</b>	<b>Petitions</b>	<b>3</b>
<b>7.</b>	<b>Confirmation Of Minutes</b>	<b>4</b>
7.1	Confirmation of the Minutes of the Ordinary Council meeting held on 29 May 2013	4
7.2	Minutes of the Shark Bay Marine Facilities Management Committee meeting held on 23 May 2013	4
7.3	Unconfirmed Minutes of the Works Committee meeting held on 24 June 2013	4
<b>8.</b>	<b>Announcements By The Chair</b>	<b>4</b>
<b>9.</b>	<b>President’s Report</b>	<b>5</b>
<b>10.</b>	<b>Councillors’ Reports</b>	<b>5</b>
<b>11.</b>	<b>Administration Report</b>	<b>6</b>
11.1	Western Australian Local Government Association Annual Conference - 2013 (Local Government Week)	6
11.2	Ordinary Elections 19 October 2013	23
11.3	Proposed Shire of Shark Bay Repeal and Amendment Local Law	27
11.4	Proposed Shire of Shark Bay Dogs Local Law	211
11.5	Review of Code of Conduct Marine Facilities	237
<b>12.</b>	<b>Finance Report</b>	<b>240</b>
12.1	Schedule of Accounts Paid To Be Received	240
12.2	Financial Reports to 31 May 2013	248
12.3	Donations and Financial Assistance Applications	315
12.4	Shark Bay Marine Facilities Review of Fees And Charges for 2013/2014	330
<b>13.</b>	<b>Town Planning Report</b>	<b>334</b>
13.1	Proposed Storage Shed / Outbuilding – Lot 310 (1) Stella Rowley Drive, Denham	334
<b>14.</b>	<b>Building Report</b>	<b>337</b>
<b>15.</b>	<b>Health Report</b>	<b>337</b>
<b>16.</b>	<b>Works Report</b>	<b>337</b>
<b>17.</b>	<b>Tourism, Recreation And Culture Report</b>	<b>338</b>
17.1	Request For Funding – Jimmy Poland Project	338
17.2	Application To Keep More Than Two Dogs On A Property	343
17.3	Denham Exit Signage	345
<b>18.</b>	<b>Motions Of Which Previous Notice Has Been Given</b>	<b>353</b>
<b>19.</b>	<b>Urgent Business Approved By The Person Presiding Or By Decision</b>	<b>353</b>
19.1	Five (5) Year Road Capital Plan 2013/2014 to 2017/2018	353
19.2	Proposed Five (5) Year Plant Replacement Program	356
19.3	Proposed Road Schedule 2013/2014	359
19.4	Barnard Street	362
19.5	Proposed Amphitheatre For The Shark Bay Recreation Centre	367
19.6	Proposed Drainage Funding	370
19.7	Review Of Strategic Community Plan	371
19.8	Application For Advertising Signs – Adjacent Shark Bay Road / Ocean Park Road Intersection	373
19.9	Application for Leave of Absence – Cr Wake	379
19.10	Adoption of the Shire of Shark Bay’s Corporate Business Plan 2013 - 2017	381
<b>20.</b>	<b>Matters Behind Closed Doors</b>	<b>383</b>
20.1	Tender Information - TE 2012/13-04 Digital TV	383
<b>21.</b>	<b>Date And Time Of Next Meeting</b>	<b>384</b>
<b>22.</b>	<b>Closure Of Meeting</b>	<b>384</b>



**1. DECLARATION OF OPENING**

The President declared the meeting open at 9:11am

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

**ATTENDANCES**

Cr C Cowell	President
Cr J Hanscombe	Deputy President
Cr K Capewell	
Cr J McLaughlin	
Cr G Ridgley	
Cr B Wake	

Mr P Anderson	Chief Executive Officer
Mr R Towell	Executive Manager Finance and Administration
Ms S Burvill	Executive Manager Community, Tourism and Economic Development
Mr B Galvin	Works Manager entered 11:10am
Mrs R Mettam	Executive Assistant
Mrs C South	Works/EA Assistant

**APOLOGIES**

Cr M Prior	Leave of Absence granted at the Ordinary Meeting of Council 24 April 2013 Item 5.1
------------	--

**VISITORS**

Mr Ron Marquis	12:14pm
Mr Rob Emery	12:18pm

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

Nil

**4. PUBLIC QUESTION TIME**

The President opened Public Question Time at 9.12 am and as there were no public present the President closed Public Question Time at 9.12 am

**5. APPLICATIONS FOR LEAVE**

Nil

**6. PETITIONS**

Nil

7. **CONFIRMATION OF MINUTES**

7.1 **CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 MAY 2013**

Moved           Cr Hanscombe  
Seconded       Cr Capewell

**Council Resolution**

**That the minutes of the ordinary council meeting held on 29 May 2013, as circulated to all councillors, be confirmed as a true and accurate record.**

**6/0 CARRIED**

7.2 **MINUTES OF THE SHARK BAY MARINE FACILITIES MANAGEMENT COMMITTEE MEETING HELD ON 23 MAY 2013**

Moved           Cr Capewell  
Seconded       Cr Ridgeley

**Council Resolution**

**That the minutes and recommendations contained within the Shark Bay Marine Facilities Management Committee meeting held on 23 May 2013, as circulated to all councillors, be noted.**

**6/0 CARRIED**

7.3 **UNCONFIRMED MINUTES OF THE WORKS COMMITTEE MEETING HELD ON 24 JUNE 2013**

Moved           Cr McLaughlin  
Seconded       Cr Wake

**Council Resolution**

**That the minutes and recommendations contained within the Works Committee meeting held on 24 June 2013, as circulated to all councillors, be noted.**

**6/0 CARRIED**

8. **ANNOUNCEMENTS BY THE CHAIR**

Ms Sandy Bell the Nurse/Practitioner from Silver Chain will make a presentation to the June 2013 Council meeting.

Cr Capewell has invited two guests to attend the Council meeting. Mr Rob Emery and Mr Ron Marquis will both attend the luncheon.

**9. PRESIDENT'S REPORT**

PR 101

**Committee Membership**

Board member	Gascoyne Development Commission Board
Member	Gascoyne Revitalisation Steering Committee
Member (President)	Dirk Hartog Commemoration Committee
Member (Deputy Chair)	Regional Collaboration Group – Gascoyne
Member	Development Assessment Panel
Member/Community Affairs Rep	Gascoyne Regional Planning Committee
Member (President)	Country Local Government Fund
Member	Denham Maritime Facilities Infrastructure Working Group
Deputy Member	Shark Bay Marine Facilities Management Committee

**Meeting Attendance**

May	27	National Landscapes meeting
	29	May Shire Council meeting
June	10	Gascoyne Development Commission Audit Committee meeting
	11	Gascoyne Revitalisation Steering Committee meeting
	12	Gascoyne Development Commission meeting – Useless Loop

Date of Report 19 June 2013

Moved Cr Ridgley  
 Seconded Cr Capewell

**Council Resolution**

**That the President's report for June 2013 be received.**

**6/0 CARRIED**

**10. COUNCILLORS' REPORTS**

10.1 Cr Wake  
 Nil

10.2 Cr Capewell  
 Nil

10.3 Cr Hanscombe  
 Nil

10.4 Cr McLaughlin  
 Nil

10.5 Cr Ridgley  
 Nil

- 10.6 Cr Prior  
Nil

The President adjourned the Ordinary Council meeting at 10:15am and reconvened the meeting at 10:33am

Silver Chain Presentation

Sandy Bell, Nurse Practitioner of Silver Chain gave a presentation on the Health Services that are available to the Denham Community

**11. ADMINISTRATION REPORT**

- 11.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE - 2013 (LOCAL GOVERNMENT WEEK)

LO 102.01

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved            Cr Wake  
Seconded       Cr Ridgeley

**Council Resolution**

- 1. That the following Councillor's be nominated to attend the 2013 Western Australian Local Government Association Annual Conference to be held in Perth on Wednesday 7 to Saturday 10 August 2013:**

**Cr Prior  
Cr Cowell**

**Cr Ridgley – Be authorised to attend in the event that councillor Prior or Councillor Cowell can not attend**

- 2. That the Chief Executive Officer be authorised to attend the Western Australian Local Government Association Annual Conference to be held in Perth on Wednesday 7 to Saturday 10 August 2013.**

**6/0 CARRIED**

Background

At the Ordinary Meeting of Council held on the 29 May 2013, Council resolved the following:

***That the item lay on the table until the Ordinary Council meeting to be held on the 26 June 2013.***

Councillors now need to nominate if they wish to attend the 2013 Western Australian Local Government Association Conference to allow the bookings to be made before the cut-off date of 2 July 2013.

Comment

The annual 2013 Western Australian Local Government Association Conference (Local Government Week) is scheduled for 7 to 10 August 2013.

The conference normally attracts over 400 delegates from Local Governments around Western Australia as well as various exhibitors and guest speakers.

The Western Australian Local Government Association Annual conference is a significant event in the Local Government in Western Australia. The program for the Conference contains a number of topics that have relevance to the Shire that may provide some opportunity for local benefit.

Registrations for the conference close 2 July 2013. Council needs to decide if it wishes to propose any agenda items for the conference.

Accommodation requirements need to be considered and booked before accommodation in the Central City area is unavailable.

This is an opportune time to arrange other meetings with Ministers and Public Service Agencies if required while in Perth. The conference this year is also providing extra training in the days leading up to and after the conference, that Councillors and Executive Officers could combine with the conference. Refer attached Development Opportunities brochure.

Legal Implications

Nil

Policy Implications

**9.2 Conferences and Meetings:**

- (1) Notices inviting Council to nominate delegates to conferences, meetings and similar occasions be circulated to all Councillors.
- (2) All Councillors are to be advised of all local meetings where a general invitation to Councillors has been made
- (3) Any Councillor who wishes to represent Council at such an event shall request nomination at a Council meeting
- (4) Council shall decide by resolution to nominate such representatives as Council may consider is appropriate.
- (5) All Councillors be invited to be present on site inspections with visiting dignitaries where Council has not formed a policy or a direction.
- (6) Where it is considered appropriate for a Councillor to be accompanied by another person when attending a conference, meeting or similar occasion Council will meet the expenses applicable to attendance with a Councillor by that person with approval of full Council.



Financial Implications

Indicative cost being as follows –

1. Full Conference Delegate fee covers the conference program, lunches, refreshments and a ticket to both the Sundowner @ \$1,375.00 p/delegate by the 2 July 2013
2. Galla Dinner \$190.00 per delegate
3. Accommodation per delegate @ \$250.00
4. Car parking @ \$32.00 per day
5. Airfares (if applicable) p/delegate
6. Extra Training Costs as per schedule and requirements

Total cost will be dependent on Council's decision and number of delegates to attend the conference. A provision can be included in the 2013/14 budget.

Elected member development training programs, single day conference attendance and partner's excursions are available at additional cost.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

10 June 2013

FUTURE FOCUS: YOUR FUTURE, YOUR CHOICE



THE WA LOCAL GOVERNMENT  
CONVENTION AND EXHIBITION

WEDNESDAY 7 - FRIDAY 9 AUGUST 2013  
PERTH CONVENTION AND EXHIBITION CENTRE  
21 MOUNTS BAY ROAD, PERTH





#### FOUNDING CORPORATE PARTNER

LGIS is the WA Local Government sector's dedicated facility for risk financing and management.

Established by WALGA and managed by JLT Australia, LGIS provides specialised services to all Councils across the State by way of:

- A WA Local Government group self-insurance scheme for liability, workers compensation and property risks;
- A specialised insurance broking service for Local Government general insurance needs; and
- Risk management specialist services in all disciplines, such as OSH, liability and property risks, human resource risk management, professional risks, emergency management and business continuity planning, and an Organisational Risk Management program covering the full spectrum.



CIVIC LEGAL

#### PRINCIPAL SPONSOR

Civic Legal is a preferred supplier of legal services to the Local Government sector. A loyal supporter of the sector and of the annual convention, it is a favourite with Councils for its approachability, responsiveness and clarity of advice.



#### CONVENTION SUPPORTER



2013 WESTERN AUSTRALIA LOCAL GOVERNMENT & TRADE EXHIBITION

# AN INVITATION

As WALGA President, it is again my privilege to invite you to attend the 2013 WA Local Government Convention and Trade Exhibition. This years' event will continue to provide many opportunities for reconnecting with colleagues from all corners of our great State to share experiences and viewpoints, and to expand our skills base and knowledge.

Designed around the underpinning theme of Future Focus, the Convention is scheduled across two days -Thursday 8 and Friday 9 August – with the AGM and Opening Welcome Reception immediately beforehand on Wednesday 7 August.

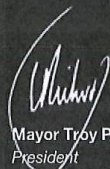
We are excited to have as our opening presenter Aron Falston, widely known for having survived a canyoneering accident in south-eastern Utah in 2003, during which he amputated his own right arm with a dull multi-tool in order to free himself from a dislodged boulder, which had trapped him there for five days and eight hours. You will also hear from Private Damien Thomlinson, Australian veteran of the Afghanistan war who was severely injured driving over an improvised explosive planted by the Taliban; and Tyler Hamilton, former teammate of Lance Armstrong and one of the world's former top-ranked cyclists, whose career came to a sudden end when he was found guilty of doping and exiled from the sport.

The Trade Exhibition Display continues to expand, showcasing the diverse products and services relevant to Local Government and we encourage you not to miss the opportunity to meet with these valuable suppliers and be updated on what is currently available for the sector.

Our partners are again an integral part of our annual gathering and a special activities program has been created for their enjoyment. Social networking with colleagues is amply featured with the Convention Opening Welcome Reception following the AGM on Wednesday, a Sundowner and the Mayors and Presidents' Council House Reception on Thursday and finally the Convention Gala Dinner being held on Friday evening.

On behalf of the Association I would like to express appreciation for the valuable support provided by the Convention Founding Partner Local Government Insurance Services (LGIS) and Principal Sponsor Civic Legal. I also wish to thank the City of Perth for their continuing support for the popular Banners in the Terrace competition.

I look forward to seeing you in August.



Mayor Troy Pickard  
President



## BANNERS IN THE TERRACE

**2012 Overall Winner**  
- *The Shire of Roebourne*

Do take some time to view the outstanding display of this year's creative entries in the Banners in the Terrace competition - flying high along St Georges and Adelaide Terraces between Sunday 28 July and Saturday 10 August

FUTURE FOCUS







## THE CONVENTION IN BRIEF

The 2013 Local Government Convention will be preceded by the WALGA Annual General Meeting on the afternoon of Wednesday 7 August.

Themed **FUTURE FOCUS** the conference sessions over **THURSDAY 8 AND FRIDAY 9 AUGUST** will reflect the ever present challenges facing our sector, with an added focus on the opportunities these bring - and once again there are several concurrent streams designed for further information gathering.

Opening this year's program is the extraordinary **ARON RALSTON**, who made headlines when he severed his own arm after being pinned by a boulder when descending a remote Utah canyon. Presenting our closing Keynote Address is **PRIVATE DAMIEN THOMLINSON**, an Australian veteran of the Afghanistan war; and the Convention Breakfast special guest is Australian Rules legend **ROSS GLENDINNING**, the inaugural captain of the West Coast Eagles. Also joining the program is **TYLER HAMILTON**, a former top-ranked cyclist before he was found guilty of doping and exiled from the sport, who will explore how culture drives behaviour.

The **TRADE EXHIBITION** is once again a major feature of the annual gathering, with a wide range of organizations continuing their support of Local Government through considerable investment in displays and participation in the pavilions.

In turn, we do encourage delegates to take full advantage of this dedicated time to meet and discuss sector specific products and services with their representatives.

### WHO SHOULD ATTEND?

The Convention and Trade Exhibition is presented specifically for all those engaged in the Local Government sector.

The conference sessions aim to support and inform Mayors, Presidents, Elected Members and Chief Executive Officers. Additional attendance by General Managers, Directors and other senior managers is also highly recommended. Available options include full conference participation and daily registration.

### LOCAL GOVERNMENT OFFICER PROGRAM

Running parallel to the conference program is a selection of special sessions available to Local Government Officers. These sessions are specifically designed to facilitate information gathering and networking support for those involved in policy development and management in the areas of **Human Resources, Sustainable Energy Practices, Native Title, Procurement, Disabilities, ICT and Local Heritage & Collections**.

Access to full session details and online registration: [www.walga.asn.au](http://www.walga.asn.au)

### SPECIAL BREAKFASTS

**Thursday** ALGWA AGM and Breakfast  
ICLEI Breakfast

**Friday** Convention Breakfast with  
Ross Glendinning

### SOCIAL ACTIVITIES

The **Partner Program** offers an interesting range of options for accompanying guests, and social networking functions include the **Official Opening Welcome Reception** on Wednesday, a **Sundowner** and the invitational Mayors and Presidents' Reception hosted by the Right Honourable the Lord Mayor Ms Lisa Scaffidi at Council House on Thursday, and the closing **Gala Dinner** which is scheduled for Friday evening.

There is also an optional fun tour to Bunbury and Harvey available for delegates and partners on Saturday 10 August.



# THE PROGRAM

## WEDNESDAY 7 AUGUST

- 10.00am Delegate Service Desk open for Convention Registration (PCEC Level 2)
- 12.00pm - 1.00pm Luncheon for 2013 WALGA Honours Recipients
- 1.30pm - 5.00pm **WALGA Annual General Meeting**  
Parliamentarian addresses invited from  
*Hon. Colin Barnett MLA, Premier of Western Australia.*  
*Hon. Mark McGowan MLA, Leader of the Opposition.*
- 5.00pm – 6.30pm **Convention Opening Welcome Reception in Trade Pavilion**

## THURSDAY 8 AUGUST

- 7.00am Delegate Service Desk open for Registration (PCEC Level 2)
- 7.00am - 8.30am ALGWA (WA) AGM and Breakfast. Register online via Delegate Registration.  
Other enquiries to Mayor Heather Henderson – City of Subiaco  
M 0457 733 469 or [hhenderson@subiaco.wa.gov.au](mailto:hhenderson@subiaco.wa.gov.au)  
**OR**  
Deputy Lord Mayor Janet Davidson OAM JP – City of Perth  
M 0417 974 936 or [janetdavidsonjp@hotmail.com](mailto:janetdavidsonjp@hotmail.com)
- 7.00am – 8.30am 2013 ICLEI Oceania Recognition and Waterwise Councils Awards Breakfast (enquiries to the ICLEI Events Team (08) 9364 0643 or [greg.hales@iclei.org](mailto:greg.hales@iclei.org))

### SESSION 1

### FUTURE FOCUS OPENING SESSION

#### 9.00am BETWEEN A ROCK AND A HARD PLACE



**Aron Ralston**

In 2003, Aron Ralston's extraordinary human drama grabbed headlines around the world. An experienced climber and avid outdoorsman, Aron was descending a remote Utah canyon alone when an 800-pound boulder broke loose, crushing his right hand and pinning him against the canyon wall. After nearly five days -- without water and with no hope of escape -- Aron made a life-or-death decision. He chose life by severing his arm below the elbow, rappelling a 65-foot cliff out of the canyon, and trekking seven miles to find his would-be rescuers.

Be taken on a riveting journey in which courage, perseverance, and the human spirit will defy the inevitable outcome. An ordinary man pushed to the limits, Aron demonstrates the human capacity for the extraordinary.

*Aron Ralston appears by arrangement with Saxton Speakers Bureau*

- 10.15am - 11.00am Refreshments

# MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

## SESSION 2

### THE EVOLVING GLOBAL ECONOMY AND OUR PLACE IN IT

11.00am



John Doggett

In the days of Empire, it was England. Then WWII thrust our focus on to America as we all got on the consumer driven consumption band-wagon of the 1950s. In the 1960s and '70s, the emergence of post-war Japan as an industrial super power had us learning Japanese in our secondary schools and business-card etiquette in our universities.

Throughout the reformist, economic rationalist, era of 1980s and 90s, we decided to acknowledge our geographic reality as part of South East Asia and deregulated our economy and evolved our workforce to embrace the information age. We set ourselves up to take on the 21st Century...and we survived the Global Financial Crisis in better shape than most of our contemporaries. Well, where do we go from here?

*Professor John Doggett, University of Texas*

*Professor Doggett appears by arrangement with Saxton Speakers Bureau*

## SESSION 3

### THE EVOLVING GLOBAL ECONOMY: FRAMING YOUR FUTURE

12:00pm

How can Local Government leverage the future of State economic growth for opportunities for WA and Local Councils? This session will explore small community economic growth, the flow-on effects of the resources sector to the State and the role of government and the private sector in the development of WA regional towns.

*Leigh Coleman, Chief Executive Officer, Many Rivers Microfinance*

*Warren Pearce, Manager – North West, The Chamber of Minerals and Energy of WA*

*Michael Campbell, Senior Consultant, AECgroup*

1:00pm

Lunch

## SESSION 4

### CONCURRENT SESSIONS I

2.00pm

All delegates are asked to indicate session preference when registering to assist with venue planning.

Governance

#### Focus on Metropolitan Reform

In June 2011 the WA State Government appointed the Metropolitan Local Government Review Panel to undertake the task of considering the current structures and governance arrangements for Local Government in metropolitan Perth and recommending improvements to maximise benefits to the community. The Panel completed the review in July 2012 and submitted their report to the State Government. The final report made 30 recommendations. At the time of preparing this program the State Government had placed the report for public comment and requested feedback by 5 April 2013.

This session will discuss the current state of play of Metropolitan Reform and the challenges ahead.

Governance

#### Focus on Relationship Management

We've all come across them: they are the people who drain you of energy instead of enriching you, the people who pull you down instead of raising you up, the people who require more than they can provide; the negative, whining, needy, manipulative people who can turn a happy day into a living hell. No matter how good our people skills are in general, most of us have problems with dealing effectively with these kind of people. Even those with really sharp people skills often get caught up in the polluting relationships (personal or professional) toxic people create.

The good news is that there are effective ways to deal with toxic people and this session will provide a number of strategies to assist in these situations.

Regional  
Development

#### Focus on Regional Airports

Airports are of crucial social and economic importance for Australia, particularly for regional and remote communities. Operating, maintaining, safeguarding and developing aerodromes in a cost-effective and efficient manner, with limited resources, often poses a major challenge to Local Governments. This session will address questions such as ownership, funding and management options for regional airports, the role of airports in economic development, how to manage the conflicts between airports and the surrounding community, and more importantly, what role does Local Government play?

Community and  
Planning

#### Focus on Active Ageing

The State Government has released its Active Ageing Strategy and Local Governments are seeking options to support their ageing communities. Many Local Governments are looking at what infrastructure will be required over the next 20 years to support their ageing populations. This session will explore best practice and future trends.





# MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

2013 WESTERN AUSTRALIA LOCAL GOVERNMENT & TRADE EXHIBITION

3.15pm Refreshments

4.00pm Banners in the Terrace Awards

## SESSION 5 THE NEW CULTURE



**Tyler Hamilton**

Tyler Hamilton was once one of the world's top-ranked cyclists—a fierce competitor renowned among his peers for his uncanny endurance and epic tolerance for pain. He started his career with the U.S. Postal Service team in the 1990s and quickly rose to become Lance Armstrong's most trusted lieutenant, and a member of his inner circle. For the first three of Armstrong's record seven Tour de France victories, Hamilton was by Armstrong's side, clearing his way. But just weeks after Hamilton reached his own personal pinnacle—winning the gold medal at the 2004 Olympics—his career came to a sudden end: he was found guilty of doping and exiled from the sport.

Tyler Hamilton will explore how culture drives behaviour – not just in sports, but in business and in life – and how values can be easily compromised as a consequence.

*Tyler Hamilton appears by arrangement with Saxton Speakers Bureau*

5.30pm - 7.00pm **Mayors and Presidents' Reception at Council House**

Hosted by the Right Honourable the Lord Mayor Ms Lisa Scaffidi (by prior invitation); or the Sundowner in the Trade Pavilions.

## FRIDAY 9 AUGUST

7.00am Delegate Service Desk open

7.30am - 8.45am **Breakfast with Special Guest Ross Glendinning**



**Ross Glendinning**

Ross Glendinning is an Australian rules legend, amassing 325 goals in a 230 game career as a centre half-forward and centre half-back with the North Melbourne Football Club and West Coast Eagles from 1978 to 1988. A two-time winner of North Melbourne's Best and Fairest award, he won the Brownlow Medal in 1983 and was named centre half-back in the North Melbourne Football Club's Team of the Century. The inaugural captain of the West Coast Eagles, he won the club's goal Kicking in 1987 and 1988; The Ross Glendinning Medal - awarded to the player judged best on ground in the Western Australian derby between West Coast and Fremantle each year - is named in his honour. Ross was inducted into the Australian Football Hall of Fame in 2000 and the WA Football Hall of Fame in 2004.

*Ross Glendinning appears by arrangement with Saxton Speakers Bureau*

## SESSION 6 THE POWER OF VISION

9.00am



**Mike Munro**

Mike Munro has led a life of remarkable persistence; through humble yet shocking beginnings: life in a monastery and physical and mental abuse at the hands of an alcoholic mother. Munro's passion for life, his shaping of his own destiny and his will to go on despite odds seemingly insurmountable, are characteristics we might all aspire to.

*Mike Munro appears by arrangement with Saxton Speakers Bureau*

10.15am Refreshments

## SESSION 7 OUR FUTURE, OUR CHOICE

10.45am

Things are changing at a pace never before experienced. Society is such that affluence is the norm, and social worth seems to be measured in "Apps" and "iGadgets". Our language is evolving through a mix of slang and text shorthand and planet earth is drowning in melted ice caps and choking on carbon. Population is swarming in cities, yet everywhere people are lonely and isolated. As the melting pot boils, tolerance and compassion take a back seat to violence and bigotry. Is this the future of Australia?

Hear from three young leaders who are doing something in the present to ensure a better future.

*Anna Johnson, Chair, Young UN Women Australia (WA)*

*Tim Kenworthy, Chief Executive Officer, Useful Inc.*

*Akram Azimi, 2013 Young Australian of the Year*

*Akram Azimi appears courtesy of the Australia Day Council of WA*

12.30pm Lunch

FUTURE FOCUS

5

# MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SESSION 8	CONCURRENT SESSIONS II
1.30pm	All delegates are asked to indicate session preference when registering to assist with venue planning.
Governance	<b>Focus on Relationship Management</b> (Repeat from Thursday)  We've all come across them: they are the people who drain you of energy instead of enriching you, the people who pull you down instead of raising you up, the people who require more than they can provide; the negative, whining, needy, manipulative people who can turn a happy day into a living hell. No matter how good our people skills are in general, most of us have problems with dealing effectively with these kind of people. Even those with really sharp people skills often get caught up in the polluting relationships (personal or professional) toxic people create.  The good news is that there are effective ways to deal with toxic people and this session will provide a number of strategies to assist in these situations.
Governance	<b>Focus on Integrated Strategic Planning</b>  The State Government has regulated the requirement for Local Governments to undertake an Integrated Strategic Planning process that includes the requirement to prepare Strategic Community Plans and Corporate Business Plans. This session will explore these plans and focus on the preparation of these plans is much more than a compliance requirement, and outline the benefits of the integrated approach.
Community and Planning	<b>Focus on Community Disaster Resilience</b>  Local Government is responsible under the Emergency Management Act 2005 for recovery after an emergency event. The State Government is proposing sweeping changes to the way recovery is managed in WA, which will impact on Local Government. This workshop will focus upstream on the importance of developing resilience in communities; communication; and, businesses' continuity planning.
Community and Planning	<b>Focus on Native Title</b>  This workshop will provide an update on the Native Title settlement process and commence a dialogue about opportunities for working together into the future. Hear from Professor Len Collard, Australian Research Fellow, University of Western Australia, who is leading a project to create an understanding of local indigenous geography and contribute towards environmental tourism and reconciliation.
2.45pm	Refreshments
3.15pm	<b>CONVENTION KEYNOTE ADDRESS</b> <i>Private Damien Thomlinson</i>  The story of Private Damien Thomlinson, an Australian veteran of the Afghanistan war, is one that has touched and inspired people around the world.  It was while serving in Afghanistan with the 2nd Commando Regiment that Pte Thomlinson's life was changed forever. On 3 April 2009 whilst on night patrol in the Tarin Kowt District of South Afghanistan, Damien's unit drove over an improvised Taliban bomb. Damien suffered horrendous injuries in the explosion, which resulted in both of his legs being amputated. The damage to his body was so severe; it is a miracle he wasn't killed.  Damien's positive attitude and impressive triumph against adversity has seen him become an inspirational mentor to many other wounded soldiers and their families, whose support networks he is committed to strengthening and publicising. Above all, Pte Thomlinson's incredible journey stands as proof that no challenge is too great and that the ANZAC spirit truly is alive and well.  <i>Pte Thomlinson appears by arrangement with Saxton Speakers Bureau</i>
4.30pm	Close of the 2013 Local Government Convention
7.00pm - 11.30pm	<b>Pre-Dinner Drinks and Gala Dinner</b> , PCEC BelleVue Ballroom



Private Damien Thomlinson

6



# PARTNER ACTIVITIES

REGISTRATION REQUIRED FOR ALL ACTIVITIES – PRICES INCLUDE GST

		INCLUDES	COST
<b>WEDNESDAY 7 AUGUST</b>			
5.30pm - 7.00pm	Opening Welcome Reception in the Trade Exhibition		\$50
<b>THURSDAY 8 AUGUST</b>			
9.00am - 3.00pm	<p><b>The Golden Pipeline</b></p> <p>Are you connected to CY O'Connor's pipeline? Even those Western Australians who are not on 'scheme' water where they live, seem to have a connection of sorts to the Kalgoorlie pipeline - a grandmother or great grandmother who was at the opening ceremony in January 1903 or perhaps a relative who lived at one of the eight pumping stations along its 560 km route. On this tour, visit the No 1 Pump Station and learn why and how it was done in the past and what it takes today to keep water flowing through this historic WA icon. Peer at the pipes, wonder at the weir and explore the exhibition during this informative and relaxing outing to the picturesque Perth Hills just as they are about to burst into a riot of colour for the Wildflower Season.</p>	Coach Transport, Guide, Picnic Morning Tea, National Trust Guide, Lunch and Incidentals.	\$135 (min 15 - max 30)
9.00am - 3.00pm	<p><b>Golf For Beginners</b> (and those looking to sharpen their technique)</p> <p>An introduction to the mysterious but addictive game of Golf. At this workshop you will learn the basic grips of the clubs; how to have the correct posture; how to set up that little white ball; and how to ensure that little white ball goes in the right direction. At the other end of the Fairway you will learn the techniques of putting and at the end of the workshop you will put this into practice with a putting competition.</p> <p><i>Dress is smart casual with joggers, or golfing shoes if you have them.</i></p>	Coach transfers, Guide, Morning Tea, Golf Professional, Lunch and incidentals	\$135 (min 15 - max 30)
10.00am - 12.00pm	<p><b>Body Balance</b> (at the PCEC)</p> <p>Body Balance is the Yoga, Tai Chi, Pilates workout that builds flexibility and strength and leaves you feeling centered and calm. In this workshop your Pilates Instructor will help you become aware of exercises that improve flexibility, strength, balance and body awareness.</p>	Pilates Instructor, Morning Tea	\$65 (min 10 - max 30)
12.45pm - 4.00pm	<p><b>Northbridge – A Melting Pot of Cuisines</b></p> <p>Discover the family-run providores in this unique era of Northbridge. Dumplings, fish balls, tofu, home-made sambals, pasta and sauces, freshly roasted and ground coffee, cheeses, salamis, spices, rices and much more! Sample delicious churros and stroll behind the scenes to discover a traditional Chinese medicine shop.</p> <p>Once again Pauline (our shopping guru) discovers where to find all these special ingredients to enhance your cooking. The tour finishes near the Horseshoe Bridge, so participants can then spend the time in the City, wander back to the hotel, or accompany our Guide on a walk back to PCEC.</p>	Coach Transfer, Guide and Shopping Guru, Afternoon Tea, and incidentals	\$110 (min 10 - max 12)
2.00pm - 4.30pm	<p><b>Your Family History</b> (at the PCEC)</p> <p>There is a current explosion of TV programs and advertisements to encourage people to develop their family trees and discover the secrets of the past. Learn how to conduct this research with the help of the Family History Specialists from the State Library of Western Australia and the Local Studies Librarian of the City of Nedlands.</p>	Family History specialists, Afternoon Tea	\$35 (min 10 - max 25)
5.30pm - 7.00pm	Mayors and Presidents' Civic Reception at Council House (by prior invitation)		
5.30pm - 7.00pm	Sundowner in the Trade Exhibition		\$50



## PARTNER ACTIVITIES

	INCLUDES	COST	
<b>FRIDAY 9 AUGUST</b>			
7.30am - 8.45am	<b>Breakfast with Special Guest Ross Glendinning</b>	\$88	
9.00am - 3.00pm	<b>Mozzarella Madness</b>  This is a fun and fast paced event. Participants start with milk then get down and dirty by making and stretching their own mozzarella or bocconcini. The team work required makes this course an excellent and unique team building event as well as providing each participant with a new skill that will impress friends and family time and time again. A pizza creation cook-off adds some fun competition to the day, and the event concludes cocktail style with everyone enjoying a degustation style pizza feast of their creations whilst sipping on champagne.	Coach Transfers, Guide, Morning Tea, Cheese Workshop, and Incidentals	\$250 (min 10 - max 12)
9.30am - 1.30pm	<b>Perth Arena &amp; State Theatre</b>  Question: What Building in Perth is based on the Eternity puzzle? Answer: The Perth Arena Join a personal guided tour of the Perth Arena, WA's landmark home of live entertainment, music and sports including the Perth Wildcats and Hopman Cup. Then it's time for morning tea before heading to the State Theatre, home to the Perth Theatre Company and the Black Swan Theatre Company. Whether theatre is your thing or not, it is worth visiting this lovely venue just to take it all in.	Tour of Perth Arena and State Theatre, Morning Tea and Guide	\$40 (min 10 - max 15)
10.00am - 12.00pm	<b>Self-Defence (at the PCEC)</b>  You do not have to be strong, big, athletic, flexible or aggressive to be effective when it comes to self-defence. Enjoy a laugh whilst exploring the viable options of self-defence that anyone can achieve. Learn how to diffuse a potentially dangerous situation and to provide alternatives to physical contact with instructors who have been teaching Self Defence for over 45 years.	Self Defence Instructor and Morning Tea	\$75 (min 8 - max 16)
1.30pm - 4.30pm	<b>Tour of UWA – 100 Years Young</b>  On its 100th year anniversary, join us on a guided tour of this very grand dame, the seat of learning at the Crawley Campus. Explore historic Winthrop Hall, the place of many examinations, graduations, speech nights and balls. Also included are tours of the Senate Room and Chancellors Room. Our guide will give an entertaining and interesting talk on some of the scandals and the forgotten heroes of the University and the tour will conclude with an optional climb up the 184 steps of Winthrop Hall Tower.	Coach Transfers, Guide, UWA Guide and Afternoon Tea on campus	\$60 (min 15 - max 20)
2.00pm - 4.30pm	<b>Burlesque Baby (at the PCEC)</b>  Burlesque is the hottest trend in town, bringing together a sizzling dance style with elaborate vintage costumes, cool retro tunes and a lot of sassy fun! Learn how to be a total glamour queen, how to walk (even in sky-high heels) and how to exude confidence. You will learn all the fundamentals of burlesque dance and the art of tease! You will shimmy, shake, undulate, bump, grind, wiggle, jiggle, twirl and swirl your way through the classic burlesque moves. Participants are also encouraged to bring along a pair of heels that they can dance in or to dress up if they want to!!	Burlesque Teacher [plus boas, garters and gloves] Afternoon Tea and Facilitator	\$75 (min 10 - max 30)
7.00pm - 11.30pm	<b>Convention Gala Dinner (PCEC)</b>		\$190
<b>SATURDAY 10 AUGUST - an additional option for Delegates and Partners</b>			
8.00am - 5.00pm	<b>Highlights of Bunbury &amp; Harvey</b>  With your seatbelts buckled, sit back and enjoy another WALGA day of discovery. Your first stop is in Bunbury where we will cruise the protected waters of Koombana Bay while enjoying Morning Tea after our long drive.  Enjoy a picnic lunch in one of Bunbury's many parks before heading north to the town of Harvey which has been named "Top Tree Change Destination Town" for WA and one of the top three in Australia. An area that has sparkling fresh waters, forests, lush pastures and rolling green hills, no wonder their logo is "A Breath of Fresh Air in the Land of Milk and Honey".	Coach Transport, Guide, Morning Tea and Cruise, Picnic Lunch and incidentals.	\$160 (min 20 - max 30)

## ONLINE CONVENTION REGISTRATION

Log on to [www.walga.asn.au](http://www.walga.asn.au) - then go to the 2013 Convention and Trade Exhibition to complete your registration online.

Full delegate fees cover the daily conference program, lunches and refreshments, the Opening Reception on Wednesday 7 August and the Sundowner on **Thursday 8 August**.

The Convention Gala dinner on Friday evening is optional, and a ticket fee applies.

## CONVENTION FEES

Prices are per person and are all inclusive of GST.  
Deadline for all Registrations is **Tuesday, 2 July 2013**

Full Delegate	\$1,375
WALGA Life Members	Complimentary (excluding Gala Dinner)
Day: Thursday 8 August	\$725 (includes Sundowner)
Day: Friday 9 August	\$670
Convention Gala Dinner	\$190
Opening Reception (Wednesday)	\$50 for partners and guests
Sundowner (Thursday)	\$50 for partners and guests
Convention Breakfast	\$88
ALGWA Breakfast	\$55
Partner Tours	Individual tour fees as listed
Local Government Officer Sessions –	see <a href="http://www.walga.asn.au">www.walga.asn.au</a> - Convention link for full details
Elected Member Professional Development –	see enclosed leaflet for details.

**Registration cancellations** must be advised in writing prior to the deadline date of Tuesday 2 July 2013. Thereafter full fees are payable, or alternatively a registration may be transferred to another member of Council - to be advised in writing.

## ENQUIRIES

**Ulla Wolter** WALGA Marketing and Events Officer

T (08) 9213 2000 | F (08) 9322 2611 | E [registration@walga.asn.au](mailto:registration@walga.asn.au)

Information in this brochure is correct at time of printing but may be subject to change.

## SPECIAL REQUIREMENTS

Any special dietary requirements, mobility or any other special needs should be indicated on the registration form - WALGA will use its best endeavours to meet these requests.

## ACCOMMODATION

A range of accommodation options were issued to Councils in December, and hotel booking forms and details are available on [www.walga.asn.au](http://www.walga.asn.au). Reservations are to be made direct and please note that city hotels have limited guest parking so clarify these arrangements when booking.

## INTER-VENUE TRANSFERS

Coach transfers will be provided for the **Mayors and Presidents' Reception** at Council House on Thursday, collecting guests from Mounts Bay Road (near Mill Street intersection) - with returns to both the Perth Convention & Exhibition Centre and CBD hotels, as required.

A limited service will similarly be provided between CBD hotels and the Perth Convention & Exhibition Centre for the **Gala Dinner** on Friday evening.

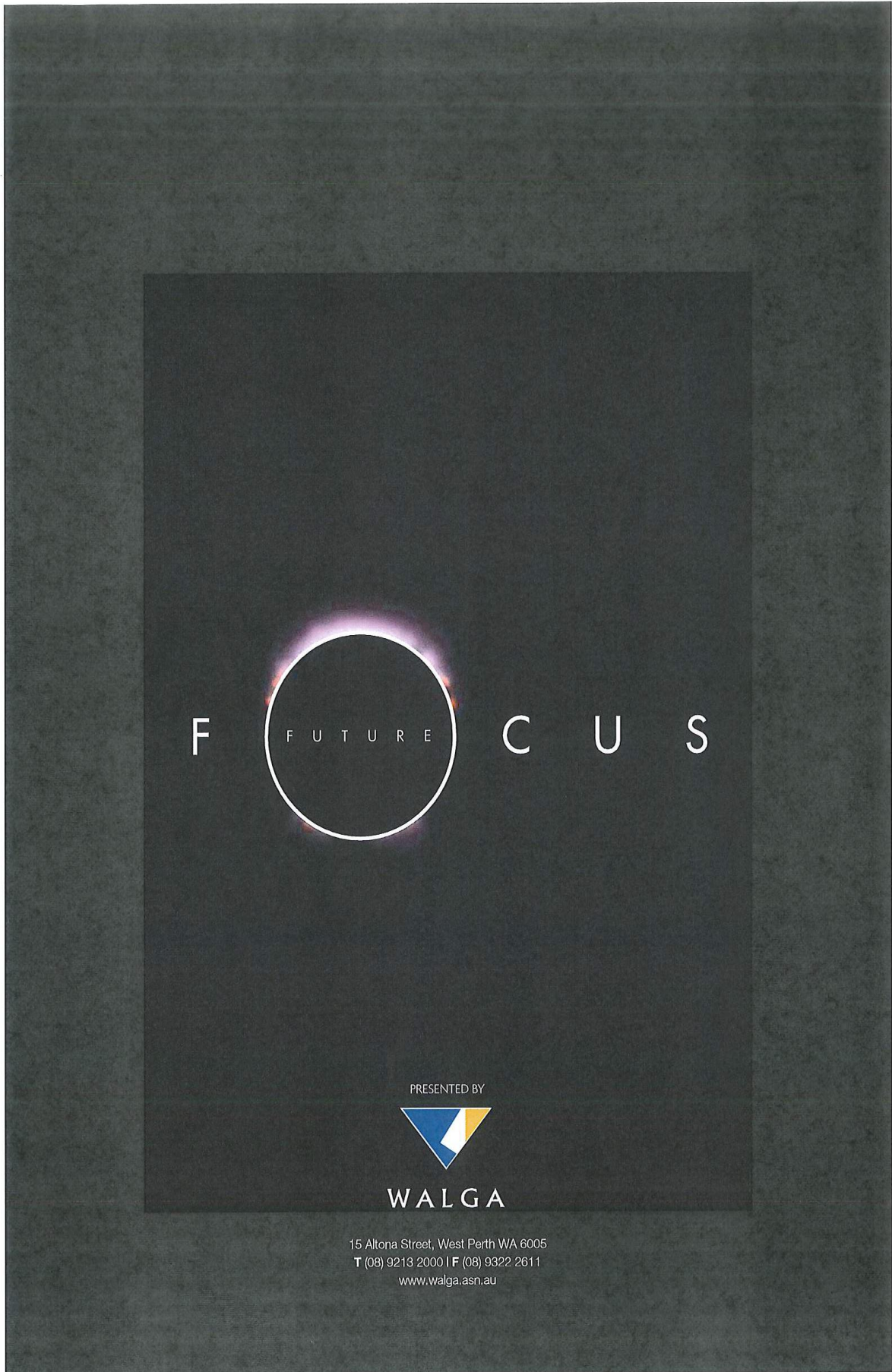
The convenient, **free and frequent bus services** operating within the CBD is again recommended for transfers between city hotels and the Perth Convention & Exhibition Centre – for detailed information on these services go to [www.transperth.wa.gov.au](http://www.transperth.wa.gov.au) - and hotel staff can offer some local advice to guests.

The limited transfer schedule will be displayed at the Delegate Service Desk.

## PERTH CONVENTION & EXHIBITION CENTRE PARKING

For those requiring daily parking, WALGA can arrange for a multi-entry (24 hour access) **parking space** in the underground car park at the Perth Convention & Exhibition Centre at a daily cost of \$32. Parking space requests must be indicated on the registration form – **please note the non-extendable deadline for these requests is Tuesday 2 July 2013.**





F FUTURE S

PRESENTED BY



WALGA

15 Alkona Street, West Perth WA 6005  
T (08) 9213 2000 | F (08) 9322 2611  
[www.walga.asn.au](http://www.walga.asn.au)



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013



PRE CONVENTION		VENUE	COST
Monday, 5 Aug 9.00am - 4.30pm	<b>Participate in Local Government Emergency Management</b> (For Elected Members and Officers) <i>Participate in Local Government Emergency Management Preparation</i> provides the foundation to increase Local Governments' knowledge of their preparation and planning responsibilities under the <i>Emergency Management Act 2005</i> . The aim of the course is to assist Local Government to initiate, coordinate and manage Local Government emergency management planning activities under the <i>Emergency Management Act 2005</i> .	Adina Apartment Hotel (Canning Room)	NO COST
Monday, 5 Aug 9.00am - 4.30pm	<b>Councillor Roles and Responsibilities</b> (For Elected Members) <i>Councillor Roles and Responsibilities</i> covers the behaviours and actions required of elected members in meeting their roles and responsibilities. Using legislation as its basis, the course explores in practical ways how the framework of laws, regulations, and codes create clear paths that guide the steps of elected members and help them to carve out a successful role at council and within the community.	Adina Apartment Hotel (Avon Room)	\$395 (GST exempt)
Tuesday, 6 Aug 9.00am - 4.30pm	<b>Manage Recovery Activities for Local Government</b> (For Elected Members and Officers) <i>Manage Recovery Activities for Local Government</i> provides the foundation to increase Local Governments' knowledge of their recovery responsibilities under the <i>Emergency Management Act 2005</i> . The aim of the course is to assist Local Government to initiate, coordinate and manage Local Government recovery activities under the <i>Emergency Management Act 2005</i> .	Adina Apartment Hotel (Canning Room)	NO COST
Tuesday, 6 Aug 9.00am - 4.30pm	<b>Effective Community Leadership</b> (For Elected Members) <i>Effective Community Leadership</i> principally explores the personal attributes needed by elected members to perform their role in Local Government. The course introduces leadership concepts and the behaviours required of elected members in their role as leaders of council and prominent leaders in the community.	Adina Apartment Hotel (Avon Room)	\$395 (GST exempt)
CONVENTION		VENUE	COST
Wednesday, 7 Aug 9.00am - 4.30pm	<b>Professionally Speaking</b> (For Elected Members) <i>Professionally Speaking (or how to deal with communication minefields – everything from media interviews to hostile public meetings)</i> is an interactive workshop specifically designed to get participants 'battle-ready' and offers practical techniques for handling unfamiliar public speaking situations with confidence and aplomb. While the focus of the session is on demystifying the media and getting the best result from every media opportunity, these skills can also be effectively used in other business settings. <i>Presented by Award Winning TV Journalist, Andrea Burns.</i>	WALGA Boardroom	\$450 (+GST)
POST CONVENTION		VENUE	COST
Saturday, 10 Aug 9.00am - 4.30pm	<b>Meeting Procedures and Debating</b> (For Elected Members) <i>Meeting Procedures and Debating</i> is specifically designed for both experienced and newly elected members who wish to enhance their meeting skills. Concentrating on knowledge of meeting procedures and high level debating techniques, this course is a practical tool kit for those who attend council and committee meetings.	WALGA Boardroom	\$395 (+GST)
Monday, 12 Aug 9.00am - 4.30pm	<b>Change Management</b> (For Elected Members) <i>Change Management</i> includes planning for and initiating organisational change. It stresses the leadership role of the Council in sponsoring change and recognises that there is a need for the Council and the CEO to work together to achieve significant change. Relevant sections of the <i>Local Government Act 1995</i> are explained so that Elected Members have a sound basis to choose the right option for guiding the organisation and the community through change.	WALGA Boardroom	\$395 (GST exempt)
Tuesday, 13 Aug 9.00am - 4.30pm	<b>Policy Development</b> (For Elected Members) <i>Policy Development</i> outlines the process for effective policy development needed by Elected Members to perform their role in local government. Being in public life places obligations on Elected Members to understand the wider issues associated with their role so that they meet community expectations whilst operating within legislative and regulatory constraints. Major issues impacting on policy are analysed, interpreted and integrated through the development phase.	WALGA Boardroom	\$395 (GST exempt)

To register interest in any of the above mentioned training courses, please complete the Registration Form, along with a PO number, and return to the Training Coordinator via email at [training@walga.asn.au](mailto:training@walga.asn.au) or fax (08) 9486 9100.



ALL GENERAL ENQUIRIES REGARDING COURSE  
CONTENT SHOULD BE DIRECTED TO THE  
TRAINING COORDINATOR ON 9213 2098.

To register interest in any of the above mentioned training courses, please complete the Registration Form and return to the Training Coordinator via email on [training@walga.asn.au](mailto:training@walga.asn.au) or fax (08) 9486 9100.

**All general enquiries regarding course content should be directed to the Training Coordinator on 9213 2098.**

- Participate in Local Government Emergency Management
- Councillor Roles and Responsibilities (for Elected Members)
- Manage Recovery Activities for Local Government
- Effective Community Leadership (for Elected Members)
- Professionally Speaking (for Elected Members)
- Meeting Procedures and Debating (for Elected Members)
- Change Management (for Elected Members)
- Policy Development (for Elected Members)

**Pre-paid Parking at Perth Convention & Exhibition Centre**  
(for those attending training at the Adina Apartment Hotel)

- Monday - \$23.00 (provides single entry and exit, 10 hours continuous parking)
- Tuesday - \$23.00 (provides single entry and exit, 10 hours continuous parking)

Name of Participant: \_\_\_\_\_

Council: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Purchase Order No: \_\_\_\_\_

Dietary/Other Special Requirements: \_\_\_\_\_

**DEADLINE TO REGISTER INTEREST IS 5 JULY 2013. PLACES ARE LIMITED.**



11.2 ORDINARY ELECTIONS 19 OCTOBER 2013

EL 101

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved           Cr Capewell  
Seconded       Cr Ridgeley

**Council Resolution**

**That Council –**

**Declare in accordance with section 4.20 (4) of the *Local Government Act 1995* that the WA Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections for the Shire of Shark Bay together with any other elections or polls which may also be required,**

**Decide in accordance with section 4.61 (2) of the *Local Government Act 1995* that the method of conducting the election will be as postal election, and**

**Include in the 2013/14 budget provision of \$10,000 GST inclusive to provide for the WA Electoral Commission to conduct the 2013 election.**

**6/0 CARRIED  
BY ABSOLUTE MAJORITY**

Background

Unless other arrangements are made the Chief Executive Officer is to be the Returning Officer of a Local Government however, if a Local Government wishes to have the Western Australian Electoral Commission conduct a postal voting election then the Local Government must make a declaration to this effect before the eightieth (80) day before an election according the section 4.20(4) of the ***Local Government Act 1995*** and is to decide that the election is to be held as a postal election in accordance with section 4.61 of the ***Local Government Act 1995***.

Comment

The Shire conducted the 2011 elections by postal vote and experienced very encouraging voter participation.

In my experience the conduct of the elections by postal vote provides for a greater ability for electors to participate in the election process. While the voting in person is still relevant the ability for absent owners to participate in the election by postal voting ensures a greater representation of the community.

The conduct of the election by the Electoral Commission and by postal vote also provides for increased levels of separation from the process for the administration.

Legal Implications

*Local Government (Elections) Regulations 1997*

*Local Government Act 1995*

**4.61. Choice of methods of conducting the election**

- (1) *The election can be conducted as a —  
**postal election** which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or  
**Voting in person election** which is an election at which the principal method of casting votes is by voting in person on Election Day but at which votes can also be cast in person before Election Day, or posted or delivered, in accordance with regulations.*
- (2) *The local government may decide\* to conduct the election as a postal election.  
\* Absolute majority required.*
- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before Election Day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.*
- (5) *A decision made under subsection (2) on or before the 80th day before Election Day cannot be rescinded after that 80th day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on Election Day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

**4.20. CEO to be returning officer unless other arrangements are made**

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint\* a person other than the CEO to be the returning officer of the local government for —  
(a) an election; or  
(b) all elections held while the appointment of the person subsists.  
\* Absolute majority required.*
- (3) *An appointment under subsection (2) —  
(a) is to specify the term of the person's appointment; and  
(b) has no effect if it is made after the 80th day before an election day.*

- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

*\* Absolute majority required.*

- (5) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (6) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

Section 4.62 of the *Local Government Act 1995* prescribes the requirement for Polling Places (booths) in respect to voting as *In Person*. The Postal Voting does not require any Polling Place in each Ward where an election is required.

#### **4.62. Polling places required**

- (1) *For every election in a district or a ward the returning officer is to ensure that there will be at least one polling place in the district that is open between 8 a.m. and 6 p.m. on election day.*
- (2) *For a voting in person election in a district that is divided into wards, the returning officer is to ensure that there will be at least one polling place in each ward that is open between 8 a.m. and 6 p.m. on election day unless the returning officer determines that, in respect of a particular ward, it is not necessary or not practicable —*
- (a) *to open a polling place in that ward on election day; or*
- (b) *for there to be a polling place in that ward that is open all the time between 8 a.m. and 6 p.m. on election day.*
- (3) *For a voting in person election in a ward the returning officer is to ensure that there will be at least one polling place in the ward that is open between 8 a.m. and 6 p.m. on election day unless the returning officer determines that it is not necessary or not practicable —*
- (a) *to open a polling place in that ward on election day; or*
- (b) *for there to be a polling place in that ward that is open all the time between 8 a.m. and 6 p.m. on election day.*

#### Policy Implications

Nil

#### Financial Implications

The electoral commission has quoted an amount of \$10,000 including GST to conduct the election for the Shire of Shark Bay in October 2013.

This has been based on the following assumptions;

500 electors

55% response rate

3 councillor vacancies and  
The count to be conducted at the Council offices.

It is difficult to estimate the amount of cost to Council of conducting in person elections given that there is limited capacity available to conduct the elections in house and costs would be dependent upon the voter turnout if the elections were held in person.

Strategic Implications

Nil

Voting Requirements

**Absolute Majority Required**

Date of Report

17 June 2013

11.3 PROPOSED SHIRE OF SHARK BAY REPEAL AND AMENDMENT LOCAL LAW

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr McLaughlin

Seconded Cr Ridgeley

**Council Resolution**

1. That in accordance with s3.12(3)(a) and (3a) of the *Local Government Act 1995*, Council gives State wide and local public notice stating that:
  - a. It proposes to make an Amendment and Repeal Local Law, and a summary of its purpose and effect;
  - b. Copies of the proposed Local Law may be inspected at the Shire offices;
  - c. Submissions about the proposed Local Law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. That in accordance with s3.12(3)(b), as soon as the notice is given, a copy be supplied to the Minister for Local Government and the Minister for Emergency Services;
3. That in accordance with s3.12(3)(c) of the Act, a copy of the proposed Local Law be supplied to any person requesting it;
4. That pursuant to clause 2.2 of the Shire of Shark Bay Local Government Property Local Law, Council gives local public notice stating that:
  - a. It proposes to make determinations (as listed in Appendix 6 to this report);
  - b. Copies of the proposed determinations may be inspected at the Shire offices; and
  - c. Submissions about the proposed determinations may be made to the Shire within a period of not less than 3 weeks after the notice is given.
5. That the results be presented to Council for consideration of any submissions received.

Cr Hanscombe departed the council chamber 11:41am

Cr Hanscombe returned to the council chamber at 11:42am

**6/0 CARRIED**

### Background

The Shire has a number of local laws in place:

- Bush Fire Brigades
- Cemeteries
- Cat Control
- Health
- Extractive Industries
- Local Government Property
- Parking
- Thoroughfares
- Standing Orders

Most of them are based on models developed by the Western Australian Local Government Association and overall, are reasonably in keeping with contemporary standards.

A review of them indicates that some can be repealed, others left 'as is' and some modified slightly. A report regarding a proposed new Dogs Local Law is submitted separately.

### Comment

The process to repeal or amend a Local Law is the same as making one. The most appropriate way of making minor changes is to make a 'repeal and amendment' Local Law.

With respect to the Shire's Local Laws, the following comments and where appropriate, changes are suggested. A draft Repeal and Amendment Local Law is attached as Appendix 1, and where changes other than repeal are recommended the proposed changes are shown 'marked up' on attached copies of the various affected Local Laws as Appendices 2 – 4.

#### **1. Bush Fire Brigades**

This local law is made under the provisions of the *Bush Fires Act 1954* and deals entirely with procedural matters and processes to run a volunteer bush fire brigade.

The Shire does not operate Bush Fire Brigades. Fire and emergency issues in the Shire are dealt with by the Department of Environment and Conservation (where the fire is on the Department of Environment and Conservation land), or the Fire and Emergency Service Authority and State Emergency Service. The Shire's only involvement is to contribute manpower and/or machinery on request of the relevant emergency organisation.

Where a local government establishes a bush fire brigade, section 43 of the *Bush Fires Act* requires it to also create a local law to govern the brigades day to day activities, but as the Shire does not have any bush fire brigades, there is no need for it to have a local law and as such it should be repealed.

The Shire is able to fulfil any obligations that might fall on it with respect to bush fire control by using the *Bush Fires Act* itself. In this regard (for example), the requirement for fire breaks to be installed is dealt with by publication (and enforcement) under s33 of the Act of the need for an annual firebreak to be installed and maintained.

Other matters such as regulation of prohibited or restricted burning periods are regulated by the Fire and Emergency Services Authority under s18 and related provisions.

## **2. Cemeteries**

This local law is made under the *Cemeteries Act 1986*. It is based on a Governors Model Local Law and was customised to suit the Shire.

Section 6 of the Act stipulates that local governments are to be 'boards' and must perform all the functions of the Act if the local government operates a cemetery.

There are a small number of amendments suggested to the Shire's local law, which are summarised below and shown 'marked up' on the attached copy of the local law:

- Widen the definition of 'Funeral Director' to the effect that any person who holds a funeral directors licence issued by any other Board (ie any other local government, regional board or the Metropolitan Cemeteries Board) is considered to have been granted a license to operate as a funeral director by the Shire. This will eliminate the need for the Shire to issue permits itself as in practice, there are no funeral directors operating solely within the Shire of Shark Bay, and who are typically are based in regional centres.
- Similarly, widen provisions relating to the licensing of monumental masons to the effect that any person who holds a monumental masons licence issued by any other Board (ie any other local government, regional board or the Metropolitan Cemeteries Board) is considered to hold a license for any cemetery within the Shire.
- Delete all references to mausoleums. These are above ground structures that are used to house deceased persons in a sealed compartment. The Shire has never had an application to build a mausoleum and is never likely to. If any are ever received, they could be dealt with on a case by case basis but in the meantime the provisions are not required.

The proposed changes to the Cemeteries Local Law are shown 'marked up' as Appendix 2.

There are also a number of fees and charges in the Shire's annual budget which could be simplified, deleted or modified as they rarely (if ever) apply. This can be done as part of the annual budget process.

## **3. Cat Control**

The Shire's Cat Control Local Law was published in the Government Gazette on 14 October 1997 and was made by reference (ie adopting the text of an already promulgated local law) to one published by the Shire of Carnarvon in the Gazette on 17 June 1997, with some minor modifications in relation to penalties.

Amongst other things, it requires cats to be identified, not to be a nuisance, and limits the number that can be kept on any premises to three. Enforcement is via the serving of notices requiring a person to comply with the local law, issuing of modified penalties (on the spot fines) of \$50, or prosecution for which a maximum penalty of \$500 can be sought.

The State has made a *Cat Act 2011*, part of which came into operation on 1 November 2012 (phase 1); and the balance of which will come into effect on 1 November 2013 (phase 2). It requires:

- Compulsory identification through micro-chipping;



- Compulsory registration; and
- Compulsory sterilisation.

Phase 1 (in essence) simply provides for registers to be set up and for procedural matters to be dealt with. Its intention is to provide time for local governments and any other affected bodies to put in place resources and procedures to deal with the requirements of the Act. During this phase, cats may be (but do not have to be) registered with the local government and may be sterilised.

Phase 2 is where the legislation really takes effect. Amongst other things it requires cats to be registered, micro chipped and sterilised unless otherwise allowed. It allows for authorised persons to serve 'cat control notices' on cat owners to comply with a provision of the Act, Regulations or a local law.

Under the Act, an authorised person can impound any cat:

- In a public place, that he/she believes may have been the subject of an offence against the Act;
- On any premises:
  - At the request, or with the consent of an owner or occupier of a property; or
  - Under a warrant.

Impounded cats are to be either returned to their keeper or housed at a 'cat management facility' until reclaimed or euthanized after a stipulated period of at least 7 days.

Regulations which will underpin the Act have not yet been finalised. This is of concern. While it appears that the Shire's local law may need modification if there is any conflict with the Act or Regulations, precisely what this might be is unknown. Similarly, resourcing requirements in terms of enforcing the Cat Act and the need to possibly establish a cat management facility may require further consideration.

As such, at this stage no changes to the Cat Control Local Law are recommended but when regulations are made the position will require re-assessment.

#### **4. Health**

The Shire's Health Local Law was published in the Government Gazette on 20 October 1998. An amendment was published in the Gazette on 24 July 2002.

While there is no Western Australian Local Government Association model local law relating to health, the local law is based on one developed by a number of local governments in the mid 1990's and is the closest thing to a 'model' Health local law in Western Australia.

There have been two major and relatively recent changes that affect this area:

- The *Food Act 2008*  
Parts 3 to 7 and Parts 9 to 14 of the *Food Act 2008* came into operation on 23 October 2009, as did the *Food Act Regulations*.

Amongst other things, the Food Act 2008 regulates 'food businesses', including their registration, conduct and the imposition of fees and charges by local governments. This Act made significant amendments to the Health Act including:

- The repeal of those Parts that deal with eating houses, including the removal of a local government's powers to make local laws in respect of eating houses (Part V, Division 3); and
- The removal of other local law making powers such as sections 134(49), 52a, 199(14), 207 and 220.

The intention of the Food Act is to remove anomalies and different compliance regimes that existed between the large number of local laws that operate within the State, while at the same time protecting public health and maintaining the role that local authorities play in maintaining standards.

Given though that Shark Bay has previously adopted the 'model', which does not contain provisions relating to eating houses, no changes to its Health local law as a result of the introduction of the Food Act appear necessary.

- The *Waste Avoidance and Resource Recovery Act 2007*  
The most relevant provisions of the *Waste Avoidance and Resource Recovery Act* came into force on 1 July 2008.

This Act repealed various provisions of the Health Act 1911 that dealt with the powers of local governments in relation to the collection and removal of rubbish, and had the effect of transferring the powers of a local government to make local laws about waste to the Waste Avoidance and Resource Recovery Act (item 4 of Schedule 4).

However, any local laws that were previously made by a local government under the old provisions of the Health Act 1911 that were in force on 1 July 2008 remain in force under the saving and transitional provisions of the Waste Avoidance and Resource Recovery Act.

There are two options available to the Shire:

1. Simply leave the current provisions of the Health Local Law that relate to waste (clauses 34-51) as they are unless there are other reasons to amend or replace them, or unless and until the Chief Executive Officer of the Western Australian Department of Conservation and Environment directs their replacement under s61(1)(b) of the Waste Avoidance and Resource Recovery Act; or
2. Make a new Waste Local Law, which must be made under and consistent with the Waste Avoidance Resource Recovery Act, and which will come into force following consent of the Chief Executive Officer of the Western Australian Department of Conservation and Environment.

If this option is taken, a way forward could be to adopt by reference the Waste Management Local Law of the Shire of Northam, which was published in the Gazette on 28 July 2009 with appropriate changes to suit Shark Bay.

- Possible new Public Health Act  
The State Government has been aiming to have updated legislation in place for some time to replace the *Health Act 1911*, which is inordinately complex and outdated. The Health Department of Western Australia has advised that its promulgation is imminent. This however, has been the case for some

considerable time, and there appears to be no immediate prospect of it happening.

There are a number of other small amendments that could be made to the local law that have been raised by the Health Department of Western Australia or the Parliamentary Joint Standing Committee on Delegated Legislation in relation to other local government's health local laws, but none of which are significant enough on their own to warrant amendments unless others are also being undertaken.

On balance, it is considered that there is no pressing need to make changes to the existing Health Local Law.

#### **5. Extractive Industries**

The Shire's Extractive Industries Local Law was published in the Government Gazette on 24 July 2002.

It was made by reference (ie adopting the text of an already promulgated local law) to one published by the Shire of Dandaragan in the Gazette on 9 May 2001, with some minor modifications. The Dandaragan local law was in itself, an adoption of the Western Australian Local Government Association Model.

That aside, it is considered that matters dealt with by this local law are more effectively dealt with by using the Mining Act or the Shire's Local Planning Scheme. The local law can be repealed.

#### **6. Local Government Property**

The Shire's Local Government Property Local Law was published in the Government Gazette on 24 July 2002.

It was made by reference (ie adopting the text of an already promulgated local law) to one published by the Shire of Exmouth in the Gazette on 10 July 2000 with modifications to suit Shark Bay's needs. The Exmouth local law was in itself, an adoption of the Western Australian Local Government Association Model.

This local law deals with reserves, halls, and facilities owned and operated by the Shire that are (basically) not roads.

Some additions and amendments are suggested.

#### *Part 2 - Determinations*

Part 2 (clauses 2.1 to 2.9) allows the Shire to make 'determinations' to set aside specified local government property for all or any of the activities set out in clause 2.7:

- bring, ride or drive an animal,
- take, ride or drive a vehicle, or a particular class of vehicle,
- fly or use a motorised model aeroplane,
- use a children's playground provided that the person is under the age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age,
- launch, beach or leave a boat,
- take or use a boat, or a particular class of boat,
- deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified area of that Local Government property,
- play or practice -
  - golf or archery,



- pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*, or
- a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the Local Government may cause injury or damage to a person or property.
- ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device, and
- wear no clothing.

A determination thus made can specify the extent and manner to which these activities may be pursued and in particular:

- that an activity may be pursued on a class of Local Government property, specified Local Government property or all Local Government property,
- that an activity is to be taken to be prohibited on all Local Government property other than that specified in the determination,
- may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things,
- may specify that the activity can be pursued by a class of persons or all persons, and
- may distinguish between different classes of the activity.

Finally under clause 2.8, the Shire can also make a determination prohibiting all or any of the following activities on specified local government property:

- smoking on premises ("**premises**" means a building, stadium or similar structure which is Local Government property, but not an open space such as a park or a playing field).
- riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device,
- taking, riding or driving a vehicle on the property or a particular class of vehicle,
- riding or driving a vehicle of a particular class or any vehicle above a specified speed,
- taking or using a boat, or a particular class of boat,
- the playing or practice of -
  - golf, archery, pistol shooting or rifle shooting, or
  - a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the Local Government may cause injury or damage to a person or property,
- the playing or practice of any ball game which may cause detriment to the property or any fauna on the property, and
- the traversing of sand dunes or land which in the opinion of the Local Government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.

Since making the local law, the Shire has made no determinations. A suggested list is attached as Appendix 7. Note that (for example) it also provides for the Shire to designate off road vehicle areas should it see fit. While this would require further examination, it could be an additional tourist attractor to the area.

The procedure to make determinations is set out in clause 2.2 of the local law and is reflected in the recommendation above. It requires local public notice (advertising) of the proposed list of determinations be made providing for a period of at least 21 days

during which submissions may be made (and which should be undertaken at the same time as the proposed Repeal and Amendment Local Law discussed in this report), as well as the purpose and effect:

Purpose

To specify certain types of activities that can be carried out on designated local government properties and other activities that cannot be.

Effect

Those activities on local government property are regulated.

Before finalising any determinations, Council must consider any submissions received.

*Additions to clause 3.14 – camping on local government property*

Clause 3.14 of the local law prohibits camping on local government property without a permit. As the Shire is well serviced by caravan parks, it is unlikely to issue many, except on occasion to community groups and the like who may arrange for one-off events.

Camping by persons in vehicles on Shire property and thoroughfares under its care, control and management is increasing. While any transgressions are generally dealt with by simply drawing attention to the issue, it is likely to become increasingly problematic and some powers to deal with consistent or repeat offenders are considered appropriate. Similarly, issuing of infringements to vehicles that are being driven by persons from overseas often has little effect and while it is unlikely that they will be heavily used in Shark Bay, other local governments have found that measures to also immobilise a vehicle involved in a contravention such as camping useful.

As such, it is recommended that additions be made to the existing clause 3.14 so that it reads as follows (additions shown in italics):

**3.14 Permit required to camp outside a facility**

(1) In this clause –

**facility** has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

**goods** has the same meaning as is given to it in section 3.38 of the Act.

(2) This clause does not apply to a facility operated by the local government.

(3) A person shall not without a permit -

(a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;

(b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; *or*

(c) *park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.*

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.

(5) Any tent, camp, hut or similar structure erected in contravention of paragraph (b) of subclause (3) and associated goods may, subject to Regulation 29 of the Regulations, be impounded.

(6) A vehicle parked in contravention of paragraph (c) of subclause (3) may, subject to the provisions of Regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.

(7) An authorised person who impounds a vehicle under subclause (6) shall attach a notice to a vehicle advising the owner of the vehicle that the vehicle will be released upon payment of the costs of impounding and the place where and hours during which the costs can be paid.

(8) The notice attached to the impounded vehicle under subclause (6) shall also advise the owner that if the impounding costs are not paid within 24 hours the vehicle may be removed to the local government pound.

(9) Notices issued under this clause shall be in the form determined by the Chief Executive Officer.

#### *Delete clause 5.7*

This clause refers to 'Reserve No 1686' and its effect is that the Shire cannot levy a fee on residents to enter the Reserve. The entrance is though managed and operated by the Department of Environment and Conservation and the clause has no effect and should be deleted.

#### *Part 7 – Monkey Mia Jetty*

This Part provides rules for the management and use of the Monkey Mia jetty. In part, it provides for users to moor for up to 2 consecutive hours. There are only two major users of the jetty, who have recently had disputes over one or the other making it difficult for the other party to use the jetty.

Discussions with present operators have emphasised the need for mutual cooperation and over time it is expected that any difficulties will be resolved. Amongst other things, clause 7.6(b) provides that any vessel shall not moor on the jetty for longer than 2 consecutive hours without the Shire's consent. To assist with resolution of the current situation, amending this to one hour is appropriate.

The proposed changes to the Local Government Property Local Law are shown 'marked up' as Appendix 3.

#### **7. Parking**

The Shire's Parking and Parking Facilities Local Law was published in the Government Gazette on 24 July 2002. It is basically the Western Australian Local Government Association model, adapted to suit the Shire's needs. For example, the Part relating to Metered Zones in the Model was deleted from the version adopted by the Shire.

The most recent version of the Road Traffic Code (ie the 2000 update) appears to be correctly reflected in the local law. Additional notes could be added to explain some of the provisions of the Code but is not considered necessary unless illegal parking and interpretation of the definitions and/or application of the local law is a problem for the Shire or residents.

The local law does not contain a Schedule of modified penalties, but simply provides a uniform amount of \$50 for all offences in clause 5.2(2). Given the passage of time, it is recommended that this be increased to \$100.00.

Most local governments have a range of penalties for offences, with higher amounts for those that are seen as dangerous practices. However, this may not be worth the time and expense to alter unless there are other changes that the Shire itself may wish to introduce.



There have been no suggested amendments to the model local law issued by Western Australian Local Government Association since the version adopted by the Shire was made.

### **8. Thoroughfares**

The Shire's Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law was published in the Government Gazette on 24 July 2002. It was made by reference (ie adopting the text of an already promulgated local law) to one published by the Shire of Kojonup in the Gazette on 16 May 2000 with modifications to suit Shark Bay's needs. The Kojonup local law was in itself, an adoption of the Western Australian Local Government Association Model.

In October 2003 Western Australian Local Government Association issued a number of recommended changes to deal with issues encountered when implementing the local law by other local governments. None are particularly noteworthy but should be undertaken to ensure the Shire keeps its local law up to date.

Some of these were in fact made by Shark Bay when adopting its local law, so only the balance are listed below where some changes may be needed. The suggested changes are also shown 'marked up' on the attached copy of the Shire's current local law:

#### *Title*

Delete the title of the local law wherever it is mentioned and substitute "Activities in Thoroughfares and Public Places and Trading Local Law".

#### *Definitions*

In clause 1.2:

- Delete the definition of "carriageway" and substitute -  
**"carriageway"** has the meaning given to it in the Road Traffic Code 2000
- Delete the definition of "footpath" and substitute –  
**"footpath"** has the meaning given to it in the Road Traffic Code 2000
- In the appropriate alphabetical position insert the definition –  
**"thoroughfare"** has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government

#### *Part 2 Heading*

In the heading to PART 2, delete "ON" and substitute "IN".

#### *Clause 2.1 – General Prohibitions*

In paragraph (g) after "any" insert "bicycle,".

#### *Clause 2.2 – Activities allowed with a permit - general*

To improve the Shire's ability to regulate bulk rubbish (verge) collections, a minor modification is suggested in clause 2.2(1)(b) - after "only" insert "in accordance with the terms and conditions and".

In addition, in order to ensure that it is clear that the clause also applies to verge treatments already installed, in clause 2.2(1)(i), after “installing” insert “, or in order to maintain,”.

*Clause 2.6 – List of acceptable materials*

Clause 2.6 provides that the Shire can compile a list of "acceptable material" that can be used in a verge treatment, and which means any material which will create a hard surface. A suggested list is attached as Appendix 6 as part of a document which could be used to explain the rules regarding verge treatments generally.

*Clause 2.8 – Permissible verge treatments*

In order to ensure that verge treatments do not create visibility problems for property owners as well as road users, in clause 2.8(2)(b)(i) after “thoroughfare” in the second place where it occurs, insert “or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare”.

*Part 5 – Roadside Conservation*

This Part is in the Western Australian Local Government Association model local law and was intended to assist those local governments who may have areas of wildflowers in road reserves (ie verges) in their areas to protect them.

Practically speaking, this Part has no effect in the Shire – areas of conservation are all in the Department of Environment and Conservation Reserves. The Part has no effect and should be repealed.

*Part 6 – Trading in thoroughfares*

In clause 6.1 (Interpretation), in the definition of “trading” –

- The definition of trading as contained in the existing local law is considered too broad, and in particular paragraph (c) (iii) (which provides for it to also include ‘carrying out any other transaction in relation to goods or services’) should be deleted. There are also some minor consequential changes needed to subclause (c)(ii) and (c)(i).
- in paragraph (c) subparagraph (i) after “,” insert “or”;
- renumber paragraph (d) to (g) inclusive to (e) to (h) respectively;
- insert in the appropriate alphabetical position the following new paragraph –  
“(d) the delivery of pre-ordered goods or services to the purchaser of those goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services for from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;” and
- in the last line, insert “only” before “sold.”.

8. Clause 6.4 – No permit required to sell newspaper

After “newspaper” insert “only”.

9. Clause 6.21 – Temporary removal of Facility may be requested

In subclause (1) delete “in the event of an emergency”.

10. Clause 7.10 – Cancellation of permit

Delete subclause (1) and substitute –

“(1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a –

(i) condition of the permit; or

(ii) provision of any written law which may relate to the activity regulated by the permit.”.

**9. Standing Orders**

The Shire’s Standing Orders Local Law was published in the Government Gazette on 24 July 2002. It was made by adoption of the Governor’s Model Standing Orders Local Law which was itself published in the Gazette on 3 April 1998 and as such is as close to industry standard as can be reasonably expected.

Clause 3.2(1)(l) of the local law does though contain a provision that allows for ‘informal discussion’. While clause 3.11 provides that:

*During informal discussion held under Clause 3.2(1)(l) -*

(a) *no decisions are to be made;*

(b) *topics discussed only are to be reported in the minutes;*

*and*

(c) *the Standing Orders are in all other respects suspended.*

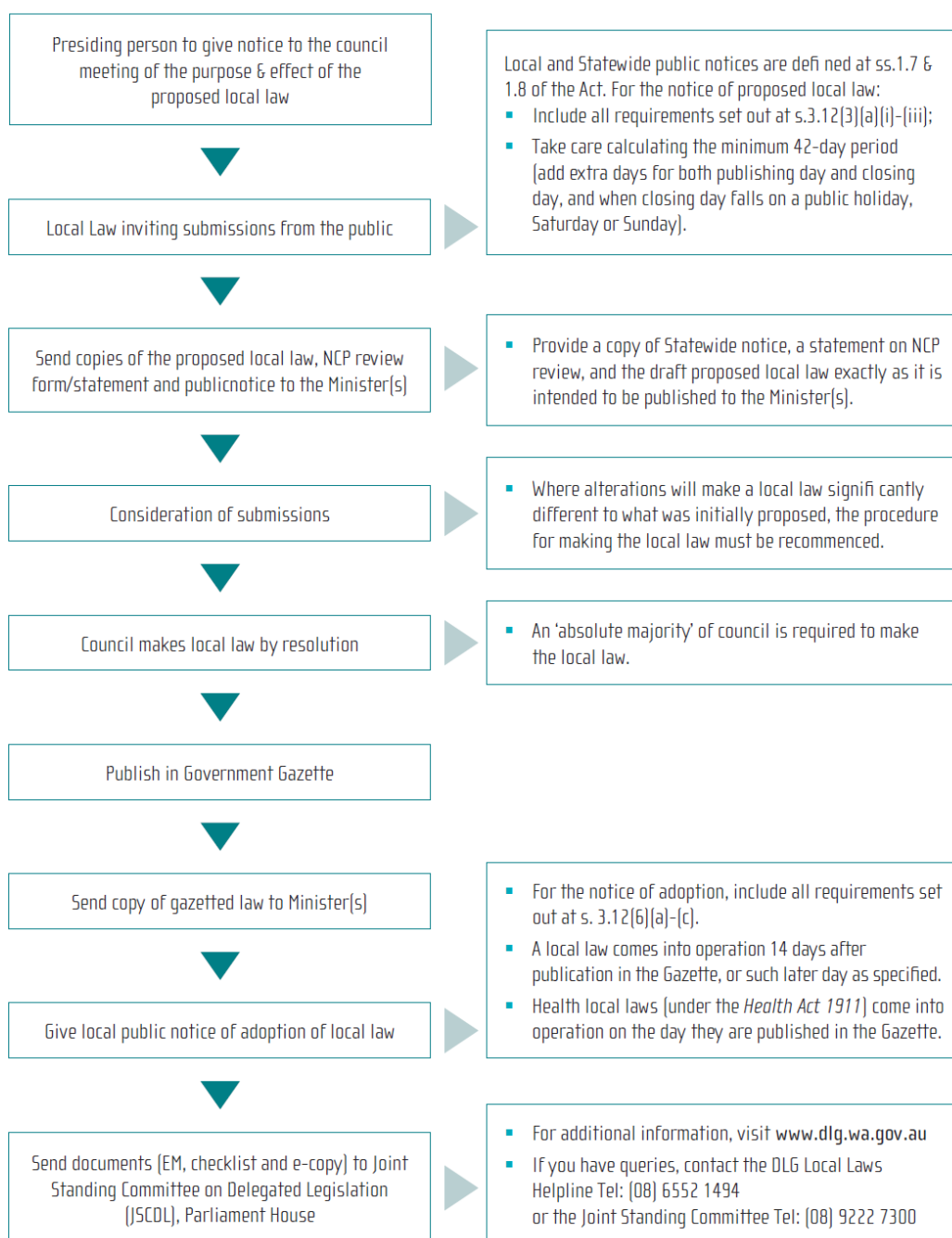
It is considered that there is little or need for an area of informal discussion. The inclusion of a provision on the agenda is not considered to lead to good governance as deliberations of Council should be open, accountable and transparent – by its very nature, ‘informal discussion’ can mean anything and it is considered that the provisions allowing it should be deleted. If required, there is ample provision for informal discussions to take place outside Council meetings anyway via the information bulletin, discussions before/after meetings or during agenda briefings or workshops where required.

Legal Implications

The process required to be used when adopting or amending a local law is set out in s3.12 of the *Local Government Act 1995* and is summarised in the above flow chart provided by the Department of Local Government below:

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013



In addition, Regulation 3 of the Local Government (Functions and general) Regulations 1996 stipulates that for the purposes of s3.12 of the Act, the purpose and effect of any proposed local law is to be included in the agenda and minutes of a meeting, and which are as follows:

**Purpose:**

The objective of this local law is to repeal the Shire of Shark Bay Bush Fire Brigades and Extractive Industries local laws, and to amend the Cemeteries, Local Government Property, and Activities on Thoroughfares and Public Places and Trading in Thoroughfares and Public Places Local Laws.



**Effect:**

The Bush Fire Brigades and Extractive Industries Local Laws no longer have effect; provisions relating to mausoleums in the Cemeteries Local Law are deleted, and it is simpler to obtain funeral director and monumental mason licences; inoperable clauses in the Local Government Property Local Law are deleted; and the provisions of the Activities on Thoroughfares and Public Places and Trading in Thoroughfares and Public Places Local Law are clarified.

**Policy Implications**

Nil

**Financial Implications**

Nil, but there are costs associated with advertising and Gazettal of the proposed Repeal and Amendment Local Law.

**Strategic Implications**

By undertaking the amendments the Shire will ensure that its local laws are kept up to date.

In addition, the majority of the Shire's local laws are based on models developed by Western Australian Local Government Association. This makes ongoing maintenance easier, and staff who may be recruited from other local governments are more likely to be familiar with their content.

**Voting Requirements**

Simple Majority Required

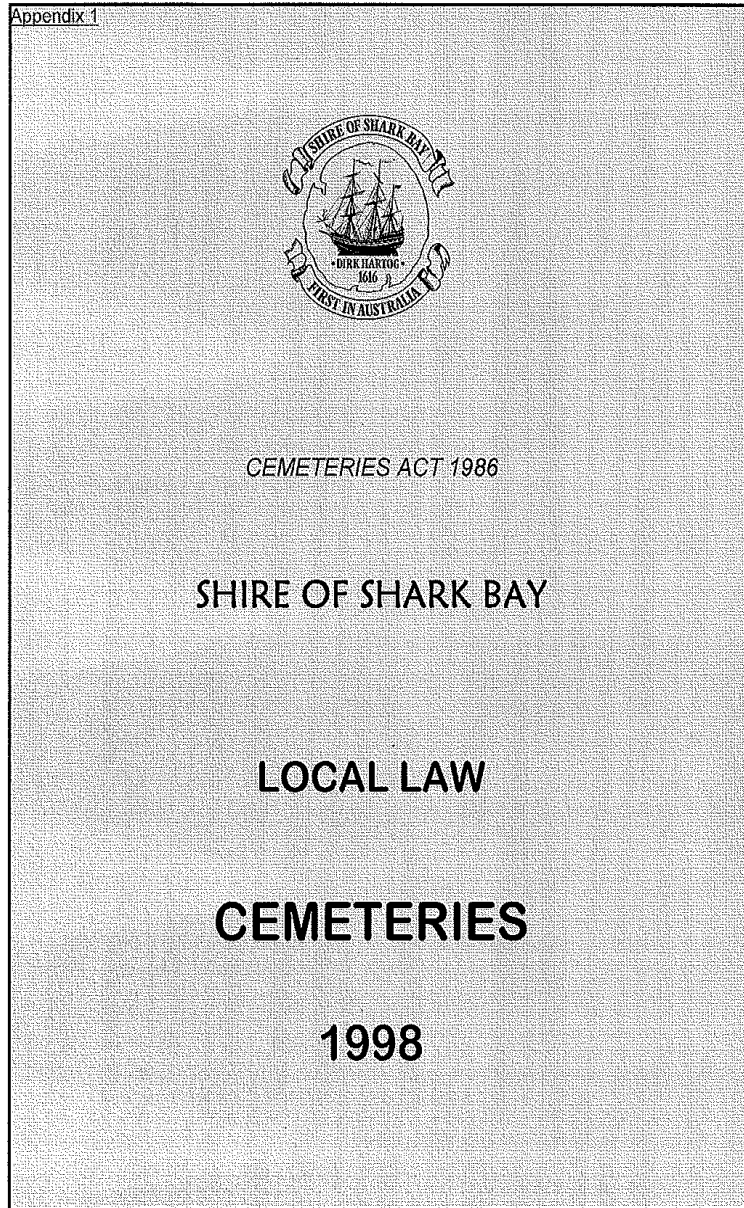
Date of Report

17 June 2013

**Appendices:**

1. 'Marked up' copy of the Shire of Shark Bay Local Law – Shark Bay Cemeteries showing proposed changes;
2. 'Marked up' copy of the Local Government Property Local Law showing proposed changes;
3. 'Marked up' copy of the Parking and Parking Facilities Local Law showing proposed changes;
4. 'Marked up' copy of the Standing Orders Local Law showing proposed changes;
5. Activities in Thoroughfares Local Law showing proposed changes;
6. List of acceptable materials for verge treatments under clause 2.6 of the Thoroughfares local law (included in general information about verge treatments);
7. List of proposed Determinations under the Local Government Property Local Law.
8. Draft Repeal and Amendment Local Law

Appendix 1



Adopted 11 December 1998

Local Law - Cemeteries

**TABLE OF CONTENTS**

PART 1 - PRELIMINARY.....	3
1.1 Citation .....	3
1.2 Interpretation .....	3
1.3 Repeal.....	4
PART 2 - ADMINISTRATION .....	4
2.1 Powers and Functions of CEO.....	4
PART 3 - APPLICATION FOR FUNERALS.....	4
3.1 Application for Burial.....	4
3.2 Applications to be Accompanied by Certificates etc.....	4
3.3 Certificate of Identification .....	4
3.5 Minimum Notice Required.....	5
PART 4 - FUNERAL DIRECTORS .....	5
4.1 Funeral Director's Licence Expiry.....	5
4.2 Single Funeral Permits .....	5
4.3 Application Refusal.....	5
PART 5 - FUNERALS.....	5
5.1 Requirements for Funerals and Coffins .....	5
5.2 Funeral Processions .....	6
5.3 Vehicle Entry Restricted.....	6
5.4 Vehicle Access and Speed Limitations .....	6
5.5 Offenders may be Expelled.....	6
5.6 Conduct of Funeral by Board .....	6
PART 6 - BURIALS.....	6
6.1 Depth of Graves .....	76
6.2 Mausoleum, etc.....	77
PART 7 - MEMORIALS AND OTHER WORK.....	7
Division 1 - General.....	7
7.1 Application for Monumental Work.....	7
7.2 Placement of Monumental Work.....	7
7.3 Removal of Rubbish .....	7
7.4 Operation of Work .....	8
7.5 Removal of Sand, Soil or Loam .....	8
7.6 Hours of Work .....	8
7.7 Unfinished Work .....	8
7.8 Use of Wood.....	8
7.9 Plants and Trees .....	8
7.10 Supervision.....	8
7.11 Australian War Graves.....	8
7.12 Placing of Glass Domes and Vases.....	9

Local Law - Cemeteries

Division 2 - Lawn Section .....	9
7.13 Specification of Monuments.....	9
7.14 Headstones .....	9
Division 3 - Memorial Plaque Section .....	9
7.15 Requirements of a Memorial Plaque.....	9
Division 4 - Licensing of Monumental Masons.....	10
7.16 Monumental Mason's Licence.....	10
7.17 Expiry Date, Non-Transferability .....	10
7.18 Carrying out Monumental Work .....	10
7.19 Responsibilities of the Holder of a Monumental Mason's Licence.....	11
7.20 Cancellation of a Monumental Mason's Licence .....	11
PART 8 - GENERAL.....	11
8.1 Animals.....	11
8.2 Guide Dogs.....	11
8.3 Damaging and Removing of Objects .....	11
8.4 Withered Flowers.....	11
8.5 Littering and Vandalism .....	12
8.6 Advertising.....	12
8.7 Obeying Signs and Directions.....	12
8.8 Removal from the Cemetery .....	12
PART 9 - OFFENCES AND MODIFIED PENALTIES .....	12
9.1 General.....	12
9.2 Modified Penalties .....	12
First Schedule.....	13
Modified Penalties .....	13
Second Schedule.....	14
Infringement Notice .....	14
Third Schedule.....	15
Withdrawal of Infringement Notice.....	15



Local Law - Cemeteries

---

CEMETERIES ACT 1986

*Shire of Shark Bay*

**CEMETERIES LOCAL LAW 1998**

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned Local Government hereby records having resolved on the eleventh day of December 1998 to adopt the following Local Law.

**PART 1 - PRELIMINARY**

**1.1 Citation**

This Local Law may be cited as the *Shire of Shark Bay Cemeteries Local Law 1998*.

**1.2 Interpretation**

In this Local Law unless the context otherwise requires -

"ashes" means so much of the remains of a dead body after the due processes of cremation as may be contained in a standard sized cremation urn,

"authorised officer" means an employee of the Board authorised by the Board for the purposes of performing any function or exercising any power conferred upon an authorised officer by this Local Law,

"CEO" means the chief executive officer for the time being, of the Board,

"Funeral Director" means a person holding a current funeral director's licence,

"Board" means the Shire of Shark Bay,

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

"monumental mason" means a person holding a current monumental mason's licence,

"personal representative" means the administrator or executor of an estate of a deceased person,

"set fee" refers to fees and charges set by a resolution of the Board and published in the *Government Gazette*, under Section 53 of the Act,

"single funeral permit" means a permit issued by the Board under Section 20 or 21 of the Act which entitles the holder to conduct at the cemetery a funeral of a person named in the permit,

Local Law - Cemeteries

---

"vault" means a below ground lined grave with one or more sealed compartments constructed to specifications approved from time to time by the Board.

**1.3 Repeal**

The following Local Law is repealed -

The By-laws relating to Shark Bay Public Cemetery, published in the *Government Gazette* on 25 October 1974 as amended in the *Government Gazette* on 19 April 1984.

**PART 2 - ADMINISTRATION**

**2.1 Powers and Functions of CEO**

Subject to any directions given by the Board, the CEO shall exercise all the powers and functions of the Board in respect of the cemetery.

**PART 3 - APPLICATION FOR FUNERALS**

**3.1 Application for Burial**

- (1) A person may apply for approval to bury a dead body in the cemetery in the form determined by the Board from time to time.
- (2) An application under subclause (1) is to be accompanied by the set fee.

**3.2 Applications to be Accompanied by Certificates etc**

All applications referred to in Clause 3.1 shall be accompanied by either a medical certificate of death or a Coroner's order of burial, and a certificate issued under Clause 3.3, in respect of the body.

**3.3 Certificate of Identification**

- (1) After a dead body is placed in a coffin and prior to a dead body being removed to the cemetery a person who personally knew the deceased shall identify the dead body and shall complete a certificate of identification in the form determined by the Board from time to time, unless -
  - (a) in the opinion of the Funeral Director, the dead body is not in a fit state to be viewed, or
  - (b) after reasonable effort the Funeral Director is unable to arrange for a person to identify the dead body.
- (2) Where -
  - (a) in the opinion of the Funeral Director, the dead body is not in a fit state to be viewed, or

**Local Law - Cemeteries**

- (b) after reasonable effort the Funeral Director is unable to arrange for a person to identify the dead body.

then the Funeral Director shall complete a certificate in the form determined by the Board from time to time.

**3.5 Minimum Notice Required**

All bookings to hold a funeral shall be made with the Board at least twenty four hours prior to the time proposed for burial on the application, otherwise an extra charge may be made.

**PART 4 - FUNERAL DIRECTORS**

**4.1 Funeral Director's Licence Expiry**

- (a) A person shall hold a funeral directors licence before conducting a funeral at the cemetery.
- (b) A person who holds a funeral directors licence issued by any other Board under the *Cemeteries Act 1986* is deemed to hold a funeral directors licence under this local law.
- (c) A funeral director's licence issued by the Board shall expire on the 30<sup>th</sup> day of June in each year.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.63 cm + Indent at: 1.27 cm  
Formatted: Font: Italic

**4.2 Single Funeral Permits**

Every application for a single funeral permit made under Section 20 or 21 of the Act shall include coffin specifications and details of the vehicle transporting the dead body to the gravesite.

**4.3 Application Refusal**

The Board may refuse an application for a single funeral permit if, in the opinion of the Board, either the coffin specifications or the details of the vehicle transporting the dead body to the gravesite, are not structurally sound or are otherwise inadequate or inappropriate, or on any other grounds.

**PART 5 - FUNERALS**

**5.1 Requirements for Funerals and Coffins**

A person shall not bring a dead body into the cemetery unless -

- (a) the Board has approved an application for the burial of that dead body in accordance with Part 3 of this Local Law.
- (b) it is enclosed in a coffin which in the opinion of the Board is structurally sound and bears the name of the deceased person indelibly inscribed in legible characters on a plate on the coffin's lid,

and

**Local Law - Cemeteries**

- (c) under the plate referred to in paragraph (b) there is a substantive lead strip bearing the surname of the deceased person stamped in legible characters, each character being not less than 10 mm in height.

**5.2 Funeral Processions**

The time fixed by the Board for any burial shall be the time at which the funeral procession is to arrive at the cemetery gates, and, if not punctually observed, then the applicant who applied to hold the funeral under Clause 3.1 shall pay the set fee for being late.

**5.3 Vehicle Entry Restricted**

- (1) Subject to Clause 5.3(2), every funeral procession shall enter by the principal entrance, and no vehicle except the hearse, and official mourning coaches, shall be permitted to enter the cemetery.
- (2) This clause shall not apply to persons using wheelchairs or motorised wheelchairs.

**5.4 Vehicle Access and Speed Limitations**

Vehicles shall proceed within the cemetery by the constructed roadway or other areas designated for the use of vehicles and shall not exceed the speed of 25 km per hour.

**5.5 Offenders may be Expelled**

A person committing an offence under Clause 5.4 may be expelled from the cemetery by the CEO or an authorised officer.

**5.6 Conduct of Funeral by Board**

When conducting a funeral under Section 22 of the Act the Board may -

- (a) require a written request for it to conduct a funeral to be lodged with it,
- (b) in its absolute discretion, charge any person requesting it to conduct a funeral the set fee for the conduct of that funeral by it,
- (c) where no fee or a reduced fee has been charged by it for the conduct of the funeral, determine the manner in which the funeral shall be conducted,
- (d) specify an area in the cemetery where the dead body is to be buried,
- (e) conduct the funeral notwithstanding the failure of a person to make any application or to obtain any consent required under this Local Law,
- (f) do or require anything which it considers is necessary or convenient for the conduct of a funeral by it.

**PART 6 - BURIALS**



---

**Local Law - Cemeteries**

---

**6.1 Depth of Graves**

- (1) A person shall not bury a coffin within the cemetery so that the distance from the top of the coffin to the original surface of the grounds is -
  - (a) subject to paragraph (b), less than 750 mm, unless that person has the permission of an authorised officer, or
  - (b) in any circumstances less than 600 mm.
- (2) The permission of the authorised officer in subclause (1)(a) will only be granted where in the opinion of the authorised officer exceptional circumstances require granting of that permission.

**6.2 Mausoleum, etc**

- (1) A person other than the Board shall not construct a brick grave, crypt, vault or mausoleum within the cemetery.
- (2) A person may request the Board to construct a vault or mausoleum within the cemetery which vault or mausoleum shall at all times remain the property of the Board.
- (3) An application under subclause (2) shall be in writing and shall be accompanied by payment of the set fee.
- (4) A person shall not place a dead body in a mausoleum except -
  - (a) in a closed coffin, and
  - (b) in a soundly constructed chamber, and
  - (c) in accordance with subclause (5).
- (5) The number of burials in a chamber must not exceed the number for which the chamber was designed.

**PART 7 - MEMORIALS AND OTHER WORK***Division 1 - General***7.1 Application for Monumental Work**

A Board may require the written consent of the holder of the right of burial of the grave to accompany an application under Section 30 of the Act.

**7.2 Placement of Monumental Work**

Every memorial shall be placed on proper and substantial foundations.

**7.3 Removal of Rubbish**

**Local Law - Cemeteries**

---

All refuse, rubbish or surplus material remaining after memorial works are completed under a permit issued under Section 30 of the Act shall be immediately removed from the cemetery by the person carrying out the same.

**7.4 Operation of Work**

All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery, and all materials required by tradesmen shall be admitted at such entrance as the CEO or an authorised officer shall direct.

**7.5 Removal of Sand, Soil or Loam**

No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any memorial or work except with the written approval of the Board.

**7.6 Hours of Work**

Persons shall not be permitted to carry out memorial or other work on graves within the cemetery other than during the hours of 8.00 am and 6.00 pm on weekdays, and 8.00 am and noon on Saturdays, without the written permission of the Board.

**7.7 Unfinished Work**

Should any work by masons or others be not completed before 6.00 pm on weekdays and noon on Saturdays, they shall be required to leave the work in a neat and safe condition to the satisfaction of the CEO or an authorised officer.

**7.8 Use of Wood**

No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave, other than as a temporary marker and with the prior approval of the Board.

**7.9 Plants and Trees**

No trees or shrubs shall be planted on any grave or within the cemetery except such as shall be approved by the CEO.

**7.10 Supervision**

All workers, whether employed by the board or by any other person, shall at all times whilst within the boundaries of the cemetery be subject to the supervision of the CEO or an authorised officer and shall obey such directions as the CEO or an authorised officer may give.

**7.11 Australian War Graves**

Notwithstanding anything in this Local Law to the contrary, the Office of Australian War Graves -

- (a) may place a memorial on a military grave, and

**Local Law - Cemeteries**

---

- (b) is not required to pay the set fee for any memorial that is placed upon a military grave.

**7.12 Placing of Glass Domes and Vases**

A person shall not place glass domes, vases or other grave ornaments -

- (a) outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under Section 40(2) of the Act, or
- (b) on the lawn in an area set aside by the Board as a lawn or a memorial plaque section.

**Division 2 - Lawn Section**

**7.13 Specification of Monuments**

- (1) All monuments in the lawn section of a cemetery shall -
- (a) be made of natural stone, and
- (b) be placed upon a base of natural stone, and
- (c) comply with the following specifications -
- (i) the overall height of the monument above the original surface of the grave shall not exceed 1.05 m,
- (ii) the height of the base of the monument above the original surface of the grave shall not be less than 150 mm nor more than 450 mm,
- (iii) the width of the base of the monument shall not exceed 1.20 m,
- (iv) the depth of the base of the monument shall not exceed 300 mm, and
- (d) have foundations extending to the bottom of the grave unless concrete beam foundations are provided by the Board.
- (2) An admiralty bronze memorial plaque may be attached to a monument erected or being erected in the lawn section of the cemetery.
- (3) A person shall not display any trade names or marks upon any monument erected within the lawn section of the cemetery.

**7.14 Headstones**

In the lawn section of the cemetery, that part of a headstone above its base shall not extend horizontally beyond that base.

**Division 3 - Memorial Plaque Section**

**7.15 Requirements of a Memorial Plaque**

- (1) All memorial plaques placed in a memorial plaque section of the cemetery shall -

Local Law - Cemeteries

- (a) be made of admiralty bronze or any other material approved by the Board, and
- (b) not be less than the dimensions 380 mm x 280 mm, nor more than 560 mm x 305 mm, and
- (2) All memorial plaques made of admiralty bronze shall -
  - (a) not exceed 20 mm in thickness, and
  - (b) be placed upon a base mounting approved by the Board.
- (3) All memorial plaques made of stone shall -
  - (a) not exceed 50 mm in thickness placed upon a base mounting approved by the Board, or
  - (b) not be less than 100 mm in thickness if it is not to be placed upon a base mounting.

*Division 4 - Licensing of Monumental Masons*

**7.16 Monumental Mason's Licence**

- (1) A person who holds a monumental mason's licence issued by any other Board under the Cemeteries Act 1986 is deemed to hold a monumental mason's licence under this local law, subject to the provisions of this local law.
- (2) The Board may upon receipt of an application in writing by any person and upon payment of the set fee issue to the applicant a monumental mason's licence.
- (23) A licence issued under subclause (1) or (2) authorises the holder to carry out monumental works within the cemetery subject to the provisions of this Local Law and such conditions as the Board shall specify upon the issue of that licence.

Formatted: Font: Italic

Formatted: Indent: Left: 0 cm, Hanging: 1.25 cm

**7.17 Expiry Date, Non-Transferability**

A monumental mason's licence -

- (a) shall, subject to Clause 7.20, be valid from the date specified therein until the 30<sup>th</sup> day of June next following, and
- (b) is not transferable.

**7.18 Carrying out Monumental Work**

A person shall not carry out monumental work within the cemetery unless that person -

- (a) is the holder of a current monumental mason's licence issued pursuant to Clause 7.16 or does so as the employee of a person who holds such a licence, or
- (b) is authorised by the Board to do so.



Local Law - Cemeteries

**7.19 Responsibilities of the Holder of a Monumental Mason's Licence**

The holder of a monumental mason's licence shall be responsible for the compliance by every person purporting to be authorised to carry out monumental works within the cemetery pursuant to that licence with all the requirements and conditions of the licence, this Local Law, the Act and any other written law which may affect the carrying out of monumental works.

**7.20 Cancellation of a Monumental Mason's Licence**

- (1) The Board may by notice in writing to the holder of a monumental mason's licence terminate the licence on any of the following grounds -
  - (a) that the holder of the licence has committed a breach of the requirements and conditions of the licence, this Local Law, the Act or any other written law which may affect the carrying out of monumental works,
  - (b) that, in the opinion of the Board, the conduct of the holder of the licence or any person in the employ of that holder in carrying out or attempting to carry out any works within the cemetery, is inappropriate or unbecoming, or
  - (c) that the holder of the licence has purported to transfer the licence issued to that holder.
- (2) Upon the termination of a monumental mason's licence under the clause no part of any fee paid for the issue of that licence is refundable by the Board.
- (3) An aggrieved person whose licence has been terminated under subclause (1) may appeal to a Local Court against a decision of Board under this clause in the manner stated in Section 19(3) of the Act.

**PART 8 - GENERAL**

**8.1 Animals**

Subject to Clause 8.2, a person shall not bring an animal into or permit an animal to enter or remain in the cemetery, other than with the approval of the CEO or an authorised officer.

**8.2 Guide Dogs**

Clause 8.1 shall not apply to a hearing impaired person or a person who is blind or partially blind and is accompanied by a hearing or guide dog.

**8.3 Damaging and Removing of Objects**

Subject to Clause 8.4, a person shall not damage, remove or pick any tree, plant shrub or flower in the cemetery or any other object or thing on any grave or memorial or which is the property of the Board without the permission of the Board.

**8.4 Withered Flowers**

Local Law - Cemeteries

---

A person may remove withered flowers from a grave or memorial and these are to be placed in a receptacle provided by the Board for that purpose.

**8.5 Littering and Vandalism**

A person shall not -

- (a) break or cause to be broken any glass, ceramic or other material in or upon the cemetery,
- (b) discard, deposit, leave or cause to be discarded, deposited or left any refuse or litter in or upon the cemetery other than in a receptacle provided for that purpose.

**8.6 Advertising**

A person shall not carry on or advertise any trade, business or profession within the cemetery without the prior written approval of the Board which consent may be granted subject to such conditions as the Board thinks fit.

**8.7 Obeying Signs and Directions**

A person shall obey all signs displayed, marked, placed or erected by the Board within the cemetery and any other lawful direction by the CEO or an authorised officer.

**8.8 Removal from the Cemetery**

Any person failing to comply with any provisions of this Local Law or behaving in a manner that in the opinion of the Board, the CEO or an authorised officer is inappropriate in the cemetery may in addition to any penalty provided by this Local Law be ordered to leave the cemetery by the Board, the CEO or an authorised officer.

**PART 9 - OFFENCES AND MODIFIED PENALTIES**

**9.1 General**

A person who commits a breach of any provisions of this Local Law commits an offence and shall on conviction be liable to a penalty not exceeding \$500.00 and if the offence is a continuing one to a further penalty not exceeding \$20.00 for every day or part of a day during which the offence has continued.

**9.2 Modified Penalties**

- (1) The offences specified in the First Schedule are offences which may be dealt with under Section 63 of the Act.
- (2) The modified penalty payable in respect of an offence specified in the First Schedule is set out in the fourth column of the first Schedule.
- (3) The prescribed form of the notice withdrawing an infringement notice referred to in Section 63(3) of the Act is set out in the Third Schedule.

Local Law - Cemeteries

**Second Schedule**

*Cemeteries Act, 1986*

**SHIRE OF SHARK BAY**

**LOCAL LAW - CEMETERIES**

***Infringement Notice***

No .....

To .....  
(Name)  
.....  
(Address)  
.....

It is alleged that at ..... : ..... hours on ..... day  
of ..... 19..... at .....

you committed the offence indicated below by an (x) in breach of Clause ..... of the Local Law - Cemeteries.

.....  
(Authorised Person)

**Offence**

- Animal at large
- Dumping rubbish
- Excessive speed in vehicle
- Leaving uncompleted works in an untidy or unsafe condition
- Non removal of rubbish
- Unauthorised advertising or trading
- Unauthorised vehicle use
- Disobeying sign or lawful direction

Other offence .....  
\$ .....

You may dispose of this matter -

By payment of the penalty as shown within 21 days of the date of this notice (or the date of the giving of this notice if that is a different date) to the Chief Executive Officer of the Shire of Shark Bay at 42 Hughes Street Denham between the hours of 8.00 am and 4.00 pm Monday to Friday.

Please make cheque payable to Shire of Shark Bay. Payments by mail should be addressed to -

The Chief Executive Officer  
Shire of Shark Bay  
PO Box 126  
DENHAM WA 6537

If the penalty is not paid within the time specified, then a complaint or the alleged offence may be made and heard and determined by a court.

Local Law - Cemeteries

---

**Third Schedule**

*Cemeteries Act, 1986*

**SHIRE OF SHARK BAY**

**LOCAL LAW - CEMETERIES**

***Withdrawal of Infringement Notice***

No .....

..... Date ..... / ..... / .....

To (1) .....

Infringement Notice No ..... Dated ..... / ..... / ..... for the alleged office of (2)

Penalty (3) \$ ..... is withdrawn.

(Delete whichever does not apply)

- \* No further action will be taken.
- \* It is proposed to institute court proceedings for the alleged offence.

- (1) Insert name and address of alleged offender
- (2) Insert short particulars of offence alleged
- (3) Insert amount of penalty prescribed

.....  
(Authorised Person)



Local Law - Cemeteries

---

Dated this                      day of                      1999.

THE COMMON SEAL of        )  
the Shire of Shark Bay        )  
was hereunto affixed        )  
in the presence of         )

L R Moss  
SHIRE PRESIDENT

A R Biggs  
CHIEF EXECUTIVE OFFICER

Appendix 2



LOCAL GOVERNMENT ACT 1995

SHIRE OF SHARK BAY

**LOCAL GOVERNMENT  
PROPERTY  
LOCAL LAW**

Adopted 27 February 2002

Local Government Property Local Law

Table of Contents

**PART 1 - PRELIMINARY ..... 5**

1.1 Citation.....5

1.2 Definitions.....5

1.3 Interpretation .....7

1.4 Application.....7

1.5 Repeal .....7

**PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY .... 8**

**Division 1 - Determinations..... 8**

2.1 Determinations as to Use of Local Government Property.....8

2.2 Procedure for Making a Determination.....8

2.3 Discretion to Erect Sign.....9

2.4 Determination to be Complied With.....9

2.5 Register of Determinations.....9

2.6 Amendment or Revocation of a Determination.....9

**Division 2 - Activities which may be Pursued or Prohibited under a Determination ..... 9**

2.7 Activities which may be Pursued on Specified Local Government Property.....9

2.8 Activities which may be Prohibited on Specified Local Government Property.....10

**Division 3 - Transitional ..... 11**

2.9 Signs Taken to be Determinations .....11

**PART 3 - PERMITS..... 12**

**Division 1 - Preliminary ..... 12**

3.1 Application of Part .....12

**Division 2 - Applying for a Permit ..... 12**

3.2 Application for Permit .....12

3.3 Decision on Application for Permit .....12

**Division 3 - Conditions ..... 13**

3.4 Conditions which may be Imposed on a Permit.....13

3.5 Imposing Conditions Under a Policy .....14

3.6 Compliance With and Variation Of Conditions .....14

**Division 4 - General..... 14**

3.7 Agreement for Building .....14

3.8 Duration of Permit.....14

3.9 Renewal of Permit .....14

3.10 Transfer of Permit.....15

3.11 Production of Permit.....15

<b>Local Government Property Local Law</b>	
3.12	Cancellation of Permit ..... 15
<b>Division 5 - When a Permit is Required ..... 15</b>	
3.13	Activities Needing a Permit..... 15
3.14	Permit Required to Camp Outside a Facility ..... 16
3.15	Permit Required for Possession and Consumption of Liquor ..... 18-17
<b>Division 6 - Responsibilities of Permit Holder ..... 18-17</b>	
3.16	Responsibilities of Permit Holder ..... 18-17
<b>PART 4 - BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY ..... 20-19</b>	
<b>Division 1 - Behaviour On and Interference With Local Government Property 20-19</b>	
4.1	Behaviour which Interferes with Others..... 20-19
4.2	Behaviour Detrimental to Property ..... 20-19
4.3	Taking or Injuring any Fauna ..... 21-20
4.4	Intoxicated Persons Not to Enter Local Government Property ..... 21-20
4.5	No Prohibited Drugs ..... 22-21
<b>Division 2 - Signs ..... 22-21</b>	
4.6	Signs..... 22-21
<b>PART 5 - MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY ..... 23-22</b>	
<b>Division 1 - Beaches ..... 23-22</b>	
5.1	Powers of Surf Life Saving Club Members..... 23-22
5.1	Authorising Other Persons ..... 23-22
5.3	Persons to Comply with Signs and Directions..... 23-22
<b>Division 2 - Fenced or Closed Property ..... 24-23</b>	
5.4	No Entry to Fenced or Closed Local Government Property..... 24-23
<b>Division 3 - Toilet Blocks and Change Rooms ..... 24-23</b>	
5.5	Only Specified Gender to Use Entry of Toilet Block or Change Room ..... 24-23
<b>Division 4 - Aerodrome (Airport)..... 24-23</b>	
5.6	Access of Animals Restricted..... 24-23
<b>Division 5 - Reserve No 1686 ..... 25-24</b>	
5.7	Permit Required to Enter Reserve ..... 25-24
<b>PART 6 - FEES FOR ENTRY ON TO LOCAL GOVERNMENT PROPERTY ..... 26-25</b>	
6.1	No Unauthorised Entry to Function ..... 26-25
<b>PART 7 - MONKEY MIA JETTY ..... 27-26</b>	
<b>Division 1 - Preliminary ..... 27-26</b>	
7.1	Interpretation ..... 27-26



Local Government Property Local Law

<b>Division 2 - Consents and Fees</b> .....	<b>2726</b>
7.2 Applications for Consent and Application Fee.....	2726
<b>Division 3 - Mooring Boats to Jetty</b> .....	<b>2726</b>
7.3 Method of Mooring Boat.....	2726
<b>Division 4 - When Boats May Remain at Jetty</b> .....	<b>2726</b>
7.4 When Boat May Remain Moored .....	2726
<b>Division 5 - Cargo or Other Goods</b> .....	<b>2827</b>
7.6 Loading and Discharging.....	2827
7.7 Outgoing Cargo Not to be Stored on Jetty .....	2827
7.8 Removal of Incoming Cargo from Jetty .....	2827
7.9 No Obstruction on Jetty.....	2827
7.10 Authorised Person May Direct Removal .....	2827
7.11 Handling of Bulk Cargo.....	2928
7.12 Explosives on Jetty.....	2928
<b>Division 6 - Prohibitions and Limitations on Use of Jetty</b> .....	<b>2928</b>
7.13 Jetty May be Closed.....	2928
7.14 Vehicles on Jetty .....	2928
7.15 Rubbish from Jetty.....	2928
7.16 Liquor on Boats .....	2928
7.17 Fishing from Jetty .....	3029
<b>PART 8 - OBJECTIONS AND APPEALS</b> .....	<b>3130</b>
8.1 Application of Division 1, Part 9 of the Act .....	3130
<b>PART 9 - MISCELLANEOUS</b> .....	<b>3234</b>
9.1 Authorised Person to be Obeyed .....	3234
9.2 Persons May be Directed to Leave Local Government Property .....	3234
9.3 Disposal of Lost Property .....	3234
9.4 Liability for Damage to Local Government Property .....	3332
<b>PART 10 - ENFORCEMENT</b> .....	<b>3433</b>
<b>Division 1 - Notices Given Under this Local Law</b> .....	<b>3433</b>
10.1 Offence to Fail to Comply with Notice .....	3433
10.2 Local Government May Undertake Requirements of Notice.....	3433
<b>Division 2 - Offences and Penalties</b> .....	<b>3433</b>
<b>Subdivision 1 - General</b> .....	<b>3433</b>
10.3 Offences and General Penalty .....	3433
<b>Subdivision 2 - Infringement Notices and Modified Penalties</b> .....	<b>3433</b>
10.4 Prescribed Offences .....	3433
10.5 Form of Notices .....	3534

Local Government Property Local Law

<b>Division 3 - Evidence in Legal Proceedings</b> .....	<b>3534</b>
10.6 Evidence of a Determination .....	3534
<b>SCHEDULE 1</b> .....	<b>3635</b>
PRESCRIBED OFFENCES .....	3635
<b>SCHEDULE 2</b> .....	<b>3837</b>
DETERMINATIONS .....	3837
<b>PART 1 - PRELIMINARY</b> .....	<b>3837</b>
1.1 Definitions .....	3837
1.2 Interpretation .....	3837

---

Local Government Property Local Law

---

LOCAL GOVERNMENT ACT 1995

*Shire of Shark Bay*

**LOCAL GOVERNMENT PROPERTY LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Shark Bay resolved on 27 February 2002 to make the following Local Law.

**PART 1 - PRELIMINARY**

**1.1 CITATION**

This Local Law may be cited as *The Shire of Shark Bay Local Government Property Local Law*.

**1.2 DEFINITIONS**

In this Local Law unless the context otherwise requires -

"Act" means the *Local Government Act 1995*,

"applicant" means a person who applies for a permit under Clause 3.2,

"authorised person" means a person authorised by the Local Government under Section 9.10 of the Act to perform any of the functions of an authorised person under this Local Law,

"boat" means any ship, vessel or structure capable of being used in navigation by water, however propelled or moved, and includes a jet ski,

"building" means any building which is Local Government property and includes a -

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

"CEO" means the Chief Executive Officer of the Local Government,

"commencement day" means the day on which this Local Law comes into operation,

"Council" means the Council of the Local Government,

"date of publication" means, where local public notice is required to be given of a matter under this Local Law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district,

"determination" means a determination made under Clause 2.1,

**Local Government Property Local Law**

"district" means the district of the Local Government,

"function" means an event or activity characterised by all or any of the following -

- (a) formal organisation and preparation,
- (b) its occurrence is generally advertised or notified in writing to particular persons,
- (c) organisation by or on behalf of a club,
- (d) payment of a fee to attend it, and
- (e) systematic recurrence in relation to the day, time and place,

"liquor" has the same meaning as is given to it in Section 3 of the *Liquor Licensing Act 1988*,

"Local Government" means the Shire of Shark Bay,

"Local Government property" means anything except a thoroughfare -

- (a) which belongs to the Local Government,
- (b) of which the Local Government is the management body under the *Land Administration Act 1997*, or
- (c) which is an 'otherwise unvested facility' within Section 3.53 of the Act.

"Manager" means the person for the time being employed by the Local Government to control and manage a facility which is Local Government property and includes the person's assistant or deputy,

"permit" means a permit issued under this Local Law,

"Regulations" means the Local Government (Functions and General) Regulations 1996,

"sign" includes a notice, flag, mark, structure or device approved by the Local Government on which may be shown words, numbers, expressions or symbols,

"trading" means the selling or hiring, or the offering for sale or hire of goods or services, and includes displaying goods for the purpose of -

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

"vehicle" includes -

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

but excludes -

- (c) a wheelchair or any device designed for use by a physically impaired person on a footpath,
- (d) a pram, a stroller or a similar device, and
- (e) a boat.



**Local Government Property Local Law**

**1.3 INTERPRETATION**

In this Local Law unless the context otherwise requires a reference to Local Government property includes a reference to any part of that Local Government property.

**1.4 APPLICATION**

- (1) This Local Law applies throughout the district and in the sea adjoining the district for a distance of 200 metres seawards from the Western district boundary which is bounded by the shores of the Indian Ocean and the inlets therefrom.
- (2) Notwithstanding anything to the contrary in this Local Law, the Local Government may -
  - (a) hire Local Government property to any person, or
  - (b) enter into an agreement with any person regarding the use of any Local Government property.

**1.5 REPEAL**

- (1) The following Local Laws are repealed -
 

Relating to -

  - Foreshore, published in the *Government Gazette* of 1 May 1957,
  - Management and Use of Halls and Other Buildings under the Control of the Council, published in the *Government Gazette* of 16 June 1964, as amended in the *Government Gazette* of 15 October 1993,
  - Reserves, published in the *Government Gazette* of 23 February 1990, as amended in the *Government Gazettes* of 8 February 1991 and 13 May 1994,
  - Monkey Mia Jetty, published in the *Government Gazette* of 20 October 1998.
- (2) Where a Policy was made or adopted by the Local Government under or in relation to a Local Law repealed by this Local Law, then the Policy is to be taken to no longer have any effect on and from the commencement day.
- (3) The Council may resolve that notwithstanding subclause (2), specified policies continue, or are to be taken to have continued, to have effect on and from the commencement day.

**Provisions of other written laws**

Throughout this Local Law text boxes have been inserted containing references to provisions of other written laws which complement this Local Law. These provisions have been reproduced in full in a separate document published in the Local Laws Manual, titled 'Complementary Legislation'. This can be found in Section 4 (Legislative Review) starting on page 23.

**Delegation**

See Sections 5.42 to 5.46 of the *Local Government Act 1995* and Sections 58 and 59 of the *Interpretation Act 1984*.

Local Government Property Local Law

**PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**

***Division 1 - Determinations***

**2.1 DETERMINATIONS AS TO USE OF LOCAL GOVERNMENT PROPERTY**

- (1) The Local Government may make a determination in accordance with Clause 2.2 -
- (a) setting aside specified Local Government property for the pursuit of all or any of the activities referred to in Clause 2.7,
  - (b) prohibiting a person from pursuing all or any of the activities referred to in Clause 2.8 on specified Local Government property,
  - (c) as to the matters in Clauses 2.7(2) and 2.8(2), and
  - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determination in Schedule 2 -
- (a) are to be taken to have been made in accordance with Clause 2.2,
  - (b) may be amended or revoked in accordance with Clause 2.6, and
  - (c) have effect on the commencement day.

**2.2 PROCEDURE FOR MAKING A DETERMINATION**

- (1) The Local Government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that -
- (a) the Local Government intends to make a determination, the purpose and effect of which is summarised in the notice,
  - (b) a copy of the proposed determination may be inspected and obtained from the offices of the Local Government, and
  - (c) submissions in writing about the proposed determination may be lodged with the Local Government within twenty one days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to -
- (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication,
  - (b) amend the proposed determination, in which case subclause (5) will apply, or
  - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to -
- (a) consider those submissions, and
  - (b) decide -
    - (i) whether or not to amend the proposed determination, or

**Local Government Property Local Law**

- (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice -
  - (a) of the effect of the amendments, and
  - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

**2.3 DISCRETION TO ERECT SIGN**

The Local Government may erect a sign on Local Government property to give notice of the effect of a determination which applies to that property.

**2.4 DETERMINATION TO BE COMPLIED WITH**

A person shall comply with a determination.

**2.5 REGISTER OF DETERMINATIONS**

- (1) The Local Government is to keep a register of determinations made under Clause 2.1, and of any amendments to or revocations of determinations made under Clause 2.6.
- (2) Sections 5.94 and 4.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within Section 5.9(u)(i) of the Act.

**2.6 AMENDMENT OR REVOCATION OF A DETERMINATION**

- (1) The Council may amend or revoke a determination.
- (2) The provisions of Clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

***Division 2 - Activities which may be Pursued or Prohibited under a Determination***

**2.7 ACTIVITIES WHICH MAY BE PURSUED ON SPECIFIED LOCAL GOVERNMENT PROPERTY**

- (1) A determination may provide that specified Local Government property is set aside as an area on which a person may -

### Local Government Property Local Law

- (a) bring, ride or drive an animal,
  - (b) take, ride or drive a vehicle, or a particular class of vehicle,
  - (c) fly or use a motorised model aeroplane,
  - (d) use a children's playground provided that the person is under the age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age,
  - (e) launch, beach or leave a boat,
  - (f) take or use a boat, or a particular class of boat,
  - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified area of that Local Government property,
  - (h) play or practice -
    - (i) golf or archery,
    - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*, or
    - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the Local Government may cause injury or damage to a person or property.
  - (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device, and
  - (u) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular -
- (a) the days and time during which the activity may be pursued,
  - (b) that an activity may be pursued on a class of Local Government property, specified Local Government property or all Local Government property,
  - (c) that an activity is to be taken to be prohibited on all Local Government property other than that specified in the determination,
  - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things,
  - (e) may specify that the activity can be pursued by a class of persons or all persons, and
  - (f) may distinguish between different classes of the activity.

### 2.8 ACTIVITIES WHICH MAY BE PROHIBITED ON SPECIFIED LOCAL GOVERNMENT PROPERTY

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified Local Government property -
- (a) smoking on premises,
  - (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device,
  - (c) taking, riding or driving a vehicle on the property or a particular class of vehicle,
  - (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed,
  - (e) taking or using a boat, or a particular class of boat,
  - (f) the playing or practice of -
    - (i) golf, archery, pistol shooting or rifle shooting, or



**Local Government Property Local Law**

- (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the Local Government may cause injury or damage to a person or property,
  - (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property, and
  - (h) the traversing of sand dunes or land which in the opinion of the Local Government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular -
- (a) the days and times during which the activity is prohibited,
  - (b) that an activity is prohibited on a class of Local Government property, specified Local Government property or all Local Government property,
  - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things,
  - (d) that an activity is prohibited in respect of a class of persons or all persons, and
  - (e) may distinguish between different classes of the activity.
- (3) In this clause -
- "premises" means a building, stadium or similar structure which is Local Government property, but not an open space such as a park or a playing field.

***Division 3 - Transitional***

**2.9 SIGNS TAKEN TO BE DETERMINATIONS**

- (1) Where a sign erected on Local Government property has been erected under a Local Law of the Local Government repealed by this Local Law, then it is to be taken and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provisions of this Local Law or any determination made under Clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

---

Local Government Property Local Law

---

**PART 3 - PERMITS**

*Division 1 - Preliminary*

**3.1 APPLICATION OF PART**

This Part does not apply to a person who uses or occupies Local Government property under a written agreement with the Local Government to do so.

*Division 2 - Applying for a Permit*

**3.2 APPLICATION FOR PERMIT**

- (1) Where a person is required to obtain a permit under this Local Law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this Local Law shall -
  - (a) be in the form determined by the Local Government,
  - (b) be signed by the applicant,
  - (c) provide the information required by the form, and
  - (d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.
- (3) The Local Government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The Local Government may require an applicant to give local public notice of the application for a permit.
- (5) The Local Government may refuse to consider an application for a permit which is not in accordance with subclause (2).

**3.3 DECISION ON APPLICATION FOR PERMIT**

- (1) The Local Government may -
  - (a) approve an application for a permit unconditionally or subject to any conditions, or
  - (b) refuse to approve an application for a permit.
- (2) If the Local Government approves an application for a permit, it is to issue to the applicant, a permit in the form determined by the Local Government.
- (3) If the Local Government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

Local Government Property Local Law

**Division 3 - Conditions**

**3.4 CONDITIONS WHICH MAY BE IMPOSED ON A PERMIT**

- (1) Without limiting the generality of Clause 3.3(1)(a), the Local Government may approve an application for a permit subject to conditions relating to -
- (a) the payment of a fee,
  - (b) compliance with a standard or a Policy of the Local Government adopted by the Local Government,
  - (c) the duration and commencement of the permit,
  - (d) the commencement of the permit being contingent on the happening of an event,
  - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application,
  - (f) the approval of another application for a permit which may be required by the Local Government under any written law,
  - (g) the area of the district to which the permit applies,
  - (h) where a permit is issued for an activity which will or may cause damage to Local Government property, the payment of a deposit or bond against such damage, and
  - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the Local Government.
- (2) Without limiting Clause 3.3(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire Local Government property may be issued -
- (a) when fees and charges are to be paid,
  - (b) payment of a bond against possible damage or cleaning expenses or both,
  - (c) restrictions on the erection of material or external decorations,
  - (d) rules about the use of furniture, plant and effects,
  - (e) limitations on the number of persons who may attend any function in or on Local Government property,
  - (f) the duration of the hire,
  - (g) the right of the Local Government to cancel a booking during the course of an annual or seasonal booking, if the Local Government sees fit,
  - (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Licensing Act 1988*,
  - (i) whether or not the hire is for the exclusive use of the Local Government property,
  - (j) the obtaining of a policy of insurance in the names of both the Local Government and the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer, and
  - (k) the provision of an indemnity from the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer.

**Local Government Property Local Law**

**3.5 IMPOSING CONDITIONS UNDER A POLICY**

(1) In this Clause -

"Policy" means a Policy of the Local Government adopted by the Council containing conditions subject to which an application for a permit may be approved under Clause 3.3(1)(a).

(2) Under Clause 3.3(1)(a) the Local Government may approve an application subject to conditions by reference to a Policy.

(3) The Local Government shall give a copy of the Policy, or the part of the Policy which is relevant to the application for a permit, with the form of permit referred to in Clause 3.3(2).

(4) An application for a permit shall be deemed not to have been approved subject to the conditions contained in a Policy until the Local Government gives the permit holder a copy of the Policy or the part of the Policy which is relevant to the application.

(5) Sections 5.94 and 4.95 of the Act shall apply to a Policy and for that purpose a Policy shall be deemed to be information within Section 5.94(u)(i) of the Act.

**3.6 COMPLIANCE WITH AND VARIATION OF CONDITIONS**

(1) Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions.

(2) The Local Government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

***Division 4 - General***

**3.7 AGREEMENT FOR BUILDING**

Where a person applies for a permit to erect a building on Local Government property the Local Government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building.

**3.8 DURATION OF PERMIT**

A permit is valid for one year from the date on which it is issued, unless it is -

- (a) otherwise stated in this Local Law or in the permit, or
- (b) cancelled under Clause 3.12.

**3.9 RENEWAL OF PERMIT**

(1) A permit holder may apply to the Local Government in writing prior to expiry of a permit for the renewal of the permit.

(2) The provisions of this Part shall apply to an application for the renewal of a permit *mutatis mutandis*.



**Local Government Property Local Law**

**3.10 TRANSFER OF PERMIT**

- (1) An application for the transfer of a valid permit is to -
  - (a) be made in writing,
  - (b) be signed by the permit holder and the proposed transferee of the permit,
  - (c) provide such information as the Local Government may require to enable the application to be determined, and
  - (d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.
- (2) The Local Government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the Local Government approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by the Chief Executive Officer.
- (4) Where the Local Government approves the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

**3.11 PRODUCTION OF PERMIT**

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

**3.12 CANCELLATION OF PERMIT**

- (1) Subject to Clause 8.1, a permit may be cancelled by the Local Government if the permit holder has not complied with a -
  - (a) condition of the permit, or
  - (b) determination or a provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder -
  - (a) shall return the permit as soon as practicable to the Chief Executive Officer, and
  - (b) is to be taken to have forfeited any fees paid in respect of the permit.

***Division 5 - When a Permit is Required***

**3.13 ACTIVITIES NEEDING A PERMIT**

- (1) A person shall not without a permit -
  - (a) subject to subclause (3), hire Local Government property,
  - (b) advertise anything by any means on Local Government property,
  - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on Local Government property,

**Local Government Property Local Law**

- (d) teach, coach or train, for profit, any person in a pool area or an indoor recreation facility which is Local Government property,
  - (e) plant any plant or sow any seeds on Local Government property,
  - (f) carry on any trading on Local Government property unless the trading is conducted -
    - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit, or
    - (ii) by a person who has a licence or permit to carry on trading on Local Government property under any written law,
  - (g) unless an employee of the Local Government in the course of her or his duties or on an area set aside for that purpose -
    - (i) drive or ride or take any vehicle on to Local Government property, or
    - (ii) park or stop any vehicle on Local Government property,
  - (h) conduct a function on Local Government property,
  - (i) charge any person for entry to Local Government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation,
  - (j) light a fire on Local Government property except in a facility provided for that purpose,
  - (k) parachute, hang glide, abseil or base jump from or on to Local Government property,
  - (l) erect a building or a refuelling site on Local Government property,
  - (m) make any excavation on or erect or remove any fence on Local Government property,
  - (n) erect or install any structure above or below ground, which is Local Government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person,
  - (o) depasture, take on to, or allow to enter or remain upon Local Government property, any horse, sheep, cattle, goat, camel, ass or mule, unless the Local Government has made a determination under Clause 2.1(1) of this Local Law, in which event the provisions of the determination shall prevail, or
  - (p) conduct or take part in any gambling game or contest, or bet, or offer to bet, publicly.
- (2) The Local Government may exempt a person from compliance with subclause (1) on the application of that person.
- (3) The Local Government may exempt specified Local Government property or a class of Local Government property from the application of subclause (1)(a).

**3.14 PERMIT REQUIRED TO CAMP OUTSIDE A FACILITY**

(1) In this clause -

facility has the same meaning as is given to it in section 5(1) of the Caravan Parks and Camping Grounds Act 1995.

goods has the same meaning as is given to it in section 3.38 of the Act.

(2) This clause does not apply to a facility operated by the local government.

(3) A person shall not without a permit -

(a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;

Formatted: Space After: 12 pt

**Local Government Property Local Law**

(b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or

(c) park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.

(5) Any tent, camp, hut or similar structure erected in contravention of paragraph (b) of subclause (3) and associated goods may, subject to Regulation 29 of the Regulations, be impounded.

(6) A vehicle parked in contravention of paragraph (c) of subclause (3) may, subject to the provisions of Regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.

(7) An authorised person who impounds a vehicle under subclause (5) shall attach a notice to a vehicle advising the owner of the vehicle that the vehicle will be released upon payment of the costs of impounding and the place where and hours during which the costs can be paid.

(8) The notice attached to the impounded vehicle under subclause (6) shall also advise the owner that if the impounding costs are not paid within 24 hours the vehicle may be removed to the local government pound.

(9) Notices issued under this clause shall be in the form determined by the CEO.

(1) In this clause—

“facility” has the same meaning as is given to it in Section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

(2) This clause does not apply to a facility operated by the Local Government.

(3) A person shall not without a permit—

(a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on Local Government property, or

(b) erect any tent, camp, hut or similar structure on Local Government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.

(4) The maximum period for which the Local Government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in Regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

**Local Government to consider suitability of land for camping for more than three nights**

See Regulation 13 of the *Caravan Parks and Camping Grounds Regulations 1997*.

**Caravan or camp to be maintained**

See Regulation 14 of the *Caravan Parks and Camping Grounds Regulations 1997*.

Formatted: Font: Not Italic

**Local Government Property Local Law**

**Reserves under control of a Local Government**

The powers of a Local Government over Reserves (which were formerly vested in it, and which are now the subject of a management order under the *Land Administration Act 1997*) are contained in Section 3.54 of the *Local Government Act 1995* and Section 5 of the *Parks and Reserves Act 1895*.

**Disturbing Local Government land on anything on it**

See Regulation 5 of the Local Government (Uniform Local Provisions) Regulations 1996.

**3.15 PERMIT REQUIRED FOR POSSESSION AND CONSUMPTION OF LIQUOR**

- (1) A person, on Local Government property, shall not consume any liquor or have in her or his possession or under her or his control any liquor, unless -
- (a) that is permitted under the *Liquor Licensing Act 1988*, and
  - (b) a permit has been obtained for that purpose.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

**Limitations as to liquor on unlicensed premises etc**

See section 119 *Liquor Licensing Act 1988*.

***Division 6 - Responsibilities of Permit Holder***

**3.16 RESPONSIBILITIES OF PERMIT HOLDER**

A holder of a permit shall in respect of Local Government property to which the permit relates -

- (a) ensure that an authorised person has unobstructed access to the Local Government property for the purpose of inspecting the property or enforcing any provision of this Local Law,
- (b) leave the Local Government property in a clean and tidy condition after its use,
- (c) report any damage or defacement of the Local Government property to the Local Government, and
- (d) prevent the consumption of any liquor on the Local Government property unless the permit allows it and a licence has been obtained under the *Liquor Licensing Act 1988* for that purpose.

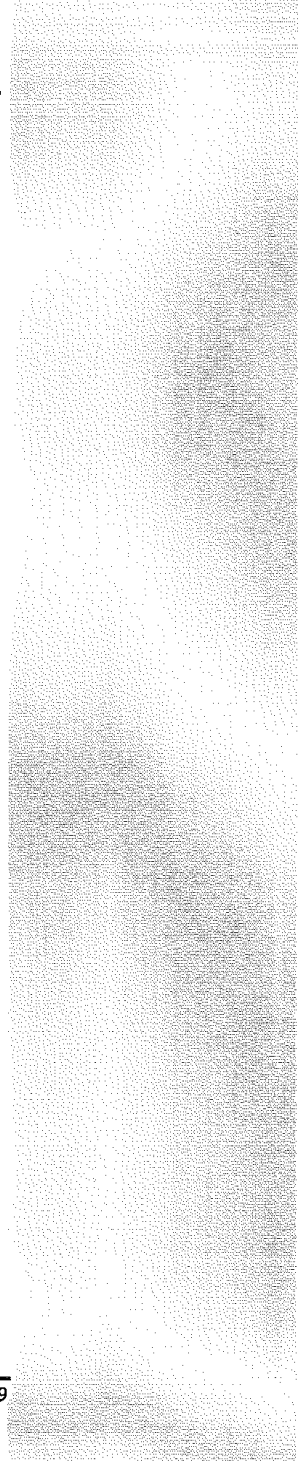
**Unlawful discrimination**

See *Equal Opportunity Act 1984* references for unlawful discrimination.



Local Government Property Local Law

---



Local Government Property Local Law

**PART 4 - BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY**

***Division 1 - Behaviour On and Interference With Local Government Property***

**4.1 BEHAVIOUR WHICH INTERFERES WITH OTHERS**

A person shall not in or on any Local Government property behave in a manner which -

- (a) is likely to interfere with the enjoyment of a person who might use the property, or
- (b) interferes with the enjoyment of a person using the property.

**Indecent acts**

See Section 203 of the *Criminal Code*.

**Disorderly conduct**

See Section 54 of the *Police Act 1892*.

**4.2 BEHAVIOUR DETRIMENTAL TO PROPERTY**

- (1) A person shall not behave in or on Local Government property in a way which is or might be detrimental to the property.

- (2) In subclause (1) -

"detrimental to the property" includes -

- (a) removing any thing from the Local Government property such as a rock, a plant or a seat provided for the use of any person, and
- (b) destroying, defacing or damaging any thing on the Local Government property, such as a plant, a seat provided for the use of any person, or a building.

**Damage to animals, plants etc in gardens**

See Section 58A of the *Police Act 1892*.

**Criminal damage**

See Section 444 of the *Criminal Code*.

**Wilful damage to property**

See Section 80 of the *Police Act 1892*.

**Graffiti**

See Section 65(2) and 80A of the *Police Act 1892*.

**Local Government Property Local Law**

**Compensation and restitution orders**

See Part 16 of the *Sentencing Act 1995*, Sections 111, 117 (compensation orders) and 120 (restitution orders).

**Littering**

See Sections 23 and 24 of the *Litter Act 1979*, also Regulations 4, 5 and 6 of the Litter Regulations 1981.

**Protected flora**

See Sections 23A and 23B of the *Wildlife Conservation Act 1950*.

**4.3 TAKING OR INJURING ANY FAUNA**

(1) A person shall not take, injure or kill, or attempt to take, injure or kill, any fauna which is on or above any Local Government property, unless that person is authorised under a written law to do so.

(2) In this clause -

"animal" means any living thing that is not a human being or plant, and

"fauna" means any animal indigenous to or which periodically migrates to any State or Territory of the commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal -

- (a) any class of animal or individual member,
- (b) the eggs or larvae, or
- (c) the carcass, skin, plumage or fur.

**Injury or destroying native or acclimatised animals or birds on parks, roads or reserves**

See Section 97 of the *Police Act 1892*.

**Taking or unlawful possession of protected fauna**

See Sections 16 and 16A of the *Wildlife Conservation Act 1950* and Section 20 of the same Act in relation to the authority of wildlife officers.

**4.4 INTOXICATED PERSONS NOT TO ENTER LOCAL GOVERNMENT PROPERTY**

A person shall not enter or remain on Local Government property while under the influence of liquor or a prohibited drug.

**Circumstances in which an intoxicated person may be apprehended by police**

See Section 53A of the *Police Act 1892*.

---

Local Government Property Local Law

---

**4.5 NO PROHIBITED DRUGS**

A person shall not take a prohibited drug onto, or consume or use a prohibited drug on, Local Government property.

***Division 2 - Signs***

**4.6 SIGNS**

- (1) A Local Government may erect a sign on Local Government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is -
  - (a) not to be inconsistent with any provision of this Local Law or any determination, and
  - (b) to be for the purpose of giving notice of the effect of a provision of this Local Law.



Local Government Property Local Law

**PART 5 - MATTERS RELATING TO PARTICULAR LOCAL  
GOVERNMENT PROPERTY**

***Division 1 - Beaches***

**5.1 POWERS OF SURF LIFE SAVING CLUB MEMBERS**

- (1) Subject to subclause (2), the Local Government may authorise under Section 9.10 of the Act the members of a surf life saving club to perform all or any of the following functions in relation to a beach -
  - (a) patrol any beach,
  - (b) carry out any activity on any beach,
  - (c) erect signs designating bathing areas and signs regulating, prohibiting or restricting specified activities on the whole or any part of a beach or in or on the water adjacent to the beach and to direct persons on the beach or in or on the water to comply with such signs,
  - (d) temporarily enclose any area with rope, hessian, wire or any other means for the conduct of a surf life saving club activities, and
  - (e) direct persons to leave the water adjacent to a beach during dangerous conditions or if a shark is suspected of being in the vicinity of a beach.
- (2) Under subclause (1), the Local Government shall authorise only those members who have been recommended by the surf life saving club as competent to perform the functions referred to in that subclause in respect of which they are authorised.
- (3) Under subclause (1), the Local Government may authorise members generally, or in relation to particular times, days or months.

**5.1 AUTHORISING OTHER PERSONS**

- (1) A Local Government may authorise, under Section 9.10 of the Act, a person to perform all or any of the functions referred to in Clause 5.1(1) in relation to a beach.
- (2) Under subclause (1), the Local Government shall authorise only those persons who, in the reasonable opinion of the Local Government, are competent to perform the functions referred to in Clause 5.1(1) in respect of which they are authorised.
- (3) Under subclause (1), the Local Government may authorise a person generally, or in relation to particular times, days or months.
- (4) Where the Local Government has authorised members of a surf life saving club under Clause 5.1(1) and a person under subclause (1) in relation to the same beach, so that they can perform all or any of the functions referred to in Clause 5.1(1) contemporaneously, the Local Government is to specify which authorisation is rendered ineffective when both are exercised.

**5.3 PERSONS TO COMPLY WITH SIGNS AND DIRECTIONS**

A person shall -

- (a) not act in contravention of any sign erected on a beach under Clause 5.1(1)(c),

**Local Government Property Local Law**

- (b) not enter an area which has been temporarily closed with rope, hessian, wire or any other means for the conduct of surf life saving club activities, unless she or he is a member of the club or has obtained permission to enter from the club, and
- (c) comply with any direction given under Clause 5.1(1)(c) or 5.1(1)(e).

notwithstanding that the sign or the direction was erected or given, as the case may be, by a person referred to in Clause 5.2(1).

***Division 2 - Fenced or Closed Property***

**5.4 NO ENTRY TO FENCED OR CLOSED LOCAL GOVERNMENT PROPERTY**

A person must not enter Local Government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the Local Government.

***Division 3 - Toilet Blocks and Change Rooms***

**5.5 ONLY SPECIFIED GENDER TO USE ENTRY OF TOILET BLOCK OR CHANGE ROOM**

Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by -

- (a) females, then a person of the male gender shall not use that entry of the toilet block or change room, or
- (b) males, then a person of the female gender shall not use that entry of the toilet block or change room.

***Division 4 - Aerodrome (Airport)***

**5.6 ACCESS OF ANIMALS RESTRICTED**

- (1) A person shall not bring an animal on to an aerodrome unless -
  - (a) the person is a person referred to in Section 8 of the *Dog Act 1976* acting in accordance with that provision,
  - (b) the animal is being air freighted from the aerodrome,
  - (c) the animal has been air freighted to the aerodrome, or
  - (d) the person is authorised to do so by the Local Government.
- (2) A person in charge of an animal shall keep the animal under control and shall not allow it to wander at large on the aerodrome.
- (3) If an animal is at any time on an aerodrome in contravention of subclause (2), in addition to the person specified in that subclause, the owner at that time commits an offence against subclause (2).

---

Local Government Property Local Law

---

***Division 5 - Reserve No 1686***

**5.7 PERMIT REQUIRED TO ENTER RESERVE**

- (1) A person shall not enter Reserve No 1686 unless under a permit issued by the Local Government, and on payment of the fee applicable thereto.
- (2) Notwithstanding subclause (1) the Local Government shall, on application being made in writing, waive payment of any fee applicable to the permit if it is satisfied that the permit is to be issued to a person ordinarily resident in the district.
- (3) A permit issued under subclause (1) entitles a person to enter the Reserve during the period shown on the permit.
- (4) For purpose of this Clause, Reserve No 1686 does not include a carriageway on a public thoroughfare.

---

Local Government Property Local Law

---

**PART 6 - FEES FOR ENTRY ON TO LOCAL GOVERNMENT PROPERTY**

**6.1 No UNAUTHORISED ENTRY TO FUNCTION**

- (1) A person shall not enter Local Government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except -
- (a) through the proper entrance for that purpose, and
  - (b) on payment of the fee chargeable for admission at the time.
- (2) The Local Government may exempt a person from compliance with subclause (1)(b).



---

Local Government Property Local Law

---

**PART 7 - MONKEY MIA JETTY**

***Division 1 - Preliminary***

**7.1 INTERPRETATION**

"Jetty" means the Monkey Mia Jetty located at Edel Location 34,

"bulk cargo" means bulk produce, such as grain, coal, oil or mineral ore, which is not packaged.

***Division 2 - Consents and Fees***

**7.2 APPLICATIONS FOR CONSENT AND APPLICATION FEE**

- (1) Where a person is required to obtain the consent of the Local Government under this Part, the person is to apply for that consent in the manner required by the Local Government.
- (2) The Local Government may require an application for consent made under subclause (1) to be accompanied by a fee.
- (3) If an application for consent is not made in the manner required by the Local Government or the fee which is to accompany that application is not paid, the Local Government may refuse to consider the application for consent.
- (4) The Local Government shall give its decision on an application for consent, in writing to the person who applied for that consent.
- (5) Where a fee is referred to in this Part, the fee must be imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.

***Division 3 - Mooring Boats to Jetty***

**7.3 METHOD OF MOORING BOAT**

- (1) A person in control of a boat shall not moor or make fast the boat to the Jetty, or to any part of the Jetty, except to such mooring piles, ring bolts or other fastenings as are provided.
- (2) No person shall cause any obstruction on or to the Jetty or impede the free passage of other persons on the Jetty.

***Division 4 - When Boats May Remain at Jetty***

**7.4 WHEN BOAT MAY REMAIN MOORED**

A person in control of a boat shall not moor or make fast the boat to the Jetty unless -

**Local Government Property Local Law**

- (a) the boat is in distress and then only to effect the minimum repairs necessary to enable the boat to be moved elsewhere,
- (b) the embarking or disembarking of passengers is in progress, and then not for a consecutive period exceeded two hours without the prior consent of the Local Government,
- (c) the loading or discharging of cargo or other good is in progress in accordance with Division 5, or
- (d) where the boat is used at that time for commercial purposes, the person has first paid the fee (if any) for such mooring or making fast to the Local Government.

**Division 5 - Cargo or Other Goods**

**7.6 LOADING AND DISCHARGING**

A person in control of a boat shall not allow the boat to come alongside or be moored or made fast to the Jetty for the purpose of loading or discharging cargo or other goods -

- (a) until the cargo or other goods are ready to be loaded or discharged, or
- (b) without the consent of the Local Government -
  - (i) between the hours of 6.00 pm to 6.00 am on the next day, or
  - (ii) for longer than ~~two consecutive~~ one hours.

**7.7 OUTGOING CARGO NOT TO BE STORED ON JETTY**

A person in control of cargo or other goods intended for loading on to a boat shall -

- (a) not allow them to be stored or placed on the Jetty unless and until the boat is moored or fastened to or alongside the Jetty, and
- (b) load them onto the boat as soon as practicable after the boat is moored or fastened to or alongside the Jetty.

**7.8 REMOVAL OF INCOMING CARGO FROM JETTY**

Any person unloading cargo or other goods from a boat on to the Jetty shall remove them, or cause them to be removed from the Jetty as soon as practicable.

**7.9 NO OBSTRUCTION ON JETTY**

A person shall not cause any obstruction on or to the Jetty or impede the free passage of other persons on the Jetty.

**7.10 AUTHORISED PERSON MAY DIRECT REMOVAL**

An authorised person may direct a person who, in the opinion of the authorised person, is in charge of cargo or other goods which remain on the Jetty contrary to any provision of this Part to remove them from the Jetty.

**Local Government Property Local Law**

---

**7.11 HANDLING OF BULK CARGO**

Except with the prior consent of the Local Government, a person shall not place or deposit bulk cargo from a vehicle, boat or container on to the Jetty.

**7.12 EXPLOSIVES ON JETTY**

Except with the prior written consent of the Local Government, a person shall not land, place or handle on the Jetty any explosives as defined in Section 4 of the *Explosives and Dangerous Goods Act 1961*.

***Division 6 - Prohibitions and Limitations on Use of Jetty***

**7.13 JETTY MAY BE CLOSED**

A person shall not land at, use or go on any part of the Jetty which is -

- (a) under construction or repair, or
- (b) closed,

unless that person has first obtained the consent of the Local Government.

**7.14 VEHICLES ON JETTY**

- (1) A person shall not drive a vehicle of a gross weight exceeding three tonnes on to the Jetty or allow it to remain on the Jetty.
- (2) Vehicles shall be prohibited from being on the Jetty within fifteen minutes of scheduled arrivals or departures of licensed charters other than vehicles of professional fishermen while loading or unloading.
- (3) Vehicles shall be removed from the Jetty immediately after completing loading or unloading of the vehicle.
- (4) A vehicle shall not be parked in a manner that obstructs access to or from the Jetty.
- (5) A person shall not ride or have a bicycle on the Jetty.

**7.15 RUBBISH FROM JETTY**

- (1) A person shall not throw or cause to be thrown any glass, stone or other missile, or any filth, dirt, rubbish or other matter of a similar nature from the Jetty so as to pollute the surrounding area.
- (2) A person shall not deposit any commercial rubbish from charter boats or offal into any rubbish bin located on the Jetty.

**7.16 LIQUOR ON BOATS**

A person shall not sell alcoholic beverages from a boat while moored to, or alongside the Jetty.

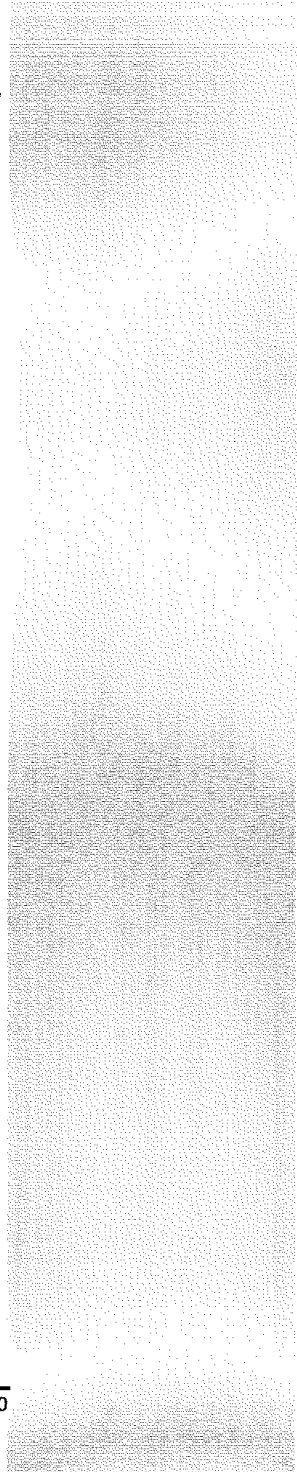
---

Local Government Property Local Law

---

**7.17 FISHING FROM JETTY**

A person shall not fish from the Jetty.





---

Local Government Property Local Law

---

**PART 8 - OBJECTIONS AND APPEALS**

**8.1 APPLICATION OF DIVISION 1, PART 9 OF THE ACT**

When the Local Government makes a decision as to whether it will -

- (a) grant a person a permit or consent under this Local Law, or
- (b) renew, vary or cancel a permit or consent that a person has under this Local Law,

the provisions of Division 1 of Part 9 of the Act and Regulations 33 and 34 of the Regulations apply to that decision.

Local Government Property Local Law

**PART 9 - MISCELLANEOUS**

**Personation**

See Section 87 of the *Criminal Code*.

**Bathing in proper bathing costume**

See Section 104 of the *Police Act 1892*.

**Willful and obscene exposure**

See Section 66(11) of the *Police Act 1892*.

**9.1 AUTHORISED PERSON TO BE OBEYED**

A person on Local Government property shall obey any lawful direction of an authorised person and shall not in any way obstruct or hinder an authorised person in the execution of her or his duties.

**Resisting or obstructing public officers**

See Section 172 of the *Criminal Code*.

**Disobedience to lawful order issued by Statutory Authority**

See Section 178 of the *Criminal Code*.

**9.2 PERSONS MAY BE DIRECTED TO LEAVE LOCAL GOVERNMENT PROPERTY**

An authorised person may direct a person to leave Local Government property where she or he reasonably suspects that the person has contravened a provision of any written law.

**Power of police and persons aggrieved to apprehend certain offenders**

See Section 49 of the *Police Act 1892*.

**Preventing persons from wrongfully entering or removing persons wrongfully on Local Government property**

See Section 254 of the *Criminal Code*.

**9.3 DISPOSAL OF LOST PROPERTY**

An article left on any Local Government property, and not claimed within a period of three months, may be disposed of by the Local Government in any manner it thinks fit.

**Local Government Property Local Law**

**9.4 LIABILITY FOR DAMAGE TO LOCAL GOVERNMENT PROPERTY**

- (1) Where a person unlawfully damages Local Government property, the Local Government may by notice in writing to that person require that person within the time required in the notice to, at the opinion of the Local Government, pay the costs of -
- (a) reinstating the property to the state it was in prior to the occurrence of the damage, or
  - (b) replacing that property.
- (2) Unless there is proof to the contrary, a person is to be taken to have damaged Local Government property within subclause (1) where -
- (a) a vehicle or a boat cause the damage, the person was the person responsible, at the time the damage occurred, for the control of the vehicle or the boat, or
  - (b) the damage occurred under a permit, the person is the permit holder in relation to that permit.
- (3) On a failure to comply with a notice issued under subclause (1), the Local Government may recover the costs referred to in the notice as a debt due to it.

Local Government Property Local Law

**PART 10 - ENFORCEMENT**

***Division 1 - Notices Given Under this Local Law***

**10.1 OFFENCE TO FAIL TO COMPLY WITH NOTICE**

Whenever the Local Government gives a notice under this Local Law requiring a person to do any thing, if a person fails to comply with the notice, that person commits an offence.

**10.2 LOCAL GOVERNMENT MAY UNDERTAKE REQUIREMENTS OF NOTICE**

Where a person fails to comply with a notice referred to in Clause 10.1, the Local Government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

***Division 2 - Offences and Penalties***

***Subdivision 1 - General***

**10.3 OFFENCES AND GENERAL PENALTY**

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this Local Law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

***Subdivision 2 - Infringement Notices and Modified Penalties***

**10.4 PRESCRIBED OFFENCES**

- (1) An offence against a Clause specified in Schedule 1 is a prescribed offence for the purposes of Section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the Clause in Schedule 1.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that -
  - (a) commission of the prescribed offence is a relatively minor matter, and
  - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.



Local Government Property Local Law

**10.5 FORM OF NOTICES**

- (1) For the purposes of this Local Law -
  - (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in Section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations,
  - (b) the form of the infringement notice given under Section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations, and
  - (c) the form of the notice referred to in Section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under Section 9.16 of the Act in respect of an alleged offence against Clause 2.4, the notice is to contain a description of the alleged offence.

**Deviation in forms**

See section 74 of the *Interpretation Act 1984*.

***Division 3 - Evidence in Legal Proceedings***

**10.6 EVIDENCE OF A DETERMINATION**

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in Clause 2.5 or a certified copy of an extract from the register.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

## Local Government Property Local Law

**SCHEDULE 1****PRESCRIBED OFFENCES**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.4	Failure to comply with determination	100
3.6	Failure to comply with conditions of permit	100
3.13(1)	Failure to obtain a permit	100
3.14(3)	Failure to obtain a permit to camp outside a facility	100
3.15(1)	Failure to obtain a permit for liquor	100
3.16	Failure of permit holder to comply with responsibilities	100
4.2(1)	Behaviour detrimental to property	100
4.4	Under influence of liquor or prohibited drug	100
4.6(2)	Failure to comply with sign on Local Government property	100
5.3	Failure to comply with sign or direction on beach	100
5.4	Unauthorised entry to fenced or closed Local Government property	100
5.5	Gender not specified using entry of toilet block or change room	100
5.6(1)	Unauthorised presence of animal on airport	300
5.6(2)	Animal wandering at large on airport - person in charge	300
5.6(3)	Animal wandering at large on airport - owner	300
5.7(1)	Unlawful entry of Reserve No 1686	100
6.1(1)	Unauthorised entry to function on Local Government property	100
7.3	Mooring of boats in authorised manner	100
7.4	Unauthorised mooring of a boat to Jetty	100
7.5	Failure to remove moored boat on direction of authorised person	100
7.6	Mooring when not ready to load or discharge cargo, at times not permitted on or for longer than permitted	100
7.7	Unlawful storing of good on Jetty	100
7.8	Removing goods from Jetty during other than as required	100

Local Government Property Local Law

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
7.9	Causing obstruction or impeding free passage on Jetty	100
7.10	Failure to remove cargo on Jetty or obstruction on direction of authorised person	100
7.11	Unauthorised deposit of bulk cargo on Jetty	100
7.12	Unauthorised presence of explosives on Jetty	300
7.13	Unauthorised use of any part of Jetty which is closed or under repair or construction	100
7.14(1)	Overweight vehicle on Jetty	300
7.14(2) & 7.14(3)	Vehicle on Jetty during time prohibited	100
7.14(4)	Vehicle parked to obstruct access	100
7.14(5)	Having a bicycle on Jetty	50
7.15(1)	Polluting area surrounding Jetty	100
7.15(2)	Unlawful deposit of rubbish into bin on Jetty	100
7.16	Selling alcohol from boat	100
7.17	Fishing from Jetty	50
10.1	Failure to comply with notice	200

---

Local Government Property Local Law

---

**SCHEDULE 2**

**DETERMINATIONS**

The following determinations are to be taken to have been made by the Local Government under Clause 2.1

**PART 1 - PRELIMINARY**

**1.1 DEFINITIONS**

In these determinations unless the context otherwise requires -

"Local Law" means the *Local Government Property Local Law* made by the Local Government.

**1.2 INTERPRETATION**

Unless the context otherwise requires, where a term is used but not defined in a determination and that term in the Local Law then the term shall have the meaning given to it in the Local Law.



Local Government Property Local Law

Dated this ..... day of ..... 2002.

THE COMMON SEAL of the )  
Shire of Shark Bay )  
was hereunto affixed by authority )  
of a resolution of Council )  
in the presence of )

.....  
L R Moss  
SHIRE PRESIDENT

.....  
M J Hook  
CHIEF EXECUTIVE OFFICER

**Parking and Parking Facilities Local Law**

**Table of Contents**

**PART 1 - DEFINITIONS AND OPERATION..... 2**

1.1 Commencement.....2

1.2 Repeal.....2

1.3 Interpretation.....2

1.4 Application of Particular Definitions.....5

1.5 Application and Pre-Existing Signs.....5

1.6 Part of Thoroughfare to which Sign Applies.....5

1.7 Powers of the Local Government.....5

**PART 2 - PARKING STALLS AND PARKING STATIONS..... 6**

2.1 Determination of Parking Stalls and Parking Stations.....6

2.2 Vehicles to be Within Parking Stall on Thoroughfare.....6

**PART 3 - PARKING AND STOPPING GENERALLY..... 7**

3.1 Restrictions on Parking in Particular Areas.....7

3.2 Authorised Person may Order Vehicle on Thoroughfare to be Moved.....7

3.3 Authorised Person may Mark Tyres.....7

3.4 Parking on Reserves.....7

3.5 No Stopping and No Parking Signs.....8

3.6 Stopping in a Loading Zone.....8

3.7 Stopping on Verge.....8

3.8 Stopping in a Parking Stall for People with Disabilities.....9

**PART 4 - MISCELLANEOUS..... 10**

4.1 Signs Must be Complied With.....10

4.2 Vehicles Not to Obstruct a Public Place.....10

**PART 5 - PENALTIES..... 11**

5.1 Offences and Penalties.....11

5.2 Modified Penalties.....11

5.3 Form of Notices.....11

**SCHEDULE 1..... 12**

**PARKING REGION..... 12**

**SCHEDULE 2..... 13**

**FORMS..... 13**

Form 1.....13

Form 2.....14

Form 3.....15

Form 4.....17

LOCAL GOVERNMENT ACT 1995

*Shire of Shark Bay*

**PARKING AND PARKING FACILITIES LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Shark Bay resolved to make the following Local Law on 27 February 2002.

**PART 1 - DEFINITIONS AND OPERATION**

**1.1 COMMENCEMENT**

This Local Law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

**1.2 REPEAL**

The Shire of Shark Bay Local Law Relating to Parking Facilities published in the *Government Gazette* of 12 November 1993, is repealed.

**1.3 INTERPRETATION**

In this Local Law unless the context otherwise requires -

"**ACROD sticker**" has the meaning given to it by the Code,

"**Act**" means the *Local Government Act 1995*,

"**Authorised Person**" means a person authorised by the Local Government under Section 9.10 of the Act, to perform any of the functions of an Authorised Person under this Local Law,

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

"**CEO**" means the Chief Executive Officer of the Local Government,

"**Code**" means the Road Traffic Code 2000,

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

"**district**" means the district of the Local Government,

**Parking and Parking Facilities Local Law**

"**driver**" means any person driving or in control of a vehicle,

"**Loading Zone**" means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked 'Loading Zone',

"**Local Government**" means the Shire of Shark Bay,

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

"**no parking area**" has the meaning given to it by the Code,

Note - The Code defines 'no parking area' to mean -

- " (a) a portion of carriageway to which a 'no parking' sign applies; or
- (b) an area to which a 'no parking' sign applies;"

"**no parking sign**" means a sign with the words 'no parking' in red letters on a white background, or the letter 'P' within a red annulus and a red diagonal line across it on a white background,

"**no stopping area**" has the meaning given to it by the Code,

Note - The Code defines 'no stopping area' to mean -

- " (a) a portion of carriageway to which a 'no stopping' sign applies; or
- (b) an area to which a 'no stopping' sign applies;"

"**no stopping sign**" means a sign with the words 'no stopping' or 'no standing' in red letters on a white background or the letter 'S' within a red annulus and a red diagonal line across it on a white background,

"**owner**"

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Road Traffic Act, and
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle,

"**park**", in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of -

- (a) avoiding conflict with other traffic, or
- (b) complying with the provisions of any law, or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*),

"**parking area**" has the meaning given to it by the Code,

Note - The Code defines 'parking area' to mean -

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



**Parking and Parking Facilities Local Law**

"**parking facilities**" includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles,

"**parking region**" means the area described in Schedule 1,

"**parking stall**" means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked,

"**parking station**" means any land, or structure provided for the purpose of accommodating vehicles,

"**public place**" means any place to which the public has access whether or not that place is on private property,

"**reserve**" means any land -

- (a) which belongs to the Local Government,
- (b) of which the Local Government is the management body under the *Land Administration Act 1997*, or
- (c) which is an 'otherwise unvested facility' within Section 3.53 of the Act,

"**Road Traffic Act**" means the *Road Traffic Act 1974*,

"**Schedule**" means a Schedule to this Local Law,

"**sign**" includes a traffic sign, inscription, road marking, mark, structure or device approved by the Local Government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles,

"**stop**" in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law,

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

"**thoroughfare**" has the meaning given to it by the Act,

Note - The Code defines 'thoroughfare' to mean -  
  
"a road or other thoroughfare and includes structures and other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end".

"**vehicle**" has the meaning given to it by the Code,

Note - The Code defines "vehicle" according to the definition of 'vehicle' in the Road Traffic Act which includes an animal driven or ridden but does not include a wheeled toy or wheeled recreational device;

"**verge**" means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

---

**Parking and Parking Facilities Local Law**

---

**1.4 APPLICATION OF PARTICULAR DEFINITIONS**

- (1) For the purposes of the application of the definitions 'no parking area', 'parking area' and 'no stopping area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this Local Law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

**1.5 APPLICATION AND PRE-EXISTING SIGNS**

- (1) Subject to subclause (2), this Local Law applies to the parking region.
- (2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the Local Government.
- (3) A sign that -
  - (a) was erected by the Local Government or the Commissioner of Main Roads prior to the coming into operation of this Local Law, and
  - (b) relates to the parking or stopping of vehicles within the parking region,

shall be deemed for the purposes of this Local Law to have been erected by the Local Government under the authority of this Local Law.

**1.6 PART OF THOROUGHFARE TO WHICH SIGN APPLIES**

Where under this Local Law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which -

- (a) lies beyond the sign,
- (b) lies between the sign and the next sign beyond that sign, and
- (c) is on that side of the thoroughfare nearest to the sign.

**1.7 POWERS OF THE LOCAL GOVERNMENT**

The Local Government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

**Parking and Parking Facilities Local Law**

---

**PART 2 - PARKING STALLS AND PARKING STATIONS**

**2.1 DETERMINATION OF PARKING STALLS AND PARKING STATIONS**

The Local Government may by resolution constitute, determine and vary and also indicate by signs -

- (a) parking stalls,
- (b) parking stations,
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality,
- (d) permitted classes of vehicles which may park in parking stalls and parking stations,
- (e) permitted classes of persons who may park in specified parking stalls or parking stations, and
- (f) the manner of parking in parking stalls and parking stations.

**2.2 VEHICLES TO BE WITHIN PARKING STALL ON THOROUGHFARE**

- (1) Subject to subclauses (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than -
  - (a) parallel to and as close to the kerb as is practicable,
  - (b) wholly within the stall, and
  - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3), where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

---

Parking and Parking Facilities Local Law

---

**PART 3 - PARKING AND STOPPING GENERALLY**

**3.1 RESTRICTIONS ON PARKING IN PARTICULAR AREAS**

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station -
- (a) if by a sign it is set apart for the parking of vehicles of a different class,
  - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class, or
  - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) (a) This subclause applies to a driver if -
- (i) the driver's vehicle displays an ACROD sticker, and
  - (ii) a disabled person to which the ACROD sticker relates is either the driver of the vehicle or a passenger in the vehicle.
- (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle -
- (a) in a no parking area,
  - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this Local Law.

**3.2 AUTHORISED PERSON MAY ORDER VEHICLE ON THOROUGHFARE TO BE MOVED**

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this Local Law after an Authorised Person has directed the driver to move it.

**3.3 AUTHORISED PERSON MAY MARK TYRES**

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

**3.4 PARKING ON RESERVES**

No person other than an employee of the Local Government in the course of his or her duties or a person authorised by the Local Government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.



---

**Parking and Parking Facilities Local Law**

---

**3.5 NO STOPPING AND NO PARKING SIGNS**

(1) No stopping

A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.

(2) No parking

A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is -

- (a) dropping off, or picking up, passengers or goods,
- (b) does not leave the vehicle unattended, and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

'unattended', in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

**3.6 STOPPING IN A LOADING ZONE**

A person shall not stop in a Loading Zone unless it is -

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods, or
- (b) a motor vehicle taking up or setting down passengers,

but, in any event, shall not remain in that Loading Zone -

- (c) for longer than a time indicated on the 'Loading Zone' sign, or
- (d) longer than 30 minutes (if no time is indicated on the sign).

**3.7 STOPPING ON VERGE**

(1) A person shall not -

- (a) stop a vehicle (other than a bicycle),
- (b) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,

so that any portion of it is on a verge.

(2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge, except that such an exemption does not apply to a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle.

(3) Subclauses (1) and (2) do not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or path.

**Parking and Parking Facilities Local Law**

---

**3.8 STOPPING IN A PARKING STALL FOR PEOPLE WITH DISABILITIES**

- (1) A driver shall not stop in a parking area for people with disabilities unless -
  - (a) the driver's vehicle displays an ACROD sticker, and
  - (b) either the driver or the passenger in that vehicle is a person with disabilities.
  
- (2) In this Clause a 'parking area for people with disabilities' is a length or area -
  - (a) to which a 'permissive parking' sign displaying a people with disabilities symbol applies,
  - (b) to which a 'people with disabilities parking' sign applies,
  - (c) indicated by a road marking (a 'people with disabilities road marking') that consists of, or includes, a people with disabilities symbol, or
  - (d) set aside within a parking region as a 'parking stall for use of a disabled person' under the Local Government (Parking for Disabled Persons) Regulations 1988.

---

Parking and Parking Facilities Local Law

---

**PART 4 - MISCELLANEOUS**

**4.1 SIGNS MUST BE COMPLIED WITH**

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this Local Law.

**4.2 VEHICLES NOT TO OBSTRUCT A PUBLIC PLACE**

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the Local Government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) -
  - (a) where the vehicle is left for a period not exceeding 24 hours, or
  - (b) where the vehicle is left in a parking area adjacent to and associated with, the launch or use of boats.

---

Parking and Parking Facilities Local Law

---

**PART 5 - PENALTIES**

**5.1 OFFENCES AND PENALTIES**

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.

**5.2 MODIFIED PENALTIES**

- (1) An offence against any provision of this Local Law is a prescribed offence for the purposes of Section 9.16(1) of the Act.
- (2) Unless otherwise specified, the amount of the modified penalty for an offence against any provision of this Local Law is ~~\$50~~100.

**5.3 FORM OF NOTICES**

For the purposes of this Local Law -

- (a) the form of the notice referred to in Section 9.13 of the Act is that of Form 1 in Schedule 2,
- (b) the form of the infringement notice referred to in Section 9.17 of the Act is that of Form 2 in Schedule 2,
- (c) the form of the infringement notice referred to in Section 9.17 of the Act which incorporates the notice referred to in Section 9.13 of the Act, is that of Form 3 in Schedule 2, and
- (d) the form of the notice referred to in Section 9.20 of the Act is that of Form 4 in Schedule 2.



---

Parking and Parking Facilities Local Law

---

**SCHEDULE 1**

***PARKING REGION***

The parking region is the whole of the district, but excludes the following portions of the district -

- 1 the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads,
- 2 prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads, and
- 3 any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road has been delegated by the Commissioner of Main Roads to the Local Government.

Parking and Parking Facilities Local Law

SCHEDULE 2

FORMS

Local Government Act 1995

FORM 1

PARKING AND PARKING FACILITIES LOCAL LAW  
NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date ...../...../.....

To (1) .....  
of (2) .....

It is alleged that on ...../...../..... at (3) .....

at (4) ..... your vehicle -

make .....

model .....

registration .....

was involved in the commission of the following offence - .....

.....  
.....  
.....

contrary to Clause ..... of the **Parking and Parking Facilities Local Law**.

You are required under Section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless -

- (a) within 28 days after being served with this notice -
  - (i) you inform the Chief Executive Officer or another Authorised Officer of the Local Government as to the identify and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed, and
  - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed,

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5) .....

(6) .....

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of Authorised Person
- (6) Name and title of Authorised Person giving notice

Parking and Parking Facilities Local Law

SCHEDULE 2

Local Government Act 1995

FORM 2

PARKING AND PARKING FACILITIES LOCAL LAW

INFRINGEMENT NOTICE

Serial No .....

Date ...../...../.....

To (1) .....

of (2) .....

It is alleged that on ...../...../..... at (3) .....

at (4) ..... in respect of vehicle -

make .....

model .....

registration .....

was involved in the commission of the following offence - .....

.....

.....

.....

contrary to Clause ..... of the Parking and Parking Facilities Local Law.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an Authorised Person at (5) ..... within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of Authorised Person
- (7) Name and title of Authorised Person giving notice

Parking and Parking Facilities Local Law

SCHEDULE 2

Local Government Act 1995

FORM 3

PARKING AND PARKING FACILITIES LOCAL LAW

INFRINGEMENT NOTICE

Serial No .....

Date ...../...../.....

To (1) .....

of (2) .....

It is alleged that on ...../...../..... at (3) .....

at (4) ..... in respect of vehicle -

make .....

model .....

registration .....

was involved in the commission of the following offence -

contrary to Clause ..... of the Parking and Parking Facilities Local Law.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an Authorised Person at (5) ..... within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice -

(a) you pay the modified penalty, or

(b) you -

(i) inform the Chief Executive Officer or another Authorised Officer of the Local Government as to the identify and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed, or

(i) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

**Parking and Parking Facilities Local Law**

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of Authorised Person
- (7) Name and title of Authorised Person giving notice



Parking and Parking Facilities Local Law

**SCHEDULE 2**

*Local Government Act 1995*

**FORM 4**

**PARKING AND PARKING FACILITIES LOCAL LAW**

**WITHDRAWAL OF INFRINGEMENT NOTICE**

Serial No .....

Date ...../...../.....

To (1) .....

of (2) .....

Infringement Notice No ..... dated ...../...../.....

in respect of vehicle -

make .....

model .....

registration .....

for the alleged offence of - .....

.....

.....

.....

has been withdrawn.

The modified penalty of \$ .....

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3) .....

(4) .....

(1) Name of alleged offender to whom infringement notice was given or 'the owner'

(2) Address of alleged offender

(3) Signature of Authorised Person

(4) Name and title of Authorised Person giving notice

**Parking and Parking Facilities Local Law**

---

Dated this ..... day of ..... 2002.

THE COMMON SEAL of the )  
**Shire of Shark Bay** )  
was hereunto affixed by authority )  
of a resolution of Council )  
in the presence of )

.....  
L R Moss  
SHIRE PRESIDENT

.....  
M J Hook  
CHIEF EXECUTIVE OFFICER

Appendix 4

Formatted: Left



LOCAL GOVERNMENT ACT 1995

SHIRE OF SHARK BAY

**STANDING ORDERS  
LOCAL LAWS**

Adopted 27 February 2002

Local Laws relating to Standing Orders

Table of Contents

<b>PART 1 - PRELIMINARY .....</b>	<b>4</b>
1.1 Citation.....	4
1.2 Application .....	4
1.3 Interpretations.....	4
1.4 Repeal .....	5
<b>PART 2 - CALLING MEETINGS .....</b>	<b>6</b>
<b>PART 3 - BUSINESS OF THE MEETING.....</b>	<b>7</b>
3.1 Business to be Specified on Notice Paper.....	7
3.2 Order of Business.....	7
3.3 Public Question Time.....	8
3.4 Petitions .....	9
3.5 Confirmation of Minutes.....	10
3.6 Announcements by the Person Presiding Without Discussion.....	10
3.7 Matters Behind Closed Doors.....	10
3.8 Deleted .....	11
3.9 Motions of which Previous Notice has been Given.....	11
3.10 Questions by Members of which Due Notice has been given .....	12
3.11 Informal Discussion .....	12
3.12 Urgent Business Approved by the Person Presiding or by Decision .....	12
3.13 Deputations.....	12
<b>PART 4 - PUBLIC ACCESS TO AGENDA MATERIAL.....</b>	<b>14</b>
4.1 Inspection Entitlement .....	14
4.2 Confidentiality of Information Withheld .....	14
<b>PART 5 - DISCLOSURE OF FINANCIAL INTERESTS .....</b>	<b>15</b>
<b>PART 6 - QUORUM .....</b>	<b>16</b>
6.1 Quorum to be Present .....	16
6.2 Loss of Quorum During a Meeting.....	16
<b>PART 7 - KEEPING OF MINUTES.....</b>	<b>19</b>
7.1 Content of Minutes.....	19
7.2 Preservation of Minutes.....	19
<b>PART 8 - CONDUCT OF PERSONS AT COUNCIL AND COMMITTEE MEETINGS .....</b>	<b>20</b>
8.1 Official Titles to be Used.....	20
8.2 Members to Occupy Own Seats .....	20
8.3 Leaving Meetings.....	20
8.4 Adverse Reflection.....	20
8.5 Recording of Proceedings .....	20

Local Laws relating to Standing Orders

8.6	Prevention of Disturbance .....	20
8.7	Distinguished Visitors .....	21
<b>PART 9 - CONDUCT OF MEMBERS DURING DEBATE .....</b>		<b>22</b>
9.1	Members Wishing to Speak .....	22
9.2	Priority.....	22
9.3	The Person Presiding to Take Part in Debates .....	22
9.4	Relevance.....	22
9.5	Limitation of Number of Speeches .....	22
9.6	Limitation of Duration of Speeches.....	22
9.7	Members Not to Speak After Conclusion of Debate.....	22
9.8	Members Not to Interrupt.....	22
9.9	Re-Opening Discussion on Decisions .....	23
<b>PART 10 - PROCEDURES FOR DEBATE OF MOTIONS .....</b>		<b>24</b>
10.1	Motions to be Stated.....	24
10.2	Motions to be Supported.....	24
10.3	Unopposed Business.....	24
10.4	Only One Substantive Motion Considered.....	24
10.5	Breaking Down of Complex Questions.....	24
10.6	Order of Call in Debate .....	24
10.7	Limit of Debate.....	25
10.8	Member May Require Question to be Read .....	25
10.9	Consent of Secunder Required to Accept Alteration of Wording .....	25
10.10	Order of Amendments .....	25
10.11	Amendments Must Not Negate Original Motion .....	25
10.12	Mover of Motion Not to Speak on Amendment.....	25
10.13	Substantive Motion .....	25
10.14	Withdrawal of Motion and Amendments.....	25
10.15	Limitation of Withdrawal .....	26
10.16	Personal Explanation .....	26
10.17	Personal Explanation - When Heard .....	26
10.18	Ruling on Questions of Personal Explanation .....	26
10.19	Right of Reply .....	26
10.20	Right of Reply Provisions.....	26
<b>PART 11 - PROCEDURAL MOTIONS.....</b>		<b>27</b>
11.1	Permissible Procedural Motions .....	27
11.2	No Debate on Procedural Motions.....	27
11.3	Procedural Motions - Closing Debate - Who May Move.....	27
11.4	Procedural Motions - Right of Reply on Substantive Motion.....	27
<b>PART 12 - EFFECT OF PROCEDURAL MOTIONS.....</b>		<b>28</b>
12.1	Council (or Committee) to Proceed to the Next Business - Effect of Motion.....	28
12.2	Questions to be Adjourned - Effect of Motion .....	28
12.3	Council (or Committee) to Now Adjourn - Effect of Motion.....	28
12.4	Question to be Put - Effect of Motion.....	28
12.5	Member to be No Longer Heard - Effect of Motion.....	29
12.6	Ruling of the Person Presiding Disagreed With - Effect of Motion .....	29
12.7	Council (or Committee) to Meet Behind Closed Doors - Effect of Motion .....	29



Local Laws relating to Standing Orders

<b>PART 13 - MAKING DECISIONS .....</b>	<b>30</b>
13.1 Question - When Put .....	31
13.2 Question - Method of Putting .....	31
<b>PART 14 - IMPLEMENTING DECISIONS .....</b>	<b>32</b>
<b>PART 15 - PRESERVING ORDER.....</b>	<b>33</b>
15.1 The Person Presiding to Preserve Order .....	33
15.2 Demand for Withdrawal .....	33
15.3 Points of Order - When to Raise - Procedure.....	33
15.4 Points of Order - When Valid .....	33
15.5 Points of Order - Ruling .....	33
15.6 Points of Order - Ruling Conclusive, Unless dissent Motion is Moved.....	33
15.7 Points of Order Take Precedence .....	33
15.8 Deleted .....	34
15.9 Right of the Person Presiding to Adjourn Without Explanation to Regain Order.....	34
<b>PART 16 - ADJOURNMENT OF MEETING .....</b>	<b>35</b>
16.1 Meeting May be Adjourned .....	35
16.2 Limit to Moving Adjournment .....	35
16.3 Unopposed Business - Motion for Adjournment.....	35
16.4 Withdrawal of Motion for Adjournment .....	35
16.5 Time To Which Adjourned.....	35
<b>PART 17 - COMMITTEES OF THE COUNCIL.....</b>	<b>36</b>
17.1 Establishment and Appointment of Committees .....	36
17.2 Appointment of Deputy Committee Members.....	36
17.3 Presentation of Committee Reports .....	36
17.4 Reports of Committees - Questions .....	37
17.5 Permissible Motions on Recommendation from Committee .....	37
17.6 Standing Orders Apply to Committees .....	37
<b>PART 18 - ADMINISTRATIVE MATTERS .....</b>	<b>38</b>
18.1 Suspension of Standing Orders.....	38
18.2 Cases Not Provided For in Standing Orders .....	38
<b>PART 19 - COMMON SEAL.....</b>	<b>39</b>
19.1 The Council's Common Seal.....	39

Local Laws relating to Standing Orders

LOCAL GOVERNMENT ACT 1995

*Shire of Shark Bay*

STANDING ORDERS LOCAL LAW 2001

PART 1 - PRELIMINARY

1.1 CITATION

- (1) This Local Law may be cited as the *Shire of Shark Bay Standing Orders Local Law 2001*.
- (2) In the Clauses to follow, this Local Law is referred to as "**the Standing Orders**".

1.2 APPLICATION

All meetings of the Council or a Committee and other matters as prescribed are to be conducted in accordance with the Act, the Regulations and these Standing Orders.

1.3 INTERPRETATIONS

- (1) In these Standing Orders unless the context otherwise requires -

"CEO" means the Chief Executive Officer or Acting Chief Executive Officer for the time being of the Shire of Shark Bay,

"Committee" means a Committee of the Council,

"Council" means the Council of the Shire of Shark Bay,

"presiding member" means the presiding member of a Committee or the deputy presiding member, or a member of the committee when performing a function of the presiding member in accordance with the Act,

"Regulations" means the Local Government (Administration) Regulations 1996,

"simple majority" is more than 50% of the members present and voting,

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

- (2) Unless otherwise defined herein the terms and expressions used in the Standing Orders are to have the meaning given to them in the Act and Regulations.

**Local Laws relating to Standing Orders**

**Provisions of the Act and Marginal Notes**

Provisions of the Act and Regulations have been included in this document, in appropriate places, boxed and hachured. Also marginal notes are located against the right hand margin and contain references to equivalent or related provisions in the Act and Regulations or within the Standing Orders.

These insertions are not an official part of the Standing Orders but are included to give a fuller picture of the written law governing proceedings, or as an aid to interpretation.

In the hachured boxes and in the marginal notes -

"S" denotes a Section of the Act,

"R" denotes a Regulation of the (Administration) Regulations, and

a number without a prefix is a reference to a Clause of the Standing Orders.

**1.4 REPEAL**

The Standing Orders of the Shire of Shark Bay published in the *Government Gazette* on 6 February 1998 are repealed.

Local Laws relating to Standing Orders

---

**PART 2 - CALLING MEETINGS**

Deleted.



Local Laws relating to Standing Orders

**PART 3 - BUSINESS OF THE MEETING**

**3.1 BUSINESS TO BE SPECIFIED ON NOTICE PAPER**

- (1) No business is to be transacted at any Ordinary meeting of the council other than that specified in the agenda, without the approval of the person presiding or a decision of the Council.
- (2) No business is to be transacted at a Special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) No business is to be transacted at a Committee meeting other than that specified in the agenda or given in the notice as the purpose of the meeting, without the approval of the presiding member or a decision of the Committee.
- (4) No business is to be transacted at an adjourned meeting of the Council or a Committee other than that -

- (a) specified in the notice of the meeting which had been adjourned, and
- (b) which remains unresolved

6.2, 12.3,  
15.9, 16.1

except in the case of an adjournment to the next Ordinary meeting of the Council or the Committee, when the business unresolved at the adjourned meeting is to have precedence at that Ordinary meeting.

**3.2 ORDER OF BUSINESS**

- (1) Unless otherwise decided by the Council the order of business at any Ordinary meeting of the Council is to be as follows -
  - (a) Declaration of opening/Announcement of visitors
  - (b) Record of attendance/Apologies/Leave of absence (previously approved)
  - (c) Response to previous public questions taken on notice
  - (d) Public question time
  - (e) Applications for leave of absence
  - (f) Petitions
  - (g) Confirmation of minutes
  - (h) Announcements by the person presiding without discussion
  - (i) Reports
  - (j) Motions of which previous notice has been given
  - (k) Questions by members of which due notice has been given
  - (l) Informal discussion
  - (m) Urgent business approved by the person presiding or by decision
  - (n) Matters behind closed doors
  - (o) Closure.
- (2) Unless otherwise decided by the members present, the order of business at any Special meeting of the Council or at a Committee meeting is to be the order in which that business stands in the agenda of the meeting.



Local Laws relating to Standing Orders

- (3) Notwithstanding subclauses (1) and (2) in the order of business for any meeting of the Council or a Committee, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.
- (4) Notwithstanding subclause (1), the Chief Executive Officer may include on the agenda of a Council or Committee meeting in an appropriate place within the order of business any matter which must be decided, or which she or he considers is appropriately decided, by that meeting.

**3.3 PUBLIC QUESTION TIME**

S 5.24 and R5	Time is to be allocated for questions to be raised by members of the public and responded to at -
	<ul style="list-style-type: none"> <li>(a) every Ordinary meeting of a Council,</li> <li>(b) every Special meeting of a Council,</li> <li>(c) every meeting of a Committee to which the Local Government has delegated a power or duty.</li> </ul>
R6	<ul style="list-style-type: none"> <li>(1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at Ordinary meetings of Council and meetings referred to in Regulation 5 is 15 minutes.</li> <li>(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these Regulations prevents the unused part of the minimum question time period from being used for other matters.</li> </ul>
R7	<ul style="list-style-type: none"> <li>(1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in Regulation 6(1) are to be determined -                             <ul style="list-style-type: none"> <li>(a) by the person presiding at the meeting, or</li> <li>(b) in the case where the majority of members of the Council or Committee present at the meeting disagree with the person presiding, by the majority of those members, having regard to the requirements of subregulations (2) and (3).</li> </ul> </li> <li>(2) The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in Regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the Council or the Committee, as the case may be.</li> <li>(3) Each member of the public who wishes to ask a question at a meeting referred to in Regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.</li> <li>(4) Nothing in subregulation (3) requires -                             <ul style="list-style-type: none"> <li>(a) a Council to answer a question that does not relate to a matter affecting the Local Government,</li> <li>(b) a Council at a Special meeting to answer a question that does not relate to the purpose of the meeting, or</li> <li>(c) a Committee to answer a question that does not relate to a function of the Committee.</li> </ul> </li> </ul>

**Local Laws relating to Standing Orders**

- (1) A member of the public who raises a question during question time is to state his or her name and address.
- (2) A question may be taken on notice by the Council or Committee for later response.
- (3) When a question is taken on notice under subclause (2) a response is to be given to the member of the public in writing by the Chief Executive Officer, and a summary of the question raised and the response given are to be included in the agenda and minutes of the next meeting of the Council or Committee as the case requires.

**Disqualification for failure to attend meetings**

- S 2.25 (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 the leave is to be recorded in the minutes of 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 her or his membership of the Council.
  - (5) .....

**3.4 PETITIONS**

A petition, in order to be effective, is to -

- (a) be addressed to the President,
- (b) be made by electors of the district,
- (c) state the request on each page of the petition,
- (d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed,
- (e) contain a summary of the reasons for the request,
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given,
- (g) be in the form prescribed by the Act and Local Government (Constitution) Regulation 1996 if it is -
  - (i) a proposal to change the method of filling the office of President,
  - (ii) a proposal to create a new district or the boundaries of the Local Government,
  - (iii) a request for a poll on a recommended amalgamation,
  - (iv) a submission about changes to wards, the name of a district or ward or the number of Councillors for a district or ward.

Local Laws relating to Standing Orders

**3.5 CONFIRMATION OF MINUTES**

- S5.22(1) The person presiding at a meeting of a Council or a Committee is to cause minutes to be kept of the meeting's proceedings.
- (2) The minutes of a meeting of a Council or a Committee are to be submitted to the next Ordinary meeting of the Council or the Committee, as the case requires, for confirmation.
- (3) The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.

- (1) When minutes of a meeting are submitted to an Ordinary meeting of the Council or Committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, the she or he is to -
- (a) state the item or items with which she or he is dissatisfied, and
- (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (2) Discussion of any minutes, other than discussion as to their accuracy as a record of the proceedings, is not permitted.

**3.6 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

- (1) At any meeting of the Council or a Committee the person presiding may announce or raise any matter of interest or relevance to the business of the Council or Committee, or propose a change to the order of business.
- (2) Any member may move that a change in order of business proposed by the person presiding not be accepted and if carried by a majority of members present, the proposed change in order is not to take place.

**3.7 MATTERS BEHIND CLOSED DOORS**

For the convenience of members of the public, the Council or Committee may identify by decision any matter on the agenda of the meeting to be discussed behind closed doors.

S 5.23(2)  
4.2

- S 4.23 (1) Subject to subsection (2), the following are to be open to members of the public -
- (a) all Council meetings, and
- (b) all meetings of any Committee to which a Local Government power or duty has been delegated.

Local Laws relating to Standing Orders

- (2) If a meeting is being held by a Council or by a Committee referred to in subsection (1)(b), the Council or Committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -
- (a) a matter affecting an employee or employees,
  - (b) the personal affairs of any person,
  - (c) a contract entered into, or which may be entered into, by the Local Government and which relates to a matter to be discussed at the meeting,
  - (d) legal advice obtained, or which may be obtained, by the Local Government and which relates to a matter to be discussed at the meeting,
  - (e) a matter that if disclosed, would reveal -
    - (i) a trade secret,
    - (ii) information that has a commercial value to a person, or
    - (iii) information about the business, professional, commercial or financial affairs of a person,
 where the trade secret or information is held by, or is about, a person other than the Local Government,
  - (f) a matter that is disclosed, could be reasonably expected to -
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law,
    - (ii) endanger the security of the Local Government's property, or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety,
  - (g) information which is the subject of a direction given under Section 23(1)(a) of the *Parliamentary Commissioner Act 1971*, and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

**3.8 DELETED**

**3.9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- (1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as she or he considers appropriate, in the form of a motion, of which notice has been given in writing to the Chief Executive Officer.
- (2) A notice of motion under subclause (1) is to be given at least seven (7) clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good government of persons in the district.
- (4) The Chief Executive Officer -
  - (a) with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be out of order, or

**Local Laws relating to Standing Orders**

- (b) may on her or his own initiative make such amendments to the form but not the substance thereof as will bring the notice of motion into due form, and
  - (c) may under her or his name provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) No notice of motion is to be out of order because the policy involved is considered to be objectionable.
- (6) A motion of which notice has been given is to lapse unless -
- (a) the member who gave notice thereof, or some other member authorised by her or him in writing moves the motion when called on, or
  - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (7) If a notice of motion is given and lapses in the circumstances referred to in subclause (6)(a), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse.

**3.10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

- (1) A question on notice is to be given by a member in writing to the Chief Executive Officer at least seven (7) clear working days before the meeting at which it is raised.
- (2) If the question referred to in subclause (1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at that meeting.
- (3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the person presiding.

**3.11 INFORMAL DISCUSSION**

- During informal discussion held under Clause 3.2(1)(f) -
- (a) no decisions are to be made;
  - (b) topics discussed only are to be reported in the minutes; and
  - (c) the Standing Orders are in all other respects suspended.

**3.12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

**3.13 DEPUTATIONS**

- (1) A Deputation wishing to be received by the Council or a Committee is to apply in writing to the Chief Executive Officer who is to forward the written request to the President, or the presiding member as the case may be.
- (2) The President if the request is to attend a Council meeting, or the presiding member of the Committee, if the request is to attend a meeting of a Committee, may either approve the request, in which event the Chief Executive Officer is to invite the deputation to attend a meeting of the Council or Committee as the case may be, or may instruct the Chief Executive



**Local Laws relating to Standing Orders**

Officer to refer the request to the Council or Committee to decide by simple majority whether or not to receive the deputation.

- (3) A deputation invited to attend a Council or Committee meeting -
  - (a) is not to exceed five persons, only two of whom may address the Council or Committee, although others may respond to specific questions from the members, and
  - (b) is not to address the Council or Committee for a period exceeding 15 minutes without the agreement of the Council or the Committee as the case requires.
- (4) Any matter which is the subject of a deputation to the Council or a Committee is not to be decided by the Council or that Committee until the deputation has completed its presentation.

Local Laws relating to Standing Orders

**PART 4 - PUBLIC ACCESS TO AGENDA MATERIAL**

**4.1 INSPECTION ENTITLEMENT**

Members of the public have access to agenda material in the terms set out in Regulation 14 of the Regulations.

**4.2 CONFIDENTIALITY OF INFORMATION WITHHELD**

(1) Information withheld by the Chief Executive Officer from members of the public under Regulation 14.2 of the Regulations, is to be -

- (a) identified in the agenda of a Council or Committee meeting under the item "Matters for which meeting may be closed", and
- (b) marked "confidential" in the agenda.

3.7

(2) A member of the Council or a Committee or an employee of the Council in receipt of confidential information is not to disclose such information to any person other than a member of the Council or the Committee or an employee of the Council to the extent necessary for the purpose of carrying out her or his duties.

Penalty \$5,000

Local Laws relating to Standing Orders

**PART 5 - DISCLOSURE OF FINANCIAL INTERESTS**

Deleted



Local Laws relating to Standing Orders

**PART 6 - QUORUM**

**S 5.19 Quorum for meetings**

The quorum for a meeting of a Council or Committee is at least 50% of the number of offices (whether vacant or not) of members of the Council or the Committee.

**Procedure if no quorum**

R8 If a quorum has not been established within the 30 minutes after a Council or Committee meeting is due to begin then the meeting can be adjourned -

- (a) in the case of the Council, by the Mayor or President, or if the Mayor or President is not present at the meeting, by the Deputy Mayor or Deputy President,
- (b) in the case of the Committee, by the presiding member of the Committee or if the presiding member is not present at the meeting, by the deputy presiding member,
- (c) if no person referred to in paragraph (a) or (b), as the case requires, is present at the meeting, by the majority of members present,
- (d) if only one member is present, by that member, or
- (e) if no member is present or if no member other than the Chief Executive Officer is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.

**6.1 QUORUM TO BE PRESENT**

The Council or a Committee is not to transact business at a meeting unless a quorum is present.

**6.2 LOSS OF QUORUM DURING A MEETING**

(1) If at any time during the course of a meeting of the Council or a Committee a quorum is not present -

3.1(4)  
16.5

- (a) in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until either -
  - (i) a quorum is present to decide the matter, or
  - (ii) the Minister allows a disclosing member or members to preside at the meeting or to participate in discussions or the decision making procedures relating to the matter under Section 5.69 of the Act, or
- (b) because of a member or members leaving the meeting for reasons other than disclosure of a financial interest, the person presiding is to suspend the proceedings of the meeting for a period of 5 minutes, and if a quorum is not present at the end of that time, the meeting is deemed to have been adjourned and the person presiding is to reschedule it to some future time or date having regard to the period of notice which needs to be given under the Act, Regulations, or the Standing Orders when calling a meeting of that type.

**Local Laws relating to Standing Orders**

- 
- (2) Where debate on a motion is interrupted by an adjournment under subclause (1)(b) - 3.1(4)  
16.5
- (a) the debate is to be resumed at the next meeting at the point where it was so interrupted, and
  - (b) in the case of a Council meeting -
    - (i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes, and
    - (ii) the provisions of Clause 9.5 apply when the debate is resumed.



Local Laws relating to Standing Orders



Local Laws relating to Standing Orders

**PART 7 - KEEPING OF MINUTES**

**7.1 CONTENT OF MINUTES**

In addition to the matters contained in Regulation 11 of the Regulations, the content of minutes of a meeting of the Council or a Committee is to include, where an application for approval is declined or the authorisation of a licence, permit or certificate is otherwise withheld or cancelled, the reasons for the decision.

S 5.25(f)  
R11, 3.5

**7.2 PRESERVATION OF MINUTES**

Minutes including the agenda of each Council and Committee meeting are to be kept as a permanent record of the activities of the Local Government and are to be transferred to the Public Records Office, being a directorate of the Library and Information Service of Western Australia, in accordance with the retention and disposal policy determined by that office from time to time.

**Public inspection of unconfirmed minutes of Council or Committee meetings**

R13 A Local Government is to ensure that unconfirmed minutes of each Council and Committee meeting are available for inspection by members of the public -

- (a) in the case of a Council meeting, within 10 business days after the meeting, and
- (b) in the case of a Committee meeting, within 5 business days after the meeting.

Local Laws relating to Standing Orders

**PART 8 - CONDUCT OF PERSONS AT COUNCIL AND COMMITTEE MEETINGS**

**8.1 OFFICIAL TITLES TO BE USED**

Members of the Council are to speak of each other in the Council or Committee by their respective titles of President or Councillor. Members of the Council, in speaking of or addressing employees, are to designate them by their respective official titles.

**8.2 MEMBERS TO OCCUPY OWN SEATS**

At the first meeting held after each Ordinary election day, the Chief Executive Officer is to allot a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for re-allotment of positions.

**8.3 LEAVING MEETINGS**

During the course of a meeting of the Council or a Committee no member is to enter or leave the meeting without first advising the person presiding, in order to facilitate the recording in the minutes of the time of entry or departure.

**8.4 ADVERSE REFLECTION**

- (1) No member of the Council or a Committee is to reflect adversely upon a decision of the Council or Committee except on a motion that the decision be revoked or changed. 15.2

- (2) No member of the Council or a Committee is to use offensive or objectionable expressions in reference to any member, employee of the Council, or any other person.

Penalty \$1,000

- (3) If a member of the Council or Committee specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the person presiding is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in the minutes.

**8.5 RECORDING OF PROCEEDINGS**

- (1) No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a Committee without the written permission of the Council.

- (2) Subclause (1) does not apply if the record is taken by or at the direction of the Chief Executive Officer, with the permission of the Council or Committee.

**8.6 PREVENTION OF DISTURBANCE**

- (1) Any member of the public addressing the Council or a Committee is to extend due courtesy and respect to the Council or Committee and the processes under which they operate and must take direction from the person presiding whenever called upon to do so.

Penalty \$1,000

**Local Laws relating to Standing Orders**

---

- (2) No person observing a meeting, is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

Penalty \$1,000

**8.7 DISTINGUISHED VISITORS**

If a distinguished visitor is present at a meeting of the Council or a Committee, the person presiding may invite such person to sit beside the person presiding or at the Council table.

Local Laws relating to Standing Orders

**PART 9 - CONDUCT OF MEMBERS DURING DEBATE**

**9.1 MEMBERS WISHING TO SPEAK**

Every member of the Council wishing to speak is to indicate by show of hands or other method agreed upon by the Council.

**9.2 PRIORITY**

In the event of two or more members of the Council or a Committee wishing to speak at the same time, the person presiding is to decide which member is entitled to be heard first. The decision is not open to discussion or dissent.

**9.3 THE PERSON PRESIDING TO TAKE PART IN DEBATES**

Unless otherwise prohibited by the Act, and subject to compliance with procedures for the debate of motions contained in these Standing Orders, the person presiding may take part in a discussion of any matter before the Council or Committee as the case may be.

**9.4 RELEVANCE**

Every member of the Council or a Committee is to restrict her or his remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

**9.5 LIMITATION OF NUMBER OF SPEECHES**

No member of the Council is to address the Council more than once on any motion or amendment before the Council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

**9.6 LIMITATION OF DURATION OF SPEECHES**

All addresses are to be limited to a maximum of five minutes. Extension of time is permissible only with the agreement of a simple majority of members present.

10.16  
12.7(2)  
15.4

**9.7 MEMBERS NOT TO SPEAK AFTER CONCLUSION OF DEBATE**

No member of the Council or a Committee is to speak to any question after it has been put by the person presiding.

**9.8 MEMBERS NOT TO INTERRUPT**

No member of the Council or a Committee is to interrupt another member of the Council or Committee whilst speaking unless -

6.1  
15.3  
15.4

- (a) to raise a point of order,
- (b) to call attention to the absence of a quorum,
- (c) to make a personal explanation under Clause 10.16, or



---

**Local Laws relating to Standing Orders**

---

(d) to move a motion under Clause 11(1)(e).

**9.9 RE-OPENING DISCUSSION ON DECISIONS**

No member of the Council or a Committee is to re-open discussion on any decision of the Council or Committee, except for the purpose of moving that the decision be revoked or changed.



Local Laws relating to Standing Orders

**PART 10 - PROCEDURES FOR DEBATE OF MOTIONS**

**10.1 MOTIONS TO BE STATED**

Any member of the Council or a Committee who moves a substantive motion or amendment to a substantive motion is to state the substance of the motion before speaking to it.

**10.2 MOTIONS TO BE SUPPORTED**

No motion or amendment to a substantive motion is open to debate until it has been seconded, or, in the case of a motion to revoke or change the decision made at a Council or a Committee meeting, unless the motion has the support required under Regulation 10 of the Regulations.

**10.3 UNOPPOSED BUSINESS**

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in subclause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or Committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This Clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or Committee meeting.

**10.4 ONLY ONE SUBSTANTIVE MOTION CONSIDERED**

When a substantive motion is under debate at any meeting of the Council or a Committee, no further substantive motion is to be accepted.

**10.5 BREAKING DOWN OF COMPLEX QUESTIONS**

The person presiding may order a complex question to be broken down and put in the form of several motions, which are to be in sequence.

**10.6 ORDER OF CALL IN DEBATE**

The person presiding is to call speakers to a substantive motion in the following order -

- (a) The mover to state the motion.
- (b) A seconder to the motion.
- (c) The mover to speak to the motion.
- (d) The seconder to speak to the motion.

---

**Local Laws relating to Standing Orders**

---

- (e) A speaker against the motion.
- (f) A speaker for the motion.
- (g) Other speakers against and for the motion, alternating in view, if any.
- (h) Mover takes right of reply which closes debate.

**10.7 LIMIT OF DEBATE**

The person presiding may offer the right of reply and put the motion to the vote if she or he believes sufficient discussion has taken place even though all members may not have spoken.

**10.8 MEMBER MAY REQUIRE QUESTION TO BE READ**

Any member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member whilst speaking.

**10.9 CONSENT OF SECONDER REQUIRED TO ACCEPT ALTERATION OF WORDING**

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

**10.10 ORDER OF AMENDMENTS**

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

**10.11 AMENDMENTS MUST NOT NEGATE ORIGINAL MOTION**

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

**10.12 MOVER OF MOTION NOT TO SPEAK ON AMENDMENT**

On an amendment being moved, any member may speak to the amendment, provided that if the person who moved the substantive motion does choose to speak to the amendment, the right of reply is forfeited by that person.

**10.13 SUBSTANTIVE MOTION**

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

**10.14 WITHDRAWAL OF MOTION AND AMENDMENTS**

Council or a Committee may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment is to continue.

---

**Local Laws relating to Standing Orders**

---

**10.15 LIMITATION OF WITHDRAWAL**

Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

**10.16 PERSONAL EXPLANATION**

No member is to speak at any meeting of the Council or a Committee, except upon the matter before the Council or Committee, unless it is to make a personal explanation. Any member of the Council or Committee who is permitted to speak under these circumstances is to confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When a member of the Council or Committee makes a personal explanation, no reference is to be made to matters unnecessary for that purpose.

**10.17 PERSONAL EXPLANATION - WHEN HEARD**

A member of the Council or a Committee wishing to make a personal explanation of matters referred to by any member of the Council or Committee then speaking, is entitled to be heard immediately, if the member of the Council or Committee then speaking consents at the time, but if the member of the Council or Committee who is speaking declines to give way, the explanation is to be offered at the conclusion of that speech.

**10.18 RULING ON QUESTIONS OF PERSONAL EXPLANATION**

The ruling of the person presiding on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

**10.19 RIGHT OF REPLY**

- (1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other member is to speak on the question.
- (2) The right of reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.

**10.20 RIGHT OF REPLY PROVISIONS**

The right of reply is governed by the following provisions -

- (a) if no amendment is moved to the substantive motion, the mover may reply at the conclusion of the discussion on the motion,
- (b) if an amendment is moved to the substantive motion the mover of the substantive motion is to take the right of reply at the conclusion of the vote on any amendments,
- (c) the mover of any amendment does not have a right of reply,
- (d) once the right of reply has been taken, there can be no further discussion, nor any other amendment and the original motion or the original motion as amended is immediately put to the vote.

Local Laws relating to Standing Orders

**PART 11 - PROCEDURAL MOTIONS**

**11.1 PERMISSIBLE PROCEDURAL MOTIONS**

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member to move the following procedural motions -

- (a) that the Council (or Committee) proceed to the next business,
- (b) that the question be adjourned,
- (c) that the Council (or Committee) now adjourn,
- (d) that the question be now put,
- (e) that the member be no longer heard,
- (f) that the ruling of the person presiding be disagreed with,
- (g) that the Council (or Committee) meet behind closed doors, if the meeting or part of the meeting to which the motion relates is a matter in respect of which the meeting may be closed to members of the public under Section 5.23 of the Act.

**11.2 NO DEBATE ON PROCEDURAL MOTIONS**

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

**11.3 PROCEDURAL MOTIONS - CLOSING DEBATE - WHO MAY MOVE**

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

**11.4 PROCEDURAL MOTIONS - RIGHT OF REPLY ON SUBSTANTIVE MOTION**

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



Local Laws relating to Standing Orders

**PART 12 - EFFECT OF PROCEDURAL MOTIONS**

**12.1 COUNCIL (OR COMMITTEE) TO PROCEED TO THE NEXT BUSINESS - EFFECT OF MOTION**

The motion "that the Council (or Committee) proceed to the next business", if carried, causes the debate to cease immediately and for the Council (or Committee) to move to the next business of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be again raised for consideration.

**12.2 QUESTIONS TO BE ADJOURNED - EFFECT OF MOTION**

- (1) The motion "that the question be adjourned", if carried, causes all debate on the substantive motion or amendment to cease but to continue at a time stated in the motion.
- (2) If the motion is carried at a meeting of the Council -
  - (a) the names of members who have spoken on the matter are to be recorded in the minutes, and
  - (b) the provisions of Clause 9.5 apply when the debate is resumed.

**12.3 COUNCIL (OR COMMITTEE) TO NOW ADJOURN - EFFECT OF MOTION**

- (1) The motion "that the Council (or Committee) now adjourn", if carried, causes the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was adjourned, unless the person presiding or a simple majority of members upon vote, determine otherwise. 3.1(4)  
16.1, 16.2  
16.3, 16.4,  
16.5
- (2) Where debate on a motion is interrupted by an adjournment under subclause (1) -
  - (a) the debate is to be resumed at the next meeting at the point where it was so interrupted, and
  - (b) in the case of a Council meeting -
    - (i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes, and
    - (ii) the provisions of Clause 9.5 apply when the debate is resumed.

**12.4 QUESTION TO BE PUT - EFFECT OF MOTION**

- (1) The motion "that the question be now put", if carried during discussion of a substantive motion without amendment, causes the person presiding to offer the right of reply and then immediately put the matter under consideration without further debate.
- (2) This motion, if carried during discussion of an amendment, causes the person presiding to put the amendment to the vote without further debate.
- (3) This motion, if lost, cause debate to continue.

---

**Local Laws relating to Standing Orders**

---

**12.5 MEMBER TO BE NO LONGER HEARD - EFFECT OF MOTION**

The motion "that the member be no longer heard", if carried, causes the person presiding to not allow the speaker against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

**12.6 RULING OF THE PERSON PRESIDING DISAGREED WITH - EFFECT OF MOTION**

The motion "that the ruling of the person presiding be disagreed with", if carried, causes the ruling of the person presiding about which this motion was moved, to have no effect and for the meeting to proceed accordingly.

**12.7 COUNCIL (OR COMMITTEE) TO MEET BEHIND CLOSED DOORS - EFFECT OF MOTION**

- (1) Subject to any deferral under Clause 3.7 or other decision of the Council or Committee, this motion, if carried, causes the general public and any officer or employee the Council or Committee determines, to leave the room.
- (2) While a decision made under this Clause is in force the operation of Clause 9.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.
- (3) Upon the public again being admitted to the meeting the person presiding is to cause to be read out, in relation to decisions made by the Council or Committee behind closed doors -
  - (a) the recommendation of the Chief Executive Officer or an employee as defined in Section 5.70 of the Act in regard to a matter decided,
  - (b) details of each motion moved, the mover and outcome of the motion,
  - (c) details of each decision made,
  - (d) reasons for each decision made that is significantly different from the relevant recommendation of the Chief Executive Officer or an employee as defined in Section 5.70 of the Act, and
  - (e) the names of members voting against a motion or decision.
- (4) The matters to be read out under subclause (3) are to be recorded in the minutes of the meeting.
- (5) A person who is a Council member, a Committee member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes.

Penalty \$5,000.

Local Laws relating to Standing Orders

PART 13 - MAKING DECISIONS

**Decisions of Council and Committees**

- S 5.20 (1) A decision of a Council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by Regulations or a Local Law for the particular kind of decision, by that kind of majority.
- (2) A decision of a Committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by Regulations or a Local Law for the particular kind of decision, by that kind of majority.
- (3) .....

**Voting**

- S 5.21 (1) Each Council member and each member of a Committee who is present at a meeting of the Council or Committee is entitled to one vote.
- (2) Subject to Section 5.67, each Council member and each member of a Committee to which a Local Government power or duty has been delegated who is present at a meeting of the Council or Committee is to vote.
- (3) If the votes of members present at a Council or a Committee meeting are equally divided, the person presiding may cast a second vote.
- (4) If a member of a Council or a Committee specifically requests that there be recorded -
- (a) her or his vote, or
- (b) the vote of all members present,
- on a matter voted on at a meeting of the Council or the Committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

R9 Voting at a Council or a Committee meeting is to be conducted so that no voter's vote is secret.

**Revoking or changing decisions made a Council or Committee meetings**

- R10 (1) If a decision has been made at a Council or a Committee meeting then any motion to revoke or change the decision must be supported -
- (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority, or
- (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the Council or Committee,
- inclusive of the mover.

**Local Laws relating to Standing Orders**

- (2) If a decision has been made at a Council or a Committee meeting then any decision to revoke or change the first-mentioned decision must be made -
  - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority, or
  - (b) in any other case, by an absolute majority.
- (3) This Regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

**13.1 QUESTION - WHEN PUT**

When the debate upon any question is concluded and the right of reply has been exercised the person presiding shall immediately put the question to the Council or the committee, and, if so desired by any member of the Council or Committee, shall again state it.

**13.2 QUESTION - METHOD OF PUTTING**

- (1) If a decision of the Council or a Committee is unclear or in doubt, the person presiding shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter's vote is secret, before declaring the decision.
- (2) Subclause (1) has no effect in regard to a secret ballot conducted under Schedule 2.3 of the Act.

Local Laws relating to Standing Orders

**PART 14 - IMPLEMENTING DECISIONS**

Deleted.





Local Laws relating to Standing Orders

**PART 15 - PRESERVING ORDER**

**15.1 THE PERSON PRESIDING TO PRESERVE ORDER**

The person presiding is to preserve order, and may call any member or other person in attendance to order, whenever, in her or his opinion, there is cause for so doing.

**15.2 DEMAND FOR WITHDRAWAL**

A member at a meeting of the Council or a Committee may be required by the person presiding, or by a decision of the Council or Committee, to apologise and unreservedly withdraw any expression which is considered to reflect offensively on another member or an employee, and if the member declines or neglects to do so, the person presiding may refuse to hear the member further upon the matter then under discussion and call upon the next speaker.

**15.3 POINTS OF ORDER - WHEN TO RAISE - PROCEDURE**

Upon a matter of order arising during the progress of a debate, any member may raise a point of order including interrupting the speaker. Any member who is speaking when a point of order is raised, is to immediately stop speaking while the person presiding listens to the point of order.

**15.4 POINTS OF ORDER - WHEN VALID**

The following are to be recognised as valid points of order -

- (a) that the discussion is of a matter not before the Council or Committee,
- (b) that offensive or insulting language is being used,
- (c) drawing attention to the violation of any written Law, or Policy or Code of Conduct of the Local Government, provided that the member making the point of order states the written Law or Policy or Code of Conduct believed to be breached.

**15.5 POINTS OF ORDER - RULING**

The person presiding is to give a decision on any point of order which is raised by either upholding or rejecting the point of order.

**15.6 POINTS OF ORDER - RULING CONCLUSIVE, UNLESS DISSENT MOTION IS MOVED**

The ruling of the person presiding upon any question of order is final, unless a majority of the members support a motion of dissent with the ruling.

**15.7 POINTS OF ORDER TAKE PRECEDENCE**

Notwithstanding anything contained in these Standing Orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other matter.

Local Laws relating to Standing Orders

**15.8 DELETED**

**15.9 RIGHT OF THE PERSON PRESIDING TO ADJOURN WITHOUT EXPLANATION TO REGAIN ORDER**

- (1) If a meeting ceases to operate in an orderly manner, the person presiding may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. Upon resumption, debate is to continue at the point at which the meeting was adjourned. If, at any one meeting, the person presiding has cause to further adjourn the meeting, such adjournment may be to a later time on the same day or to any other day.
- (2) Where debate of a motion is interrupted by an adjournment under subclause (1), in the cause of a Council meeting -
- (a) the names of members who have spoken in the matter prior to the adjournment are to be recorded, and
  - (b) the provisions of Clause 9.5 apply when the debate is resumed.

Local Laws relating to Standing Orders

**PART 16 - ADJOURNMENT OF MEETING**

**16.1 MEETING MAY BE ADJOURNED**

The Council or a Committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

**16.2 LIMIT TO MOVING ADJOURNMENT**

No member is to move or second more than one motion of adjournment during the same sitting of the Council or Committee.

**16.3 UNOPPOSED BUSINESS - MOTION FOR ADJOURNMENT**

On a motion for the adjournment of the Council or Committee, the person presiding, before putting the motion, may seek leave of the Council or Committee to proceed to the transaction of unopposed business.

**16.4 WITHDRAWAL OF MOTION FOR ADJOURNMENT**

A motion or an amendment relating to the adjournment of the Council or a Committee may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

**16.5 TIME TO WHICH ADJOURNED**

The time to which a meeting is adjourned for want of a quorum, by the person presiding to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

Local Laws relating to Standing Orders

**PART 17 - COMMITTEES OF THE COUNCIL**

S 5.8 A Local Government may establish Committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the Local Government that can be delegated to Committees.

**17.1 ESTABLISHMENT AND APPOINTMENT OF COMMITTEES**

A Committee is not to be established except on a motion setting out the proposed functions of the Committee and either -

- (a) the names of the Council members, employees and other persons to be appointed to the Committee, or
- (b) the number of Council members, employees and other persons to be appointed to the Committee and a provision that they be appointed by a separate motion.

**17.2 APPOINTMENT OF DEPUTY COMMITTEE MEMBERS**

- (1) The Council may appoint one or more persons to be the deputy or deputies, as the case may be, to act on behalf of a member of a Committee whenever that member is unable to be present at a meeting thereof and where two or more deputies are so appointed they are to have seniority in the order determined by the Council.
- (2) Where a member of a Committee does not attend a meeting thereof a deputy of that member, selected according to seniority, is entitled to attend that meeting in place of the member and act for the member, and while so acting has all the powers of that member.

S 5.12 (1) The members of a Committee are to elect a presiding member from amongst themselves .....

(2) The members of a Committee may elect a deputy presiding member from amongst themselves .....

**17.3 PRESENTATION OF COMMITTEE REPORTS**

When the report or recommendations of a Committee are placed before the Council, the adoption of recommendations of the Committee is to be moved by -

- (a) the presiding member of the Committee if the presiding member is a Council member and is in attendance, or
- (b) a Council member who is a member of the Committee, if the presiding member of the Committee is not a Council member, or is absent, or
- (c) otherwise, by a Council member who is not a member of the Committee.

**Local Laws relating to Standing Orders**

---

**17.4 REPORTS OF COMMITTEES - QUESTIONS**

When a recommendation of any Committee is submitted for adoption by the Council, any member of the Council may direct questions directly relating to the recommendation through the person presiding to the presiding member or to any member of the Committee in attendance.

**17.5 PERMISSIBLE MOTIONS ON RECOMMENDATION FROM COMMITTEE**

A recommendation made by or contained in the minutes of a Committee may be adopted by the Council without amendment or modification, failing which, it may be -

- (a) rejected by the Council and replaced by an alternative decision, or
- (b) amended or modified and adopted with such amendment or modification, or
- (c) referred back to the Committee for further consideration.

**17.6 STANDING ORDERS APPLY TO COMMITTEES**

Where not otherwise specifically provided, these Standing Orders apply generally to the proceedings of Committees, except that the following Standing Orders do not apply to the meeting of a Committee -

- (a) Clause 8.2, in regard to seating,
- (b) Deleted,
- (c) Clause 9.5, limitation on the number of speeches.



Local Laws relating to Standing Orders

**PART 18 - ADMINISTRATIVE MATTERS**

**18.1 SUSPENSION OF STANDING ORDERS**

- (1) The Council or a Committee may decide, by simple majority vote, to suspend temporarily one or more of the Standing Orders.
- (2) The mover of a motion to suspend temporarily any one or more of the Standing Orders is to state the Clause or Clauses to be suspended, and the purpose of the suspension.

**18.2 CASES NOT PROVIDED FOR IN STANDING ORDERS**

The person presiding is to decide questions of order, procedure, debate, or otherwise in cases where these Standing Orders and the Act and Regulations are silent. The decision of the person presiding in these cases is final, except where a motion is moved and carried under Clause 11.1(f).

Local Laws relating to Standing Orders

**PART 19 - COMMON SEAL**

**19.1 THE COUNCIL'S COMMON SEAL**

- (1) The Chief Executive Officer is to have charge of the Common Seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (2) The Common Seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the Seal is affixed must be signed by the President and the Chief Executive Officer or a senior employee authorised by her or him.
- (3) The Common Seal of the Local Government is to be affixed to any Local Law which is made by the Local Government.
- (4) Deleted.
- (5) Any person who uses the Common Seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

Local Laws relating to Standing Orders

Dated this ..... day of ..... 2002.

THE COMMON SEAL of the )  
**Shire of Shark Bay** )  
was hereunto affixed by authority )  
of a resolution of Council )  
in the presence of )

.....  
L R Moss  
President

.....  
M J Hook  
Chief Executive Officer

Activities in Thoroughfares and Public Places and Trading Local Law Activities on  
Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

Formatted: Font: Malandra GD

Appendix 5



LOCAL GOVERNMENT ACT 1995

SHIRE OF SHARK BAY

ACTIVITIES IN  
THOROUGHFARES AND  
PUBLIC PLACES AND  
TRADING LOCAL LAW  
ACTIVITIES ON  
THOROUGHFARES  
AND  
TRADING IN  
THOROUGHFARES

Shire of Shark Bay

Page 1

Activities in Thoroughfares and Public Places and Trading Local Law  
~~Thoroughfares and Trading in Thoroughfares and Public Places Local Law~~

Formatted: Font: Malandra GD

**Table of Contents**

**PART 1 - PRELIMINARY ..... 75**

1.1 Citation .....75

1.2 Definitions .....75

1.3 Application .....97

1.4 Repeal.....97

**PART 2 - ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES..... 118**

**DIVISION 1 - GENERAL ..... 118**

2.1 General Prohibitions .....118

2.2 Activities Allowed With a Permit - General .....129

2.3 No Possessions and Consumption of Liquor on Thoroughfare .....1340

**DIVISION 2 - VEHICLE CROSSING ..... 1411**

**Subdivision 1 - Temporary Crossings ..... 1411**

2.4 Permit Required .....1411

**Subdivision 2 - Redundant Vehicle Crossings ..... 1411**

2.5 Removal of Redundant Crossing.....1411

**DIVISION 3 - VERGE TREATMENTS ..... 1512**

**Subdivision 1 - Preliminary ..... 1512**

2.6 Interpretation.....1512

2.7 Application .....1512

**Subdivision 2 - Permissible Verge Treatments ..... 1512**

2.8 Permissible Verge Treatments .....1512

2.9 Only Permissible Verge Treatments to be Installed .....1643

2.10 Obligations of Owner or Occupier .....1643

2.11 Notice to Owner or Occupier .....1643

**Subdivision 3 - Existing Verge Treatments..... 1643**

2.12 Transitional Provision .....1643

**Subdivision 4 - Public Works ..... 1643**

2.13 Power to Carry Out Public Works on Verge .....1643

**DIVISION 4 - PROPERTY NUMBERS ..... 1714**

**Subdivision 1 - Preliminary ..... 1714**

2.14 Interpretation.....1714

**Subdivision 2 - Assignment and Marking of Numbers ..... 1714**

2.15 Assignment of Numbers .....1714



Activities in Thoroughfares and Public Places and Trading Local Law  
 Thoroughfares and  
 Trading in Thoroughfares and Public Places Local Law

Formatted: Font: Malandra GD

<b>DIVISION 5 - FENCING</b> .....	<b>1744</b>
2.16 Public Place - Item 4(1) of Division 1, Schedule 3.1 of Act .....	1744
<b>DIVISION 6 - SIGNS ERECTED BY THE LOCAL GOVERNMENT</b> .....	<b>1744</b>
2.17 Signs .....	1744
2.18 Transitional .....	1845
<b>DIVISION 7 - DRIVING ON A CLOSED THOROUGHFARE</b> .....	<b>1845</b>
2.19 No Driving on Closed Thoroughfare .....	1845
<b>PART 3 - ADVERTISING SIGNS ON THOROUGHFARES</b> .....	<b>1916</b>
<b>DIVISION 1 - PRELIMINARY</b> .....	<b>1916</b>
3.1 Interpretation .....	1946
<b>DIVISION 2 - PERMIT</b> .....	<b>1916</b>
3.2 Advertising Signs and Portable Direction Signs .....	1946
3.3 Matters to be Considered in Determining Application for Permit .....	2047
<b>DIVISION 3 - CONDITION ON PERMIT</b> .....	<b>2047</b>
3.4 Conditions on Portable Sign .....	2047
3.5 Conditions on Election Sign .....	2148
<b>PART 4 - OBSTRUCTING ANIMALS OR VEHICLES</b> .....	<b>2249</b>
<b>DIVISION 1 - ANIMALS AND VEHICLES</b> .....	<b>2249</b>
4.1 Leaving Animal or Vehicle in Public Place or on Local Government Property .....	2249
4.2 Prohibitions Relating to Animals .....	2249
<b>DIVISION 2 - SHOPPING TROLLEYS</b> .....	<b>2320</b>
4.3 Deleted .....	2320
4.4 Deleted .....	2320
4.5 Deleted .....	2320
4.6 Deleted .....	2320
4.7 Deleted .....	2320
<b>PART 5 - ROADSIDE CONSERVATION</b> .....	<b>2424</b>
<b>DIVISION 1 - PRELIMINARY</b> .....	<b>2424</b>
5.1 Interpretation .....	2424
5.2 Application .....	2424
<b>DIVISION 2 - FLORA ROADS</b> .....	<b>2424</b>
5.3 Declaration of Flora Road .....	2424
5.4 Construction Works on Flora Roads .....	2424
5.5 Signposting of Flora Roads .....	2424
<b>DIVISION 3 - SPECIAL ENVIRONMENTAL AREAS</b> .....	<b>2522</b>
5.7 Designation of Special Environmental Areas .....	2522
5.8 Marking of Special Environmental Areas .....	2522

Activities in Thoroughfares and Public Places and Trading Local Law  
 Thoroughfares and  
 Trading in Thoroughfares and Public Places Local Law

Formatted: Font: Malandra GD

<b>DIVISION 4 - PLANTING IN THOROUGHFARES .....</b>	<b>2522</b>
5.9 Permit to Plant .....	2522
5.10 Relevant Considerations in Determining Application .....	2522
<b>DIVISION 5 - CLEARANCE OF VEGETATION .....</b>	<b>2522</b>
5.11 Permit to Clear .....	2522
5.12 Application for Permit .....	2623
<b>DIVISION 6 - FIRE MANAGEMENT .....</b>	<b>2623</b>
5.13 Permit to Burn Thoroughfare .....	2623
5.14 Application for Permit .....	2623
5.15 When Application for Permit Can Be Approved .....	2623
5.16 Prohibitions On Burning .....	2623
<b>DIVISION 7 - FIREBREAKS .....</b>	<b>2724</b>
5.17 Permit for Firebreaks On Thoroughfares .....	2724
5.18 When Application for Permit Cannot Be Approved .....	2724
<b>DIVISION 8 - COMMERCIAL WILDFLOWER HARVESTING ON THOROUGHFARES .....</b>	<b>2724</b>
5.19 General Prohibition on Commercial Wildflower Harvesting .....	2724
5.20 Permit for Revegetation Projects .....	2724
<b>PART 6 - TRADING IN THOROUGHFARE AND PUBLIC PLACES .....</b>	<b>2825</b>
<b>DIVISION 1 - STALLHOLDERS AND TRADERS .....</b>	<b>2825</b>
<b>Subdivision 1 - Preliminary .....</b>	<b>2825</b>
6.1 Interpretation .....	2825
<b>Subdivision 2 - Permits .....</b>	<b>2926</b>
6.2 Stallholder's Permit .....	2926
6.3 Trader's Permit .....	2926
6.4 No Permit Required to Sell Newspaper .....	3027
6.5 Relevant Considerations in Determining Application for Permit .....	3027
6.6 Conditions of Permit .....	3128
6.7 Exemptions From Requirement to Pay Fee or to Obtain a Permit .....	3228
<b>Subdivision 3 - Conduct of Stallholders and Traders .....</b>	<b>3229</b>
6.8 Conduct of Stallholders and Traders .....	3229
<b>DIVISION 2 - STREET ENTERTAINERS .....</b>	<b>3330</b>
6.9 Deleted .....	3330
6.10 Deleted .....	3330
6.11 Deleted .....	3330
6.12 Deleted .....	3330
6.13 Deleted .....	3330
6.14 Deleted .....	3330
<b>DIVISION 3 - OUTDOOR EATING FACILITIES ON PUBLIC PLACES ....</b>	<b>3330</b>

Activities in Thoroughfares and Public Places and Trading Local Law  
~~Thoroughfares and Trading in Thoroughfares and Public Places Local Law~~

Formatted: Font: Malandra GD

6.15	Interpretation.....	3330
6.16	Permit Required to Conduct Facility.....	3330
6.17	Matters to be Considered in Determining Application .....	3430
6.18	Obligations of Permit Holder.....	3434
6.19	Removal of Facility Unlawfully Conducted .....	3434
6.20	Use of Facility by Public.....	3534
6.21	Temporary Removal of Facility May Be Requested .....	3532
<b>PART 7 - PERMITS .....</b>		<b>3633</b>
<b>DIVISION 1 - APPLYING FOR A PERMIT .....</b>		<b>3633</b>
7.1	Application for Permit.....	3633
7.2	Decision on Application for Permit.....	3633
<b>DIVISION 2 - CONDITIONS .....</b>		<b>3734</b>
7.3	Conditions Which May Be Imposed on a Permit.....	3734
7.4	Imposing Conditions Under a Policy.....	3734
7.5	Compliance With and Variation on Conditions .....	3734
<b>DIVISION 3 - GENERAL .....</b>		<b>3835</b>
7.6	Duration of Permit.....	3835
7.7	Renewal of Permit .....	3835
7.8	Transfer of Permit .....	3835
7.9	Production of Permit .....	3936
7.10	Cancellation of Permit.....	3936
<b>PART 8 - OBJECTIONS AND APPEALS .....</b>		<b>4037</b>
8.1	Application of Part 9 Division of Act.....	4037
<b>PART 9 - MISCELLANEOUS NOTICES .....</b>		<b>4138</b>
9.1	Notice to Redirect or Repair Sprinkler.....	4138
9.2	Hazardous Plants .....	4138
9.3	Notice to Repair Damage to Thoroughfare.....	4138
9.4	Notice to Remove thing Unlawfully Placed on Thoroughfare .....	4138
<b>PART 10 - ENFORCEMENT .....</b>		<b>4239</b>
<b>DIVISION 1 - NOTICES GIVEN UNDER THIS LOCAL LAW .....</b>		<b>4239</b>
10.1	Offence to Fail to Comply With Notice.....	4239
10.2	Local Government May Undertake Requirements of Notice .....	4239
<b>DIVISION 2 - OFFENCES AND PENALTIES.....</b>		<b>4239</b>
<b>Subdivision 1 - General.....</b>		<b>4239</b>
10.3	Offences.....	4239
<b>Subdivision 2 - Infringement Notices and Modified Penalties .....</b>		<b>4239</b>
10.4	Prescribed Offences .....	4239
10.5	Forms.....	4340

<del>Activities in Thoroughfares and Public Places and Trading Local Law</del>	<del>Activities on</del>
<del>Thoroughfares and</del>	
<del>Trading in Thoroughfares and Public Places Local Law</del>	
SCHEDULE 1 .....	4441
PRESCRIBED OFFENCES .....	4441

Formatted: Font: Malandra GD

LOCAL GOVERNMENT ACT 1995

*Shire of Shark Bay*

**ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND  
TRADING LOCAL LAW ACTIVITIES ON THOROUGHFARES AND  
TRADING IN THOROUGHFARES AND PUBLIC PLACES  
LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Shark Bay resolved on 27 February 2002 to make the following Local Law.

**PART 1 - PRELIMINARY**

**1.1 CITATION**

This Local Law may be cited as the Shire of Shark Bay ~~Activities on Thoroughfares and Trading in Thoroughfares and Public Places~~ Activities in Thoroughfares and Public Places and Trading Local Law.

**1.2 DEFINITIONS**

In this Local Law unless the context otherwise requires -

"Act" means the *Local Government Act 1995*,

"applicant" means a person who applies for a permit,

"authorised person" means a person authorised by the Local Government under Section 9.10 of the Act to perform any of the functions of an authorised person under this Local Law,

"built-up area" has the meaning given to it in the *Road Traffic Code 2000*,

Regulation 3 of the *Road Traffic Code 2000* provides -

'built-up area' means the territory contiguous to and including any road -

- (a) on which there is provision for street lighting at intervals of not over 100m for a distance of at least 500m or, if the road is shorter than 500m, for the whole road, or
- (b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100m for a distance of one half a kilometre or more,".

"bulk rubbish container" means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the Local Government's regular domestic rubbish collection service,



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

"**carriageway**" ~~has the meaning given to it in the Road Traffic Code 2000 means the paved or made portion of a thoroughfare used or intended for use by vehicles,~~

Formatted: Font: (Default) Arial

"**CEO**" means the Chief Executive Officer of the Local Government,

"**commencement day**" means the day on which this Local Law comes into operation,

"**Council**" means the Council of the Local Government,

"**crossing**" means a crossing giving access from a public thoroughfare to -

- (a) private land, or
- (b) a private thoroughfare serving private land,

"**district**" means the district of the Local Government,

"**footpath**" ~~has the meaning given to it in the Road Traffic Code 2000 means the paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists,~~

Formatted: Font: (Default) Arial

"**garden**" means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants,

"**intersection**" has the meaning given to it in the *Road Traffic Code 2000*,

"**kerb**" includes the edge of a carriageway,

"**lawn**" means any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the Local Government,

"**liquor**" has the meaning given to it in Section 3 of the *Liquor Licensing Act 1988*,

"**Local Government**" means the Shire of Shark Bay,

"**Local Government property**" means anything except a thoroughfare -

- (a) which belongs to the Local Government,
- (b) of which the Local Government is the management body under the *Land Administration Act 1997*, or
- (c) which is an 'otherwise unvested facility' within Section 3.53 of the Act,

"**lot**" has the meaning given to it in the *Town Planning and Development Act 1928*,

"**owner**" or "**occupier**" in relation to land does not include the Local Government,

"**permissible verge treatment**" means any one of the 4 treatments described in Clause 2.8(2), and includes any reticulation pipes and sprinklers,

"**permit**" means a permit issued under this Local Law,

"**permit holder**" means a person who holds a valid permit,

"**person**" does not include the Local Government,

"**premises**" for the purpose of the definition of "public place" in both this Clause and Clause 6.1, means a building or similar structure, but does not include a carpark or a similar place,

"**public place**" includes any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include -

- (a) premises on private property from which trading is lawfully conducted under a written law, and
- (b) Local Government property,

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

"Regulations" means the Local Government (Functions and General) Regulations 1996,

"sign" includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols,

"thoroughfare" has the meaning given to it in the Act but does not include a private thoroughfare which is not under the management control of the local government;

Formatted: Font: (Default) Arial

Formatted: Indent: Hanging: 0.02 cm

"Town Planning Scheme" means a Town Planning Scheme of the Local Government made under the *Town Planning and Development Act 1928*,

"townsite" means the townsite of Denham which is -

- (a) constituted under Section 26(2) of the *Land Administration Act 1997*, or
- (b) referred to in Clause 37 of Schedule 9.3 of the Act,

"vehicle" includes -

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

but excludes -

- (a) a wheelchair or any device designed for use by a physically impaired person on a footpath, and
- (b) a pram, a stroller or a similar device, and

"verge" means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include any footpath.

**1.3 APPLICATION**

This Local Law applies throughout the district.

**1.4 REPEAL**

The following Local Laws are repealed -

- (a) Relating to Prevention of Damage to Streets, published in the *Government Gazette* of July 1994, and
- (b) Relating to Removal and Disposal of Obstructing Animals or Vehicles, published in the *Government Gazette* of 22 July 1994.

**Provisions of other written laws**

Throughout this Local Law text boxes have been inserted containing references to provisions of other written laws which complement this Local Law. These provisions have been reproduced in full in a separate document published in the Local Laws Manual, titled 'Complementary Legislation'. This can be found in Section 4 (Legislative Review) starting on page 27.

**Delegation**

See Sections 5.42 to 5.46 of the *Local Government Act 1995* and Sections 58 and 59 of the *Interpretation Act 1984*.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

---



Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 2 - ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES**

**DIVISION 1 - GENERAL**

**2.1 GENERAL PROHIBITIONS**

A person shall not -

- (a) plant any plant which exceeds or which may exceed 0.75 metres in height on a thoroughfare so that the plant is within 10 metres of an intersection,
- (b) damage a lawn or a garden or remove any plant or part of a plant from a lawn or a garden unless -
  - (i) the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the Local Government, or
  - (ii) the person is acting under the authority of a written law,
- (c) plant any plant (except grass or a similar plant) on a thoroughfare so that it is within 20 metres of a carriageway,
- (d) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath,
- (e) unless at the direction of the Local Government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the Local Government or a person acting under the authority of a written law,
- (f) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a thoroughfare, or
- (g) within a mall, arcade or verandah of a shopping centre, ride any bicycle, skateboard, rollerblades or similar device.

**Games and rollerskates**

See Section 1305 of the *Criminal Code*.

**Damage to roads and liability for the damage**

See Sections 84 and 85 of the *Road Traffic Act 1974*.

**Putting glass etc on road**

See Regulation 1609 of the *Road Traffic Code 1975*.

**Securing of loads**

See Regulation 1610 of the *Road Traffic Code 1975*.



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**Compensation and restitution orders**

See Part 16 of the *Sentencing Act 1995*, Sections 111, 117 (compensation orders) and 120 (restitution orders).

**Criminal damage**

See Section 444 of the *Criminal Code*.

**Littering**

See Sections 23 and 24 of the *Litter Act 1979* and also Regulations 4, 5 and 6 of the Litter Regulations 1981.

**Graffiti**

See Sections 65(2) and 80A of the *Police Act 1892*.

**Wilful damage to property**

See Section 80 of the *Police Act 1892*.

**Injuring or destroying native or acclimatised animals or birds on parks, roads or reserves**

See Section 97 of the *Police Act 1892*.

**2.2 ACTIVITIES ALLOWED WITH A PERMIT - GENERAL**

- (1) A person shall not, without a permit -
- (a) dig or otherwise create a trench through or under a kerb or footpath,
  - (b) subject to Division 3 of this Part, throw, place or deposit any thing on a verge except for removal by the Local Government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the Local Government,
  - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare,
  - (d) cause any obstruction to a water channel or a water course in a thoroughfare,
  - (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare,
  - (f) damage a thoroughfare,
  - (g) light any fire or burn any thing on a thorough other than in a stove or fireplace provided for that purpose or under a permit issued under Clause 5.13,
  - (h) fell any tree onto a thoroughfare,
  - (i) unless installing, or in order to maintain, a permissible verge treatment -
    - (i) lay pipes under or provide taps on any verge, or
    - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust,



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (j) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare,
  - (k) on a public place use any thing or do any thing so as to create a nuisance,
  - (l) place or case to be placed on a thoroughfare a bulk rubbish container, or
  - (m) interfere with the soil of, or any thing in a thoroughfare or take any thing from a thoroughfare.
- (2) The Local Government may exempt a person from compliance with subclause (1) on the application of that person.

**Permit requirements - Part 7**

Wherever a permit is required to be obtained under this Local Law, the provisions of Part 7 of the Local Law will apply.

**Disturbing Local Government land or anything on it**

See Regulation 5 of the Local Government (Uniform Local Provisions) Regulations 1996.

**Events on roads**

See Part VA of the *Road Traffic Act 1974* and the Road Traffic (Events on Roads) Regulations 1991.

**Processions and public meetings**

See Regulation 1613 of the *Road Traffic Code 1975*.

**2.3 NO POSSESSIONS AND CONSUMPTION OF LIQUOR ON THOROUGHFARE**

- (1) A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless -
- (a) that is permitted under the *Liquor Licensing Act 1988* or under another written law, or
  - (b) the person is doing so in accordance with a permit.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

**Limitations as to liquor on unlicensed premises**

See Section 119 of the *Liquor Licensing Act 1988*.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**DIVISION 2 - VEHICLE CROSSING**

**Crossings**

Generally crossings are dealt with in Regulations 12 to 16 of the Local Government (Uniform Local Provisions) Regulations 1996.

**Protection of footpaths, kerbs and drains**

See Sections 377 and 379 of the *Local Government (Miscellaneous Provisions) Act 1960*.

**Subdivision 1 - Temporary Crossings**

**2.4 PERMIT REQUIRED**

- (1) Where it is likely that works on a lot will involve vehicles leaving a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and footpath, where -
  - (a) a crossing does not exist, or
  - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The "person responsible for the works" in subclause (1) is to be taken to be -
  - (a) the builder named on the building licence issued under the *Local Government (Miscellaneous Provisions) Act 1960*, if one has been issued in relation to the works, or
  - (b) the registered proprietor of the lot, if no building licence has been issued under the *Local Government (Miscellaneous Provisions) Act 1960* in relation to the works.
- (3) If the Local Government approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

**Subdivision 2 - Redundant Vehicle Crossings**

**2.5 REMOVAL OF REDUNDANT CROSSING**

- (1) Where works on a lot will result in a crossing no longer giving access to a lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the Local Government.
- (2) The Local Government may give written notice to the owner or occupier of a lot requiring her or him to -

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

---

- (a) remove any part of or all of a crossing which does not give access to the lot, and
- (b) reinstate the kerb, drain, footpath, verge and any other part of the thoroughfare, which may be affected by the removal,

within the period of time stated in the notice, and the owner or occupier of the lot shall comply with that notice.

***DIVISION 3 - VERGE TREATMENTS***

***Subdivision 1 - Preliminary***

**2.6 INTERPRETATION**

In this Division, unless the context otherwise requires -

"acceptable material" means any material which will create a hard surface, and which appears on a list of acceptable materials maintained by the Local Government.

**2.7 APPLICATION**

This Division only applies to the townsite.

***Subdivision 2 - Permissible Verge Treatments***

**2.8 PERMISSIBLE VERGE TREATMENTS**

- (1) An owner or occupier of land which abuts on a verge may on that part of the verge directly in front of her or his land install a permissible verge treatment.
- (2) The permissible verge treatments are -
  - (a) the planting and maintenance of a lawn,
  - (b) the planting and maintenance of a garden provided that -
    - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare, and
    - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2 metres along that part of the verge immediately adjacent to the kerb,
  - (c) the installation of an acceptable material, or
  - (d) the installation over no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**2.9 ONLY PERMISSIBLE VERGE TREATMENTS TO BE INSTALLED**

- (1) A person shall not install or maintain a verge treatment which is not a permissible verge treatment.
- (2) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this Clause and Clause 2.10.

**2.10 OBLIGATIONS OF OWNER OR OCCUPIER**

An owner or occupier who installs or maintains a permissible verge treatment shall -

- (a) keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment,
- (b) not place any obstruction on or around the verge treatment, and
- (c) not disturb a footpath on the verge.

**2.11 NOTICE TO OWNER OR OCCUPIER**

The Local Government may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Division.

***Subdivision 3 - Existing Verge Treatments***

**2.12 TRANSITIONAL PROVISION**

- (1) In this Clause -  

"former provisions" means the Local Law of the Local Government which permitted certain types of verge treatments, whether with or without the consent of the Local Government, and which was repealed by this Local Law.
- (2) A verge treatment which -
  - (a) was installed prior to the commencement day, and
  - (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,

is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

***Subdivision 4 - Public Works***

**2.13 POWER TO CARRY OUT PUBLIC WORKS ON VERGE**

Where the Local Government or an Authority empowered to do so under a written law disturbs a verge, the Local Government or the Authority -

- (a) is not liable to compensate any person for that disturbance,



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

---

- (b) may backfill with sand, if necessary, any garden or lawn, and
- (c) is not liable to replace or restore any -
  - (i) verge treatment and, in particular, any plant or any acceptable material or other hard surface, or
  - (ii) sprinklers, pipes or other reticulation equipment.

***DIVISION 4 - PROPERTY NUMBERS***

***Subdivision 1 - Preliminary***

**2.14 INTERPRETATION**

In this Division, unless the context requires otherwise -

"Number" means a number of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

***Subdivision 2 - Assignment and Marking of Numbers***

**2.15 ASSIGNMENT OF NUMBERS**

The Local Government may assign a Number to a lot in the district and may assign another Number to the lot instead of that previously assigned.

***DIVISION 5 - FENCING***

**2.16 PUBLIC PLACE - ITEM 4(1) OF DIVISION 1, SCHEDULE 3.1 OF ACT**

The following places are specified as a public place for the purpose of Item 4(1) of Division 1 of Schedule 3.1 of the Act -

- (a) a public place, as that term is defined in Clause 1.2, and
- (b) Local Government property.

***DIVISION 6 - SIGNS ERECTED BY THE LOCAL GOVERNMENT***

**2.17 SIGNS**

- (1) A Local Government may erect a sign on a public place specifying any conditions of use which apply that place.
- (2) A person shall comply with a sign erected under subclause (1).



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this Local Law.

**2.18 TRANSITIONAL**

Where a sign erected on a public place has been erected under a Local Law of the Local Government repealed by this Local Law, then on and from the commencement day, it is to be taken to be a sign erected under Clause 2.17 if -

- (a) the sign specifies a condition of use relating to the public place which gives notice of the effect of a provision of this Local Law, and  
(b) the condition of use specified is not inconsistent with any provision of this Local Law.

***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) that 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.

**Closing certain thoroughfares to vehicles**

See Sections 3.50 and 3.50A of the *Local Government Act 1995*, and Regulations 4 to 6 of the *Local Government (Functions and General) Regulations 1996*.

**Roads may be closed**

See Section 92 of the *Road Traffic Act 1974*.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**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,

"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 500 mm 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,

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (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 ridge 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 - CONDITION 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,
  - (iii) relate only to the business activity described on the permit,
  - (iv) contain letters not less than 200 mm 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 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.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**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,
- (g) being removed within 24 hours of the close of polls on voting day,
- (h) not being placed within 100 metres of any works on the thoroughfare,
- (i) being securely installed,
- (j) not being an illuminated sign,
- (k) not incorporating reflective or fluorescent materials, and
- (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 4 - OBSTRUCTING ANIMALS OR VEHICLES**

***DIVISION 1 - ANIMALS AND VEHICLES***

**4.1 LEAVING ANIMAL OR VEHICLE IN PUBLIC PLACE OR ON LOCAL GOVERNMENT PROPERTY**

- (1) A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on Local Government property so that it obstructs the use of any part of that public place or Local Government property, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

**4.2 PROHIBITIONS RELATING TO ANIMALS**

- (1) In subclause (2), "owner" in relation to an animal includes -
  - (a) an owner of it,
  - (b) a person in possession of it,
  - (c) a person who has control of it, and
  - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal shall not -
  - (a) allow the animal to enter or remain for any time on any thoroughfare except of the use of the thoroughfare as a thoroughfare and unless it is led, ridden or driven,
  - (b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place, or
  - (c) train or race the animal on a thoroughfare.
- (3) An owner of a horse shall not lead, ride or drive a horse on a thoroughfare in a built-up area, unless that person does so under a permit or under the authority of a written law.

**Unattended stock on roads**

See Regulation 1702 of the Road Traffic Code 1975.

**Restrictions on driving of stock**

See Regulation 1702A of the Road Traffic Code 1975.

**Permit for driving of stock**

See Regulation 1703 of the Road Traffic Code 1975.



Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

***DIVISION 2 - SHOPPING TROLLEYS***

4.3 DELETED

4.4 DELETED

4.5 DELETED

4.6 DELETED

4.7 DELETED

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 5 -- ROADSIDE CONSERVATION**

**DIVISION 1 -- PRELIMINARY**

**5.1 -- INTERPRETATION**

In this Part

"MRWA" means Main Road Western Australia,

"protected flora" has the meaning given to it in Section 6(1) of the *Wildlife Conservation Act 1950*,

"rare flora" has the meaning given to it in Section 23F of the *Wildlife Conservation Act 1950*,

"Roadside Conservation Committee" means the Roadside Conservation Committee established under the Land Resource Policy Council within the Office of the Premier and Cabinet, and

"special environmental area" means an area designated as such under Clause 5.7.

**5.2 -- APPLICATION**

This Part does not apply to the townsite.

**DIVISION 2 -- FLORA ROADS**

**5.3 -- DECLARATION OF FLORA ROAD**

The Local Government may declare a thoroughfare which has, in the opinion of the Local Government, high quality roadside vegetation to be a flora road.

**5.4 -- CONSTRUCTION WORKS ON FLORA ROADS**

Construction and maintenance work carried out by the Local Government on a flora road is to be in accordance with the 'Code of Practice for Roadside Conservation and Road Maintenance' prepared by the Roadside Conservation Committee.

**5.5 -- SIGNPOSTING OF FLORA ROADS**

(1) A person driving or riding a vehicle on a flora road shall only drive or ride the vehicle on the carriageway.

(2) Subclause (1) does not apply where

(a) conditions on the thoroughfare do not reasonably permit a vehicle to remain on the carriageway,

(b) there is no carriageway, or

(c) an exemption from the application of subclause (1) has been obtained from the Local Government.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

***DIVISION 3 - SPECIAL ENVIRONMENTAL AREAS***

**5.7 DESIGNATION OF SPECIAL ENVIRONMENTAL AREAS**

The Local Government may designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which -

- (a) has protected flora or rare flora, or
- (b) in the opinion of the Local Government, has environmental, aesthetic or cultural significance.

**5.8 MARKING OF SPECIAL ENVIRONMENTAL AREAS**

The Local Government is to mark and keep a register of each thoroughfare, or part of a thoroughfare, designated as a special environmental area.

***DIVISION 4 - PLANTING IN THOROUGHFARES***

**5.9 PERMIT TO PLANT**

A person shall not plant any plant or sow any seeds in a thoroughfare without first obtaining a permit.

**5.10 RELEVANT CONSIDERATIONS IN DETERMINING APPLICATION**

In determining an application for a permit for the purpose of Clause 5.9, the Local Government is to have regard to -

- (a) existing vegetation within that part of the thoroughfare in which the planting is to take place, and
- (b) the diversity of species and the prevalence of the species which are to be planted or sown.

***DIVISION 5 - CLEARANCE OF VEGETATION***

**5.11 PERMIT TO CLEAR**

A person shall not clear and maintain in a cleared state, the surface of a thoroughfare within 4 metre of that person's land without first obtaining a permit and any other approvals which may be required under any written law.

**Notice of clearing where clearing in excess of 1 ha**  
See Regulation 4 of the *Soil and Land Conservation Regulations 1992*.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**5.12 APPLICATION FOR PERMIT**

In addition to the requirements of Clause 7.1(2), a person making an application for a permit for the purpose of Clause 5.11 shall submit a sketch plan clearly showing the boundary of the person's land and the portions of the thoroughfare joining that person's land which are to be cleared.

***DIVISION 6 -- FIRE MANAGEMENT***

**5.13 PERMIT TO BURN THOROUGHFARE**

A person shall not burn part of a thoroughfare without first obtaining a permit or unless acting under the authority of any other written law.

**Back-burning**

See Section 44(1)(c) of the *Bush Fire Act 1954*.

**5.14 APPLICATION FOR PERMIT**

In addition to the requirements of Clause 7.1(2), an application for a permit for the purposes of Clause 5.13 shall-

- (a) include a sketch plan showing the portion of a thoroughfare which are proposed to be burned, and
- (b) advise of the estimated fire intensity and the measures to be taken to protect upper storey vegetation from the burn.

**5.15 WHEN APPLICATION FOR PERMIT CAN BE APPROVED**

The Local Government may approve an application for a permit for the purpose of Clause 5.13 only if the burning of the particular part of the thoroughfare will-

- (a) reduce a fire hazard and alternative means of reducing that hazard, such as slashing or the use of herbicides, are considered by the Local Government to be not feasible or more detrimental to native flora and fauna than burning, or
- (b) in the opinion of the Local Government, be beneficial for the preservation and conservation of native flora and fauna.

**5.16 PROHIBITIONS ON BURNING**

Notwithstanding anything to the contrary in this Local Law, an application for a permit for the purpose of Clause 5.13 is not to be approved by the Local Government-

- (a) for burning between 31 August and 1 May of the following year where the intensity of the burn could damage native flora and fauna, or
- (b) in any year to any person for any part of a thoroughfare which is on the opposite side of the carriageway to that portion of the thoroughfare for which a permit to burn has been approved in the same year.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

***DIVISION 7 – FIREBREAKS***

**5.17 PERMIT FOR FIREBREAKS ON THOROUGHFARES**

A person shall not construct a firebreak on a thoroughfare without first obtaining a permit.

**5.18 WHEN APPLICATION FOR PERMIT CANNOT BE APPROVED**

- (1) The Local Government is not to approve an application for a permit for the purpose of Clause 5.17 where the thoroughfare is less than 20 metres wide.
- (2) Subclause (1) does not apply where the firebreak is, in the opinion of the Local Government, desirable for the protection of roadside vegetation.

***DIVISION 8 – COMMERCIAL WILDFLOWER HARVESTING ON THOROUGHFARES***

**5.19 GENERAL PROHIBITION ON COMMERCIAL WILDFLOWER HARVESTING**

Subject to Clause 5.20, a person shall not commercially harvest native flora on a thoroughfare.

**5.20 PERMIT FOR REVEGETATION PROJECTS**

- (1) A person shall not collect seed from native flora on a thoroughfare without first obtaining a permit.
- (2) The Local Government may approve an application for a permit under subclause (1) only where—
  - (a) the seed is required for a revegetation project in any part of the district, and
  - (b) the thoroughfare, or the relevant part of it, is not a special environmental area.
- (3) Unless the Local Government specifically provides to the contrary on a permit, if the Local Government approves an application for a permit for the purpose of subclause (1) it is to be taken to be approved subject to the following conditions—
  - (a) the collection of the seed is to be carried out so as not to endanger the long time survival of the native flora on the thoroughfare, and
  - (b) any licence or approval which may be required under any other written law is to be obtained by the applicant.

**Protected flora**

See Section 23A and 3 B of the *Wildlife Conservation Act 1950*.



Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 6 - TRADING IN THOROUGHFARE AND PUBLIC PLACES**

***DIVISION 1 - STALLHOLDERS AND TRADERS***

**Application of *Fair Trading Act 1987***

Stallholders and traders will all be "suppliers" of goods or services within the *Fair Trading Act 1987*. Accordingly, the provisions of the Act relating to misleading or deceptive conduct, unconscionable conduct, false representations and unsolicited goods will apply to them.

***Subdivision 1 - Preliminary***

**6.1 INTERPRETATION**

In this Division, unless the context otherwise requires -

"Competition Principles Agreement" means the Competition Principles Agreement executed by each State and Territory of the commonwealth and the Commonwealth of Australia on 11 April 1995,

"public place" includes -

(a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property, and

(b) Local Government property,

but does not include premises on private property from which trading is lawfully conducted under a written law,

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

"stallholder" means a person in charge of a stall,

"stallholder's permit" means a permit issued to a stallholder,

"trader" means a person who carries on trading,

"trader's permit" means a permit issued to a trader, and

"trading" includes -

(a) the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services in a public place,

(b) displaying goods in any public place for the purpose of -

(i) offering them for sale or hire,

(ii) inviting offers for their sale or hire,

(iii) soliciting orders for them, or

(iv) carrying out any other transaction in relation to them, and

(c) the going from place to place, whether or not public places, and -

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (i) offering goods or services for sale or hire, or
- (ii) inviting offers or soliciting orders for the sale or the hire of goods or services, or
- (iii) carrying out any other transaction in relation to goods or services,
- (d) the delivery of pre-ordered goods or services to the purchaser of those goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services for from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;
- (e) the setting up of a stall or the conducting of a business at a stall under the authority of a stallholder's permit,
- (ef) the selling or the offering for sale of goods and services to, or the soliciting or orders for goods and services from a person who sells those goods or services,
- (gf) the selling or the offering for sale or hire by a person of goods of her or his own manufacture or services which he or she provides, and
- (hg) the selling or hiring or the offering for sale or hire of -
  - (i) goods by a person who represents a manufacturer of the goods, or
  - (ii) services by a person who represents a provider of the services,
 which are only sold directly to consumers and not through a shop.

**Subdivision 2 - Permits**

**6.2 STALLHOLDER'S PERMIT**

- (1) A person shall not conduct a stall on a public place unless that person is -
  - (a) the holder of a valid stallholder's permit, or
  - (b) an assistant specified in a valid stallholder's permit.
- (2) Every application for a stallholder's permit shall -
  - (a) state the full name and address of the applicant,
  - (b) specify the proposed number of assistants to be engaged by the applicant in conducting the stall, as well as their names and addresses if already engaged,
  - (c) specify the proposed location of the stall,
  - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of operation,
  - (e) specify the proposed goods or services to be sold or hired or offered for sale or hire from the stall, and
  - (f) be accompanied by an accurate plan and description of the proposed stall.

**6.3 TRADER'S PERMIT**

- (1) A person shall not carry on trading unless that person is -

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (a) the holder of a valid trader's permit, or
  - (b) an assistant specified in a valid trader's permit.
- (2) Every application for a trader's permit shall -
- (a) state the full name and address of the applicant,
  - (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged,
  - (c) specify the location or locations in which the applicant proposes to trade,
  - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading,
  - (e) specify the proposed goods or services which will be traded, and
  - (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.
- (3) The conditions subject to which the Local Government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.
- 6.4 NO PERMIT REQUIRED TO SELL NEWSPAPER**
- Notwithstanding any other provision of this Local Law, a person who sells, or offers for sale, a newspaper only is not required to obtain a permit.
- 6.5 RELEVANT CONSIDERATIONS IN DETERMINING APPLICATION FOR PERMIT**
- (1) In determining an application for a permit for the purposes of this Division, the Local Government is to have regard to -
- (a) any relevant policies of the Local Government,
  - (b) the desirability of the proposed activity,
  - (c) the location of the proposed activity,
  - (d) the principles set out in the Competition Principles Agreement, and
  - (e) such other matters as the Local Government may consider to be relevant in the circumstances of the case.
- (2) The Local Government may refuse to approve an application for a permit under this Division on any one or more of the following grounds -
- (a) that the applicant has committed a breach of any provision of this Local Law or of any written law relevant to the activity in respect of which the permit is sought,
  - (b) that the applicant is not a desirable or suitable person to hold a permit,
  - (c) that -
    - (i) the applicant is an undischarged bankrupt or is in liquidation,
    - (ii) the applicant has entered into any composition or arrangement with creditors, or

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

- (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property,
- (d) that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall, or
- (e) such other grounds as the Local Government may consider to be relevant in the circumstances of the case.

**6.6 CONDITIONS OF PERMIT**

- (1) If the Local Government approves an application for a permit under this Division subject to conditions, those conditions may include -
  - (a) the place, the part of the district, or the thoroughfare to which the permit applies,
  - (b) the days and hours during which a permit holder may conduct a stall or trade,
  - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading,
  - (d) the goods or services in respect of which a permit holder may conduct a stall or trade,
  - (e) the number of persons and the names of persons permitted to conduct a stall or trade,
  - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder,
  - (g) whether and under what terms the permit is transferable,
  - (h) any prohibitions or restrictions concerning the -
    - (i) causing or making or any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder,
    - (ii) the use of amplifiers, sound equipment and sound instruments,
    - (iii) the use of signs, and
    - (iv) the use of any lighting apparatus or device,
  - (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed,
  - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure,
  - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on,
  - (l) the acquisition by the stallholder or trader of public risk insurance,
  - (m) the period for which the permit is valid, and
  - (n) the designation of any place or places where trading is wholly or from time to time prohibited by the Local Government.
- (2) Where a permit holder by reasons of illness, accident or other sufficient cause is unable to comply with this Local Law, the Local Government may at the request of that permit holder authorise another person to be a nominee of the permit holder for a specified period, and this Local Law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**6.7 EXEMPTIONS FROM REQUIREMENT TO PAY FEE OR TO OBTAIN A PERMIT**

(1) In this Clause -

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

"commercial participant" means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit.

(2) The Local Government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on -

- (a) on a portion of a public place adjoining the normal place of business of the applicant, or
- (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.

(3) The Local Government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division.

**Subdivision 3 - Conduct of Stallholders and Traders**

**6.8 CONDUCT OF STALLHOLDERS AND TRADERS**

(1) A stallholder while conducting a stall or a trader while trading shall -

- (a) display her or his permit to do so in a conspicuous place on the stall, vehicle or temporary structure or if there is no stall, vehicle or temporary structure, carry the permit with her or him while conducting a stall or trading,
- (b) not display a permit unless it is a valid permit, and
- (c) when selling goods by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the *Weights and Measures Act 1915*.

(2) A stallholder or trader shall not -

- (a) attempt to conduct a business within a distance of 300 metres of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader,
- (b) deposit or store any box or basket containing goods or any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles,
- (c) act in an offensive manner,
- (d) use or cause to be used any apparatus or device including any flap or shelf, whereby the dimensions of a stall, vehicle or structure are increased beyond those specified in the permit, or
- (e) in the case of a trader, carry on trading from a public place, unless there is adequate parking for customers' vehicles reasonably close to the place of trading.



Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

---

Dealers not to call during certain hours  
Dealers to leave premises when so requested  
Dealers to indicate their purpose for making calls'  
Offence to harass or coerce  
See Sections 9 to 12 of the *Door to Door Trading Act 1987*.

**DIVISION 2 - STREET ENTERTAINERS**

6.9 DELETED

6.10 DELETED

6.11 DELETED

6.12 DELETED

6.13 DELETED

6.14 DELETED

**DIVISION 3 - OUTDOOR EATING FACILITIES ON PUBLIC PLACES**

6.15 INTERPRETATION

In this Division -

"Facility" means an outdoor eating facility or establishment on any part of a public place, but does not include such a facility or establishment on private land,

"permit holder" means the person to whom a permit has been issued for the purpose of Clause 6.16, and

"public place" has the meaning given in Clause 6.1.

6.16 PERMIT REQUIRED TO CONDUCT FACILITY

A person shall not establish or conduct a Facility without a permit.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**6.17 MATTERS TO BE CONSIDERED IN DETERMINING APPLICATION**

In determining an application for a permit for the purpose of Clause 6.16, the Local Government may consider in addition to any other matter it considered relevant, whether or not -

- (a) the Facility is conducted in conjunction with and as an extension of food premises which abut on the Facility, and whether the applicant is the person conducting such food premises,
- (b) any abutting food premises are registered in accordance with the *Health Act 1911* and whether the use of the premises is permitted under the Town Planning Scheme,
- (c) the Facility will comply with any Local Law made under Section 172 of the *Health Act 1911*,
- (d) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences,
- (e) the Facility would -
  - (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person, or
  - (ii) impede pedestrian access, and
- (f) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose of which it was designed.

**6.18 OBLIGATIONS OF PERMIT HOLDER**

- (1) The permit holder for a Facility shall -
  - (a) ensure that the Facility is conducted at all times in accordance with the provisions of this Local Law and any Local Law made under Section 172 of the *Health Act 1911*,
  - (b) ensure that the eating area is kept in a clean and tidy condition at all times,
  - (c) maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times,
  - (d) be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility, and
  - (e) be solely responsible for all rates and taxes levied upon the land occupied by the Facility.
- (2) Whenever, in the opinion of the Local Government, any work is required to be carried out to a Facility, the Local Government may give a notice to the permit holder for the Facility to carry out that work within the time limited by the notice.
- (3) In subclause (2), "work" includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of a Facility.

**6.19 REMOVAL OF FACILITY UNLAWFULLY CONDUCTED**

Where a Facility is conducted without a permit, or in contravention of a condition of a permit, any tables, chairs, umbrellas or other equipment may be removed by an authorised person and impounded in accordance with the Act.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

---

**6.20 USE OF FACILITY BY PUBLIC**

- (1) A person shall not occupy a chair or otherwise use the equipment in a Facility the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the Facility.
- (2) A person shall leave a Facility when requested to do so by the permit holder.

**6.21 TEMPORARY REMOVAL OF FACILITY MAY BE REQUESTED**

- (1) The permit holder for a Facility is to temporarily remove the Facility when requested to do so on reasonable grounds by an authorised person or a member of the Police Service or an emergency service in the event of an emergency.
- (2) The permit holder may replace the Facility removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 7 - PERMITS**

***DIVISION 1 - APPLYING FOR A PERMIT***

**7.1 APPLICATION FOR PERMIT**

- (1) Where a person is required to obtain a permit under this Local Law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this Local Law shall -
  - (a) be in the form determined by the Local Government,
  - (b) be signed by the applicant,
  - (c) provide the information required by the form, and
  - (d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.
- (3) The Local Government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The Local Government may require an applicant to give local public notice of the application for a permit.
- (5) The Local Government may refuse to consider an application for a permit which is not in accordance with subclause (2).

**7.2 DECISION ON APPLICATION FOR PERMIT**

- (1) The Local Government may -
  - (a) approve an application for a permit unconditionally or subject to any conditions, or
  - (b) refuse to approve an application for a permit.
- (2) If the Local Government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the Local Government,
- (3) If the Local Government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.
- (4) Where a Clause of this Local Law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the Clause does not limit the power of the Local Government to impose other conditions on the permit under subclause (1)(a).
- (5) Where a Clause of this Local Law refers to the grounds on which an application for a permit may be or is to be refused, the Clause does not limit the power of the Local Government to refuse the application for a permit on other grounds under subclause (1)(b).



Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**DIVISION 2 - CONDITIONS**

**7.3 CONDITIONS WHICH MAY BE IMPOSED ON A PERMIT**

The Local Government may approve an application for a permit subject to conditions relating to -

- (a) the payment of a fee,
- (b) the duration and commencement of the permit,
- (c) the commencement of the permit being contingent on the happening of an event,
- (d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application,
- (e) the approval of another application for a permit which may be required by the Local Government under any written law,
- (f) the area of the district to which the permit applies,
- (g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage,
- (h) the obtaining of public risk insurance in an amount and on term reasonably required by the Local Government, and
- (i) the provision of an indemnity from the permit holder indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.

**7.4 IMPOSING CONDITIONS UNDER A POLICY**

- (1) In this Clause -

'policy' means a policy of the Local Government adopted by the Council containing conditions subject to which an application for a permit may be approved under Clause 7.2(1)(a).

- (2) Under Clause 7.2(1)(a) the Local Government may approve an application subject to conditions by reference to a policy.
- (3) The Local Government is to give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in Clause 7.2(2).
- (4) An application for a permit is to be taken not to have been approved subject to the conditions contained in a policy until the Local Government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy is to be taken to be information within Section 5.94(u)(i) of the Act.

**7.5 COMPLIANCE WITH AND VARIATION ON CONDITIONS**

- (1) Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this Local Law, the permit holder shall comply with each of those conditions.



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

---

- (2) The Local Government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

***DIVISION 3 - GENERAL***

**7.6 DURATION OF PERMIT**

A permit is valid for one year from the date on which it is issued, unless it is -

- (a) otherwise stated in this Local Law or in the permit, or  
(b) cancelled under Clause 7.10.

**7.7 RENEWAL OF PERMIT**

- (1) A permit holder may apply to the Local Government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of -
- (a) this Part, and  
(b) any other provision of this Local Law relevant to the permit which is to be renewed,  
shall apply to an application for the renewal of a permit *mutatis mutandis*.

**7.8 TRANSFER OF PERMIT**

- (1) An application for the transfer of a valid permit is to -
- (a) be made in writing,  
(b) be signed by the permit holder and the proposed transferee of the permit,  
(c) provide such information as the Local Government may require to enable the application to be determined, and  
(d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.
- (2) The Local Government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the Local Government approves an application for the transfer of a permit, the transfer may be effected by -
- (a) an endorsement on the permit signed by the Chief Executive Officer, or  
(b) issuing to the transferee a permit in the form determined by the Local Government.
- (4) Where the Local Government approves an application for the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

**7.9 PRODUCTION OF PERMIT**

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

**7.10 CANCELLATION OF PERMIT**

- (1) ~~Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a -~~  
~~(i) condition of the permit; or~~  
~~(ii) provision of any written law which may relate to the activity regulated by the permit.~~

Formatted: Indent: Left: 1.27 cm

~~Subject to Clause 8.1, a permit may be cancelled by the Local Government on any one or more of the following grounds-~~

- ~~(a) the permit holder has not complied with a -~~  
~~(i) condition of the permit, or~~  
~~(ii) provision of any written law which may relate to the activity regulated by the permit; or~~  
~~(b) if it is relevant to the activity regulated by the permit-~~  
~~(i) the permit holder has become bankrupt, or gone into liquidation,~~  
~~(ii) the permit holder has entered into any composition or arrangement with creditors, or~~  
~~(iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property.~~

- (2) On the cancellation of a permit the permit holder -

- (a) shall return the permit as soon s practicable to the Local Government, and  
 (b) is to be taken to have forfeited any fees paid in respect of the permit.

Activities on Thoroughfares and  
Trading In Thoroughfares and Public Places Local Law

---

**PART 8 - OBJECTIONS AND APPEALS**

**8.1 APPLICATION OF PART 9 DIVISION OF ACT**

When the Local Government makes a decision -

- (a) under Clause 7.2(1), or
- (b) as to whether it will renew, vary, or cancel a permit,

the provisions of Division 1 of Part 9 of the Act and Regulations 33 and 34 of the Regulations apply to that decision.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 9 - MISCELLANEOUS NOTICES**

**9.1 NOTICE TO REDIRECT OR REPAIR SPRINKLER**

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the Local Government may give a notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.

**9.2 HAZARDOUS PLANTS**

- (1) Where a plant in a garden creates or may create a hazard for any person using a thoroughfare, the Local Government may give a notice to the owner or the occupier of the land abutting on the garden to remove, cut move or otherwise deal with that plant so as to remove the hazard.
- (2) Subclause (1) does not apply where the plant was planted by the Local Government.

**9.3 NOTICE TO REPAIR DAMAGE TO THOROUGHFARE**

Where any portion of a thoroughfare has been damaged, the Local Government may by notice to the person who caused the damage order the person to repair or replace that portion of the thoroughfare to the satisfaction of the Local Government.

**9.4 NOTICE TO REMOVE THING UNLAWFULLY PLACED ON THOROUGHFARE**

Where any thing is placed on a thoroughfare in contravention of this Local Law, the Local Government may by notice in writing to the owner or the occupier of the property which abuts on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, require the relevant person to remove the thing.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**PART 10 - ENFORCEMENT**

**DIVISION 1 - NOTICES GIVEN UNDER THIS LOCAL LAW**

**10.1 OFFENCE TO FAIL TO COMPLY WITH NOTICE**

Whenever the Local Government gives a notice under this Local Law requiring a person to do any thing, if the person fails to comply with the notice, the person commits an offence.

**10.2 LOCAL GOVERNMENT MAY UNDERTAKE REQUIREMENTS OF NOTICE**

Where a person fails to comply with a notice referred to in Clause 10.1, the Local Government may do the thing specified in the notice and recover from that person, as a debt, the costs incurred in so doing.

Disobedience to lawful order issued by statutory authority  
See Section 178 of the *Criminal Code*.

**DIVISION 2 - OFFENCES AND PENALTIES**

**Subdivision 1 - General**

**10.3 OFFENCES**

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this Local Law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

**Subdivision 2 - Infringement Notices and Modified Penalties**

**10.4 PRESCRIBED OFFENCES**

- (1) An offence against a Clause specified in Schedule 1 is a prescribed offence for the purposes of Section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the Clause in Schedule 1.



**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

---

- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that -
- (a) commission of the prescribed offence is a relatively minor matter, and
  - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

**10.5 FORMS**

Unless otherwise specified, for the purposes of this Local Law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in Section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations,
- (b) the form of the infringement notice given under Section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations, and
- (c) the form of the notice referred to in Section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

**Deviation in forms**

See Section 74 of the *Interpretation Act 1984*.

Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law

**SCHEDULE 1**

**PRESCRIBED OFFENCES**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.1(a)	Plant of 0.75 metres in height on thoroughfare within 10 metres of intersection	100
2.1(b)	Damaging lawn or garden	100
2.1 (c)	Plant (except grass) on thoroughfare within 2 metres of carriageway	100
2.1(d)	Placing hazardous substance on footpath	100
2.1(e)	Damaging or interfering with signpost or structure on thoroughfare	300
2.1(f)	Playing games so as to impede vehicles or persons on thoroughfare	100
2.1(g)	Riding of skateboard or similar device on mall or verandah of shopping centre	100
2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	100
2.2(1)(b)	Throwing or placing anything on a verge without a permit	100
2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	100
2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	200
2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	200
2.2(1)(g)	Lighting a fire on a thoroughfare without a permit	300
2.2(1)(h)	Felling tree onto thoroughfare without a permit	100
2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	100
2.2(1)(j)	Installing a hoist or other thing on a structure on land for use over a thoroughfare without a permit	300
2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	100
2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	100
2.2(1)(m)	Interfering with any thing on a thoroughfare without a permit	100

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.3(1)	Consumption or possession of liquor on thoroughfare	100
2.4(1)	Failure to obtain permit for temporary crossing	200
2.5(2)	Failure to comply with notice to remove crossing and reinstate kerb	300
2.9(1)	Installation of verge treatment other than permissible verge treatment	200
2.10	Failure to maintain permissible verge treatment or placement of obstruction on verge	100
2.11	Failure to comply with notice to rectify default	100
2.17(2)	Failure to comply with sign on public place	100
2.19(1)	Driving or taking a vehicle on a closed thoroughfare	300
3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	100
3.2(3)	Erecting or placing of advertising sign in a prohibited area	100
4.1(1)	Animal or vehicle obstructing a public place or Local Government property	100
4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	100
4.2(2)(b)	Animal on public place with infectious disease	100
4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	100
4.2(3)	Horse led, ridden or drive on thoroughfare in built-up area	100
5.6(1)	Driving a vehicle on other than the carriageway of a flora road	200
5.9	Planting in thoroughfare without a permit	200
5.11	Failure to obtain permit to clear a thoroughfare	500
5.13	Burning of thoroughfare without a permit	500
5.17	Construction of firebreak on thoroughfare without a permit	500
5.19	Commercial harvesting of native flora on thoroughfare	500
5.20(1)	Collecting seed from native flora on thoroughfare without a permit	300
6.2(1)	Conducting of stall in public place without a permit	300
6.3(1)	Trading without a permit	300

**Activities on Thoroughfares and  
Trading in Thoroughfares and Public Places Local Law**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
6.8(1)(a)	Failure of stallholder or trader to display or carry permit	100
6.8(1)(b)	Stallholder or trader not displaying valid permit	100
6.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	100
6.8(2)	Stallholder or trader engaged in prohibited conduct	100
6.16	Establishment or conduct of outdoor eating Facility without a permit	300
6.18	Failure of permit holder of outdoor eating Facility to comply with obligations	100
6.20(1)	Use of equipment of outdoor eating Facility without purchase of food or drink from Facility	50
6.20(2)	Failure to leave outdoor eating Facility when requested to do so by permit holder	50
7.5	Failure to comply with a condition of a permit	100
7.9	Failure to produce permit on request of authorised person	100
10.1	Failure to comply with notice given under Local Law	100

Appendix 6

**Shire of Shark Bay**

**Verge Treatments**

**List of Acceptable Materials that will create a hard surface on a verge under clause 2.6 of the Thoroughfares Local Law**

**General**

Under the Shire of Shark Bay 'Thoroughfares' Local Law, permissible verge treatments are -

- (a) the planting and maintenance of a lawn,
- (b) the planting and maintenance of a garden provided that -
  - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare, and
  - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2 metres along that part of the verge immediately adjacent to the kerb,
- (c) the installation of an acceptable material (see below), or
- (d) the installation over no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).

**Installation of Verge Treatments**

The existing level of the verge must be continuous to the same level of the neighbouring verge. No retaining is permitted.

Permissible verge treatments must be installed in accordance with the Shire's 'Thoroughfares and Public Places Local Law' and in particular clauses 2.6 to 2.12.

The verge treatment must be designed to prevent stormwater entering adjoining properties and minimise stormwater impact on the road by providing a 2% cross-fall of the verge towards the roadway or towards an existing street tree and/or garden bed. Installations that increase the absorption of rainwater runoff and assist infiltration of water into the soil are encouraged.

Acceptable and approved materials must be installed and maintained so that they are flush with any existing crossover, kerb, or other services or infrastructure such as but not limited to manholes or service covers. Removal or replacing of kerbing and paths to accommodate proposed verge treatments is prohibited.

The Shire may from time to time determine that the demand for parking in an area requires the verge to be converted to a formal parking facility to meet public parking demand. Where the verge has been converted for public parking, the owners and occupiers of the adjacent premises has no special right to park or give permission for anyone else to park their vehicle on the verge. All vehicles parked within a controlled verge must comply with any parking conditions that apply.



**Acceptable Materials That Will Create a Hard Surface**

'Acceptable materials' that will create a hard surface and may be installed on verges in the Shire are:

- Pea gravel
- Brick paving
- Synthetic grass

The above materials are acceptable providing:

- They are compacted and maintained and do not spill onto any adjoining verge, footpath or road surface, or protrude above the area of the verge so as to present a tripping hazard for pedestrians.
- Installation will not have a detrimental effect on any existing street trees as assessed by the Shire. Detrimental affect refers to impacts on existing tree roots, restrictions on sources of nourishment (drip zone). Hard surfaces can be no closer than one metre to the street tree trunk;
- They are finished in a manner that provides a visible contrast to existing paths, crossovers and the road surface for public safety and parking control purposes (where appropriate);

**Reticulation**

Drip lines, sprinklers and reticulation may be installed in a verge, providing:

- They are installed between 150 and 300mm below the surface;
- Sprinklers shall be installed and directed away from a footpath or road;
- They do not protrude above the level of the verge when not in use;
- They are not to be used at times that cause unreasonable inconvenience to pedestrians or the public; and
- Do not otherwise present a hazard to pedestrians or the public.

Valves, solenoids and water meters are not to be located within the verge area.

**Reinstatement of Verge Treatments**

The Shire will reinstate permissible verge treatments following any construction or maintenance works undertaken by the Shire that impact on the verge. Material and finishes will be matched as closely as practicable to the existing.

The Shire will take no responsibility to reinstate synthetic turf affected by routine maintenance of services, assets or construction works. It will be the residents' responsibility to reinstate or repair the affected areas at the residents' cost.

Appendix 7

**Draft list of Determinations in Schedule 2 of the Local Government Property Local Law – Shire of Shark Bay**

**1. Animals on local government property**

- a. Unless authorised by a written law, or by a permit or a determination, a person must not tether any animal to a tree, shrub, tree guard, wall or fence or permit any animal to enter on or into any local government property.
- b. This clause does not apply to a guide dog used for the assistance of visually impaired persons.
- c. Pursuant to clause 3.13(1)(o) of the local law, subject to the person in charge of the animals concerned obtaining a permit beforehand and compliance with any conditions listed in the permit or this determination, the following areas of local government property may be used to depasture, take on to, or allow to enter or remain upon, any animal as permitted:
  - i. Reserve 49809, known as the Denham Town Common.

**2. Vehicles on local government property**

- a. Unless authorised by a permit or determination, a person must not take or cause a vehicle to be taken onto or driven on local government property unless –
  - i. subject to sub-clause (c), the local government property is clearly designated as a
    1. road;
    2. access way;
    3. boat launching ramp and approaches;
    4. Off road vehicle area; or
    5. car park;
  - ii. the vehicle is driven by an employee, authorised person or contractor engaged by the local government, who is engaged in –
    1. providing a service or making a delivery in connection with the local government property; or
    2. maintaining the local government property;
  - iii. the person is driving an emergency vehicle in the course of his or her duties;

- iv. It is in the area known as the Little Lagoon as delineated by signs and/or barriers erected; or
  - v. the vehicle is a motorised wheelchair, and the driver of that vehicle is a disabled person.
- b. A person must not drive a vehicle or allow a vehicle to be driven on local government property at a speed exceeding 20 kilometres per hour, or in such a manner as to cause danger, inconvenience or annoyance to any person.
  - c. A person shall not drive a vehicle on local government property or part of it that is being used for a function for which a permit has been obtained unless permitted to do so by the permit holder or an authorised person.

**3. Motorised model aeroplanes, toys or ships**

A person must not use, launch or fly a motorised model aeroplane, toy, ship, glider or rocket that is propelled by mechanical, hydraulic, combustion or pyrotechnic means on or from local government property except where a permit or a determination specifies a particular local government property.

**4. Children's playgrounds**

- a. The local government may set aside a public reserve or any portion of a public reserve as a children's playground.
- b. The local government may limit the ages of persons who are permitted to use a children's playground and may erect a sign under clause 2.3 of this local law to that effect on or in the immediate vicinity of the playground.
- c. A person over the age specified in that sign, other than a person having the charge of a child or children in the playground, must not use a playground or interfere with the use by children of the playground.

**5. Launching and retrieval of boats**

- a. A person must not take onto, launch from, or retrieve a boat on local government property except where a permit or a determination specifies a particular local government property unless —
  - i. the person is a local government employee, authorised person; or
  - ii. contractor engaged by the local government and who is engaged in providing a service or making a delivery in connection with the local government property; or
  - iii. maintaining the local government property;
  - iv. the person is in charge of a boat engaged in rescue services or dealing with an emergency; or
  - v. the local government property is a boat ramp on a portion of a Reserve under its care, control and management and as delineated by signs.

**6. Activities prohibited on local government property**

- a. A person must not play or practise archery, pistol or rifle shooting on local government property except on land which is reserved by the Shire for that purpose, or as otherwise provided by a determination or permit.
- b. A person must not play or practise golf, on local government property except on the area known as the Boolbardie Golf Course located in the Denham Townsite.
- c. A person must not, on any local government property, use or ride a bicycle or wheeled recreational device, skateboard, or sand board –
  - i. inside or on the curtilage to, a building;
  - ii. on a golf course; or
  - iii. in or on a lakebed or waterway.
- d. A person must not use on, or take on to, any local government property, a spear gun, hand spear, gidgie or similar device.

**7. Deposit of refuse, rubbish or liquid waste**

- a. Except on the tables provided and as designated by a sign, a person must not, on local government property -
  - i. shell, gut, scale or clean fish, shellfish or any other animal; or
  - ii. other than in the waste receptacles provided and as designated by a sign, deposit or discard the waste or rubbish from any fish, shellfish or other animal.
- b. A person must not, on local government property, deposit or discard refuse, rubbish or liquid waste, except –
  - i. in a place or receptacle set aside by the local government for that purpose and subject to any conditions that may be specified on the receptacle or a sign in relation to the type of waste that may be deposited or other conditions; or
  - ii. at the refuse disposal facility located at Reserve 4854 (also known as the Denham Refuse Disposal Site) and subject to directions issued from time to time by the local government or an authorised person for the orderly and proper use of the facility in relation to hours of business, separation of waste into designated receptacles, prohibition of the deposit of certain types of refuse or waste, and conduct of persons or persons in charge of vehicles while on the site.

**Bush Fires Act 1954  
Local Government Act 1995**

Appendix 8

**Shire of Shark Bay Repeal and Amendment Local Law 2013**

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Shark Bay resolved on date to make the following local law:

**1. Citation**

This local law is cited as the Shire of Shark Bay *Repeal and Amendment Local Law 2013*.

**2. Commencement**

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

**3. Bush Fire Brigades Local Law repealed**

The *Shire of Shark Bay Bush Fire Brigades Local Law* published in the *Government Gazette* on 24 July 2002 is repealed.

**4. Cemeteries Local Law 1998 amended**

The *Shire of Shark Bay Local Law – Shark Bay Cemeteries* published in the *Government Gazette* on 12 February 1999 is amended as follows:

## a. Clause 1.2 amended

Delete the definition of mausoleum.

## b. Clause 4.1 amended

Clause 4.1 is deleted and replaced as follows:

## 4.1 Funeral Director's Licence

(a) A person shall hold a funeral directors licence before conducting a funeral at the cemetery

(b) A person who holds a funeral directors licence issued by any other Board under the *Cemeteries Act 1986* is deemed to hold a funeral directors licence under this local law.

(c) A funeral director's licence issued by the Board shall expire on the 30th day of June in each year.

## c. Clause 7.16 amended

Clause 7.16 is deleted and replaced as follows:

(1) A person who holds a monumental masons licence issued by any other Board under the *Cemeteries Act 1986* is deemed to hold a monumental masons licence under this local law, subject to the provisions of this local law.

(2) The Board may upon receipt of an application in writing by any person and upon payment of the set fee issue to the applicant a monumental mason's licence.

(2) A licence issued under subclause (1) or (2) authorises the holder to carry out monumental works within the cemetery subject to the provisions of this Local Law.

**5. Extractive Industries Local Law repealed**

The *Shire of Shark Bay Extractive Industries Local Law* published in the *Government Gazette* on 24 July 2002 is repealed.

**6. Local Government Property Local Law amended**

The *Shire of Shark Bay Local Government Property Local Law* published in the *Government Gazette* on 24 July 2002 is amended as follows:



- a. Clause 3.14 deleted and replaced.  
 Clause 3.14 is deleted and a new clause 3.14 inserted as follows:
- 3.14 Permit Required To Camp Outside a Facility
- (1) In this clause –  
**facility** has the same meaning as is given to it in section 5(1) of the Caravan Parks and Camping Grounds Act 1995.  
**goods** has the same meaning as is given to it in section 3.38 of the Act.
- (2) This clause does not apply to a facility operated by the local government.
- (3) A person shall not without a permit -
- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
  - (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
  - (c) park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.
- (4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.
- (5) Any tent, camp, hut or similar structure erected in contravention of paragraph (b) of subclause (3) and associated goods may, subject to Regulation 29 of the Regulations, be impounded.
- (6) A vehicle parked in contravention of paragraph (c) of subclause (3) may, subject to the provisions of Regulation 29 of the Regulations, be impounded by immobilising the vehicle by the use of wheel clamps.
- (7) An authorised person who impounds a vehicle under subclause (5) shall attach a notice to a vehicle advising the owner of the vehicle that the vehicle will be released upon payment of the costs of impounding and the place where and hours during which the costs can be paid.
- (8) The notice attached to the impounded vehicle under subclause (6) shall also advise the owner that if the impounding costs are not paid within 24 hours the vehicle may be removed to the local government pound.
- (9) Notices issued under this clause shall be in the form determined by the CEO.
- b. Part 5 amended  
 In Part 5, the heading 'Division 5 – Reserve No 1686' is deleted, and clause 5.7 is deleted.
- c. Clause 7.6 deleted and replaced  
 Clause 7.6 is deleted and a new clause 7.6 inserted as follows:
- 7.6 Loading and Discharging  
 A person in control of a boat shall not allow the boat to come alongside or be moored or made fast to the Jetty for the purpose of loading or discharging cargo or other goods -
- (a) until the cargo or other goods are ready to be loaded or discharged, or
  - (b) without the consent of the Local Government -
    - (i) between the hours of 6.00 pm to 6.00 am on the next day, or
    - (ii) for longer than one hour.

**7. Parking and Parking Facilities Local Law amended**

The *Shire of Shark Bay Parking and Parking Facilities Local Law* published in the *Government Gazette* on 24 July 2002 is amended in clause 5.2 (2) by replacing '50' with '100'.

**8. Standing Orders Local Law amended**

The *Shire of Shark Bay Standing Orders Local Law* published in the *Government Gazette* on 24 July 2002 is amended as follows:

- a. Clause 3.2(1)(l) is deleted; and
- b. Clause 3.11 is deleted.

**9. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law amended**

The *Shire of Shark Bay Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* published in the *Government Gazette* on 24 July 2002 is amended as follows:

- a. Title of local law amended  
Delete 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places' wherever it occurs in the local law and replace with 'Activities in Thoroughfares and Public Places and Trading Local Law'.
- b. Clause 1.2 amended  
In clause 1.2:
  - (i) Delete the definition of "carriageway" and insert:  
"carriageway" has the meaning given to it in the Road Traffic Code 2000;".
  - (ii) Delete the definition of "footpath" and insert:  
"footpath" has the meaning given to it in the Road Traffic Code 2000;".
  - (iii) In the appropriate alphabetical position insert:  
"thoroughfare" has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;".
- c. Part 2 heading amended  
In the heading to PART 2, delete "ON" and substitute "IN".
- d. Clause 2.1 amended  
In clause 2.1, delete subclause (g) and insert:  
(g) within a mall, arcade or verandah of a shopping centre, ride any bicycle, skateboard, rollerblades or similar device.
- e. Clause 2.2 amended  
In clause 2.2:
  - i. Delete sub-clause (b) and replace with:  
(b) subject to Division 3 of this Part, throw, place or deposit any thing on a verge except for removal by the Local Government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the Local Government,
  - ii. Delete sub-clause (i) and replace with:  
(i) unless installing, or in order to maintain, a permissible verge treatment -
    - (i) lay pipes under or provide taps on any verge, or
    - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust,
- f. Clause 2.8 amended  
In clause 2.8, delete subclause 2(b)(i) and replace with:

- (b) the planting and maintenance of a garden provided that -
  - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare, and
  
- g. Part 5 repealed  
Part 5 is repealed.
  
- h. Clause 6.1 amended
  - i. The definition of 'trading' contained in clause 6.1 is amended by:
    - 1. Deleting subclause (c)(iii); and
    - 2. Deleting subclauses (c)(i) and (ii) and replacing them with:
      - (i) offering goods or services for sale or hire, or
      - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services.
  - ii. Subclauses 6.1(d) to 6.1(g) are re-numbered 6.1(e) to 6.1(h) respectively, and subclause 6.1(d) is inserted as follows:
    - (d) the delivery of pre-ordered goods or services to the purchaser of those goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services for from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;
  - iii. In the last line, insert "only" before "sold".
  
- i. Clause 6.4 amended  
Insert 'only' after 'newspaper'.
  
- j. Clause 6.21 amended  
In subclause 6.21(1) delete 'in the event of an emergency'.
  
- k. Clause 7.10 amended  
Delete sub-clause 7.10(1) and replace with:  
Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a –
  - (i) condition of the permit; or
  - (ii) provision of any written law which may relate to the activity regulated by the permit.

Dated date 2013

The Common Seal of the Shire of Shark Bay was affixed by authority of a resolution of the Council in the presence of –

.....  
Cheryl Cowell, President

.....  
Paul Anderson, Chief Executive Officer

The President adjourned the Ordinary Council meeting at 12.29 pm and reconvened the meeting at 1.14 pm

11.4 PROPOSED SHIRE OF SHARK BAY DOGS LOCAL LAW

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Cr Ridgley & Cr Hanscombe entered council chambers at 1:14pm

Moved Cr McLaughlin

Seconded Cr Capewell

**Officers Recommendation**

1. That in accordance with s3.12(3)(a)(b) and (3a) of the *Local Government Act 1995*, Council gives Statewide and local public notice stating that:
  - a. It proposes to make a Dogs Local Law, and a summary of its purpose and effect;
  - b. Copies of the proposed local law may be inspected at the Shire offices;
  - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. That in accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;
3. That in accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results be presented to Council for consideration of any submissions received.

**6/0 CARRIED**

Background

Local laws are made by local governments to deal with matters that are not regulated by Commonwealth or State legislation. They tend to deal with matters that are specific to a local area. Local laws (which were once known as 'bylaws') are subsidiary legislation, made by local governments. Local laws must not contravene any State or Federal Act or Regulation, and in the event of any inconsistency, the Act or Regulation will override the Local law to the extent of the inconsistency.

The Shire has a number in place:

- Bush Fire Brigades
- Cemeteries
- Cat Control
- Health
- Extractive Industries
- Local Government Property
- Parking
- Thoroughfares

- Standing Orders

Most of these local laws are based on models developed by the Western Australian Local Government Association and are very similar to those adopted by a large number of local governments in Western Australia. This has a number of benefits:

- Future updating of local laws is easier;
- Similarity of local laws across the State assists with developing greater public understanding of their provisions; and
- The prospect of staff being familiar with them if recruited from another local government in Western Australia, is higher.

The Shire of Shark Bay does not have local laws dealing with dogs. In general, the keeping of dogs is extensively regulated by the *Dog Act 1976* and its associated Regulations. There are only limited matters that the Shire is able to deal with by local law, and which are set out in s51 of the Act:

‘51. Local law making powers

*A local government may so make local laws —*

- (a) providing for the registration of dogs;*
- (b) specifying places where dogs are prohibited absolutely;*
- (bb) specifying any public place or class of public place, being a place that is under the care, control and management of the local government, as a dog exercise area for the purposes of sections 31 and 32;*
- (c) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;*
- (d) requiring that in specified areas a portion of the premises on which a dog is kept must be fenced in a manner capable of confining the dog;*
- (e) providing for the establishment and maintenance of pounds and other services and facilities necessary or expedient for the purposes of this Act;*
- (f) providing for the detention, maintenance, care and release or disposal of dogs seized;*
- (g) as to the destruction of dogs pursuant to the powers hereinbefore conferred;*
- (h) as to the number of dogs that may be kept pursuant to section 26 or section 27; and*
- (i) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.’*

While the Act limits the extent to which local governments can make local laws about dogs, introduction of a local law will allow the Shire to regulate a number of issues that it does not at present - for example while the Shire has designated dog exercise areas, it would be unable to enforce any breaches if they arise.

As noted above, Western Australian Local Government Association has produced a ‘model’ dogs local law. It is proposed to make a Shire of Shark Bay Dogs Local Law using it as a base.



Comment

A draft Shire of Shark Bay Dog Local Law 2013 is attached. It is based on the Western Australian Local Government Association model which deals with existing local law provisions, and makes a number of suggested additions. The main features of the proposed local law are summarized below. Note that while they do not form part of the proposed local law, relevant extracts from Acts and Regulations that affect the subject area have been included as notes and text boxes to assist with gaining a full understanding.

In particular:

- Clause 2.1 provides for the Shire to set fees and charges associated with the operation of its pound by way of the annual budgetary process (as is the case for all other fees and charges).
- Clause 3.1 sets out the requirements for a property where a dog or dogs are to be kept to be adequately fenced.
- Section 26(2) of the Act allows a local government to limit the number of dogs that may be kept, by using a local law. The Act allows a person to keep a minimum of 2 dogs over the age of 3 months and the young of those dogs under that age.

A local government may set by local law a limit on the maximum number of dogs (up to 6) that may be kept without a kennel license, and may also impose conditions when giving approval for a person to do so. This is proposed to be up to three as set out in clause 3.2 of the proposed local law. Any more than three will require a kennel license.

- Proposed provisions relating to places where dogs are prohibited absolutely are detailed in Clause 5.1 of the proposed local law. Note that this only applies to areas under the Shire's care, control and management. Department of Environment and Conservation reserves are not under the Shire's control and therefore not subject to this provision.
- Section 32 (5) of the Dog Act requires a local government to specify what it believes are a sufficient number of suitable dog exercise areas. Clause 5.2 of the proposed local law sets these out, being those areas that are currently specified by the Shire as:
  - The Denham Recreation Reserve;
  - The Beach Reserve west of the facility known as the Denham Service Jetty;
  - The Beach Reserve east of the location known as the Tradewinds roundabout; and
  - The Little Lagoon Reserve

If adopted, the effect of this clause is that while dogs can still be taken onto public places (unless prohibited absolutely), they must be kept on a leash.

- Part 6 of the proposed local law makes it an offence if a person in charge of a dog does not immediately remove its excreta from any thoroughfare or public place, or any land without the consent of the occupier. This is the same provision as in the current local law.

- Part 7 sets out proposed enforcement provisions such as infringement notices.

**Legal Implications**

Section 3.12 of the *Local Government Act* and regulation 3 of the *Local Government (Functions & General) Regulations* set out the procedural requirements for the making of a local law:



(Extract from Department of Local Government 'Operational Guidelines – Local Laws', November 2011)

Section 49 of the Dog Act specifies that local laws to regulate dogs are to be made in accordance with the process set out by sections 3.11 to 3.17 of the *Local Government Act 1995*.

The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.

*Purpose*

The purpose of the proposed Dog Local Law is to make provisions about the impounding of dogs, to control the number of dogs that can be kept on the premises and the manner of keeping of those dogs, and to prescribe areas in which dogs are prohibited and dog exercise areas.

*Effect*

The effect of the proposed Local Law is to extend the controls over dogs which exist under the *Dog Act 1976* and Regulations.

Note that the process to amend or make a local law requires public consultation. In particular, the Local Government Act requires State wide advertising and local public notice of the proposed local laws for a period of 42 clear days.

The results are to be brought back to Council for consideration, after which it may then decide to make the local law.

If as a result of public comments, there are significant amendments to the proposed local law, then the advertising process must re-commence.

Policy Implications

While there are no direct policy implications, and each situation would need to be considered on its merits, in general a principle of 'education before legislation' is expected to be used when implementing the provisions of the local law, especially where a modified penalty (basically an on the spot fine) is involved. The development of guidelines with respect to enforcement of local laws will be the subject of a further report to Council.

Financial Implications

The proposed new local law will require advertising for public submissions, as well as publishing in the Government Gazette if eventually adopted.

Strategic Implications

Over the longer term, the introduction of the local law will give the Shire additional tools to deal with any problems that may arise with respect to dogs.

Voting Requirements

Simple Majority Required

Date of Report

01 May 2013

**Dog Act 1976**

**Local Government Act 1995**

**Shire of Shark Bay**

**DOG LOCAL LAW 2013**

**TABLE OF CONTENTS**

PART 1 - PRELIMINARY .....3

    1.1 Citation.....3

    1.2 Commencement.....3

    1.3 Definitions.....3

    1.4 Application.....4

PART 2 - IMPOUNDING OF DOGS .....5

    2.1 Fees and charges.....5

    2.2 Attendance of pound keeper at pound.....5

    2.3 Release of impounded dog.....5

    2.4 Offences relating to pounds.....5

PART 3 - REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS 6

    3.1 Dogs to be confined.....6

    3.2 Limitation on the number of dogs.....6

PART 5 - DOGS IN PUBLIC PLACES.....13

    5.1 Places where dogs are prohibited absolutely.....13

    5.2 Places which are dog exercise areas.....14

PART 6 - MISCELLANEOUS.....15

    6.1 Offence to excrete .....15

PART 7 - ENFORCEMENT .....16

    7.1 Interpretation.....16

    7.2 Offences .....16

    7.3 General penalty .....16

    7.4 Modified penalties.....16

    7.5 Issue of infringement notice.....16

    7.6 Failure to pay modified penalty .....17

    7.7 Payment of modified penalty .....17

    7.8 Withdrawal of infringement notice .....17

    7.9 Service.....17

    7.10 Penalty units ..... **Error! Bookmark not defined.**

FIRST SCHEDULE.....21

***Dog Act 1976***



***Local Government Act 1995***

**Shire of Shark Bay**

**Dog Local Law 2011**

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Shark Bay resolved on dd/mm/ 2013 to make the following local law.

**PART 1 - PRELIMINARY**

**1.1 Citation**

This local law may be cited as *the Shire of Shark Bay Dog Local Law 2013*.

**1.2 Commencement**

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

**1.3 Definitions**

In this local law unless the context otherwise requires -

*Act* means the *Dog Act 1976*;

*authorised person* means a person appointed by the local government under section 29(1) of the Act to perform all or any of the functions conferred on an authorised person under this local law;

*CEO* means the Chief Executive Officer of the local government;

*dangerous dog* means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

*district* means the area of the State that has been declared to be the district of the local government under the *Local Government Act 1995* and includes, for certain purposes provided for in this Act, other areas which although not being within the boundaries of the district are regarded for those purposes as being part of the district;

*local government* means the Shire of Shark Bay;

*local planning scheme* means a local planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district;

*owner*, in relation to a dog, has the same meaning as in section 3(1) and (2) of the Act;

*person liable for the control of the dog* has the same meaning as in section 3(1) of the Act;

*pound* means any other facility, of any replacement facility, established as a pound by the Council under section 11(1) of the Act;

*pound keeper* means a person authorized by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;

*premises* has the same meaning as in section 3(1) of the Act;

*public building* means a building open to or used by the public for any purpose;

*Regulations* means the *Dog Regulations 1976*; and

*thoroughfare* has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

#### 1.4 Application

This local law applies throughout the district.

## PART 2 - IMPOUNDING OF DOGS

### 2.1 Fees and charges

The following fees and charges are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995* -

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the fees for the destruction and the disposal of a dog referred to in section 29(15) of the Act.

### 2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

### 2.3 Release of impounded dog

- (1) A claim for the release of a dog seized and impounded is to be made to the pound keeper, or in the absence of the pound keeper, to the CEO.
- (2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence:
  - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
  - (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

### 2.4 Offences relating to pounds

A person who -

- (a) unless he or she is the pound keeper or a person authorised to do so, releases or attempts to release a dog from a pound; or
- (b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof -
  - (i) any pound; or
  - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog,

commits an offence.

**PART 3 - REQUIREMENTS AND LIMITATIONS ON THE  
KEEPING OF DOGS**

**3.1 Dogs to be confined**

- (1) An occupier of premises on which a dog is kept must -
- (a) cause that portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
  - (b) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
  - (c) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (d) where no part of the premises consists of open space, yard or garden or there is no open space, garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) An occupier who fails to comply with subclause (1) commits an offence.

**3.2 Limitation on the number of dogs**

- (1) This clause does not apply to premises in respect of which an exemption under 26(3) of the Act applies.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 3 dogs over the age of 3 months and the young of those dogs under that age.

**PART 4 - APPROVED KENNEL ESTABLISHMENTS**

**4.1 Interpretation**

In this Part and in Schedule 2 -

**licence** means a licence to keep an approved kennel establishment on premises;

**licensee** means the holder of a licence;

**premises** in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

**transferee** means a person who applies for the transfer of a licence to her or him under clause 4.14.

**4.2 Application for licence for approved kennel establishment**

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with -

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (d) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (e) the fee for the application for a licence referred to in clause 4.10(1).

**4.3 Notice of proposed use**

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –
  - (a) once in a newspaper circulating in the district; and
  - (b) to the owners and occupiers of any premises adjoining the premises.
- (2) The notices in subclause (1) must specify that -
  - (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
  - (b) the application and plans and specifications may be inspected at the offices of the local government.



(3) Where –

- (a) the notices given under subclause (1) do not clearly identify the premises; or
- (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

#### **4.4 Exemption from notice requirements**

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a -

- (a) permitted use; or
- (b) use which the local government may approve subject to compliance with specified notice requirements,

under a local planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

#### **4.5 When application can be determined**

An application for a licence is not to be determined by the local government until -

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

#### **4.6 Determination of application**

In determining an application for a licence, the local government is to have regard to:

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

#### **4.7 Where application cannot be approved**

The local government cannot approve an application for a licence where -

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a local planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

**4.8 Conditions of approval**

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

**4.9 Compliance with conditions of approval**

A licensee who does not comply with the conditions of a licence commits an offence.

**4.10 Fees**

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995*.

**4.11 Form of licence**

The licence is to be in the form determined by the local government and is to be issued to the licensee.

**4.12 Period of licence**

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

s.27(5) A licence under this section has effect for a period of 12 months, and is renewable upon payment of the prescribed fee, but may be cancelled at any time by the local government if the local government is dissatisfied with the conduct of the establishment.

**4.13 Variation or cancellation of licence**

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence –
  - (a) on the request of the licensee;
  - (b) following a breach of the Act, the Regulations or this local law; or
  - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of –
  - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
  - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

**4.14 Transfer**

- (1) An application for the transfer of a valid licence from the licensee to another person must be –
  - (a) made in the form determined by the local government;
  - (b) made by the transferee;
  - (c) made with the written consent of the licensee; and
  - (d) lodged with the local government together with –
    - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
    - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).

- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

**4.15 Notification**

The local government is to give written notice to -

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

**4.16 Inspection of kennel**

With the consent of the occupier, an authorized person may inspect an approved kennel establishment at any time.

**Entry of premises**

- 12A. (1) With the authority of a warrant, an authorised person, and any other person named in the warrant, may enter and inspect any premises for any purpose relating to the enforcement of this Act.
- (2) If he is satisfied that there are reasonable grounds for doing so, a Justice of the Peace may issue a warrant for the purpose of subsection (2).

PART 5 - DOGS IN PUBLIC PLACES

**Control of dogs in exercise areas and rural areas**

S32. (1) A dog, not being a greyhound, shall not be in –

- (a) An area specified by a local government under section 51 as a dog exercise area; or
- (b) A public place in an area of the State that is outside the metropolitan region or outside a townsite,

unless section 31(1) is complied with or a competent person is in reasonable proximity to the dog.

(2) A person is a competent person for the purposes of subsection (1) only if –

- (a) He is a person who is liable for the control of the dog;
- (b) He is capable of controlling it; and
- (c) He is carrying and capable of attaching to the dog for the purpose of controlling it, a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

(3) The exemptions in section 31(2) (other than paragraphs (a) and (b)) also apply for the purposes of subsection (1).

(4) If a dog is at any time in any place in contravention of subsection (1) every person liable for the control of the dog at that time commits an offence against that subsection unless he establishes a defence under section 33B.

**Penalty:** where the dog is a dangerous dog, \$4 000  
Otherwise, \$1 000

(5) A local government must specify under section 51 (bb) such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.

**5.1 Places where dogs are prohibited absolutely**

- (1) Subject to section 8 of the Act and section 66J of the *Equal Opportunity Act 1984*, dogs are prohibited absolutely from entering or being in any of the following places –
- (a) a public building, unless permitted by a sign;
  - (b) a theatre or picture gardens;
  - (c) food business premises (other than an alfresco area) or a food transport vehicle for the purposes of the *Food Act 2008*;
  - (d) a public swimming pool; and
  - (e) those beaches, reserves and freehold land marked as 'prohibited' in the Second Schedule.
- (2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

**Special provisions for guide dogs**

S8. (1) Notwithstanding anything contained elsewhere in this Act or in any other Act, regulation, local law or by-law a person who is blind or partially blind

- (a) is entitled to be accompanied by a dog *bona fide* used by him as a guide dog, in any building or place open to or used by the public, for any purpose, or in any public transport; and
- (b) is not guilty of an offence by reason only that he takes that dog into or



permits that dog to enter any building or place open to or used by the public or on any public transport.

- (1) The provisions of subsection (1) shall also apply to any person who is *bona fide* engaged in the training of a guide dog.
- (2) The Minister may in writing authorize a named person accompanied by a specified dog to enter and be in any building or place open to or used by the public for any purpose, or in any public transport, and, notwithstanding anything in this Act or any other written law, a person acting in accordance with that authority is not guilty of an offence by reason only that he takes that dog into or permits that dog to enter any such building, place or transport.
- (3) An authority under subsection (3) may be given subject to such conditions and limitations as the Minister thinks fit, and may at any time be amended or revoked by him.

## 5.2 Places which are dog exercise areas

- (1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas
  - (a) Denham Recreation Reserve;
  - (b) The Beach Reserve west of the facility known as the Denham Service Jetty;
  - (c) The Beach Reserve east of the location known as the Tradewinds roundabout; and
  - (d) The Little Lagoon Reserve.
- (2) Subclause (1) does not apply to -
  - (a) an area within 5 metres of land which has been set apart as a children's playground;
  - (b) any area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
  - (c) a car park.

**PART 6 - MISCELLANEOUS**

**6.1 Offence to excrete**

- (1) A dog must not excrete on -
  - (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) A person liable for the control of a dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

DRAFT

## PART 7 - ENFORCEMENT

### 7.1 Interpretation

In this Part -

*infringement notice* means the notice referred to in clause 7.5; and

*notice of withdrawal* means the notice referred to in clause 7.8(1).

### 7.2 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

### 7.3 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding -

- (a) \$2,000, where the offence involves a dangerous dog; or
- (b) otherwise, \$1000,

and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of the day during which the offence has continued.

### 7.4 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if -
  - (a) the offence does not involve a dangerous dog; or
  - (b) the offence involves a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the offence involves a dangerous dog.

### 7.5 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 7 of the First Schedule of the Regulations.

**7.6 Failure to pay modified penalty**

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

**7.7 Payment of modified penalty**

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgement.

**7.8 Withdrawal of infringement notice**

(1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.

(2) A person authorised to issue an infringement notice under clause 7.5 cannot sign or send a notice of withdrawal.

**7.9 Service**

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from him or her, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

**SCHEDULE 1**

(clause 4.2)

**Local laws relating to dogs  
Application for a licence for an approved kennel establishment**

I/we (full name)

of (postal address)

(telephone number)

(facsimile number)

(E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

For (number and breed of dogs)

\* (insert name of person) ..... will be residing at the premises on and from (insert date) .....

\* (insert name of person) ..... will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at

..... (insert address of residence)  
on and from ..... (insert date).

Attached are -

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside -
  - (i) at the premises; or
  - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

Signature of applicant

Date

\* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months – section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on [insert date].



**SCHEDULE 2**

(clause 4.8(1))

**Conditions of a licence for an approved kennel establishment**

An application for a licence for an approved kennel establishment may be approved subject to the following conditions -

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than -
  - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
  - (ii) 10m from any dwelling; and
  - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be -
  - (i) at least 100mm above the surface of the surrounding ground;
  - (ii) smooth so as to facilitate cleaning;
  - (iii) rigid;
  - (iv) durable;
  - (v) slip resistant;
  - (vi) resistant to corrosion;
  - (vii) non-toxic;
  - (viii) impervious;
  - (ix) free from cracks, crevices and other defects; and
  - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;

- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of -
- (i) 2m; or
  - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside -
- (i) at the premises; or
  - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**SCHEDULE 3****Offences in respect of which modified penalty applies  
(Clause 7.4)**

Offence	Nature of Offence	Modified Penalty	Dangerous Dog Modified Penalty
2.4(a)	Attempting to or causing the unauthorized release of a dog from a pound	\$200	\$400
2.4(b)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs	\$200	\$400
3.1	Failing to provide means for effectively confining a dog	\$100	\$100
4.9	Failing to comply with the conditions of a kennel licence	\$100	\$200
5.1(2)	Dog in place from which prohibited absolutely	\$100	\$200
6.1(2)	Dog excreting in prohibited place	\$50	\$50

DRAFT

This local law was made at the meeting of the Council of the Shire of Shark Bay held on dd/mm 2013.

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

.....  
Cheryl Cowell, President

.....  
Paul Anderson, Chief Executive Officer

DRAFT

11.5 REVIEW OF CODE OF CONDUCT MARINE FACILITIES

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr McLaughlin

Seconded Cr Capewell

Council Resolution

That Council adopt the Shark Bay Marine Facilities Code of Conduct as presented below:

**SHIRE OF SHARK BAY  
SHARK BAY MARINE FACILITIES  
CODE OF CONDUCT  
2013/14**

- 1 For the users of the Service Jetties within the Shire of Shark Bay that have PAID the annual fee, reasonable time will be allowed for the loading and unloading of goods, passengers and refuelling.
- 2 Vessels must not remain at the jetty after loading/unloading. All vessels must move off the jetty as soon as possible to allow others to use the facilities. Consideration needs to be given to vessels needing to unload fresh product. Vessels are not to stay longer than is necessary.
- 3 If alongside jetty longer than normal unloading time, or for servicing, maintenance etc, vessels must move to the two shore berths only and contact location or phone number must be displayed on wheelhouse if boat is unattended.
- 4 **Fuelling Policy**
  - a All precautions must be taken to avoid oil/fuel spillage.
  - b Handpiece must be attended to at all times and not tied or "chocked".
  - c In the event of a fuel spillage, make every effort to contain the spill and report immediately to the Harbour Manager.
  - d Refuelling of vessels within the maritime facility is prohibited unless using a licensed facility. Fuelling of vessels in a boat pen is also prohibited.
  - e Refuelling of road vehicles prohibited.
- 5 Power use must be kept to a minimum. No deck or spotlights to be left on.
- 6 Desal water usage to be kept to a minimum.  
Desal water taps - blue  
Bore water taps - red
- 7 Rubbish must be placed in correct bins - i.e. oil in tanks, oil filters in drums, rubbish in skip bin for general dry goods, offal to offal pit.
- 8 Any rubbish left on jetty will be removed by Council and vessel charged as per Council's fees and charges.
- 9 Parking in car park as per signs.
- 10 No vehicle parking on jetty unless directly loading or unloading goods. Beware of pedestrians, bikes etc.
- 11 Maximum of 5 knots in channel and basin. Also reduce speed within 300 metres of moored boats to prevent damage.



- 12 Your assistance is encouraged to help implement this code of conduct.
- 13 Any vessels intending to remain on the jetty for an extended period for breakdown repairs or service must have authorisation from the Shire. Casual daily berthing rates may apply.

6/0 CARRIED

Background

At the most recent meeting of Shark Bay Marine Facilities Management Committee held on the 23 May 2013 the following was resolved:

Committee Resolution

***That the Shark Bay Marine Facilities Management Committee adopt the Shark Bay Marine Facilities Code of Conduct as presented below:***

**SHIRE OF SHARK BAY  
SHARK BAY MARINE FACILITIES  
CODE OF CONDUCT  
2013/14**

- 1 ***For the users of the Service Jetties within the Shire of Shark Bay that have PAID the annual fee, reasonable time will be allowed for the loading and unloading of goods, passengers and refuelling.***
- 2 ***Vessels must not remain at the jetty after loading/unloading. All vessels must move off the jetty as soon as possible to allow others to use the facilities. Consideration needs to be given to vessels needing to unload fresh product. Vessels are not to stay longer than is necessary.***
- 3 ***If alongside jetty longer than normal unloading time, or for servicing, maintenance etc., vessels must move to the two shore berths only and contact location or phone number must be displayed on wheelhouse if boat is unattended.***
- 4 ***Fuelling Policy***
  - a ***All precautions must be taken to avoid oil/fuel spillage.***
  - b ***Handpiece must be attended to at all times and not tied or "chocked".***
  - c ***In the event of a fuel spillage, make every effort to contain the spill and report immediately to the Harbour Manager.***
  - d ***Refuelling of vessels within the maritime facility is prohibited unless using a licensed facility. Fuelling of vessels in a boat pen is also prohibited.***
  - e ***Refuelling of road vehicles prohibited.***
- 5 ***Power use must be kept to a minimum. No deck or spotlights to be left on.***
- 6 ***Desal water usage to be kept to a minimum.  
Desal water taps - blue  
Bore water taps - red***
- 7 ***Rubbish must be placed in correct bins - i.e. oil in tanks, oil filters in drums, rubbish in skip bin for general dry goods, offal to offal pit.***
- 8 ***Any rubbish left on jetty will be removed by Council and vessel charged as per Council's fees and charges.***
- 9 ***Parking in car park as per signs.***
- 10 ***No vehicle parking on jetty unless directly loading or unloading goods. Beware of pedestrians, bikes etc.***

- 11 **Maximum of 5 knots in channel and basin. Also reduce speed within 300 metres of moored boats to prevent damage.**
- 12 **Your assistance is encouraged to help implement this code of conduct.**
- 13 **Any vessels intending to remain on the jetty for an extended period for breakdown repairs or service must have authorisation from the Shire. Casual daily berthing rates may apply.**

This item needs to be reviewed every year. The Shark Bay Marine Facilities Code of Conduct has been in place in its current form since adoption for the 2012 -2013 financial year. The Code of Conduct appears to be working well giving users sufficient guidelines for appropriate use of the facility without being too encumbering on the users of the facilities.

Council now needs to make the Committee Resolution a Council Resolution to put the action into place for the 2013/2014 financial year.

Comment

The Code of Conduct has been reviewed with no changes for the 2013/2014 year.

Legal Implications

Nil

Policy Implications

Review of Code of Conduct to incorporate any amendments.

Financial Implications

Nil

Strategic Implications

Relevant to use of marine facilities in Denham and Monkey Mia

Voting Requirements

Simple Majority Required

Date of Report

19 June 2013

**12. FINANCE REPORT**

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

Author

Finance Officer / Accounts Payable

Disclosure of any interest

Nil

Moved Cr Ridgley

Seconded Cr Capewell

**Council Resolution**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$341,122.60 be accepted.**

**6/0 CARRIED**

Comment

The schedules of accounts for payment covering - Municipal fund account cheque numbers 26411 to 26435 totalling \$9,002.54

Municipal fund account electronic payment numbers MUNI EFT 13622 to 13753 totalling \$175,670.36

Municipal fund account for payroll periods beginning 18/05/2013 ending 16/06/2013 totalling \$105,994.00

Trust fund account cheque numbers 920 to 923 totalling \$4,683.71

Trust fund account electronic payment numbers 13687 to 13739 totalling \$21,497.44 and

Trust fund Police Licensing for May totalling \$24,274.55

The schedule of accounts submitted to each member of Council on 26 June 2013 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.

Date of Report

18 June 2013

26 JUNE 2013

**SHIRE OF SHARK BAY  
ORDINARY COUNCIL MEETING 26 JUNE 2013  
MUNI CHQS 26411-26435**

<b>CHQ</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
26411	23/05/2013	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-374.16
26412	23/05/2013	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-275.39
26413	23/05/2013	ASTERON SUPER	SUPERANNUATION CONTRIBUTIONS	-80.13
26414	23/05/2013	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	-281.54
26415	23/05/2013	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-359.76
26416	23/05/2013	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-335.42
26417	23/05/2013	MLC NOMINEES	SUPERANNUATION CONTRIBUTIONS	-1099.92
26418	23/05/2013	WESTPAC SECURITIES ADMIN	SUPERANNUATION CONTRIBUTIONS	-343.30
26419	23/05/2013	SHIRE OF SHARK BAY	PAYROLL DEDUCTIONS	-560.00
26420	23/05/2013	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	-46.56
26421	24/05/2013	JASON SIGNMAKERS	PUBLIC CONVENIENCE SIGNS	-188.10
26422	24/05/2013	SILVER CHAIN	DONATION CHRISTMAS LUNCH FOR SB SENIORS	-995.63
26423	24/05/2013	THOMAS LACHLAN	CONSULTANTS MEAL EXPENSES	-69.00
26424	24/05/2013	WALTER ERNEST SKINN	FORESHORE SHADE REPAIRS	-400.00
26425	30/05/2013	SHIRE OF SHARK BAY	BUS HIRE DENHAM SENIORS 271KMS	-433.60
26426	30/05/2013	TELSTRA CORPORATION LIMITED	ANTENNA & MOBILES MONTHLY ACCOUNTS	-813.17
26427	30/05/2013	DEPT OF TREASURY & FINANCE	LOST/DAMAGED LIBRARY BOOKS	-228.80
<b>26428-</b>	<b>26431</b>	<b>CANCELLED CHEQUES</b>		
26432	06/06/2013	DEPT OF TRANSPORT	ANNUAL JETTY LICENCE FEES	-34.95
26433	10/06/2013	JASON SIGNMAKERS	TRAFFIC CONES AND SIGNS	-831.60
26434	10/06/2013	SHARK BAY NEWSAGENCY	STATIONERY AND PAPERS	-1228.41
26435	12/06/2013	DEPT OF TREASURY AND FINANCE	LOST/DAMAGED LIBRARY BOOKS	-23.10
<b>TOTAL</b>				<b>\$9,002.54</b>

26 JUNE 2013

**SHIRE OF SHARK BAY  
ORDINARY COUNCIL MEETING 26 JUNE 2013  
MUNI EFTS 13622-13753**

<b>EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT13622	20/05/2013	SALTWATER CAFE	CATERING STRATEGIC PLANNING MEETING	-263.50
EFT13623	22/05/2013	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-6779.00
EFT13624	23/05/2013	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-343.28
EFT13625	23/05/2013	AUSTSAFE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-105.74
EFT13626	23/05/2013	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-999.30
EFT13627	23/05/2013	BT BUSINESS SUPER	SUPERANNUATION CONTRIBUTIONS	-337.70
EFT13628	23/05/2013	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	-1393.96
EFT13629	23/05/2013	WA LOCAL GOV SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	-6859.87
EFT13630	23/05/2013	REST	SUPERANNUATION CONTRIBUTIONS	-817.40
EFT13631	23/05/2013	SMA SUPER	SUPERANNUATION CONTRIBUTIONS	-245.00
EFT13632	23/05/2013	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-375.78
EFT13633	24/05/2013	AZURE BISTRO	CATERING STRATEGIC PLANNING MEETING	-80.00
EFT13634	24/05/2013	ALLIGHT	FILTERS	-172.13
EFT13635	24/05/2013	BAJA DATA & ELECTRICAL SERVICES	REPLACE CEILING FAN PENSIONER UNIT 10	-192.50
EFT13636	24/05/2013	DEPT OF ENVIRO & CONSERVATION	ANNUAL ALL PARK PASSES	-2159.74
EFT13637	24/05/2013	RUSSELL TODD CHAMBERLAIN	RENT 39 DURLACHER STREET	-1042.25
EFT13638	24/05/2013	DAVID GRAY AND CO	FOGGING SUPPLIES	-1425.60
EFT13639	24/05/2013	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-48.58
EFT13640	24/05/2013	GEORGE LIVESEY	PLANNING SIGN	-150.00
EFT13641	24/05/2013	HEATHER DAVEY	FUEL REIMBURSEMENT	-32.60
EFT13642	24/05/2013	HORIZON POWER	U6/34 HUGHES STREET-MONTHLY ACCOUNT	-139.89
EFT13643	24/05/2013	HERITAGE RESORT SHARK BAY	ACCOMMODATION HEALTH INSPECTOR T LACHLAN	-459.00
EFT13644	24/05/2013	HENRY'S SOAKWELLS	LEACH DRAINS	-6323.62
EFT13645	24/05/2013	TOLL IPEC	FREIGHT	-164.20
EFT13646	24/05/2013	IT VISION	UPLOAD RESPONSIBLE OFFICERS EASY BUDGETING	-214.50
EFT13647	24/05/2013	RICHARD CLAUDE MORONEY	MAINTENANCE AT SBIC	-30.00



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

<b>EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT13648	24/05/2013	SKIPPERS AVIATION	FLIGHT FOR GAYNOR MCBRIDE	-305.00
EFT13649	24/05/2013	SB COMMUNITY RESOURCE CENTRE	CRC SERVICES FOR SBIC	-25.00
EFT13650	24/05/2013	SHARK BAY CLEANING SERVICE	MONTHLY ACCOUNT & 6/34 HUGHES STREET	-5500.00
EFT13651	24/05/2013	SHARK BAY FREIGHTLINES	FREIGHT	-393.18
EFT13652	24/05/2013	SHOPS FOR SHOPS	SBIC SHOP FITTINGS	-3.24
EFT13653	24/05/2013	THE BLOCK MAKERS	RETAINING BLOCKS AND CAPS	-3704.25
EFT13654	24/05/2013	TRUCKLINE PARTS CENTRE	SEAT FOR GRADER	-2549.58
EFT13655	24/05/2013	TRADEWINDS APARTMENTS	ACCOMMODATION RELIEF GRADER OP	-2600.00
EFT13656	24/05/2013	TOTALLY WORKWEAR	SAFETY WORK BOOTS	-283.05
EFT13657	24/05/2013	VANGUARD PRESS	SHARK BAY MAPS	-3297.80
EFT13658	30/05/2013	BAJA DATA & ELECTRICAL SERVICES	REPAIRS TO POWER BOX AT PIONEER PARK	-291.50
EFT13659	30/05/2013	BATTERY MART	BATTERIES AND MAINTENANCE CHARGERS	-970.20
EFT13660	30/05/2013	CHERYL COWELL	MEETING ATTENDANCES	-1362.00
EFT13661	30/05/2013	CUMMINS SOUTH PACIFIC	CATERPILLAR FILTER	-56.01
EFT13662	30/05/2013	CUTBACK PLUMBING & GAS	MAINTENANCE/REFIT PENSIONER UNIT 6	-1611.72
EFT13663	30/05/2013	DUN & BRADSTREET	COMMISSION ON DEBT RECOVERY	-14.50
EFT13664	30/05/2013	DAVID GRAY AND CO	FOGGING SUPPLIES	-1562.72
EFT13665	30/05/2013	ECO-FX LED	SOLAR LIGHTS FOR BOAT RAMPS	-7162.23
EFT13666	30/05/2013	GEARING BUTCHER'S	CATERING FOR STAFF FUNCTION	-133.46
EFT13667	30/05/2013	THINK WATER GERALDTON	SPRAY FITTINGS FOR WATER TANKER	-12.15
EFT13668	30/05/2013	JOHN JOSEPH HANSCOMBE	MEETING ATTENDANCE	-548.50
EFT13669	30/05/2013	HERITAGE RESORT SHARK BAY	CATERING FOR STAFF FUNCTION	-462.84
EFT13670	30/05/2013	TOLL IPEC	FREIGHT	-47.70
EFT13671	30/05/2013	KEITH MICHAEL CAPEWELL	MEETING ATTENDANCE	-396.00
EFT13672	30/05/2013	KELLY, IAN	SURVEY MM C/PARK, MM BORE & PUBLIC OPEN SPACE	-6752.02
EFT13673	30/05/2013	KOALA MARKETING	MERCHANDISE SBIC	-1786.43
EFT13674	30/05/2013	THE LINEN PRESS	MERCHANDISE SBIC	-859.21
EFT13675	30/05/2013	JOSEPH JOHN MCLAUGHLIN	MEETING ATTENDANCE	-396.00
EFT13676	30/05/2013	MARGARET PRIOR	MEETING ATTENDANCE	-396.00
EFT13677	30/05/2013	PAPER PLUS OFFICE NATIONAL	OFFICE STATIONARY	-519.34
EFT13678	30/05/2013	PAULS TYRES	REPAIRS TO GRADER TYRE	-37.50
EFT13679	30/05/2013	GREGORY LEON RIDGLEY	MEETING ATTENDANCE	-396.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT13680	30/05/2013	ROSHER E & MJ	BLADES FOR MOWER	-90.75
EFT13681	30/05/2013	RAY STENT	SHIRE OF SHARK BAY MAINTENANCE REPORT	-8119.00
EFT13682	30/05/2013	SHARK BAY FREIGHTLINES	FREIGHT	-4057.50
EFT13683	30/05/2013	SUNNY INDUSTRIAL BRUSHWARE	ROAD BROOMS	-1500.40
EFT13684	30/05/2013	SALTWATER CAFE	CATERING FOR STAFF FUNCTION	-170.50
EFT13685	30/05/2013	WALGA	CEO ANNUAL APPRAISAL 2012/2013	-3300.00
EFT13686	30/05/2013	BRIAN WAKE	MEETING ATTENDANCES	-396.00
<b>EFT13687-</b>	<b>EFT 13688</b>	<b>USED IN TRUST</b>		
EFT13689	04/06/2013	AUSTRALIAN TAXATION OFFICE	FRINGE BENEFIT TAX	-160.16
<b>EFT13690-</b>	<b>EFT 13709</b>	<b>USED IN TRUST</b>		
EFT13710	06/06/2013	SHARK BAY BRIDGE CLUB	DONATION SHARK BAY BRIDGE CLUB	-500.00
EFT13711	06/06/2013	BAJA DATA & ELECTRICAL SERVICES	FIX LIGHT AND POWERPOINT AT PEN JETTY	-691.90
EFT13712	06/06/2013	CHERYL COWELL	REIMBURSE C COWELL TRAVEL EXPENSES	-244.69
			CVON GRSC EXTRAORDINARY MEETING	
EFT13713	06/06/2013	DELLROY	EVALUATION & REPORT MM BORE REPLACEMENT	-4284.50
EFT13714	06/06/2013	TOLL IPEC	FREIGHT	-11.33
EFT13715	06/06/2013	IT VISION	ONLINE RECORDS MANAGER TRAINING	-200.00
EFT13716	06/06/2013	PROFESSIONAL PC SUPPORT	1TB EXT HARD DRIVE & FREIGHT TO LANDGATE	-159.00
EFT13717	06/06/2013	ROBBRO WA	CONTRACT GRADER OPERATOR	-13777.50
EFT13718	06/06/2013	RICHARD CLAUDE MORONEY	MAINTENANCE SBIC	-30.00
EFT13719	06/06/2013	SALTWATER CAFE	CATERING FOR COUNCIL MEETING	-237.60
EFT13720	06/06/2013	TELSTRA CORPORATION LIMITED	SMS TO PUBLIC WITH COMMUNITY MESSAGES	-1717.24
EFT13721	10/06/2013	BAJA DATA & ELECTRICAL SERVICES	INSPECT & REPLACE PENSIONER UNITS SMOKE DETECTORS	-671.00
EFT13722	10/06/2013	DAVRIC AUSTRALIA	MERCHANDISE SBIC	-631.40
EFT13723	10/06/2013	SHARK BAY SUPERMARKET	OUT OF TOWN CREW SUPPLIES	-737.18
EFT13724	10/06/2013	SHARK BAY FUEL & SERVICE CENTRE	MONTHLY ACCOUNT	-232.29
EFT13725	10/06/2013	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-180.12
EFT13726	10/06/2013	UHY HAINES NORTON	AUDIT CERTIFICATE FOR R4R 10/11 FUNDING APPLICATION	-1320.00
EFT13727	10/06/2013	JOHN FAMLONGA	FOUR BANNER POLES FOR THE KNIGHT TCE ISLANDS	-5588.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT13728	10/06/2013	MITRE 10 SHARK BAY	MONTHLY ACCOUNT	-1326.45
EFT13729	10/06/2013	OAKLEY EARTHWORKS	CONCRETE AT COMMUNITY RESOURCE CENTRE	-1490.74
EFT13730	10/06/2013	PROFESSIONAL PC SUPPORT	WIRELESS NETWORK ADAPTORS PLUS POSTAGE	-170.00
EFT13731	10/06/2013	PAULS TYRES	SUPPLY 4 AND FIT 1 TYRE FOR GRADER	-8310.00
EFT13732	10/06/2013	RAY WHITE REAL ESTATE	RENT ON 34 HUGHES STREET	-1105.00
EFT13733	10/06/2013	SHARK BAY TAXI SERVICE	SHIRE/OVERLANDER RUN	-1463.00
EFT13734	10/06/2013	SHARK BAY CLEANING SERVICE	MONTHLY ACCOUNT	-10731.96
EFT13735	10/06/2013	MCKELL FAMILY TRUST	MONTHLY ACCOUNT	-10062.08
EFT13736	10/06/2013	SHARK BAY CAR HIRE	MONTHLY ACCOUNT	-495.00
EFT13737	10/06/2013	VISIT MERCHANDISE	MERCHANDISE SBIC	-1051.71
<b>EFT 13738-</b>	<b>EFT 13739</b>	<b>USED IN TRUST</b>		
EFT13740	12/06/2013	AUSTRALIA POST	LOCAL POST	-331.75
EFT13741	12/06/2013	ART ON THE MOVE	PROFESSIONAL DEVELOPMENT PROGRAM	-825.00
EFT13742	12/06/2013	BEES KNEES AROMATHERAPY	MERCHANDISE SBIC	-470.00
EFT13743	12/06/2013	S.A.BURTON	SUPPLY/INSTALL NEW WARDROBE PEN UNIT 6	-273.35
EFT13744	12/06/2013	BOB WADDELL CONSULTANT	REVIEW OF SYNERGY SYSTEM STRUCTURE	-924.00
EFT13745	12/06/2013	DEPT OF ENVIRO & CONSERVATION	MONKEY MIA RESERVE PASSES SBIC	-4950.00
EFT13746	12/06/2013	CUTBACK PLUMBING & GAS	REPLACE TAP 65 BROCKMAN STREET	-217.80
EFT13747	12/06/2013	HORIZON POWER	STREET LIGHT MONTHLY ACCOUNT	-2839.09
EFT13748	12/06/2013	HITS RADIO	RADIO ADVERTISING FROM MARCH TO AUGUST	-508.20
EFT13749	12/06/2013	LANDGATE	RURAL UV GENERAL VALUATIONS	-453.01
EFT13750	12/06/2013	PAPER PLUS OFFICE NATIONAL	OFFICE STATIONARY	-606.99
EFT13751	12/06/2013	SES SHARK BAY	CAPITAL EXPENDITURE GRANT MONEY	-1650.00
EFT13752	12/06/2013	SB COMMUNITY RESOURCE CENTRE	AUSSIE HOST CUSTOMER SERVICE WORKSHOP	-278.90
EFT13753	12/06/2013	TOURISM COUNCIL	MEMBERSHIP ACCREDITATION PROGRAM	-538.00
<b>TOTAL</b>				<b>\$175,670.36</b>

26 JUNE 2013

**SHIRE OF SHARK BAY  
ORDINARY COUNCIL MEETING 29 MAY 2013  
TRUST CHQS 920-923**

<b>CHQ</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
920	05/06/2013	JAMES SNR POLAND	ART SALES MAY 2013	-484.00
921	05/06/2013	HOWARD COCK	ART SALES MAY 2013	-80.00
922	05/06/2013	NINGALOO BLUE DIVE	BOOKEASY MAY 2013	-654.50
923	05/06/2013	SHIRE OF SHARK BAY	TOUR BOOKINGS COMMISSION MAY 2013	-3465.21
<b>TOTAL</b>				<b>\$4,683.71</b>

**SHIRE OF SHARK BAY  
ORDINARY COUNCIL MEETING 26 JUNE 2013  
TRUST EFTS 13687-13739**

<b>EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT13687	30/05/2013	RSPCA	RSPCA MILLION PAWS WALK	-267.75
EFT13688	31/05/2013	SHARK BAY FISHING CLUB INC	REFUND MARQUEE DEPOSIT FISHING FIESTA MAY 2013	-700.00
EFT13690	05/06/2013	MAC ATTACK FISHING CHARTERS	TOUR BOOKINGS MAY 2013	-2301.15
EFT13691	05/06/2013	BAY LODGE MIDWEST OASIS	BOOKEASY MAY 2013	-713.50
EFT13692	05/06/2013	SHARK BAY COASTAL TOURS	TOUR BOOKINGS MAY 2013	-986.58
EFT13693	05/06/2013	DENHAM SEASIDE TOURIST VILLAGE	BOOKEASY MAY 2013	-387.60
EFT13694	05/06/2013	HELENA BOGUCKI	ART SALES MAY 2013	-256.00
EFT13695	05/06/2013	HARTOG COTTAGES	BOOKEASY MAY 2013	-2826.66
EFT13696	05/06/2013	HAMELIN POOL CARAVAN PARK	BOOKEASY MAY 2013	-62.90
EFT13697	05/06/2013	HERITAGE RESORT SHARK BAY	BOOKEASY MAY 2013	-340.00
EFT13698	05/06/2013	MONKEY MIA YACHT CHARTERS	TOUR BOOKINGS MAY 2013	-3768.84
EFT13699	05/06/2013	ASPEN MONKEY MIA	BOOKEASY MAY 2013	-589.90

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

<b>EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT13700	05/06/2013	MONKEY MIA WILDSIGHTS	TOUR BOOKINGS MAY 2013	-2723.81
EFT13701	05/06/2013	WA OCEAN PARK	TOUR BOOKINGS MAY 2013	-626.40
EFT13702	05/06/2013	OCEANSIDE VILLAGE	BOOKEASY MAY 2013	-663.00
EFT13703	05/06/2013	SHARK BAY AIR CHARTER	TOUR BOOKINGS MAY 2013	-1187.55
EFT13704	05/06/2013	SHARK BAY CARAVAN PARK	BOOKEASY MAY 2013	-293.25
EFT13705	05/06/2013	SHARK BAY SCENIC QUAD BIKE TOURS	TOUR BOOKINGS MAY 2013	-626.40
EFT13706	05/06/2013	TRISH MILBURN ART & PHOTOGRAPHY	ART SALES MAY 2013	-56.00
EFT13707	05/06/2013	THERESE ORRELL CAHILL	GYM CARD REFUND	-20.00
EFT13708	05/06/2013	TRADEWINDS APARTMENTS	BOOKEASY MAY 2013	-1534.25
EFT13709	05/06/2013	WULA GUDA NYINDA	TOUR BOOKINGS MAY 2013	-495.90
EFT13738	11/06/2013	ANN DUNLOP	LIBRARY CARD REFUND	-50.00
EFT13739	11/06/2013	JACQUELINE AUDREY BRENNAN	GYM CARD REFUND	-20.00
<b>TOTAL</b>				<b>\$21,497.44</b>



12.2 FINANCIAL REPORTS TO 31 MAY 2013

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Ridgeley

Seconded Cr Cowell

Council Resolution

**That the monthly financial reports to 31 May 2013 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 **31 May 2013** are attached.

Voting Requirements

Absolute Majority Required.

Date of Report

18 June 2013

**SHIRE OF SHARK BAY**  
**MONTHLY STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

**TABLE OF CONTENTS**

Operating Statement by Nature and Type	2
Operating Statement by Program	2
Rate Setting Statement	3
Notes to and Forming Part of the Statement	4 to 16
Statement of Financial Position	17
Notes to Statement of Financial Position	18-19
Supplementary Information	
Program Progress Report	Attachment
Material Variance Report	Attachment
Capital Expenditure Report	Attachment

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

Shire of Shark Bay  
Operating Statement Reported by Nature & Type  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	Year To Date Ended 31-May-13 \$	Current Full Year Budget \$	Original Full Year Budget \$
<b>Revenues - Classified according to Nature &amp; Type</b>			
Rates	1,010,102	1,028,574	1,028,574
User Fees & Charges	1,144,841	1,276,630	1,351,075
Grants & Subsidies - Operating	1,334,007	1,519,358	1,795,358
Grants & Subsidies - Capital	1,699,138	6,500,124	6,500,124
Interest	117,261	140,242	140,242
Other	125,677	131,880	124,530
Profit on Sale of Assets	47,940	105,000	105,000
<b>Total Revenues</b>	<b>5,478,967</b>	<b>10,701,808</b>	<b>11,044,903</b>
<b>Expenses - Classified according to Nature &amp; Type</b>			
Employee Costs	1,249,944	1,880,272	1,970,420
Materials & Contracts	1,435,410	1,528,546	1,886,646
Utility Charges	140,630	213,550	218,050
Interest/Debt Servicing	16,576	35,152	35,152
Other Expenses	106,659	105,630	93,130
Insurance	127,209	127,166	123,466
Depreciation Non-Current Assets	1,598,800	1,789,765	1,789,765
Loss on Sale of Assets	2,537	4,500	4,500
<b>Total Expenses</b>	<b>4,677,765</b>	<b>5,684,581</b>	<b>6,121,129</b>
<b>Net Result from Operations</b>	<b>801,201</b>	<b>5,017,227</b>	<b>4,923,774</b>

Shire of Shark Bay  
Operating Statement Reported by Program  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	Year To Date Ended 31-May-13 \$	Current Full Year Budget \$	Original Full Year Budget \$
<b>Revenues</b>			
General Purpose Funding	1,960,121	1,983,463	1,983,463
Governance	44,435	680,340	671,990
Law, Order, Public Safety	151,365	515,664	515,664
Health	1,995	2,325	2,325
Housing	73,909	88,320	93,780
Community Amenities	210,507	615,418	635,418
Recreation and Culture	599,410	2,690,212	2,665,700
Transport	1,727,530	3,027,885	3,322,885
Economic Services	697,641	1,088,181	1,153,678
Other Property & Services	12,053	10,000	-
<b>Total Revenues</b>	<b>5,478,967</b>	<b>10,701,808</b>	<b>11,044,903</b>
<b>Expenses</b>			
General Purpose Funding	79,464	107,459	107,459
Governance	269,660	281,818	318,768
Law, Order, Public Safety	138,564	190,923	190,923
Health	61,409	69,064	73,064
Housing	87,740	124,091	124,091
Community Amenities	457,246	573,926	530,926
Recreation and Culture	1,219,177	1,455,427	1,559,277
Transport	1,568,584	1,866,106	2,153,606
Economic Services	783,809	975,767	1,033,015
Other Property & Services	12,113	40,000	30,000
<b>Total Expenses</b>	<b>4,677,765</b>	<b>5,684,581</b>	<b>6,121,129</b>
<b>Net Result from Operations</b>	<b>801,201</b>	<b>5,017,227</b>	<b>4,923,774</b>

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
RATE SETTING STATEMENT  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	NOTE	31 MAY 2013 Actual \$	31 MAY 2013 Y-T-D Budget \$	2012/13 Current Budget \$	Variances Budget to Actual Y-T-D \$	Variances Budget to Actual Y-T-D %
<b>Operating</b>						
<b>Revenues/Sources</b>						
General Purpose Funding	1,2	950,018	954,889	954,889	(4,871)	(0.51)%
Governance		44,435	623,568	680,340	(579,133)	(92.87)%
Law, Order, Public Safety		151,365	472,648	515,664	(321,283)	(67.98)%
Health		1,995	2,112	2,325	(117)	(5.54)%
Housing		73,909	80,938	88,320	(7,029)	(8.68)%
Community Amenities		210,507	564,047	615,418	(353,540)	(62.68)%
Recreation and Culture		599,410	2,465,892	2,690,212	(1,866,482)	(75.69)%
Transport		1,727,530	2,775,498	3,027,885	(1,047,968)	(37.76)%
Economic Services		697,641	997,392	1,088,181	(299,751)	(30.05)%
Other Property and Services		12,053	9,163	10,000	2,890	100.00%
		4,468,864	8,946,147	9,673,234	(4,477,283)	(50.05)%
<b>(Expenses)/(Applications)</b>						
General Purpose Funding	1,2	(79,464)	(98,483)	(107,459)	19,019	(19.31)%
Governance		(269,660)	(257,961)	(281,818)	(11,699)	4.54%
Law, Order, Public Safety		(138,564)	(174,823)	(190,923)	36,259	(20.74)%
Health		(61,409)	(63,261)	(69,064)	1,852	(2.93)%
Housing		(87,740)	(113,168)	(124,091)	25,428	(22.47)%
Community Amenities		(457,246)	(525,811)	(573,926)	68,565	(13.04)%
Recreation & Culture		(1,219,177)	(1,333,222)	(1,455,427)	114,045	(8.55)%
Transport		(1,568,584)	(1,708,597)	(1,866,106)	140,013	(8.19)%
Economic Services		(783,809)	(894,168)	(975,767)	110,359	(12.34)%
Other Property and Services		(12,113)	(36,542)	(40,000)	24,429	(66.85)%
		(4,677,765)	(5,206,036)	(5,684,581)	528,271	(10.15)%
<b>Adjustments for Non-Cash</b>						
<b>(Revenue) and Expenditure</b>						
(Profit)/Loss on Asset Disposals	4	(45,404)	(92,125)	(100,500)	46,721	(50.71)%
Movement in Employee Benefit Provisions		-	-	-	-	-
Depreciation on Assets	2(a)	1,598,800	1,640,397	1,789,765	(41,597)	(2.54)%
<b>Capital Revenue and (Expenditure)</b>						
Capital Grants and Contributions		189,255	-	-	189,255	100.00%
Purchase Land Held for Resale	3	-	-	-	-	-
Purchase Land and Buildings	3	(1,225,529)	(2,504,898)	(2,732,804)	1,279,369	(51.07)%
Purchase Infrastructure Assets - Roads	3	(776,292)	(1,072,731)	(1,220,372)	296,439	(27.63)%
Purchase Infrastructure Assets - Public Facilities		(330,231)	(4,293,597)	(4,714,164)	3,963,366	(92.31)%
Purchase Infrastructure Assets - Footpaths		(5,749)	(45,815)	(50,000)	40,066	(87.45)%
Purchase Heritage Assets		(9,018)	(42,196)	(51,035)	33,178	(78.63)%
Purchase Plant and Equipment	3	(371,503)	(602,255)	(647,500)	230,752	(38.31)%
Purchase Furniture and Equipment	3	(36,623)	(49,929)	(54,500)	13,306	(26.65)%
Proceeds from Disposal of Assets	4	120,364	120,364	206,000	-	0.00%
Repayment of Debentures	5	(69,679)	(64,496)	(80,879)	(5,183)	8.04%
Proceeds from New Debentures	5	300,000	412,500	450,000	(112,500)	(27.27)%
Self-Supporting Loan Principal Income		-	-	-	-	-
Purchase of Investments		-	-	-	-	-
Proceeds from Disposal of Investments		-	-	-	-	-
Transfers to Reserves (Restricted Assets)	6	(62,301)	(73,502)	(80,217)	11,201	100.00%
Transfers from Reserves (Restricted Assets)	6	-	-	82,000	-	-
ADD Net Current Assets July 1 B/Fwd	7	2,153,214	2,153,214	2,153,214	0	-
LESS Net Current Assets Year to Date	7	2,230,505	253,615	-	1,976,890	-
<b>Amount Raised from Rates</b>	8	<b>(1,010,102)</b>	<b>(1,028,574)</b>	<b>(1,062,339)</b>	<b>18,472</b>	<b>(1.80)%</b>

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) **Basis of Accounting**

This statement is a special purpose financial report, prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

(b) **The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 9.

(c) **Rounding Off Figures**

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(d) **Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) **Goods and Services Tax**

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(f) **Cash and Cash Equivalents**

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.

(g) **Trade and Other Receivables**

Trade receivables, which have 30 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectibility of trade 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.



SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(h) Inventories

*General*

Inventories are valued 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.

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

*Land Held for Resale*

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

*Initial Recognition*

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

*Revaluation*

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(j) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	25 to 50 years
Furniture and Equipment	5 to 15 years
Plant and Equipment	5 to 15 years
Roads	25 years
Footpaths	50 years
Heritage Assets	25 to 50 years
Computer Equipment	5 years
Mobile Plant	5 to 10 years
Sewerage Piping	75 years
Water Supply Piping & Drainage Systems	75 years
Construction other than Buildings (Public Facilities)	5 to 50 years

**(k) Impairment**

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 estimate of the recoverable amount of the asset is made in accordance with AASB 136 "Impairment of Assets" and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the Income Statement.

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.

At the time of preparing this report, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2013.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on the Monthly Statement of Financial Position from a budgetary perspective.

**(l) Trade and Other Payables**

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

**SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(m) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

**(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)**

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

**(ii) Annual Leave and Long Service Leave (Long-term Benefits)**

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

**(n) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

***Borrowing Costs***

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

**(o) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

**(p) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on Council's intentions to release for sale.

**SHIRE OF SHARK BAY**

**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**

**FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

**2. STATEMENT OF OBJECTIVE**

In order to discharge its responsibilities to the community, the Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

**GOVERNANCE**

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

**GENERAL PURPOSE FUNDING**

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

**LAW, ORDER, PUBLIC SAFETY**

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

**HEALTH**

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

**HOUSING**

Provision and maintenance of rented housing accommodation for pensioners.

**COMMUNITY AMENITIES**

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

**RECREATION AND CULTURE**

Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, boat ramps and foreshore.

**TRANSPORT**

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, marine facilities and cleaning of streets.

**ECONOMIC SERVICES**

Tourism, community development, pest control, building services, caravan parks and private works.

**OTHER PROPERTY & SERVICES**

Plant works, plant overheads and stock of materials.

SHIRE OF SHARK BAY

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	31 MAY 2013 Actual \$	2012/13 Current Budget \$
<b>3. ACQUISITION OF ASSETS</b>		
The following assets have been acquired during the period under review:		
<b><u>By Program</u></b>		
<b>Governance</b>		
Land and Buildings	5,850	662,150
Furniture and Equipment	34,857	36,000
Plant and Equipment	65,153	65,000
	<u>105,860</u>	<u>763,150</u>
<b>Law, Order, Public Safety</b>		
Land and Buildings	6,242	580,000
Plant and Equipment	4,711	6,500
	<u>10,953</u>	<u>586,500</u>
<b>Housing</b>		
Land and Buildings	86,675	102,000
	<u>86,675</u>	<u>102,000</u>
<b>Community Amenities</b>		
Land and Buildings	21,561	35,000
Infrastructure Assets - Public Facilities	10,440	388,341
	<u>32,001</u>	<u>423,341</u>
<b>Recreation and Culture</b>		
Land and Buildings	1,094,571	1,373,654
Furniture and Equipment	1,767	25,000
Heritage Assets	9,018	46,035
Infrastructure Assets - Public Facilities	127,227	2,399,700
	<u>1,232,582</u>	<u>3,844,389</u>
<b>Transport</b>		
Land and Buildings	10,631	15,000
Plant and Equipment	301,638	546,000
Infrastructure Assets - Footpaths	5,749	50,000
Infrastructure Assets - Roads	776,292	1,170,372
Infrastructure Assets - Public Facilities	133,929	1,278,423
	<u>1,228,240</u>	<u>3,059,795</u>
<b>Economic Services</b>		
Infrastructure assets - Public Facilities	58,635	661,200
	<u>58,635</u>	<u>661,200</u>
	<u>2,754,945</u>	<u>9,440,375</u>
<b><u>By Class</u></b>		
Furniture and Equipment	36,623	61,000
Land and Buildings	1,225,529	2,767,804
Plant and Equipment	371,503	617,500
Heritage Assets	9,018	46,035
Infrastructure Assets - Roads	776,292	1,170,372
Infrastructure Assets - Public Facilities	330,231	4,727,664
Infrastructure Assets - Footpaths	5,749	50,000
	<u>2,754,945</u>	<u>9,440,375</u>



SHIRE OF SHARK BAY

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

4. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31 MAY 2013 Actual \$	31 MAY 2013 Actual \$	31 MAY 2013 Actual \$
<b>Governance</b>			
Toyota Prado, CEO Vehicle	46,151	45,455	(696)
<b>Transport</b>			
Holden Rodeo, Town Supervisor Ute	3,469	15,455	11,986
Ford Ranger XLT Works Manager Ute	25,340	23,500	(1,840)
Kubota Ride on Mower	0	4,136	4,136
Mitsubishi Crew Cab Truck	0	31,818	31,818
<b>Economic Services</b>			-
	74,960	120,364	45,404

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31 MAY 2013 Actual \$	31 MAY 2013 Actual \$	31 MAY 2013 Actual \$
<b>Property Plant &amp; Equipment</b>			
Holden Rodeo, Town Supervisor Ute	3,469	15,455	11,986
Ford Ranger XLT Works Manager Ute	25,340	23,500	(1,840)
Kubota Ride on Mower	0	4,136	4,136
Toyota Prado, CEO Vehicle	46,151	45,455	(696)
Mitsubishi Crew Cab Truck	0	31,818	31,818
	74,960	120,364	45,404

<u>Summary</u>	31 MAY 2013 Actual \$
Profit on Asset Disposals	47,940
Loss on Asset Disposals	(2,536)
	<u>45,404</u>

SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-12	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2012/13 Actual \$	2012/13 Budget \$	2012/13 Actual \$	2012/13 Budget \$	2012/13 Actual \$	2012/13 Budget \$
Loan 48 McCleary Property	100,532	-	22,633	22,633	77,899	77,899	3,089	7,318
Loan 48 McCleary Property - Shire Office	85,638	-	19,280	19,280	66,358	66,358	2,631	6,234
Loan 53 Staff Housing	130,161	-	15,232	15,232	114,929	114,929	3,974	8,824
Loan 56 Staff Housing	134,313	-	12,534	12,534	121,779	121,779	6,882	6,965
Loan 57 Monkey Mia Bore	0	300,000	-	11,200	300,000	288,800	-	9,000
Loan 58 Digital TV	0	150,000	0	0	0	150,000	-	0
	450,644	-	69,679	80,879	680,965	819,765	16,576	38,341

All debenture repayments were financed by general purpose revenue.

(b) New Debentures 2012/13

A new loan (Loan 57) for \$300,000 was approved on 8 February 2013 for the Monkey Mia bore project. The loan commenced on 20 March 2013. The loan is for a period of ten years with semi annual repayments and an interest rate of 4.06%pa

## SHIRE OF SHARK BAY

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	2012/2013 Actual \$	2012/2013 Current Budget \$
<b>6. RESERVES</b>		
<b>Cash Backed Reserves</b>		
<b>(a) Office Replacement/Refurbishment</b>		
Opening Balance	1,057,446	1,057,183
Amount Set Aside / Transfer to Reserve	35,890	44,930
Amount Used / Transfer from Reserve	-	-
	<u>1,093,336</u>	<u>1,102,113</u>
<b>(b) Pensioner Unit Maintenance</b>		
Opening Balance	196,383	195,832
Amount Set Aside / Transfer to Reserve	7,073	9,792
Amount Used / Transfer from Reserve	-	(82,000)
	<u>203,456</u>	<u>123,624</u>
<b>Recreation Facility</b>		
<b>(c) Replacement/Upgrade</b>		
Opening Balance	254,634	254,573
Amount Set Aside / Transfer to Reserve	8,409	12,729
Amount Used / Transfer from Reserve	-	-
	<u>263,043</u>	<u>267,302</u>
<b>(d) Plant Replacement Reserve</b>		
Opening Balance	186,638	186,596
Amount Set Aside / Transfer to Reserve	5,923	4,665
Amount Used / Transfer from Reserve	-	-
	<u>192,561</u>	<u>191,261</u>
<b>(e) LSL Reserve</b>		
Opening Balance	117,813	114,632
Amount Set Aside / Transfer to Reserve	4,025	5,475
Amount Used / Transfer from Reserve	-	-
	<u>121,838</u>	<u>120,107</u>
<b>(f) Monkey Mia Jetty Reserve</b>		
Opening Balance	17,824	17,822
Amount Set Aside / Transfer to Reserve	430	891
Amount Used / Transfer from Reserve	-	-
	<u>18,254</u>	<u>18,713</u>
<b>(g) Shared Fire Fighting System Reserve</b>		
Opening Balance	34,700	34,700
Amount Set Aside / Transfer to Reserve	551	1,735
Amount Used / Transfer from Reserve	-	-
	<u>35,251</u>	<u>36,435</u>
<b>Total Cash Backed Reserves</b>	<u>1,927,739</u>	<u>1,823,120</u>

All of the above reserve accounts are to be supported by money held in financial institutions.

## SHIRE OF SHARK BAY

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

6. RESERVES (Continued)	Actual \$	Budget \$
<b>Summary of Transfers To Cash Backed Reserves</b>		
<b>Transfers to Reserves</b>		
Office Replacement/Refurbishment Reserve	35,890	44,930
Pensioner Unit Maintenance Reserve	7,073	9,792
Recreation Facility Replacement/Upgrade Rese	8,409	12,729
Plant Replacement Reserve	5,923	4,665
Long service Leave Reserve	4,025	5,475
Monkey Mia Jetty Reserve	430	891
Shared Fire Fighting System Reserve	551	1,735
	<u>62,301</u>	<u>80,217</u>
<b>Transfers from Reserves</b>		
Office Replacement/Refurbishment Reserve	0	0
Pensioner Unit Maintenance Reserve	0	(82,000)
Plant Replacement Reserve	0	0
	<u>0</u>	<u>(\$82,000)</u>
<b>Total Transfer to/(from) Reserves</b>	<u>62,301</u>	<u>(1,783)</u>

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

## Office Replacement/Refurbishment Reserve

- to be used to fund the replacement/refurbishment of the administration offices, council chambers and library.

## Pensioner Unit Maintenance Reserve

- to be used for the replacement and/or maintenance of the pensioner units on Hughes Street.

## Recreation Facility Upgrade/Replacement Reserve

- to be used for the upgrade/construction of the shire's recreational facilities.

## Plant Replacement Reserve

- to be used for the acquisition and replacement of major plant.

## LSL Reserve

- to be used for the provision for employees' long service leave.

## Monkey Mia Jetty Reserve

- to be used for the upgrade and maintenance of the Monkey Mia Jetty.

## Shared Fire Fighting System Reserve

- to be used for the replacement of the shared fire fighting system located at the Discovery Centre.

The pensioner unit maintenance reserve, the Office replacement reserve and the plant replacement Reserve are expected to be utilised in 2012/2013

## SHIRE OF SHARK BAY

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

	31 MAY 2013 Actual \$	Brought Forward 1-Jul \$
<b>7. NET CURRENT ASSETS</b>		
<b>Composition of Estimated Net Current Asset Position</b>		
<b>CURRENT ASSETS</b>		
Municipal Bank	2,138,001	1,590,385
Cash Backed Reserves	1,927,739	1,865,438
Cash Advances	700	700
Receivables - Rates	16,369	0
Receivables - General	264,288	1,063,173
Receivables - ESL	-	-
Inventories	132,355	132,355
	<u>4,479,451</u>	<u>4,652,051</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables	-321,208	-633,399
<b>NET CURRENT ASSET POSITION</b>	<u>4,158,244</u>	<u>4,018,652</u>
Less: Cash - Restricted	(1,927,739)	(1,865,438)
<b>ESTIMATED SURPLUS/(DEFICIENCY) C/FWD</b>	<u><u>2,230,505</u></u>	<u><u>2,153,214</u></u>

**SHIRE OF SHARK BAY  
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

**8. RATING INFORMATION**

<b>RATE TYPE</b>	<b>Rate in \$</b>	<b>Number of Properties</b>	<b>Rateable Value \$</b>	<b>2012/13 Actual Rate Revenue \$</b>	<b>2012/13 Actual Interim Rates \$</b>	<b>2012/13 Actual Back Rates \$</b>	<b>2012/13 Actual Total Revenue \$</b>	<b>2012/13 Budgeted \$</b>
<b>Differential General Rate</b>								
Gross Rental Value	7.5679	395	9,623,435	639,056	556	-	639,612	646,111
Unimproved Value	16.9988	19	1,313,918	222,187	(731)	-	221,456	222,187
Unimproved Value Pastoral	2.9231	12	757,960	22,156	-	-	22,156	22,156
<b>Sub-Totals</b>		<b>426</b>	<b>11,695,313</b>	<b>883,399</b>	<b>(175)</b>	<b>-</b>	<b>883,224</b>	<b>890,454</b>
<b>Minimum Rates</b>								
Gross Rental Value	672.00	203		136,416	-	-	136,416	136,416
Unimproved Value	672.00	8		5,376	-	-	5,376	4,704
<b>Sub-Totals</b>		<b>211</b>	<b>0</b>	<b>141,792</b>	<b>-</b>	<b>-</b>	<b>141,792</b>	<b>141,120</b>
<b>Specified Area Rates (Note 9)</b>								
Discounts							1,025,016	1,031,574
Write offs							(14,913)	(3,000)
<b>Totals</b>		<b>637</b>					<b>1,010,102</b>	<b>1,028,574</b>

All land except exempt land in the Shire of Shark Bay is rated according to its Gross Rental Value (GRV) in townships or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2012/13 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.



SHIRE OF SHARK BAY  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

9. Cash and Investments

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>								
Muni Bank Account	1.75%	593,895				593,895	BankWest	
Telenet Saver	2.75%	1,219,408				1,219,408	BankWest	
Trust Bank Account	0.00%			53,482		53,482	BankWest	
(b) <b>Term Deposits</b>								
Municipal Gold term Deposit	4.25%	324,847				324,847	BankWest	21/02/2014
Trust Term Deposit	4.25%			80,487		80,487	BankWest	21/02/2014
Long Service Leave Reserve	4.25%		121,838			121,838	BankWest	21/02/2014
Pensioner Unit Reserve	4.25%		203,456			203,456	BankWest	21/02/2014
Recreational Facility Reserve	4.25%		263,043			263,043	BankWest	21/02/2014
Plant Replacement Reserve	4.25%		192,561			192,561	BankWest	21/02/2014
Office Replacement Reserve	4.25%		1,093,336			1,093,336	BankWest	21/02/2014
Monkey Mia Jetty Reserve	4.25%		18,254			18,254	BankWest	21/02/2014
Shared Fire System Reserve	4.25%		35,251			35,251	BankWest	21/02/2014
<b>Total</b>		2,138,150	1,927,739	133,969	0	4,199,857		

26 JUNE 2013

**SHIRE OF SHARK BAY  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013**

	Note	\$
<b>Current Assets</b>		
Bank	1	2,267,850
Cash Advances	2	700
Receivables - Rates	3	16,369
Receivables - ESL	4	-
Receivables - General	5	264,288
Prepayments	6	-
Inventories	7	132,355
Short Term Investments	8	83,052
Reserve Fund Investments	9	1,805,901
<b>Total Current Assets</b>		<b>4,570,515</b>
<b>Non Current Assets</b>		
Rates - Deferred	15	6,641
Receivables	16	-
Investments - Non Current	17	38,786
Furniture & Equipment	18	1,139,883
Plant & Equipment	19	1,406,994
Land & Buildings	20	11,610,832
Heritage Assets	21	556,072
Infrastructure Assets	22	17,805,712
<b>Total Non Current Assets</b>		<b>32,564,921</b>
<b>Total Assets</b>		<b>37,135,435</b>
<b>Current Liabilities</b>		
Creditors	10	352,467
ESL Liability	11	-
Trust Creditors	12	101,809
Provisions	13	187,703
Borrowings	14	-
<b>Total Current Liabilities</b>		<b>641,980</b>
<b>Non Current Liabilities</b>		
Provisions	23	34,761
Borrowings	24	680,965
<b>Total Non Current Liabilities</b>		<b>715,726</b>
<b>Total Liabilities</b>		<b>1,357,706</b>
<b>Net Assets/Liabilities</b>		<b>35,777,729</b>
<b>Net Assets are Represented by:</b>		
<b>Ratepayers' Equity</b>		
Accumulated Surplus/Deficit	25	33,912,291
Reserves - Asset Revaluation	26	0
Reserves - Cash Backed	27	1,865,438
<b>Total Ratepayers' Equity</b>		<b>35,777,729</b>

The Statement of Financial Position is to be read in conjunction with the attached notes

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
NOTES TO THE STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD 1 JULY 2012 TO 31 MAY 2013

Note	Classification	Particulars	Balance
1	Bank	Municipal Fund Bank	593,747
		Municipal Telenet Saver	1,219,408
		Gold Term Deposit	324,847
		Trust Bank	129,849
			<u>2,267,850</u>
2	Cash Advances	Petty Cash Float	-
		Till Float	200
		SBIC Till Float	300
		Refuse Site Float	200
			<u>700</u>
3	Receivables - Rates	Receivables - Rates	<u>16,369</u>
4	Receivables - ESL	ESL Control	-
		State Revenue - ESL Pensioner Rebate	-
			<u>-</u>
5	Receivables - General	Receivables - General	224,665
		FBT Provision	23,008
			<u>264,288</u>
6	Prepayments	Prepaid Expenses - Materials/Contracts	-
			<u>-</u>
7	Inventories	Inventories	<u>132,355</u>
8	Investments - Current	LSL Investment Term Deposit	83,052
			<u>83,052</u>
9	Reserve Fund Investments	Office Replacement Reserve Term Deposit	1,093,336
		Pensioner Unit Reserve	203,456
		Rec. Fac. Replc/Upgrade Reserve	263,043
		Plant Purchase Reserve Investment	192,561
		Monkey Mia Jetty Reserve	18,254
		Shared Fire System Reserve	35,251
			<u>1,805,901</u>
10	Creditors	Sundry Creditors	133,300
		Suspense Account - Trust to Muni Transfer	1,119
		GST Received	20,457
		Excess Rates Receipts	8,336
		Bank Guarantees Held	189,255
			<u>352,467</u>
11	ESL Liability	ESL Levied	-
			<u>-</u>
12	Trust Creditors		<u>101,809</u>
13	Provisions - Current	Annual Leave	104,652
		Long Service Leave	83,052
			<u>187,703</u>
14	Borrowings - Current	Current loan liability	-
			<u>-</u>
		<b>Total Current Assets/Liabilities</b>	<b>3,928,535</b>
15	Receivable - Rates	Rates Deferred	<u>6,641</u>
16	Receivables - Non Current	Self Supporting Loan	-
			<u>-</u>

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

17	Investments - Current	LSL Investment		<u>38,786</u>
18	Furniture & Equipment	Furniture and Office Equipment	2,975,150	
		Less Provision for Depreciation	(1,871,890)	<u>1,139,883</u>
19	Plant & Equipment	Plant and Equipment	3,430,240	
		Less Provision for Depreciation	(2,394,749)	<u>1,406,994</u>
20	Land & Buildings	Land	489,489	489,489
		Buildings	12,370,935	
		Less Provision for Depreciation	(2,453,559)	<u>11,121,344</u>
				<u>11,610,832</u>
21	Heritage Assets	Heritage Assets	670,575	
		Less Provision for Depreciation	(123,521)	<u>556,072</u>
22	Infrastructure Assets	Public Facilities	2,401,625	
		Less Provision for Depreciation	(577,819)	<u>2,153,890</u>
		Roads	17,678,588	
		Less Prov. for Depreciation Mun	(6,180,557)	<u>12,228,009</u>
		Town Streets	2,652,512	
		Less Provision for Depreciation	(829,888)	<u>1,868,938</u>
		Streetscapes	210,687	
		Less Provision for Depreciation	(37,964)	<u>194,430</u>
		Footpaths	1,157,312	
		Less Provision for Depreciation	(167,289)	<u>995,772</u>
		Drainage, Culverts	407,671	
		Less Provision for Depreciation	(42,998)	<u>364,673</u>
				<u>17,805,712</u>
23	Provisions - Non Current	Long Service Leave		<u>34,761</u>
24	Borrowings - Non Current	Loans Due and Payable in Excess of 3 Months		<u>680,965</u>
		<b>Total Non Current Assets/Liabilities</b>		<b>31,849,194</b>
		<b>NET ASSET/LIABILITIES</b>		<b><u>35,777,729</u></b>
25	Accumulated Surplus/Deficit	Accumulated Surplus as at 1 July 2012		33,111,090
		Transfers to Reserves		-
		Transfers from Reserves		-
		Plus Operating Surplus YTD		801,201
				<u>33,912,291</u>
26	Reserves Asset Revaluation	Land & Buildings		-
		Public Facilities		-
		Town Streets		-
		Bush Roads		-
		Footpaths		-
				<u>-</u>
27	Reserves Cash Backed	Office Replacement Reserve		1,057,446
		Pensioner Unit Reserve		196,383
		LSL Reserve		117,813
		Plant Replacement Reserve		186,638
		Recreation Facility Replac./Upgrade Reserve		254,634
		Monkey Mia Jetty Reserve		17,824
		Shared Fire System Reserve		34,700
				<u>1,865,438</u>
		<b>TOTAL EQUITY</b>		<b><u>35,777,729</u></b>

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 1  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund : 1 Municipal Fund  
Programme : 03 GENERAL PURPOSE FUNDING  
Sub-programme : 001 RATES  
COA no. Description

Sub-programme : 001 RATES	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Department:						
Sub Department:						
Debt Recovery Costs - Rates	1000.00	0.00	1000.00	913.00	2014.15	-1101.15
Governance Overheads Alloca	41321.25	0.00	41321.25	37873.00	30592.15	7280.85
Other Minor Expenses - Rate	900.00	0.00	900.00	825.00	1257.90	-432.90
Valuation Expenses - Rates	4500.00	0.00	4500.00	4125.00	1525.26	2599.74
Total OPERATING EXPENDITURE	47721.25	0.00	47721.25	43736.00	35389.46	8346.54
Rates GRV	-638111.00	0.00	-638111.00	-584925.00	-639056.27	54131.27
Rates UV - General	-222187.00	0.00	-222187.00	-203665.00	-22196.53	18521.53
Rates UV - Pastoral	-22156.00	0.00	-22156.00	-20306.00	-22195.94	1848.94
Minimum Rates GRV	-136416.00	0.00	-136416.00	-123048.00	-136416.00	11368.00
Minimum Rates UV - General	-4704.00	0.00	-4704.00	-3512.00	-5376.00	1064.00
Interim Rates GRV	-6000.00	0.00	-6000.00	-5500.00	-553.98	-4944.02
Interim Rates UV - General	0.00	0.00	0.00	0.00	731.31	-731.31
Back Rates GRV	-2000.00	0.00	-2000.00	-1826.00	0.00	-1826.00
Rate Written Off UV - Gene	3000.00	0.00	3000.00	2750.00	14913.44	-12163.44
Rate Equivalent - Pipeline	-3990.00	0.00	-3990.00	-3652.00	0.00	-3652.00
Rate Book Enquiry Fee	-950.00	0.00	-950.00	-869.00	-840.50	-28.50
Rate Instalment Service Fee	-1500.00	0.00	-1500.00	-1375.00	-1513.75	138.75
Rate Payment Arrangement Fe	-800.00	0.00	-800.00	-726.00	0.00	-726.00
Plus Deferred Pensioner Int	-500.00	0.00	-500.00	-451.00	-547.51	96.51
Plus Non Payment Penalty -	-5500.00	0.00	-5500.00	-5038.00	-4337.98	-700.02
Total OPERATING INCOME	-1041814.00	0.00	-1041814.00	-954943.00	-1017341.71	62398.71
Total	-994092.75	0.00	-994092.75	-911207.00	-981952.25	70745.25
Total	-994092.75	0.00	-994092.75	-911207.00	-981952.25	70745.25
RATES	Sub-programme Total	0.00	-994092.75	-911207.00	-981952.25	70745.25
Sub-programme : 002 GENERAL PURPOSE INCOME						
Grants Commission - General	-571621.00	0.00	-571621.00	-523985.00	-630364.00	106379.00
Grants Commission - Roads	-213071.00	0.00	-213071.00	-193305.00	-180963.00	-14342.00
Total OPERATING INCOME	-784692.00	0.00	-784692.00	-719290.00	-811327.00	92037.00
Total	-784692.00	0.00	-784692.00	-719290.00	-811327.00	92037.00
Total	-784692.00	0.00	-784692.00	-719290.00	-811327.00	92037.00
GENERAL PURPOSE INCO	Sub-programme Total	0.00	-784692.00	-719290.00	-811327.00	92037.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 2  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Budget Amendments	Department:	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
	1			Municipal Fund							
	03			GENERAL PURPOSE FUNDING							
		003		INTEREST ON INVESTMENTS							
			00304120	Sub-programme : 003 INTEREST ON INVESTMENTS							
			00304125	Interest Earned - Office Re	-4930.00	0.00		-4930.00	-41184.00	-35890.21	-5293.79
			00304128	Interest Earned - Pensioner	-9792.00	0.00		-9792.00	-8976.00	-7073.39	-1902.61
			00304130	Interest Earned - Recreatio	-12729.00	0.00		-12729.00	-11660.00	-8408.76	-3251.24
			00304132	Interest Earned - Plant Rep	-4665.00	0.00		-4665.00	-4268.00	-5922.70	1654.70
			00304133	Interest Earned - Monkey M	-891.00	0.00		-891.00	-814.00	-429.90	-384.10
			00304134	Interest Earned - Shared Fi	-1735.00	0.00		-1735.00	-1584.00	-550.99	-1033.01
			00304140	Interest Earned - Investmen	-60000.00	0.00		-60000.00	-55000.00	-54647.30	-352.70
				Total OPERATING INCOME	-134742.00	0.00		-134742.00	-123486.00	-112923.25	-10562.75
			00304620	Transfer Interest - Pension	9792.00	0.00		9792.00	8976.00	7073.39	2902.61
			00304625	Transfer Interest - Office	4930.00	0.00		4930.00	4184.00	3580.21	5293.79
			00304630	Transfer Interest - Recreat	12729.00	0.00		12729.00	11660.00	8408.76	3251.24
			00304632	Transfer Interest - Plant R	4665.00	0.00		4665.00	4268.00	5922.70	-1654.70
			00304633	Transfer Interest - Monkey	891.00	0.00		891.00	814.00	429.90	384.10
			00304634	Transfer Interest - Shared	1735.00	0.00		1735.00	1584.00	550.99	1033.01
				Total CAPITAL EXPENDITURE	74742.00	0.00		74742.00	68486.00	58275.95	10210.05
			Total		-60000.00	0.00		-60000.00	-55000.00	-54647.30	-352.70
			Total		-60000.00	0.00		-60000.00	-55000.00	-54647.30	-352.70
			INTEREST ON INVESTME	Sub-programme Total	-60000.00	0.00		-60000.00	-55000.00	-54647.30	-352.70
			Sub-programme : 004 OTHER GENERAL PURPOSE INCOME								
			00400295	Telephone - Online Police L	450.00	0.00		450.00	407.00	349.47	57.53
			00401600	Governance Overheads Alloca	59287.50	0.00		59287.50	54340.00	43725.37	10614.63
				Total OPERATING EXPENDITURE	59737.50	0.00		59737.50	54747.00	44074.84	10672.16
			00403610	Debt Recovery Costs	-500.00	0.00		-500.00	-451.00	459.97	-906.97
			00403650	Reimbursements - other	0.00	0.00		0.00	0.00	-9.09	9.09
			00403755	Photocopying Income	-115.00	0.00		-115.00	-99.00	-188.69	89.69
			00404412	Commission - Emergency Serv	-4000.00	0.00		-4000.00	-3663.00	-4000.00	337.00
			00404413	Commission - Police Departm	-16500.00	0.00		-16500.00	-15125.00	-14044.45	-1060.55
			00404414	Reimbursements - Police Lic	-1000.00	0.00		-1000.00	-913.00	-67.40	-295.60
			00404440	Other Minor Charges	-100.00	0.00		-100.00	-88.00	-105.01	17.01
				Total OPERATING INCOME	-22215.00	0.00		-22215.00	-20339.00	-18528.67	-1810.33
			Total		37522.50	0.00		37522.50	34408.00	25546.17	8861.83
			Total		37522.50	0.00		37522.50	34408.00	25546.17	8861.83
			OTHER GENERAL PURPOS	Sub-programme Total	37522.50	0.00		37522.50	34408.00	25546.17	8861.83



26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 3  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	: 1	Municipal Fund	Department:		
Programme	: 03	GENERAL PURPOSE FUNDING	Sub Depart:		
Sub-programme	: 004	OTHER GENERAL PURPOSE INCOME	Budget	Y.T.D.	Variance
COA no.		Description	Amendments	Budget	Actual
			0.00	-1651089.00	-1822380.38
GENERAL PURPOSE FUND Programme Total				-1801262.25	-1822380.38

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(E183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 4  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Sub-programme : 051 MEMBERS OF COUNCIL										
05100730	Maintenance - Council Chamb			1500.00	0.00	1500.00	1353.00	1068.18	284.82	
05100910	Archives - Outside Storage			1500.00	0.00	1500.00	1375.00	0.00	1375.00	
05100980	Publications & Subscription			10500.00	0.00	10500.00	9625.00	9682.06	-57.06	
05101010	Conference Expenses - Membe			4500.00	0.00	4500.00	4125.00	3531.82	593.18	
05101060	Meeting Attendance Fees - M			30800.00	0.00	30800.00	28226.00	30759.00	-2533.00	
05101062	Members Allowances (Comms &			3500.00	0.00	3500.00	3201.00	3172.00	29.00	
05101065	Accommodation & Meals - Mem			4000.00	0.00	4000.00	3663.00	2381.09	1261.91	
05101075	Reimbursement Other - Memb			1500.00	0.00	1500.00	1375.00	0.00	1375.00	
05101075	Reimbursement Travel - Memb			5000.00	0.00	5000.00	4576.00	2927.97	1648.03	
05101080	Travel External Members			2500.00	0.00	2500.00	2289.00	6932.87	-4644.87	
05101083	Uniforms Members			1000.00	0.00	1000.00	913.00	0.00	913.00	
05101085	President's Allowance			8250.00	0.00	8250.00	7557.00	8237.50	-680.50	
05101090	Retirements & Receptions			13730.00	0.00	13730.00	12551.00	11243.92	1307.08	
05101125	Donations - Contra			3000.00	0.00	3000.00	2750.00	537.07	2212.93	
05101126	Donations - Cash			5000.00	0.00	5000.00	4576.00	4879.29	-303.29	
05101281	Strategic Planning			52000.00	0.00	52000.00	47663.00	46987.80	675.20	
05101282	Policy and Local Laws Revie			14000.00	0.00	14000.00	12826.00	4943.46	7882.54	
05101403	Audit Fees			24500.00	0.00	24500.00	22451.00	24292.93	-1841.93	
05101470	Insurance - Members			5898.00	0.00	5898.00	5401.00	5397.25	-496.25	
05101600	Governance Overheads Alloca			111460.50	0.00	111460.50	102168.00	82103.75	20064.25	
05101610	Health Overheads Allocated			869.82	0.00	869.82	793.00	333.40	458.60	
05102480	Election Expenses			1000.00	0.00	1000.00	913.00	0.00	913.00	
05102490	Community & Public Relation			2000.00	0.00	2000.00	1826.00	0.00	1826.00	
05102665	Other Minor Expenditure			1500.00	0.00	1500.00	1364.00	134.18	1229.82	
Total OPERATING EXPENDITURE										
05103250	Grants - Strategic Planning			309508.32	0.00	309508.32	293558.00	250045.54	33512.46	
05103650	Reimbursements - Other			-500.00	0.00	-500.00	0.00	-25000.00	25000.00	
05103749	Nonrefunded Election Deposi			-80.00	0.00	-80.00	-451.00	-261.98	-189.02	
Total OPERATING INCOME										
	Total			-580.00	0.00	-580.00	-517.00	-25261.98	24744.98	
	Total			308928.32	0.00	308928.32	283041.00	224783.56	58257.44	
	Total			308928.32	0.00	308928.32	283041.00	224783.56	58257.44	
MEMBERS OF COUNCIL Sub-programme Total										
				308928.32	0.00	308928.32	283041.00	224783.56	58257.44	
Sub-programme : 052 ADMINISTRATION OTHER										
05200001	Staff Housing Costs			34158.00	0.00	34158.00	31306.00	20467.15	10838.85	
05200560	Fringe Benefits Tax			16000.00	0.00	16000.00	14663.00	160.16	14502.84	
05200590	Recruitment/Relocation Cost			12540.00	0.00	12540.00	11495.00	10293.37	1201.63	
05200610	Salaries & Wages			573661.00	-35000.00	538661.00	493768.00	445378.14	48389.86	
05200612	Contract Staff			24500.00	-10000.00	14500.00	13288.00	2016.00	11272.00	

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 5  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund Programme	Sub-programme	Description	Department: Sub Department:	Original Budget	Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Accual	Variance
05200640	04	Municipal Fund		300.00	0.00	300.00	275.00	82.75	-217.25
05200660		Staff Training		2500.00	0.00	2500.00	2375.00	14645.76	8729.24
05200685		Staff Uniforms		430.00	0.00	430.00	4191.00	2218.12	1972.88
05200670		Superannuation - CC 3.5%		11819.00	0.00	11819.00	10824.00	8929.59	1894.41
05200675		Superannuation - Occupation		51631.00	0.00	51631.00	47322.00	36536.43	10785.57
05200680		Travel & Accommodation - St		10000.00	0.00	10000.00	9163.00	7242.09	1940.91
05200685		Insurance - Workers Compens		15813.00	3550.00	19063.00	17468.00	19049.27	-1581.27
05200715		Cleaning - Shire Office		9864.00	0.00	9864.00	9042.00	8079.91	962.09
05200775		Utilities - Shire Office		20000.00	0.00	20000.00	17315.00	17317.17	997.83
05200860		Vehicle Running Costs - CEO		8000.00	0.00	8000.00	7326.00	6790.64	535.36
05200925		Vehicle Running Costs - EMF		3000.00	0.00	3000.00	2750.00	2351.78	398.22
05200925		Advertising - General		5000.00	0.00	5000.00	4576.00	6118.25	-1542.25
05200925		Computer Consumables		1000.00	0.00	1000.00	913.00	0.00	913.00
05200925		Computer Hardware Maintenan		4000.00	0.00	4000.00	4125.00	2589.38	1535.62
05200930		Computer Software Support		37500.00	0.00	37500.00	34375.00	32376.09	1998.91
05200940		First Aid Supplies		300.00	0.00	300.00	275.00	10.00	265.00
05200950		Office Equipment Maintenan		1000.00	0.00	1000.00	913.00	0.00	913.00
05200955		Office Furniture & Equipmen		2000.00	0.00	2000.00	1826.00	0.00	1826.00
05200960		Photocopier - Servicing		1000.00	0.00	1000.00	913.00	0.00	913.00
05200970		Postage - Office		4200.00	0.00	4200.00	3850.00	3871.39	-21.39
05200975		Printing & Stationery - Gov		16000.00	0.00	16000.00	14663.00	13732.18	930.82
05200980		Publications & Subscription		3400.00	0.00	3400.00	3663.00	4835.22	-1172.22
05200980		Staff Amenities		1800.00	0.00	1800.00	1650.00	2570.15	-890.15
05200985		Telephones - Office		10000.00	0.00	10000.00	9153.00	7678.73	1484.27
05201225		Reimbursement Other - Expen		200.00	0.00	200.00	176.00	0.00	176.00
05201225		Reimbursement - Plant & Equi		2342.00	0.00	2342.00	2143.62	2143.62	-4.62
05201301		Depreciation - Furniture &		33967.00	0.00	33967.00	31130.00	31405.61	-275.61
05201302		Depreciation - Buildings		20936.00	0.00	20936.00	19184.27	19215.27	-311.27
05201410		Bad Debts		500.00	5000.00	5500.00	5038.00	10249.50	-5211.50
05201413		Bank Fees		2500.00	0.00	2500.00	2288.00	1788.41	499.59
05201414		ATO - Penalty Interest		300.00	0.00	300.00	275.00	0.00	275.00
05201416		Bank Service Charges Other		4000.00	0.00	4000.00	3663.00	3762.46	-99.46
05201426		Interest Loan 48 - Shire Of		4924.00	0.00	4924.00	4510.00	2631.40	1878.60
05201428		Interest Loan 53 - Staff Ho		7698.00	0.00	7698.00	7051.00	3974.40	3076.60
05201429		Interest Loan 56 - Staff Ho		7750.00	0.00	7750.00	7095.00	6881.54	213.46
05201444		Financial Management Review		8000.00	0.00	8000.00	7326.00	840.00	6486.00
05201470		Insurance - General		9018.00	5000.00	14018.00	12348.00	14368.87	-1470.87
05201501		Loss on Sale of Asset		0.00	0.00	0.00	0.00	696.35	-696.35
05201605		Governance Overheads Recove		-10677.75	0.00	-10677.75	-97241.00	-786428.32	-191812.68
05202580		Legal Expenses		49048.00	0.00	49048.00	44957.00	27757.82	17199.18
05202665		Other Minor Expenditure		500.00	0.00	500.00	451.00	150.00	301.00
05210701		39 Durlacher Street (DO NOT		0.00	0.00	0.00	0.00	468.23	-468.23
05220730		Maintenance - Shire Offices		15386.00	-5500.00	9886.00	9031.00	4483.30	4547.70
		Total OPERATING EXPENDITURE		9260.00	-36950.00	-27690.00	-25597.00	19614.19	-45211.19
05203324		Grants - Admin Office		-662150.00	0.00	-662150.00	-609969.00	0.00	-609969.00
05203638		Reimbursements - Dishonour		-10.00	0.00	-10.00	0.00	-23.90	23.90

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 6  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Department:	Original Budget	Amendments	Sub Depart:	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
	1	04		Municipal Fund								
				Reimbursements - Other		-5000.00	-4550.00		-9500.00	-7450.00	-7666.09	-1016.09
				Reimbursements - Staff Unif		-500.00	0.00		-500.00	-451.00	-451.00	49.00
				Reimbursements - Staff Trav		-1000.00	-800.00		-1800.00	-1650.00	-3669.74	2019.74
				Reimbursements - Staff Phon		-500.00	0.00		-500.00	-451.00	-451.00	49.00
				Council Minutes - Postage R		-500.00	0.00		-500.00	-155.46	-155.46	-295.54
				Freedom of Information Fee		-250.00	0.00		-250.00	-220.00	-98.63	-120.37
				Insurance Reimbursement		-500.00	-3000.00		-3500.00	-7418.68	-4201.68	4217.68
				WALGA Advert & Telstra Reba		-1000.00	0.00		-1000.00	-913.65	-139.65	-773.35
				Total OPERATING INCOME		-671410.00	-8350.00		-679760.00	-623051.00	-19173.15	-603877.85
				Principal Loan 53 - Staff H		15232.00	0.00		15232.00	13959.00	15232.43	-1273.43
				Principal Loan 48 - Shire O		19280.00	0.00		19280.00	17666.00	19279.79	-1613.79
				Principal Loan 56 - Staff H		12534.00	0.00		12534.00	11484.00	12534.14	-1050.14
				Shire Offices - Upgrade & R		1687150.00	-1025000.00		662150.00	608669.00	5850.00	60119.00
				Computer Hardware Upgrade/N		6000.00	0.00		6000.00	5500.00	6312.34	-812.34
				Computer Software Upgrade/W		5000.00	0.00		5000.00	4576.00	4383.33	192.67
				Office Furniture & Equipmen		5000.00	0.00		5000.00	4576.00	3744.06	831.94
				Upgrade Council Chambers		20000.00	0.00		20000.00	18326.00	20416.99	-2090.99
				CEO Vehicle Replacement		65000.00	0.00		65000.00	58576.00	65153.00	-5577.00
				Total CAPITAL EXPENDITURE		1835196.00	-1025000.00		810196.00	742632.00	152906.08	589725.92
				Transfer From Office Replac		-1025000.00	1025000.00		0.00	0.00	0.00	0.00
				Total CAPITAL INCOME		-1025000.00	1025000.00		0.00	0.00	0.00	0.00
				Total		148046.00	-45300.00		102746.00	93984.00	153347.12	-59363.12
				Total		148046.00	-45300.00		102746.00	93984.00	153347.12	-59363.12
				ADMINISTRATION OTHER Sub-programme Total		148046.00	-45300.00		102746.00	93984.00	153347.12	-59363.12
				Programme Total		456974.32	-45300.00		411674.32	377025.00	378130.68	-1105.68
				GOVERNANCE								

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(BL83)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page NO. : 7

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Fund : 1 Municipal Fund Programme : 05 LAW, ORDER AND PUBLIC SAFETY Sub-programme : 101 FIRE PREVENTION										
Sub-programme : 101 FIRE PREVENTION										
10101462				Insurance - Fire	4036.00	0.00	4036.00	3636.00	4035.82	-339.82
10101600				Governance Overheads Alloca	16600.50	0.00	16600.50	15213.00	12268.29	2944.71
10102495				Fire Fighting	14000.00	0.00	14000.00	12815.00	2330.55	10484.45
10102500				Fire Prevention	7500.00	0.00	7500.00	6842.00	3727.79	3114.21
				<b>Total OPERATING EXPENDITURE</b>	<b>42136.50</b>	<b>0.00</b>	<b>42136.50</b>	<b>38566.00</b>	<b>22362.45</b>	<b>16203.55</b>
10103218				FESA Grant - Operating Bush	-4564.00	0.00	-4564.00	-4180.00	-2734.00	-1446.00
10103655				Reimbursements - Fire fight	0.00	0.00	0.00	0.00	-8247.66	8247.66
				<b>Total OPERATING INCOME</b>	<b>-4564.00</b>	<b>0.00</b>	<b>-4564.00</b>	<b>-4180.00</b>	<b>-10981.66</b>	<b>6801.66</b>
				<b>Total</b>	<b>37572.50</b>	<b>0.00</b>	<b>37572.50</b>	<b>34386.00</b>	<b>11380.79</b>	<b>23005.21</b>
				<b>Total</b>	<b>37572.50</b>	<b>0.00</b>	<b>37572.50</b>	<b>34386.00</b>	<b>11380.79</b>	<b>23005.21</b>
				<b>FIRE PREVENTION Sub-programme Total</b>	<b>37572.50</b>	<b>0.00</b>	<b>37572.50</b>	<b>34386.00</b>	<b>11380.79</b>	<b>23005.21</b>
Sub-programme : 102 ANIMAL CONTROL										
10201600				Governance Overheads Alloca	16600.50	0.00	16600.50	15213.00	12268.29	2944.71
10202315				Animal Control	5100.00	0.00	5100.00	4675.00	5000.00	-325.00
10202450				Dog Licenses Discs	50.00	0.00	50.00	44.00	67.00	-23.00
10202450				Dog Tidy Dispensers	1200.00	0.00	1200.00	1089.00	1032.84	56.46
10202580				Legal Expenses - Law & Orde	500.00	0.00	500.00	451.00	431.83	19.07
10202665				Other Minor Expenditure	250.00	0.00	250.00	250.00	0.00	220.00
10202690				Maintenance - Pound	600.00	0.00	600.00	528.00	50.22	477.78
				<b>Total OPERATING EXPENDITURE</b>	<b>24300.50</b>	<b>0.00</b>	<b>24300.50</b>	<b>22220.00</b>	<b>18849.88</b>	<b>3370.02</b>
10203701				Animal Handling Equipment	-100.00	0.00	-100.00	-88.00	0.00	-88.00
10203719				Dog Sustainance Fees	-50.00	0.00	-50.00	-44.00	0.00	-44.00
10203810				Fines & Penalties - Dog Act	-250.00	0.00	-250.00	-200.00	-80.00	-140.00
10203858				Dog Registration Fees	-2200.00	0.00	-2200.00	-2013.00	-1704.90	-308.10
				<b>Total OPERATING INCOME</b>	<b>-2600.00</b>	<b>0.00</b>	<b>-2600.00</b>	<b>-2365.00</b>	<b>-1784.90</b>	<b>-580.10</b>
				<b>Total</b>	<b>21700.50</b>	<b>0.00</b>	<b>21700.50</b>	<b>19855.00</b>	<b>17065.08</b>	<b>2789.92</b>
				<b>Total</b>	<b>21700.50</b>	<b>0.00</b>	<b>21700.50</b>	<b>19855.00</b>	<b>17065.08</b>	<b>2789.92</b>
				<b>ANIMAL CONTROL Sub-programme Total</b>	<b>21700.50</b>	<b>0.00</b>	<b>21700.50</b>	<b>19855.00</b>	<b>17065.08</b>	<b>2789.92</b>
Sub-programme : 103 OTHER LAW, ORDER & PUBLIC SAFETY										
10301301				Depreciation - Plant & Equi	9015.00	0.00	9015.00	8261.00	8341.92	-80.92
10301303				Depreciation - Buildings	1023.00	0.00	1023.00	935.00	939.21	-4.21
10301600				Governance Overheads Alloca	20157.75	0.00	20157.75	18469.00	14863.47	3605.53

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 8  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Amendments Budget	Department: Sub Depart:	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
10302425	1	Municipal Fund			8000.00	0.00		8000.00	7345.00	12497.27	-5182.27
10302750	05	LAW, ORDER AND PUBLIC SAFETY			50000.00	0.00		50000.00	48585.00	39883.98	8681.02
10302792	103	OTHER LAW, ORDER&PUBLIC SAFETY			11690.00	0.00		11690.00	10714.00	118.18	10595.82
10302795		Emergency Management Consul			13500.00	0.00		13500.00	14201.00	15880.39	-1379.39
10302800		SES Denham - Operating			6000.00	0.00		6000.00	5489.00	5071.22	417.78
10309950		SES Useless Loop - Operatin			100.00	0.00		100.00	88.00	55.50	32.50
		Telephone - Road Sign Trail									
		Total OPERATING EXPENDITURE			124485.75	0.00		124485.75	114037.00	97351.14	16685.86
10303218		Grant FESA - SES			-21500.00	0.00		-21500.00	-19701.00	-24955.00	5254.00
10303220		FESA SES Capital Grants			-486500.00	0.00		-486500.00	-445951.00	-4875.00	-441076.00
10303401		Contribution - SES			0.00	0.00		0.00	0.00	-108268.40	108268.40
10303824		Fines and Penalties Local I			-500.00	0.00		-500.00	-451.00	-500.00	49.00
		Total OPERATING INCOME			-508500.00	0.00		-508500.00	-466103.00	-138598.40	-327504.60
10305304		Emergency Services Building			580000.00	0.00		580000.00	531641.00	6242.05	525398.95
10305305		FESA -SES Capital Expenditu			6500.00	0.00		6500.00	5951.00	4711.36	1239.64
		Total CAPITAL EXPENDITURE			586500.00	0.00		586500.00	537592.00	10953.41	526638.59
		Total			202485.75	0.00		202485.75	185526.00	-30293.85	215819.85
		Total			202485.75	0.00		202485.75	185526.00	-30293.85	215819.85
		OTHER LAW,ORDER&PUBL Sub-Programme Total			202485.75	0.00		202485.75	185526.00	-30293.85	215819.85
		LAW, ORDER AND PUBLI Programme Total			261758.75	0.00		261758.75	239767.00	-1847.98	241614.98



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 9  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund : 1 Municipal Fund  
Programme : 07 HEALTH  
Sub-programme : 151 HEALTH INSPECTION  
COA no. Description

	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
<b>Sub-programme : 151 HEALTH INSPECTION</b>						
15100625 Consultant Fees - Health	35000.00	0.00	35000.00	32076.00	31494.41	581.59
15100680 Travel & Accommodation - St	10000.00	-5000.00	5000.00	4576.00	1845.82	2730.18
15101600 Governance Overheads Alloca	22529.25	0.00	22529.25	20647.00	16593.69	4053.31
15101615 Health Overheads Recovered	-13917.12	0.00	-13917.12	-12749.00	-5334.43	-7414.57
Total OPERATING EXPENDITURE	53612.13	-5000.00	48612.13	44550.00	44599.49	-49.49
15103784 Septic Tank Inspect Fees	-250.00	0.00	-250.00	0.00	0.00	-250.00
15103870 Itinerant Food Vendors Lice	-325.00	0.00	-325.00	-297.00	-206.00	-91.00
15103875 Offensive Trade License	-750.00	0.00	-750.00	-682.00	-737.00	55.00
15103884 Septic Tank Application Fee	-1000.00	0.00	-1000.00	-913.00	-1052.00	139.00
Total OPERATING INCOME	-2325.00	0.00	-2325.00	-2112.00	-1995.00	-117.00
Total	51287.13	-5000.00	46287.13	42438.00	42604.49	-166.49
Total	51287.13	-5000.00	46287.13	42438.00	42604.49	-166.49
<b>HEALTH INSPECTION Sub-programme Total</b>						
HEALTH INSPECTION Sub-programme Total	51287.13	-5000.00	46287.13	42438.00	42604.49	-166.49
<b>Sub-programme : 152 PREVENTATIVE SERVICES</b>						
15202310 Analytical Expenses	0.00	1000.00	1000.00	913.00	401.26	511.74
15202320 Mosquito Control (Fogging)	3000.00	0.00	3000.00	2728.00	3167.55	-439.55
Total OPERATING EXPENDITURE	3000.00	1000.00	4000.00	3641.00	3568.81	72.19
Total	3000.00	1000.00	4000.00	3641.00	3568.81	72.19
Total	3000.00	1000.00	4000.00	3641.00	3568.81	72.19
<b>PREVENTATIVE SERVICE Sub-programme Total</b>						
PREVENTATIVE SERVICE Sub-programme Total	3000.00	1000.00	4000.00	3641.00	3568.81	72.19
<b>Sub-programme : 153 OTHER HEALTH</b>						
15301600 Governance Overheads Alloca	10671.75	0.00	10671.75	9779.00	7864.46	1914.54
15302505 Flying Doctor Services	5500.00	0.00	5500.00	5038.00	4850.00	198.00
15302813 St John Ambulance - Shark B	280.00	0.00	280.00	253.00	526.54	-273.54
Total OPERATING EXPENDITURE	16451.75	0.00	16451.75	15070.00	13241.00	1829.00
Total	16451.75	0.00	16451.75	15070.00	13241.00	1829.00
Total	16451.75	0.00	16451.75	15070.00	13241.00	1829.00
<b>OTHER HEALTH Sub-programme Total</b>						
OTHER HEALTH Sub-programme Total	16451.75	0.00	16451.75	15070.00	13241.00	1829.00

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 10  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund : 1 Municipal Fund  
Programme : 07 HEALTH Department:  
Sub-programme : 154 BUILDING HEALTHY COMMUNITIES Budget  
COA no. Description Original Budget Amendments  
Sub-programme : 154 BUILDING HEALTHY COMMUNITIES Y.T.D. Y.T.D.  
Actual Variance

HEALTH	Programme Total	70738.88	-4000.00	66738.88	61149.00	59414.30	1734.70
--------	-----------------	----------	----------	----------	----------	----------	---------

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 11

For Period Ending 30.06.13

Date from : 01.07.12

Date To : 31.05.13

Fund	Programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Sub-programme : 091 Municipal Fund									
Sub-programme : 09 HOUSING									
Sub-programme : 091 Staff Housing									
09100001			House 5 Spaven Way (CEO)	10121.00	0.00	10121.00	9240.00	3658.86	5581.14
09100010			House 34 Hughes Street Unit	15750.00	0.00	15750.00	14421.00	14388.01	22.99
09100020			House 65 Brockman Street	3562.00	0.00	3562.00	7821.00	4508.66	3312.34
09100030			House 39 Durlacher St	15400.00	0.00	15400.00	14102.00	13181.25	920.75
09100040			House 80 Durlacher St	8018.00	0.00	8018.00	7315.00	2078.88	5236.12
09100050			House 51 Durlacher St	9375.00	0.00	9375.00	8558.00	3921.82	4636.18
09100100			Staff Housing Costs Allocat	-46414.00	0.00	-46414.00	-42537.00	-33416.65	-9120.35
Total OPERATING EXPENDITURE									
09110530			Rental Income 39 Durlacher	20812.00	0.00	20812.00	18920.00	8330.83	10589.17
09110540			Rental Income 80 Durlacher	-10400.00	0.00	-10400.00	-9526.00	-4680.00	-4926.00
09110600			Reimbursement Income Staff H	-7800.00	0.00	-7800.00	-7150.00	-3480.00	-3700.00
Total OPERATING INCOME									
09128000			Capital Works Staff Housing	-22800.00	0.00	-22800.00	-20889.00	-8330.83	-12558.17
Total CAPITAL EXPENDITURE									
09128000			Total	20000.00	0.00	20000.00	18260.00	8079.50	10180.50
09128000			Total	18012.00	0.00	18012.00	16291.00	8079.50	8211.50
09128000			Total	18012.00	0.00	18012.00	16291.00	8079.50	8211.50
Staff Housing			Sub-programme Total	18012.00	0.00	18012.00	16291.00	8079.50	8211.50
Sub-programme : 251 PENSIONER UNITS									
25100735			Maintenance - Pensioner Uni	5020.00	0.00	5020.00	4532.00	1119.52	3412.48
25100736			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	0.00	1133.00
25100737			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	0.00	1133.00
25100738			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	0.00	1133.00
25100739			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	892.57	240.43
25100740			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	961.84	171.16
25100741			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	2933.24	-1800.24
25100742			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	550.63	582.37
25100743			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	828.84	307.16
25100744			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	262.57	986.43
25100745			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	632.85	500.13
25100746			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	332.28	800.72
25100747			Maintenance - Pensioner Uni	1255.00	0.00	1255.00	1133.00	1161.15	-28.15
25100757			Utilities - Pensioner Uni	9650.00	0.00	9650.00	8822.00	10284.60	-1462.60
25100776			Utilities - Pensioner Unit	1400.00	0.00	1400.00	1276.00	320.00	956.00
25100777			Utilities - Pensioner Unit	1400.00	0.00	1400.00	1276.00	320.00	956.00
25100778			Utilities - Pensioner Unit	1400.00	0.00	1400.00	1276.00	320.00	956.00
25100779			Utilities - Pensioner Unit	1400.00	0.00	1400.00	1276.00	320.00	956.00
25100780			Utilities - Pensioner Unit	1400.00	0.00	1400.00	1276.00	320.00	956.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 12

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Department:	Original Budget	Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
	1			Municipal Fund							
	09			HOUSING							
	251			PENSIONER UNITS							
25100781				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100782				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100783				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100784				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100785				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100786				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100787				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100788				Utilities - Pensioner Unit		1400.00	0.00	1400.00	1276.00	320.00	956.00
25100798				Utilities - Pensioner Units		3650.00	0.00	3650.00	3344.00	15005.81	636.00
25101303				Depreciation - Buildings		8238.00	0.00	8238.00	7560.53	14.53	-11661.81
25101470				Insurance - Pensioner Units		3461.00	0.00	3461.00	3546.00	-14.53	-378.00
25101600				Governance Overheads Alloca		39129.75	0.00	39129.75	35860.00	28861.93	6998.07
25101610				Health Overheads Allocated		869.82	0.00	869.82	792.00	333.40	458.60
Total				OPERATING EXPENDITURE		103278.57	0.00	103278.57	94248.00	79408.76	14839.24
25103960				Rent - Pensioner Unit 1		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103961				Rent - Pensioner Unit 2		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103962				Rent - Pensioner Unit 3		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103963				Rent - Pensioner Unit 4		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103964				Rent - Pensioner Unit 5		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103965				Rent - Pensioner Unit 6		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103966				Rent - Pensioner Unit 7		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103967				Rent - Pensioner Unit 8		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103968				Rent - Pensioner Unit 9		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103969				Rent - Pensioner Unit 10		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103970				Rent - Pensioner Unit 11		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103971				Rent - Pensioner Unit 12		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
25103972				Rent - Pensioner Unit 13		-5460.00	0.00	-5460.00	-5005.00	-5460.00	455.00
Total				OPERATING INCOME		-70980.00	5460.00	-65520.00	-60049.00	-65578.65	5529.65
25104785				Pensioner Units Capital Wor		82000.00	0.00	82000.00	75163.00	78595.02	-3432.02
Total				CAPITAL EXPENDITURE		82000.00	0.00	82000.00	75163.00	78595.02	-3432.02
25106030				Transfer from Pensioner Uni		-82000.00	0.00	-82000.00	0.00	0.00	0.00
Total				CAPITAL INCOME		-82000.00	0.00	-82000.00	0.00	0.00	0.00
Total				Total		32298.57	5460.00	37758.57	109362.00	92425.13	16936.87
Total				Total		32298.57	5460.00	37758.57	109362.00	92425.13	16936.87
PENSIONER UNITS				Sub-programme Total		32298.57	5460.00	37758.57	109362.00	92425.13	16936.87
HOUSING				Programme Total		50310.57	5460.00	55770.57	125653.00	100504.63	25148.37

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 19.06.13 at 08:45  
Page No. : 13  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Fund : 1	Municipal Fund								
Programme : 10	COMMUNITY AMENITIES								
Sub-programme : 301	SANITATION - HOUSEHOLD REFUSE								
30101304	Depreciation - Public Facili	4234.00	0.00	0.00	4234.00	3886.13	3886.13	3886.13	-14.13
30101600	Governance Overheads Alloca	27272.25	0.00	0.00	27272.25	24992.00	20132.56	20132.56	4859.44
30102190	Refuse Site Maintenance	102000.00	0.00	0.00	102000.00	93489.00	68917.68	68917.68	24571.32
30102210	Refuse Site Gate Attendance	80175.00	0.00	0.00	80175.00	73469.00	67527.73	67527.73	5941.27
30102465	Domestic Refuse Collection	52000.00	0.00	0.00	52000.00	47663.00	53020.90	53020.90	-5357.90
Total	OPERATING EXPENDITURE	265681.25	0.00	0.00	265681.25	243485.00	213485.00	213485.00	30000.00
30103769	Refuse Removal	-149742.00	0.00	0.00	-149742.00	-137258.00	-151262.52	-151262.52	14004.52
Total	OPERATING INCOME	-149742.00	0.00	0.00	-149742.00	-137258.00	-151262.52	-151262.52	14004.52
30105575	Refuse Site Infrastructure	388341.00	0.00	0.00	388341.00	355949.00	10440.00	10440.00	345509.00
Total	CAPITAL EXPENDITURE	388341.00	0.00	0.00	388341.00	355949.00	10440.00	10440.00	345509.00
Total	Total	504280.25	0.00	0.00	504280.25	462176.00	72662.48	72662.48	389513.52
Total	Total	504280.25	0.00	0.00	504280.25	462176.00	72662.48	72662.48	389513.52
SANITATION - HOUSEHO Sub-programme Total									
Sub-programme : 302 SANITATION OTHER									
30201304	Depreciation - Public Facili	895.00	0.00	0.00	895.00	814.00	821.30	821.30	-7.30
30201270	Insurance - Waste Facilitie	299.00	0.00	0.00	299.00	264.00	280.00	280.00	-16.00
30201600	Governance Overheads Alloca	30829.50	0.00	0.00	30829.50	28259.00	22727.80	22727.80	5531.20
30201610	Health Overheads Allocated	3479.28	0.00	0.00	3479.28	3179.00	1333.59	1333.59	1845.41
30202190	Rural Rubbish Tip Maintenan	5000.00	0.00	0.00	5000.00	4576.00	0.00	0.00	4576.00
30202600	Main Roads Rubbish Collecti	11300.00	0.00	0.00	11300.00	10351.00	11728.75	11728.75	-1377.75
30202695	Purchase Of Bins	3000.00	0.00	0.00	3000.00	2750.00	843.90	843.90	1906.10
30202815	Street Bins	3515.00	0.00	0.00	3515.00	3212.00	3208.03	3208.03	3.97
30202820	Street Rubbish Bin Maintena	3100.00	0.00	0.00	3100.00	2816.00	2317.26	2317.26	498.74
30202841	Clean Up Australia Campaign	1500.00	0.00	0.00	1500.00	1375.00	0.00	0.00	1375.00
Total	OPERATING EXPENDITURE	62917.78	0.00	0.00	62917.78	57596.00	43260.63	43260.63	14335.37
30203326	Grants - Waste Disposal	-378341.00	0.00	0.00	-378341.00	-346908.00	-346908.00	-346908.00	-346806.00
30203720	Refuse Site Fees	-64160.00	15000.00	0.00	-49160.00	-45056.00	-41684.39	-41684.39	-3371.61
30203730	Recycling Income	900.00	0.00	0.00	900.00	825.00	-45.45	-45.45	-779.55
30203743	Main Roads Rubbish Collecti	-10975.00	0.00	0.00	-10975.00	-10054.00	0.00	0.00	-10054.00
30203775	Sale Of Rubbish Bins	-2750.00	0.00	0.00	-2750.00	-2519.00	-2034.59	-2034.59	-484.41
Total	OPERATING INCOME	-457126.00	15000.00	0.00	-442126.00	-405262.00	-43764.43	-43764.43	-361497.57
Total	Total	-394208.22	15000.00	0.00	-379208.22	-347666.00	-503.80	-503.80	-347162.20
Total	Total	-394208.22	15000.00	0.00	-379208.22	-347666.00	-503.80	-503.80	-347162.20

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 19.06.13 at 08:45  
Page No. : 14  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	COA no.	Description	Original Budget	Sub-programme Total	Department: Sub Dept: Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
			SANITATION OTHER	-394208.22	15000.00	-379208.22	-347162.20	-503.80	-347162.20	
			Sub-programme : 303 TOWN PLANNING&REGIONAL DEVELOP							
			30301600 Governance Overheads Alloca	47430.00	0.00	47430.00	34917.42	8554.58		
			30302410 Planning Consultant Fees	45000.00	25000.00	70000.00	59269.20	4893.80		
			30302665 Other Minor Expenditure	500.00	0.00	500.00	0.00	451.00		
			30302860 Town Planning Advertisings	2000.00	0.00	2000.00	1826.00	-329.24		
			30302870 Town Planning Amendments	5000.00	0.00	5000.00	3375.00	1201.00		
			30302880 Town Planning Scheme No 3	2000.00	18000.00	20000.00	12556.50	5769.50		
			Total OPERATING EXPENDITURE	101930.00	43000.00	144930.00	112273.36	20540.64		
			30303716 Development Applications	-22000.00	5000.00	-17000.00	-11174.72	-4401.28		
			30303759 Planning Advice - Written	-250.00	0.00	-250.00	0.00	-220.00		
			30303761 Planning Orders & Rezoning	-2000.00	0.00	-2000.00	-1764.00	-62.00		
			30303781 Scheme Amendments/Rezoning	-500.00	0.00	-500.00	0.00	-451.00		
			30303791 Structure Plans/Revelope	-500.00	0.00	-500.00	0.00	-451.00		
			30303865 Home Occupation Licences	-500.00	0.00	-500.00	-138.00	-313.00		
			30303867 Certificate for Liquor Lice	-200.00	0.00	-200.00	0.00	-176.00		
			Total OPERATING INCOME	-25950.00	5000.00	-20950.00	-13076.72	-6074.28		
			Total	75980.00	48000.00	123980.00	99196.64	14466.36		
			Total	75980.00	48000.00	123980.00	99196.64	14466.36		
			TOWN PLANNING&REGION Sub-programme Total	75980.00	48000.00	123980.00	99196.64	14466.36		
			Sub-programme : 304 OTHER COMMUNITY AMENITIES							
			30400715 Cleaning - Public Convenien	29811.00	0.00	29811.00	26554.84	769.16		
			30400730 Maintenance - Public Conven	3200.00	0.00	3200.00	4526.71	-1622.71		
			30400760 Maintenance - Mortuary	900.00	0.00	900.00	0.00	825.00		
			30400775 Utilities - Public Convenie	2500.00	0.00	2500.00	515.95	1772.05		
			30401303 Depreciation - Buildings	13018.00	0.00	13018.00	11924.00	-23.98		
			30401304 Depreciation - Public Facil	11285.00	0.00	11285.00	10397.75	-17.75		
			30401470 Insurance - Public Convenie	2490.75	0.00	2490.75	18323.69	-15.62		
			30401600 Governance Overheads Alloca	1739.64	0.00	1739.64	666.82	4501.31		
			30401610 Health Overheads Alloca	7400.00	0.00	7400.00	7489.81	917.18		
			30401930 Maintenance - Cemeteries	4200.00	0.00	4200.00	6480.49	-2663.49		
			30402383 Cemetery Burial Expenses	320.00	0.00	320.00	314.25	-28.25		
			30410715 Cleaning - Mortuary	328.00	0.00	328.00	307.26	-10.26		
			30411470 Insurance - Cemetery & Mort							
			Total OPERATING EXPENDITURE	100397.39	0.00	100397.39	88227.37	3688.63		
			30403706 Cemetery Fees	-1250.00	0.00	-1250.00	-1216.18	74.18		



SHIRE OF SHARK BAY  
(E183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 15  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Department:	Y.T.D. Budget	Y.T.D. Actual	Variance
Programme : 10 COMMUNITY AMENITIES	Sub Depart:			
Sub-programme : 304 OTHER COMMUNITY AMENITIES	Budget Amendments			
COA No.	Description	Original Budget	Current Budget	Y.T.D. Actual
30403860	Funeral Directors License	-1350.00	-1350.00	-1185.00
	Total OPERATING INCOME	-2600.00	-2600.00	-2403.18
30404735	Public Conveniences - Capita	35000.00	35000.00	21560.66
	Total CAPITAL EXPENDITURE	35000.00	32076.00	10515.34
	Total	132797.39	121616.00	14231.15
	Total	132797.39	107384.85	14231.15
OTHER COMMUNITY AMEN	Sub-programme Total	132797.39	121616.00	14231.15
COMMUNITY AMENITIES	Programme Total	318849.42	349789.00	71048.83

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 16

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund : 1 Municipal Fund  
Programme : 11 RECREATION AND CULTURE  
Sub-Programme : 351 PUBLIC HALL & CIVIC CENTRES  
COA no. Description

Sub-programme	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
35100715	Sub-programme : 351 PUBLIC HALL & CIVIC CENTRES						
35100715	Cleaning - Denham Hall	7070.00	0.00	7070.00	6479.00	6247.66	231.34
35100730	Maintenance - Community Cen	3500.00	0.00	3500.00	3179.00	4706.07	-1527.07
35100775	Utilities - Community Resou	1500.00	0.00	1500.00	1375.00	-1337.45	2712.45
35101125	Donation - Contra Hall Hire	4000.00	0.00	4000.00	3663.00	0.00	3663.00
35101302	Depreciation - Furniture &	6913.00	0.00	6913.00	6336.00	6344.58	-8.58
35101303	Depreciation - Buildings	94659.00	0.00	94659.00	86757.00	86955.95	-198.95
35101310	Depreciation - Heritage Ass	3232.00	0.00	3232.00	2959.00	2956.71	-7.71
35101452	Insurance - Community Build	11487.00	0.00	11487.00	10527.00	10721.84	-194.84
35101600	Governance Overheads Alloca	28458.00	0.00	28458.00	26081.00	20937.67	5083.33
351101610	Health Overheads Allocated	1739.64	0.00	1739.64	1584.00	656.82	917.18
35110730	Maintenance - Denham Hall	4000.00	0.00	4000.00	3641.00	4004.85	-363.85
35110775	Utilities - Community Centr	1800.00	0.00	1800.00	1650.00	-251.12	1901.12
35120730	Maintenance - Overlander Ha	1000.00	0.00	1000.00	913.00	182.00	721.00
35120775	Utilities - Denham Hall	6400.00	0.00	6400.00	5852.00	4484.51	1367.49
35130730	Maintenance-Community Resou	5000.00	0.00	5000.00	4554.00	227.27	4326.73
	Total	180758.64	0.00	180758.64	165550.00	146927.36	18622.64
35103340	Grant - GDC R4R Rec Centre	-5000.00	0.00	-5000.00	-45826.00	-5000.00	4174.00
35103343	Contribution - POS Rec Cent	-242604.00	0.00	-242604.00	-232387.00	-256661.54	34274.54
35103430	Denham Hall Hire - Contra	-4000.00	0.00	-4000.00	-3663.00	0.00	-3663.00
35103431	Contributions - Overlander	-150.00	0.00	-150.00	-132.00	0.00	-132.00
35103560	Reimbursements - Community	-1500.00	0.00	-1500.00	-1375.00	0.00	-1375.00
35103795	Hire - Denham Hall Tables C	-100.00	0.00	-100.00	-88.00	-23.66	-64.34
35103906	Hire - Community Centre	-500.00	0.00	-500.00	-451.00	-363.64	-87.36
35103910	Hire - Denham Hall	-1800.00	0.00	-1800.00	-1650.00	-805.00	-845.00
35103955	Rent - Property Building (C	-100.00	0.00	-100.00	-88.00	0.00	-88.00
35103956	Rent - Community Resource C	-5200.00	3500.00	-1700.00	-1551.00	0.00	-1551.00
	Total	-305954.00	3500.00	-302454.00	-277211.00	-307853.84	30642.84
35104701	Community Centre Improvemen	5000.00	0.00	5000.00	4576.00	4501.99	74.01
35104785	Rec Centre Construction	1168654.00	0.00	1168654.00	1071224.00	958157.02	113066.98
35104980	Community Resource Centre C	100000.00	0.00	100000.00	91652.00	73306.99	18345.01
	Total	1273654.00	0.00	1273654.00	1167452.00	1035966.00	131486.00
	Total	1148458.64	3500.00	1151958.64	1055791.00	875039.52	180751.48
	Total	1148458.64	3500.00	1151958.64	1055791.00	875039.52	180751.48
	PUBLIC HALL & CIVIC Sub-programme Total	1148458.64	3500.00	1151958.64	1055791.00	875039.52	180751.48
	Sub-programme : 352 FORESHORE						
35200715	Cleaning - Fish Cleaning Fa	34775.00	0.00	34775.00	31867.00	31328.28	538.72
35200730	Maintenance Fish Cleaning F	3050.00	0.00	3050.00	2761.00	1328.09	1432.91

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 17  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Amendments	Sub Dept:	Department:	Current Budget	Y. T. D. Budget	Y. T. D. Actual	Variance
	1	11	352	Municipal Fund RECREATION AND CULTURE FORESHORE								
35200775				Utilities - Fish Cleaning F	3000.00		3000.00		6500.00	5951.00	4844.05	1136.97
35201304				Depreciation - Public Facil	10450.00	0.00	0.00		10450.00	9590.78	9590.78	-20.78
35201463				Insurance-Foreshore Facilit	11759.00	0.00	0.00		11759.00	1606.00	1673.11	-67.11
35201600				Governance Overheads Alloca	28458.00	0.00	0.00		28458.00	26081.00	20987.67	5083.33
35201920				Beach/Rock Wall Maintenance	5000.00	0.00	0.00		5000.00	4554.00	1739.70	2814.30
35202060				Foreshore BBQ Facilities Mt	2500.00	0.00	0.00		2500.00	2541.00	6541.54	-4000.54
35202205				Seaweed Removal Marina Boat	5000.00	0.00	0.00		5000.00	5027.00	6192.22	-1165.22
35202235				Swimming Hole Maintenance	900.00	0.00	0.00		900.00	814.00	0.00	814.00
35210715				Cleaning - Foreshore/Lagoon	59709.00	0.00	0.00		59709.00	54725.00	53783.34	941.66
35210775				Utilities-Foreshore/Lagoon	10000.00	0.00	0.00		10000.00	9133.00	1717.03	-804.03
				Total OPERATING EXPENDITURE	156901.00	3000.00	3000.00		159901.00	146410.00	139705.79	6704.21
35203328				Grants - Public Facilities	-60000.00	0.00	0.00		-60000.00	-55000.00	0.00	-55000.00
				Total OPERATING INCOME	-60000.00	0.00	0.00		-60000.00	-55000.00	0.00	-55000.00
35205525				Foreshore Public Facilities	12000.00	0.00	0.00		12000.00	10000.00	6654.55	4345.45
35205526				Foreshore Public Toilets Ca	100000.00	0.00	0.00		100000.00	91663.00	58604.79	33058.21
35205531				Rock Wall	15000.00	0.00	0.00		15000.00	13728.00	0.00	13728.00
35205532				Knight Terrace Boat Ramps C	63000.00	0.00	0.00		63000.00	57717.00	45824.80	11892.20
35205546				Denham Recreation Jetty Rep	2000000.00	0.00	0.00		2000000.00	1833326.00	0.00	1833326.00
				Total CAPITAL EXPENDITURE	2190000.00	0.00	0.00		2190000.00	2007434.00	111084.14	1896349.86
				Total	2286901.00	3000.00	3000.00		2289901.00	2098844.00	250789.93	1848054.07
				Total	2286901.00	3000.00	3000.00		2289901.00	2098844.00	250789.93	1848054.07
FORESHORE				Sub-programme Total	2286901.00	3000.00	3000.00		2289901.00	2098844.00	250789.93	1848054.07
Sub-programme : 353				OTHER RECREATION & SPORT								
35300730				Maintenance - Mini Golf Cen	0.00	0.00	0.00		0.00	0.00	612.23	-612.23
35300775				Utilities - Mini Golf Centr	3000.00	-3000.00	0.00		0.00	0.00	24.16	-24.16
35300860				Vehicle Running Costs (Bus)	3995.00	0.00	0.00		3995.00	3641.00	3997.34	-356.34
35301115				Sport and Recreation Festiv	25000.00	0.00	0.00		25000.00	2902.00	24488.18	-1586.18
35301122				Contribution - Community Bu	5500.00	0.00	0.00		5500.00	5038.00	9995.70	-4357.70
35301125				Sporting Clubs - Assistance	6000.00	0.00	0.00		6000.00	5500.00	6158.00	-658.00
35301304				Depreciation - Public Facil	23741.00	0.00	0.00		23741.00	21758.00	21788.75	-30.75
35301475				Insurance-Recreation Facill	31501.25	0.00	0.00		31501.25	2475.00	1685.44	789.56
35301600				Governance Overheads Alloca	800.00	0.00	0.00		800.00	28875.00	30592.15	-1717.15
35302125				Multi-Purpose Courts	500.00	0.00	0.00		500.00	715.00	3835.93	-3120.93
35302195				Misc Equipment Repairs	3500.00	0.00	0.00		3500.00	451.00	0.00	451.00
35302240				Town Common/Little Lagoon M	33500.00	0.00	0.00		33500.00	3179.00	1356.70	1822.30
35302242				Sport and Recreation Centre	8000.00	0.00	0.00		8000.00	30690.00	23335.70	7354.30
35302245				Walk Trail - Maintenance	2000.00	-4000.00	0.00		2000.00	3641.00	854.28	2886.72
35302280				Sport and Recreation Centre	116027.00	-58000.00	0.00		58027.00	1815.00	72.87	1742.13
35303000				Sport and Recreation Centre	116027.00	-58000.00	0.00		58027.00	53141.00	11989.51	41151.49

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 18  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Department:	Original Budget	Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
	1	11		Municipal Fund RECREATION AND CULTURE							
		353		OTHER RECREATION & SPORT							
35304730				Maintenance Community Gym		77500.00	0.00	1500.00	1375.00	1309.10	65.90
35310775				Utilities - Multi-Purp. Cou		0.00	0.00	500.00	451.00	386.66	84.34
35312160				Parks And Gardens		77500.00	-15000.00	62500.00	57200.00	62384.83	-5184.83
35320775				Utilities - Parks & Gardens		2500.00	0.00	2500.00	2288.00	650.64	1637.36
35330775				Utilities - Town Oval		5500.00	0.00	5500.00	5038.00	5722.19	-684.19
				<b>Total OPERATING EXPENDITURE</b>		353315.25	-80000.00	273315.25	250173.00	211220.36	38952.64
35303237				Grants - Operating Sport an		-1000.00	0.00	-1000.00	-913.00	0.00	-913.00
35303334				Grant - Recreation Jetty Re		-200000.00	0.00	-200000.00	-1833326.00	0.00	-1833326.00
35303390				Walk Trail Grant Funding		-1500.00	0.00	-1500.00	-1375.00	0.00	-1375.00
35303410				Contributions & Donations S		-72896.00	-19000.00	-91896.00	-84227.00	-90007.91	5780.91
35303455				Reimbursement - Sporting Cl		3000.00	0.00	3000.00	0.00	0.00	0.00
35303736				Community Bus - Hire Income		-1000.00	0.00	-1000.00	-9163.00	-9989.92	808.92
35303738				Marquee Hire Charges		-1500.00	0.00	-1500.00	-1375.00	-209.10	-1165.90
35303810				SESRC Gymnasium Fees		-6750.00	1988.00	-4762.00	-4356.00	-1539.49	-2760.51
35303815				SESRC Programs Income		8000.00	4000.00	12000.00	-1826.00	0.00	-1826.00
35303820				SESRC Hire Fees		5000.00	3500.00	8500.00	-1375.00	0.00	-1375.00
35303825				SESRC Sales of Merchandise		-2000.00	1500.00	-500.00	-451.00	0.00	-451.00
35303913				Denham Oval Hire		-350.00	0.00	-350.00	-319.00	-704.55	385.55
35303945				Property Reserves Rent - Cl		-400.00	0.00	-400.00	-363.00	0.00	-363.00
				<b>Total OPERATING INCOME</b>		-2110596.00	-5012.00	-2115408.00	-1939069.00	-102486.97	-1836582.03
35305502				Recreation Equipment (Capit		0.00	6500.00	6500.00	5951.00	6047.69	-96.69
35305586				Parks & Gardens Capital Exp		55000.00	0.00	55000.00	50358.00	7856.22	4301.78
35605501				Little Lagoon - Capital Wor		7500.00	0.00	7500.00	6875.00	3202.00	3673.00
				<b>Total CAPITAL EXPENDITURE</b>		62500.00	6500.00	69000.00	63184.00	17105.91	46078.09
				<b>Total</b>		-1694580.75	-78512.00	-1773092.75	-1625712.00	125839.30	-1751551.30
				<b>Total</b>		-1694580.75	-78512.00	-1773092.75	-1625712.00	125839.30	-1751551.30
				<b>OTHER RECREATION &amp; S Sub-programme Total</b>		-1694580.75	-78512.00	-1773092.75	-1625712.00	125839.30	-1751551.30
				<b>Sub-programme : 354 TV &amp; RADIO RE-BROADCASTING</b>							
35401470				Insurance - TV Satellite		232.00	0.00	232.00	209.00	216.38	-7.38
35401500				Governance Overheads Alloca		15414.75	0.00	15414.75	14124.00	11324.62	2799.38
35402255				TV Receiver/Transmitter		7200.00	0.00	7200.00	6600.00	6207.27	392.73
				<b>Total OPERATING EXPENDITURE</b>		22846.75	0.00	22846.75	20933.00	17748.27	3184.73
35405250				Digital TV Upgrade		150000.00	0.00	150000.00	137500.00	8114.00	129386.00
				<b>Total CAPITAL EXPENDITURE</b>		150000.00	0.00	150000.00	137500.00	8114.00	129386.00
35406069				Loan Funds Digital TV Upgra		-150000.00	0.00	-150000.00	-137500.00	0.00	-137500.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 19  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Amendments	Sub Budget	Department:	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
	1	Municipal Fund										
	11	RECREATION AND CULTURE										
		354	TV & RADIO RE-BROADCASTING									
			TOTAL CAPITAL INCOME		-150000.00	0.00	-150000.00		22846.75	20933.00	25862.27	-137500.00
			Total		22846.75	0.00	22846.75		22846.75	20933.00	25862.27	-4923.27
			Total		22846.75	0.00	22846.75		22846.75	20933.00	25862.27	-4923.27
			TV & RADIO RE-BROADCAST Sub-programme Total		22846.75	0.00	22846.75		22846.75	20933.00	25862.27	-4923.27
			Sub-programme : 355 LIBRARIES									
			35500970	Postage - Library	1500.00	0.00	1500.00		1500.00	1375.00	446.60	928.40
			35500975	Printing and Stationery	900.00	0.00	900.00		900.00	825.00	2418.14	-1593.14
			35500995	Telephone - Library	450.00	0.00	450.00		450.00	407.00	355.09	59.91
			35501470	Insurance - Library	57.00	0.00	57.00		57.00	44.00	52.74	-8.74
			35501600	Governance Overheads Alloca	50987.25	0.00	50987.25		50987.25	4678.00	37591.25	9136.75
			35502307	MLIB Library License	1550.00	0.00	1550.00		1550.00	1419.00	485.00	1419.00
			35502385	Library Books	700.00	0.00	700.00		700.00	638.00	485.00	153.00
			35502665	Other Minor Expenditure Lib	1000.00	0.00	1000.00		1000.00	913.00	136.36	776.64
			Total	OPERATING EXPENDITURE	57144.25	0.00	57144.25		57144.25	52349.00	41485.18	10863.82
			35503650	Reimbursements - Other	0.00	0.00	0.00		0.00	0.00	554.60	554.60
			35503813	Fines & Penalties - Librar	-150.00	0.00	-150.00		-150.00	-132.00	-104.68	-27.32
			Total	OPERATING INCOME	-150.00	0.00	-150.00		-150.00	-132.00	-659.28	527.28
			Total		56994.25	0.00	56994.25		56994.25	52217.00	40825.90	11391.10
			Total		56994.25	0.00	56994.25		56994.25	52217.00	40825.90	11391.10
			LIBRARIES	Sub-programme Total	56994.25	0.00	56994.25		56994.25	52217.00	40825.90	11391.10
			Sub-programme : 356 OTHER CULTURE									
			35600775	Utilities - Galla Curci	500.00	0.00	500.00		500.00	451.00	193.64	257.36
			35601200	Shark Bay Historical Projec	0.00	0.00	0.00		0.00	0.00	277.27	-277.27
			35601304	Depreciation - Public facil	6872.00	0.00	6872.00		6872.00	6292.00	6307.08	-15.08
			35601310	Depreciation - Heritage Ass	18622.00	0.00	18622.00		18622.00	17091.00	17091.34	-30.34
			35601465	Insurance - Galla Curci	935.00	0.00	935.00		935.00	847.00	900.00	-53.00
			35602080	Maintenance - Velsheda/gall	7850.00	-2850.00	5000.00		5000.00	4554.00	1111.23	3442.77
			Total	OPERATING EXPENDITURE	34779.00	-2850.00	31929.00		31929.00	29205.00	25880.56	3324.44
			35603773	Sale - Shark Bay History Bo	0.00	0.00	0.00		0.00	0.00	138.00	-138.00
			Total	OPERATING INCOME	0.00	0.00	0.00		0.00	0.00	138.00	-138.00
			35605180	Reloc./Restoration - Veishe	5000.00	0.00	5000.00		5000.00	4565.00	0.00	4565.00
			35605690	RMAS Sydney II Memorials	103400.00	0.00	103400.00		103400.00	94776.00	49527.28	45248.72
			Total	CAPITAL EXPENDITURE	108400.00	0.00	108400.00		108400.00	99341.00	49527.28	49813.72

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 20  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Department:	Y.T.D.	Y.T.D.	Variance
Programme	Sub-Programme	Budget	Actual	
COA no.	Description	Budget	Actual	
1	Municipal Fund			
11	RECREATION AND CULTURE			
356	OTHER CULTURE			
	Original Budget	143179.00	140329.00	2849.00
	Amendments	143179.00	140329.00	2849.00
	Total	143179.00	140329.00	2849.00
	Sub-programme Total	143179.00	140329.00	2849.00
	OTHER CULTURE			
	Sub-programme Total	143179.00	140329.00	2849.00
357	MUSEUM			
35701310	Depreciation - Heritage Ass	489.00	489.00	0.00
35701480	Insurance - Velsheda	117.00	117.00	0.00
35701600	Governance Overheads Alloca	11857.50	11857.50	0.00
	Total OPERATING EXPENDITURE	12463.50	12463.50	0.00
35705125	Cape Inscription Restoratio	46035.00	46035.00	0.00
	Total CAPITAL EXPENDITURE	46035.00	46035.00	0.00
	Total	58498.50	58498.50	0.00
	Total	58498.50	58498.50	0.00
	Sub-programme Total	58498.50	58498.50	0.00
	MUSEUM			
	Sub-programme Total	58498.50	58498.50	0.00
358	YOUTH RECREATION			
35800610	Salary and Wages	0.00	0.00	0.00
35802950	Youth Projects	8500.00	8500.00	0.00
	Total OPERATING EXPENDITURE	8500.00	8500.00	0.00
35803240	Grants - Youth Activities	-1000.00	-1000.00	0.00
	Total OPERATING INCOME	-1000.00	-1000.00	0.00
	Total	7500.00	7500.00	0.00
	Total	7500.00	7500.00	0.00
	Sub-programme Total	7500.00	7500.00	0.00
	YOUTH RECREATION			
	Sub-programme Total	7500.00	7500.00	0.00
359	INSCRIPTION POST			
	Sub-programme Total	200320.00	175320.00	25000.00
	Sub-programme : 360 WORLD HERITAGE	2500.00	8500.00	-6000.00
	Salaries & Wages			
	Staff Training - SBIC			
	Sub-programme : 360 WORLD HERITAGE	146133.59	14576.41	-131557.18
	Salaries & Wages	8371.88	-583.88	8955.76
	Staff Training - SBIC			



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

Printed on : 18.06.13 at 08:45  
Page No. : 21  
For Period Ending 30.06.13

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-Programme	COA no.	Description	Original Budget	Amendments	Sub Budget	Department	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
36000665	1	11		Staff Uniforms - SBDC	1200.00	0.00	0.00		1200.00	1100.00	0.00	1100.00
36000670				Superrannation - CC Super 3	2210.00	0.00	0.00		2024.00	2024.00	1857.71	166.29
36000675				Superrannation - Occupation	18028.00	0.00	0.00		16522.00	16522.00	20087.88	-3565.88
36000680				Travel & Accom. Staff - SBI	2400.00	0.00	0.00		2400.00	2200.00	1874.01	325.99
36000685				Insurance - Workers Comp	5806.00	1300.00	0.00		7106.00	6512.00	7128.97	-616.97
36000715				Cleaning - SBIC	33400.00	0.00	0.00		33400.00	30613.00	27942.30	2670.70
36000730				Maintenance - SBIC	27500.00	0.00	0.00		25179.00	23153.31	20255.69	2025.69
36000775				Utilities - SBIC	43800.00	0.00	0.00		43800.00	40150.00	32160.17	7989.83
36000901				Merchant Fees - SBWHDC	1500.00	0.00	0.00		1500.00	1375.00	1697.80	-322.80
36000902				Commission Expense - Visito	3500.00	0.00	0.00		3500.00	3201.00	2532.58	668.42
36000905				Travelling Exhibition Costs	6500.00	0.00	0.00		6500.00	482.13	882.87	-263.70
36000920				Computer Consumables (SBIC)	3100.00	-5000.00	0.00		3100.00	2838.00	3101.70	-263.70
36000970				Postage - SBIC	575.00	0.00	0.00		575.00	517.00	-101.25	518.29
36000975				Printing & Stationery-Rec/C	2000.00	0.00	0.00		2000.00	1826.00	84.57	1731.43
36000977				Promo Material - SBIC	5000.00	0.00	0.00		5000.00	4576.00	5096.91	-520.91
36000995				Telephone - SBIC	3500.00	0.00	0.00		3500.00	3201.00	3217.45	-16.45
36001302				Depreciation - Furniture an	15183.00	0.00	0.00		15183.00	13915.00	14004.04	-89.04
36001303				Depreciation - Buildings	224620.00	0.00	0.00		224620.00	205887.00	206158.50	-271.50
36001470				Insurance - SBIC	16697.00	-1300.00	0.00		15397.00	14113.00	15571.26	-1458.26
36001600				Governance Overheads Alloca	30829.50	0.00	0.00		30829.50	28259.00	22727.80	5531.20
36002699				Purchase - Merchandise	82400.00	0.00	0.00		82400.00	75526.00	77155.06	-1629.06
Total				OPERATING EXPENDITURE	732568.50	-24000.00	0.00		708568.50	649407.00	620458.33	28948.67
36003423				Contribution, Operating - SB	-1000.00	0.00	0.00		-1000.00	-913.00	-86.35	826.64
36003650				Reimbursement - Other	-200.00	0.00	0.00		-200.00	-176.00	-178.42	152.42
36003722				Entrance Fees - SBIC	-48000.00	0.00	0.00		-48000.00	-44000.00	-36028.42	-792.42
36003770				Sale - Merchandise	-78000.00	-31000.00	0.00		-109000.00	-97163.00	-97139.16	-33.16
36003771				Sale of Other Shark Bay Boo	-10000.00	0.00	0.00		-10000.00	-9163.00	-6943.21	-2219.79
36003773				Shark Bay History Book	-5000.00	0.00	0.00		-5000.00	-4494.65	-4494.65	-81.35
36003790				Visitor Centre Membership F	-9000.00	8000.00	0.00		-1000.00	-913.00	-184.57	-728.43
36003791				Visitor Centre Booking Comm	-40000.00	0.00	0.00		-40000.00	-36663.00	-41897.85	5234.86
Total				OPERATING INCOME	-188200.00	-23000.00	0.00		-211200.00	-193567.00	-188548.13	-5018.87
36004990				Shark Bay Interp Centre - F	18500.00	0.00	0.00		18500.00	16951.00	1766.62	15184.38
Total				CAPITAL EXPENDITURE	18500.00	0.00	0.00		18500.00	16951.00	1766.62	15184.38
Total					562868.50	-47000.00	0.00		515868.50	472791.00	433676.82	39114.18
Total					562868.50	-47000.00	0.00		515868.50	472791.00	433676.82	39114.18
WORLD HERITAGE				Sub-programme Total	562868.50	-47000.00	0.00		515868.50	472791.00	433676.82	39114.18
RECREATION AND CULTU				Programme Total	2592665.89	-121862.00	0.00		2470803.89	2263888.00	1852348.04	411539.96

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(E183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 22

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund Programme : 12	Municipal Fund	Sub-programme : 451	STREETS,ROADS,BRIDGES,DEPOTS	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Sub-programme : 451 STREETS,ROADS,BRIDGES,DEPOTS									
45100760	Maintenance & Operating Dep	3500.00	0.00	31500.00	28853.00	29717.61	-864.61		
45100775	Utilities - Depot	3000.00	0.00	3000.00	2750.00	2915.75	-7165.75		
45100980	Subscriptions	4500.00	0.00	4500.00	4125.00	4685.00	-560.00		
45100995	Telephone - Depot	2450.00	0.00	2450.00	2244.00	2241.13	2.87		
45101301	Depreciation - Plant & Equip	13658.00	0.00	13658.00	12518.00	12782.37	-264.37		
45101302	Depreciation - Furn & Equip	3956.00	0.00	3956.00	3619.00	3631.02	-12.02		
45101303	Depreciation - Land & Build	2276.00	0.00	2276.00	2041.00	2044.07	-29.07		
45101305	Depreciation - Roads (Non T	708029.00	0.00	708029.00	68011.00	649832.38	-821.38		
45101306	Depreciation - Town Streets	106100.00	0.00	106100.00	97251.00	97377.93	-126.93		
45101307	Depreciation - Footpaths	24091.00	0.00	24091.00	22077.00	21479.81	597.19		
45101308	Depreciation - Drain & Culy	5435.00	0.00	5435.00	4972.00	4988.03	-16.03		
45101309	Depreciation - Streetscapes	6438.00	0.00	6438.00	5896.00	5908.69	-12.69		
45101470	Insurance - Depot	3835.00	0.00	3835.00	3509.00	4378.37	-869.37		
45101600	Governance Overheads Alloca	44052.75	0.00	44052.75	40381.00	32322.22	8058.78		
45101940	Crossovers	700.00	0.00	700.00	627.00	216.00	411.00		
45102000	Drainage/Sump Maintenance	4250.00	0.00	4250.00	3872.00	2018.60	1853.40		
45102050	Entry Statement - Maintenanc	4500.00	0.00	4500.00	4125.00	72.87	4052.13		
45102215	Street & Traffic Signs	8000.00	0.00	8000.00	7326.00	4136.81	3189.19		
45102220	Street Light Maintenance	900.00	0.00	900.00	803.00	0.00	803.00		
45102225	Street Lighting	33600.00	0.00	33600.00	30800.00	27891.38	2908.62		
45102440	Depot Tools and Minor Plant	5000.00	2000.00	7000.00	6413.00	6089.44	323.56		
45102460	Road Data Collection	1000.00	0.00	1000.00	902.00	0.00	902.00		
45102761	Engineering Consultancy - D	6000.00	0.00	6000.00	5500.00	0.00	5500.00		
45101450	Pastoral Airstrip - Mtce	6000.00	0.00	6000.00	5478.00	2767.27	2710.73		
45112245	Town Streets Maintenance	115365.00	0.00	115365.00	104962.00	41608.97	63353.03		
45121935	Country Roads Maintenance	798500.00	0.00	503500.00	460944.00	441710.14	19233.86		
45132230	Street Sweeping	55268.00	-295000.00	55268.00	50479.00	49892.16	586.84		
45210079	Old Knight Terrace	1500.00	0.00	1500.00	1375.00	143.18	1231.82		
Total OPERATING EXPENDITURE									
45103270	Road Preservation Grant	2019903.75	-293000.00	1726903.75	1581228.00	1476252.20	104975.80		
45103280	Useless Loop Road - Mtce	-595000.00	0.00	-72452.00	-6407.00	-72452.00	6045.00		
45103290	Contributions Road Projects	-260000.00	295000.00	-30000.00	-275000.00	-12000.00	-15500.00		
45103360	Roads To Recovery Grant C	-199200.00	0.00	-199200.00	-260000.00	-269171.80	30815.80		
45103365	RAG Grants - Capital Projec	-670281.00	0.00	-199200.00	-183238.00	-239746.00	56508.00		
45103368	Special Grants	-190000.00	0.00	-670281.00	-614416.00	-638449.00	84033.00		
Total OPERATING INCOME									
45104713	Depot Buildings Capital Wor	-1987633.00	295000.00	-1692633.00	-1551550.00	-1589779.69	38229.69		
45105350	Depot Tools and Major Plant	15000.00	0.00	15000.00	13750.00	10630.91	3119.09		
45105419	Communications Upgrade	5000.00	0.00	5000.00	4576.00	11131.51	2618.49		
45105875	Drainage/Sump Construction	30000.00	0.00	30000.00	27500.00	0.00	3676.00		
45145250	Footpaths Construction	50000.00	0.00	50000.00	45815.00	5748.75	40066.25		
45155570	Country Roads - Capital	264000.00	0.00	264000.00	241978.00	234674.99	7303.01		

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 23  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Department:	Y.T.D. Budget	Y.T.D. Actual	Variance
Programme : 12 MUNICIPAL FUND	Sub-Programme : 451 STREETS,ROADS,BRIDGES,DEPOTS	706472.00	495303.20	152244.80
COA no.	Description	Original Budget	Current Budget	Current Actual
45185670	Country Roads - RRG	199900.00	199900.00	136891.14
45185785	Town Street Reseals - CapIt	0.00	1285372.00	373418.78
Total	CAPITAL EXPENDITURE	2000.00	1319642.75	516624.27
Total		2000.00	691175.73	516624.27
Total		2000.00	691175.73	516624.27
STREETS,ROADS,BRIDGE	Sub-programme Total	1317642.75	1207800.00	516624.27
Sub-programme : 452 ROAD PLANT PURCHASES		4500.00	1840.15	2284.85
45201501	Loss On Sale Of Asset	22520.00	17458.74	3177.26
45201600	Governance Overheads Alloca	0.00	4125.00	4125.00
Total	OPERATING EXPENDITURE	27020.00	24761.00	19298.89
45204250	Profit On Sale Of Assets	0.00	-96250.00	-48309.77
45204420	Diesel Fuel Rebate	0.00	-14663.00	-14663.00
Total	OPERATING INCOME	-121000.00	-110913.00	-62972.77
45205318	Camp Accommodation Upgrade	75000.00	68750.31	459.69
45205345	Country Ute Replacement	4000.00	36663.00	36663.00
45205355	Town Supervisors Ute	-1500.00	37557.27	-2268.27
45205371	Mower Replacement	42000.00	31514.00	-7632.00
45205455	Trailer Replacement	8000.00	7326.00	7326.00
45205476	Crew Cab Flat Deck Truck &	-5000.00	105000.00	650.00
45205485	Works Ute Replacement	3000.00	47895.24	-3895.24
45205496	Prime Mover	-70000.00	192500.00	192500.00
Total	CAPITAL EXPENDITURE	632000.00	289606.82	228795.18
45206035	Transfer From Plant Reserve	-100000.00	0.00	0.00
Total	CAPITAL INCOME	130000.00	260965.48	171284.52
Total		54000.00	432250.00	171284.52
Total		54000.00	432250.00	171284.52
ROAD PLANT PURCHASES	Sub-programme Total	438020.00	260965.48	171284.52
Sub-programme : 454 MONKEY MIA BOATING FACILITIES		0.00	3924.20	-8.20
45401304	Depreciation - Pub. Facilit	4276.00	2216.36	-181.36
45401470	Insurance - Mia Jetty/Boat	2227.00	8729.43	2138.57
45401600	Governance Overheads Alloca	11857.50	1089.00	1089.00
45402110	Monkey Mia Boat Ramp - Mtce	1200.00	687.85	2964.15
45402115	Monkey Mia Jetty	4000.00	3852.00	3852.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 24

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	COA no.	Description	Department:	Sub Depart:	Original	Budget	Amendments	Current	Y.T.D. Budget	Y.T.D. Actual	Variance
1	Municipal Fund											
12	TRANSPORT											
454	MONKEY MIA BOATING FACILITIES											
45403306	OPERATING EXPENDITURE											
45403307	Grant - RBFS MM Boat Ramp F					23560.50			23560.50	21560.00	15557.84	6002.16
45403708	Grant - R4R Monkey Mia Jet					-135000.00			-135000.00	-123750.00	474.00	-12424.00
	Charges -Monkey Mia Jetty					-1000000.00			-1000000.00	-916663.00	0.00	-916663.00
						-40000.00			-40000.00	-3663.00	-3925.45	262.45
	<b>Total OPERATING INCOME</b>					-1139000.00			-1139000.00	-1044076.00	-3451.45	-10440624.55
45405550	Monkey Mia Boat Facilities					173423.00			173423.00	158950.00	128027.75	30922.25
45405551	Monkey Mia Jetty Capital Wo					1000000.00			1000000.00	916663.00	0.00	916663.00
	<b>Total CAPITAL EXPENDITURE</b>					1173423.00			1173423.00	1075613.00	128027.75	947585.25
	<b>Total</b>					57983.50			57983.50	53097.00	140134.14	-87037.14
	<b>Total</b>					57983.50			57983.50	53097.00	140134.14	-87037.14
	<b>MONKEY MIA BOATING F Sub-programme Total</b>					57983.50			57983.50	53097.00	140134.14	-87037.14
	<b>Sub-programme : 455 DENHAM MARINE FACILITIES</b>					4000.00			4000.00	3663.00	3510.37	152.63
45500775	Utilities -Denham Marina El					10798.00			10798.00	9889.00	9910.69	-21.69
45501304	Depreciation - Public Facil					1116.00			1116.00	1023.00	900.00	123.00
45501471	Insurance - Rec. Boat Ramp					20157.75			20157.75	18463.00	14863.47	3695.53
45501600	Governance Overheads Alloca					2200.00			2200.00	1891.00	1347.06	643.94
45501950	Denham Hardstand Mtce					1500.00			1500.00	1375.00	1375.00	0.00
45501975	Denham Marina Monitoring					200.00			200.00	803.00	993.75	-130.75
45501976	Denham Marina Winch House M					2500.00			2500.00	2277.00	3641.67	-1384.67
45501980	Denham Feri/Recreatn. Jetty M					8800.00			8800.00	8041.00	3381.87	4659.13
45501990	Denham Service Jetty Mtce					11500.00			11500.00	10527.00	1728.44	8798.56
45501992	Denham Rec/Jetty/Boat Ramp					2800.00			2800.00	5291.00	3709.61	1581.39
45501995	Denham Slipway Mtce					3000.00			3000.00	5709.00	5544.08	164.92
45501997	Denham Marina Slipway Haula					500.00			500.00	440.00	79.30	360.70
45502090	Marina Gen Mtce/Repairs/Van					7500.00			7500.00	6875.00	5685.46	1189.54
45502100	Marina Rubbish Removal					2600.00			2600.00	4675.00	2179.03	2495.97
45510775	Utilities -Denham Marina Wa					83121.75			83121.75	81048.00	57474.80	23573.20
	<b>Total OPERATING EXPENDITURE</b>					-27952.00			-27952.00	-25619.00	-30747.75	5128.75
45503352	Grant - Denham Marina					-10000.00			-10000.00	-9163.00	-7185.98	-1977.02
45503720	Fuel Wharfage Charge					-500.00			-500.00	-451.00	-420.63	-451.00
45503745	Marina Slipway Charges					-2500.00			-2500.00	-2288.00	-420.63	-1867.37
45503747	Marina Utility Charges					-31500.00			-31500.00	-28875.00	-42080.55	13205.55
45503753	Pen and Berthing Fees					-2800.00			-2800.00	-2563.00	-5924.10	3361.10
45503786	Service Jetty Hardstand Fee					-75252.00			-75252.00	-68959.00	-86359.01	17400.01
	<b>Total OPERATING INCOME</b>					5000.00			5000.00	4576.00	0.00	4576.00
45505551	Denham Commercial Jetty Cap					20000.00			20000.00	18326.00	1939.22	16386.78
45505552	Winch House and Jinker Capi					50000.00			50000.00	45826.00	3962.50	41863.50
45505554	Marina Development Planning											

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 25  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Department:	Y.T.D.	Y.T.D.	Y.T.D.	Variance		
Programme	Sub Department:	Budget	Actual				
Sub-programme	Budget	Current					
COA no.	Description	Amendments	Budget	Actual			
	Total CAPITAL EXPENDITURE	75000.00	0.00	75000.00	68728.00	5901.72	62826.28
	Total	82869.75	5500.00	88369.75	80817.00	-22882.49	103799.49
	Total	82869.75	5500.00	88369.75	80817.00	-22882.49	103799.49
	DENHAM MARINE FACILLI Sub-programme Total	82869.75	5500.00	88369.75	80817.00	-22882.49	103799.49
	TRANSPORT Programme Total	1896516.00	61500.00	1958016.00	1773964.00	1069292.86	704671.14

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 26  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund Programme : 13 ECONOMIC SERVICES	Sub-programme : 501 COMMUNITY DEVELOPMENT	COA No.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
<b>Sub-programme : 501 COMMUNITY DEVELOPMENT</b>									
50100610			Salaries & Wages-CD	131928.00	0.00	131928.00	120934.00	111391.80	9542.20
50100660			Staff Training - CD	0.00	0.00	0.00	0.00	1902.72	-1902.72
50100670			Superannuation - CC 3.5%	2626.00	0.00	2626.00	2388.00	2293.19	104.81
50100675			Superannuation - Occupationa	11873.00	0.00	11873.00	10166.38	10166.38	712.62
50100685			Insurance Worker's Comp.	4190.00	0.00	4190.00	3839.00	5145.44	-1306.44
50100770			Staff Housing	12256.00	0.00	12256.00	11231.00	13309.15	-2078.15
50100862			Vehicle Running Costs - EMC	3000.00	0.00	3000.00	2750.00	3142.41	-392.41
50101600			Governance Overheads Alloca	24900.75	0.00	24900.75	22825.00	18323.69	4501.31
50102665			Other Minor Expenditure	1000.00	0.00	1000.00	913.00	913.00	93.00
50102790			Seniors Projects	5000.00	0.00	5000.00	4576.00	5633.75	-1057.75
			<b>Total OPERATING EXPENDITURE</b>	<b>196773.75</b>	<b>0.00</b>	<b>196773.75</b>	<b>180345.00</b>	<b>171308.53</b>	<b>9036.47</b>
5403722			Gymnasium Membership	0.00	0.00	0.00	0.00	-3404.29	3404.29
50103669			Contributions-Seniors Projec	0.00	0.00	0.00	0.00	-340.00	340.00
			<b>Total OPERATING INCOME</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-3744.29</b>	<b>3744.29</b>
			<b>Total</b>	<b>196773.75</b>	<b>0.00</b>	<b>196773.75</b>	<b>180345.00</b>	<b>167564.24</b>	<b>12780.76</b>
			<b>Total</b>	<b>196773.75</b>	<b>0.00</b>	<b>196773.75</b>	<b>180345.00</b>	<b>167564.24</b>	<b>12780.76</b>
<b>COMMUNITY DEVELOPMENT Sub-programme Total</b>									
			<b>196773.75</b>	<b>0.00</b>	<b>196773.75</b>	<b>180345.00</b>	<b>167564.24</b>	<b>12780.76</b>	
<b>Sub-programme : 502 TOURISM &amp; AREA PROMOTION</b>									
50201131			Business Assoc. Donations (	6000.00	0.00	6000.00	5500.00	0.00	5500.00
50201285			Misc Refund Expense	0.00	0.00	0.00	0.00	224.00	-224.00
50201428			Int Loan 57 - MM Bore	9000.00	0.00	9000.00	8250.00	0.00	8250.00
50201470			Insurance - General	316.00	0.00	316.00	286.00	294.54	-8.54
50201600			Governance Overheads Alloca	34386.75	0.00	34386.75	31515.00	26323.02	6191.98
50202390			Community Events/Festivals	50500.00	0.00	50500.00	46233.00	38233.49	7999.51
50202850			Tourism Promotion	70000.00	0.00	70000.00	64163.00	42370.31	21792.69
50202920			Web Site Development	4500.00	0.00	4500.00	4125.00	140.00	3985.00
			<b>Total OPERATING EXPENDITURE</b>	<b>174702.75</b>	<b>0.00</b>	<b>174702.75</b>	<b>160072.00</b>	<b>106585.36</b>	<b>53486.64</b>
50203420			Contribution - Monkey Mia R	48000.00	0.00	48000.00	44000.00	-47105.00	3105.00
50203511			Grants - Tourism and Area P	-325000.00	0.00	-325000.00	-297943.00	0.00	-297943.00
50203650			Reimbursements - Other	-1000.00	0.00	-1000.00	-913.00	0.00	-913.00
50203850			Camping fees	0.00	-5000.00	-5000.00	-4576.00	-10618.01	6042.01
50203855			Caravan Park Registration	-3695.00	0.00	-3695.00	-3377.00	-3785.00	408.00
50203863			Lodging House Lic/ B&B Acco	-150.00	0.00	-150.00	-132.00	-115.00	-17.00
50203903			Caravan Park Leases	-65203.00	0.00	-65203.00	-59763.00	-61659.00	1896.00
50203923			Lease - Reserve 30716	-120.00	0.00	-120.00	-110.00	-120.00	10.00



26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 27  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA No.	Description	Department:	Sub Department:	Original Budget	Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
50204588	1	13	502	Municipal Fund ECONOMIC SERVICES TOURISM & AREA PROMOTION	0.00	0.00	-448168.00	-5000.00	-448168.00	-410784.00	-123402.01	-287381.99
50205725				Principal Loan 57 - MM Bore	0.00	0.00	11200.00	0.00	11200.00	10263.00	0.00	10263.00
50205788				Entry Statement/Carpark	0.00	0.00	50000.00	0.00	50000.00	48815.00	21707.68	24107.32
				Monkey Mia Bore Replacement	0.00	0.00	600000.00	0.00	600000.00	550000.00	36927.67	513072.33
50206068				Total CAPITAL EXPENDITURE	0.00	0.00	661200.00	0.00	661200.00	606078.00	58635.35	547442.65
				Loan Funds MM Bore	0.00	0.00	-300000.00	0.00	-300000.00	-275000.00	-300000.00	25000.00
				Total CAPITAL INCOME	0.00	0.00	-300000.00	-5000.00	-300000.00	-275000.00	-300000.00	25000.00
				Total	0.00	0.00	92734.75	-5000.00	87734.75	80366.00	-258181.30	338547.30
				Total	0.00	0.00	92734.75	-5000.00	87734.75	80366.00	-258181.30	338547.30
				TOURISM & AREA PROMO Sub-programme Total	0.00	0.00	92734.75	-5000.00	87734.75	80366.00	-258181.30	338547.30
				Sub-programme : 503 BUILDING CONTROL	0.00	0.00	250.00	0.00	250.00	220.00	0.00	220.00
50300980				Publications & Subs - Build	0.00	0.00	28458.00	0.00	28458.00	26081.00	20997.67	5083.33
50301600				Governance Overheads Alloca	0.00	0.00	2609.46	0.00	2609.46	2387.00	1000.20	1386.80
50301610				Health Overheads Allocated	0.00	0.00	1200.00	0.00	1200.00	1100.00	0.00	1100.00
50302350				Aust. Standards/Tech. Codes	0.00	0.00	1000.00	0.00	1000.00	913.00	0.00	913.00
50302620				Minor Bldg Control Expendit	0.00	0.00	33517.46	0.00	33517.46	30701.00	21997.87	8703.13
				Total OPERATING EXPENDITURE	0.00	0.00	-250.00	0.00	-250.00	-220.00	-225.00	5.00
50303703				Building Search Fees	0.00	0.00	50.00	0.00	50.00	44.00	0.00	44.00
50303704				Building Site Toilet Hire	0.00	0.00	354.00	0.00	354.00	319.00	0.00	319.00
50303788				Strata Title Certificate Pr	0.00	0.00	-206.00	0.00	-206.00	-187.00	-187.50	0.50
50303793				Swimming Pool Inspection Fe	0.00	0.00	-50.00	0.00	-50.00	-44.00	0.00	44.00
50303799				Zoning Certificate	0.00	0.00	-10000.00	0.00	-10000.00	-9163.00	-9787.54	624.54
50303853				Building Permits	0.00	0.00	-100.00	0.00	-100.00	-88.00	0.00	88.00
50303887				Sign Licenses	0.00	0.00	-100.00	0.00	-100.00	-88.00	0.00	88.00
50303890				Street Trading Licence	0.00	0.00	-100.00	0.00	-100.00	-88.00	0.00	88.00
50303890				Commission - BCIFF Levy	0.00	0.00	-100.00	0.00	-100.00	-88.00	-78.21	9.79
50304410				Commission - Builders Regis	0.00	0.00	-150.00	0.00	-150.00	-132.00	-54.00	78.00
				Total OPERATING INCOME	0.00	0.00	-11360.00	0.00	-11360.00	-10373.00	-10332.25	40.75
				Total	0.00	0.00	22157.46	0.00	22157.46	20328.00	11665.62	8662.38
				Total	0.00	0.00	22157.46	0.00	22157.46	20328.00	11665.62	8662.38
				BUILDING CONTROL Sub-programme Total	0.00	0.00	22157.46	0.00	22157.46	20328.00	11665.62	8662.38
				Sub-programme : 504 OTHER ECONOMIC SERVICES	0.00	0.00	12947.00	0.00	12947.00	11858.00	11882.46	-24.46
50401303				Depreciation -Buildings	0.00	0.00	5780.00	0.00	5780.00	5291.00	3089.04	2201.96
50401425				Int Loan 48 - McCleary Prop	0.00	0.00	1721.00	0.00	1721.00	1573.00	1603.64	-30.64
50401482				Insurance - McCleary House	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 28  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-Programme	COA no.	Description	Department:	Original Budget	Sub Department:	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
50401600	1	13	504	Governance Overheads Allocated	Other Economic Services	29643.75	0.00	29643.75	27170.00	21862.80	5307.36
50401610				Health Overhead Allocated		2609.46	0.00	2609.46	2387.00	1000.20	1386.80
50402710				Quarries and Sand Pits		1000.00	0.00	1000.00	902.00	0.00	902.00
50402810				Shell Beach Quarry		1000.00	0.00	1000.00	902.00	0.00	902.00
50402900				Property Valuation Expense		4500.00	0.00	4500.00	4125.00	0.00	4125.00
50410730				Maintenance - McCleary Prop		5000.00	0.00	5000.00	4584.00	872.68	3681.32
50410775				Utilities - McCleary Proper		2350.00	1500.00	3850.00	3520.00	3370.37	149.63
				<b>Total OPERATING EXPENDITURE</b>		66551.21	1500.00	68051.21	62882.00	43681.03	18600.97
50403645				Reimburse - McCleary Utilit		-2500.00	0.00	-2500.00	-2288.00	-3395.53	1107.53
50403650				Reimbursements - Other		-2900.00	0.00	-2900.00	-2651.00	-2090.37	-560.63
50403902				Brickies Sand Sales		-3800.00	0.00	-3800.00	-2476.00	-464.85	-301.15
50403925				McCleary Rental-Shop 2 BEAL		-6951.00	0.00	-6951.00	-6369.00	-4054.89	-2314.11
50403935				McCleary Rental - Shop 6		-5880.00	0.00	-5880.00	-5390.00	-8241.79	2851.79
50403985				Royalties - Shell Mining		0.00	0.00	0.00	0.00	-115.91	115.91
				<b>Total OPERATING INCOME</b>		-22031.00	0.00	-22031.00	-20174.00	-18363.34	-1810.66
50404535				Principal Loan 48 - McCleary		22633.00	0.00	22633.00	20746.00	22632.80	-1886.80
				<b>Total CAPITAL EXPENDITURE</b>		22633.00	0.00	22633.00	20746.00	22632.80	-1886.80
				<b>Total</b>		67153.21	1500.00	68653.21	62854.00	47950.49	14903.51
				<b>Total</b>		67153.21	1500.00	68653.21	62854.00	47950.49	14903.51
				<b>OTHER ECONOMIC SERVI Sub-programme Total</b>		67153.21	1500.00	68653.21	62854.00	47950.49	14903.51
				<b>Sub-programme : 505 PRIVATE WORKS</b>		33555.00	0.00	33555.00	30745.00	72663.25	-41918.25
50501900				Private Works - Other		95627.00	4373.00	100000.00	91641.00	105707.87	-14066.87
50521810				MRWA M/Mia Rd Totaling A/c		432288.00	-63121.00	369167.00	338382.00	261865.12	76516.88
50531900				MRWA Shark Bay Rd - Total A		561470.00	-58748.00	502722.00	460768.00	440236.24	20531.76
				<b>Total OPERATING EXPENDITURE</b>		-43622.00	0.00	-43622.00	-39985.00	-93862.22	53877.22
50504030				Private Works Control (Inco		-114752.00	-5248.00	-120000.00	-110000.00	-114568.21	4568.21
50504040				MRWA Monkey Mia Road		-518745.00	75745.00	-443000.00	-406076.00	-333368.87	-72707.13
				MRWA Shark Bay Road		677119.00	70497.00	606622.00	556061.00	541799.30	-14261.70
				<b>Total OPERATING INCOME</b>		-115649.00	11749.00	-103900.00	-95293.00	-101563.06	6270.06
				<b>Total</b>		-115649.00	11749.00	-103900.00	-95293.00	-101563.06	6270.06
				<b>Total</b>		-115649.00	11749.00	-103900.00	-95293.00	-101563.06	6270.06
				<b>PRIVATE WORKS Sub-programme Total</b>		-115649.00	11749.00	-103900.00	-95293.00	-101563.06	6270.06
				<b>ECONOMIC SERVICES Programme Total</b>		263170.17	8249.00	271419.17	248600.00	-132564.01	381164.01

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 29  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA No.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
				<b>Sub-programme : 551 PUBLIC WORKS OVERHEADS</b>						
				55100309 Annual Leave	58572.00	0.00	58572.00	53691.00	82150.60	-28459.60
				55100320 Camp Allowance	17160.00	0.00	17160.00	15730.00	6688.00	9042.00
				55100340 District Allowance	21592.00	0.00	21592.00	19789.00	3132.01	16656.99
				55100350 Shark Bay Allowance	54848.00	0.00	54848.00	50270.00	8796.70	41473.30
				55100360 Fringe Benefits - Works Sup	7500.00	0.00	7500.00	6875.00	0.00	6875.00
				55100365 Long Service Leave	15972.00	0.00	15972.00	14641.00	15410.21	-769.21
				55100370 Other Allowances	26194.00	0.00	26194.00	24002.00	5641.00	18361.00
				55100385 Public Holidays	29469.00	0.00	29469.00	27005.00	35300.91	-8295.91
				55100600 Rostered Days Off	29469.00	0.00	29469.00	27005.00	35300.91	-8295.91
				55100820 Sick Leave	19764.00	0.00	19764.00	18117.00	14658.22	3458.78
				55100840 Staff Medicals	1000.00	0.00	1000.00	913.00	0.00	913.00
				55100850 Staff Meetings	6000.00	0.00	6000.00	5500.00	6726.00	-1226.00
				55100660 Staff Training	25000.00	0.00	25000.00	22913.00	12873.73	10039.27
				55100670 Superannuation - CC Super 3	6832.00	0.00	6832.00	6259.00	1338.86	4920.14
				55100675 Superannuation - Occupation	73498.00	0.00	73498.00	67364.00	49573.47	17790.53
				55100685 Workers Compensation Ins.	22866.00	0.00	22866.00	20955.00	26653.80	-5698.80
				55100690 Works Clothing & Safety Egu	6000.00	0.00	6000.00	5500.00	5665.06	-165.06
				55100773 Telephone - Works Superviso	1200.00	0.00	1200.00	1100.00	900.28	199.72
				55100775 Utilities - Works Superviso	3500.00	0.00	3500.00	3201.00	3133.12	67.88
				55101480 Insurance On Works	24555.00	0.00	24555.00	22506.00	24215.28	-1709.28
				55101556 Allocation Of Deputy Works	14059.00	0.00	14059.00	12881.00	2095.61	-7214.61
				55101599 Allocation Of Works Supervi	39967.00	0.00	39967.00	36630.00	4382.15	-6752.18
				55101380 Less Public Works Overheads	-890513.00	0.00	-890513.00	-623799.00	-472843.35	-150985.65
				55101600 Governance Overheads Alloca	175500.00	0.00	175500.00	160875.00	128343.98	32531.02
				<b>Total OPERATING EXPENDITURE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-77.00</b>	<b>21247.70</b>	<b>-21324.70</b>
				55104642 Transfer to Long Service Le	5475.00	0.00	5475.00	5016.00	4024.61	991.39
				<b>Total CAPITAL EXPENDITURE</b>	<b>5475.00</b>	<b>0.00</b>	<b>5475.00</b>	<b>5016.00</b>	<b>4024.61</b>	<b>991.39</b>
				<b>Total</b>	<b>5475.00</b>	<b>0.00</b>	<b>5475.00</b>	<b>4939.00</b>	<b>25272.31</b>	<b>-20333.31</b>
				<b>Total</b>	<b>5475.00</b>	<b>0.00</b>	<b>5475.00</b>	<b>4939.00</b>	<b>25272.31</b>	<b>-20333.31</b>
				<b>PUBLIC WORKS OVERHEA Sub-programme Total</b>	<b>5475.00</b>	<b>0.00</b>	<b>5475.00</b>	<b>4939.00</b>	<b>25272.31</b>	<b>-20333.31</b>
				<b>Sub-programme : 552 PLANT OPERATION COSTS</b>						
				55201585 Less Plant Operating Costs	-315228.00	0.00	-315228.00	-288959.00	-344342.06	58383.06
				55201620 Plant Depreciation Recovere	-362027.00	0.00	-362027.00	-331848.00	-206740.30	-125107.70
				55201623 Plant Operating Costs - Dep	362027.00	0.00	362027.00	331848.00	288317.53	43630.47
				55201626 Plant Oper Costs - Fuels &	138095.00	0.00	138095.00	126577.00	121136.40	5440.60
				55201632 Plant Op.Cost - Ins/Lic/Rep	30499.00	0.00	30499.00	27940.00	32582.74	-4642.74
				55201635 Plant Oper Cost - Parts/Rep	66134.00	0.00	66134.00	60621.00	28872.53	31748.47

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(E183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 30  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	COA no.	Description	Original Budget	Sub Department	Department	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
1	Municipal Fund									
14	OTHER PROPERTY AND SERVICES									
552	PLANT OPERATION COSTS									
55201637	Plant Oper Cost - Wages/Pla	62500.00		0.00	0.00	0.00	57277.00	50510.03	8366.97	
55201639	Plant Operating Costs - Tyr	18000.00		0.00	0.00	0.00	16500.00	24562.07	-8062.07	
	Total OPERATING EXPENDITURE			0.00	0.00	0.00	-44.00	-4701.06	4657.06	
	Total			0.00	0.00	0.00	-44.00	-4701.06	4657.06	
	Total			0.00	0.00	0.00	-44.00	-4701.06	4657.06	
	PLANT OPERATION COST Sub-Programme Total			0.00	0.00	0.00	-44.00	-4701.06	4657.06	
553	STOCK PURCHASES & ISSUES									
55301653	Purchases - Bulk Fuel Depot	13000.00		0.00	0.00	0.00	119183.00	92590.02	26572.98	
55301654	Issues - Bulk Fuel Depot	-13000.00		0.00	0.00	0.00	-119183.00	-83815.20	-35347.80	
55301657	Purchases - Bulk Fuel Tanker	50500.00		0.00	0.00	0.00	46288.00	45422.82	865.18	
55301658	Issues - Bulk Fuel Tanker	-50500.00		0.00	0.00	0.00	-46288.00	-70840.00	24552.00	
55301661	Purchases Emulsion	2000.00		0.00	0.00	0.00	2000.00	203.70	1622.30	
55301662	Issues - Emulsion	-2000.00		0.00	0.00	0.00	-1826.00	0.00	-1826.00	
55301663	Purchases - Engine Oil	7500.00		0.00	0.00	0.00	6875.00	0.00	6875.00	
55301664	Issues - Engine Oil	-7500.00		0.00	0.00	0.00	-6875.00	0.00	-6875.00	
55301667	Purchases-Gear/Diff Oil Sto	500.00		0.00	0.00	0.00	451.00	0.00	451.00	
55301668	Issues - Gear Oil	-500.00		0.00	0.00	0.00	-451.00	0.00	-451.00	
55301669	Purchases - Grease Stock	500.00		0.00	0.00	0.00	451.00	0.00	451.00	
55301670	Issues - Grease	-500.00		0.00	0.00	0.00	-451.00	0.00	-451.00	
	Total OPERATING EXPENDITURE			0.00	0.00	0.00	0.00	-16438.66	16438.66	
	Total			0.00	0.00	0.00	0.00	-16438.66	16438.66	
	Total			0.00	0.00	0.00	0.00	-16438.66	16438.66	
	STOCK PURCHASES & IS Sub-Programme Total			0.00	0.00	0.00	0.00	-16438.66	16438.66	
554	SALARIES & WAGES									
55401570	Gross Total Salaries & Wages	1776259.00		0.00	0.00	0.00	1628231.00	1348751.72	279479.28	
55401590	Less Salaries/Wages Allocat	-1776259.00		0.00	0.00	0.00	-1628231.00	-1348751.72	-279479.28	
	SALARIES & WAGES Sub-Programme Total			0.00	0.00	0.00	0.00	0.00	0.00	
555	UNCLASSIFIED									
55501280	Refunds Expenditure	0.00		0.00	0.00	0.00	9163.00	13170.20	-4007.20	
55501290	Regional Alliance	30000.00		0.00	0.00	0.00	27500.00	0.00	27500.00	

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 31  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Amendments	Sub Department Budget	Department: Sub Department	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
					30000.00	-10000.00	-10000.00		40000.00	36663.00	13170.20	23492.80
				Total OPERATING EXPENDITURE	0.00	-10000.00	-10000.00		-10000.00	-9163.00	-13217.93	4054.93
				Refunds Income	0.00							
				Total OPERATING INCOME	30000.00	0.00	-10000.00		30000.00	27500.00	-13217.93	4054.93
				Total	30000.00	0.00	0.00		30000.00	27500.00	-47.73	27547.73
				Total	30000.00	0.00	0.00		30000.00	27500.00	-47.73	27547.73
				UNCLASSIFIED	30000.00		0.00		30000.00	27500.00	-47.73	27547.73
				Sub-programme Total	30000.00		0.00		30000.00	27500.00	-47.73	27547.73
				OTHER PROPERTY AND S Programme Total	35475.00		0.00		35475.00	32395.00	4084.86	28310.14

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 32  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
Fund : 1 Municipal Fund										
Programme : 23 RESERVES										
Sub-programme : 601 RESERVES INCOME FROM MUNI A/C										
COA no. Description Original Budget Budget Amendments Current Budget Y.T.D. Budget Y.T.D. Actual Variance										
Sub-programme : 601 RESERVES INCOME FROM MUNI A/C										
60106105				LSL Reserve Income	0.00	0.00	0.00	0.00	-4024.61	4024.61
60106110				Pensioner Unit Reserve Inco	0.00	0.00	0.00	0.00	-7073.39	7073.39
60106115				Plant Replacement Income	0.00	0.00	0.00	0.00	-5922.70	5922.70
60106125				Office Replacement Income	0.00	0.00	0.00	0.00	-35890.21	35890.21
60106140				Rec Fac. Replc/Upgrade Rese	0.00	0.00	0.00	0.00	-8408.76	8408.76
60106155				Monkey Mia Jatty Reserve -	0.00	0.00	0.00	0.00	-429.90	429.90
60106160				Shared Fire System Reserve	0.00	0.00	0.00	0.00	-550.99	550.99
				Total CAPITAL INCOME	0.00	0.00	0.00	0.00	-62300.56	62300.56
				Total	0.00	0.00	0.00	0.00	-62300.56	62300.56
				Total	0.00	0.00	0.00	0.00	-62300.56	62300.56
RESERVES INCOME FROM Sub-programme Total					0.00	0.00	0.00	0.00	-62300.56	62300.56
Sub-programme : 602 RESERVES EXPENSE TO MUNI A/C										
RESERVES					0.00	0.00	0.00	0.00	-62300.56	62300.56
Programme Total					0.00	0.00	0.00	0.00	-62300.56	62300.56



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 33

For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-programme	COA no.	Description	Original Budget	Budget Amendments	Current Budget	Y.T.D. Budget	Y.T.D. Actual	Variance
				Sub-programme : 000 BALANCE SHEET						
				73106513 Creditors Control	0.00	0.00	0.00	0.00	-133299.72	133299.72
				73106518 GST Received Suspense	0.00	0.00	0.00	0.00	-20457.39	20457.39
				73106529 Excess Rates Receipts	0.00	0.00	0.00	0.00	-8335.62	8335.62
				73106540 Suspense account-muni to tr	0.00	0.00	0.00	0.00	-1119.42	1119.42
				73106543 Bank Guarantees Held	0.00	0.00	0.00	0.00	-189255.27	189255.27
				73206551 BCIRF Levy - Expense	0.00	0.00	0.00	0.00	6449.77	-6449.77
				73206552 Bond - Kerb/Footpath - Expe	0.00	0.00	0.00	0.00	1325.00	-1325.00
				73206553 Bond - Library - Expense	0.00	0.00	0.00	0.00	300.00	-300.00
				73206556 Building Completion Bond -	0.00	0.00	0.00	0.00	77597.00	-77597.00
				73206563 Hall Bond - Expense	0.00	0.00	0.00	0.00	1080.00	-1080.00
				73206564 Key Deposits - Expense	0.00	0.00	0.00	0.00	1140.00	-1140.00
				73206567 Police Licensing - Expense	0.00	0.00	0.00	0.00	218935.45	-218935.45
				73206571 Syd Hatch Pty Ltd - Expense	0.00	0.00	0.00	0.00	2292.81	-2292.81
				73206573 Trust Clearing Acc - Expense	0.00	0.00	0.00	0.00	597.75	-597.75
				73206578 Community Bus - Expenditure	0.00	0.00	0.00	0.00	3005.86	-3005.86
				73206580 Marquee Deposit - Expense	0.00	0.00	0.00	0.00	1395.00	-1395.00
				73206583 Building Licence Levy - Exp	0.00	0.00	0.00	0.00	3382.99	-3382.99
				73206587 Public Open Space Trust - E	0.00	0.00	0.00	0.00	326766.64	-326766.64
				73206589 Hillside Residential Dual U	0.00	0.00	0.00	0.00	48254.68	-48254.68
				73206591 Tour Sales - Expense	0.00	0.00	0.00	0.00	23052.45	-23052.45
				73206592 Aerobics Group - Income	0.00	0.00	0.00	0.00	11477.00	-11477.00
				73206650 BCIRF Levy - Income	0.00	0.00	0.00	0.00	-140.69	140.69
				73206651 Bond - Library - Income	0.00	0.00	0.00	0.00	6449.77	-6449.77
				73206652 Bond - Marina Facilities	0.00	0.00	0.00	0.00	-450.00	450.00
				73206653 Bond Kerb/Footpath - Income	0.00	0.00	0.00	0.00	-4305.48	4305.48
				73206655 Building Completion Bond -	0.00	0.00	0.00	0.00	-4025.15	4025.15
				73206659 Community Groups - Income	0.00	0.00	0.00	0.00	-149551.94	149551.94
				73206663 Hall Bond - Income	0.00	0.00	0.00	0.00	-1377.68	1377.68
				73206664 Key Deposits - Income	0.00	0.00	0.00	0.00	-1080.00	1080.00
				73206665 Man in the Biosphere - Inco	0.00	0.00	0.00	0.00	-3440.00	3440.00
				73206667 Police Licensing - Income	0.00	0.00	0.00	0.00	-700.80	700.80
				73206671 Syd Hatch Pty Ltd - Income	0.00	0.00	0.00	0.00	-221920.64	221920.64
				73206673 Trust Clearing Acc - Income	0.00	0.00	0.00	0.00	-2292.81	2292.81
				73206677 Len Thomas Trust - Income	0.00	0.00	0.00	0.00	-2961.75	2961.75
				73206678 Community Bus - Income	0.00	0.00	0.00	0.00	-800.00	800.00
				73206680 Marquee Deposit - Income	0.00	0.00	0.00	0.00	-3905.86	3905.86
				73206681 Policeman's Ball - Income	0.00	0.00	0.00	0.00	-1395.00	1395.00
				73206682 Community Chest - Income	0.00	0.00	0.00	0.00	-750.66	750.66
				73206688 Building Licence Levy - Inc	0.00	0.00	0.00	0.00	-6750.13	6750.13
				73206686 Fundraising Collection - In	0.00	0.00	0.00	0.00	-4863.99	4863.99
				73206687 Public Open Space Trust - I	0.00	0.00	0.00	0.00	-170.00	170.00
				73206689 Hillside Residential Dual U	0.00	0.00	0.00	0.00	-326766.64	326766.64
				73206691 Tour Sales - Income	0.00	0.00	0.00	0.00	-48254.68	48254.68
					0.00	0.00	0.00	0.00	-232930.45	232930.45

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
(E183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 34  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-Programme	COA no.	Description	Original Budget	Department: Sub Department: Budget Amendments	Y.T.D. Budget	Y.T.D. Actual	Variance
	1			Municipal Fund					
	32			BALANCE SHEET					
		000		BALANCE SHEET					
73206692				Bookeasly Sales - Income	0.00	0.00	-114777.00	114777.00	114777.00
73306770				Provision for Annual Leave	0.00	0.00	-104651.86	104651.86	104651.86
73406825				Loan Liability - Current	0.00	0.00	-83051.59	83051.59	83051.59
77107520				Long Service Leave - Non Cur	0.00	0.00	-69679.16	69679.16	69679.16
77207570				Loan Liability - Non Current	0.00	0.00	-34761.37	34761.37	34761.37
					0.00	0.00	-380964.95	380964.95	380964.95
				<b>Total LIABILITIES</b>	0.00	0.00	-1127385.07	1127385.07	1127385.07
70106210				Municipal Fund Bank	0.00	0.00	593746.62	593746.62	-593746.62
70106215				Municipal Telenet Saver Acc	0.00	0.00	1219407.75	1219407.75	-1219407.75
70106220				Municipal Gold Term Deposit	0.00	0.00	324847.00	324847.00	-324847.00
70106240				Trust Fund Bank	0.00	0.00	49361.84	49361.84	-49361.84
70106250				Trust Fund Term Deposit Ban	0.00	0.00	80487.25	80487.25	-80487.25
70206275				Office Till Float	0.00	0.00	200.00	200.00	-200.00
70206276				SHIC Till Float	0.00	0.00	300.00	300.00	-300.00
70206277				Refuse Site Float	0.00	0.00	200.00	200.00	-200.00
70306301				Receivables - Rates (Current)	0.00	0.00	16368.58	16368.58	-16368.58
70406320				GR Raid Suspense	0.00	0.00	16615.68	16615.68	-16615.68
70406323				FER Clearing	0.00	0.00	23008.00	23008.00	-23008.00
70406345				Sundry Debtors	0.00	0.00	224664.76	224664.76	-224664.76
70606385				Stock On Hand	0.00	0.00	132354.54	132354.54	-132354.54
70706425				LSL Investment - Current	0.00	0.00	83051.59	83051.59	-83051.59
70806475				Office Replacement Res Inve	0.00	0.00	1093335.88	1093335.88	-1093335.88
70806480				Pensioner Unit Reserve Inve	0.00	0.00	203456.38	203456.38	-203456.38
70806485				Plant Replacement Reserve I	0.00	0.00	19250.57	19250.57	-19250.57
70806490				Rec. Fac.Repl/Upgrade Rese	0.00	0.00	26309.12	26309.12	-26309.12
70806495				Monkey Mia Petty Reserve	0.00	0.00	18255.94	18255.94	-18255.94
70806498				Shared Fire System Reserve	0.00	0.00	6641.03	6641.03	-6641.03
75106880				Receivables - Rates (Defer)	0.00	0.00	33250.99	33250.99	-33250.99
75306975				LSL Investment - Non Current	0.00	0.00	38785.98	38785.98	-38785.98
75407010				Land	0.00	0.00	489488.78	489488.78	-489488.78
75407011				Buildings	0.00	0.00	12370934.86	12370934.86	-12370934.86
75407012				Provision For Depreciation	0.00	0.00	2453559.45	2453559.45	-2453559.45
75507075				Furniture And Office Equipm	0.00	0.00	2975150.09	2975150.09	-2975150.09
75507076				Less Provision for Deprecia	0.00	0.00	1871890.30	1871890.30	-1871890.30
75607120				Heritage Assets	0.00	0.00	670575.48	670575.48	-670575.48
75607121				Less Prov. for Depreciation	0.00	0.00	123521.15	123521.15	-123521.15
75707150				Plant And Equipment	0.00	0.00	3430239.95	3430239.95	-3430239.95
75707151				Less Provision for Deprecia	0.00	0.00	2394749.10	2394749.10	-2394749.10
75807220				Public Facilities	0.00	0.00	2401624.63	2401624.63	-2401624.63
75807221				Roads (non town)	0.00	0.00	577819.42	577819.42	-577819.42
75907250				Less Prov. for Depreciation	0.00	0.00	17678587.83	17678587.83	-17678587.83
76007320				Streetscapes	0.00	0.00	6180556.70	6180556.70	-6180556.70
76007321				Less Prov. for Depreciation	0.00	0.00	210686.90	210686.90	-210686.90
76107370				Town Streets	0.00	0.00	37964.47	37964.47	-37964.47
76107371				Less Prov. for Depreciation	0.00	0.00	2652511.85	2652511.85	-2652511.85
					0.00	0.00	-829888.18	829888.18	829888.18

SHIRE OF SHARK BAY  
(B183)

GENERAL LEDGER SYSTEM  
PROGRAMME PROGRESS REPORT

Printed on : 18.06.13 at 08:45  
Page No. : 35  
For Period Ending 30.06.13

Date from : 01.07.12 Date To : 31.05.13

Fund	Programme	Sub-Programme	COA no.	Description	Original Budget	Department: Sub Department: Budget Amendments	Current Budget	Y.F.D. Budget	Y.T.D. Accual	Variance
76207420	1	Municipal Fund		Footpaths	0.00	0.00	0.00	0.00	1157312.38	-1157312.38
76207421	32	BALANCE SHEET		Less Prov. for Depreciation	0.00	0.00	0.00	0.00	-167288.69	167288.69
76307470		BALANCE SHEET		Drainage, Culverts	0.00	0.00	0.00	0.00	407671.36	-407671.36
76307471		BALANCE SHEET		Less Prov. for Depreciation	0.00	0.00	0.00	0.00	-42997.87	42997.87
79007620		BALANCE SHEET		Municipal Accumulation Acco	0.00	0.00	0.00	0.00	33111089.97	33111089.97
79107670		BALANCE SHEET		LSL Reserve Accumulation	0.00	0.00	0.00	0.00	-117812.96	117812.96
79107680		BALANCE SHEET		Office Replacement Accumula	0.00	0.00	0.00	0.00	-1057445.67	1057445.67
79107685		BALANCE SHEET		Pensioner Unit Reserve Accu	0.00	0.00	0.00	0.00	-196382.99	196382.99
79107690		BALANCE SHEET		Plant Reserve Accumulation	0.00	0.00	0.00	0.00	-186637.97	186637.97
79107694		BALANCE SHEET		Monkey Mia Jetty Reserve Ac	0.00	0.00	0.00	0.00	-17824.04	17824.04
79107695		BALANCE SHEET		Rec Fac. Replc/Upgrade Accu	0.00	0.00	0.00	0.00	-254634.36	254634.36
79107696		BALANCE SHEET		Shared Fire System Accum	0.00	0.00	0.00	0.00	-34700.00	34700.00
Total ASSETS					0.00	0.00	0.00	0.00	-596037.54	596037.54
Total					0.00	0.00	0.00	0.00	-1723422.61	1723422.61
Total					0.00	0.00	0.00	0.00	-1723422.61	1723422.61
BALANCE SHEET Sub-programme Total					0.00	0.00	0.00	0.00	-1723422.61	1723422.61
BALANCE SHEET Programme Total					0.00	0.00	0.00	0.00	-1723422.61	1723422.61
Grand Totals					4145196.75	-32953.00	4112243.75	3821141.00	0.00	3821141.00

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
<b>Operating Income</b>								
<b>General Purpose Income</b>								
00203245	Grants Commission - General	(571,621.00)	(523,985.00)	(630,364.00)	106,379.00	-20.30%	Material Variance	Grant more than budgeted
00203246	Grants Commission - Roads	(213,071.00)	(195,365.00)	(180,963.00)	(14,342.00)	7.34%	Material Variance	Grant less than budgeted
00304120	Interest Earned - Office Replacement Reserve	(44,890.00)	(41,164.00)	(35,860.21)	(5,293.79)	12.85%	Material Variance	Budget Profile
Total	General Purpose Income	(954,889.00)	(875,226.00)	(950,016.66)	74,792.66	-3.55%	Material Variance	
<b>Governance</b>								
05203224	Grants - Admin Office	(662,150.00)	(606,969.00)	0.00	(606,969.00)	100.00%	Material Variance	Grant funds not received yet
05702250	Grants - Strategic Planning	0.00	0.00	(25,000.00)	25,000.00		Material Variance	Forward planning funding
Total	Governance	(660,340.00)	(623,568.00)	(44,435.13)	(579,132.87)	92.87%	Material Variance	
<b>Law Order and Public Safety</b>								
10103655	Reimbursements Fire Fighting	0.00	0.00	(8,247.66)	8,247.66		Material Variance	Invoiced FESA for Tamala fire
10303218	Grant Fesa - Ses	(21,500.00)	(19,701.00)	(24,955.00)	5,254.00	-26.67%	Material Variance	Capital allocation included here
10303220	FESA SES Capital Grants	(486,500.00)	(445,951.00)	(4,875.00)	(441,076.00)	98.91%	Material Variance	Building grant not received yet
10303401	Contribution FESA SES	0.00	0.00	(108,268.40)	108,268.40		Material Variance	Reimbursement for 10-11 year overspend
Total	Law Order and Public Safety	(515,664.00)	(472,648.00)	(151,364.96)	(321,283.04)	67.98%	Material Variance	
<b>Health</b>								
Total	Health	(2,325.00)	(2,112.00)	(1,995.00)	(117.00)	5.54%	No Material Variance	
<b>Housing</b>								
Total	Housing	(86,320.00)	(80,938.00)	(73,909.48)	(7,028.52)	8.68%	Material Variance	Rental income down due to units being vacant
<b>Community amenities</b>								
30203226	Grants - Waste Disposal	(378,341.00)	(346,808.00)	0.00	(346,808.00)	100.00%	Material Variance	Recycling Grant not received yet
30203743	Main Roads Rubbish Collection	(10,975.00)	(10,054.00)	0.00	(10,054.00)	100.00%	Material Variance	Invoice to be raised
Total	Community amenities	(615,418.00)	(576,531.00)	(210,506.85)	(366,024.15)	63.49%	Material Variance	

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
Operating Income								
35103343	Recreation and Culture	(242,604.00)	(222,387.00)	(256,661.56)	34,274.54	-15.41%	Material Variance	Interest on Public Open Space Funds
35203328	Contribution - POS Rec Centre	(60,000.00)	(56,000.00)	0.00	(60,000.00)	100.00%	Material Variance	Timing
35303334	Grants - Public Facilities	(2,000,000.00)	(1,533,326.00)	(90,007.91)	(1,833,326.00)	100.00%	Material Variance	Grant not received yet
35303410	Grant - Recreation, Jetty Replacement, Denham	(91,286.00)	(64,227.00)	(36,026.80)	(7,973.10)	-8.86%	Material Variance	Grant funding received
35303722	Contributions & Donations Sport and Recreation	(40,000.00)	(44,000.00)	(41,897.89)	5,234.86	-14.28%	Material Variance	Timing of revenue
35303791	Entrance Fees - Shic	(40,000.00)	(36,693.00)	(599,410.22)	(1,866,481.78)	75.69%	Material Variance	Income exceeds budget
35303791	Visitor Centre Booking Commission	(2,690,212.00)	(2,468,892.00)	(599,410.22)	(1,866,481.78)	75.69%	Material Variance	Income exceeds budget
35303791	Recreation and Culture	(2,690,212.00)	(2,468,892.00)	(599,410.22)	(1,866,481.78)	75.69%	Material Variance	Income exceeds budget
Total		(2,690,212.00)	(2,468,892.00)	(599,410.22)	(1,866,481.78)	75.69%	Material Variance	Income exceeds budget
45103270	Road Preservation Grant	(72,452.00)	(66,407.00)	(72,452.00)	6,045.00	-9.10%	Material Variance	Funding received, budget profile
45103280	Useless Loop Road - Mtce	(300,000.00)	(275,000.00)	(120,000.00)	(155,000.00)	56.36%	Material Variance	Maintenance claim not received
45103290	Contributions Road Projects	(260,000.00)	(238,326.00)	(289,141.80)	30,815.80	-12.93%	Material Variance	Ocean Park contribution to road construction
45103360	Roads To Recovery Grant - Cap	(199,900.00)	(183,238.00)	(239,746.00)	56,508.00	-30.84%	Material Variance	Timing of project funding
45103365	Rtg Grants - Capital Projects	(670,281.00)	(614,416.00)	(698,449.00)	84,033.00	-13.68%	Material Variance	second claim payment
45103368	Special Grants	(190,000.00)	(174,183.00)	(189,990.89)	15,837.89	-8.09%	Material Variance	Funding received, budget profile
45204250	Profit On Sale Of Assets	(105,000.00)	(96,250.00)	(47,940.23)	(48,309.77)	100.00%	Material Variance	Timing of vehicle trade ins
45204420	Diesel Fuel Rebate	(16,000.00)	(14,683.00)	0.00	(14,683.00)	100.00%	Material Variance	Incorrect budget profile
45403506	Grant - RBFS MM Boat Ramp Facilities	(135,000.00)	(123,750.00)	474.00	(124,224.00)	100.00%	Material Variance	Boat ramp project not completed
45403507	Grant - R4R Monkey Mia Jetty	(1,000,000.00)	(915,683.00)	(30,747.75)	(916,663.00)	100.00%	Material Variance	Grant not received yet
45503352	Grant - Denham Marina	(27,952.00)	(25,679.00)	(42,060.55)	5,128.75	-20.02%	Material Variance	Marina planning funding received
45503753	Pen And Berthing Fees	(31,500.00)	(28,875.00)	(42,060.55)	13,205.55	-46.73%	Material Variance	Annual fees invoiced
Total		(3,027,865.00)	(2,775,486.00)	(1,172,750.36)	(1,047,967.62)	37.76%	Material Variance	
Economic Services								
50203511	Grants - Tourism and area Promotion	(325,000.00)	(297,913.00)	0.00	(297,913.00)	100.00%	Material Variance	Timing
50203850	Camping fees	(5,000.00)	(4,576.00)	(10,618.01)	6,042.01	-132.04%	Material Variance	Income exceeds budget
50304070	Private Works Control	(43,622.00)	(39,985.00)	(93,862.22)	53,877.22	-134.74%	Material Variance	Main Roads contract work started later than anticipated
50504040	MURWA Shark Bay Road	(443,000.00)	(406,076.00)	(333,368.87)	(72,707.13)	17.90%	Material Variance	
Total		(1,088,181.00)	(997,392.00)	(697,641.19)	(299,750.81)	30.05%	Material Variance	
Other Property and Services								
Other Property and Services		(10,000.00)	(9,163.00)	(13,217.93)	4,054.93	No Material Variance		
Total		(10,000.00)	(9,163.00)	(13,217.93)	4,054.93	No Material Variance		

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
<b>Operating Expenditure</b>								
<b>General Purpose Income</b>								
00101600	General Overheads Allocated	41,321.25	37,873.00	30,592.15	7,280.85	19.22%	Material Variance Overheads allocation less than budgeted	
00401600	General Overheads Allocated	59,287.50	54,340.00	43,725.37	10,614.63	19.53%	Material Variance Overheads allocation less than budgeted	
<b>Total</b>	<b>General Purpose Income</b>	<b>107,458.75</b>	<b>98,483.00</b>	<b>79,464.30</b>	<b>19,018.70</b>	<b>19.31%</b>	<b>Material Variance</b>	
<b>Government</b>								
05101282	Policy and Local Laws Review	14,000.00	12,826.00	4,943.46	7,882.54	61.48%	Material Variance Timing	
05101600	Government Overheads Allocated	11,480.50	102,168.00	82,103.75	20,064.25	19.64%	Material Variance Overheads less than budget	
05200001	Staff Housing Costs	34,158.00	31,306.00	20,487.15	10,818.85	34.62%	Material Variance Expense less than budget	
05200660	Fringe Benefits Tax	16,000.00	14,663.00	16,016	14,502.84	56.91%	Material Variance Budget Profile	
05200612	Salaries & Wages	538,661.00	493,768.00	445,378.14	48,389.86	9.80%	Material Variance Staff costs lower than budget	
05200612	Contract Staff	14,500.00	13,288.00	2,016.00	11,272.00	84.83%	Material Variance Contract staff utilised to fill vacant staff positions	
05200660	Staff Training	25,500.00	23,375.00	14,645.76	8,729.24	37.34%	Material Variance Training records training conducted in June	
05200675	Superannuation - Occupational	51,631.00	47,322.00	36,596.43	10,785.57	22.79%	Material Variance Staff costs lower than budget	
05201410	Bad Debts	5,500.00	5,038.00	10,248.50	(5,211.50)	-103.44%	Material Variance Marine facility write offs	
05201444	Financial Management Review	8,000.00	7,326.00	840.00	6,486.00	88.53%	Material Variance Consultant not available until July	
05201605	Government Overheads Recovered	(1,067,175.00)	(876,241.00)	(786,428.32)	(191,812.68)	19.61%	Material Variance Overheads less than budget	
05202580	Legal Expenses	49,048.00	44,957.00	27,757.82	17,199.18	38.25%	Material Variance Expenses less than expected	
<b>Total</b>	<b>Government</b>	<b>281,818.32</b>	<b>257,961.00</b>	<b>269,659.73</b>	<b>(11,698.73)</b>	<b>-4.54%</b>	<b>No Material Variance</b>	
<b>Law Order and Public Safety</b>								
10102495	Fire Fighting	14,000.00	12,815.00	2,330.55	10,484.45	81.81%	Material Variance Fire fighting activity to be reimbursed by FESA	
10302425	Cyclone Cleanup	8,000.00	7,315.00	12,497.27	(5,182.27)	-77.84%	Material Variance Expenditure exceeded budget	
10302750	Ranger Patrols	53,000.00	48,565.00	36,883.98	16,681.02	31.66%	Material Variance Increase in ranger services	
10302792	Emergency Management Consultant	11,690.00	10,744.00	118.18	10,625.82	96.90%	Material Variance Awaiting invoice from Carnarvon	
<b>Total</b>	<b>Law Order and Public Safety</b>	<b>190,922.75</b>	<b>174,923.00</b>	<b>138,563.57</b>	<b>36,259.45</b>	<b>20.74%</b>	<b>Material Variance</b>	
<b>Health</b>								
15101615	Health Overheads Recovered	(13,917.12)	(12,749.00)	(6,334.43)	(7,414.57)	58.16%	Material Variance Overheads less than budget	
<b>Total</b>	<b>Health</b>	<b>89,063.88</b>	<b>63,261.00</b>	<b>61,409.30</b>	<b>1,851.70</b>	<b>2.93%</b>	<b>No Material Variance Expenditure less than budget</b>	
<b>Housing</b>								
08100601	House 5 Spaven Way (CEO)	10,121.00	9,246.00	3,658.86	5,587.14	60.40%	Material Variance Expenditure less than budget	
08100640	House 60 Duracher St	8,018.00	7,315.00	2,078.88	5,236.12	71.58%	Material Variance Expenditure less than budget	
09100100	Staff Housing Costs Allocated to Services	(46,474.00)	(42,537.00)	(33,416.65)	(9,120.35)	21.44%	Material Variance Expenses less than expected	
23100796	Utilities - Pensioner Units (Group)	3,650.00	3,344.00	15,005.91	(11,661.81)	-348.74%	Material Variance Water rates to be allocated to individual units	
23101600	Government Overheads Allocated	38,129.75	35,880.00	28,891.93	6,988.07	19.51%	Material Variance Overheads less than budget	
<b>Total</b>	<b>Housing</b>	<b>120,325.57</b>	<b>109,766.00</b>	<b>87,739.59</b>	<b>22,029.41</b>	<b>20.07%</b>	<b>Material Variance</b>	
<b>Community amenities</b>								
30102190	Refuse Site Maintenance	102,000.00	93,486.00	68,917.68	24,571.32	26.28%	Material Variance Adjustment of plant allocation	
30102210	Refuse Site Gate Attendance	80,175.00	73,499.00	67,527.73	5,841.27	8.09%	Material Variance Timing	
30102465	Domestic Refuse Collection	52,000.00	47,665.00	53,020.90	(5,357.90)	-11.24%	Material Variance Tender renewal costs	
30201600	Government Overheads Allocated	30,828.50	28,259.00	22,727.80	5,531.20	19.57%	Material Variance Overheads less than budget	
30301600	Government Overheads Allocated	47,436.00	43,472.00	34,917.42	8,554.58	19.68%	Material Variance Overheads less than budget	
30302880	Town Planning Scheme No 3	20,000.00	18,326.00	12,558.50	5,769.50	31.48%	Material Variance Local planning strategy	
<b>Total</b>	<b>Community amenities</b>	<b>573,926.42</b>	<b>524,985.00</b>	<b>457,246.36</b>	<b>67,739.64</b>	<b>12.90%</b>	<b>Material Variance</b>	



Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
<b>Operating Expenditure</b>								
<b>Recreation and Culture</b>								
35101600	Governance Overheads Allocated	28,458.00	26,081.00	20,957.67	5,083.33	19.49%		Material Variance Overheads less than budget
35201600	Governance Overheads Allocated	28,458.00	26,081.00	20,957.67	5,083.33	19.49%		Material Variance Overheads less than budget
35302242	Town Oval Maintenance	33,500.00	30,690.00	23,355.70	7,334.30	23.96%		Material Variance Timing
35303000	Sport and Recreation Centre - Operating Exp	58,027.00	53,141.00	11,989.51	41,151.49	77.44%		Material Variance Expenditure less due to delay in opening
35312160	Parks And Gardens	62,550.00	57,200.00	62,384.83	(5,184.83)	-8.06%		Material Variance Extra staff and shade sail repair
35501600	Governance Overheads Allocated	50,987.25	46,728.00	37,581.25	9,136.75	19.55%		Material Variance Overheads less than budget
36000610	Salaries & Wages	175,320.00	160,710.00	146,133.59	14,576.41	9.07%		Material Variance Expense below budget YTD
36000775	Utilities - Spic	43,800.00	40,150.00	32,160.17	7,989.83	19.90%		Material Variance Timing of Invoices
36001600	Governance Overheads Allocated	30,829.50	28,259.00	22,727.80	5,531.20	19.57%		Material Variance Overheads less than budget
<b>Total</b>	<b>Recreation and Culture</b>	<b>1,455,426.89</b>	<b>1,333,222.00</b>	<b>1,219,176.58</b>	<b>114,046.42</b>	<b>8.55%</b>		<b>Material Variance</b>
<b>Transport</b>								
45100775	Utilities - Depot	3,000.00	2,750.00	9,915.75	(7,165.75)	-260.57%		Material Variance Water leak, possible claim
45101600	Governance Overheads Allocated	44,052.75	40,381.00	32,322.22	8,058.78	19.36%		Material Variance Overheads less than budget
45102761	Engineering Consultancy - Drainage	6,000.00	5,500.00	0.00	5,500.00	100.00%		Material Variance No exp YTD
45112245	Town Streets Maintenance	115,365.00	104,992.00	41,608.97	63,353.03	60.36%		Material Variance Expense below budget YTD
45501992	Denham Rec/Leby/Boat Ramp Mtc	11,500.00	10,527.00	1,728.44	8,798.56	83.58%		Material Variance Expense below budget YTD
<b>Total</b>	<b>Transport</b>	<b>1,866,106.00</b>	<b>1,708,897.00</b>	<b>1,568,583.73</b>	<b>140,013.27</b>	<b>8.19%</b>		<b>Material Variance</b>
<b>Economic Services</b>								
50100510	Salaries & Wages	131,928.00	120,934.00	111,391.80	9,542.20	7.58%		Material Variance Wages less than budget
50201131	Business Assoc. Donations (Fedtp)	6,000.00	5,500.00	0.00	5,500.00	100.00%		Material Variance No exp YTD
50201428	Int Loan 57 - MIM Bore	9,000.00	8,250.00	0.00	8,250.00	100.00%		Material Variance Budget Profile
50201600	Governance Overheads Allocated	34,386.75	31,515.00	25,323.02	6,191.98	17.85%		Material Variance Overheads less than budget
1502023900	Community Events/Festivals	70,000.00	46,233.00	38,233.49	7,999.51	17.35%		Material Variance Timing
50202350	Tourism Promotion	20,000.00	64,163.00	42,370.31	21,792.69	33.96%		Material Variance Timing
50301600	Governance Overheads Allocated	28,458.00	26,081.00	20,937.87	5,083.33	19.55%		Material Variance Overheads less than budget
50501600	Governance Overheads Allocated	29,643.75	27,087.00	21,852.84	5,907.38	19.55%		Material Variance Overheads less than budget
50501900	Private Works - Other	33,555.00	30,745.00	72,693.35	(41,948.35)	-136.35%		Material Variance Loop Road Strip Bin charges
50521810	MIRWA MIMia Rd Totalling A/c	100,000.00	91,642.00	105,707.87	(14,065.87)	-22.61%		Material Variance Timing of Works
50531900	MIRWA Shark Bay Rd Totalling A/c	369,167.00	338,382.00	261,955.12	76,516.88	22.61%		Material Variance Timing of Works
<b>Total</b>	<b>Economic Services</b>	<b>975,767.17</b>	<b>894,168.00</b>	<b>783,585.03</b>	<b>110,582.97</b>	<b>12.37%</b>		<b>Material Variance</b>

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
Operating Expenditure								
Other Property and Services								
55100509	Annual Leave	58,572.00	53,891.00	82,150.60	(28,459.60)	-53.01%		Material Variance Check Allocation
55100520	Camp Allowance	17,160.00	15,730.00	6,688.00	9,042.00	57.48%		Material Variance Timing
55100540	District Allowance	21,592.00	19,789.00	3,132.01	16,656.99	84.17%		Material Variance Check Allocation
55100550	Shark Bay Allowance	54,848.00	50,270.00	8,796.70	41,473.30	82.50%		Material Variance Budget Profile
55100560	Fringe Benefits - Works Superv	7,500.00	6,875.00	0.00	6,875.00	100.00%		Material Variance Expense less than budget YTD
55100570	Other Allowances	26,194.00	24,002.00	5,641.00	18,361.00	76.50%		Material Variance Expense exceeds budget
55100585	Public Holidays	29,469.00	27,005.00	35,300.91	(8,295.91)	-30.72%		Material Variance Expense less than budget YTD
55100600	Rostered Days Off	25,000.00	22,913.00	(617.97)	27,622.97	102.25%		Material Variance Expense less than budget YTD
55100680	Staff Training	73,488.00	12,873.73	10,039.27	63,451.73	43.81%		Material Variance Expense exceeds budget
55100675	Superannuation - Occupational	22,868.00	20,965.00	49,573.47	17,790.53	26.41%		Material Variance Expense less than budget YTD
55100685	Workers Compensation Ins.	14,065.00	12,881.00	26,653.80	(5,698.80)	-27.20%		Material Variance Expense exceeds budget
55101556	Allocation Of Deputy Works Supervisor	39,967.00	36,630.00	20,095.61	(7,214.61)	-18.43%		Material Variance Increased administration time for works supervisor
55101580	Less Public Works Overheads Allocated Works/Services	(690,513.00)	(623,795.00)	(472,813.35)	(150,985.65)	-24.20%		Material Variance Overheads less than budget YTD
55101600	Governance Overheads Allocated Works/Services	(175,500.00)	(160,875.00)	(128,343.98)	(47,156.02)	-27.43%		Material Variance Overheads less than budget YTD
55201585	Less Plant Operating Costs Allocated Works/Services	(315,228.00)	(288,959.00)	(344,342.08)	55,383.08	19.17%		Material Variance Plant allocations exceed costs, timing of invoices
55201620	Plant Depreciation Recovered	(362,027.00)	(331,848.00)	(206,740.30)	(125,107.70)	-37.70%		Material Variance Timing, plant utilisation
55201623	Plant Operating Costs - Deprec	66,134.00	60,621.00	288,317.53	31,746.47	52.37%		Material Variance Expense less than budget YTD
55201637	Plant Oper Cost - Parts/Repair	62,500.00	57,277.00	50,910.03	6,366.97	11.12%		Material Variance Expense exceeds budget
55201639	Plant Operating Costs - Tyres	18,000.00	16,500.00	24,562.07	(6,062.07)	-48.86%		Material Variance Expense less than budget YTD
55301653	Purchases - Bulk Fuel Depot	(130,000.00)	(119,163.00)	(83,815.20)	(26,347.80)	-22.30%		Material Variance New tyres for trucks and trailer
55301654	Issues - Bulk Fuel Depot	(60,500.00)	(46,288.00)	(70,840.00)	24,552.00	-53.04%		Material Variance Timing
55301658	Purchases - Engine Oil Stock	(7,500.00)	(6,875.00)	0.00	6,875.00	100.00%		Material Variance Timing
55301663	Issues - Engine Oil	(7,500.00)	(6,875.00)	0.00	6,875.00	100.00%		Material Variance No Expenses YTD
55401570	Gross Total Salaries & Wages	(1,776,258.00)	(1,626,231.00)	1,348,751.72	(279,479.28)	-17.16%		Material Variance Expense less than budget YTD
55401590	Less Salaries/Wages Allocated	(1,776,258.00)	(1,626,231.00)	(1,348,751.72)	(279,479.28)	-17.16%		Material Variance Expense less than budget YTD
55501290	Regional Alliance	30,000.00	27,500.00	0.00	27,500.00	100.00%		Material Variance No Expenses YTD
Total	Other Property and Services	42,000.00	38,368.00	13,278.18	25,089.82	65.39%		Material Variance

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
<b>Other Revenue and Expenditure</b>								
(45204250)	Profit/Loss on Asset Disposals	(105,000.00)	(96,250.00)	(47,940.23)	(48,309.77)	50.19%		
Total	Profit/Loss on Asset Disposals	(100,500.00)	(92,125.00)	(45,403.73)	(46,721.27)	50.72%	Material Variance Prime li/over trade in not completed	Material Variance
<b>Depreciation on Assets</b>								
Total	Purchase Land and Buildings	1,789,765.00	1,342,143.00	1,309,820.64	32,322.36	2.41%	No Material Variance	
<b>Purchase Land and Buildings</b>								
09128000	Capital Works Staff Housing	20,000.00	18,260.00	8,079.50	10,180.50	55.75%		Material Variance Air-Cond Replacement
5204734	Shire Offices - Upgrade & Refurbishment	682,150.00	608,968.00	5,860.00	801,118.00	98.04%		Material Variance Concept Design
10305304	Emergency Services Building	580,000.00	531,841.00	6,242.05	925,398.95	98.63%		Material Variance Project commenced
30404755	Public Conveniences - Capital Works	35,000.00	32,075.00	21,560.56	10,515.34	32.78%		Material Variance Works in progress
35205526	Freshwater Public Toilets Capital	100,000.00	91,663.00	58,604.78	33,056.21	36.05%		Material Variance Purchase of structure, site works commenced
35104980	Community Resource Centre Capital Works	100,000.00	91,663.00	73,306.98	18,345.01	20.02%		Material Variance Car park construction underway
35104785	Rec Centre Construction	1,168,664.00	1,071,224.00	958,157.02	113,066.98	10.55%		Material Variance Works still progressing
Total	Purchase Land and Buildings	2,767,804.00	2,536,874.00	1,228,528.93	1,311,445.07	51.69%		Material Variance
<b>Purchase Infrastructure Assets Roads</b>								
45165670	Country Roads - Rtg	706,472.00	647,548.00	495,303.20	152,244.80	23.51%		Material Variance Loop Road project completed
45165785	Town Street Reseals	199,900.00	183,205.00	46,313.86	136,891.14	74.72%		Material Variance Waiting on contractor
Total	Purchase Infrastructure Assets Roads	1,170,372.00	1,072,731.00	776,292.05	296,438.95	27.63%		Material Variance
<b>Purchase Infrastructure Assets Public Facilities</b>								
50205788	Monkey Mia Bore Replacement	600,000.00	550,000.00	36,927.67	513,072.33	93.29%		Material Variance Project commenced
30105575	Refuse Site Infrastructure Upgrade	388,341.00	355,943.00	10,440.00	345,503.00	97.07%		Material Variance Water tanks purchased
35205531	Rock Wall	15,000.00	13,728.00	0.00	13,728.00	100.00%		Material Variance No expense YTD
35205532	Knight Terrace Boat Ramps Capital	63,000.00	57,717.00	45,824.80	11,892.20	20.60%		Material Variance Project nearing completion
35305586	Darhan Recreation Jetty Replacement	2,000,000.00	1,833,326.00	0.00	1,833,326.00	100.00%		Material Variance Timing, awaiting approval
35405250	Parks & Gardens Capital Exp	85,000.00	80,358.00	7,866.22	42,501.78	84.40%		Material Variance Works progressing
35605690	Digital TV Upgrade	150,000.00	137,500.00	8,114.00	129,386.00	94.10%		Material Variance awaiting approval
45105675	HMAS Sydney II Memorials	105,400.00	94,776.00	49,527.28	45,248.72	47.74%		Material Variance Works in progress
45405550	Drainage/Sump Construction	30,000.00	27,500.00	0.00	27,500.00	100.00%		Material Variance Project not started
45405551	Monkey Mia Boat Facilities - Capital	173,423.00	159,950.00	128,027.75	30,922.25	19.45%		Material Variance Boat Ramp completed, car park planning underway
45505552	Winch House and Jinker Capital Works	20,000.00	18,326.00	1,938.22	16,386.78	89.42%		Material Variance Timing, awaiting approval
45505554	Marina Development Planning	50,000.00	45,826.00	3,962.50	41,863.50	91.35%		Material Variance Works in progress
50205725	Entry Statement/Carpark	50,000.00	45,815.00	21,707.68	24,107.32	52.62%		Material Variance Project not started
Total	Purchase Infrastructure Assets Public Facilities	4,727,664.00	4,333,450.00	324,183.67	4,009,266.33	92.52%		Material Variance Lighting at entry statement underway
<b>Purchase Infrastructure Assets Footpaths</b>								
1451452500	Footpaths Construction	50,000.00	45,815.00	5,748.75	40,066.25	87.45%		Material Variance Project not started
Total	Purchase Infrastructure Assets Footpaths	50,000.00	45,815.00	5,748.75	40,066.25	87.45%		Material Variance
<b>Purchase Heritage assets</b>								
35705125	Cape Inscription Restoration Capital	46,035.00	42,196.00	9,017.73	33,178.27	78.63%		Material Variance Project completed
Total	Purchase Heritage assets	46,035.00	42,196.00	9,017.73	33,178.27	78.63%		Material Variance

Shire of Shark Bay  
Material Variances as at 31 May 2013

COA	Description	Current Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Variance \$5000 or 5% of YTD Budget	Comment
<b>Other Revenue and Expenditure</b>								
<b>Purchase Plant and Equipment</b>								
05205335	Ceo Vehicle Replacement	65,000.00	59,576.00	65,163.00	(5,577.00)	-8.36%	Material Variance Cost less than budgeted, budget profile	
45205345	County Ute Replacement	40,000.00	40,000.00	0.00	40,000.00	100.000%	Material Variance No Expense YTD	
45205495	Prime Mover	210,000.00	192,500.00	0.00	192,500.00	100.000%	Material Variance On Order	
<b>Total</b>	<b>Purchase Plant and Equipment</b>	<b>659,500.00</b>	<b>604,103.00</b>	<b>371,502.69</b>	<b>232,600.31</b>	<b>35.50%</b>	<b>Material Variance</b>	
<b>Purchase Furniture and Equipment</b>								
36004990	Shark Bay Intern Centre - Furn & Fittings	18,500.00	16,951.00	1,766.62	15,184.38	89.58%	Material Variance Display Racks	
<b>Total</b>	<b>Purchase Furniture and Equipment</b>	<b>54,500.00</b>	<b>49,929.00</b>	<b>36,623.24</b>	<b>13,305.66</b>	<b>26.65%</b>	<b>Material Variance</b>	
<b>Repayment of Debentures</b>								
50404535	Principal Loan 48 - Mccleary	22,633.00	11,124.00	22,632.80	(11,508.80)	-103.46%	Material Variance Budget Profile	
50204588	Principal Loan 57 - MIM Bore	11,200.00	10,263.00	0.00	10,263.00	100.000%	Material Variance First payment due September due to timing of loan	
<b>Total</b>	<b>Repayment of Debentures</b>	<b>80,873.00</b>	<b>64,496.00</b>	<b>69,879.16</b>	<b>(5,183.16)</b>	<b>-8.04%</b>	<b>Material Variance</b>	
<b>Proceeds from new Debentures</b>								
35406069	Loan Funds Digital TV Upgrade	(150,000.00)	(137,500.00)	0.00	(137,500.00)	100.000%	Material Variance Loan not raised yet	
50206068	Loan Funds MIM Bore	(300,000.00)	(275,000.00)	(300,000.00)	25,000.00	-9.09%	Material Variance Budget profile, loan funds received	
<b>Total</b>	<b>Proceeds from new Debentures</b>	<b>(450,000.00)</b>	<b>(412,500.00)</b>	<b>(300,000.00)</b>	<b>(112,500.00)</b>	<b>27.27%</b>	<b>Material Variance</b>	
<b>Transfers to Reserves</b>								
00304625	Transfer Interest - Office Replacement Reserve	44,930.00	41,184.00	35,690.21	5,293.79	15.24%	Material Variance Budget Profile	
<b>Total</b>	<b>Transfers to Reserves</b>	<b>80,217.00</b>	<b>73,502.00</b>	<b>62,300.56</b>	<b>11,201.44</b>		<b>Material Variance</b>	
<b>Transfers from Reserves</b>								
<b>Total</b>	<b>Transfers from Reserves</b>	<b>(52,000.00)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>No Material Variance</b>	
<b>Amount Raised from Rates</b>								
00103070	Rates Grv	(638,111.00)	(584,925.00)	(639,056.27)	54,131.27	-8.25%	Material Variance Budget Profile	
00103020	Rates Uv - General	(222,187.00)	(203,665.00)	(222,186.53)	18,521.53	-8.09%	Material Variance Budget Profile	
00103040	Minimum Rates Grv	(136,416.00)	(125,048.00)	(136,416.00)	11,368.00	-8.09%	Material Variance Budget Profile	
00103150	Rates Written Off Uv - General	3,000.00	2,750.00	14,913.44	(12,163.44)	-442.31%	Material Variance Write off of Silver Chain Rates	
<b>Total</b>	<b>Amount Raised from Rates</b>	<b>(1,028,574.00)</b>	<b>(942,832.00)</b>	<b>(1,010,101.97)</b>	<b>67,259.97</b>	<b>-7.13%</b>	<b>Material Variance</b>	

**SHIRE OF SHARK BAY  
CAPITAL EXPENDITURE AS AT 31 MAY 2013**

Program	Description	Project	Current Budget	YTD	Funding Source	Comment
<b>ADMINISTRATION</b>						
<i>Furniture and Office Equipment</i>						
	Misc. Hardware Purchases/Upgrades	Computer Replacement	6,000	6,312	Municipal Fund	New computers and equipment for Rec Centre, Day Care and office
	Misc. Software Purchases/ Upgrades		5,000	4,384	Municipal Fund	Cat module and email purchase orders for Synergy
	Office Furniture and Equipment	Furniture	5,000	3,744	Municipal Fund	Office chairs and fire resistant filing cabinet.
	Council Chambers	Furniture	20,000	20,417	Municipal Fund	New tables, chairs and TV for Meeting room
			<b>36,000</b>	<b>34,857</b>		
<i>Buildings</i>						
	Staff Housing		662,150	5,850	Grant and Reserve Funds	Concept, design and construction
			<b>662,150</b>	<b>5,850</b>		
<i>Plant and Equipment</i>						
	CEO Vehicle		65,000	65,153	Municipal Fund	Completed
			<b>65,000</b>	<b>65,153</b>		
<b>Total Administration</b>			<b>763,150</b>	<b>105,860</b>		
<b>LAW, ORDER AND PUBLIC SAFETY</b>						
<i>Buildings</i>						
	Emergency Services Building	Building Construction	480,000	5,280	Grant Funds	Concept Design and construction.
	Emergency Services Building	Site works	100,000	962	Municipal Fund	Site works, car parking and fencing.
			<b>580,000</b>	<b>6,242</b>		
<i>Plant and Equipment</i>						
	SES Capital Equipment		6,500	4,711	Grant Funding	Assorted minor equipment.
			<b>6,500</b>	<b>4,711</b>		
<b>Total Law, Order and Public Safety</b>			<b>586,500</b>	<b>10,953</b>		

**SHIRE OF SHARK BAY  
CAPITAL EXPENDITURE AS AT 31 MAY 2013**

Program	Description	Project	Current Budget	YTD	Funding Source	Comment
<b>HOUSING</b>						
<i>Buildings</i>						
	Staff Housing Capital Works					
	9 Spaven way	Capital Maintenance	5,000	3,152	Municipal Fund	Replace air conditioner
	65 Brookman Street	Capital Maintenance	5,000	4,928	Municipal Fund	Replacement of two air conditioners
	51 Durlacher Street	Capital Maintenance	5,000		Municipal Fund	Capital maintenance as required, on going
	80 Durlacher Street	Capital Maintenance	5,000		Municipal Fund	Capital maintenance as required, on going
			<b>20,000</b>	<b>8,080</b>		
	<b>Pensioner Units Capital Works</b>					
	Capital Maintenance		15,000	40,765	Pensioner unit reserve	Refurbishment of Unit 6,7 and 10
	Fencing		25,000		Pensioner unit reserve	Project listed for 12/13 completion.
	Mains Plumbing Replacement		32,000	37,840	Pensioner unit reserve	Complete replacement of corroded mains plumbing.
	Landscaping		10,000		Pensioner unit reserve	Project listed for 12/13 completion.
			<b>82,000</b>	<b>78,595</b>		
			<b>102,000</b>	<b>86,675</b>		
<b>COMMUNITY AMENITIES</b>						
<i>Buildings</i>						
	Public Conveniences Capital Works	Barnard Street Amenities	35,000	21,951	Municipal Fund	Internal upgrade.
			<b>35,000</b>	<b>21,951</b>		
	<b>Infrastructure Assets - Public Facilities</b>					
	Refuse Tip	Residential Refuse Site	145,241		Grant Funding	Setting up and Equipping new recycling station.
	Glass Crusher		75,000		Grant Funding	Setting up and Equipping new recycling station.
	Shed		87,000	2,440	Grant Funding	Setting up and Equipping new recycling station.
	Baler		45,000		Grant Funding	Setting up and Equipping new recycling station.
	Bale Bags x 2		26,100		Grant Funding	Setting up and Equipping new recycling station.
	Refuse Site Water Tanks		10,000	8,000	Municipal Fund	Water tanks delivered to site, set up still to be completed
			<b>388,341</b>	<b>10,440</b>		
			<b>423,341</b>	<b>32,001</b>		



SHIRE OF SHARK BAY  
CAPITAL EXPENDITURE AS AT 31 MAY 2013

Program	Description	Project	Current Budget	YTD	Funding Source	Comment
<b>RECREATION AND CULTURE</b>						
<i>Buildings</i>						
	Rec. Centre construction and carpark	CLGF Regional Projects	415,653	427,088	Grant and Municipal Funds	Works Completed, some invoices still outstanding.
	Rec Centre firefighting and landscaping		673,001	453,021	Contributions and Municipal	Stage 2 of landscaping started
	Gymnasium Equipment		80,000	78,047	Municipal Funds	Payment for Gymnasium Equipment
	Community Resource Centre grounds	Car Park, Old Gooli, landscaping	100,000	73,307	Municipal Funds	Car park construction in progress
	Community Daycare Centre		5,000	4,502	Municipal Funds	Provisional sum for capital works, purchase of aquabubbler
	Western Foreshore Public Toilets	Western Knight Street	100,000	58,608	Municipal Funds	Building completed, minor works still in progress
			<b>1,373,654</b>	<b>1,094,570</b>		
<i>Infrastructure Assets - Public Facilities</i>						
	Rock Wall	Capital maintenance	15,000		Municipal Fund	Capital maintenance works will be carried out when tides are suitable
	Charlie Sapple Park Capital Works		25,000	7,518	Municipal Fund	Purchase of chairs
	Foreshore BBQ Replacement	Old BBQ rusted	12,000	6,655	Municipal Fund	New BBQ Purchased
	Solar Lighting Little Lagoon	No lighting at present	7,500	3,202	Municipal Fund	Lighting installed in gazebo's
	Digital TV		150,000	8,114	Loan and Municipal Funds	Studies being undertaken for best solution
	Oval shade shelter replacement	Old shade deteriorating	20,000		Municipal Funds	Construction Scheduled 12/13 year.
	Recreation equipment		6,500	6,048	Municipal Funds	Replacement of basketball hoops and posts
	Shade over Velsheida		10,000	338	Municipal Funds	In progress
	Oval Bore Meter		5,000		Municipal Funds	Construction Scheduled 12/13 year.
	HMAS Sydney Memorial		103,400	49,527	Municipal Funds	Works are in progress
	Denham Recreation Jetty Replacement		2,000,000		Grant Funds	Construction Scheduled 12/13 year.
	Knight, Tee Western Carpark Boat Ramp.		63,000	45,825	Grant and Municipal funds	Works nearing completion
			<b>2,417,400</b>	<b>127,227</b>		
<i>Furniture and Office Equipment</i>						
	Discovery centre - Furniture & Fittings					
	Display Entry Curtain		2,500		Municipal Fund	Project due for completion 12/13 year
	Gallery Lighting Upgrade		5,000		Municipal Fund	Project due for completion 12/13 year
	Electronic Displays		10,000	1,767	Municipal Fund	Merchandise Racking
	Mini Scaffold		1,000		Municipal Fund	Project due for completion 12/13 year
			<b>18,500</b>	<b>1,767</b>		
<i>Heritage Assets</i>						
	Dirk Harcus Lighthouse Cottage Restoration		46,035	9,018	Municipal Fund	Completed retained funds due for release July 2013
			<b>46,035</b>	<b>9,018</b>		
			<b>3,855,689</b>	<b>1,232,582</b>		

SHIRE OF SHARK BAY  
CAPITAL EXPENDITURE AS AT 31 MAY 2013

Program	Description	Project	Current Budget	YTD	Funding Source	Comment
TRANSPORT Buildings	Upgrade Depot Workshop		15,000	10,631	Municipal Fund	Half of depot shed restreathed
			15,000	10,631		
<i>Plant and Equipment</i>						
	Depot Tools and Major Plant	Major Plant	15,000	11,132	Municipal Fund	Purchase of 4 inch pump and accessories
	Communications Upgrade		5,000	900	Municipal Fund	Provisional sum for capital replacement
	Replacement Ute Country		40,000		Municipal Fund less trade-ins	Due for replacement Feb/Mar. 2013
	Replacement Ute Town Supervisor		38,500	37,657	Municipal Fund less trade-ins	Completed
	Replacement Ute Works Manager		48,000	47,895	Municipal Fund less trade-ins	Completed
	Dual cab Truck 5t		75,000	104,360	Municipal Fund less trade-ins	Completed
	Prime Mover		210,000		Municipal Fund less trade-ins	Ordered
	Loop Road Camp Upgrade		75,000	58,290	Municipal Fund less trade-ins	Project near completion
	Trailer Replacement		8,000		Municipal Fund less Insurance	Seeking Quotes
	Ride-on Lawn Mower		31,500	31,514	Municipal Fund less trade-ins	Completed
			546,000	301,638		
<i>Infrastructure Assets - Roads</i>						
	Stella Rowley Drive - RRG		90,000	91,016	Grants and Municipal Funds	Completed
	Useless Loop Road - RRG		324,523	322,132	Grants and Municipal Funds	Completed
	Ocean Park Road - RRG		264,000	234,675	Grants and Municipal Funds	Blatters and Drains to be completed
	Woodleigh Byre Road - RRG		291,549	82,155	Grants and Municipal Funds	Works due to commence
	Barnard St - R2R		109,632	6,990	Grant Funding	Waiting for contractor to be available
	Knights Tce. R2R		49,960	39,324	Grant Funding	Project near completion
	Hughes Street R2R		40,308	40,308	Grant Funding	Waiting on Contractor
			1,170,372	776,292		
<i>Infrastructure Assets - Darham Marine Facilities</i>						
	Winch House and Jinker Capital Maintenance		20,000	1,939	Municipal Fund	Wheels for jinker have been sourced
	Commercial Jetty Capital Works		5,000		Municipal Fund	Capital maintenance as required
	Marina Development Plan		50,000	3,963	Municipal Fund	Work in progress
			75,000	5,902		
<i>Infrastructure Assets - Monkey Mia Boating Facilities</i>						
	Monkey Mia Jetty Upgrade		1,000,000		Grant Funding	Awaiting Cabinet approval
	Monkey Mia Carpark		60,000	38,720	Grant and Municipal Funding	Work in progress
	Monkey Mia Boat Ramp		113,423	89,308	Grant and Municipal Funding	Project near completion
			1,173,423	128,028		
<i>Infrastructure Assets - Footpaths</i>						
	Hughes Street Footpaths		50,000	5,749	Municipal Fund	Footpath plan adopted, soak wells purchased.
			50,000	5,749		
<i>Infrastructure Assets - Drainage/Culverts</i>						
	Foreshore Drainage		30,000		Municipal Fund	Completion due 12/13 year
			30,000	0		
<b>Total Transport</b>			3,059,795	1,228,240		

**SHIRE OF SHARK BAY  
CAPITAL EXPENDITURE AS AT 31 MAY 2013**

Program	Description	Project	Current Budget	YTD	Funding Source	Comment
<b>ECONOMIC SERVICES</b>						
<b>Infrastructure Assets - Public Facilities</b>						
	Denham Entry Statement power and lighting upgrade		50,000	21,707	Grant and Municipal Funding	Work in progress
	Monkey Mia Bays Replacement	Replace collapsed old bore	600,000	36,928	Grant and Loan Funding	Work in progress
			<b>650,000</b>	<b>58,635</b>		

**Total Economic Services 650,000 58,635**

**Total Asset Acquisition 9,440,375 2,754,945**

**Summary**

Summary of Asset Acquisitions by Function

	Budget	YTD
Governance	763,150	105,860
Law Order and Public Safety	586,500	10,953
Housing	102,000	86,675
Community Amenities	423,341	32,001
Recreation and Culture	3,836,589	1,232,562
Transport	3,059,795	1,228,240
Economic Services	650,000	58,635
	<b>9,440,375</b>	<b>2,754,945</b>

Summary of Asset Acquisitions by Asset Class

	Budget	YTD
Furniture and Equipment	54,500	36,624
Land and Buildings	2,767,804	1,225,529
Plant and Equipment	617,500	371,502
Heritage Assets	46,035	9,018
Infrastructure Assets - Roads (Non-Town)	970,472	729,978
Infrastructure Assets - Town Streets	199,900	46,374
Infrastructure Assets - Public Facilities	4,704,764	330,232
Infrastructure Assets - Streetscapes		
Infrastructure Assets - Footpaths	50,000	5,749
Infrastructure Assets - Drainage/Culverts	30,000	0
	<b>9,440,375</b>	<b>2,754,945</b>

12.3 Donations and Financial Assistance Applications

D0106

Author

Community Development Officer

Disclosure of Any Interest

Declaration of Interest: Cr Capewell

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

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as author of report is relative daughter

Declaration of Interest: Cr Ridgley

Nature of Interest: Impartiality Interest as wife is operating Shukokei Karate as Office Bearer of Film Club

Declaration of Interest: Cr McLaughlin

Nature of Interest: Impartiality Interest as Office Bearer of Borneo Exhibition Group

Declaration of Interest: Cr Hanscombe

Nature of Interest: Impartiality Interest as member of Shark Bay Tourism Association

Moved Cr Ridgeley

Seconded Cr Capewell

Council Resolution

1. That Council approve the following twelve applications for round 1 of the 2013/2014 Donations and Financial Assistance Program in full totalling \$37,820

**Shark Bay School \$6,600**

**Boolbardie Country Club \$1,050**

**Shark Bay Bridge Club \$410**

**Shark Bay Speedway \$3,190**

**Yadgalah Aboriginal Corporation \$6,000**

**Australian Shukokai Karate \$910**

**Denham Seniors Inc. \$3,510**

**Shark Bay Film Club \$400**

**Shark Bay Sport and Recreation Association \$2,400**

**Shark Bay Bowling Club \$3,850**

**Shark Bay Tourism Association \$6,000**

**Shark Bay Seniors Activities (Silver Chain) \$3,500**

2. That Council approve the following financial assistance grants for round 1 of the 2013/2014 Donations and Financial Assistance Program totalling \$1,834.55. This amount is less than the requested amount as stated in the Officers Comments:

**Shark Bay Parents & Citizens Association \$1,834.55**

3. That Council include the following application for consideration in the second grant round (November 2013) as the date the program is to commence is April 2014:

**Borneo Exhibition Group \$2,500**

**5/1 CARRIED**

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

ROUND 1, 2013 (May/June)	Photocopying	Venue Hire	Bus Hire	Cash Donation	Sporting Club Assistance	Community Events	Youth Projects	Senior Projects	Historical Projects	Bussiness Associations Donations	Total	%	Comments
General Ledger Account Number	5101125	35101125	35301122	5101126	35301165	50202390	35802950	50102790	35601200	35201131			
TOTAL ALLOCATION	\$3,000	\$2,500	\$4,000	\$5,000	\$6,000	\$18,500	\$5,000	\$5,000	\$5,000	\$6,000	\$60,000		
ALLOCATION PER GROUP	\$750	\$250	\$1,000	\$1,250	\$1,500	\$4,625	\$1,250	\$1,250	\$2,500	\$3,000			
Shark Bay School			\$ 6,600.00								\$6,600	11.0%	(Inc GST) Requesting bus hire for school excursions.
Boolbardi Country Club			\$ 150.00			\$ 900.00					\$1,050	1.8%	Assistance to run the 2013 Denham Open
Shark Bay Bridge Club	\$ 200.00	\$ 210.00									\$410	0.7%	Venue hire and photocopying for six months
Shark Bay Speedway			\$ 220.00	\$ 550.00		\$ 2,420.00					\$3,190	5.3%	(Inc GST) Assist running to the 2013 Far Western Championships
Borneo Exhibition Group											\$0	0.0%	Application to be included in the next funding round
Yadgalah Aboriginal Corporation					\$ 4,000.00	\$ 2,000.00					\$6,000	10.0%	Upgrade mini golf and assistance to host NAIDOC 2013
Shark Bay P&C		\$ 270.00		\$ 1,564.55							\$1,835	3.1%	Includes approval for funding for hall hire and outdoor seating
Shukokai Karate	\$ 125.00	\$ 785.00									\$910	1.5%	Venue hire and photocopying for six months
Denham Seniors Inc	\$ 250.00	\$ 600.00	\$ 1,000.00					\$ 1,660.00			\$3,510	5.9%	Bus hire for seniors events and outings
Shark Bay Film Club		\$ 400.00									\$400	0.7%	Weekly hall hire
SB SARA	\$ 200.00	\$ 1,200.00		\$ 1,000.00							\$2,400	4.0%	Hall and Recreation Centre hire and insurance
Shark Bay Bowling Club					\$ 1,650.00	\$ 2,200.00					\$3,850	6.4%	(Inc GST) Assist running to the 2013 Carnival
Shark Bay Tourism Association									\$ 6,000.00		\$6,000	10.0%	Assist with printing the Shark Bay planner
Shark Bay Seniors Activities (Silver Chain)			\$ 1,000.00					\$ 2,500.00			\$3,500	5.8%	Assistance to hold weekly seniors outings
											\$0	0.0%	
											\$0	0.0%	
<b>ROUND ONE ALLOCATIONS</b>	<b>\$775</b>	<b>\$3,465</b>	<b>\$8,970</b>	<b>\$3,115</b>	<b>\$5,650</b>	<b>\$7,520</b>	<b>\$0</b>	<b>\$4,160</b>	<b>\$0</b>	<b>\$6,000</b>	<b>\$39,655</b>	<b>66.1%</b>	
Remaining Balance	\$2,225	-\$965	-\$4,970	\$1,885	\$350	\$10,980	\$5,000	\$840	\$5,000	\$0	\$20,345	33.9%	

Confirmed at the Ordinary meeting of Council 31 July 2013 Signed by the President Cr C Cowell \_\_\_\_\_



### Background

This report discusses applications received for the May/June round of the 2013/2014 Donations and Financial Assistance Program.

A total of fourteen applications for the Shire of Shark Bay Donations and Financial Assistance grants have been received for the May/June round of funding (round 1).

The purpose of these donations is to encourage community based organisations to provide services and projects to enhance development of the Shark Bay community.

The program is promoted within the community and the applications are then considered by council in May and October each year. Applications are assessed in accordance with the funding guidelines and selection criteria.

Organisations with charitable objectives and community based non-profit groups and/or schools providing a direct service to the local community that contributes to its wellbeing are eligible to apply.

The funding categories are as follows. However, new and innovative projects will also be considered.

Photocopying contra Annual allocation of \$3,000  
applicants can apply for no more than 25% of the annual allocation (\$750)

Hall contra Annual allocation of \$2,500  
applicants can apply for no more than 10% of the annual allocation (\$250)

Bus Hire contra Annual allocation of \$4,000  
applicants can apply for no more than 25% of the annual allocation (\$1,000)

Cash donation Annual allocation of \$5,000  
applicants can apply for no more than 25% of the annual allocation (\$1,250)

Sporting Club Assistance Annual allocation of \$6,000  
applicants can apply for no more than 25% of the annual allocation for cash donations or no more than 50% of annual allocation for in-kind donations i.e. Shire plant or labour hire (\$1,500)

Community Events Annual allocation of \$18,500  
applicants can apply for no more than 25% of the annual allocation for cash donations or for in-kind donations i.e. Shire plant or labour hires (\$4,625)

Youth Projects and Programs Annual allocation of \$5,000  
applicants can apply for no more than 25% of the annual allocation for Youth Projects or no more than 50% of the annual allocation for Youth Programs (\$1,250)

Senior Projects and Programs Annual allocation of \$5,000  
applicants can apply for no more than 25% of the annual allocation for Senior Projects or no more than 50% of the annual allocation for Senior Programs (\$1,250)

Historical Projects Annual allocation of \$5,000  
applicants can apply for no more than 50% of the annual allocation (\$2,500)

Business Associations Annual allocation of \$6,000  
applicants can apply for no more than 50% of the annual allocation (\$3,000)

Applicants are encouraged to consider and ensure that their applications meet the following criteria:

- Applicant must be a non-profit organisation.
- Applicant must ensure that the community will benefit from the donation.
- Organisations must be an elector or operate in Shark Bay and the Gascoyne district with preference to electors of the Shire of Shark Bay.
- Donation requests previously funded will be given low priority.
- No organisation will receive more than the guideline percentage of the total financial assistance/ donation category expense budget.
- All donations require an annual acquittal.
- Applicants must be able to demonstrate attempts to source other relevant funding.
- No application will be considered outside of the allocated time frames.
- All submissions will be in respect of the determined financial year's budget only.
- Organisations that demonstrate their own fundraising attempts will be favourably considered.
- The Council reserves the right to accept or reject any submissions.
- Unexpended funds must be returned to the Shire of Shark Bay at year end

#### Comment

Council has received fourteen applications for the current round of funding. The details of the applications received for this round are as follows:

#### Shark Bay School

**Amount requested: \$6,600 (including GST)**  
**Funding category: Bus Hire \$6,600**  
**Project title: 2013 School Excursions**

#### **Strategic Outcomes:**

#### **3.2 All Students are retained within the local school system**

#### **3.7 Community infrastructure that meets the needs of families, youth and retirees**

The Shark Bay School has requested waiver of the hire fees for use of the community bus, up to \$6,600.

It is proposed that the bus be used to transport students to events such as the Interschool Swimming Carnival in Carnarvon, Athletics Carnival, Country Week and other events. The waiver of the hire fee will enable the school to budget for extended trips away that the cost of the bus hire would normally make difficult.

All excursions (any school-based activity conducted off school premises which is organised and supervised by teachers employed by Department of Education and which has gained appropriate approval and is managed in accordance with Department of Education policies and procedures) allow for students to experience a learning environment that is unique and can considerably contribute to their understanding, skills and attitudes. As such, excursions can form an integral part of a learning program to reinforce learning experiences. Excursions are to be considered an integral part of the school's program and link to the schools priorities and plans.

In 2011 and 2012 the community bus was used via Shire grant funding to transport school students to an Interschool Swimming Carnival held in Carnarvon. Students

participated in training sessions after school and performed well in all events on the day. This gave them not only a new experience but also assisted to raise confidence in the water and boost self-esteem. In the 2012/2013 grant round the Shark Bay School used the council granted funds to hire the community bus for school excursions and events. The total funded amount in round 1 and 2 of 2012/2013 period was \$8200.

**Council Resolution:**

It is recommended that the Shark Bay School receive the grant of \$6600 for the hire of the community bus. The school helps to retain young people and families in the community and with assistance from the Shire of Shark Bay can continue to improve education opportunities for local young people.

**Boolbardie Country Club**

**Amount requested: \$1,050**

**Funding category: Bus Hire \$150**

**Community Events \$900**

**Project title: Assistance to run the 2013 Denham Open**

**Strategic Outcome:**

**3.3.4 Continue to support the club support services**

The Boolbardie Country Club has been in operation for forty five years, providing local residents and visitors golfing facilities and a venue for social functions. With thirty five members and visitors, the Boolbardie Country Club is a popular venue operated by committed volunteers. Due to the harsh environment, the golf club is in constant need of maintenance and the volunteers work hard to keep the course at a good standard.

The Denham Open has been run successfully for the past 40 years on an annual basis; it provides not only an opportunity to play mixed golf but also acts as a social event for locals and visitors in Denham.

**Council Resolution:**

The Boolbardie Country Club application did not include support letters however as this is the first round since making substantial changes to the application form it is recommended that some leniency be granted in this round only, grant workshops will be held in the future to ensure all applicants can produce quality applications.

It is recommended that the Boolbardie Country Club receive \$1,050 towards the running of the 2013 Denham Open

**Shark Bay Bridge Club**

**Amount requested: \$410**

**Funding category: Photocopying \$200**

**Venue Hire \$210**

**Project title: Venue Hire and Photocopying for 6 months**

**Strategic Outcome:**

**3.3.4 Continue to support the club support services**

The Shark Bay Bridge Club has been in operation for over twenty years, providing an opportunity for local residents and visitors to play Bridge in a social, comfortable environment. The club members are pro-active in developing their club and keen to

share their hobby with interested people. The Bridge Club provides mental stimulation and social interaction to older members of the community.

The requested funding will cover the cost of six months ongoing venue hire at the Community Hall on Hughes Street, photocopying is also included in this grant request.

**Officers Recommendation:**

It is recommended that Council grant the Shark Bay Bridge Club an amount of \$410 to cover the costs of venue hire and photocopying.

**Shark Bay Speedway**

**Amount Requested: \$3,190 (including GST)**  
**Funding Category: Bus Hire \$200**  
**Cash Donation \$500**  
**Community Events \$2,200**

**Project Title: To assist with running the 2013 Far Western Championships**

**Strategic Outcome:**

**3.3.4 Continue to support the club support services**

The Shark Bay Speedway has been in operation for twenty six years and has fifty active members currently.

The purpose of the Shark Bay Speedway is to give club members the opportunity to race in their region and gain experience in the competitive field of speedway racing. Speedway meetings also give the Shark Bay community a chance to watch the sport in a social and family friendly environment.

The requested funds are to be used for the Far Western Championship, which will be held on 13 July 2013. The Far Western Championship attracts competitors from around the State, and is the biggest regional competition in regional northern Western Australia. This even also aids to attract tourist to the region and assists in boosting the local economy during the month of July.

The Grant funding will cover the hire of the community bus, printing the event program and hire of the Shire marquee.

**Council Resolution:**

It is recommended that the Council grant the Shark Bay Speedway an amount of \$3,190 to assist with running the Far Western Championship event.

**Borneo Exhibition Group Inc. (Shark Bay Committee)**

**Amount requested: \$2,500**  
**Funding category: Cash Donation \$1,250**  
**Youth Projects \$1,250**

**Project title: Borneo Exhibition 2014****Strategic Outcome:****4.1.4 Facilitate cultural and family events**

This group has been in operation for the past nine years, and is one of 15 groups thought out Western Australia that participate in the Borneo Exhibition scholarship. The scholarship promotes awareness of World War 2 Australian prisoners of war. The scholarship gives students the opportunity to learn of the sacrifices soldiers have made for the country.

Funds will assist in covering costs of a student and guardian to participate in a memorial tour to Sandakan and other sites significant to the ANZAC Day Dawn Service. The Students will attend the service at memorial park which is the site of the prisoner of war camp in Sandakan.

The Borneo Exhibition Group fundraise throughout the year to ensure they have enough funding to support students wishing to embark on this program.

The funds will cover the cost of travel and accommodation; it will also cover some meals. The estimated cost of the scholarship to the committee is approximately \$6,600.

**Council Resolution:**

The Borneo Exhibition Group Inc. application did not include support letters, however as this is the first round since making substantial changes to the application form it is recommended that some leniency be granted in this round only, grant workshops will be held in the future to ensure all applicants can produce quality applications.

As the expected date for the Borneo Exhibition is 16 April 2014 it is recommended that this application be held over until the second grant round (November 2013), this will give the applicant the opportunity to expend the funds within the six month time frame. If funding the application in this round, the applicant will be required to apply for an extension to the acquittal of funding spent.

**Yadgalah Aboriginal Corporation**

**Amount Requested: \$6,000**

<b>Funding Category:</b>	<b>Sporting Club Assistance</b>	<b>\$4,000</b>
	<b>Community Events</b>	<b>\$2,000</b>

**Project Title: Upgrade to the Mini Golf Course and assistance to run 2013 NAIDOC Celebrations**

**Strategic Objective:**

**3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

**1.2.7 Upgrade of youth facilities**

The Yadgalah Aboriginal Corporation has been in operation for the past 27 years. The main aim of the organisation is to promote the cultural aspect of Aboriginal

people in Shark Bay, to provide services for both Aboriginal and non-Aboriginal people in the Community and to give an insight into the culture and history of Shark Bay.

Yadgalah Mini Golf has been in Operation of over 15 years and is now in need of upgrading to ensure it is safe to use. The mini golf course is used by approximately 100 to 250 people per year including visitors during the peak tourism seasons. The mini golf course provides entertainment and enjoyment for children and adults all year round and is a unique form of entertainment in Shark Bay.

The funding requested will be used to upgrade the mini golf course and equipment. This upgrade will keep the facility running safely and will add to the list of things to do in Shark Bay.

Funding of \$2,000 was granted to The Yadgalah Aboriginal Corporation in the last grant round (funding requested - \$6,000), this funding was used to complete some maintenance but due to limited funds not all upgrades to the facility were able to be completed. Previously council recommended that funding for the facility was sourced from other organisations, Yadgalah have applied for funding through Lottery West to assist with upgrades. They have also applied for funding through FaHCSIA to assist with the NAIDOC Celebrations.

#### **Council Resolution:**

The Yadgalah Aboriginal Corporation has notably taken the councils suggestion of seeking external funding and have proved to be doing so.

It is recommended that Council grant the Yadgalah Aboriginal Corporation \$6,000 to assist with upgrading the mini golf facility and to assist with running the NAIDOC Celebrations in Denham.

#### **Shark Bay Primary School Parents and Citizens' Association Inc.**

**Amount Requested: \$1,844.55**

<b>Funding Category</b>	<b>Hall Hire</b>	<b>\$270</b>
	<b>Cash Donation</b>	<b>\$1,574.55</b>

**Project Title: Hosting two discos, funding to purchase a second park bench and stall fee at the Winter Markets**

**Strategic Outcome:**

**3.2.1 Work with the local school to maximise retention of all students**

**3.2.2 Work with the school to ensure the standards of facilities are state of the art and meet the needs of students**

The purpose of the Shark Bay Primary School Parents and Citizens' Association is to promote the interests of the Shark Bay School through cooperation between parents, teachers, students and member of the community, to assist with the provision of resources, facilities and amenities for the Shark Bay School and to foster community interest in educational matters at the Shark Bay School.

The proposed funding would be spent on hall hire to host P&C events such as discos and fundraising events. The cash component will be used to purchase a second seat



for the new parent car park which has a drop off zone for parents and students. Ten dollars is also requested to cover the stall holder fee at the Winter Markets.

**Council Resolution:**

The Shark Bay Primary School Parents and Citizens Association Inc. used previous council funding to purchase and install seating at the school car park. This project has been a success and due to its increased use another bench is needed.

It is not recommended that the \$10 fee for stall at the Winter Markets be absorbed in the grant funding. The funds raised by the Shire (aprox \$250) through stall holders fees at the Winter Markets are donated to community organisations who assist with the event set up and pack down (previously the funds have been donated to the Arts Council as they have assisted with the event, community groups are invited to assist).

It is recommended that Council grant the Shark Bay Primary School Parents and Citizens Association Inc. \$1,834.55 for hall hire and extra seating at the school car park.

**Australian Shukokai Karate Association – North West Branch Inc.**

**Amount requested: \$910**

**Funding category: Hall Hire \$785**

**Photocopying \$125**

**Project title: Venue Hire**

**Strategic Outcome:**

**3.3.5 Continue to support the club support services**

The Australian Shukokai Karate Association – North West Branch Inc. The club has been operating in Shark Bay for the past thirteen years. In this time they have attracted many children and adults to the sport. Currently they have twenty four participants and are always encouraging new members.

The organisation provides the opportunity for social interaction as well as learning skills vital to the sport.

The mission of the Australian Shukokai Karate Association – North West Branch Inc. Is to encourage the children and adults of Shark Bay to become involved in a sport that develops good health, physical fitness, self-esteem, friendships and leadership skills whilst having fun.

**Council Resolution:**

It is recommended that the Council grants the Australian Shukokai Karate Association – North West Branch Inc. An amount of \$910 for hall hire and photocopying.

**Denham Seniors Inc.**

**Amount Requested: \$3,510.00**

**Funding Category: Photocopying \$250**  
**Hall Hire \$600**  
**Bus Hire \$1,000**

**Senior Projects      \$1,660****Project Title: Bus hire for seniors events and outings****Strategic Outcome:****3.3.4 Continue to support the club support services****3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

The Denham Seniors group is an open group and encourages attendance from older local community members as well as visitors. The purpose of the group is to provide a social outlet for senior citizens in Denham and it provides a support network for the older community. The group currently have 42 active members who meet on a weekly basis to play games, attend outings and to socialise.

The Denham Seniors group request a grant to cover the hire of the Shark Bay town hall, the hall is used as a meeting place every Wednesday morning as a seniors drop in centre. The Denham Seniors also request assistance with photocopying minutes, advertising posters and information printed at the Community Resource Centre. The community bus will be used to take the seniors on outings to the Northampton Airing of the Quilts Festival and morning tea at the Overlander with the pastoralists.

**Council Resolution:**

It is recommended that the Council Grants the Shark Bay Seniors Activities an amount of \$3,510 for the cost hall hire, photocopying and bus hire.

**Shark Bay Film Club**

**Amount Requested: \$400.00**

**Funding Category: Hall hire Contra      \$400.00**

**Project Title: Weekly hire of the Denham Town Hall****Strategic Outcome:****3.3.4 Continue to support the club support services****3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

The purpose of the Shark Bay Film Club is to provide movies and entertainment to the local community as well as visitors to Shark Bay. The group also provide sound and visual equipment and services to the community of Shark Bay.

The Shark Bay Film Club has been operating for 14 years and are a non-profit group that relies on community support to function. The community and visitors benefit from the Film Club and it presents the opportunity for people to meet in a social setting that is family friendly and unique.

The Shark Bay film club request the funding to cover the cost of hiring the Denham Town hall each week, the movie nights are run on a Saturday from 6.00pm.

**Council Resolution:**

The Shark Bay Film Club application did not include support letters, budget breakdown, partnerships with other organisations or attempt to seek other funding. I am aware that the Shark Bay Film Club fundraises and charges a membership fee to ensure this unique service continues.

As this is the first round since making substantial changes to the application form it is recommended that some leniency be granted in this round only, grant workshops will be held in the future to ensure all applicants can produce quality applications.

It is recommended that the Council grants the Shark Bay Film Club an amount of \$400.00 for the cost of hall hire.

**Shark Bay Sport and Recreation Association Inc (SB SARA)**

**Funding Requested: \$2,400.00**

<b>Funding Category:</b>	<b>Photocopying</b>	<b>\$200</b>
	<b>Hall Hire Contra</b>	<b>\$400</b>
	<b>Rec Centre Contra</b>	<b>\$800</b>
	<b>Cash donation</b>	<b>\$1,000</b>

**Project Title: Running costs for SB SARA Activities**

**Strategic Outcome:**

**3.3.4 Continue to support the club support services**

**3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

Shark Bay Sport and Recreation Association strives to provide a variety of sport and recreational activities for the community of Shark Bay. Shark Bay Sport and Recreation Association has a commitment to providing fitness activities especially designed for children and youth.

With sixty four current members the group encourages positive active participation. They aim to support and assist other community groups who provide the community with recreational activities (such as Rhyme Time). Shark Bay Sport and Recreation Association is also committed to assisting individuals in the development of their coaching skills and training.

Shark Bay Sport and Recreation Association liaises with regional sporting clubs, groups and the Department of Sport and Recreation to encourage regional competition in sports. The group organises tennis clinics and basketball competitions and coaching in Denham.

**Council Resolution:**

The funding requested will be used to develop posters and newsletters to promote Shark Bay Sport and Recreation Association activities and events, the hall and recreation centre will host various activities and events. Shark Bay Sport and Recreation Association have requested \$1,000 cash component of the grant to assist with covering the expense of insurance, the group will cover the outstanding insurance amount (a further \$800).

It is recommended that the Council grants Shark Bay Sport and Recreation Association an amount of \$2,400 to cover the costs items and activities listed above.

### **Shark Bay Bowling Club**

**Amount Requested: \$3,850 (including GST)**

**Funding Category: Sporting Club Assistance \$1,500  
Community Events \$2,000**

**Project Title: 2013 Annual Carnival**

**Strategic Outcome:**

**3.3.4 Continue to support the club support services**

**3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

The Shark Bay Bowling Club has been a consistent sporting organisation in Shark Bay for the past 24 years, the organisation currently have 250 members and play between one and three times a week depending on the season. The clubs encourages the local community and younger generations to come along and enjoy a healthier lifestyle, socially and physically.

The Annual Carnival promotes exercise and healthy competition between Shark Bay and other bowling clubs; it also enables social interaction for local and visiting groups.

The requested funds are to be used to promote the competition and enhance advertising the Annual Carnival to bowling clubs in Western Australia. The funds will also be used for the general running costs of the competition including equipment as needed and some catering.

### **Council Resolution:**

It is recommended that the Council grant the Shark Bay Bowling Club \$3,850 to assist with running the 2013 Annual Carnival in Denham.

### **Shark Bay Tourism Association**

**Amount Requested: \$6,000**

**Funding Category: Business Associations \$6,000**

**Project Title: 2013 Shark Bay Planner**

**Strategic Outcome:**

**1.5.3 Facilitate communication and encourage local businesses to continuously improve services to the community, particularly customer service.**

The Shark Bay Tourism Association has been operating for the past eleven years and currently has thirteen members, the organisations core business is to promote tourism and business in the Shark Bay region.

The Shark Bay planner is an advertising publication which promotes the Shark Bay region. All business and the community of Shark Bay rely on tourism and the development of the planner aids to encourage visitors to the area. The Shark Bay Tourism Association feel that the whole community will benefit from this form of advertising.

### **Council Resolution:**

The Shark Bay Tourism Association application did not include a budget breakdown. Sharyn Burvill has been attending the Tourism Association Meetings and has been made aware through this that the requested \$6,000 will go towards the cost of printing the Shark Bay Planner. As per quotes attached in the application the planner will cost between twenty thousand and forty seven thousand dollars to complete. As discussed at the Shark Bay Tourism Association Committee meetings the additional funding needed to complete the project would come from business and organisations paying for advertising in the planner.

As this is the first round since making substantial changes to the application form it is recommended that some leniency be granted in this round only, grant workshops will be held in the future to ensure all applicants can produce quality applications.

It is recommended that the Council grant the Shark Bay Tourism Association \$6000 to the production of the Shark Bay planner.

### **Shark Bay Seniors Activities (Silver Chain)**

**Amount Requested: \$3,500.00**

<b>Funding Category:</b>	<b>Bus Hire Contra</b>	<b>\$1,000.00</b>
	<b>Senior Projects</b>	<b>\$2,500.00</b>

**Project Title: Weekly Seniors Outing**

**Strategic Outcome:**

#### **3.7.1 Provide community infrastructure and services that meet the needs of families, youth and retirees**

The purpose of the Shark Bay Seniors Activities is to promote the social and emotional wellbeing of the older community members of Shark Bay. There are currently twenty two aged people accessing this service, the weekly outings can often be their only form of socialisation throughout the week.

The grant funding will be used to provide a weekly activity for the older members of the community who require social support for their continued good health. The weekly outing provides a hot meal, social interaction, health promotion and mentally stimulating activities.

The HACC services for Silver Chain require full cost recovery for meals and extra activities from the clients, this grant subsidises the cost, as well as allowing non-HACC eligible clients to attend.

**Council Resolution:**

The Shark Bay Seniors Activities application did not include letters of support or a current financial/bank statement. As this is the first round since making substantial changes to the application form it is recommended that some leniency be granted in this round only, grant workshops will be held in the future to ensure all applicants can produce quality applications.

It is recommended that the Council grant the Shark Bay Seniors Activities an amount of \$3,500.00 for meals, social events and activities that are organised on a weekly basis for HACC and non-HACC clients.

Legal Implications

Nil

Policy Implications

These recommendations comply with Policy 6.10 Financial Assistance/Donations.

Financial Implications

An amount of \$60,000 is included in the 2013/14 Council budget for the Shire of Shark Bay Donations and Financial Assistance Program.

Total funding requested in this round is \$37,820. The Officer's Recommendations for the allocation of grant funding are within the allocated budget.

Strategic Implications

The Strategic Outcomes as directed by the 2011 Strategic Community Plan are noted against each application.

Voting Requirements

Simple Majority Required

Date of Report

17 June 2013



12.4 SHARK BAY MARINE FACILITIES REVIEW OF FEES AND CHARGES FOR 2013/2014Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Declaration of Interest: Cr Ridgeley

Nature of Interest: Financial Interest as a community vessel operator

Moved           Cr Capewell  
 Seconded       Cr Hanscombe

Cr Ridgeley departed council chambers at 2:21pm

Council Resolution

**That Council adopt the Shark Bay Marine Facilities Management Committee's recommendation to adopt the following fees and charges for inclusion in the 2013/2014 budget.**

Shire of Shark Bay			
Marine Facilities comparison and recommendations			
	Current	Proposed	
	2012-2013	2013-2014	
	Charges	Charges	
<b>Average Increase</b>		4%	
<b>Pens</b>			
<b>Annual Fee</b>	\$ 250.00	\$ 260.00	per m of the longer of the vessels length and the chargeable length for the pen. Includes use of the service jetty
<b>Monthly payment of annual Fee</b>	plus 20%	plus 20%	
<b>Monthly Fee</b>	plus 30%	plus 30%	
<b>Service Jetty</b>			
<b>Annual Fee</b>	\$ 100.00	\$ 104.00	per metre of vessel length
<b>Casual Fee per day</b>	\$ 6.00	\$ 6.25	per metre of vessel length
<b>Slipway</b>			
<b>Haulage onto slipway for exclusive purpose of Transport Marine Safety Survey (Limited period)</b>	\$ 210.00	\$ 218.00	per vessel weekdays
<b>As above</b>	\$ 290.00	\$ 302.00	Weekends/public holidays

Haulage all other vessels (includes haul up and down)	Same as above plus daily slipway charge	Same as above plus daily slipway charge	
Service Jetty Hardstand			
On Slipway in front of winch house	\$ 32.00	\$ 33.00	per vessel per day or part thereof
Commercial vessels in the marine facilities area	\$ 17.00	\$ 18.00	per vessel per day or part thereof
Electricity			
Single Phase	\$ 10.00	\$ 13.00	per day
Three Phase	\$ 20.00	\$ 22.00	per day
Water	\$ 1.00	\$ 1.00	Desalination, coin operated
Water - Hardstand	\$ 6.50	\$ 6.75	At cost with a minimum daily
Fuel Wharfage Charge	\$ 0.027	As per agreement	per litre

**5/0 CARRIED  
BY ABSOLUTE MAJORITY**

Cr Ridgley returned to council chambers at 2:26pm

Background

At the most recent meeting of Shark Bay Marine Facilities Management Committee held on the 23 May 2013 the following was resolved:

Committee Resolution

*That the Shark Bay Marine Facilities Management Committee recommends to Council, that Council adopt the following fees and charges for inclusion in the 2013/2014 budget*

Shire of Shark Bay			
Marine Facilities comparison and recommendations			
	<b>Current</b>	<b>Proposed</b>	
	<b>2012-2013</b>	<b>2013-2014</b>	
	<b>Charges</b>	<b>Charges</b>	
Average Increase		<b>4%</b>	
<b>Pens</b>			
Annual Fee	<b>\$ 250.00</b>	<b>\$260.00</b>	per m of the longer of the vessels length and the chargeable length for the pen. Includes use of the service jetty

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

Monthly payment of annual Fee	plus 20%	plus 20%	
Monthly Fee	plus 30%	plus 30%	
<b>Service Jetty</b>			
Annual Fee	<b>\$ 100.00</b>	<b>\$ 104.00</b>	per metre of vessel length
Casual Fee per day	<b>\$ 6.00</b>	<b>\$ 6.25</b>	per metre of vessel length
<b>Slipway</b>			
Haulage onto slipway for exclusive purpose of Transport Marine Safety Survey (Limited period)	<b>\$ 210.00</b>	<b>\$ 218.00</b>	per vessel weekdays
	<b>\$ 290.00</b>	<b>\$ 302.00</b>	Weekends/public holidays
Haulage all other vessels (includes haul up and down)	Same as above plus daily slipway charge	Same as above plus daily slipway charge	
<b>Service Jetty Hardstand</b>			
On Slipway in front of winch house	<b>\$ 32.00</b>	<b>\$ 3.00</b>	per vessel per day or part there of
Commercial vessels in the marine facilities area	<b>\$ 17.00</b>	<b>\$ 18.00</b>	per vessel per day or part there of
<b>Electricity</b>			
Single Phase	<b>\$ 10.00</b>	<b>\$ 13.00</b>	per day
Three Phase	<b>\$ 20.00</b>	<b>\$ 22.00</b>	per day
<b>Water</b>			
Water	<b>\$ 1.00</b>	<b>\$ 1.00</b>	Desalination, coin operated
Water - Hardstand	<b>\$ 6.50</b>	<b>\$ 6.75</b>	At cost with a minimum daily
<b>Fuel Wharfage Charge</b>			
Fuel Wharfage Charge	<b>\$ 0.027</b>	<b>As per agreement</b>	per litre

The above table represents the current fees and charges and the proposed 2013/2014 fees and charges associated with the marine facilities at Monkey Mia and Denham.

The Shark Bay Marine Facilities Committee have taken into account the income and expenditure of the facility, as well as fees and charges of other marine facilities in Western Australia, when adopting the 2013/2014 financial year fees and charges.

Comment

Council determines its Fees and Charges for the use of the marine facilities at both Denham and Monkey Mia on an annual basis for inclusion into the forthcoming budget cycle. In this regard the proposed fees are presented for consideration and inclusion into the 2013/2014 budget.

The fees and charges have been reviewed taking into consideration other marine facilities in proximity to Shark Bay, the costs of providing the service and the suggestions of the facility users. The fees and charges proposed are predominantly the same as last years with an average CPI increase of 4% applied across all charges and rounded for ease of administration. The increase of 4% is based on the average increase applied by the Department of Transport to coastal infrastructure fees.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

As noted in the above Fees and Charges Schedule

Strategic Implications

Nil

Voting Requirements

Absolute Majority Required

Date of Report

19 June 2013

**13. TOWN PLANNING REPORT**

**13.1 PROPOSED STORAGE SHED / OUTBUILDING – LOT 310 (1) STELLA ROWLEY DRIVE, DENHAM**

P 1053

Author

Liz Bushby, Gray & Lewis

Disclosure of Any Interest

Disclosure of Interest:

Nature of Interest

Moved Cr Capewell

Seconded Cr Cowell

**Council Resolution**

**That Council:**

1. **Approve the application lodged by John Armstrong dated 19 June 2013 for a shed on Lot 310 (1) Stella Rowley Drive, Denham subject to the following conditions:**
  - (i) **Development shall be in accordance with the plans lodged as part of the application unless otherwise approved in writing by the Chief Executive Officer.**
2. **The applicant is advised that:**
  - (a) **Planning consent is not an approval to commence works. A separate Building Permit is required for construction of the shed.**
  - (b) **This approval has been granted on the basis that no fill exceeding 500mm is proposed and no retaining walls are proposed.**
  - (c) **Please be advised that the land may be subject to inundation. It is recommended that the owner / applicant liaise with its insurers in regards to flood cover.**

**6/0 CARRIED**

Précis

Council is to consider an application for a storage shed on Lot 310 (1) Stella Rowley Drive, Denham.

Background

Lot 310 is zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme'). The Special Use zone allows for Short Term Accommodation, including Caravan and Camping areas, Shop and Associated uses as approved by the local government.

The land has been developed as a caravan park with a manager's house, existing sheds and ancillary development such as ablution buildings. The caravan park currently operates as the Denham Seaside Tourist Park.

Comment

- *Description of Development*

The proposal is for a 72m<sup>2</sup> storage shed with a wall height of 2.8 metres and maximum height to the roof pitch of 3.675 metres.

The shed will be located 6 metres to the immediate south of the existing manager's house and approximately 13 metres from the Stella Rowley Drive road frontage.

The applicant has advised the shed will be used as a workshop and for the storage of vehicles.

- *Finished Floor Level*

The Shire's Scheme requires the local government to have regard to land subject to inundation and the Shark Bay - Denham Foreshore Topography and Storm Surge levels map.

Gray & Lewis has no access to the storm surge mapping referred to in the Scheme, therefore it is not known whether Lot 310 is identified as having any flood risk. The Shire has not been able to provide the mapping to Gray & Lewis for planning consideration.

The Scheme requirements are outlined in the separate 'Legal Implications' section in this report.

In any event, Council does have discretion to consider a floor level less than RL 3.2 metres AHD for non-habitable outbuildings that are detached from any single house or dwelling unit on the same lot.

The proposed development is ancillary, is of a minor nature and it is recommended that no minimum floor level be imposed given the storage nature of the development.

Legal Implications

Shire of Shark Bay Local Planning Scheme No 3 – 5.8 Land Subject to Inundation

- 5.8.1 *No building or building extensions shall be constructed upon any land within an area considered by the local government as being liable to flooding or inundation unless granted specific planning approval by the local government.*
- 5.8.2 *No building or building extension shall be erected on any lot considered by the local government as being liable to flooding or inundation unless the floor level is not less than RL 3.2 metres AHD.*



- 5.8.3 *Notwithstanding Clause 5.8.2, Council has discretion to consider a floor level less than RL 3.2 metres AHD for non-habitable outbuildings that are detached from any single house or dwelling unit on the same lot.*
- 5.8.4 *In considering applications for development in areas subject to inundation, the local government shall have regard to the Shark Bay—Denham Foreshore Topography and Storm Surge levels map and any relevant adopted Local Planning Policy.'*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

20 June 2013

**14. BUILDING REPORT**

**15. HEALTH REPORT**

**16. WORKS REPORT**

Tabled as Urgent Business in Items 19.1 to 19.7

**17. TOURISM, RECREATION AND CULTURE REPORT****17.1 REQUEST FOR FUNDING – JIMMY POLAND PROJECT**

BU101

Author

Executive Manager  
Tourism, Community and Economic Development

Disclosure of Any Interest

Nil

Moved            Cr Capewell  
Seconded       Cr Wake

**Council Resolution**

**That Council include up to \$21,420 in the 2013/2014 draft budget to finalise the Shark Bay Through My Eyes – Stories of Gutharraguda Country documentary project.**

Councillor Ridgley departed Chambers at 2:37pm

Councillor Ridgley returned chambers at 2:39pm

**6/0 CARRIED**Background

Over the past six years, a project has been developed to create a documentary film to tell the story of Jimmy Poland's life, his family, connection to Shark Bay and the cultural history of the Malgana people. A detailed brief of the project is attached below.

The total budget of the project is \$165,000 with \$143,256 already secured from other sources including \$35,000 from the Australia Council for the Arts, \$33,715 from LotteryWest and \$74,550 in kind.

**Project Brief- Shire of Shark Bay  
Shark Bay Through My Eyes- Stories of Gutharraguda Country**Background

This project has been in development since approximately 2007. Over this time community consultation has been conducted, project logistics have been negotiated, film makers have been identified and part funding has been secured. This project has an estimated total budget value of nearly \$165,000 with a significant proportion of \$74,550 being contributed in kind. To date \$35,000 has been secured through the Australia Council for the Arts and notification on a LotteryWest application for \$33,715 is still pending. *(This has been approved since this report was written)*

Project

This will be the story of Jimmy Poland's life journey with his community, captured through a documentary style short film. His life, though his art combined with the influence on his family and the Indigenous people of his hometown in Denham, Shark Bay Western Australia, is one of inspiration and dedication. Jimmy's stories of the Shark Bay community are critical to the preservation of this cultural heritage, which to date remain under represented in any historical documentation.

The objective of this documentary is to capture the journey of community icon, Jimmy Poland as the central character to the film as well as including his relationship with his family, the land, and the people of Shark Bay. The documentary will include interviews of various people including his local community and those who have worked with him during his fishing and pastoral years and those now currently working with him to develop and encourage his unique artistic style that has become a tool for expressing these stories and the Malgana cultural heritage of Shark Bay.

This will be the first time Jimmy's stories will be documented visually as a part of the Malgana cultural history of his people, the Gutharraguda (Shark Bay) country and the evolution of Denham as a town and Shark Bay since the 1940's as a tourist destination. Jimmy's stories are reflective of the fishing and pastoral industries of the Shark Bay community in which he has been a very active member over the past 70 years.

The recording of Jimmy's life through his stories will be done using a re enactment or flash- back style of filming. This will include some of Jimmy's younger family members, friends and community members to play the role of Jimmy in his youth to bring his stories to life. Renowned photographers and film makers, Bill Shaylor and Michael Fletcher will create the narrative structure to the film and will undertake the final stage of editing and post- production.

Bill has directed a number of regional projects including the "Signs of Change" exhibition involving Indigenous artists from the Geraldton Regional Prison in 2010 & 2011 and more recently in November 2011, photographing Jimmy Poland with Helena Bogucki during one of their mentoring workshop sessions. This in itself is a significant benefit to the artistic excellence of the proposed project as Bill has already established a working rapport with Jimmy.

Michael has undertaken projects such as the "Big Rain Coming Exhibition" creating a visual installation for an exhibition by Aboriginal artists from the Roebourne Arts Group. This project included the historical documentation of the region through the eyes of the RAG artists to present day interpretations of the cultural and historical past on canvas. Michael was also involved in "The Pilbara Project" (community screening, Denham). This was a

photographic documentation of Western Australia's Pilbara region by four renowned Australian photographers culminating in a half hour visual presentation. Mike has an incredible gift for capturing the landscape using his own brand of stunning cinematography and placing his subject amongst it so that they become a part of it. This is integral to his film making which will capture Jimmy's connection to the land, his environment and the people around him. "The Pilbara Project" is a particular example demonstrating spectacular footage of the Pilbara whilst combining skills of collaborating with people to produce a documentary style film. To view "The Pilbara Project and for an extensive overview of Michaels film making expertise in remote locations with marginalised communities please see <https://vimeo.com/54863583> .

Both artists have respected national and international profiles on the film festival circuit with screenings of short film productions here and abroad. More recently Bill directed the short film "Earth Treasures" which was screened in Paris to a full house and received an overwhelming audience response. Sarah Trant (Production Manager) is also currently in negotiation with NITV (SBS) who have shown particular interest in screening this production about Jimmy and the Shark Bay community.

The music score will complement the documentary incorporating the talents of local Aboriginal musicians and friends such as Howard Cox with Jimmy Poland himself on the mouth organ and Darren Capewell on Didgeridoo working in collaboration with well renowned UK composer, Jo Quail, <http://www.joquail.co.uk/>.

More importantly, this project has been completely endorsed by the local community, including Yadgalah Aboriginal Corporation and Jimmy's family. Letters of support can be provided for your reference. Sarah Trant will manage all components of this project throughout its life span including all ICIP, artist and community contracts in consultation with cultural advisor, Darren Capewell. Jimmy, his family and the community are aware and support the finished product being screened publically, including TV, community screenings and film festivals. All this exposure combined will contribute to the recognition of Shark Bay and its people as a place of destination for both domestic and international tourists alike.

It is estimated that it will be completed for screening in 2014 and will be approx. 40 mins in length. The project will take place over a seven month period, inclusive of four weeks of filming and approximately 60 hours to edit the footage in the home studios of both film makers. Both Bewley and Michael have undertaken a preliminary planning trip in Nov 2012 to meet with Jimmy and his family, the community and the Shire of Shark Bay. Whilst in Denham, they provided a short film community flickerfest showcasing previous projects and talking about the up and coming project with Jimmy. They have now completed a short teaser of the project which will be used to promote and market the project. This can be viewed via <https://vimeo.com/58523036> and the password is Jimmy. A graphic designer is currently designer a facebook page and other social media sites. When these are finalised the teaser and project updates/interviews will be available for public viewing.

#### Audience

The photographic and film work depicting the dramatic scenery of Australia of both Michael and his brother Christian Fletcher is highly regarded nationally and internationally, with their work often promoting the South West region of WA in a number of galleries and tourism websites.

[http://www.panoramicearth.com/4221/South\\_West\\_Region/Christian\\_Fletcher\\_Gallery\\_Duns\\_borough](http://www.panoramicearth.com/4221/South_West_Region/Christian_Fletcher_Gallery_Duns_borough)

Similarly, this production will showcase a prominent regional WA area familiar to many for the dolphin interaction and the World Heritage experience through stunning world class cinematographic and aerial landscape imagery of Gutharraguda country, captured from a chartered plane. It will appeal to all age groups, young and old, Indigenous and non Indigenous, those interested in community stories, culture and sensitive pristine environments.

The finished product will be on permanent display in the Shark Bay World Heritage and Discovery Centre and Gwoonwardu Mia- Gascoyne Aboriginal Heritage and Cultural Centre in Carnarvon where it will contribute to tourism experiences and the economic development of the Gascoyne region. In addition, there is the potential that footage from this project can be used by various domestic and international airports to promote the area. It will also attract international exposure through the up and coming 400year Anniversary of Dirk Hartog arriving in Shark Bay in 2016.

Artistic impacts

The artistic impacts of this project on an individual and community basis are many and varied. In particular these include skills development in an artform that is not readily accessible in Shark Bay. Whilst in Denham, the film makers will provide community workshops where participants will learn professional terminology for photography and film making, hands on experience of the technical aspects and interview techniques specific to documentary making and oral history recording. This will include the professional development of 4 young people with an interest in this area that given the opportunity may grow and develop.

This project also promotes greater artistic recognition of Jimmy himself as a leading Malgana artist and story teller of Shark Bay. It will encourage local audience development for films

that are outside of the mainstream genre and will serve as an inspiration to other emerging mature age artists in regional areas; in particular to those suffering a physical impairment

that can often lead to feelings of social isolation.

Request

To ensure the highest quality production of world class calibre the film makers have identified the need to invest further in to some of the production elements. These costs include:

Cinematography footage with experienced pilots in cinematography industry- \$5,120  
Professional sound recording- \$7,000  
Development of unique music score and international collaboration- \$4,000  
Production and cultural management fees- \$4,000  
Additional vehicle expenses- \$1,300

**TOTAL FINANCIAL REQUEST- \$21,420.00**

Project Brief- Shire of Shark Bay

Prepared by: Sarah Trant

January 2013

Comment

This project provides a unique opportunity to gain insight into not only Mr Poland's life but the rich history of Shark Bay. Mr Poland is a natural story teller who adds much colour and vibrancy to his recollections.

The distribution of the documentary would not only allow for Mr Poland's story to be told to a wide audience, it also provides an excellent example of successful interaction between European settlers and local indigenous people.

It is planned for the documentary to be shown in the Discovery Centre which will give existing visitors a wider appreciation of the area, its attractions and potentially encourage them to take tours or stay in the area for longer to experience the beauty and diversity of the region displayed in the documentary.

By showcasing the Shark Bay area, it also provides opportunities to promote tourism in the region to a diverse range of potential visitors, both nationally and internationally. Current marketing campaigns include television advertising,



advertising in various publications and “in person” promotion at caravan and camping shows and the documentary project would add to this current suite of initiatives. Council allocated \$45,000 to tourism promotion in the 2012/2013 budget. If a similar amount was allocated in 2013/2014, the \$21,420 requested for this project could be incorporated into the tourism promotion budget.

If Council agrees to commit the requested funds to allow the completion of the project, the documentary will be a lasting legacy for the Shire and a clear commitment to preserving our history and moving forward to the future.

Policy Implications

Nil

Financial Implications

Financial request from the Shire is for \$21,420 to complete the project. This could be part of the amount allocated to tourism promotion in the 2013/2014 draft budget.

Legal Implications

Nil

Strategic Implications

Strategic Objectives:

2.1 Increase the awareness of Shark Bay as an attractive place to live, work, visit and invest

2.2.1 Implement Cultural arts strategies

Voting Requirements

Simple Majority Required

Date of Report

16 May 2013

17.2 APPLICATION TO KEEP MORE THAN TWO DOGS ON A PROPERTY

P1272

Author

Executive Manager  
Tourism, Community and Economic Development

Disclosure of Any Interest

Nil

Moved            Cr Ridgley  
Seconded       Cr Hanscombe

Council Resolution

**That Mr and Mrs McKell be given permission to keep three dogs at 25 Hoult Street Denham on the following conditions:**

- 1. All of the dogs are to maintain Shire registration.**
- 2. That when the number of dogs is reduced to two due to natural attrition, the third dog not be replaced.**
- 3. That barking be controlled and monitored and any further complaints be addressed immediately.**
- 4. If further complaints are not addressed in a timely manner the authorisation will be revoked.**

**6/0 CARRIED**

Background

The Shire of Shark Bay has received a request from Laurie and Jan McKell to keep three dogs on their property at 25 Hoult Street Denham. Under the Dog Act residents are allowed to keep 2 dogs on a residential property and require Council permission to have more than two dogs.

The McKell's originally had two dogs, one of which is now 13 years old, however when a close friend passed away they took in his dog who was familiar with them and their dogs.

In April the Shire received a complaint regarding the dogs barking in the mornings when Mr McKell went to work. Investigations showed that Mrs McKell was in Perth and the dogs were barking as they were not used to being on their own. Mr McKell only became aware of the problem when he was contacted by the Shire and immediately took action.

All of the dogs are currently in Perth with Mrs McKell and are undergoing behaviour modification training to control their barking. When Mrs McKell returns to Denham she will predominantly remain at home which should alleviate the problem of the dogs barking when alone.

Comment

Mr & Mrs McKell's property is well fenced and all three of the dogs are registered and sterilised. Immediate neighbours have been advised of the request and no objections have been made. As Mr and Mrs McKell have acted in good faith to address issues relating to their dogs I am confident that any future issues will be immediately addressed.

Policy Implications

Nil

Financial Implications

Nil

Legal Implications

The Western Australian Dog Act 1976 makes the following provision for keeping more than two dogs at a premise:

**26. Limitation as to numbers**

- (1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.
- (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
  - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
  - (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
  - (c) may be revoked or varied at any time.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

12 June 2013

17.3 DENHAM EXIT SIGNAGE

T100

Author

Executive Manager  
Tourism, Community and Economic Development

Disclosure of Any Interest

Declaration of Interest: Cr Capewell

Nature of Interest: Impartiality Interest as wife is office bearer for Shark Bay Arts Council

Moved Cr Capewell

Seconded Cr Cowell

Officer Recommendation

**That Council requests that the Shark Bay Arts Council further develop their design concepts for a proposed exit sign for the town and forward to Council with quotes.**

Cr Ridgley departed council chambers at 2:54pm

Cr Ridgley returned council chambers at 2:55pm

AMENDMENT TO OFFICERS RECOMMENDATION

Reason:

The Council considered that an exit sign base it upon an emu theme would be preferred and amended the recommendation.

Moved Cr Capewell

Seconded Cr Cowell

Council Resolution

**That Council requests that the Shark Bay Arts Council further develop their design concepts based upon an emu theme and wording similar to "Thank you for visiting, see you again soon". With preliminary size and costing's for a proposed exit sign for the town and forward to Council with quotes.**

CR Wake departed council chambers at 3:11pm

CR Hanscombe departed council chambers at 3:13pm

CR Wake returned council chambers at 3:15pm

CR Hanscombe returned council chambers at 3:15pm

**6/0 CARRIED**

Background

As part of the Shire's tourism promotions, work has been done to the Denham entry statement to provide travellers with information and a welcome to the area. Lighting and a dump point have been installed and four banner poles will shortly be installed down the centre of Knight Terrace. It is intended to continue to install banner poles along the length of the Terrace over time.

Comment

The Chief Executive Officer approached the Shark Bay Arts Council to develop concepts for an exit statement to thank people for visiting Shark Bay and to encourage them to return.

The Shark Bay Arts Council has provided concept drawings based around the flora and fauna and the jetty in a cut-out metal design. Copies are attached for consideration.

Policy Implications

Nil

Financial Implications

Inclusion of capital funding in the 2013/2014 financial year.

Legal Implications

Nil

Strategic Implications

Strategic Objectives:

2.1.4 Improve entry statements, particularly for Denham

2.2.1 Implement Cultural arts strategies

Voting Requirements

Simple Majority Required

Date of Report

18 June 2013

26 JUNE 2013

1-CR-13299 / CL101-24



Shark Bay Arts Council Inc.

A.B.N. 53 511 719 069

**PO BOX 16, DENHAM WA 6537**

Phone: (08) 9948 3648 Fax: (08) 9948 1823

Chief Executive Officer  
Shire of Shark Bay  
67 Knight Terrace  
Denham WA 6537

25 January 2013

Dear Mr Anderson,

The Shark Bay Arts Council would like to present to you a couple of design concepts for your proposed exit sign.

We apologise for the delay in our response, however after much thought and discussion we have agreed on the attached ideas.

Rather than create a large flat sign, we thought it might look effective if a "cut-out" sign was made. Seen on the hill as people drive up, the sign would be easy to read with the sky in the background. The metal would rust creating an historical effect and would hopefully last well against our harsh elements in the bay.

Themes for the design could be underwater flora and fauna, the jetty or sailing/boating aspects of Shark Bay that people have enjoyed during their stay.

The Arts Council's President Mr Keith Backhouse has the skills to make such a sign for Shire staff to install, or we have also included the details for a metal artist based in Geraldton who would be interested in providing a quote for the job.

We hope this is of some help for your decision on the sign.

Please contact us should you need any further information.

Regards,

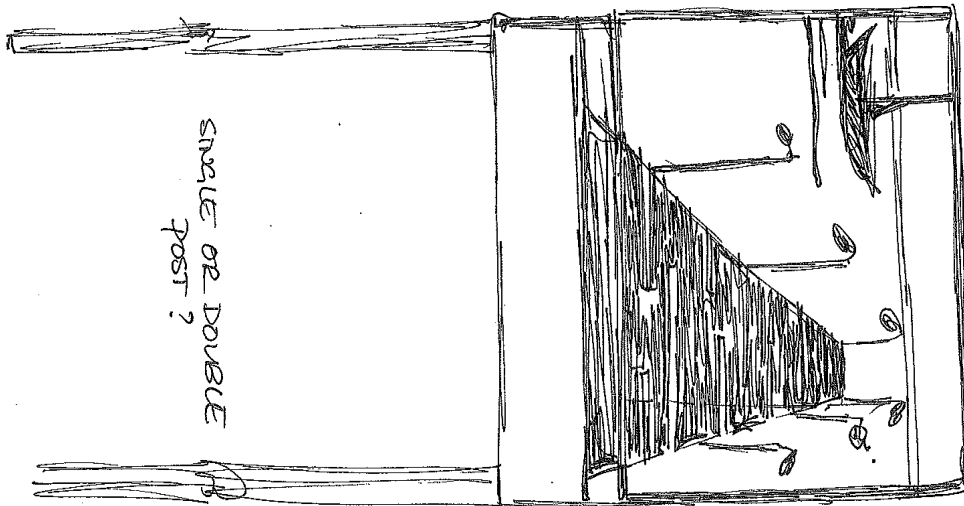
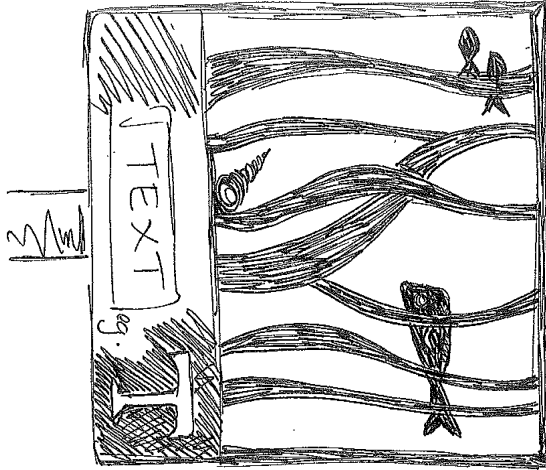
Sietske Hunn  
Secretary

W  
I  
N  
T  
A  
R  
T  
A

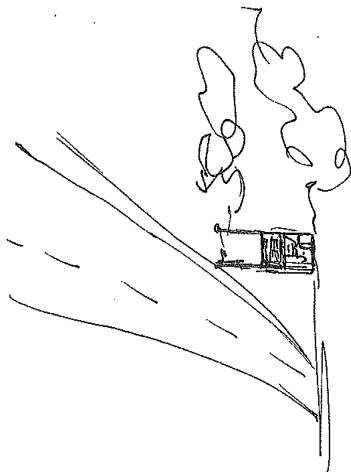


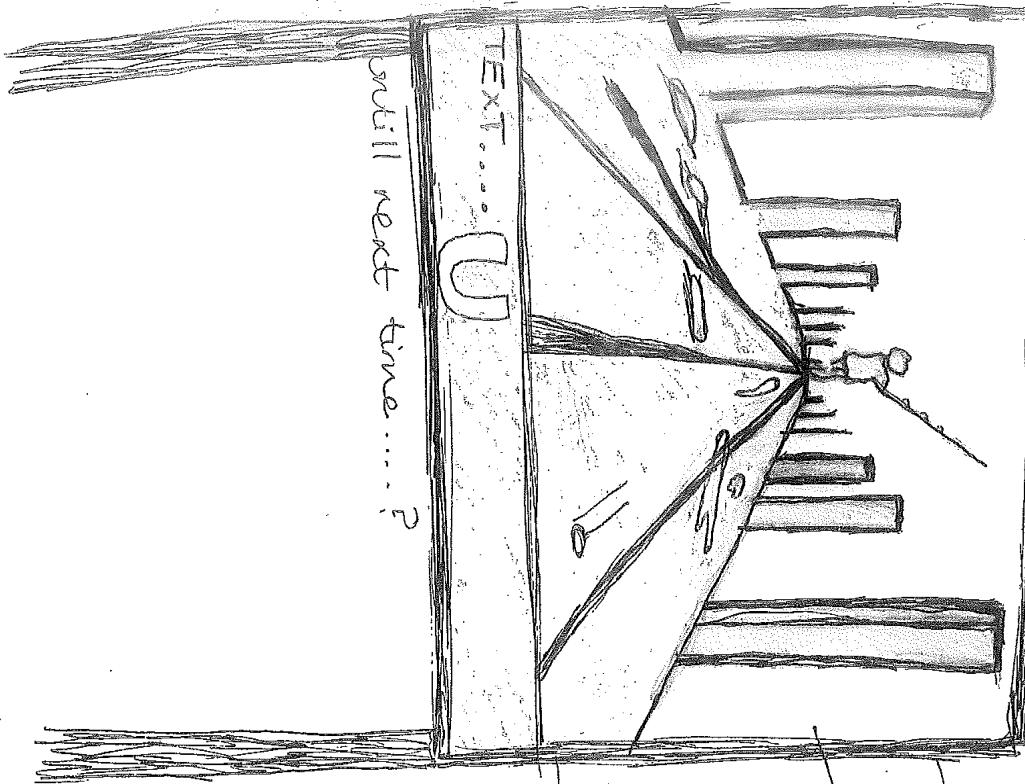
" SEE YOU AGAIN SOON "  
"DINN NEXT TIME"

METAL CUT OUT SIGN IDEAS.



SINGLE OR DOUBLE  
POST ?





still next time...?

EXIT...  
U

Fame

background  
cut out  
to see views behind you

setty all in metal.  
intricate bits with light  
shining through.

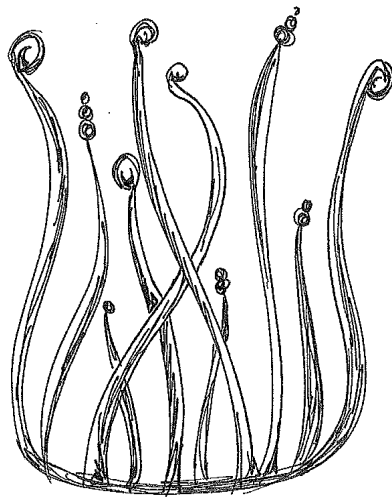


Stephen Ray.

Ph: 9925 1180

email: [contact@stingers-steelworks.com.au](mailto:contact@stingers-steelworks.com.au)

[www.stingers-steelworks.com.au](http://www.stingers-steelworks.com.au)



<http://www.nukarafarm.com.au/getattachment/630295d4-4ecc-4238-bd54-c53310d88...> 14/01/2013



<http://www.stingers-steelworks.com.au/AJ%20Seahorse.jpg>

14/01/2013



<http://www.nukarafarm.com.au/getattachment/363c421d-5bc4-4155-b25d-848cc342f...> 14/01/2013

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

Nil

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

Moved           Cr Ridgley  
Seconded       Cr Cowell

**Council Resolution**

**That Council accept the tabling of urgent business items**

- 19.1     **Five (5) Year Road Capital Plan 2013/2014 to 2017/2018,**
- 19.2     **Proposed Five (5) Year Plant Replacement Program,**
- 19.3     **Proposed Road Schedule 2013/2014,**
- 19.4     **Barnard Street,**
- 19.5     **Proposed Amphitheatre for the Shark Bay Recreation Centre,**
- 19.6     **Proposed Drainage Funding,**
- 19.7     **Review of Strategic Community Plan,**
- 19.8     **Application for Advertising Signs – Adjacent Shark Bay Road / Ocean Park Road Intersection,**
- 19.11    **Application for Leave of Absence Cr Wake,**
- 19.12    **Adoption of the Shire of Shark Bay Corporate Business Plan 2013 - 2017 and 20.1 Tender Information TE 2012/13-04 Digital Television Conversion.**

Cr Ridgley departed council chambers at 3:19pm

Cr Ridgley returned council chambers at 3:20pm

**6/0 CARRIED**

**19.1 FIVE (5) YEAR ROAD CAPITAL PLAN 2013/2014 TO 2017/2018**

**Author**

Works Manager

**Disclosure of Any Interest**

Nil

Moved           Ridgley  
Seconded       Hanscombe

**Council Resolution**

**That the Works Committee recommendation to council that the Five (5) Year Road Capital Plan as attached for the years 2013/2014 through to 2017/2018, within the Shire of Shark Bay, be adopted.**

**The Works Manager to further investigate and report back to the committee on solutions on access and water issues on rural roads.**

**6/0 CARRIED**



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

**SHIRE OF SHARK BAY**  
**Road Capital Program 2013/14 to 2017/18**

ROAD	Year	Length	Place		2013/14			2014/15			2015/16				2016/17			2017/18				
			From	To	Amount	Type	Time	Cost	Type	Time	Cost	Type	Time	By	Cost	Type	Time	Cost	Type	Time	By	Cost
<b>Regional Road Group</b>																						
Useless Loop Road		98.50																				
	12/13		17.50	22.50	5.00																	
	12/13		22.50	28.00	5.50																	
	13/14		70.00	74.00	4.00	Resheet	July Aug/13	160,000														
	13/14		65.00	66.50	1.50	Resheet	Sept/13	60,000														
	14/15		63.00	65.00	2.00				Straighten	July Aug/14	160,000											
	14/15		74.00	75.50	1.50				Resheet	Sept/14	60,000											
	15/16		28.00	33.50	5.50							Resheet	July/15	Shire	220,000							
	16/17		15.50	20.00	4.50											Resheet	July/16	220,000				
	17/18		5.00	9.50	4.50														Resheet	July/17	220,000	
Stella Rowley Drive		4.40																				
	12/13		0.00	0.75	0.75																	
	13/14		1.80	3.00	1.20	Reaseal	Nov/13	90,000														
	14/15		3.00	4.40	1.40				Reaseal	Nov/14	90,000											
Ocean Park/Various Roads	13/14	1.40	0.00	1.40	1.40																	
Hamelin Pool Road		5.30																				
	15/16		0.00	2.50	2.50																	
	16/17		2.50	5.00	2.50							Reaseal	Nov/15	Contract	90,000	Reaseal	Nov/15	90,000				
Nanga Road		2.65																				
	17/18		0.00	2.50	2.50														Reaseal	Nov/17	Contract	90,000
Woodleigh Byro Road		119.90																				
	13/14		74.00	84.00	10.00	Stabilisation	July/13	209,400														
<b>Total RRG</b>								<b>310,000</b>			<b>310,000</b>				<b>310,000</b>			<b>310,000</b>				<b>310,000</b>
RRG								213,305			213,305				213,305			213,305				213,305
Balance								(96,695)			(96,695)				(96,695)			(96,695)				(96,695)
<b>Roads to Recovery</b>																						
Barnard Street		0.47	0.00	0.27	0.27																	
Knight Terrace		1.53	0.60	1.53	0.93																	
Hughes Street		0.96																				
	12/13		0.45	0.72	0.27																	
	14/15		0.72	0.96	0.24				Reaseal	Aug sept/14	45,000.00											
Durlacher Street		1.12																				
	14/15		0.00	0.30	0.30	Reaseal	Sept Nov/13	95,000.00														
			0.30	1.12	0.82				Reaseal	Jul Oct/14	150,000.00											
Woodleigh Byro Road	13/14	119.90			-	Stabilisation	May Jun/14	40,000.00														
Useless Loop Road	15/16	98.50	74.00	75.00	1.00							Realignment	Jul Oct 15		195,000.00							
	16/17		75.00	76.00	1.00											Realignment	Jul Oct 16	195,000.00				
	17/18																		Realignme	Jul Oct 17		195,000.00
Little Lagoon road	13/14	0.18	0.00	0.18	0.18	Seal	Oct Nov/13	60,000.00														
<b>Total R2R</b>								<b>195,000.00</b>			<b>195,000.00</b>				<b>195,000.00</b>			<b>195,000.00</b>				<b>195,000.00</b>
R2R								195,000.00			195,000.00				195,000.00			195,000.00				195,000.00
<b>Grand Total</b>								<b>505,000</b>			<b>505,000</b>				<b>505,000</b>			<b>505,000</b>				<b>505,000</b>

Confirmed at the Ordinary meeting of Council 31 July 2013 Signed by the President Cr C Cowell \_\_\_\_\_

Background

The Five (5) Year Road Capital Plan Proposed Road Works Schedule (as attached) contains an estimated capital expenditure on roads within the Shire of Shark Bay for the next 5 years

Comment

There has been established a Five (5) Year Road Capital Plan for capital works on rural and urban roads within the Shire of Shark Bay. This plan has been put into place to show the projected years that works will be completed and also the portions of those roads that, at this point in time, it has been deemed to be in the most need for capital works.

As road use changes and given the fact that certain events will occur that are out of our control, the projected years shown in the inserted spread sheet are estimates of the proposed works. This Road Capital Plan is a living document and needs to be reviewed annually. This will ensure that capital expenditure will be spent in the most productive manner.

One note on the Regional Road Group grant funding contained within this spread sheet is that, only roads nominated in the 2030 – Road Justification and Development Strategy Submission for the Regional Road Group can receive grant funding. The guidelines for acceptance to the 2030 document are quite stringent and as such there was difficulty in justifying some of the roads. The roads that we managed to get into the document are,

Butchers Track  
Cape Peron Access Track  
Eagle Bluff Road  
Useless loop Road  
Woodleigh Byro Road  
Stella Rowley Drive  
Nanga Road and  
Hamelin Pool Road

The last three are sealed roads and were extremely difficult to get accepted as reseals are not on the list of identified uses for Regional Road Group funding.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

10 June 2013

19.2 PROPOSED FIVE (5) YEAR PLANT REPLACEMENT PROGRAM

Author

Works Manager

Disclosure of Any Interest

Nil

Moved           Cr Ridgley

Seconded       Cr Capewell

**Council Resolution**

**That the Works Committee recommendation to council that the Five (5) Year Plant Replacement Program as attached be adopted.**

**6/0 CARRIED**

MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

SHIRE OF SHARK BAY  
PLANT REPLACEMENT PROGRAM 2012-13

Type	2012-13				2013-14			2014-15			2015-16			2016/17			2017/18			
	Gross	Trade	WDV	Profit (Loss) on Sale	Net	Gross	Trade	Net	Gross	Trade	Net	Gross	Trade	Net	Gross	Trade	Net	Gross	Trade	Net
	\$	\$				\$	\$		\$	\$		\$	\$		\$	\$		\$	\$	
<b>Major Plant</b>																				
Water Tanker						120,000	30,000	90,000				150,000	10,000	140,000						
Semi Side Tipper															150,000	25,000	125,000			
5 Ton Town Truck									90,000	30,000	60,000									
3 Ton Town Truck												45,000	5,000	40,000						
Dual Cab Truck 5t	110,000	25,000		25,000	85,000															
Camp Mess Van	75,000				75,000															
Camp Super Van																				
Prime Mover	280,000	60,000		60,000	220,000													320,000	45,000	275,000
Volvo Front End Loader L70E						230,000	80,000	150,000												
Vibrating Roller															150,000	30,000	120,000			
Multi Tyred Rubber Roller																				
Community Bus						Grant Funding														
30 KVA Generator Set																				
Bob Cat, Attachments and Trailer																				
Grader									320,000	160,000	160,000									
Low Loader																				
Town Loader																				
Slasher												30,000		30,000						
Road Broom												30,000		30,000						
Tractor									85,000	10,000	75,000									
Ride On Lawn Mower	42,000	5,000		5,000	37,000															
Small Garden Plant and works plant																				
Major Plant Items - Various	15,000				15,000	25,000		25,000	25,500		25,500	26,000		26,000	26,500		26,500			
<b>Vehicles</b>																				
CEO Vehicle	65,000	50,000	48,000	2,000	15,000	68,000	42,000	26,000				71,000	44,000	27,000				74,000	46,000	28,000
EMFA Vehicle						48,000	22,000	26,000				51,000	24,000	27,000				54,000	26,000	28,000
EMTED Vehicle						45,000	20,000	25,000				48,000	21,000	27,000				51,000	23,000	28,000
Rangers Vehicle									45,000	20,000	25,000									
Dual Cab Ute - Works Manager	45,000	23,000	24,000	(1,000)	22,000				49,000	23,000	26,000				52,000	25,000	27,000			
Dual Cab Ute - Town	40,000	18,000	5,000	13,000	22,000				45,000	20,000	25,000									
Space Cab Ute - Country	40,000	25,000	28,500	(3,500)	15,000	45,000	20,000	25,000				48,000	21,000	27,000				51,000	23,000	28,000
Town Ute Single Cab						44,000	20,000	24,000							48,000	21,000	27,000			
<b>TOTAL</b>	<b>712,000</b>	<b>206,000</b>			<b>506,000</b>	<b>625,000</b>	<b>234,000</b>	<b>391,000</b>	<b>659,500</b>	<b>263,000</b>	<b>396,500</b>	<b>499,000</b>	<b>125,000</b>	<b>374,000</b>	<b>426,500</b>	<b>101,000</b>	<b>325,500</b>	<b>550,000</b>	<b>163,000</b>	<b>387,000</b>
<b>Major Plant</b>	522,000	90,000	0	90,000	432,000	375,000	110,000	265,000	520,500	200,000	320,500	281,000	15,000	266,000	326,500	55,000	271,500	320,000	45,000	275,000
<b>Vehicles</b>	190,000	116,000	105,500	10,500	74,000	250,000	124,000	126,000	139,000	63,000	76,000	218,000	110,000	108,000	100,000	46,000	54,000	230,000	118,000	112,000
<b>Total</b>	<b>712,000</b>	<b>206,000</b>		<b>100,500</b>	<b>506,000</b>	<b>625,000</b>	<b>234,000</b>	<b>391,000</b>	<b>659,500</b>	<b>263,000</b>	<b>396,500</b>	<b>499,000</b>	<b>125,000</b>	<b>374,000</b>	<b>426,500</b>	<b>101,000</b>	<b>325,500</b>	<b>550,000</b>	<b>163,000</b>	<b>387,000</b>
<b>Plant Replacement Reserve</b>																				
Opening Balance					186,596			91,261			74,585			26,442			3,007			73,161
Interest Transferred to Reserve					4,665			5,293			4,326			1,534			174			4,243
Amount Transferred to Reserve					306,031			324,031			344,031			349,031			395,480			395,480
Amount Transferred from Reserve					(406,031)			(346,000)			(396,500)			(374,000)			(325,500)			(387,000)
Nett Transfer to/(From) Reserve					(95,335)			(16,676)			(48,143)			(23,435)			70,154			12,723
Closing Balance					91,261			74,585			26,442			3,007			73,161			85,884
<b>Nett Required from Municipal Funds</b>					<b>99,969</b>			<b>45,000</b>			<b>0</b>			<b>0</b>			<b>0</b>			<b>0</b>

Confirmed at the Ordinary meeting of Council 31 July 2013 Signed by the President Cr C Cowell \_\_\_\_\_

Comment

The Works Manager add to the Five Year Plant Replacement Program showing the kilometres, age and replacement strategy for all plant.

Background

The attached document is the Five (5) Year Plant Replacement Program for the Shire of Shark Bay. This is a living document and is reviewed each year.

Comment

The Five (5) year Plant Replacement Program forecasts the plant replacement requirements of the Shire of Shark Bay for the next 5 years. This is an opportunity for the works committee to study the program and give their opinion to ensure that no plant has been overlooked and the time frames for change overs contained within in the program are appropriate for the conditions within the area.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

10 June 2013

19.3 PROPOSED ROAD SCHEDULE 2013/2014

Author

Works Manager

Disclosure of Any Interest

Nil

Moved Cr Ridgley  
Seconded Cr Capewell

**Council Resolution**

**That the Works Committee recommendation to council that the 12 month proposed Rural Road Schedule as attached for 2013/14 , within the Shire of Shark Bay, be adopted.**

**6/0 CARRIED**



MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013

Shire of Shark Bay  
Proposed Road Schedule 2012/2013

Road Name	Month	July				August				September				October				November				December				January				February				March				April				May				June			
	Week	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Useless Loop Rd RRG																																																	
Useless Loop Rd Maintenance																																																	
Tamala Rd																																																	
Carrarang Rd																																																	
Stella Rowley Reseal																																																	
Woodleigh Byro RRG																																																	
Woodleigh Byro Rd																																																	
Carbla Rd																																																	
Talisker Rd																																																	
Gilroyd Rd																																																	
Yalardy Rd																																																	
Yalardy-Talisker Rd																																																	
Talisker Rd																																																	
Woodleigh Rd																																																	
Woodleigh East Rd																																																	
Butchers Track																																																	
Meadow Rd																																																	
Nerren-Nerren Rd																																																	
Hamelin Pool Station Rd																																																	
Hamelin Pool Rd																																																	
Golf Club Access Rd																																																	
Airstrip Rd																																																	
Little Lagoon Rd																																																	
Common Rd																																																	
New Tip Rd																																																	
Town Lookout Rd																																																	
Eagle Bluff Rd																																																	
Eagle Bluff Lagoon Rd																																																	
Flowers Camp Rd																																																	
Whalebone Rd																																																	
Goulet Bluff Rd																																																	
Shark Bay Rd																																																	
Monkey Mia Rd																																																	

- Shire Christmas Break
- Estimated Projected Time
- Proposed Plant Maintenance and Training

Confirmed at the Ordinary meeting of Council 31 July 2013 Signed by the President Cr C Cowell \_\_\_\_\_

Background

The following proposed road works schedule contains an estimated duration and time line for maintenance and capital works for rural roads within the Shire of Shark Bay for the next 12 months.

Comment

There has been established a 12 month schedule of maintenance and capital works for rural roads within the Shire of Shark Bay. This schedule has been put into place to show the projected times and duration of individual roads. Due to the fact that certain events are out of our control, the projected times shown in the inserted schedule are estimates of the proposed works and should be used as a guide line only. This schedule will be reviewed as regularly as required to ensure that the required works for the year are completed.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

18 June 2013

19.4 BARNARD STREET

Author

Works Manager

Disclosure of Any Interest

Declaration of Interest: Mr Galvin

Nature of Interest: Proximity Interest as owns a house on Hughes Street adjoining Barnard Street

Mr Galvin departed council chambers at 3:46pm

Declaration of Interest: Cr Hanscombe

Nature of Interest: Proximity Interest as leases land on Knight Terrace adjoining Barnard Street

Cr Hanscombe departed council chambers at 3:46pm

Moved            Cr Ridgley  
Seconded       Cr Capewell

**Council Resolution**

**That the Works Committee recommendation to council that the administration research further information in regard to the following options**

- 1. Closure of the road between Brockman Street and Stella Rowley Drive, the property owner's sale of adjacent properties and the possible sale by Regional Development and Lands to adjacent land owners**
- 2. Costs associated with the retention and development of the road as;  
a. Vehicle access or  
b. Pedestrian access**
- 3. Retain as a undeveloped road and continue a maintenance program to regard to the vegetation undergrowth**
- 4. Clearing of all vegetation that may pose a threat to property or persons from the access way**

**5/0 CARRIED**

Cr Ridgley departed council chambers at 3:49pm

Cr Hanscombe returned to council chambers at 3:49pm

Mr Galvin returned to council chambers at 3:49pm

Cr Ridgley returned to council chambers at 3:50pm

Comment

Barnard Street between Brockman Street and Paget Street is a 10 metre road reserve with no road having been constructed. There is little likely hood there will ever be a road constructed between Barnard Street and Paget Street as the minimum road width requirements is 6 metres leaving only 2 metres either side of

the road. This would not leave enough room to construct a footpath to the dual use standards required. The cost of retaining walls to retain the dirt on the properties along Hughes Street and to stop the dirt falling onto the properties along Knight Terrace would be a large financial impost for the Shire of Shark Bay.

This section of Barnard Street is still under control of the Shire of Shark Bay and as such needs to be maintained. There are a number of trees along the reserve that require a reasonable amount of attention. This work is carried out by the Shire of Shark Bay's outside staff whose time could be better spent on other parts of the township.

There is good reason to inquire amongst the landowners of Hughes Street and Knight Terrace, whose properties lie adjacent to the Barnard Street road reserve between Brockman and Paget Streets, to gauge if there would be any objection to de-gazetting and rezoning the road reserve. This land could then be divided into parcels of land which could be purchased by the individual landowners whose properties lie adjacent to those parcels.

It is recommended that an onsite examination of the road reserve in question be carried out so as the works committee can see the situation that the Shire of Shark Bay find its self in.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

*Simple Majority Required*

Date of Report

18 June 2013



Scale: 1:1,779

#### Description

Map Projection: GDA 94 (Lat/Long)

Datum: Geocentric Datum of Australia 1994

1 Midland Square  
Midland WA 6056  
(08) 9273 7341  
customerservice@landgate.wa.gov.au  
www.landgate.wa.gov.au



© Western Australian Land Information Authority 2007

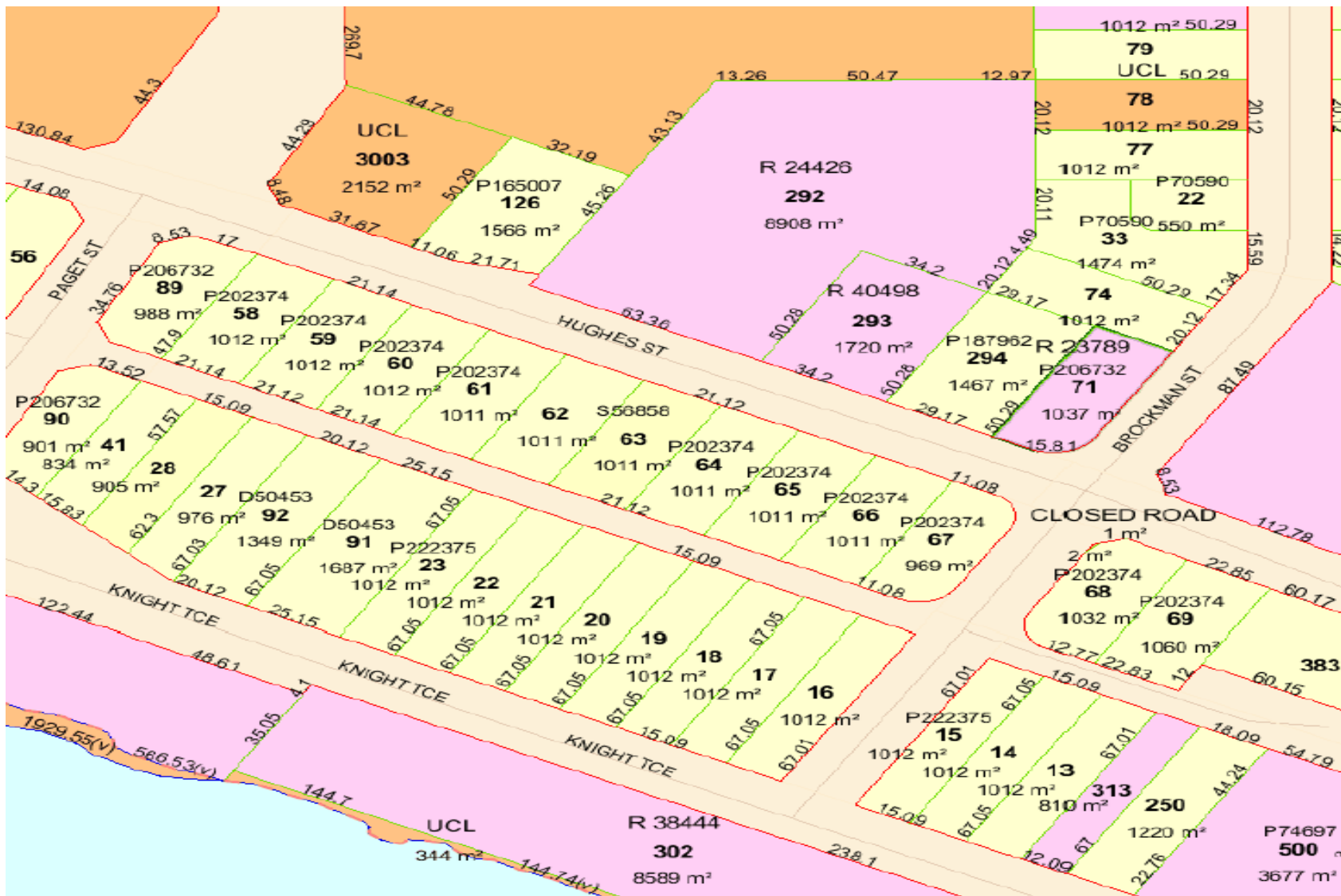






MINUTES ORDINARY COUNCIL MEETING

26 JUNE 2013



19.5 PROPOSED AMPHITHEATRE FOR THE SHARK BAY RECREATION CENTRE

Author

Works Manager

Disclosure of Any Interest

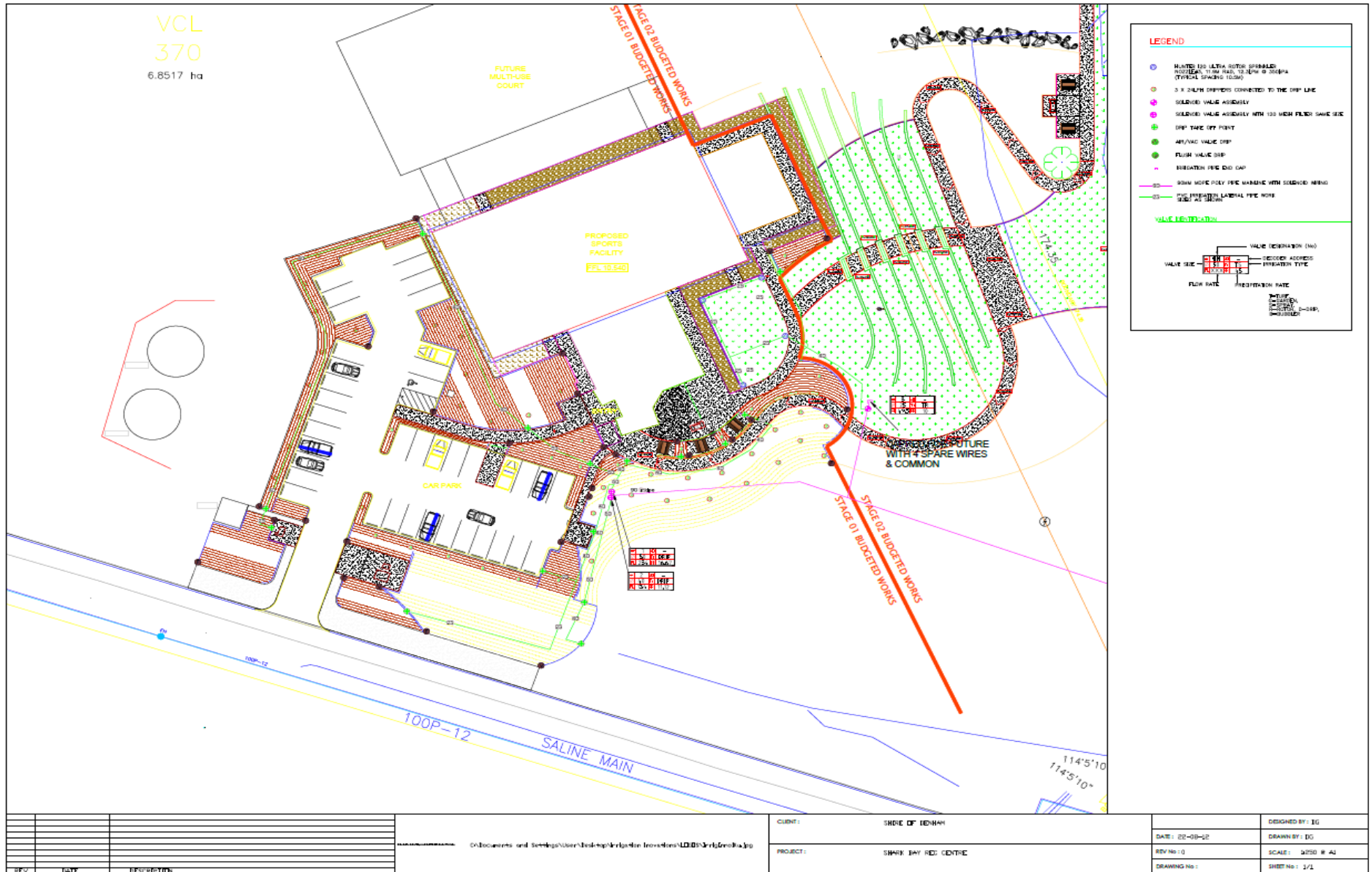
Moved Cr Capewell

Seconded Cr Cowell

Council Resolution

**That the Works Committee recommendation to council that the Plans for the amphitheatre for the Shark Bay Recreation Centre be adopted.**

**6/0 CARRIED**



Background

There is a landscaping plan for the New Recreation Centre. The landscaping plan is in two stages with stage one completed. Stage two is soon to be undertaken.

Comment

The landscaping plan for the Recreation Centre is in a two stage process, stage one has already been completed by contractors. As stage two is to be constructed by the Shire's outside personal this is a good time to review the plans to ensure that we are constructing the necessary requirements.

The attached plans show a six tiered amphitheatre in front of the Recreation Centre with a set of steps leading down from the top to the landing platform that is situated along the footpath that has been installed and runs down to the oval. The plan shows barbeques installed at the end of the footpath. Considering that the new playground equipment is expected to be installed further around the oval towards the Shire Depot this placement seems to be logical. It would encourage families to utilise the oval, playground, Recreational Centre and barbeque facilities. It is also recommended that a gazebo be installed over the barbeques and seating to provide shade in the summer months when it is anticipated to be most utilised.

The tiered amphitheatre is to be constructed from reconstituted limestone blocks, the same material as the original wall built next to the footpath linking the Recreational Centre to the oval. The height of the tiers is 500mm and as such does not require engineer's certification. Bearing in mind that the surface of each tier is to be grass there has been allowances made to ensure that the ride on mower is able to access the tiers to allow mowing to be undertaken in a timely and efficient manner. The ends on the northern tiers are at the moment curving downhill and will need to be redesigned to curve uphill.

Other than these changes the overall plans look sound and will vastly enhance the visual appearance and practicality of the precinct.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

10 June 2013

19.6 PROPOSED DRAINAGE FUNDING

Author

Works Manager

Disclosure of Any Interest

Moved            Cr Ridgley  
Seconded       Cr Capewell

Council Resolution

**That the Works Committee recommendation to council that an amount of \$50,000 be budgeted for in the 2013/2014 financial year to be used to establish a drainage plan for Denham subject to budget constraints.**

**6/0 CARRIED**

Background

There are some drainage problems associated with a large percentage of Denham that need to be addressed.

Comment

There is a need to improve the storm water drainage within Denham. Retention of storm water near the source is vital to alleviate the issues of storm water migrating to the foreshore and discharging into the ocean. It would also be advisable to install gross pollutant traps to capture rubbish and other debris before, storm water that has to discharge into the ocean, is discharged.

Before any works commence on the drainage issues within Denham it would be advisable to have a drainage plan. There needs to be an amount set in the 2013/1014 budget to engage a consultant or similar to investigate the options for sensible and realistic drainage solutions for the town of Denham.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

18 June 2013

19.7 REVIEW OF STRATEGIC COMMUNITY PLAN

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved           Cr Ridgley  
Seconded       Cr Wake

**Council Resolution**

**That Council adopt the reviewed Strategic Community Plan as presented.**

**6/0 CARRIED**

Background

The Shire of Shark Bay Strategic Community Plan was reviewed on 8 April 2013, at a workshop involving councillors and senior staff. The purpose of the review was to identify priorities for the 2013/14 financial year and to incorporate these strategies and priorities into the corporate business plan.

This process is in line with the Department of Local Government's integrated planning framework.

Comment

The Strategic Community Plan meets the key requirements set by the Department of Local Government and is the basis for setting the business plans and future budgets of the Shire.

The council will need to set priorities for the 2013/2014 financial year from the Strategic Community Plan and then allocate sufficient resources through the budget process to undertake these priorities.

This process can be achieved at a later date once the overall community strategic plan has been adopted by the Council.

Legal Implications

The Local Government (administration) Regulations 1996 have been amended to require local governments to adopt a strategic community plan and a corporate business plan.

The Corporate Business Plan is a separate item which is also presented to Council at this meeting for consideration.

The Corporate Business Plan is formulated to deliver the objective of the Strategic Community Plan and forms part of the overall planning framework for the Shire.

Policy Implications

Nil

Financial Implications

The Strategic Plan, Corporate Business Plan and 10 year Financial Plan will set the strategic and financial direction of the shire. The financial implications will form the major component of the budget and all proposals will obviously be dependent upon the funding that is available in any given year.



Strategic Implications

The strategic community plan sets the strategic direction of the council for a ten year period and specifically for the 2013/2014 financial year.

Voting Requirements

Absolute Majority Required

Date of Report

25 June 2013

19.8 APPLICATION FOR ADVERTISING SIGNS – ADJACENT SHARK BAY ROAD / OCEAN PARK ROAD INTERSECTION

SI 101.01 / P 2055

Author

Liz Bushby, Gray & Lewis Landuse Planners

Disclosure of Any Interest

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire,  
– Section 5.65 of *Local Government Act 1995*

Officers Recommendation

**That Council:**

1. Refer the application to the Shark Bay World Heritage Advisory Committee as the signs are proposed within the Special Control Area for the World Heritage Property area and invite comments to be lodged to the Shire within 21 days.
2. Refer the application to Main Roads Western Australia and invite comments to be lodged to the Shire within 21 days.
3. Authorise the Chief Executive Officer to seek clarification from the applicant to confirm the sign locations and establish if they are fully located in Shark Bay Road reserve or on Unallocated Crown Land (Lot 72 on Plan 220217).
4. Authorise the Chief Executive Officer to seek a valid landowner signature on the Application for Planning Approval (to be provided by the applicant).
5. Delegate authority to the Shire Chief Executive Officer in accordance with Clause 11.3.1 of the Shire of Shark Bay Local Planning Scheme No 3 to determine the application (once it is valid with an owners signature) with a maximum height of 6.0 metres and a width of 3.5 metres

AMENDMENT TO OFFICERS RECOMMENDATION

**Reason:**

The Council required that all dimensions of the signs should be recorded and amended the recommendation

Moved Cr Ridgley

Seconded Cr Wake

Council Resolution

**That Council:**

1. Refer the application to the Shark Bay World Heritage Advisory Committee as the signs are proposed within the Special Control Area for the World Heritage Property area and invite comments to be lodged to the Shire within 21 days.

2. Refer the application to Main Roads Western Australia and invite comments to be lodged to the Shire within 21 days.
3. Authorise the Chief Executive Officer to seek clarification from the applicant to confirm the sign locations and establish if they are fully located in Shark Bay Road reserve or on Unallocated Crown Land (Lot 72 on Plan 220217).
4. Authorise the Chief Executive Officer to seek a valid landowner signature on the Application for Planning Approval (to be provided by the applicant).
5. Delegate authority to the Shire Chief Executive Officer in accordance with Clause 11.3.1 of the Shire of Shark Bay Local Planning Scheme No 3 to determine the application (once it is valid with an owners signature) with a maximum height of 6.0 metres and a width of 3.5 metres at the top and 2.5 metres by 2 metres for the sign below



**5/1 CARRIED  
BY ABSOLUTE MAJORITY**

Précis

An application for two roadside commercial advertising signs has been lodged with the Shire. Gray & Lewis has been requested to provide the Shire with an item on the application.

Background

The signs are proposed to advertise Ocean Park which has been developed on separate crown land known as Location 110 Ocean Park Road, Denham. There is a lease agreement over the crown land.

The council considered this application at the April meeting and resolved the following.

26 JUNE 2013

1. **Refer the application to the Shark Bay World Heritage Advisory Committee as the signs are proposed within the Special Control Area for the World Heritage Property area and invite comments to be lodged to the Shire within 21 days.**
2. **Refer the application to Main Roads Western Australia and invite comments to be lodged to the Shire within 21 days.**
3. **Authorise the Chief Executive Officer to seek clarification from the applicant to confirm the sign locations and establish if they are fully located in Shark Bay Road reserve or on Unallocated Crown Land (Lot 72 on Plan 220217).**
4. **Authorise the Chief Executive Officer to seek a valid landowner signature on the Application for Planning Approval (to be provided by the applicant).**

The resolution of council omitted the delegation to the Chief executive officer as the council considered the signs as submitted to be excessive in size and not in keeping with the visual amenity of the area.

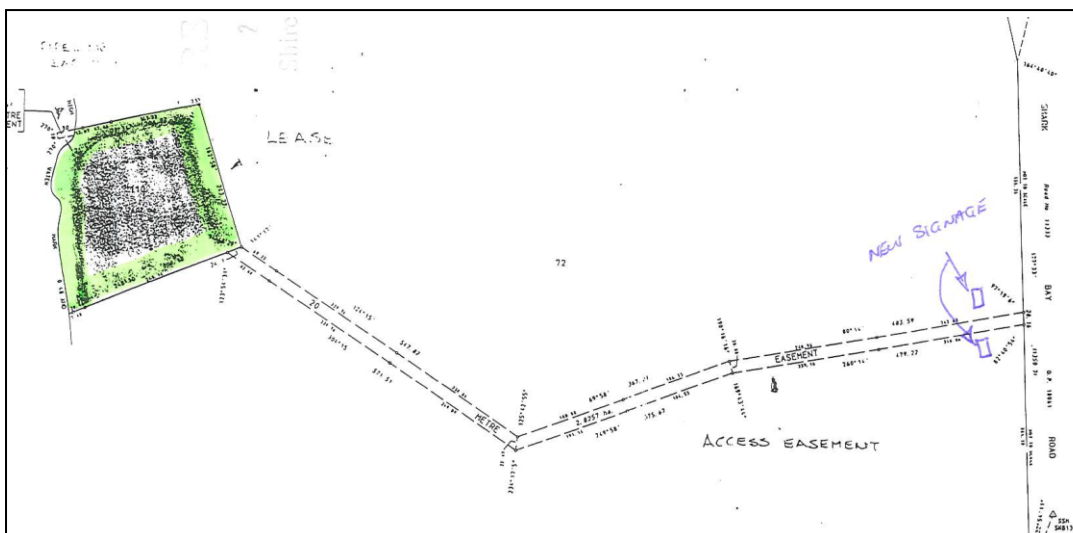
Discussions have been held between the President, chief executive officer and applicant and an application with reduced dimensions has been submitted for council's consideration.

Given there are a similar issues that haven't been addressed due to the time factors the resolution including the delegation the Chief executive Officer has been reinserted for councils consideration

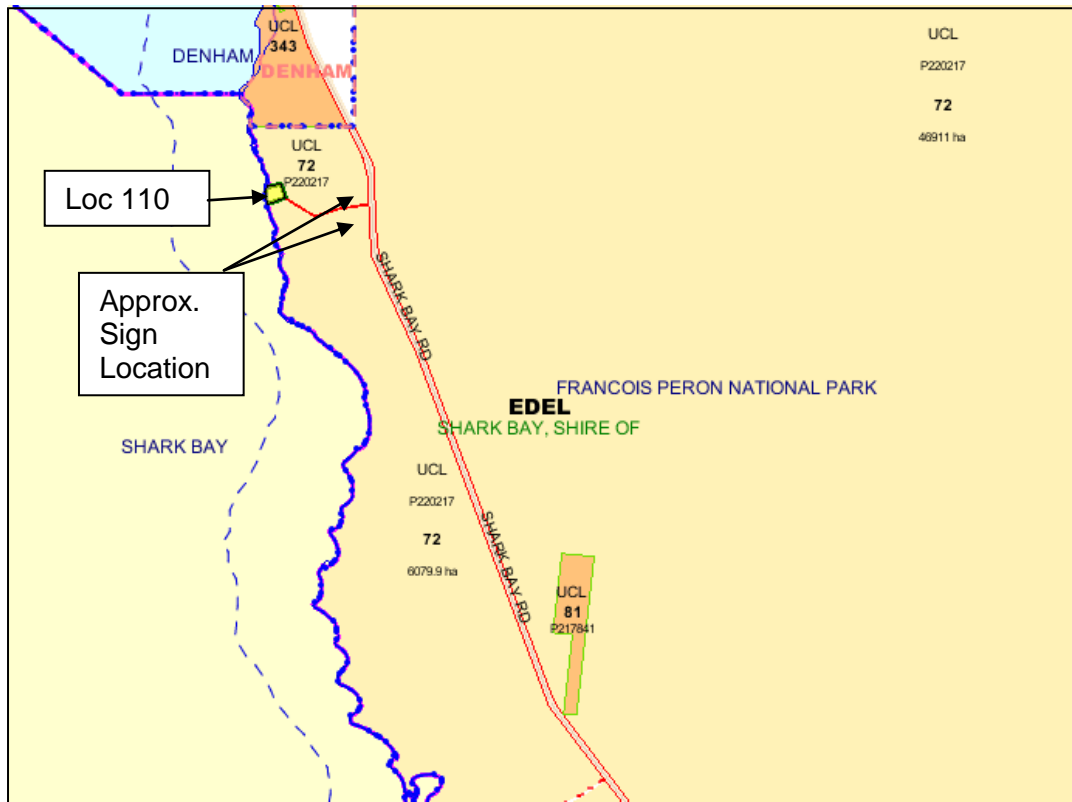
### Comment

#### Location

The applicant has lodged a sketch site plan which indicates they propose two signs near to the Ocean Park Road / Shark Bay Road intersection.



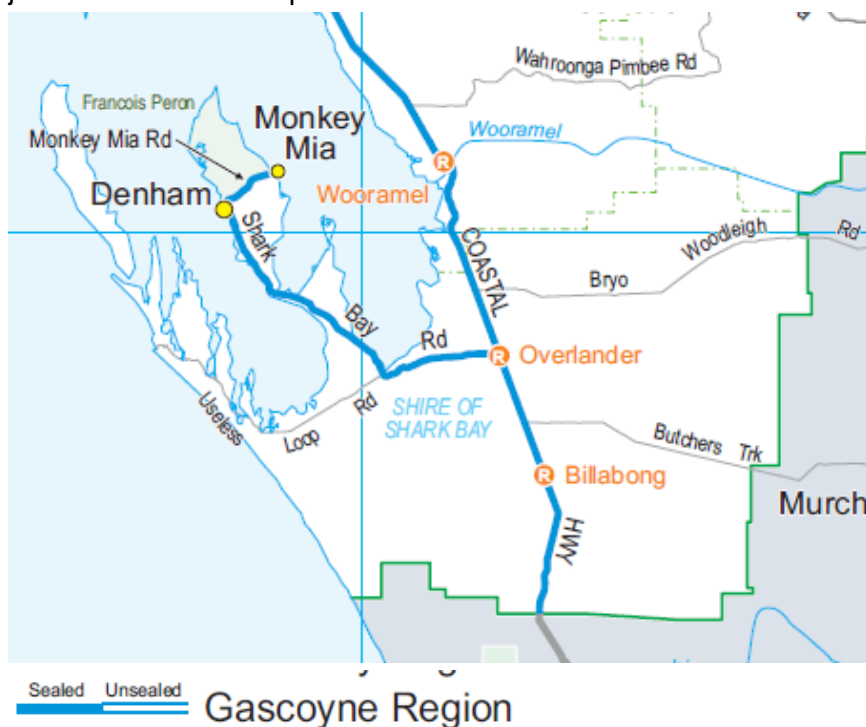
It is unclear whether the signs are proposed to be located within the Shark Bay Road reserve or within Unallocated Crown Land known as Lot 72 on Plan 220217.



*Owners Consent*

The application is not currently valid as it has not been signed by the owner of the land. If the signs are proposed in unallocated crown land then the application needs to be endorsed by the Department of Regional Development and Lands. If it is proposed within Shark Bay Road reserve then it needs to be signed by Main Roads Western Australia and / or endorsed by Regional Development and Lands.

Main Roads Western Australia has advised that Shark Bay Road falls under their jurisdiction – refer map below.



Source: Main Roads Western Australia Upper Regions map

*Description of signs*

The applicant has lodged elevations proposing two advertising signs for Ocean Park Oceanarium. The signs have a maximum height of 6.0 metres and a width of 3.5 metres.

*Zoning*

Zoning is dependent on the signs location.

Shark Bay Road is a local scheme reserve for 'Highway' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme'). Land immediate west of the Shark Bay Road / Ocean Park Road intersection is zoned 'Rural/Pastoral'.

The land is subject to the Special Control Area for World Heritage Property under the Scheme.

*Recommendation*

It is recommended that additional information be obtained from the applicant, and that consultation occur with the Shark Bay World Heritage Advisory Committee and Main Roads Western Australia prior to the application being determined.

If the Shire seeks to expedite processing of the application, then delegated authority can be granted to the Shire's Chief Executive Officer, however an Absolute Majority would be required.

Legal Implications

The current planning application is not valid as it has not been signed by the owner. The sign locations need to be clarified.

Policy Implications

Nil

Financial Implications

The Shire is paying consultancy fees to Gray & Lewis to process the application.

Strategic Implications

Nil.

Voting Requirements

Absolute Majority Required

Date of Report

18 April 2013





19.9 APPLICATION FOR LEAVE OF ABSENCE – CR WAKE

CO 513

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr McLaughlin

Seconded Cr Capewell

Council Resolution

**Councillor Wake be 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 31 July 2013.**

**6/0 CARRIED**

Background

Councillor Wake has applied for leave of absence from the ordinary meeting of Council scheduled for 31 July 2013. 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 Wake has advised the Chief Executive Officer due to personal commitments he will be unable to attend the Ordinary meeting of Council scheduled to be held on 31 July 2013 and has requested leave of absence be granted by Council for this meeting.

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

The Council may consider not granting Councillor Wake 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 eth 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 –
- 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

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

24 June 2013

19.10 ADOPTION OF THE SHIRE OF SHARK BAY'S CORPORATE BUSINESS PLAN 2013 - 2017

Author

Executive Manager, Finance and Administration

Disclosure of Any Interest

Nil

Moved            Cr Hanscombe  
Seconded       Cr Wake

Council Resolution

**That Council adopt the four (4) year Corporate Business Plan 2013 - 2017 as presented.**

**6/0 CARRIED**

Background

The Shire of Shark Bay 10+ year Strategic Community Plan is the Shires Long term Strategic planning document, which outlines the Shires commitment to achieving the vision and aspirations of its community and regional stakeholders.

The Plan is structured around four Key Themes - Economic, Environment, Social and Civic Leadership with each theme containing a 10 year Strategic Objective and desired outcomes.

The Shire of Shark Bay Four Year Corporate Business Plan identifies and prioritises the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the Strategic Community Plan. It provides a medium-term snapshot of operational actions and priorities to inform the annual planning and budgeting process within a sufficient broader context.

Comment

The purpose of the Strategic Community Plan is to demonstrate the operational capacity of the shire to achieve its Aspirational Outcomes and Objectives over the medium-term.

This document will need to be reviewed annually to ensure priorities are achievable within the time frame and resources available.

The Corporate Business Plan has been presented in the same format as the Community Strategic Plan for ease of reference between the two documents.

Council staff have allocated the timeline that is the expected completion date for the actions.

The Strategic Community Plan and the Corporate Business Plan form part of the Western Australian Government's integrated planning and reporting framework. The framework requires all local governments to adopt the plans by 30 June 2013.

Legal Implications

All local governments are now required, by legislation, to develop a Strategic Community Plan and Corporate Business Plan to fulfill the statutory obligations of section 5.56 of the *Local Government Act 1995*, which is to effectively “plan for the future”.

Under the *Local Government (Administration) Regulations 1996*, a Corporate Business Plan is required to:

- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
- (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*

Policy Implications

Nil

Financial Implications

As per allocation in budgets for the appropriate year of action

Strategic Implications

Each focus area includes the objectives and strategies from the Strategic Community Plan. The objectives are statements that describe what the community wants to achieve and the strategies are the measures required to achieve these objectives.

Voting Requirements

Simple Majority Required

Date of Report

20 June 2013

**20. MATTERS BEHIND CLOSED DOORS**

Moved Cr Hanscombe  
Seconded Cr Ridgley

**Council Resolution**

**That the meeting be closed to members of the public in accordance with section 5.23(2) of the *Local Government Act 1995* for Council to discuss matters of a confidential nature.**

**6/0 CARRIED**

**20.1 TENDER INFORMATION - TE 2012/13-04 DIGITAL TV**  
TE 101.01

**Author**

Chief Executive Officer

**Disclosure of Any Interest**

Nil

Moved Cr Hanscombe  
Seconded Cr Ridgley

**Council Resolution**

**That the recommendation submitted by the Chief Executive Officer in the confidential evaluation report for Tender 2012/2013-04 Digital Television conversion be considered.**

**6/0 CARRIED**

Moved Cr Cowell  
Seconded Cr Wake

**Council Resolution**

**That N-Com Pty Ltd be awarded tender 2012/2013-04 for the Digital Television Conversion in Denham based upon the tender submitted, demonstrating the necessary experience in the provision of the required works**

**5/1 CARRIED**

Moved Cr Capewell  
Seconded Cr Hanscombe

**Council Resolution**

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

**6/0 CARRIED**



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

The next Ordinary meeting of Council will be held on the 31 July 2013 in Council Chambers at the Shark Bay Recreation Centre on Francis Street Denham, commencing at 9.00 am

**22. CLOSURE OF MEETING**

The President closed the Ordinary Council meeting at 5:23 pm.