

SHIRE OF MT MARSHALL



Local Emergency Management Committee

**Minutes of the Mt Marshall Local Emergency
Management Committee meeting held in
Council Chambers, 80 Monger St, Bencubbin on
Tuesday 13 February 2018,
commencing at 2.30pm.**

Attachment 11.1.1

Cr ARC Sachse Chairman

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**Minutes of the Mt Marshall Local Emergency Management Committee Meeting
held Tuesday 13 February 2018**

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**Minutes of the Mt Marshall Local Emergency Management Committee Meeting
held Tuesday 13 February 2018**

1.0 Declaration of Opening / Announcement of Visitors

Cr Sachse welcomed committee members to the meeting and declared the meeting open at 2.30pm.

2.0 Record of Attendance / Apologies

In Attendance

Cr Anthony Sachse	Shire President / Chair
Sgt Heather Carter	OIC Bencubbin Police/Deputy Chair
Cr Ian Sanders	Councillor
SC Lily Unasa	2IC Bencubbin Police
Mr John Nuttall	Chief Executive Officer
Mr Jack Walker	Regulatory Officer
Ms Olivia Granich	Community Development Officer
Mr Shaun Betley	Community Paramedic
Ms Joanne Spadaccini	DCP & Family Support
Mr Michael Lovell	Area Manager - DFES
Mr Bruce Gibson	Principal Bencubbin PS
Mrs Karen Tabner	Principal Beacon PS
Ms Tara Eddy	Beacon Silver Chain
Mr Damian Tomas	Chief Bush Fire Control Officer (3.10pm)

Apologies

Ms Susan Scully	Bencubbin Silver Chain
Mr Peter Geraghty	SJA Co-ordinator

3.0 Confirmation of Minutes

3.1 Minutes of the Mt Marshall Local Emergency Management Committee Meeting held Tuesday 14 November 2017

LEMC2018/001 OFFICER RECOMMENDATION / COMMITTEE DECISION:

That the minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 14 November 2017 be confirmed as a true and correct record of proceedings.

Moved Cr Ian Sanders

Seconded Ms Olivia Granich

Carried 13/0

4.0 Reports of Officers

4.1 Regulatory Officer

4.1.1 Information for the Committee

- Beacon Airstrip – application for funding has been submitted, but no further information is available at present.
- LEMA Amendments – update contact register – Tara Eddy replaces Wendy Evans as Beacon Silver Chain RAN, Olivia Granich replaces Sally Putt as the Community Development Officer with the Shire of Mt Marshall and Bruce Gibson replaces Robert McArdle as Principal of the Bencubbin Primary School
- Location of nearest water meter is being sourced for Water Corporation to provide a quote for a meter at Billiburning Rock and Marshall Rock entrances.
- Cr Tony Sachse has been appointed to the Wheatbelt District Emergency Management Committee as the delegate for the Great Eastern Country Zone and Mr Jack Walker has volunteered to be the deputy delegate.
- The next meeting of the DEMC will be on Thursday 15 February 2018 in Northam.

5.0 Other Reports

5.1 Chief Bush Fire Control Officer

Nil

5.2 St John Ambulance Services

Officers training for 2018 will commence in February 2018.

Only the Beacon van will be replaced this year as the current vans available for purchase have done more kilometres than the vans to be replaced.

5.3 Fire & Emergency Services Authority of WA

Nil

5.4 Department of Child Protection and Family Services

Update of contact details was provided to the committee.

New Local Welfare Plan was being prepared.

5.5 Education Department

Thank you to the Shire for assistance with clean up at the Beacon school.

Minutes of the Mt Marshall Local Emergency Management Committee Meeting
held Tuesday 13 February 2018

5.6 Bencubbin Police

Nil

5.7 Silver Chain Nursing Association

Tara advised that the Beacon Silver Chain was now attended 5 days per week. Beacon's back up power for the centre was a generator that required fueling up every 4 hours.

5.8 Disabilities Service Commission

Nil

5.9 Community Development

Nil

6.0 General Business

Nil

7.0 New Business of an Urgent Nature Introduced by Decision of the Meeting

Nil

8.0 Next Meeting – Tuesday 8 May 2018 commencing at 3.30pm in Council Chambers, 80 Monger Street, Bencubbin

9.0 Closure of Meeting

There being no further business the meeting closed at 2.48pm

At the conclusion of the meeting a desktop exercise was presented by Jo Spadaccini on the co-ordination and management of a community evacuation centre.

These Minutes were confirmed at the Local Emergency Management Committee Meeting held on Tuesday, 8 May 2018

Date

Cr ARC Sacshe

Chair

Mount Marshall - Compliance Audit Return 2017

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2017.	N/A		John Nuttall
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2017.	N/A		John Nuttall
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2017.	N/A		John Nuttall
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2017.	N/A		John Nuttall
5	s3.59(5)	Did the Council, during 2017, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		John Nuttall

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		John Nuttall
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		John Nuttall
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		John Nuttall
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		John Nuttall
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	Yes		John Nuttall
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the	Yes		John Nuttall

		CEO exclude those as listed in section 5.43 of the Act.			
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		John Nuttall
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		John Nuttall
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		John Nuttall
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		John Nuttall
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		John Nuttall
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2016/2017 financial year.	Yes		John Nuttall
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		John Nuttall

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		John Nuttall
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		John Nuttall
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		John Nuttall
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		John Nuttall
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		John Nuttall

6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	Yes	John Nuttall
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	Yes	John Nuttall
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes	John Nuttall
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	John Nuttall
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes	John Nuttall
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes	John Nuttall
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes	John Nuttall
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	John Nuttall
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes	John Nuttall
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes	John Nuttall

16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	John Nuttall
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Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		John Nuttall
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes		John Nuttall

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		John Nuttall

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Tanika McLennan
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Tanika McLennan
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Tanika McLennan
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Tanika McLennan
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government within 30 days of completion of the audit.	Yes		Tanika McLennan
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government by 31 December 2017.	Yes		Tanika McLennan
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Tanika McLennan
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Tanika McLennan
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local	N/A		Tanika McLennan

		government whichever was the latest in time.			
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Tanika McLennan
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Tanika McLennan
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Tanika McLennan
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Tanika McLennan
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Tanika McLennan

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	September 2017	John Nuttall
2	s5.56 Admin Reg 19DA (6)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		John Nuttall
3	s5.56 Admin Reg 19C (7)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	September 2017	John Nuttall
4	s5.56 Admin Reg 19C (7)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		John Nuttall

5	S5.56	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	N/A		John Nuttall
6	S5.56	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	September 2017	John Nuttall
7	S5.56	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	N/A		John Nuttall

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		John Nuttall
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		John Nuttall
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		John Nuttall
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		John Nuttall
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		John Nuttall

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		John Nuttall
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		John Nuttall
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		John Nuttall
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		John Nuttall
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		John Nuttall
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		John Nuttall

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		John Nuttall
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		John Nuttall
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		John Nuttall
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		John Nuttall
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	N/A		John Nuttall
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes		John Nuttall
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	N/A		John Nuttall
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		John Nuttall
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		John Nuttall
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or	Yes		John Nuttall

		advising that no tender was accepted.		
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes	John Nuttall
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A	John Nuttall
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes	John Nuttall
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes	John Nuttall
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A	John Nuttall
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A	John Nuttall
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A	John Nuttall
18	F&G Reg 24AD(6)	If the local government to sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	John Nuttall
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A	John Nuttall
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most	N/A	John Nuttall

		advantageous to the local government to accept, by means of written evaluation criteria.		
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A	John Nuttall
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A	John Nuttall
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	Yes	John Nuttall
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes	John Nuttall
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	John Nuttall

~~THE CENTRAL EAST AGED CARE ALLIANCE INC~~ ~~CONSTITUTION~~

~~Incorporating amendments passed at Annual General Meeting held
on 2017.~~

**THE CENTRAL EAST AGED
CARE ALLIANCE INC**

CONSTITUTION

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1. PRELIMINARY

1.1 Name of Association

The name of the Association shall be "~~The~~ Central East Aged Care Alliance Inc".

1.2 Vision of the Association

The Association and its constituent members recognise the need for affordable, suitable and sustainable housing that meets the needs of an ageing population in the Region. The Association will implement agreed strategies and secure funding from State and Commonwealth governments, the private sector and not for profit organisations to construct, manage, and maintain housing in the Region.

1.3 Objects and Purposes of Association

The objects and purposes of the Association are:

- (a) to provide housing, accommodation and services for an ageing population in the ~~CEACA~~ Region;
- (b) to secure funding from various sources for the ~~construction~~provision of housing, accommodation and services in the Region;
- (c) to manage ~~the housing across~~, accommodation and services in the Region, ~~including its tenants and sale~~;
- (d) to maintain ~~the housing constructed~~, accommodation and services in the Region; and
- (e) to ~~ensure the advocate for and support the increase in number and~~ ongoing viability ~~and increase the number of~~ age appropriate housing, accommodation units across and services in the Region ~~as required~~.

1.4 Quorum for Management Committee ~~Meetings~~ Meeting

Fifty (50%) percent of the Management Committee Members plus one constitute a quorum for the conduct of the business at a Management Committee Meeting.

1.5 Quorum for General Meetings

Fifty (50%) of the total ~~membership number~~ of Members ~~personally present plus one~~ (being a natural person or a person appointed under ~~rule~~Rule 6.3(a)) ~~and entitled to present in person, or present through the use of technology under Rule 17.1(a)(ii), and eligible to cast a~~ vote under these Rules at a General Meeting ~~plus one~~ will constitute a quorum for the conduct of business at a General Meeting.

~~1.1 Financial Year~~

~~The Association's Financial Year, will be the period of 12 months commencing on 1 July and ending on 30 June of each year.~~

2. INTERPRETATION

2.1 Definitions

In these Rules, unless the contrary intention appears:

Act means the Associations Incorporation Act 2015 (WA);

Annual General Meeting ~~or AGM~~ means the annual general meeting convened under ~~rule~~Rule 23.1;

Associate Member means a person, local government, body corporate, or ~~other~~ incorporated association ~~, that:~~

(a) satisfies the requirements of ~~sub-rule~~Rule 5.3(a); and

~~(a)(b)~~ whose application for membership is accepted by the Management Committee under ~~sub-rule~~Rule 5.4; ~~5;~~ and

(c) have complied with Rule 5.6;

Association means ~~the~~ Central East Aged Care Alliance Inc;

Books of the Association has the meaning given to it in section 3 of the Act, and includes the following —

(a) ~~— a register~~Register;

(b) ~~financial records, financial statements or financial reports~~Financial Records, Financial Statements and Financial Reports, however compiled, recorded or stored;

(c) ~~— a document~~;

- (d) any other record of information;

By-laws means by-laws made by the Association under ~~rule 19~~Rule 25;

Code of Conduct means the Code of Conduct of the Association (if any) which may be amended or added to from time to time by the Management Committee as it deems appropriate;

Commissioner means the person designated as the Commissioner from time to time under the Act;

~~Committee means the Management Committee required by the Act which is the body responsible for the management of the affairs of the Association;~~

~~Committee Meeting means a meeting referred to in rule 14.1;~~

~~Committee Member means a member of the Committee elected under rule 12;~~

Financial Records has the meaning given to it in section 62 of the Act and includes:

- (a) ~~(a)~~ invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers;
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain:
 - (i) ~~(i)~~ the methods by which financial statements are prepared; and
 - (ii) ~~(ii)~~ adjustments to be made in preparing financial statements;

Financial Report has the meaning given to it in sections 62 and 63 of the Act;

Financial Statements has the meaning given to it in section 62 of the Act; ~~Financial Year has the meaning given to it in Rule 1.5;~~

Financial Year has the meaning given to it in Rule 22;

General Meeting means an Annual General Meeting or a Special General Meeting of the Association;

General Member means a person, local government, body corporate or ~~other~~ incorporated association ~~-that-;~~

(a) _____ satisfies the requirements of ~~sub-rule~~Rule 5.2(b); and

~~(d)~~(b) _____ whose application for membership is accepted by the Management Committee under ~~sub-rule~~Rule 5.4;5; and

(c) _____ have complied with Rule 5.6;

Management Committee means the management committee required by the Act which is the body responsible for the management of the affairs of the Association;

Management Committee Meeting means a meeting referred to in Rule 14.1;

Management Committee Member means a member of the Management Committee elected or appointed under Rule 12;

Member means a person, local government, body corporate or ~~other~~ incorporated association that becomes a member of the Association under these ~~rules~~Rules;

Office ~~Holders~~Holder has the meaning given to it at ~~rule~~Rule 10.2(c);

Ordinary Resolution means a resolution to decide a question, matter or resolution at a General Meeting that is not a Special Resolution;

Poll means voting conducted in written form which may include, but is not limited to a secret ballot (as opposed to general agreement or a show of hands);

Region means the aggregate of the districts of the local governments that are General Members of the Association;

Register means the register of Members referred to in ~~rule~~Rule 8.1(a);

~~Rule or rule~~Rules means ~~these rules~~this constitution of the Association as amended from time to time under ~~rule~~Rule 24.2;

Special General Meeting means the meeting convened under ~~rule~~Rule 18;

Special Resolution is a resolution of the Association passed in accordance with ~~rule~~Rule 19.1;

Surplus Property has the meaning given to it in the Act and means the property remaining when the ~~association~~Association is wound up or cancelled after satisfying:

(a) the debts and liabilities of the Association; and

(b) the costs, charges and expenses of winding up the Association,

but does not include ~~books pertaining to the~~ managementBooks of the Association;

~~Tier 1 Association has the meaning given to it in section 62 of the Act;~~

~~Tier 2 Association has the meaning given to it in section 62 of the Act;~~

Tier 3 Association has the meaning given to it in section 62 of the Act;

2.2 Interpretation

In these Rules, unless the contrary intention appears:

(a) **(headings)** underlining, numberings, typesetting styles and layouts are for convenience only and do not affect the interpretation of these Rules;

(b) **(gender)** a reference to any gender includes every gender;

(c) **(person)** the word person includes a firm, a partnership, a joint venture, an organisation or an authority;

(d) **(may)** the word may is permissive and not mandatory;

(e) **(singular includes plural)** the singular includes the plural and ~~Deputy vice~~ versa;

(f) **(grammatical form)** where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings;

~~(g)~~ **(including)** the word including and similar expressions are not words of limitation and a general description of any matter or thing whatever shall not be read down if followed by any specific examples of that matter or thing;

~~(g)~~(h) **(regulations)** a reference to a law includes regulations and instruments made under the law;

~~(h)~~(i) **(amendments to statutes)** a reference to a law or a provision of a law includes amendments, re-enactments or replacements of that law or the provision;

~~(j)~~(i) **(from time to time)** a power, an authority or a discretion reposed in the members', a member, the Management Committee or ~~a Director~~an Office Holder may be exercised at any time and from time to time;

~~(j)~~(k) **(function)** a reference to a function includes a reference to a power, authority and duty; and

~~(k)~~(l) **(exercise of a function)** a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority of the performance of the duty.

2.3 Notices

(a) ~~—(a)—~~ A notice or other communication connected with these Rules has no legal effect unless it is in writing and given as follows:

- (i) ~~—(i)—~~ delivered by hand to the nominated address of the addressee;
- (ii) ~~(ii)~~ sent by post to the nominated postal address of the addressee; or
- (iii) ~~(iii)~~ sent by e-mail or any other method of electronic communication (including facsimile) to the nominated electronic address of the addressee.

(b) ~~—(b)—~~ Any notice given to a Member under these ~~rules~~Rules, must be sent to Member's address as set out in the Register ~~referred to in rule 8.1.~~

(c) ~~(c)~~ When a notice is:

- (i) delivered by hand under ~~rule~~Rule 2.3(a)(i) it is properly served when delivered to, and received by, the recipient;
- (ii) sent by ordinary pre-paid post under ~~rule~~Rule 2.3(a)(ii), it is taken to have been received ~~three~~five (5) working days after posting;

- (iii) sent by email under ~~rule~~Rule 2.3(a)(iii), it is taken to have been received at the time when the sender receives confirmation on its server that the message has been transmitted;
- (iv) sent by facsimile under ~~rule~~Rule 2.3(a)(iii), it is taken to have been received at the time shown ~~on~~ the transmission report as the time the whole facsimile was sent.

3. POWERS OF THE ASSOCIATION

3.1 Powers of the Association

The powers conferred on the Association are the same as those conferred by section 14 of the Act, so that subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes in a lawful manner, and in particular may:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) invest its money~~—~~:
 - (i) as trust funds may be invested under the *Trustees Act 1962* Part III; or
 - (ii) in any other manner authorised by the ~~rules of the Association~~Rules;
- (d) borrow money upon such terms and conditions as the Association thinks fit;
- (e) give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- (f) appoint agents to transact any business of the Association on its behalf;
- (g) enter into any other contract it considers necessary or desirable;
- (h) employ such persons as the Association deems appropriate to pursue the objects of the Association or to administer the affairs of the Association; and

- (i) ~~may~~ act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise, would contravene ~~this~~the Act or the ~~rules of the Association~~Rules.

3.2 Paid Officers

- (a) ~~(a)~~—The Management Committee may appoint from time to time an independent ~~Chair~~Chairperson and an Executive Officer for the Association and any other paid officers as may be required to conduct the affairs of the Association and may also terminate such appointments.
- (b) ~~(b)~~—The term of appointment, remuneration and other employment terms and conditions ~~and remuneration of the paid officers~~ a Chairperson or Executive Officer shall be on such terms ~~as~~ agreed by the Management Committee ~~and the respective officers~~.

3.3 Office of the Association

The office of the Association shall be at such place as the Management Committee may from time to time determine.

4. NOT FOR PROFIT

~~1.1 — Not for profit body~~

- (a) ~~(a)~~—The property and income of the Association shall be applied solely towards promoting the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any Member, except in good faith in the promotion of those objects or purposes.
- (b) ~~(b)~~—A payment may be made to a Member out of the funds of the Association only if it is authorised under ~~rule~~Rule 4.1(c).
- (c) ~~(c)~~—A payment to a Member out of the funds of the Association is authorised if it is:
 - (i) the payment in good faith to the Member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
 - (ii) the payment of interest on money borrowed by the Association from the Member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
 - (iii) the payment of reasonable rent to a Member for premises leased by the Member to the Association; or

- (iv) the reimbursement of reasonable expenses properly incurred by the Member on behalf of the Association.

5. BECOMING A MEMBER

5.1 Minimum Number of Members

The Association must have at least six Members with full voting rights.

5.2 General Members

- (a) Foundation General Members

~~6.~~ _____

_____ The foundation General Members of the Association are:

~~7.~~ _____

- (i) ~~Council of the~~ Shire of Bruce Rock;
- (ii) ~~Council of the~~ Shire of Kellerberrin;
- (iii) ~~Council of the~~ Shire of Koorda;
- (iv) ~~Council of the~~ Shire of Merredin;
- (v) ~~Council of the~~ Shire of Mt Marshall;
- (vi) ~~Council of the~~ Shire of Mukinbudin;
- (vii) ~~Council of the~~ Shire of Nungarin;
- (viii) ~~Council of the~~ Shire of Trayning;
- (ix) ~~Council of the~~ Shire of Westonia;
- (x) ~~Council of the~~ Shire of Wyalkatchem; and
- (xi) ~~Council of the~~ Shire of Yilgarn.

~~(b) Any person,;~~

~~(i) local government, or; and~~

~~(xii)(ii)~~ any person, body corporate or ~~other~~ incorporated association with interests or objectives which include objectives consistent with the objects of the Association ~~may apply to be a General Member of the Association.~~

may apply to be a General Member of the Association.

~~(b)(c)~~ A General Member has all the rights provided to Members under the ~~rules~~ Rules, including full voting rights, and is eligible for nomination, election and appointment to the Management Committee ~~and to be as~~ an Office Holder or ordinary Management Committee Member.

~~8.~~

8.15.3 Associate Members

(a) Any person, local government, body corporate or ~~other~~ incorporated association that is not eligible, or does not wish, to be a General Member of the Association may apply to be an Associate Member of the Association.

(b) An Associate Member shall enjoy the same privileges and be subject to the same obligations as a General Member, except an Associate Member is not entitled or eligible to:

- (i) vote at any General Meeting;
- (ii) propose a resolution at a General Meeting;
- (iii) call a General Meeting;
- (iv) be nominated, elected, or appointed as a Management Committee Member or Office Holder;
- (v) nominate a Management Committee Member or Office Holder; or
- (vi) nominate a person, local government, body corporate, or ~~other~~ incorporated association ~~to be a Member of the Association.~~

~~(a) — An Associate Member who has been an Associate Member of the Association for four years or longer may apply to be a General Member pursuant to rule 5.4(a).~~

8.25.4 Applying for Membership

(a) A person, local government, body corporate, or ~~other~~ incorporated association ~~who wish to become a Member must:~~

- (i) be nominated for membership by two General Members ~~(or persons appointed under rule 6.3(a) with authority to represent the General Members);~~ and
 - (ii) apply in writing to the Association, using the form prescribed ~~form by the Association~~ (if any) together with any fees~~levy~~ due under ~~rules~~Rules 9.1 and 9.2.
- (b) A local government, body corporate, or ~~other~~ incorporated association -who wish to become a Member must comply with Rule 6.3 and appoint in writing a natural person to represent it at ~~a particular General Meeting, or at all~~ General Meetings and on the Management Committee.
- (c) All application forms must:
 -
 - (i) ~~(i)~~ state the full name of the applicant;
 - (ii) ~~(ii)~~ state a contact postal, residential, or email address for the applicant; and
 - (iii) if applicable, appoint in writing a natural person to represent it ~~at a particular General Meeting, or at all~~ General Meetings and on the Management Committee, and state
 - (A) ~~A.~~ the name of the appointed person; and
 - (B) ~~B.~~ a contact postal, residential, or email address for the appointed person.
- ~~(i) The selection of the natural person shall be at the discretion of the applicant. Without limiting that discretion, it is the intention of the Association that persons appointed by local government applicants shall comprise any member of the community within the jurisdiction of that local government.~~
- (d) All application forms must be signed by the applicant and the two nominating General Members (or persons appointed under ~~rule~~Rule 6.3(a) with authority to represent the General Members).
- (e) If the Association has more than one class of membership, the application form must specify the applicable class of membership.

8.35.5 Deciding Membership Applications

- (a) The Management Committee will consider and decide whether to approve or reject any membership application.
- (b) Subject to ~~rule~~Rule 5.5(c) applications will be considered and decided in the order they are received by the Association.
- (c) When considering a membership application, the Management Committee may seek clarification of any matter or further information in support of the application, and may delay its decision to allow for that material to be provided and proceed to consider and decide other applications.
- (d) The Management Committee may approve a membership application if, in the view of the Committee, the applicant:
 - (i) meets the eligibility requirements for the relevant ~~Membership~~membership class under ~~rule~~Rule 5.2(b) or 5.3(a); and
 - (ii) applies under ~~rule~~Rule 5.4.
- (e) The Management Committee may refuse to accept a membership application even if the ~~Applicant~~applicant has applied in writing and complies with all the eligibility requirements under ~~rule~~Rule 5.2(b) or 5.3(a).
- (f) As soon as is practicable after the Management Committee has made a decision under ~~rule~~Rule 5.5, the Management Committee must notify the applicant in writing of the outcome of their membership application but is not obliged to provide reasons for the decision, and the decision of the Management Committee shall be final.

8.45.6 Becoming a Member

- (a) An applicant becomes a Member if:
 - (i) the applicant is eligible for membership under ~~rule~~Rule 5.2(b) or 5.3(a);
 - (ii) the applicant applies in writing using the prescribed form (if any) to the Association under ~~rule~~Rule 5.4;

- (iii) the ~~Management~~ Committee ~~approves the Applicant's~~ ~~applicant's~~ application for membership submitted under ~~rule~~ Rule 5.5; and
 - (iv) the applicant has paid the levy ~~or any fees~~ due under ~~rules~~ Rules 9.1 and 9.2 (if any).
- (b) The ~~Applicant~~ applicant immediately becomes a Member of the applicable class of ~~Membership~~ membership, and is entitled to exercise all the rights and privileges of that class of ~~Membership~~ membership, and must comply with all of the obligations of ~~Membership~~ membership under these Rules, when ~~rule~~ Rule 5.6(a) has been fulfilled.

8.55.7 Recording Membership in the Register

The Secretary must enter the name of a Member in the Register within 28 days after the Member becomes a Member under these ~~rules~~ Rules.

9.6. LIABILITY AND ENTITLEMENTS OF MEMBERS

9.16.1 Classes of Members

- (a) The membership of the Association consists of:
 - (i) General Members; and
 - (ii) Associate Members;
- (b) The Association may have any class of membership determined by resolution of Members at a General Meeting.
- (c) If the Association has two or more classes of members, no ~~member~~ Member can belong to more than one class of membership.
- (d) Subject to any limitation specified in these ~~rules~~ Rules, each class of ~~Membership~~ membership shall have rights and benefits as determined by the ~~Management~~ Committee or by resolution of Members at a General Meeting.

- (e) The maximum number of General Members is unlimited unless the Association in General Meeting decides otherwise.

9.26.2 Membership Voting Rights of Members

Each Member that is entitled to vote has one (1) vote at a General Meeting of the Association.

9.36.3 Voting by a local government, ~~other~~ body corporate, or ~~other~~ incorporated association

- (a) A Member which is a local government, body corporate, or ~~other~~ incorporated association:-
- (i) by written notice to the Association must appoint ~~in writing~~ a natural person to ~~represent it~~ be the Member's representative at a particular General Meeting, or at all General Meetings and on the Management Committee; and
 - (ii) A copy of the written may at any time by written notice to the Association revoke an appointment using the prescribed form (if any) of their representative provided that in the same notice a replacement representative is appointed.
- (b) A copy of a written notice pursuant to clause 6.3(a) must be lodged with the Secretary.
- (c) A person appointed under ~~rule~~Rule 6.3(a) has authority to represent the local government, ~~other~~ body corporate, or ~~other~~ incorporated association -as a Member:
- (i) in the case of an appointment in respect of a particular General Meeting, until the conclusion of that General Meeting; or
 - (ii) otherwise, until the appointment is revoked in writing by the local government, body corporate, or ~~other~~ incorporated association-, and notice of the revocation is given to the Secretary.
- (d) The selection of the person pursuant to Rule 6.3(a) shall be at the discretion of the applicant. Without limiting that discretion, it is the intention of the Association that persons appointed by local government Members should be a person who normally resides within the district of that local government.

9.46.4 Liability of Members

- (a) A Member is only liable for their outstanding levy ~~or outstanding membership fees~~ payable under ~~rules~~Rules 9.1 and 9.2, if any.
- (b) Subject to ~~rule~~Rule 6.4(a), a Member is not liable, by reason of the person's ~~Membership~~membership, for the liabilities of the Association or the cost of winding up the Association.
- (c) Rule 6.4(b) does not apply to liabilities incurred by or on behalf of the Association by the Member before incorporation.

9.56.5 Payment to Members

- (a) Subject to ~~rule~~Rule 6.5(b), no portion of the income or property of the Association may be paid directly or indirectly, by way of dividend, bonus or otherwise to the Members.

~~(a)~~ Rule 6.5(a) does not prevent:

- ~~(i) the payment in good faith of remuneration to any officer, employee or Member in return for any services actually rendered to the Association or for goods supplied in the ordinary and usual course of business;~~
- (b) ~~the payment of interest at a rate not exceeding the prevailing market rate published payments authorised by the Reserve Bank of Australia as the "Cash Rate Target" from time to time on money borrowed from any Member; Rule 4(c).~~
 - ~~(ii) the payment of reasonable and proper rent by the Association to a Member for premises leased by the Member to the Association; or~~
 - ~~(iii) the reimbursement of expenses incurred by a Member, or any Committee Member on behalf of the Association.~~

9.66.6 Membership Entitlements not Transferable

Subject to ~~rule~~Rule 6.3(a), a right, privilege or obligation that a person, local government, body corporate or ~~other~~ incorporated association has because it, he or she is a Member of the Association:

- (a) is not capable of being transferred to any other person, local government, body corporate, or incorporated association; and
- (b) ends when the membership ceases for that person, local government, body corporate, or ~~other~~ incorporated association.

10.7. CEASING TO BE A MEMBER

10.17.1 Ending Membership

- (a) The membership of a ~~person, local government, body corporate, or other incorporated association~~ (as the case may be) Member ends, if the Member:
 - (i) dies;
 - (ii) ceases to be a Member under ~~rule~~Rule 9.1(d);
 - (iii) ceases to be a Member under ~~rule~~Rule 9.2(d);
 - (iv) resigns as a Member under ~~rule~~Rule 7.2; or
 - (v) is expelled from the Association under ~~rule~~Rule 7.3.
- (b) For a period of one year after a ~~person's~~Member's membership ends, the Secretary must keep a record of:
 - (i) ~~(i) the date on which a person, local government, body corporate, or other incorporated association~~ ceases to be a Member under ~~rule~~Rule 7.1(a); and
 - (ii) the reason why the person, local government, body corporate, or ~~other~~ incorporated association ceases to be a Member.
- (c) If a local government, body corporate, or ~~other~~ incorporated association ceases to be a Member, then any appointment to a natural person made by it under ~~rule~~Rule 6.3 immediately ceases to have any effect.

10.27.2 Resigning as a Member

- (a) A Member who has paid all amounts payable by the Member to the Association in respect of their membership, may resign from membership by giving written notice of their resignation to the Secretary.
- (b) The Member resigns:
 - (i) at the time the Secretary receives the notice; or
 - (ii) if a later time is stated in the notice, at that later time.
- (c) Any Member who resigns from the Association remains liable to pay to the Association any outstanding fees or levy which may be recovered as a debt due to the Association by the Member.

10.37.3 Suspending or Expelling Members

- (a) The Management Committee may, by resolution, discipline a Member by any means considered appropriate, or -suspend or expel a Member from membership if, in the opinion of the Management Committee:
 - (i) the Member ~~{or any person authorised to represent the Member under ruleRule 6.3}~~ refuses or neglects to comply with these ~~rules~~Rules or the Code of Conduct; or
 - (ii) the conduct or ~~behavior~~behaviour of the Member ~~{or any person authorised to represent the Member under ruleRule 6.3}~~;:
 - (A) is detrimental to the interests of the Association; or
 - (B) has brought the Association into disrepute; or
 - (C) has brought discredit on the Association; or
 - (iii) the Member is ~~an undischarged bankrupt;not solvent (as defined in the Bankruptcy Act 1966 (Cwth))~~; or
 - (iv) the Member applied for and obtained ~~Membership~~membership under a false pretence or by providing false information.

- (b) The Management Committee must hold a Management Committee Meeting to decide whether to suspend or expel a Member.
- (c) The Secretary must, not less than 28 days before the Management Committee Meeting referred to in ~~rule~~Rule 7.3(b), give written notice to the Member:
 - (i) ~~(i)~~ of the proposed suspension or expulsion and the grounds on which it is based;
 - (ii) of the date, place and time of the Management Committee Meeting;
 - (iii) that the Member, or the Member's representative, may attend the Management Committee Meeting; and
 - (iv) that the Member, or the Member's representative, may address the Management Committee at the meeting and will be given a full and fair opportunity to state the Member's case orally, or in writing, or both.
- (d) At the Management Committee Meeting referred to in ~~rule~~Rule 7.3(b) the Management Committee must:
 - (i) give the Member, or the Member's representative, a full and fair opportunity to state the Member's case orally;
 - (ii) give due consideration to any written statement submitted by the Member; and
 - (iii) determine ~~by an absolute majority~~ whether or not the Member should be:
 - (A) expelled from the Association; or
 - (B) suspended from membership, and if so, the period that the Member should be suspended from membership; or
 - (C) disciplined by any means considered appropriate, which may include, ~~without limitation,~~ reprimanding the Member ~~or requesting that the Member resign from the Association;~~ or
 - (D) exonerate the Member
- ~~(a) — Once the Committee has decided to suspend or expel a Member under rule 7.3(d), the Member (and any person authorised to represent the Member under rule 6.3(a)) is immediately suspended or expelled from membership.~~

(e) The Secretary must inform the Member in writing of the decision of the Management Committee and the reasons for the decision, within 7 days of the Management Committee Meeting referred to in ~~rule~~Rule 7.3(d).

~~(e)~~(f) If the Management Committee has decided to suspend or expel a Member under Rule 7.3(d), the Member is immediately suspended or expelled from membership from the date of that decision irrespective of whether the Member appeals the decision.

10.47.4 Right of Appeal ~~of~~ against Suspension or Expulsion

(a) If a Member is suspended or expelled or disciplined under ~~rule~~Rule 7.3, the ~~person~~Member may appeal the Management Committee's decision by giving written notice of appeal to the Secretary within 14 days of receiving notice of the Management Committee's decision ~~under rule 7.3(f) requesting the appointment.~~

(b) The notice of appeal must:

(i) identify the decision appealed against;

(ii) provide a summary of the reasons for the appeal;

(iii) request the convening of a ~~mediator under rule 28.2~~General Meeting to consider the appeal.

(c) The Secretary must issue notice to convene a General Meeting to consider the appeal within 14 days after receiving a notice of appeal.

~~(a)~~(d) At the General Meeting referred to in Rule 7.4(c):

(i) the Member, or the Member's representative, must be given a full and fair opportunity to state the Member's case orally;

(ii) the General Meeting may give consideration to any written statement submitted by the Member; and

(iii) the General Meeting must determine by resolution:

(A) whether or not the decision of the Management Committee should be upheld or changed; and

(B) if changed, then what the decision should be.

10.57.5 Reinstatement of a Member

If the Management Committee's decision to suspend or expel or discipline a Member is revoked under these ~~rules~~Rules, any act performed by the Management Committee or Members in General Meeting during the period that the Member was suspended or expelled from ~~Membership~~membership under ~~rule~~Rule 7.3(e), is deemed to be valid, notwithstanding the Member's inability to exercise their rights or privileges of ~~Membership~~membership, including voting rights, during that period.

10.67.6 When a Member is Suspended

- (a) If a Member's membership is suspended under ~~rule~~Rule 7.3(e), the Secretary must record in the Register:
 - (i) the ~~name~~ ~~of~~ ~~the~~ ~~Member~~ ~~that~~ ~~has~~ ~~been~~ ~~suspended~~ ~~from~~ membership;
 - (ii) the date on which the suspension takes effect; and
 - (iii) the length of the suspension as determined by the Management Committee under Rule 7.3(d)(iii)~~)~~(B-).
- (b) A Member that has been suspended under ~~rule~~Rule 7.3(e) cannot exercise any rights or privileges of membership, including voting rights, during the period they are suspended from membership.
- (c) Upon the expiry of the period of a Member's suspension, the Secretary must record in the Register that the Member is no longer suspended.

11.8. MEMBERSHIP REGISTER

11.18.1 Register of Members

- (a) The Secretary or a person authorised by the Management Committee from time to time must maintain a register of Members and make sure that the Register is up to date.
- (b) The Register must contain:
 - (i) the full name of each Member;
 - (ii) a contact postal, residential or email address of each Member;
 - (iii) the class of membership held by the Member;

- (iv) the date on which the person became a Member; and
 - (v) the name and contact details of any person appointed by the Member under ~~rule~~Rule 6.3(a).
- (c) Any change in membership of the Association must be recorded in the Register within 28 days after the change occurs.
- (d) The Register must be kept and maintained at the ~~Associations~~Association's listed office or at such other place as the Management Committee decides.

11.28.2 Inspecting the Register

~~12.~~

- (a) Any Member, or a person appointed by a Member under ~~rule~~Rule 6.3(a), is able to inspect the Register free of charge, at such time and place as is mutually convenient to the Association and the Member.
- (b) A Member must contact the Secretary to request to inspect the Register.
- (c) The Member may make a copy of details from the Register but has no right to remove the Register for that purpose.

12.28.3 Copy of the Register

- (a) A Member, or a person appointed by a Member under ~~rule~~Rule 6.3(a), may make a request in writing for a copy of the Register.
- (b) The Management Committee may require a Member who requests a copy of the Register to provide a statutory declaration setting out the purpose of the request and declaring that the purpose is connected with the affairs of the Association.
- (c) The Association may charge a reasonable fee to the Member for providing a copy of the Register, the amount to be determined by the Management Committee from time to time.

12.38.4 When Using the Information in the Register is Prohibited

A Member, or a person appointed by a Member under ~~rule~~Rule 6.3(a), must not use or disclose the information on the Register:

- (a) to gain access to information that a Member has deliberately denied them (that is, in the case of social, family or legal differences or disputes);
- (b) to contact, send material to the Association or a Member for the purpose of advertising for political, religious, charitable or commercial purposes unless the use of the information is approved by the Management Committee; or
- (c) for any other purpose unless the purpose:
 - (i) is directly connected with the affairs of the Association; or
 - (ii) relates to the provision of information to the Commissioner in accordance with a requirement of the Act.

13.9. MEMBERSHIP ~~FEES~~LEVY

13.19.1 Members Discretionary Levy

- (a) The Management Committee may from time to time determine the amount of a Member's discretionary levy to be paid by each Member or each class of Members from time to time.
- (b) Each Member must pay the Member's discretionary levy determined under ~~rule~~Rule 9.1(a) to the Treasurer, or a person authorised by the Management Committee to receive payments, as and when decided by the Management Committee.
- (c) If a Member pays the Member's discretionary levy within 32 calendar months after the due date, the Member retains all the rights and privileges of a Member for the purposes of these Rules during that time, including the right to vote.

- (d) Subject to Rule 9.1(e), if a person fails to pay the Member's discretionary levy within 2 calendar months after the due date, the person ceases to be a Member.
- (e) If a person ceases to be a Member under Rule 9.1(d), and subsequently pays to the Association all the Member's discretionary levy, the Management Committee may, if it thinks fit, reinstate the Member's rights and privileges from the date on which the outstanding levy is paid, including the right to vote.

9.2 Annual Membership Levy

- (a) The Management Committee may from time to time determine the amount of the annual membership levy, if any, to be paid by each Member or each class of Members.
- (b) Each Member must pay the Member's annual membership levy determined under Rule 9.2(a) to the Treasurer, or a person authorised by the Management Committee to receive payments, as and when decided by the Management Committee.
- (c) If a Member pays the annual membership levy within 2 calendar months after the due date, the Member retains all the rights and privileges of a Member for the purposes of these Rules during that time, including the right to vote.
- (d) Subject to ~~rule~~Rule 9.42(e), if a ~~person~~Member fails to pay the annual ~~Membership fee~~membership levy within 32 calendar months after the due date, the ~~person~~Member ceases to be a Member of the Association.
- ~~(a) If a ~~person~~Member ceases to be a Member under ~~rule 9.1(d)~~, and subsequently pays to the Association all the Member's levy, the Committee may, if it thinks fit, reinstate the Member's rights and privileges from the date on which the outstanding fees are paid, including the right to vote.~~

1.2 ANNUAL MEMBERSHIP FEE

- ~~(a) The Committee may from time to time determine the amount of the annual membership fee, if any, to be paid by each Member or each class of Members.~~
- ~~(b) Each Member must pay the Member's annual membership fee determined under rule 9.2(a) to the Treasurer, or a person authorised by the Committee to receive payments, as and when decided by the Committee.~~
- ~~(c) If a Member pays the annual membership fee within 3 calendar months after the due date, the Member retains all the rights and privileges of a Member for the purposes of these Rules during that time, including the right to vote.~~
- ~~(d) Subject to rule 9.2(e), if a Member fails to pay the annual Membership fee within 3 calendar months after the due date, the Member ceases to be a Member of the Association.~~

- (e) ~~If a Member ceases to be a Member under rule~~ Rule 9.2(d), and subsequently pays to the Association all the Member's outstanding ~~fees~~ levy, the Management Committee may, if it thinks fit, reinstate the Member's rights and privileges from the date on which the outstanding ~~fees are~~ levy is paid, including the right to vote.

14.10. POWERS AND COMPOSITION OF THE MANAGEMENT COMMITTEE

14.10.1 Powers of the Management Committee

- (a) The governing body of the Association is to be called the Management Committee and it has authority to control and manage the affairs of the Association.
- (b) Subject to the Act, these ~~rules~~ Rules and any by-law or lawful resolution passed by the Association in General Meeting, the Management Committee:
- (i) may exercise all powers and functions as may be exercised by the Association, ~~other- than those powers and functions that are~~ Required ~~required~~ by these ~~rules~~ Rules to be exercised by General Meetings of the Members; and
 - (ii) has power to perform all acts and do all things as appear to the Management Committee to be necessary or desirable for the proper management of the business and affairs of the Association.

14.210.2 Management Committee Members

- (a) The Management Committee is to consist of:
- (i) the Office Holders of the Association; and
 - (ii) not less than one other ordinary Management Committee Member.
- (b) The maximum number of other ordinary Management Committee Members ~~of the Committee~~ is to be determined by the Management Committee.
- (c) The Office Holders of the Association are:
- ~~(i) The Chair;~~
 - ~~(i) (ii) the Chairperson;~~
 - ~~(+)(ii)~~ the Deputy Chair Chairperson;

~~(ii)~~(iii) the Secretary; and

~~(iii)~~(iv) the Treasurer.

- (d) A Management Committee Member must be ~~a natural person over 18 years in age, and either:~~

(i) ~~(i) a financial~~ General Member; or

~~(i) a person appointed under rule 6.3(a) and who has authority to represent a financial General Member.~~

(ii) ~~the Chairperson appointed by the Management Committee from time to time.~~

- ~~(e)~~ Where a General Member is a local government, body corporate, or incorporated association and is elected as a Management Committee Member that General Member shall be represented on the Management Committee by the person appointed under Rule 6.3(a) as representative for that General Member;

~~(e)~~(f) No person ~~shall be entitled~~ is permitted to hold more than one of the positions set out in ~~rule~~Rule 10.2(c) at any time.

~~(f)~~(g) No person shall be entitled to hold a position on the Management Committee if the person has been convicted of, or imprisoned in the previous five years for:

(i) an indictable offence in relation to the promotion, formation or management of a body corporate;

(ii) an offence involving ~~fraud or dishonesty~~ punishable by imprisonment for a period of not less than three months; or

~~(iii)~~ an offence under Part 4 Division 3 or section 127 of the Act, unless the person has obtained the consent of the Commissioner.

~~(g)~~(h) No person shall be entitled to hold a position on the Management Committee if the person is, according to the Interpretation Act (WA) section 13D, a bankrupt or a person whose affairs are administered under insolvency laws unless the person has obtained the consent of the Commissioner.

~~(i)~~ The Chairperson must not be when appointed nor have been within the period of 5 years prior to the appointment, either a Member, a person appointed under Rule

6.3(a) to represent a Member, an employee of a Member or a councillor or officer of a Member.

15.11. ROLE AND RESPONSIBILITIES OF MANAGEMENT COMMITTEE MEMBERS AND OFFICERS

15.11.1 Obligations of the Management Committee

The Management Committee must take all reasonable steps to ensure the Association complies with its obligations under the Act and these ~~rules~~Rules.

15.11.2 Responsibilities of Management Committee Members

- (a) A Management Committee Member must exercise his or her powers and discharge his or her duties with a degree of care and diligence that a reasonable person would exercise in the circumstances.
- (b) A Management Committee Member must exercise his or her powers and discharge his or her duties in good faith in the best interests of the Association and for a proper purpose.
- (c) A Management Committee Member or former Management Committee Member must not improperly use information obtained because he or she is a Management Committee Member to:
 - (i) gain an advantage for himself or herself or another person; or
 - (ii) cause detriment to the Association.
- (d) A Management Committee Member or former Management Committee Member must not improperly use his or her position to:
 - (i) gain an advantage for himself or herself or another person; or
 - (i) ~~cause detriment to the Association.~~
- (a) ~~A Committee Member or former Committee member must not improperly use his or her position to:~~
 - (i) ~~gain an advantage for himself or herself or another person; or~~
 - (ii) cause detriment to the Association.

~~(d)~~(e) A Management Committee Member having any material personal interest in a matter being considered at a Management Committee Meeting must:

- (i) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Management Committee;
- (ii) disclose the nature and extent of the interest at the next General Meeting of the Association; and
- (iii) not ~~be present while the matter is being considered at the~~ Management Committee Meeting or vote on the matter.

~~(e)~~(f) Rule 11.2(e) does not apply in respect of a material personal interest that:

- (i) ~~(i)~~ exists only because the Management Committee Member belongs to a class of persons for whose benefit the Association is established; or
- (ii) ~~(ii)~~ the Management Committee Member has in common with all, or a substantial proportion of, the members of the Association.

~~(f)~~(g) The Secretary must record every disclosure made by a Management Committee Member under ~~rule~~Rule 11.2(e) in the minutes of the Management Committee Meeting at which the disclosure is made.

~~(g)~~(h) No Management Committee Member shall make any public statement or comment or cause to be published any words or article concerning the conduct of the Association unless the person is authorised by the Management Committee to do so and such authority is recorded in the minutes of the Management Committee Meeting.

~~1.3~~ **CHAIR**

11.3 Chairperson

The ~~Chair~~Chairperson:

~~(h)~~(a) must consult with the Secretary regarding the business to be conducted at each Management Committee Meeting and each General Meeting;

~~(i)~~(b) may convene special meetings of the Management Committee under ~~rule~~Rule 14.1(c);

~~(f)~~(c) may preside over Management Committee Meetings under ~~rule~~Rule 14.3;

~~(f)~~(d) may preside over General Meetings under ~~rule~~Rule 17.4; and

~~(f)~~(e) must ensure that the minutes of a General Meeting or Management Committee Meeting are reviewed and signed as correct under ~~rule~~Rule 20.1~~(e)~~(b).

15.311.4 The Deputy ~~Chair~~Chairperson

The Deputy ~~Chair~~Chairperson:

- (a) shall assist the ~~Chair~~Chairperson in carrying out his or her duties and responsibilities as described in ~~rule~~Rule 11.3; and
- (b) shall perform those duties and responsibilities ~~if~~in the absence of, and in accordance with the instructions of, the ~~Chair~~Chairperson.

15.411.5 Secretary

The Secretary shall be responsible for fulfilling the directives of the Management Committee and the day-to-day operations of the Association, and must:

- (a) co-ordinate the correspondence of the Association;
- (b) consult with the ~~Chair~~Chairperson about all business to be conducted at meetings and convene General Meetings and Management Committee Meetings, including preparing the notices of meetings and of the business to be conducted at each meeting;
- (c) keep and maintain in an up to date condition the ~~rules of the Association~~Rules as required by ~~rule~~Rule 24.1 and any by-laws of the Association made in accordance with ~~rule~~Rule 25;
- (d) maintain the register of the Members, referred to in ~~rule~~Rule 8.1;
- (e) maintain the record of office holders of the Association, referred to in ~~rule~~Rule 11.6~~7~~;
- (f) ensure the safe custody of the Books (with the exception of the Accounting Records) of the Association under ~~rule~~Rule 27.1;

- (g) keep full and correct minutes of Management Committee Meetings and General Meetings; and
- (h) perform any other duties as are imposed by these ~~rules~~Rules or the Association on the Secretary.

~~15.5~~11.6 The Treasurer

—The Treasurer must:

- (a) ensure all moneys payable to the Association are collected, and that receipts are issued for those moneys in the name of the Association;
- (b) ensure the payment of all moneys referred to in ~~rule~~Rule 11.6(a) into the account or accounts of the Association as the Management Committee may from time to time direct;
- (c) ensure timely payments from the funds of the Association with the authority of a General Meeting or of the Management Committee;
- (d) ensure that the Association complies with the account keeping requirements in Part 5 of the Act;
- (e) ensure the safe custody of the Financial Records of the Association and any other relevant records of the Association;
- ~~(a) — if the Association is a Tier 1 Association, coordinate the preparation of the Financial Statements of the Association prior to their submission to the annual general meeting of the Association;~~
- (f) ~~if the Association is a Tier 2 Association or Tier 3 Association,~~ coordinate the preparation of the Financial Report of the Association prior to its submission to the annual general meeting of the Association, as if the Association was a Tier 3 Association;
- (g) assist the reviewer or auditor (if any) in performing their functions; and
- (h) perform any other duties as are imposed by these Rules or the Association on the Treasurer.

15.611.7 Record of Office Holders

- (a) The Secretary or a person authorised by the Management Committee from time to time must maintain a record of office holders.
- (b) The record of office holders must include:
 - (i) the full name of each Office Holder;
 - (ii) the office held and the dates of appointment and (if applicable) cessation of the appointment; and
 - (iii) a current contact postal, residential or email address of each Office Holder.
- (c) The record of office holders must be kept and maintained at the Secretary's place of residence, or at such other place as the Management Committee decides.

15.711.8 Inspecting the Record of Office Holders

- (a) Any Member, or a person appointed by a Member under ~~rule~~Rule 6.3(a), is able to inspect the record of Office Holders free of charge, at such time and place as is mutually convenient to the Association and the Member.
- (b) The Member may make a copy of details from the record of Office Holders but has no right to remove the record for that purpose.

16.12. APPOINTING MANAGEMENT COMMITTEE MEMBERS

16.112.1 Appointment to the Management Committee

- (a) ~~(a)~~—Management Committee Members ~~(except for the Chairperson)~~ are appointed to the Management Committee by:
 - (i) election at an ~~AGM~~Annual General Meeting; or
 - (ii) appointment to fill a casual vacancy under ~~rule~~Rule 13.1(b); ~~or~~.
- (b) ~~an independent Chair~~ The Chairperson:
 - ~~(iii)~~(i) is appointed ~~from time to time~~ by the Management Committee under ruleRule 3.2;
 - ~~(a)~~—~~The Committee may from time to time appoint an independent Chair under rule 3 must satisfy Rule 10.2, or it may determine that the Chair is to be elected from and by the General Members at a General Meeting.~~

~~(iv)(ii) A Committee Member is the Member. A General Member that is a local government, body corporate or other incorporated association will be represented on the Committee by a natural person appointed under rule 6.3(a) in the position elected by the Member's representative from time to time.(h).~~

16.212.2 Nominating for Membership of the Management Committee

- ~~(a) A General Member is not eligible for election to be a Committee Member unless another General Member (who is a natural person, or a person appointed under rule 6.3(a)) has nominated him or her, in and using the prescribed form (if any), as a candidate for election.~~
- (a) ~~(b)~~—The Secretary must send a notice calling for nominations for election to the Management Committee and specifying the date for the close of nominations, to all General Members at least twenty-one (21) days before the date on which the AGMAnnual General Meeting is to be held.
- (b) ~~(c)~~—Nominations for election to the Management Committee shall close ~~at least fourteen (14)~~not less than seven (7) days before the AGMAnnual General Meeting.
- (c) The nomination for election must be in the prescribed form:
 - (i) in writing;
 - (ii) signed by the nominator, (or the nominator's representative appointed pursuant to Rule 6.3), and the nominee ~~(to signify his or her~~their willingness to stand for election);¹ and
 - (iii) ~~(ii)~~—delivered via fax in person, by facsimile transmission, email or post to the Secretary on or before the date for the close of nominations.
- (d) If a nomination for election to the Management Committee is not made in accordance with ~~rules~~Rules 12.2-~~(f)(c)~~ the nomination is to be deemed invalid and the Member will not be eligible for election unless ~~rule~~Rule 12.3(c) ~~takes effect~~applies.

16.312.3 Electing Management Committee Members

- (a) —If the number of valid nominations received under ~~rule~~Rule 12.2 is equal or less than to the number of vacancies to be filled for the relevant position on the

Management Committee, the Member nominated shall be deemed to be elected at the AGMAnnual General Meeting.

- (b) If the number of valid nominations exceeds the number of vacancies to be filled for the relevant position on the Management Committee, elections for the positions must be conducted at the AGMAnnual General Meeting.
- (c) If there are not enough valid nominations to fill the number of vacancies for the relevant positions on the Management Committee, the candidates nominated are (if any) deemed to be elected and further nominations may be received from the floor of the AGMAnnual General Meeting.
- (d) A General Member who is eligible for election or re-election may have another General Member nominate him or her from the floor for election or re-election.
- (e) Where the number of nominations from the floor exceeds the remaining number of vacancies on the Management Committee, elections for those positions must be conducted.
- (f) If an insufficient number of nominations are received from the floor for the number of vacancies on the Management Committee that remain, each ~~relevant~~ position on the Management Committee for which there is no nomination is declared vacant by the person presiding at the AGMAnnual General Meeting and ~~rule~~Rule 13.1(b) applies.
- (g) The elections for ~~office holders~~Office Holders or ordinary Management Committee ~~Member~~Members are to be conducted at the AGMAnnual General Meeting in the manner directed by the Management Committee.
- (h) A list of candidates, names in alphabetical order, with the names of the Members who nominated each candidate, must accompany the notice of the AGMAnnual General Meeting.

16.412.4 Voting in Elections for Membership of the Management Committee

- (a) Subject to ~~rule~~Rule 19.3(~~ed~~), each Member (who is a natural person, or a person ~~appointed~~representing a Member under ~~rule~~Rule 6.3(a)) present in person, or present through the use of technology under Rule 17.1(a)(ii), and eligible to cast a vote at the AGMAnnual General Meeting may vote for one candidate for each vacant position on the Management Committee.
- (b) A Member who nominates for election or re-election may vote for himself or herself.
- (c) Elections for a position on the Management Committee at the AGMAnnual General Meeting shall be conducted by secret ballot. If any candidates receive an equal number of votes, the successful candidate shall be determined by a second or further ballots between the candidates with the equal number of votes until a clear winner is determined.

16.512.5 Term of Office of Management Committee Members

- (a) At each ~~AGM~~Annual General Meeting of the Association, the appointment of:
 - ~~(i) The Chair, subject to the Committee determining under rule 12.2(a) that the Chair is to be elected from and by the Members at the AGM, shall be elected for a term of three (3) years;~~
 - (i) the Deputy ~~Chair~~Chairperson, Secretary, and Treasurer shall be elected for a term of one (1) year; and
 - (ii) the remaining Management Committee Member or Members to be appointed at the Annual General Meeting shall be elected for a term of one (1) year.
- (b) ~~Subject to rule 12.5(a), a~~ Management Committee Member's term will commence on the date of ~~his or her~~:
 - (i) ~~(i)~~ election at an Annual General Meeting; or
 - (ii) appointment to fill a casual vacancy that arises under ~~rule~~Rule 13.1(b); or
 - (iii) in the case of an ~~independent Chair~~Independent Chairperson appointed by the Management Committee under ~~rule~~Rule 3.2, the date of such appointment.
- (c) All retiring Management Committee Members are eligible, on nomination under ~~rule~~Rule 12.2, for re-election, ~~provided that the Chair shall serve no more than two (2) consecutive terms on the Committee.~~

17.13. CEASING TO BE A MEMBER OF THE MANAGEMENT COMMITTEE

17.113.1 Vacant Positions on the Management Committee

- (a) A casual vacancy occurs in the office of a Management Committee Member and that office becomes vacant if the Management Committee Member:
 - (i) dies;

- (ii) ceases to be a Member;
- ~~(ii)~~ becomes disqualified from holding a position under ~~rule~~Rule 10.2 (f) or
- (iii) ~~(g)~~ as a result of bankruptcy or conviction of a relevant criminal offence;
- (iv) becomes permanently incapacitated by mental or physical ill-health;
- (v) resigns from office under ~~rule~~Rule 13.2;
- (vi) is removed from office under ~~rule~~Rule 13.3; or
- (vii) is absent from more than:
 - (A) three (3) consecutive Management Committee Meetings without leave of absence that has been granted by the Management Committee; or
 - (B) three (3) Management Committee Meetings in the same Financial Year without tendering an apology to the person presiding at each of those Management Committee Meetings, where the Management Committee Member received notice of the meetings, and the Management Committee has resolved to declare the office vacant.
- (b) If a position on the Management Committee is declared vacant under ~~rule~~Rule 12.3(~~ef~~), or there is a casual vacancy within the meaning of ~~rule~~Rule 13.1(a), the continuing Management Committee Members may:
 - (i) ~~(i)~~ appoint a Member to fill that vacancy until the conclusion of the next ~~AGM~~Annual General Meeting; and
 - (ii) subject to ~~rule~~Rule 13.1(c), act despite the vacant position on the Management Committee.
- (c) If the number of Management Committee Members is less than the number fixed under ~~rule~~Rule 1.34 as the quorum for Management Committee Meetings, the continuing Management Committee Members may act only to:
 - (i) increase the number of Members on the Management Committee to the number required for a quorum; or
 - (ii) convene a General Meeting of the Association.

- (d) Where a Management Committee Member is a General Member that is a local government, body corporate or incorporated association which has appointed a person under Rule 6.3(a):
 - (i) the General Member that is a local government, body corporate or incorporated association that appointed that person may give written notice to the Secretary that such person has ceased to be the General Member's appointed representative, and nominate a replacement person as appointed representative; and
 - (ii) upon service of that notice the person who has ceased to be the representative shall cease to be the Management Committee Member, and the replacement person shall become the Management Committee Member, for that General Member.

17.213.2 Resigning from the Management Committee

- (a) A Management Committee Member may resign from the Management Committee by giving written notice of resignation to the Secretary, or if the Management Committee Member is the Secretary, to the ~~Chair~~Chairperson.
- (b) The Management Committee Member resigns:
 - (i) at the time the notice is received by the Secretary or ~~Chair~~Chairperson under ~~rule 13~~Rule 13.2(a); or
 - (ii) if a later time is stated in the notice, at the later time.

17.313.3 Removal from the Management Committee

- (a) ~~Subject to rule 13.1(a)(vii), a~~ Management Committee Member may only be removed from ~~his or her position on the~~ Management Committee ~~by pursuant to Rule 13.1(a)(vi) by a~~ resolution at a General Meeting of the Association ~~if a majority of the Members present and eligible to vote at the meeting vote in favour of the removal.~~
- (b) The Management Committee Member who faces removal from the Management Committee must be given a full and fair opportunity at the General Meeting to decide the proposed resolution, to state his or her case as to why the Member should not be removed from his or her position on the Management Committee.

- (c) If all Management Committee Members are removed by resolution at a General Meeting, the Members must, at the same General Meeting, elect an interim Management Committee. The interim Management Committee must, within two months, convene a General Meeting of the Association for the purpose of electing a new Management Committee.

18.14. MANAGEMENT COMMITTEE MEETINGS

18.14.1 Meetings of the Management Committee

- (a) The Management Committee must meet at least ~~nine (9)~~four (4) times in each year, ~~with no more than two (2) months between meetings.~~
- (b) The Management Committee is to determine the place and time of all Management Committee Meetings.
- (c) ~~Special meetings~~ Meetings of the Management Committee may be convened under ~~rule~~Rule 14.2 by:
 - (i) the ~~Chair~~Chairperson; or
 - (ii) any two Management Committee Members.

18.14.2 Notice of Management Committee Meetings

- (a) The Secretary must give each Management Committee Member at least 48 hours' notice of each Management Committee Meeting before the time appointed for holding the meeting.
- (b) Notice of a Management Committee Meeting must specify the general nature of the business to be transacted at the meeting.
- (c) Subject to ~~rule~~Rule 14.2(d), only the business specified on the notice of the Management Committee Meeting is to be conducted at that meeting.
- (d) Urgent business may be conducted at Management Committee Meetings if the Management Committee Members present at a Management Committee Meeting unanimously agree to treat the business as urgent.

18.314.3 Chairing at Management Committee Meetings

- (a) The ~~Chair~~Chairperson or, in the ~~Chair's~~Chairperson's absence, the Deputy-~~Chair~~Chairperson is to preside as chairperson of each Management Committee Meeting.
- (b) If the ~~Chair~~Chairperson and the Deputy-~~Chair~~Chairperson are absent or unwilling to act, the remaining Management Committee Members must choose one of their number to preside as chairperson at the Management Committee Meeting.

18.414.4 Procedure of the Management Committee Meeting

- (a) The quorum for a Management Committee Meeting is specified at ~~rule~~Rule 1.34. The Management Committee cannot conduct business unless a quorum is present.
- (b) If, within half an hour of the time appointed for the meeting, a quorum is not present the meeting is to stand adjourned to the same time, day and place in the following week.
- (c) If at a meeting adjourned under ~~rule~~Rule 14.4(b), a quorum is not present within half an hour of the time appointed for the meeting, the Management Committee Members personally present will constitute a quorum.
- (d) Management Committee Meetings may take place:
 - (i) where the Management Committee Members are physically present together; or
 - (ii) where the Management Committee Members are able to communicate by using any technology that reasonably allows at the discretion of the ~~Chair~~Chairperson or a majority of those Management Committee Members physically present, the Management Committee Member to participate fully in discussions as they happen in the Management Committee Meeting and in making decisions, provided that the participation of the Member in the Management Committee Meeting must be made known to all other Members.

- (e) A Management Committee Member who participates in a meeting as set out in ~~rule~~Rule 14.4(d)(ii):
 - (i) ~~(i)~~—is deemed to be present at the Management Committee Meeting; and
 - (ii) continues to be present at the meeting for the purposes of establishing a quorum,
 until the Management Committee Member notifies the other Management Committee Members that he or she is no longer taking part in the Management Committee Meeting.
- (f) Subject to these Rules, the Management Committee Members present at the Management Committee Meeting are to determine the procedure and order of business to be followed at a Management Committee Meeting.
- (g) All Management Committee Members have the right to attend and vote at Management Committee Meetings.
- (h) All Members, or other guests, may attend Management Committee Meetings if invited by the Management Committee but the person shall not have any right to comment without invitation, or any right to vote, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings.
- (i) The Secretary or a person authorised by the Management Committee from time to time must keep minutes of the resolutions and proceedings of all Management Committee Meetings together with a record of the names of persons present at each meeting.

18.514.5 Voting at Management Committee Meetings

- (a) Each Management Committee Member present at a Management Committee Meeting has a deliberate vote.
- (b) A question arising at a Management Committee Meeting is to be decided by a majority of votes, but if there is an equality of votes, the chairperson of the Management Committee Meeting as set out in ~~rule~~Rule 14.3 is entitled to exercise a second or casting vote.
- (c) Decisions may be made by general agreement or a show of hands.

- (d) A poll by secret ballot must be used if requested by any one Management Committee Member who prefers to determine a matter in this way and the person presiding over the Management Committee Meeting is to oversee the ballot.

18.614.6 Acts not Affected by Defects or Disqualifications

Any act performed by the Management Committee, a sub-committee or a person acting as a Management Committee Member is deemed to be valid even if the act was performed when:

- (a) there was a defect in the appointment of a Management Committee Member, sub-committee or person holding a subsidiary office; or
- (b) a Management Committee Member, a sub-committee member or a person holding a subsidiary office was disqualified from being a Member.

14.7 Resolutions Without Meeting

- (a) A resolution signed by all members of the Management Committee and delivered to the Secretary shall have the same effect as if passed at a Management Committee Meeting.
- (b) A resolution pursuant to Rule 14.7 may be executed in any number of counterparts (whether in original or a copy transmitted by facsimile or pdf document transmitted by email), all of which taken together constitute one and the same document, and the resolution will be deemed to be made at the time the document signed by the last Management Committee Member to sign the resolution is delivered to the Secretary.

19.15. REMUNERATION OF MANAGEMENT COMMITTEE MEMBERS

Subject to ~~rule~~Rule 3.2(a) and 4.4(c), a Management Committee Member must not receive any remuneration for their services as a Management Committee Member.

20.16. SUB-COMMITTEES AND DELEGATION

20.116.1 Appointment of Sub-Committee

- (a) The Management Committee may appoint (or may cancel) one or more sub-committees as considered appropriate by the Management Committee from time to time to assist with the conduct of the Association's operations, or to examine or report on any matter.
- (b) Sub-committees may comprise (in such numbers as the Management Committee determines) Members and non-members.
- (c) Subject to these ~~rules~~Rules, the sub-committee members present at the sub-committee meeting are to determine the procedure and order of business to be followed at the sub-committee meeting.
- (d) The ~~Sub-Committees~~sub-committee shall remain responsible to, and must follow any directions of, the Management Committee at all times.

20.216.2 Delegation by Management Committee to Sub-Committee

- (a) The Management Committee may delegate, in writing, to any or all of the sub-committees, any authority, power or functions and may cancel any authority, powers or functions, as the Management Committee sees fit from time to time.
- (b) Despite any delegation under this ~~rule~~Rule, the Management Committee may continue to exercise all its functions, including any function that has been delegated to a sub-committee and remains responsible for the exercise of those functions at all times.

20.316.3 Delegation to Subsidiary Offices

- (a) ~~—~~The Management Committee may create and fill such subsidiary office as may be necessary for the proper and efficient management of the Association's affairs.
- (b) The Management Committee may delegate, in writing, to any person holding a subsidiary office any authority, power or functions and may cancel any authority, powers or functions, as the Management Committee sees fit from time to time.
- (c) Despite any delegation under this ~~rule~~Rule, the Management Committee may continue to exercise all its functions, including any function that has been delegated to a subsidiary office and remains responsible for the exercise of those functions at all times.

21.17. GENERAL MEETINGS

21.17.1 Procedure for General Meetings

- (a) General Meetings may take place where the Members (being a natural person or represented by a person appointed under ~~rule~~Rule 6.3(a)):
 - (i) are physically present together; or
 - (ii) where the Members are able to communicate by using any technology that reasonably allows ~~at the discretion of the Chair or a majority of those Committee Members physically present,~~ the Member to participate fully in discussions as they happen in the General Meeting and in making any decisions, provided that ~~the participation of the Member in the General Meeting must be made known to all other Members;~~
 - (A) the use of technology is permitted either by the person presiding as chairperson at the meeting or by a resolution of those Members physically present; and
 - (B) the participation of the Member in the General Meeting must be made known to all other Members.
- (b) A Member who participates in a meeting as set out in ~~rule~~Rule 17.1(a)(ii):
 - (i) ~~(i)~~ is deemed to be present at the General Meeting; and
 - (ii) continues to be present at the ~~meeting~~General Meeting for the purposes of establishing a quorum,

until the Member notifies the other Members that he or she is no longer taking part in the General Meeting.

21.217.2 Quorum for General Meetings

- (a) The Quorum for General Meetings is specified in ~~rule~~Rule 1.4.

- (b) Subject to ~~rules~~Rules 17.2(c) and (d), no business is to be conducted at a General Meeting unless a quorum of Members entitled to vote under these Rules is present at the time when the meeting is considering that item.
- (c) If, within thirty (30) minutes of the time appointed for the commencement of a General Meeting, a quorum is not present:
 - (i) in the case of a Special General Meeting, the meeting is to stand adjourned to:
 - (A) a place, date, and time as determined by the Management Committee; and
 - (B) the Secretary must give notice of the adjourned Special General Meeting in the same or substantially the same manner as General Meetings are convened;
 - (ii) in the case of an ~~AGM~~Annual General Meeting, the meeting is to stand adjourned to:
 - (A) the same time and day in the following week; and
 - (B) the same place unless another place is specified by the ~~Chair~~Chairperson at the time of the adjournment or by written notice to the Members given before the day to which the meeting is adjourned.
- (d) If at the adjourned meeting a quorum is not present within thirty (30) minutes of the time appointed for the commencement of the meeting, the Members present in person, or present through the use of technology under Rule 17.1(a)(ii), and eligible to cast a vote at the meeting are to constitute a quorum.

21.317.3 Notice of General Meetings and Motions

- (a) The Secretary must give at least:
 - (i) 21 days' notice of a General Meeting to each Member, or
 - (ii) 21 days' notice of a General Meeting to each Member if a Special Resolution is proposed to be moved at the General Meeting.

- (b) The notice convening a General Meeting must specify:
 - (i) ~~(i)~~ the place, date and time of the meeting; and
 - (ii) the particulars and order of the business to be conducted at the meeting.
- (c) The notice convening a General Meeting or any notice of motion must be issued in the manner prescribed by ~~rule~~Rule 2.3.

21.417.4 Presiding Member

- (a) The ~~Chair~~Chairperson, or in the ~~Chair's~~Chairperson's absence the Deputy-~~Chair~~Chairperson, is to preside as chairperson of each General Meeting.
- (b) If the ~~Chair~~Chairperson and the Deputy-~~Chair~~Chairperson are absent or unwilling to act, the remaining Management Committee Members must choose one of their number to preside as chairperson at the General Meeting.

21.517.5 Adjournment of General Meetings

- (a) The person presiding over a General Meeting, at which a quorum is present, may adjourn the meetings from time to time and place to place with the consent of a majority of Members present at the meeting in person, or present through the use of technology under Rule 17.1(a)(ii), and eligible to cast a vote at the meeting.
- (b) No business is to be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (c) When a General Meeting is adjourned for 14 days or more, the Secretary must give notice of the adjourned meeting in accordance with ~~rules 2.2~~Rules 23 and 17.3 as if that General Meeting was a new General Meeting.

22.18. SPECIAL GENERAL MEETINGS

22.118.1 Special General Meeting

- (a) The Management Committee may at any time convene a Special General Meeting of the Association.
- (b) The Secretary must issue a notice to convene a Special General Meeting of the Association within 28 days after receiving a written request to do so from at least 20 per cent of the total number of General Members.

22.218.2 Request for Special General Meeting

A request by the General Members ~~(being a natural person or a person appointed under rule 6.3(a))~~ for a Special General Meeting must:

- (a) state the purpose of the meeting;
- (b) be signed by the required number of General Members making the request as specified in ~~rule~~Rule 18.1(b); and
- (c) be lodged with the Secretary.

22.318.3 Failure to Convene Special General Meeting

- (a) If the Secretary fails to convene a Special General Meeting within the 28 days referred to in ~~rule~~Rule 18.1(b), the General Members who made the request may convene a Special General Meeting within 3 months after the original request was lodged as if the Members were the Management Committee.
- (b) A Special General Meeting must be convened in the same or substantially the same manner as General Meetings are convened by the Management Committee and the Association must pay the reasonable expenses of convening and holding the Special General Meeting.

23.19. MAKING DECISIONS AT GENERAL MEETINGS

23.119.1 Special Resolutions

- (a) A Special Resolution must be moved at a General Meeting where notice of the Special Resolution has been given under ~~rule~~Rule 19.1(c).
- (b) A Special Resolution of the Association is required to:
 - (i) amend the name of the Association;

- (ii) amend the ~~rules~~Rules, under ~~rule~~Rule 24.2;
 - (iii) affiliate the Association with another body;
 - (iv) transfer the incorporation of the Association;
 - (v) amalgamate the Association with one or more other incorporated associations;
 - (vi) voluntarily wind up the ~~association~~Association;
 - (vii) cancel incorporation; or
 - (viii) request that a statutory manager be appointed.
- (c) Notice of a Special Resolution must:
- (i) be in writing;
 - (ii) include the place, date and time of the meeting;
 - (iii) include the intention to propose a Special Resolution;
 - (iv) set out the wording of the proposed Special Resolution; and
 - (v) be given in accordance with ~~rule~~Rule 2.3.
- (d) If notice is not given in accordance with ~~rule~~Rule 19.1(c), the Special Resolution will have no effect.
- (e) A Special Resolution must be passed at a General Meeting at which there is a quorum and be supported by the votes of not less than three-fourths of the Members present in person ~~or by postal vote, or present through the use of technology under Rule 17.1(a)(ii).~~ and eligible to cast a vote at the meeting.

~~23.2~~19.2 Ordinary Resolutions

Subject to these ~~rules~~Rules, a majority of votes will determine an Ordinary Resolution.

~~23.3~~19.3 Voting at meetings

- (a) Subject to these Rules, each General Member ~~(who is a natural person, or a person appointed under rule 6.3(a))~~ has one vote at a General Meeting of the Association.
- (b) A person casts a vote at a meeting either by:
 - (i) _____ voting at the meeting either in person; or
 - ~~(i)~~(ii) _____ through the use of technology ~~as under rule~~Rule 17.1(a)(ii); ~~or~~.

~~(i) — by postal vote in accordance with rule 19.4(a).~~

- (c) In the case of an equality of votes at a General Meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (d) A Member is only entitled to vote at a General Meeting if the Member's name is recorded in the Register, ~~or who is a person~~ (and where required has appointed a person under rule 6.3(a),) as at the date the notice of the General Meeting was sent out under ~~rule~~ Rule 17.3.

~~19.2~~ **POSTAL VOTING**

~~(a) — Any Member entitled to vote, but unable to attend any Annual General Meeting or Special General Meeting, may vote by postal vote, provided the Member:~~

~~(i) — has requested in writing at least six (6) days prior to the Annual General Meeting or Special General Meeting that the Secretary provide a postal vote form;~~

~~(ii) — exercise his or her or its vote by such postal vote in the prescribed form sent by the Secretary for that purpose; and~~

~~returned the form marked and signed as prescribed in a sealed envelope (marked "postal vote") to the Secretary at least forty-eight (48) hours before the date and time set for the Annual General Meeting or Special General Meeting.~~

~~(iii) — Such postal votes will be counted prior to the commencement of the Annual General Meeting or Special General Meeting by a returning officer appointed for such purpose by the Committee.~~

23.419.4 Manner of Determining Whether Resolution Carried

(a) Unless a Poll is demanded under ~~rule~~ Rule 19.65, if a question arising at a General Meeting of the Association is determined by general agreement or a show of hands, a declaration must be made by the chairperson of the General Meeting that the resolution has been:

(i) carried unanimously;

(ii) carried by a particular majority; or

- (iii) lost.
- (b) If the declaration relates to a Special Resolution, then subject to ~~rule~~Rule 19.1(c), the declaration should state that a Special Resolution has been determined.
- (c) The declaration made under ~~rule~~Rule 19.54(a) must be entered into the minute book of the Association.
- (d) The entry in the minute book of the Association under ~~rule~~Rule 19.54(c) is evidence of the fact that the resolution has been determined, without proof of the number or proportion of the votes recorded in favour of or against that resolution.

23.519.5 Poll at General Meetings

- (a) At a General Meeting, a Poll on any question may be demanded by either:
 - (i) the chairperson of the meeting; or
 - (ii) at least three Members of the Members present in person, or present through the use of technology under Rule 17.1(a)(ii), and eligible to cast a vote at the meeting.
- (b) If a Poll is demanded at a General Meeting, the Poll must be taken in a manner as the chairperson of the meeting directs and a declaration by the chairperson of the result of the Poll is evidence of the matter so declared.
- (c) If a Poll is demanded at a General Meeting, the Poll must be taken:
 - (i) immediately in the case of a Poll which relates to electing a person to preside over the meeting;
 - (ii) immediately in the case of a Poll which relates to adjourning the meeting; or
 - (iii) in any other case, in the manner and time before the close of the meeting as the chairperson directs.

24.20. MINUTES OF MEETINGS

~~1.4~~ **Minutes of Meetings**

- ~~(a)~~ — The Secretary or a person authorised by the Management Committee from time to time must keep minutes of the resolutions and proceedings of all General Meetings and Management Committee Meetings together with a record of the names of persons present at each meeting.

- (a) The minutes are to be taken and then to be entered within 30 days after the holding of each meeting, into a minute book kept for that purpose.
- (b) The ~~Chair~~Chairperson must ensure that the minutes of a General Meeting or Management Committee Meeting under ~~rule~~Rule 20-1(a) are reviewed and signed as correct by:
 - (i) the chairperson of the General Meeting or Management Committee Meeting to which those minutes relate; or
 - (ii) the chairperson of the next succeeding General Meeting or Management Committee Meeting.
- (c) When minutes have been entered and signed as correct under this ~~rule~~Rule, they are, until the contrary is proved, evidence that:
 - (i) ~~(i)~~—the General Meeting or Management Committee Meeting to which they relate was duly convened and held;
 - (ii) ~~(ii)~~—all proceedings recorded as having taken place at the General Meeting or Management Committee Meeting did in fact take place at the meeting; and
 - (iii) all appointments or elections purporting to have been made at the meeting have been validly made.
- (d) The minutes of General Meetings may be inspected by a Member under ~~rule~~Rule 27.2.
- (e) The minutes of Management Committee Meetings may be inspected by a Member under ~~rule~~Rule 27.2 unless the Management Committee determines that the minutes of Management Committee Meetings generally, or the minutes of a specific Management Committee Meeting are not to be available for inspection.

25.21. FUNDS AND ACCOUNTS

25.121.1 Control of Funds

- (a) The funds of the Association must be kept in an account in the name of the Association in a financial institution determined by the Management Committee.
- (b) The funds of the Association are to be used in pursuance of the objects of the Association.
- (c) The Secretary~~Treasurer~~ shall open and operate and maintain bank accounts in the name of the Association and shall have all moneys received by the Association deposited into such an account.
- ~~(d) — Cheques drawn on the Association's Account shall be signed by:~~
 - ~~(i) — the Secretary or in his or her absence by a duly authorised Committee Members; and~~
 - ~~(ii) — shall be countersigned by another duly authorised Committee Member.~~

- ~~(e) — The Secretary may open investment bank accounts in the name of the Association for the investment of Association moneys received into the Association bank account. Moneys drawn from the investment account shall be signed by:~~
 - ~~(i) — the Secretary or in his or her absence by a duly authorised Committee Member; and~~
 - ~~(ii) — shall be countersigned by another duly authorised Committee Member.~~
- ~~(d) — The Treasurer may open accounts with any financial institution in the name of the Association for the investment of Association moneys received into an Association bank account.~~
- ~~(e) — Payments from an Association account with any bank or other financial institution shall only be made if authorised by both:~~
 - ~~(i) — the Treasurer or in the Treasurer's absence by a duly authorised Management Committee Member; and~~
 - ~~(iii) — another duly authorised Management Committee Member.~~
- (f) All expenditure above the maximum amount set by the Management Committee from time to time must be approved or ratified at a Management Committee Meeting.

25.221.2 Source of Association Funds

- (a) — The funds of the Association may be derived from ~~annual membership fees~~ levy of Members, donations, State or Commonwealth grants, interest, and any other sources approved by the Management Committee.
- (b) The Association must, as soon as practicable:
 - (i) deposit all money received by the Association, to the credit of the Association's bank account, without deduction; and
 - (ii) after receiving any money, issue an appropriate receipt.

25.321.3 Financial Records

- (a) The Association must keep Financial Records that:

- (i) correctly record and explain its transactions, financial position and performance; and
 - (ii) enable ~~true~~ ~~and~~ ~~fair~~ ~~financial~~ ~~statements~~ ~~to~~ ~~be~~ ~~prepared~~ ~~in~~ accordance with Part 5 of the Act.
- (b) The Association must retain its Financial Records for at least 7 years after the transactions covered by the records are completed.

25.421.4 ~~Financial Statements and~~ Financial Reports

- (a) For each financial year, the Association must ensure that the requirements under Part 5 of the Act are met.
- (b) Without limiting ~~rule~~Rule 21.4(a), those requirements include—
- (i) ~~if the Association is a Tier 1 Association,~~ the preparation of ~~the~~a Financial ~~Statements~~Report;
 - ~~(i) If the Association is a Tier 2 Association or Tier 3 Association, the preparation~~an audit of the Financial Report;
 - ~~(ii) if required, the review or auditing of the Financial Statements or Financial Report (whichever is applicable);~~
 - ~~(iii) if the Association is a Tier 1 Association, the presentation of the Financial Statements to the annual general meeting of the~~

- (ii) ~~Association (and, if required, a copy of the report of the review or auditor's report, whichever is applicable);~~
- (iii) ~~if the Association is a Tier 2 Association or a Tier 3 Association, the presentation of the Financial Report to the annual general meeting of the Association~~Annual General Meeting (and a copy of the ~~report of the review or auditor's report, whichever is applicable~~); and
- (iv) if required by the regulations made under the Act, the lodgement of the annual return with the Commissioner.

25.521.5 ~~Review or~~ Audit of ~~Financial Statements or the~~ Financial Report

The Association must ensure that ~~a review or an~~ audit is undertaken of the Financial ~~Statements or Financial~~ Report of the Association ~~if:~~

- ~~(a) the Association is a Tier 2 or Tier 3 Association;~~
- ~~(b) the by-laws of the Association require a review or audit;~~
- ~~(c) the Members require a review or audit by resolution at a General Meeting;~~
- ~~(d) an audit or review is directed by the Commissioner; or~~
- ~~(e) an audit or review is required as a condition of a funding arrangement; or holding of a charitable collections licence.~~

26.22. FINANCIAL YEAR OF THE ASSOCIATION

The financial year of the ~~association~~Association is ~~at rule~~the period of 12 months commencing on 1.5 July and ending on 30 June.

27.23. ANNUAL GENERAL MEETINGS

27-123.1 Annual General Meeting

- (a) Subject to ~~rule~~Rule 23.1(b), the Association must convene an ~~AGM~~Annual General Meeting each calendar year:
 - (i) within 6 months after the end of the Association's Financial Year; or
 - (ii) within a longer period as the Commissioner may allow.
- (b) If the Association requires the approval from the Commissioner to hold its ~~AGM~~Annual General Meeting within a longer period under ~~rule~~Rule 23.1(a)(ii), the Secretary must apply to the Commissioner no later than four months after the end of the Association's Financial Year.

27-223.2 Notice of ~~AGM~~Annual General Meeting

The notice convening an ~~AGM~~Annual General Meeting must specify that it is the ~~AGM~~Annual General Meeting of the Association and otherwise must comply with ~~rules~~Rules 2.3 and 17.3 (as applicable).

27.323.3 Business to be Conducted at AGMAnnual General Meeting

- (a) Subject to ~~rule~~Rule 23.1, the AGMAnnual General Meeting of the Association is to be convened on a date, time and place as the Management Committee decides.
- (b) At each AGMAnnual General Meeting of the Association, the business of the AGMAnnual General Meeting shall include in this order:
 - (i) confirmation of the minutes of the last preceding AGMAnnual General Meeting and of any Special General Meeting held since that meeting if the minutes of that Special General Meeting have not yet been confirmed;
 - (ii) the ~~Chairs~~Chairperson's report;
 - (iii) the ~~Treasures~~Treasurer's report:
 - ~~A. — and if the Association is a Tier 1 Association, must present the Financial Statements of the Association for the preceding Financial Year; and~~
 - (iv) ~~if the Association is a Tier 2 Association or a Tier 3 Association,~~ must present the Financial Report of the Association for the preceding Financial Year;
 - (v) if applicable, appoint or remove ~~a reviewer or an~~ auditor in accordance with the Act;
 - (vi) ~~if applicable,~~ present a copy of the ~~report of the review or the~~ auditor's report to the Association;
 - (vii) the election of the Office Holders and ordinary Management Committee Members whose terms expire;
 - (viii) special business of which notice is given; and
 - (ix) general business.

28.24. RULES OF THE ASSOCIATION

28.124.1 Rules of the Association

- (a) These ~~rules~~Rules bind every Member and the Association and each Member agrees to comply with these ~~rules~~Rules.
- (b) ~~The~~ Association must provide, free of charge, a copy of the ~~rules~~Rules in force, at the time ~~Membership~~membership commences, to each person who becomes a Member under ~~rule~~Rule 5.5.
- (c) The Association must keep a current copy of the ~~rules~~Rules.

28.224.2 Amendment of Rules, Name and Objects

- (a) The Association may only alter, rescind or add to these Rules by Special Resolution ~~in accordance with rule 19.1 and not otherwise~~at a General Meeting.
- (b) When a Special Resolution amending the Rules is passed, the required documents must be lodged with the Commissioner within:
 - (i) one month after the Special Resolution is passed; or
 - (ii) a longer period as the Commissioner may allow.
- (c) Subject to ~~rule~~Rule 24.2(d), an amendment to the Rules does not take effect until the required documents are lodged with the Commissioner under ~~rule~~Rule 24.2(b).
- (d) An amendment to the Rules that changes or has the effect of changing:
 - (i) ~~(i)~~ the name of the Association; or
 - (ii) the objects or purposes of the Association,

does ~~not~~ ~~take~~ ~~effect~~ ~~until~~ ~~the~~ required documents ~~are~~ ~~lodged~~ with ~~the~~ Commissioner under ~~rule~~Rule 24.2(b) and the approval of the Commissioner is given in writing.

29.25. BY-LAWS OF THE ASSOCIATION

- (a) The Members of the Association may make, amend and repeal by-laws for the management of the Association by Ordinary Resolution at a General Meeting provided that the by-laws are not inconsistent with the ~~rules~~Rules or the Act.
- (b) The by-laws made under ~~rule~~Rule 25.4:(a):
 - (i) ~~Dedo~~ not form part of the Rules;
 - (ii) ~~May~~may make provision for:
 - (A) ~~classes of Membership and the~~ rights and obligations that apply to each class of ~~Membership~~membership;
 - (B) requirements for financial reporting, financial accountability or audit of accounts in addition to those prescribed by the Act and the Rules;
 - ~~(iv)~~ — restrictions on the powers of the Management Committee including the power to dispose of assets;
 - (C) ~~a requirement for members to hold a specified educational, trade or professional qualification;~~ and
 - (D) any ~~other~~ ~~matter~~ ~~that~~ ~~the~~ ~~Association~~ ~~considers~~ ~~necessary~~ or appropriate; and
 - (iii) ~~Must~~must be available for inspection by Members.

30-26. AUTHORITY REQUIRED TO BIND ASSOCIATION

30-126.1 Executing Documents

The Association may execute a document without using a common seal if the document is signed by:

- (a) any two Management Committee Members; or
- (b) one Management Committee Member and a person authorised by the Management Committee.

30-226.2 Use of the Common Seal

- (a) If the Association has a common seal on which its corporate name appears in legible characters:
 - (i) the Secretary or any other person as the Management Committee from time to time decides must provide for its safe custody; and
 - (ii) it must only be used under resolution of the Management Committee.
- (b) The Association executes a document with its common seal, if the fixing of the seal is done:
 - (i) ~~(i)~~ under resolution of the Management Committee; and
 - (ii) witnessed by any two of the ~~President~~Chairperson, the Deputy ~~President~~Chairperson, or the Secretary.
- (c) Every use of the common seal must be recorded in the Management Committee's minute book.

31-27. THE ASSOCIATION'S BOOKS AND RECORDS

31-127.1 Custody of the Books of the Association

- (a) Except as otherwise decided by the Management Committee from time to time, the Secretary must keep in his or her custody or under his or her control all of the Books of the Association with the exception of including the Financial Records, which, except as otherwise directed by the Management Committee from time to time, are to be kept under the custody or control of the Treasurer.
- (b) The Books of the Association must be retained for at least 7 years.

31.227.2 Inspecting the Books of the Association

- (a) Subject to these ~~rules~~Rules, and in particular ~~rule~~Rule 20-1(f)(e), a Member is able to inspect the Books of the Association, with the exception of the Financial Records, free of charge at such time and place as is mutually convenient to the Association and the Member.
- (b) A Member must contact the Secretary to request to inspect the Books of the Association.
- (c) The Member may copy details from the Books of the Association but has no right to remove the Books of the Association for that purpose.

31.327.3 Prohibition on Use of Information in the Books of the Association

A Member must not use or disclose information in the Books of the Association except for a purpose:

- (a) that is directly connected with the affairs of the Association; or

- (b) related to the provision of the information to the Commissioner in accordance with a requirement of the Act.

31.427.4 Returning the Books of the Association

Outgoing Management Committee Members are responsible for transferring all relevant assets and Books of the Association to the new Management Committee within 14 days of ceasing to be a Management Committee Member.

32.28. RESOLVING DISPUTES

32.128.1 Disputes Arising under the Rules

- (a) This ~~rule~~Rule applies to:
- (i) disputes between Members; and
 - (ii) disputes between the Association and one or more Members that arise under the ~~rules~~Rules or relate to the ~~rules~~Rules of the Association.
- (b) In this ~~rule~~Rule “Member” includes any former Member whose membership ceased not more than six months before the dispute occurred.
- (c) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.
- (d) ~~If the parties are unable to resolve the dispute, any party to the dispute may initiate a procedure to refer the dispute to the Management Committee under this rule~~If the parties are unable to resolve the dispute, any party to the dispute may initiate a procedure to refer the dispute to the Management Committee under Rule 28.2 or to mediation under Rule 28.3 by giving written notice to the Secretary of and to the other parties to, and specifying:
- ~~(i)~~(i) ~~the parties to the dispute,~~
 - ~~(ii)~~(ii) ~~details of, the dispute, and~~
 - ~~(iii)~~(iii) ~~whether the dispute is referred to the Management Committee for determination or to mediation.~~

28.2 Determination by Management Committee

If the dispute is referred to the Management Committee:

~~(d)~~(a) The Secretary must convene a Management Committee Meeting within 28 days after the Secretary receives notice of the dispute under ~~rule~~Rule 28.1(d) for the Management Committee to determine the dispute.

~~(e)~~(b) At the Management Committee Meeting to determine the dispute, all parties to the dispute must be given a full and fair opportunity to state their respective cases orally, in writing or both.

~~(a)~~ The Secretary must inform the parties to the dispute of the Management Committee's decision and the reasons for the decision within 7 days after the Management Committee Meeting ~~referred to in rule 28.1(e)~~.

~~(f)~~(c) ~~If any party to a~~ which the dispute is ~~dissatisfied with the decision of the Committee~~ they may elect to initiate further dispute resolution procedures as set out in the Rules~~determined~~.

32.228.3 Mediation

~~(a)~~ This rule applies:

~~(v)~~ where a person is dissatisfied with a decision made by the Committee under rule 28.1; or

- ~~(vi) — where a dispute arises between a Member or more than one Member and the Association and any party to the dispute elects not to have the matter determined by the Committee.~~
- ~~(b) — Where the dispute relates to a proposal for the suspension or expulsion of a Member this rule does not apply until the procedure under rule 7.3 in respect of the proposed suspension or expulsion has been completed.~~
- ~~(c) — If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 28.1(c), or a party to the dispute is dissatisfied with a decision made by the Committee under rule 28.1(g) a party to a dispute may:~~
 - ~~(i) — provide written notice to the Secretary of the parties to, and the details of, the dispute;~~
 - ~~(ii) — agree to, or request the appointment of, a mediator.~~
- ~~(d) — The party, or parties requesting the mediation must pay the costs of the mediation.~~

If the dispute is referred to mediation:

- (a) The mediator must be:
 - (i) a person chosen by agreement between the parties; or
 - (ii) in the absence of agreement: within 7 days of notice of the dispute under Rule 28.1(d):
 - (A) if the dispute is between a Member and another Member—, then a person appointed by the ~~Committee~~Secretary; or
 - (B) if the ~~dispute is between a Member or more than one Member and the Association~~, the Management Committee or a Management Committee or Member are a Committee Member party to the dispute then an independent person who is a mediator appointed to, or employed with, a not for profit nominated by the Resolution Institute or its successor organisation—, who accepts appointment as mediator.
- (b) A Member can be a mediator, but the mediator cannot be a Member who is a party to the dispute.

- (c) The parties to the dispute must, acting reasonably and in good faith, attempt to settle the dispute by mediation.
- (d) The parties are to exchange written statements of the issues that are in dispute between them and supply copies to the mediator at least 5 days before the mediation session.
- ~~(e) The Subject to any direction from the mediator, in conducting the regarding the procedure for the conduct of the mediation, must:~~
 - ~~(i) give the parties to the mediation process every opportunity to will be heard;~~
 - ~~(ii) allow all parties to consider any written statement submitted by any party; and~~
- (e) ~~ensure that natural justice is accorded to the parties to the dispute throughout~~ conducted in accordance with the mediation process Mediation Rules of the Resolution Institute.
- (f) ~~The mediator must not determine the dispute and The costs of the mediation must be confidential. paid for equally by the parties to the dispute.~~
- (g) The mediator shall be independent of, and act fairly and impartially as between the parties. The Mediator shall assist the parties to negotiate between themselves a mutually acceptable resolution of the dispute.
- ~~(f) Information provided by the parties in the course of the~~

~~(f)~~(h) mediation is confidential and cannot be used in any other legal proceedings that may take place in relation to the dispute.

32.328.4 Inability to Resolve Disputes

If a dispute cannot be resolved under the procedures set out in the Rules, any party to the dispute may apply to the State Administrative Tribunal to determine the dispute in accordance with the Act or otherwise at law.

33.29. CANCELLATION AND DISTRIBUTION OF SURPLUS PROPERTY

- (a) The Association may cease its activities and have its incorporation cancelled in accordance with the Act if the General Members, who are on the Register of Members and who are eligible to vote under the ~~rules~~Rules, resolve by Special Resolution that the ~~association~~Association will:
 - (i) apply to the Commissioner for cancellation of its incorporation; or
 - (ii) appoint a liquidator to wind up its affairs.
- (b) The Association must be wound up under ~~rule~~Rule 29(a)(ii) and Part 9 of the Act before cancellation can take place if it has outstanding debts or any other outstanding legal obligations, or is a party to any current legal proceedings.
- (c) Upon cancellation of the Association, ~~and subject to rule 29(d),~~ the Surplus Property must only be distributed to one or more of the following, having objects similar to the objects of the Association:
 - (i) an incorporated association under the Act;
 - (ii) a company limited by guarantee that is registered as mentioned in section 150 of the Corporations Act 2001 (Cwth);
 - (iii) a company holding a licence that continues in force under section 151 of the Corporations Act 2001(Cwth);

(iv) a body corporate that: at the time of the distribution is the holder of a licence under the Charitable Collections Act 1946;

(v) a body corporate that:

(A) is a Member or former member of the Association; and

(B) at the time of the Surplus Property is distributed, has ~~rules~~Rules that prevent the property being distributed to its members;

~~(v)~~(vi) a trustee for a body corporate referred to in ~~rule~~Rule 29(c)(v); or

~~(i)~~ a co-operative registered under the Co-operatives Act 2009 that, at the time of the distribution, is a non-distributing co-operative as defined in that Act.

~~(vi)~~(vii)

SHIRE OF MT MARSHALL	
13 FEB 2018	
File No	B3/18
Officer	CEO
Copy:	

Private & Confidential
John Nuttall
CEO
Shire of Mt Marshall
Monger St
Bencubbin WA 6477

3rd February 2018

RE: PURCHASE HOUSE AT 29 BROWN ST, BENCUBBIN

I currently reside at the above address and have been for approximately the last six years. The house is in need of major repairs and maintenance. I would like to purchase the house to proceed with the repairs and make the house my own.

Please consider my offer of \$19,000 to purchase the house at 29 Brown St, Bencubbin.

Do not hesitate to contact me should you require any further information.

Regards

Craig Anderson
Ph: 0407 851 186
Email: craigando075@gmail.com

29 Brown Street Bencubbin W.A 6477

Thursday, 1 March 2018

Presented to:

**Shire of Mount Marshall
80 Monger Street
Bencubbin W.A 6477**

Prepared by:
**Ashley Walker
0429471176**

**BELMONT
Level 1, 66 Belgravia Street**

Level 1, 66 Belgravia St
Belmont WA 6104
PO Box 7467
Cloisters Square WA 6850

Principal: Glenn McTaggart
T. 08 9318 8260
F. 08 9318 8126

Attachment 12.1.4b

March 1, 2018

Shire of Mount Marshall
80 Monger Street
Bencubbin
W.A 6477

Dear Nadine

Please find detailed below a brief property description and appraisal as requested. If you require further information or at some stage are considering the sale of your property please don't hesitate to call me to further discuss your requirements.

PROPERTY APPRAISAL

Introduction

Landmark Harcourts WA would like to thank you for the opportunity to be able to provide with an up-to-date property appraisal. In preparing this appraisal I acknowledge having used information provided by the tenant which is deemed to be in good faith.

Property Address & Location

Lot 158, 29 Brown Street is located in the town site of Bencubbin in the Mount Marshall Shire. The nearest medical facilities are located within 500mt of the property, while the main retail services are situated within 100mt.

Legal Description & Title Information

Land District	Lot Number	Plan/Diagram	Volume	Folio	M ²
Mount Marshall	158	207329	1293	461	1012

Registered Owners

The property is currently in the name of : Shire of Mount Marshall.

Shire & Zoning

The property is located in the Mount Marshall Shire, Bencubbin town site and is zoned R10, Housing.

Services

The property is serviced by mains power, mains water.

Building	Details	Comments
1967 Timber framed house		
Wall Construction	Asbestos Sheeting	Ok
Roof Construction	Tile	Ok
No. Bedrooms	3	Average condition
No. Bathrooms	1	Ok, ceiling is in need of repair
Toilet	1	poor
Lounge	1	Good
Kitchen/Dining	1	Kitchen cupboards need attention
Sleepout	1	Poor
Patio/Pergola	1	average
Verandah	1	Poor, cracks showing
Laundry	1	Poor, outdated
Garage/Carport	1	ok
Sheds	1	3m x 3m garden shed
Reticulation	1	Rear lawn only
Insulation	No	
Air Conditioning	1	Evaporative
Sewer/Septics	2	Septic tank

Sales Evidence

Contract Date	Location	Seller	Buyer	Block Size	Total Price
20/2/2017	Bencubbin	Crawford	Laurie	1000m2	\$85,000
26/4/2016	Bencubbin	Gibson	Crawford	1000m2	\$85,000
16/7/2015	Bencubbin	Pierpont	Scrivener	1000m2	\$50,000
18/8/2015	Bencubbin	Carrick	Miles	1000m2	\$110,000

Property Assessment

Apon inspection the house is in reasonable condition. There is a lot of asbestos inside and out including the surrounding fence which is also asbestos. There is evidence of water damage under the ceiling and eaves of the front verandah with also visual cracks in the brickwork. The bathroom is in reasonable condition and has been renovated at some stage although the ceiling in the bathroom needs attention. The bedrooms and floor coverings all present well. The kitchen has been renovated in the past with a new worktop and cupboards. The kitchen cupboard doors are looking tattered. The toilet and laundry area looks to be original and is in need of a makeover.

(Appraised Price)

The Housing market is driven by a number of factors including the state of the economy; demand versus availability and certainly in our area seasonal conditions. The real estate market in Bencubbin and all small wheatbelt towns is not in high demand and sales evidence provided shows limited sales.

I have one Current listing in Bencubbin which was first advertised at \$130,000 and after 5 months has been reduced to \$110,000 with little interest.

A listing price of **\$80,000 to \$100,000** would be a starting point that would give flexibility to negotiate to achieve a possible sale price of **\$85,000 to \$95,000**.

Once again thank you for the opportunity

Kind Regards

Ashley Walker
Real Estate Specialist
Mob: 0429 471176

Disclaimer: Please note that this report does not constitute a formal valuation, but rather a marketing appraisal prepared by Landmark Realty, and is indicative to the prevailing market at the date hereof. Whilst this report has been formulated from sources we deem to be reliable and is tendered in good faith, no warranty, expressed or implied, is made by Landmark Realty as to the accuracy or completeness nor does it accept any responsibility for matters arising there from. **Valid for 30 days from the date of this appraisal.**

SHIRE OF MT MARSHALL	
1 JAN 2018	
30 JAN 2018	
File No	B3/2
Officer	CEO
Copy	FAM

J. L. DIERKS
P.O. Box 60
BEACON
W.A. 6472
24/01/2018

DEAR JOHN,

I WOULD LIKE TO PUT A
PROPOSAL TO THE SHIRE OF MT MARSHALL.
I WOULD LIKE TO BUY THE RESIDENCE
THAT I AM CURRENTLY LIVING IN, THAT IS -

LOT 19 ROWLANDS STREET
(27 ROWLANDS STREET)
BEACON, W.A., 6472

MY OFFER IS \$40,000.00 (FOURTY THOUSAND
DOLLARS ONLY) ON A AS IS BASIS.

THANKYOU FOR YOUR CONSIDERATION,

REGARDS,

JENS . L. DIERKS
J.L. Dierks

27 Rowland Street Beacon W.A 6472

Thursday, 1 March 2018

Presented to:

**Shire of Mount Marshall
80 Monger Street
Bencubbin W.A 6477**

Prepared by:
**Ashley Walker
0429471176**

BELMONT
Level 1, 66 Belgravia Street

Level 1, 66 Belgravia St
Belmont WA 6104
PO Box 7467
Cloisters Square WA 6850

Principal: Glenn McTaggart
T. 08 9318 8260
F. 08 9318 8126

Attachment 12.1.5b

March 1, 2018

Shire of Mount Marshall
80 Monger Street
Bencubbin
W.A 6477

Dear Nadine

Please find detailed below a brief property description and appraisal as requested. If you require further information or at some stage are considering the sale of your property please don't hesitate to call me to further discuss your requirements.

PROPERTY APPRAISAL

Introduction

Landmark Harcourts WA would like to thank you for the opportunity to be able to provide with an up-to-date property appraisal. In preparing this appraisal I acknowledge having used information provided by previous sales which is deemed to be in good faith.

Property Address & Location

Lot 19, 27 Rowlands Street is located in the town site of Beacon in the Mount Marshall Shire. The nearest medical facilities are located within 300mt of the property, while the main retail services are situated within 100mt.

Legal Description & Title Information

Land District	Lot Number	Plan/Diagram	Volume	Folio	M ²
Mount Marshall	19	154962	1449	697	1011

Registered Owners

The property is currently in the name of: Shire of Mount Marshall.

Shire & Zoning

The property is located in the Mount Marshall Shire, Beacon town site and is zoned R10, Housing.

Services

The property is serviced by mains power, mains water.

Building	Details	Comments
1977 Timber framed house		
Wall Construction	Asbestos Sheeting	Good
Roof Construction	Tin	Good
No. Bedrooms	3	
No. Bathrooms	1	
Hot Water	1	Solar hot water system on roof
Toilet	1	
Lounge	1	
Kitchen/Dining	1	Kitchen cupboards need attention
Patio/Pergola	1	Good
Verandah	1	Good
Laundry	1	
Garage/Carport	1	7mt x 3mt Garage (old)
Sheds	1	3m x 3m garden shed
Reticulation	No	
Air Conditioning	2	Ducted evaporative on roof and reverse cycle in lounge room.
Sewer/Septics	2	Septic tank

Sales Evidence

Contract Date	Location	Seller	Buyer	Block Size	Total Price
2/9/2017	Beacon	De San Miguel	De San Miguel	1.82ha	\$55,000
29/4/2016	Beacon	Beagley	Lumsen	860m2	\$107,500
13/7/2015	Beacon	Prestwidge	Molino	1600m2	\$49,950

Property Assessment

Please note that I have inspected the property from the outside only.

27 Rowlands Street is a very neat and tidy house and looks to be well maintained. Upon inspection the house is a wooden framed transportable house sitting on metal stumps which appears to be in very good condition. Hot water is supplied by a Solar Hart hot water system, evaporative ducted air conditioning as well as a reverse cycle air conditioning in the lounge. 7mt x 3mt garage, 3mt x 3mt garden shed and a rain water tank. Security screen doors back and front and lane way access. Both the colourbond fence surrounding and septic tanks appear to be quite new.

(Appraised Price)

The Housing market is driven by a number of factors including the state of the economy; demand versus availability and certainly in our area seasonal conditions. The real estate market in Beacon and all small wheatbelt towns is not in high demand and sales evidence provided shows limited sales.

A listing price of **\$50,000 to \$70,000** would be a starting point that would give flexibility to negotiate to achieve a possible sale price of **\$60,000**.

Once again thank you for the opportunity

Kind Regards

Ashley Walker
Real Estate Specialist
Mob: 0429 471176

Disclaimer: Please note that this report does not constitute a formal valuation, but rather a marketing appraisal prepared by Landmark Realty, and is indicative to the prevailing market at the date hereof. Whilst this report has been formulated from sources we deem to be reliable and is tendered in good faith, no warranty, expressed or implied, is made by Landmark Realty as to the accuracy or completeness nor does it accept any responsibility for matters arising there from. **Valid for 30 days from the date of this appraisal.**

ALL CORRESPONDENCE TO
BE ADDRESSED TO THE
CHIEF EXECUTIVE OFFICER



Shire of Nungarin

BOX 8, NUNGARIN, W.A. 6490
TELEPHONE: OFFICE (08) 9046 5006 and (08) 9046 5184
FAX: (08) 9046 5007
EMAIL: ADMIN@NUNGARIN.WA.GOV.AU

RAILWAY AVENUE
NUNGARIN, W.A. 6490

101134
9th February 2018

Chief Executive Officer

Shire of Merredin
Shire of Trayning
Shire of Mt Marshall
Shire of Mukinbudin

Dear Chief Executive Officer,

Re: Local Action Group – Skeleton Weed Search Program

As you may be aware there is a program for Skeleton Weed Search currently operating within the Shires of Nungarin, Trayning and Merredin.

Following a recent meeting with representatives from the Department of Agriculture there is a proposal to re-structure the Program to cover the Shires of Mukinbudin, Mt Marshall, Trayning and Nungarin.

It is further proposed that the Department of Agriculture in future will coordinate the Skeleton Weed Search for the Shire of Merredin.

The program operates at no cost to Council.

It would be appreciated if you could discuss this proposal at your next Council Meeting.

There is a meeting scheduled for Tuesday 13th March 2018 at 3.00pm at the Nungarin Shire Council, to discuss and possibly formalise the proposal.

It is requested that a Councillor plus a farmer representative be elected to be members of the Management Committee. It would be appreciated if the names of the representatives could be forwarded prior to the meeting.

Thank you for your cooperation and Council does hope that you take up this invitation to assist with the fight against skeleton weed.

Yours faithfully,

Bill Fensome
Chief Executive Officer

Attachment 12.1.6

2. TERM AND SERVICES

- 2.1. The Term shall commence on and from the 1st October 2013 and terminate at the expiration of five (5) years thereafter subject to the terms and conditions herein set out.
- 2.2. During the Term of this Contract the Contractor shall provide the following services:
- (a) Once per week empty and removal of household Refuse from Carts situated at such private residences within the Shire as designated from time to time by the Council;
 - (b) Once per week empty and removal of Refuse from a Cart or Carts from commercial, industrial, recreational or other locations within the town as designated from time to time by the Council;
 - (c) Fortnightly empty and removal of household Recycling from Carts situated at such private residences within the Shire as designated from time to time by Council;
 - (d) Fortnightly empty and removal of Recycling from a Cart or Carts situated at commercial, industrial, recreational or other locations within the Shire as designated from time to time by Council; and
 - (e) Remove Refuse from street bins within the town as designated from time to time by the Council.

19. CONTRACT PERIOD

- 19.1 The term on this contract shall be for five (5) years commencing 1st October 2013.
- 19.2 If the Council desires to renew the term and gives to the Contractor notice in writing at least 3 months prior to the expiration of the Term to that effect and if at the time of giving that notice and at the expiration of the Term the Council is not in breach of this Contract then the Council may extend the Term for a further period of 3 years at a Collection Rate to be negotiated between the parties but not less than the Collection Rate payable under this Contract and otherwise on the same terms and conditions contained in this Contract (except for the right of extension under this sub-clause).



Shire of Mt Marshall

— THE SANDALWOOD SHIRE —

POLICY AND PROCEDURES MANUAL 2018

POLICY STATEMENT

The Shire of Mt Marshall shall maintain a Policy Manual containing all the up to date policies adopted by the Council from time to time.

Policies shall relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.

The objectives of the Policy Manual are:

- to provide Council with a formal written record of all policy decisions;
- to provide the staff with precise guidelines in which to act in accordance with Council's wishes;
- to enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- to enable ratepayers to obtain immediate advice on matters of Council Policy.

The Policy Manual shall be updated as and when a policy is varied by the Council.

Council is to carry out a review of the policies each even year, i.e. biennially.

A copy of the Policy Manual, together with details of variations as they occur, shall be distributed to all Councillors and appropriate staff.

Changes to the Policy Manual shall be made only on:

- i) A notice of motion.
- ii) An agenda item clearly setting out details of the amended policy.
- iii) By absolute majority vote.

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PART 1 – ADMINISTRATION

Admin.1 ADMINISTRATION

Admin.1.1 INSURANCE – PROFESSIONAL INDEMNITY – USE OF DISCLAIMERS

Council Policy:

Disclaimers (where appropriate) shall be used when providing advice or information to either the public or other statutory bodies.

Objective:

To reduce the insurance risk when providing advice or information.

Operational Guidelines:

The wording of such disclaimers shall be as recommended from time to time, in consultation with Shire's insurers.

Date Resolved:**Amendment:**

Admin.1.3 COMMUNITY CONSULTATION**Council Policy:**

Council will consult with the community on issues affecting the quality of life and services to the residents of the district.

Objective:

In order to improve decision making the Shire of Mt Marshall is strongly committed to genuine, effective and timely community consultation on a range of issues.

The process of consultation is to encourage the community to actively participate in policy development, planning and programming, the management and evaluation of services and in identifying areas of concern.

Community consultation precedes action. It must be seen as the beginning of the cycle which results in action. Consultation must serve and build trust within the community.

Operational Guidelines:**Roles and responsibilities**

The elected Council is charged with making decisions on the community's behalf. Appropriate levels of consultation will ensure that decisions take into account community views. This policy will apply to elected members, staff, contractors, agents and consultants acting on behalf of Council.

The Chief Executive Officer is responsible for the implementation of the Community Consultation policy, establishing the consultation level, reporting outcomes of the consultations to Council, and reviewing the value of the policy, and determining elements within that process where Council has not done so.

Consultation Methods

Generally, the strategic objective of any community consultation plan is to ensure that all residents receive regular information about the Shire's achievements, objectives and performance, and are advised of major issues affecting the community and are given the opportunity to comment on and be consulted about these.

Elements of this process include -

- A regular newsletter
- Other direct mail publications or letterbox drops, as appropriate
- Electronic mail outs, as appropriate
- Advertising in media outlets as deemed appropriate
- Regular media releases to appropriate media outlets and community groups
- Community forums and stakeholder meetings
- Direct consultation with community representative groups (i.e. Progress Associations, Sporting Clubs etc)
- The Shire's website
- General fixed displays (noticeboards in the Shire Office foyer and libraries)
- Specific displays, as appropriate

Statutory requirements

In a number of areas Council is required to comply with specific legislative requirements - such as minimum periods, publication in the newspapers circulating locally or state wide.

Consultation processes identified in this Policy should be seen as complementing any prescribed statutory requirements which may or not be exceeded.

Development Approval

This Policy does not cover consultation in respect to planning and building applications (i.e. Development Approval). Planning legislation establishes specific requirements for Development Approvals.

Public Submissions

Major forms of community consultation will include an invitation for members of the public to provide a submission to Council where possible. This invitation will include any minimum submission requirement (i.e. verbal, written only, website, etc.) and provide a closing date for receipt of submissions by Council.

Consultation Categories

The Community Consultation Policy specifies four levels of activity designed to suit all consultation requirements, ranging from the most basic public notification to a major project, or issue of community-wide significance.

Each level specifies the minimum requirements relating to community consultation and may exceed them with a mixture of activities that may or may not be required.

It is Council's prerogative to establish the level of consultation required when considering a subject requiring community consultation. The level will need to reflect the minimum statutory requirements relating to that subject and the expected community input.

It will be applied to any matter where consultation is required by legislation, Council policy or when Council considers this to be appropriate.

Any good consultation strategy requires a certain degree of flexibility to suit the specific situation. While setting out minimum standards, each activity level reflects this need by not being too prescriptive. The following list indicates which level may apply for certain activities. (These are examples only and should not be regarded as a comprehensive list.)

Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> • Office opening Hours • Notice of minor works • Community events • Minor policy amendments • New policy development (minor) 	<ul style="list-style-type: none"> • Lease, redevelopment or sale of Shire land • Shire land management plans (minor) • New local laws • Change of street and road names • New policy development (major) 	<ul style="list-style-type: none"> • Shire land management plans (major) 	<ul style="list-style-type: none"> • Strategic Community Plan • Major Projects • Council amalgamations

Accompanying Form of Consultation**Mandatory**

Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Advertising in the Beacon Bulletin and the Gimlet • Website 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Advertising in the Beacon Bulletin and the Gimlet • Website 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Advertising in the Beacon Bulletin and the Gimlet 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Council sets a special budget for consultation • Advertising in the West Australian, RadioWest, Beacon Bulletin and the Gimlet

Optional

Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> • Post Office box letter drop • Electronic mail outs 	<ul style="list-style-type: none"> • Articles in the Beacon Bulletin and the Gimlet • Media release • Copies of reports in libraries • Submission based responses invited for Council's consideration • Post Office box letter drop • Electronic mail outs 	<ul style="list-style-type: none"> • Website feature • Media release • Workshops, forums, displays or focus groups • Copies of reports in libraries • Submission based responses invited for Council's consideration • Electronic mail outs 	<ul style="list-style-type: none"> • Website feature • Media release • Allow minimum of 6 weeks for responses • Specific publication mailed to all residents • Workshops, forums, displays or focus groups • Copies of reports in libraries • Submission based responses invited for Council's consideration • Electronic mail outs

Review and evaluation

The Shire of Mt Marshall reserves the right to vary this policy from time-to-time to suit a particular issue.

The legislative requirements for public consultation will be complied with or exceeded if Council so decides.

Date Resolved:

Council Decision:

Amendment: 2016/163 – 18 October 2016

Admin.1.4 SOCIAL MEDIA**Council Policy:**

The Shire of Mt Marshall recognises the importance of the internet and social media as a modern and widely popular tool for community consultation and engagement.

Objective:

To guide Councillors and employees in the responsible use of social media.

Operational Guidelines:

As in all interactions, whether face to face or virtual, elected members and employees are representatives of the Shire of Mt Marshall. Councillors and employees must be aware that any comments or interactions they make on any social media platform (whether personal or public) may be perceived by members of the public as reflecting the views of the Shire of Mt Marshall.

Councillors and employees should therefore ensure that their comments or interactions are;

- consistent with shire policies and decisions
- In accord with the Social Media Rule shown below, and
- In full compliance with the Shire's Code of Conduct, Employee Confidentiality Agreement and other legislative requirements.

Councillors or employees who fail to comply with this policy may face public censure or disciplinary action respectively.

Content Moderation

Information and links relating to community groups, community events, and public service announcements are acceptable postings.

Postings and links placed on shire social media platforms that are, or can be interpreted as offensive, slanderous, defamatory or untrue will be removed by the Chief Executive Officer's nominated Moderator.

The Shire of Mt Marshall will use profanity blocklists and keyword blocklists where available and appropriate. Comments on Shire posts considered to be offensive or defamatory will be removed by the Moderator and repeat offenders may be blocked at the Chief Executive Officer's sole discretion.

Postings and links placed on the Shire's social media platforms that are commercial in nature may be removed.

Content Monitoring

The Shire of Mt Marshall will endeavour to use social media comments and feedback to strengthen its customer service and decision making but it should be noted that comments, feedback and suggestions will not be treated as official complaints, or as official submissions. Where possible, this statement will be posted on the social media platform.

Personal Use

Unless given authorisation by the Chief Executive Officer, you are not authorised to speak on behalf of the shire, nor to represent that you do so.

Where your comments or profile can identify you as a Councillor or an employee of the shire, you must expressly state on all postings (identifying you as a Councillor or a shire employee) the stated views are your own and are not necessarily those of the Shire of Mt Marshall.

Where your comments or profile can identify you as a Councillor or an employee of the shire, you must not imply that you are authorised to speak as a representative of the shire, nor give the impression that the views you express are those of the Shire of Mt Marshall.

Social Media Rules

If you contribute to any form of social media, such as Facebook, Twitter, Blogger or any other social media site or service as a shire employee you have certain responsibilities, obligations and risks you should always consider.

- **Respect others**

You are allowed to disagree with people and, in some instances, debate is encouraged but this does not mean you can insult or denigrate others, either personally or as a group. Don't use obscenities, ethnic or racial slurs, insults or disparaging language. Do not belittle co-workers, supervisors or employers - yours or others.

- **Be smart**

Social networks and blogs may be around for some time and anything you write could be recorded, re-transmitted or seen by others years later. Be respectful of the Shire, our customers, staff and ratepayers.

- **Write what you know**

As an employee of the Shire you may offer some unique insights into your workplace and your own skills and responsibilities may be interesting to others. Share your knowledge and experience but be careful with what you write; don't spread gossip, don't discuss private or commercial-in-confidence matters, don't use hearsay or assumptions and don't discuss upcoming Council meeting agenda items. As a guide, if you have to consider whether you would be allowed to share what you are about to say, it's probably better left unsaid.

- **Acknowledge and link**

As much as anything the Internet and social media sites are about spreading information. If you do use information from another site or post be sure to acknowledge the source and, where possible, provide a link to the original.

- **Do not feed the trolls!**

There are people who post deliberately provocative, inflammatory or argumentative comments. These people are known as 'trolls' and are hoping to cause on-line disharmony. Do not engage with responders who are obviously trying to cause an argument. Practice proactive moderation – **remove or modify any offensive comments or replies on your blog or website.**

- **Remember staff cannot represent the Shire of Mt Marshall's view**

Under the *Local Government Act 1995* only the President, CEO and their delegated people can do so - staff need to be careful that what they say can't be considered as "the Shire's comment."

Date Resolved:

Amendment: 2016/163 – 18 October 2016

PART 2 – COMMUNITY SUPPORT

CS.1. COMMUNITY SUPPORT

CS.1.1 REQUESTS FOR ASSISTANCE AND/OR DONATIONS

Council Policy:

All requests for assistance and/or donations are to be directed to the Chief Executive Officer for presentation to Council, except where specific provision has been made in the Annual Budget. Verbal approaches through Councillors will not be accepted.

Objective:

To develop an even hand with the distribution of assistance and ensure that Council has the information required for budgetary purposes.

Operational Guidelines:

- i. All applications from a non-profit organisation within the district seeking shire assistance, financial or otherwise, must be in writing, and addressed to the Chief Executive Officer for ranking and consideration.
- ii. Applications for assistance that are aligned with the objectives of the shire's Strategic Community Plan will receive higher priority consideration.
- iii. Applications for assistance that have a significant 'in-kind' or 'own financial resources' components will receive higher priority consideration.
- iv. Council will only make donations to organisations that will bestow a community benefit on the Shire.
- v. The Shire shall donate each year when requested in writing to the Kununoppin Hospital Christmas Cheer Fund.
- vi. All applications will be directed initially to any current funding opportunities provided by the Shire e.g. Economic Development Fund, and an appropriate application to the scheme would be required.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**
 2012/042 (21 March 2012)

CS.1.2 STRATEGIC PARTNERSHIPS

Council Policy: That the Chief Executive Officer is to determine the level of assistance provided to community organisations and events. The following is listed as an indication of the extent of support that the Council expects to be provided.

Annual Event

Australia Day Breakfast

Australia Day Barbeque

Mt Marshall Agricultural Show

WA Off Road Rally Association

Assistance from Council

Free Entry into the Swimming Pool and breakfast provision

Supply of Consumables

Supply of generator and assistance with set up

Contribution of in-kind support by way of Staff hours and use of Shire machinery to effect appropriate repairs following the race.

Date Resolved:**Amendment: 2012/042 (21 March 2012)**

CS.1.3 USE OF SHIRE PLANT BY LOCAL ORGANISATIONS**Council Policy:**

Shire plant and equipment is available for use by local community organisations on the condition that the Shire plant is operated by a Shire approved operator. The local organisation using the plant must come to a satisfactory arrangement with regard to the recompense of the operator. All use by local organisations will be at the discretion of the Chief Executive Officer.

Shire equipment and minor items of plant will not be available for use or hire by any person or organisation unless authorized by the CEO.

Date Resolved:

Amendment: 2012/042 (21 March 2012)

CS.1.4 WHITE CROSSES ON ROADS**Council Policy:**

White Crosses are permitted to be erected at the scene of fatal accidents throughout the Shire of Mt Marshall.

This will provide a visible reminder to motorists to be careful whilst driving.

White crosses must be erected outside the backward slope of road drains and vegetation should not be disturbed when installing the crosses. MRWA should be complied with.

Date Resolved:**Amendment:**

CS.1.5 SPONSORED PROJECT SIGNAGE**Council Policy:**

When Council complete or contribute to a project meeting the guidelines, a sign showing the Shire of Mt Marshall name and logo shall be erected at the site.

Objective:

For the contribution to projects by the Shire of Mt Marshall to be recognised in the present and future.

Operational Guidelines:

1. Signage will be erected for the following projects:
 - a. New infrastructure constructed on Council owned or managed land.
 - b. Infrastructure constructed on non-Council owned or managed land where a contribution of over \$10,000 has been made.
 - c. Equipment where the contribution exceeds \$5,000.
2. Signage is to be erected on or close to infrastructure projects, in a prominent location. For equipment projects, signage is to be erected at a prominent location.
3. Signage will be made in two sizes:
 - a. Approximately 20cm x 30cm; or
 - b. Approximately 30cm x 40cm.
4. The size of sign to be erected will be chosen at the discretion of the Chief Executive Officer.

Date Resolved: 20 March 2013 (Resolution 2013/031)

Amendment:

CS.2 COMMUNITY AWARDS

CS.2.1 CITIZEN OF THE YEAR AWARD

Council Policy:

That a Citizen of the Year Award is presented to a Mt Marshall Citizen each year being nominated for their outstanding service to the community. The award is presented to recognise and reward outstanding community service to the recipient and encourage community spirit.

Operational Guidelines:

The recipient will be rewarded based on the following guidelines.

- The award can only be won once in a ten year span, unless in exceptional circumstances at Council's discretion.
- The recipient shall have no private works or rates in arrears in the Shire of Mt Marshall in the year of nomination.
- The recipient must promote, highlight or advantage the community of Mt Marshall.
- Service must be over and above their normal line of employment.
- Nominations are to be called between October 1st and November 30th each year.

Council is not bound to present an award in any particular year and may award more than one person in a particular year if there is more than one deserving nominee.

Date Resolved:

Amendment:

CS.2.2 HONORARY FREEMAN OF THE SHIRE OF MT MARSHALL**Objective:**

This policy stipulates the procedure for the nomination, selection and awarding of the prestigious title to a person designated as 'Honorary Freeman of the Shire of Mt Marshall'.

Scope:

This policy may bestow the honorary title upon any person who has served the Shire of Mt Marshall community in an exceptional and meritorious manner, and whose activities have substantially improved the quality of life of the shire's residents.

Council Policy:

Council may, subject to eligibility and selection criteria of this policy being met by special majority (75%) decide to confer the title of 'Honorary Freeman of the Shire' on any person. The title shall be reserved for persons who have rendered exceptional service to the Shire of Mt Marshall community. This prestigious honour will not be awarded regularly but only on rare and exceptional occasions.

1. Eligibility

Nominees for selection must ordinarily be a resident of the Shire of Mt Marshall, however this is subject to Council's discretion. The nominee must have given distinguished service to the community, preferably in more than one capacity. A current Elected Member cannot be nominated for the award.

2. Selection Criteria

Nominees will be judged on their record of service to the community on the basis of the following criteria:

- Long and distinguished record of service to the local or State community which can be seen to stand above the contributions made by most other people;
- Personal integrity and demonstrating outstanding leadership qualities;
- Level of commitment to the field (or fields) of activity; and
- Special achievements of the nominee.

3. Nomination Procedure

A nomination may be submitted at any time provided that the:

- nomination is in writing and addresses the selection criteria;
- nomination is sponsored by a Councillor and supported in writing by at least one other Councillor; and
- the nomination is made in the strictest confidence and submitted to the Chief Executive Officer.

On receipt of a nomination a recommendation to support or not support the nomination will be put forward by the Chief Executive Officer in the form of a confidential item to an ordinary meeting of Council.

4. Entitlements

A Council decision to support the nomination is to be by an absolute majority vote acceptance of the award must be determined prior to being conferred.

Any person declared an Honorary Freeman of the Shire of Mt Marshall:

- May designate themselves as a Freeman of the Shire of Mt Marshall;
- Will be invited to all civic events and functions; and
- Will be conferred at an appropriate civic ceremony for the purpose hosted by the Shire of Mt Marshall.

5. Code of Conduct

Honorary Freeman of the Shire attending events or functions at the invitation of the President will behave in a manner befitting the honour bestowed and will at all times:

- Refrain from making critical or disparaging remarks about Council or past and present Councillors and employees; and
- Refrain from any behaviour that may embarrass Council or bring it into disrepute.

Date Resolved:

Council Decision:

CS.3 BUSINESS DEVELOPMENT

CS.3.1 DEVELOPMENT OF NEW BUSINESSES

Council Policy:

The Shire of Mt Marshall encourages the development of new business within the Shire of Mt Marshall.

Operational Guidelines:

The Shire of Mt Marshall is to liaise with the Wheatbelt Development Commission, Business Enterprise Centres and State Government departments in relation to the development of new businesses and the determination of a Regional Marketing Plan encouraging regional development.

To assist businesses establish within the gazetted town boundaries of Beacon and Bencubbin the Shire of Mt Marshall will provide the following assistance;

- i) Consideration by Council annually the waiving of rate charges for the property up to a maximum of three years (s6.12 LGA)
- ii) The Shire of Mt Marshall will charge building license fees that are payable to the Shire of Mt Marshall. Fees and charges payable to the Shire of Mt Marshall that would normally be income of the Shire of Mt Marshall shall be refunded to the proponent once the development has been completed. Statutory fees payable to the Shire of Mt Marshall and subsequently payable to other parties cannot be waived.
- iii) Where possible the Shire of Mt Marshall will consider the donation of land, owned by the Shire of Mt Marshall if applicable at the time of application. This donation will be conditional of the requirements of the Local Government Act and submissions received during public advertising, should Council have decided to proceed with a private treaty disposition, (s3.58). The donation of this land for development shall be made as a lawful requirement ensuring building of any new structures relevant to the pursuit of the business is completed within a twelve (12) month period from application approval.
- iv) The Shire of Mt Marshall will not require a crossover contribution in accordance with policy to any new business establishing itself within the Shire of Mt Marshall providing the total works do not exceed \$5,000.

Date Resolved:

Amendment: 2016/163 – 18 October 2016

CS.3.2 ECONOMIC DEVELOPMENT GRANTS FUND**Objective:**

The Shire of Mt Marshall has established an Economic Development Fund to provide discretionary grants to commercial business and community groups to assist those groups with projects or improvements that will provide a significant benefit to the community of Mt Marshall. Individual amounts will be limited in line with this policy and will require co-contribution from the applicant organisation.

Provide guidelines for staff and elected members when considering economic development grant fund applications from businesses or community groups.

Council Policy:**Commercial Business**

Commercial businesses are eligible to apply for funding. The maximum individual application can be for \$15000. In order for a commercial business to be eligible there needs to be a co-contribution of at least \$2 for every \$1 requested. The minimum amount requested must be \$500.

It will be for the commercial business to demonstrate that the project they are applying for funding will provide a significant benefit to the community. If the project may provide benefit to both the community and the business the applicant must demonstrate a significant benefit to the community and that the community benefit significantly outweighs the benefit to the business.

Note: An application which only brings benefit to the business is unlikely to qualify for grant funding.

Community Groups

Community groups and similar type organisations are also able to apply for funding. To be classed as a community group, the organisation must demonstrate that they do not operate for profit. The maximum individual application can be for \$10000. In order for a community group to be eligible there needs to be a co-contribution of at least \$1 for every \$1 requested. The minimum amount requested must be \$300.

All applications will be judged on their individual merits, and Council reserves the right to use its discretion in accepting projects which may not fit all of the criteria when it is felt the project provides significant community benefit.

Operational Guidelines:

To be eligible the business or organisation must be wholly located within the Shire of Mt Marshall boundaries. The proposed project, work or improvements must be of benefit to the community.

There will be two rounds of grants available during the year. These rounds will be September/October and March/April. Only one application per organisation will be awarded each financial year.

It is up to each applicant to provide the necessary information for Council to be able to make a considered determination. Therefore if plans, sketches, quotes etc. would improve the application, they should be provided.

Please note: If the project involves building or improvement works, a Development Application may also need to be obtained from Council. It is for the individual applicant to obtain any planning and building approvals. Grant approval DOES NOT constitute development approval.

Closing dates for each grant round will be publicised in the local papers and on the Shire website. Applications should be lodged on the application form which will be made available, and should be signed and submitted with supporting documentation by the advertised closing date. Each application will be judged on merit.

A Council appointed panel will assess the applications and recommend successful applicants to the next ordinary Council meeting for approval. They will be processed as quickly as possible and applicants informed of the outcome by letter. There will be no appeal process available.

Applications must be lodged with the CEO by the closing date, on the correct application form and contain all necessary documentation to allow the panel to assess your request. If the applicant wishes to discuss the application in advance please contact the CEO or the CDO in person or by phone.

Date Resolved: 15 August 2017 (Resolution 2017/08-5)

Amendment:

CS.4 TOURISM**CS.4.1 TOURISM****Council Policy:**

- i. The Shire shall work closely with the NEWTravel, the Western Australian Tourism Commission, and other relevant Tourism and Government Departments, in all aspects of tourist development within the municipality and the Wheatbelt Region.
- ii. The Shire shall endeavour to assist (financially and by other means) tourist organisations or events which have the potential to develop tourism in the Wheatbelt region.
- iii. The Shire shall ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
- iv. The Shire shall seek financial involvement from other sources wherever possible in the provision of tourist facilities.

Date Resolved:

Amendment: 2012/042 (21 March 2012)

PART 3 – COUNCIL AND COUNCILLORS

C&C.1 COUNCIL

C&C.1.1 COUNCIL MEETINGS

Council Policy:

To give clear guidance to persons wishing to make a deputation, present a petition or ask a question at a Council meeting.

Operational Guidelines:

Deputations to Council

- (1) Deputations will only be received with the prior approval of a simple majority of the Council members present at the meeting.
- (2) Unless the meeting resolves otherwise—
 - (a) a deputation is not to exceed five persons, only one of whom may address the Council, although others may respond to specific questions from Council members;
 - (b) a deputation is not to address the Council for a period exceeding fifteen minutes without the agreement of the Council as the case requires; and
 - (c) additional members of the deputation may be allowed to speak with the leave of the presiding member.
- (3) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

Petitions to Council

- (1) A petition 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 name, address and signature of each elector making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request; and
 - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the CEO is to submit the petition to the relevant employee to be included in the employee's report on the matter that is the subject of the petition, subject to point (3) below.
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless—
 - (a) the matter is the subject of a report included in the agenda; and
 - (b) the Council has considered the issues raised in the petition.

Public Question Time

- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at a Council meeting is 15 minutes. By resolution the Council may agree to extend public question time.

- (2) A member of the public who raises a question during public question time, is to state his or her address.
- (3) A question may be taken on notice by the Council for a later response and the response is to be provided to the member of the public in writing. A summary of the response is to be included in the agenda in the next meeting of the Council.
- (4) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.
- (5) Each member of the public who wishes to ask a question at a Council meeting is to be given an equal and fair opportunity to ask the question and receive a response.
- (6) Each member of the public with a question is entitled to ask up to 2 questions.
- (7) Nothing in this policy requires —
 - (a) Council to answer a question that does not relate to a matter affecting the Shire; or
 - (b) Council at a special meeting to answer a question that does not relate to the purpose of the meeting.
- (8) The Presiding Member may decide that a public question shall not be responded to where:
 - 1. the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided.
 - 2. the member of the public uses public question time to make a statement, provided that the Presiding Member has taken reasonable steps to assist the member of the public to phrase the statement as a question; or
 - 3. the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (9) If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60 of the *Local Government Act 1995*, is directed to the relevant person, the relevant person is to —
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.

Date Resolved:

Amendment: **2012/052 (27 April 2012)**

C&C.1.2 WELL WISHES FROM COUNCIL**Council Policy:**

The Shire shall send flowers, cards or small gifts and insert suitable notices in the local paper to recognise personal events in the lives of staff members, Councillors, past Councillors, close affiliates of Council or their families, and long term residents/past residents of the Shire.

Objective:

To recognise personal milestones and offer support.

Operational Guidelines:

The CEO shall arrange for the suitable recognition.

Date Resolved:**Amendment:**

C&C.1.3 COUNCIL ANNUAL FUNCTION & CHRISTMAS BONUS**Council Policy:**

Council will hold and sponsor an annual function involving Councillors, all employees and their spouses and children.

Council will provide a Christmas Bonus to employees.

Objective:

To recognise the personal dedication and contribution throughout the year, to acknowledge the year's achievements and to foster goodwill.

Operational Guidelines:

- Council will hold one annual function.
- The function will involve Councillors, all staff, spouses, children and invited guests.
- Invited guests are at the discretion of the President.
- A meal and reasonable refreshments will be provided.
- The traditional Christmas gift for each of the Shire's employees in a full time substantive position as at the time of issue, be a voucher for use in local shops of not more than \$70 (indexed by annual CPI), with a pro rata payment to be made to permanent part time and casual staff, and full time staff commencing in the past three months.

Date Resolved:

Amendment: **2017/11 – 14 November 2017**
 2016/163 – 18 October 2016
 2012/052 (27 April 2012)

C&C.1.4 COUNCILLOR MEETING FEES, ALLOWANCES AND REIMBURSEMENTS**Objective:**

The key objective of this policy is to provide clear guidance on how to determine Councillor meeting fees and reimbursements.

Policy Measures:**1. Meeting Fees**

All Council members are to receive “Annual Meeting Attendance Fees” within the range permitted by the Salaries and Allowances Tribunal as determined from time to time and that allowance will be paid monthly in arrears. The amount to be paid is to be set in the Annual Budget.

The allowance is paid in lieu of Council and committee attendance fees and covers attendance at all Council and committee meetings as well as any other prescribed meetings, regardless of the number of meetings attended by a particular Councillor.

(Note 1)

2. Presidential Allowance

The Shire President is to receive an annual “Local Government Allowance”, within the range permitted by SAT, paid monthly in arrears. The amount to be paid is set in the annual budget. (Note 2)

3. Deputy Presidential Allowance

The Deputy Shire President is to receive an annual “Local Government Allowance”, which is at the prescribed percentage of the annual local government allowance payable to the President. The allowance will be paid monthly in arrears and the amount is to be set in the annual budget. (Note 3)

4. ICT Expenses Allowance

Councillors will be paid an “ICT Allowance” within the range permitted by SAT in lieu of provision of electronic communication equipment and access fees and in lieu of provision of a phone, line rental and call costs. The ICT allowance will be paid monthly in arrears and the amount is to be set in the annual budget. (Note 4)

This allowance is in addition to Council provided computing equipment in the form of a laptop/tablet/iPad and software, whichever is approved by Council from time to time. Members will be supplied with electronic copies of meeting papers and will need to bring their device to meetings.

Council supplied equipment is only to be used in relation to Council business. The onus rests with each Councillor.

5. Child Care Costs

Councillors are entitled to be reimbursed for child care costs incurred whilst performing a function in his or her capacity as a Councillor to a maximum of \$25ph, in accordance with the Determination of the Salaries and Allowances Tribunal as determined from time to time.

Note: Child care costs will not be paid for where the care was provided by a member of immediate family or relative living in the same premises as the Councillor.

6. Reimbursement of Travel Expenses

The Shire of Mt Marshall will not provide a dedicated vehicle for the Shire President or any other Councillors.

Where Councillors are required to travel outside the Shire boundaries to attend a meeting on behalf of Council, Councillors should first check with the Shire administration for the availability of a shire pool vehicle.

In the event a shire pool vehicle is not available, Councillors are entitled to claim actual mileage incurred on Council business at the current rate specified in the Public Service Award 1992 for any travel; ^(Note 5)

- a) attendance by a Councillor at any working group meeting, ordinary or special briefing session and council forum, notice of which has been given by the CEO;
- b) attendance by a Councillor at any annual or special elector's meeting;
- c) to and from Council to attend meetings of Occasional, Management or Advisory Committees as a member or as an appointed proxy in the absence of the member on that committee;
- d) attending meetings as the appointed delegate of the Council or appointed proxy member in the absence of the member;
- e) attending meetings as a representative of Council at the request of government departments or agencies;
- f) attendance by the Shire President at the Shire Administration Office or Shire Depot to execute documents, meet with the Chief Executive Officer and/or senior staff and community members or business representatives ;
- g) any other meeting in which the Councillors' presence is invited by the President or Chief Executive Officer;
- h) attendance by a Councillor at a citizenship ceremony conducted by the Shire;
- i) any other function, meeting or event in their role as a Councillor that is supported by a written invitation

Any Councillor seeking reimbursement is to provide a formal claim on the relevant claim form. The claim form is to be provided within 60 days of the end of the month in which the travel was undertaken and is payable at the absolute discretion of the Shire President.

Any person while representing the Shire of Mt Marshall is liable for all costs incurred by way of parking tickets, speeding fines and other traffic infringements.

7. Reimbursement of Accommodation Allowance

All reasonable accommodation, travel and meals expenses incurred by the President, Deputy President or Councillors in attending any meeting under clause 6 of this policy shall be reimbursed at the absolute discretion of the Shire President.

This may include casual entertainment expenditure reasonably incurred on behalf of the Shire of Mt Marshall up to and not exceeding \$200.00 per meeting. Payment will be at the absolute discretion of the Shire President.

The Shire of Mt Marshall will not accept any responsibility for the cost of alcohol while attending any meeting under clause 6 of this policy. The attention of Councillors is drawn to clause 4.1 and 4.2 of Council's Code of Conduct.

8. Reimbursement of any other expenses

Requests from Councillors for the reimbursement of any other expenses, other than those mentioned in 4,5,6 and 7 above are subject to formal consideration by the Council.

Notes

The Shire of Mt Marshall is in Band 4 according to Schedule 1 of the Determination of the Salaries and Allowances Tribunal dated 18 June 2014.

Note 1 – Councillor meeting fees are to be in accordance with Part 2 of the Determination of the Salaries and Allowances Tribunal dated 18 June 2014, presently \$3500.00 - \$9270.00 per annum

Note 2 – Shire President meeting fees are to be accordance with Part 3 of the Determination of the Salaries and Allowances Tribunal dated 18 June 2014, presently \$3500.00 - \$19570.00 per annum.

Note 3 – The prescribed percentage which may be paid as Annual Local Government Allowance to the Shire Deputy President in accordance with Part 3 of the Determination of the Salaries and Allowances Tribunal dated 18 June 2014 is 25% of the allowance which may be paid to the Shire President.

Note 4 – ICT Allowance is to be in accordance with Part 4 of the Determination of the Salaries and Allowances Tribunal dated 18 June 2014, presently \$500.00 - \$3500.00.

Note 5 – As at 18 June 2014 the rates payable as motor vehicle allowance are in accordance with the following table, being the South West Land Division and listed at Schedule F of the Public Service Award 1992.

	Rate (cents) per kilometre Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
South West Land Division	91.0	65.4	54.0

Date Resolved: 19 August 2014 (Resolution 2014/120)

Amendment: 2016/163 – 18 October 2016

C&C.2 COUNCILLORS**C&C.2.1 ATTENDANCE AT LOCAL GOVERNMENT WEEK****Council Policy:**

That Councillors be given the opportunity to attend the annual Local Government Week Convention.

Objective:

To improve the knowledge and exposure of Councillors.

Operational Guidelines:

That Council provides within each Financial Year Budget for the cost of Councillors and the CEO to attend the annual Local Government Week Convention. This will recognise the importance of providing Councillors with the opportunity to meet fellow Councillors from other Local Authorities and to participate in a state wide forum on issues relevant to Local Government.

In relation to bookings to the conference, the following shall apply;

- Bookings to the Conference/Hotel shall be made as soon as notice is given of the Venue/Conference in order to avoid problems with accommodation.

Date Resolved:

Amendment: 2016/163 – 18 October 2016

C&C.2.2 COUNCILLORS' REQUESTS AND WORKS REQUESTS**Council Policy:**

That Councillors be provided with 'Action Request Forms' to allow them to bring to the attention of the administration matters that require attention.

Objective:

To ensure Councillors' requests are handled promptly and efficiently.

Operational Guidelines:

All general enquiries made by Councillors should be directed to the Chief Executive Officer in writing for action within budgetary limitations. This will ensure Councillors' requests are handled promptly and efficiently and comply with the Local Government Act.

Upon receipt of an email to the CEO an officer is to reply to the originating Councillor within forty eight (48) hours. This reply is to acknowledge the receipt of the works request and to advise of its estimated completion date. Unless the works are an emergency, they will be completed as soon as practicable. Upon completion of the requested works, the originating Councillor is to be informed.

Date Resolved:**Amendment:**

PART 4 – EMPLOYEES AND EMPLOYMENT

E&E.1 EMPLOYEES

E&E.1.1 DEFENCE FORCES ACTIVE RESERVISTS

Council Policy: Council encourages and will support employees who enlist in the Defence Force Active Reserve.

Objective: To recognise that Reserve service is of national importance, is an economical method of providing defence forces in peacetime and provides the employee with personal development of value to the Shire.

Operational Guidelines: Unpaid Leave (except as provided below) not exceeding two (2) weeks in any one year will be granted to employees who are members of the Defence Force Active Reserve for the purpose of undertaking training in camp or other continuous duty. This leave will be in addition to annual holiday leave.

If the pay received by the employee from the Defence Force is less than the employee would normally receive, then the Shire of Mt Marshall will make up the balance.

Any time spent by an employee in Defence Force Reserve training will count towards the accrual of annual leave.

Date Resolved:

Amendment:

E&E.1.2 PAID LEAVE ON VOLUNTARY SERVICE

Council Policy: All staff who are bona fide members of volunteer emergency service groups, (the Fire Brigade, the State Emergency Service and St John Ambulance), who are required for emergency service by those groups during ordinary working hours shall be paid for time absent up to the total of ordinary working hours usually worked in that day or period during the emergency, but not including time in excess of ordinary working hours, RDO's or public holidays.

For the purposes of this policy, ordinary working hours shall be the time ordinarily worked.

Payments shall be made through normal pay channels following a claim by the employee involved and may be subject to authentication of claim by the officer controlling the relevant body or service.

Date Resolved:

Amendment:

E&E.1.3 RECOGNITION OF AN EMPLOYEE'S SERVICE**Council Policy:**

That Council recognise long term employment by:

- a. Employees completing 10 Years Service - presentation of a certificate;
- b. Employees who have completed 20 years of service with the Shire by presenting a suitably engraved plaque at a function to be held at the employee's workplace, and that recognition be made through the local media by inviting them to attend the function.

Objective:

To acknowledge significant milestones.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**
 19 December 2012 (Resolution 2012/170)

E&E.1.4 REIMBURSEMENT OF RELOCATION EXPENSES**Council Policy:**

The Shire will reimburse staff employed by the Shire the cost or part cost of relocating.

Operational Guidelines

- i) Staff Recruited From Local Area
Any staff member who is recruited from and is a resident in the district to the payment or reimbursement of relocation expenses resulting from his/her recruitment at the absolute discretion of the Chief Executive Officer.
- ii) Staff Recruited From Outside Local Area
A relocation allowance of up to \$4000 (excluding GST) is available for new staff recruited from outside of the local area. 50% of an employee's removal expenses will be reimbursed after 12 months of satisfactory service with the Shire, with the remaining 50% being reimbursed after 24 months of satisfactory service. Receipts showing actual expenditure will need to be produced, for payment.
- iii) Requirement to Provide Two Quotations
At least two quotations must be produced prior to any reimbursement being approved. If not, payment is at the absolute discretion of the Chief Executive Officer.
- iv) Staff Undertaking Self-move Activities
At the time of appointment of new employees agreement is to be made in writing determining the basis for reimbursement of self-managed relocation expenditure where all or part of the relocation is to be undertaken by the employee.
- v) Prior Agreement on Reimbursement
Where no such agreement is made then the reimbursement of relocation expenses is to be limited to the Chief Executive Officer's estimate of fuel costs plus any actual third party expenditure. Receipts showing actual expenditure will need to be produced, for payment.
- vi) Limits on Self-move
The Chief Executive Officer may limit any reimbursement for self-move activities to the equivalent cost of having the relocation carried out by an appropriate removal specialist.

Date Resolved:

Amendment: 23 September 2014 (Resolution 2014/132)

E&E.1.6 ACTING CHIEF EXECUTIVE OFFICER**Council Policy:**

In the absence of the Chief Executive Officer for a period of less than two weeks, the Chief Executive Officer is to appoint an Acting Chief Executive Officer of his/her choice if they feel it is necessary to do so.

In the absence of the Chief Executive Officer for a period of greater than two weeks the Council will consider the appointment of an Acting Chief Executive Officer.

The appointed Acting Chief Executive Officer shall be authorised to carry out duties and responsibilities and hold the requisite authority of the office and position.

This will eliminate the need for the Council to resolve to appoint an Acting Chief Executive Officer on every occasion he/she is absent.

Date Resolved:

Amendment: 19 December 2012 (Resolution 2012/170)

E&E.1.7 RETIREMENT/RESIGNATION OF EMPLOYEES – COUNCIL GIFT/FUNCTIONS

Council Policy:

1. Farewell Functions

The Shire will offer a farewell function to those employees whose employment with the Shire is finishing:

1.1 Length of Service

- i) Service 0-1 year – a farewell function is not provided
- ii) Service more than 1 year and less than 5 years: A farewell function will be provided with food and refreshments supplied to a value considered appropriate by the Chief Executive Officer but not exceeding \$300.00.
- iii) Service more than 5 years and less than 10 years: A farewell function will be provided with food and refreshments supplied to a value considered appropriate by the CEO but not exceeding \$400.00.
- iv) Service of 10 or more years: A farewell function will be provided with food and refreshments supplied to a value considered appropriate by the CEO but not exceeding \$600.00.

1.2 Attendance at Farewell Functions

- i) Attendance at any farewell function is voluntary.
- ii) Farewell functions are ordinarily only attended by employees of the Shire.

1.3 Location of Farewell Function

The location of a farewell function is at the discretion of the Chief Executive Officer.

2. Gifts

Upon resignation/retirement of an employee who has provided satisfactory service, the Council authorises the Chief Executive Officer to acquire a suitable gift to be presented to that employee. The value of the gift as a guide to be as follows:

>3 years	\$ 75
5 years	\$150
10 years	\$300
15 years	\$420
20 years	\$550

That no gratuities be paid to staff upon resignation or retirement.

Objective:

- To show appreciation to employees who have made long term or otherwise contributions to Shire and to promote good Council/Staff relations.
- To frame a standard procedure when dealing with staff who leave the Shire's employ and to comply with the Local Government Act 1995.
- Gifts will be given in accordance with the following guidelines:

- At the discretion of Chief Executive Officer, a gift according to part (2) may be provided to employees leaving Shire prior to three (3) years to service.
- The value of the gift be approximately \$25.00 for every year of service.
- The value of the gift to be adjusted periodically for inflation.
- Presentation for Senior Employees leaving the Shire to be considered independently of this policy.

Date Resolved:

Amendment:

E&E.1.8 CHRISTMAS STAND DOWN PERIOD FOR EXTERNAL WORKFORCE**Council Policy:**

Where practical, a Christmas stand down period shall apply for all outside staff. The Christmas stand down period is when the majority of outside staff is expected to take their annual leave entitlement.

Date Resolved:

Amendment:

E&E.1.9 STAFF UNIFORMS

Council Policy: Council shall supply employees with a uniform in accordance with guidelines set out below.

Objective: To promote a professional image and improve customer relations.

Operational Guidelines:

The Chief Executive Officer has been granted delegated authority to determine what is a suitable uniform, after consultation with staff, including colour and style of the uniform.

Casual employees shall not be eligible for uniforms under this policy.

1) Outdoor Employees

a) Full Time Permanent Employees

The initial uniform to be issued to new full time permanent outdoor employees is:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	5	Long sleeve polar with shire name on pocket	Fluoro yellow over navy blue
Trousers	4	Yakka or equivalent	Navy Blue
Jacket	1	Bomber	Fluoro yellow over navy blue
Hat	1	Wide brim	Navy blue
Safety Sunglasses	1	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

Thereafter, Full Time permanent outdoor employees, to be issued per annum, with:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1* (See note)	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	5	Long sleeve polar with shire name on pocket	Fluoro yellow over navy blue
Trousers	2	Yakka or equivalent	Navy Blue
Jacket	1* (See note)	Bomber	Fluoro yellow over navy blue
Hat	1* (See note)	Wide brim	Navy blue
Safety Sunglasses	1* (See note)	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

*NB – One item when necessary (proof to be obtained).

b) Part Time Permanent Employees

The initial uniform to be issued to new Part Time permanent outdoor Employees is:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	2	Long Sleeve Polar with Shire Name on Pocket	Fluoro yellow over navy blue
Trousers	1	Yakka or equivalent	Navy blue
Jacket	1	Bomber	Fluoro yellow over navy blue
Hat	1	Wide brim	Navy blue
Safety Sunglasses	1	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

Thereafter, Part Time permanent outdoor employees, to be issued per annum, with:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1* (See note)	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	2	Long sleeve polar with shire name on pocket	Fluoro yellow over navy blue
Trousers	1	Yakka or equivalent	Navy blue
Jacket	1* (See note)	Bomber	Fluoro yellow over navy blue
Hat	1* (See note)	Wide brim	Navy blue
Safety Sunglasses	1* (See note)	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

*NB – One item when necessary (proof to be obtained).

2) Works Supervisor

The initial uniform to be issued to the new Works Supervisor is:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	5	Navy blue	Fluoro yellow over navy blue
Trousers	4	Yakka or equivalent	Preferably navy blue
Jacket	1	Bomber	Fluoro yellow over navy blue
Hat	1	Wide brim	Navy blue
Safety Sunglasses	1* (See note)	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

Thereafter, the Works Supervisor, to be issued per annum with:

Item of Clothing	Qty	Style	Colour Scheme
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Steel Capped Boots	1* (See note)	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	5	Navy blue	Fluoro yellow over navy blue
Trousers	2	Yakka or equivalent	Preferably navy blue
Jacket	1* (See note)	Bomber	Fluoro yellow
Hat	1* (See note)	Wide brim	Navy blue

*NB – One item when necessary (proof to be obtained).

3) Plant Maintenance Officer

The initial uniform to be issued to the new Plant Maintenance Officer, is:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	5	TBA	Preferably navy blue
Trousers	4	Yakka or equivalent	Preferably navy blue
Jacket	1	Bomber	Preferably navy blue
Hat	1	Wide brim	Navy blue
Safety Sunglasses	1	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

Thereafter the Plant Maintenance Officer, to be issued per annum with:

Item of Clothing	Qty	Style	Colour Scheme
Steel Capped Boots	1* (See note)	To a value of \$150 (ex GST). Costs in excess of this amount are payable by employee.	
Long Sleeved Shirts	3	TBA	Preferably navy blue
Trousers	4	Yakka or equivalent	Preferably navy blue
Jacket	1* (See note)	Bomber	Preferably navy blue
Hat	1* (See note)	Wide brim	Navy blue
Safety Sunglasses	1* (See note)	Must comply with AS1337 (1992) and AS1067 (1990) as appropriate	

*NB – One item when necessary (proof to be obtained).

4) Pool Manager

An annual allocation for a Pool Manager's uniform as detailed below:

- 3 short sleeve shirts – to the maximum value of \$40 each.
- 3 shorts – to the maximum value of \$30 each.
- 1 wide brim hat - to the maximum value of \$20.

5) Part Time/Casual Pool Attendants

An annual allocation for a Pool Attendant's uniform as detailed below:

- 2 short sleeve shirts – to the maximum value of \$40 each.
- 2 shorts – to the maximum value of \$30 each.
- 1 wide brim hat – to the maximum value of \$20.

6) Administration Staff

A reasonable sum is to be provided in the Annual Budget based on pricing from a uniform supply catalogue.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**
 19 December 2012 (Resolution 2012/170)

E&E.1.10 EMPLOYEE CONFIDENTIALITY AGREEMENT**Policy Statement**

The purpose of this policy is to set out the responsibilities and accountability of all Council staff when dealing with information either written or verbal as well as the intellectual property developed, utilised or otherwise gained by the employee in the course of employment and at the completion of employment with the Shire of Mt Marshall.

Definitions

Confidential Information	for the purpose of this policy means any non-public information pertaining to Council business, operations, Councillors and employees, ideas, know-how, trade secrets, techniques, software and any other commercially valuable information or intellectual property.
CEO	Chief Executive Officer
Intellectual Property	an intangible or proprietary asset that includes but is not limited to operational manuals, policies, procedures, software and databases.
Financial Interest	an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.
Impartiality Interest	a private or personal interest that does not amount to a financial interest as defined in the Act (for example friendship, membership of an association, society or trade union or involvement or interest in an activity that may include an interest of a financial nature).
Act	<i>Local Government Act 1995</i>

Policy

1. All employees will be required to sign and agree to the Employee Confidentiality Agreement and comply with the principles of the agreement as a condition of employment.
2. The information and intellectual property developed, utilised or otherwise gained by the employee in the course of employment and thereafter shall not be used for any purpose that may:
 - a. reflect a real or perceived conflict of interest – whether a financial or impartiality interest; or
 - b. diminish public confidence in the integrity of the Shire of Mt Marshall.
3. An employee must not access or obtain any information, which does not relate to the key duties specified in the employee's position description unless otherwise authorised to do so.
4. Council stores and is privy to a considerable amount of information, some of it of a sensitive and confidential nature. Staff need to be aware of the importance of which information must be dealt with, and that they will use all information with professional respect and only in the context of which it is intended.

5. If an employee breaches the Employee Confidentiality Agreement the disciplinary procedure may be commenced.

Associated Legislation

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

- *Local Government Act 1995*

Date Resolved: 18 August 2010 (Resolution 2010/153)

Amendment: 2016/163 – 18 October 2016
19 December 2012 (Resolution 2012/170)

E&E.1.11 ACCOMMODATION AND TRAVEL INCENTIVE**Council Policy:**

An employee required to stay overnight at a place other than his/her normal residence in order to attend approved/agreed training or business, who organises alternative accommodation is eligible to payment of \$100 per night in lieu of hotel accommodation and meals. The accommodation incentive will only be paid where the alternative accommodation is within 30 km's of the training venue.

Travel to and from approved/agreed training or business will be provided for by provision of a council vehicle. Where a council vehicle is not available, reimbursement will be made based on the mileage rate and conditions as set out in the Local Government Industry Award 2010, providing the accommodation is within 30 km's of the training venue.

Objective:

- To respond to rising cost of accommodating staff participating in professional development outside of the district; and
- To provide a cash incentive to staff for alternate accommodation and meal arrangements in order to keep organisational costs down.

Operational Guidelines:

- i. Any arrangements for alternative accommodation and/or use of a private vehicle must first be approved by the supervisor or Chief Executive Officer.
- ii. The accommodation incentive will be paid to an employee only for the nights they would ordinarily be required to reside overnight away from their normal residence, and no additional nights. It may be deemed necessary for the employee to stay the night preceding commencement of, and the night concluding the training/business.
- iii. Staff must attempt to arrange the use of a Council vehicle. Only where a council vehicle is not available will reimbursement of travel be considered. Travel costs will only be paid where accommodation is within 30 km's of the training venue and the employee is required to attach travel records to the appropriate reimbursement form.
- iv. Requests for payment of accommodation incentive and/or travel allowance will be made by lodgement of the appropriate [Payment Request Form](#) authorised by the employee's supervisor or Chief Executive Officer.

Date Resolved: 16 May 2012 (Resolution 2012/075)

Amendment:

E&E.1.12 ROSTERED DAYS OFF – INTERNAL STAFF

Council Policy: Administration staff be allowed to accrue time in order to take a monthly rostered day off. Staff shall not be permitted to accumulate more than 22.80 hours, except at the CEO's discretion. This will allow staff flexibility to attend personal needs.

Date Resolved: 21 April 2015 (Resolution 2015/051)

Amendment:

E&E.1.13 STAFF USE OF COMMUNITY BUS

Council Policy: Shire Staff (including internal and external) have permission to use the Community Bus for official social club outings within a 250km radius of Bencubbin up to a maximum of six (6) times per year for the cost of fuel only. In the circumstance that the bus is booked by another community group, preference will be given to that group.

Date Resolved: 21 April 2015 (Resolution 2015/051)

Amendment:

E&E.2 SALARY AND CONDITIONS**E&E.2.1 Annual Bonus Incentive Scheme****Council Policy:**

- i. This Policy applies to all Shire employees on the Local Government Industry Award 2010 except for casual staff yet to complete 3 months employment.
- ii. The bonus is to be paid pro-rata according to both full time employment equivalent and length of service.
- iii. Amount of payment is in recognition of, and according to, assessed quality of service since either the employee's commencement date or the previous payment.
- iv. This policy will take effect as of 1 July 2016.
- v. Criteria for assessment is to be reviewed by the Chief Executive Officer annually.
- vi. In recognition of an employee who displays exceptional commitment to their position and provide superior service well above their role's expectations, the Chief Executive Officer may make an additional 20% payment to that employee.
- vii. Service prior to an employee's resignation who returns to the Shire work force will not be taken into consideration when determining pro-rata payment.
- viii. The value of the bonus payable in its inaugural year, being 2016, is set at a maximum of \$500.00 and increased according to the Local Government Cost Index as calculated by WALGA at 30 June every year after.
- ix. Eligibility:

Employee Group	Eligibility	Conditional on
Chief Executive Officer	No	
Contract Staff – Finance and Admin Manager	No	
Admin Staff	Yes	Permanent FT or PT
Works Staff		
Cleaners		
Trainees and Casual Staff	Yes	If more than 3 months employment
	No	If less than 3 months employment

Date Resolved: 2016/163 – 18 October 2016

Amendment: 2016/199 – 20 December 2016

E&E.2.2 OWN ACCOMMODATION ALLOWANCE

This Policy is applicable to positions with housing supplied as part of employment.

Council Policy:

- a) Full time Council employees who provide their own accommodation within the district of Mt Marshall will be paid a housing allowance of \$30.00 per week per house.
- b) The housing allowance not be paid to those employees residing in a shed, humpy or tent.
- c) Permanent Part Time employees will receive the housing allowance on a pro rata basis.

Date Resolved:

Amendment:

E&E.2.3 OVERTIME**Council Policy:**

Overtime may only be with the express permission of the relevant supervisor or the Chief Executive Officer.

Authority to approve overtime must be given by the relevant supervisor and this information to be provided to the payroll department.

Overtime payments to be reviewed by supervisors on a monthly basis.

Date Resolved:

Amendment: 19 December 2012 (Resolution 2012/170)

E&E.2.4 SEVERANCE PAY**Council Policy:**

The Shire will offer severance pay to employees under the conditions stipulated below:

Operational Guidelines:

- a) The purpose of this Policy is to set down the maximum severance payable to terminating employees for the purpose of Section 5.50 (1) of the Local Government Act 1995 (the "Act").
- b) A terminating employee is entitled to severance pay and benefits in accordance with:
 - i) Any Federal or State award or industrial agreement applicable to that employee;
 - ii) Any applicable provisions within the employee's contract of employment;
 - iii) Any applicable award or order made by a federal or state industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal;
 - iv) A decision of Council which Council believes the situation warrants a decision made outside of this policy.
- d) Redundancy provisions for employees shall be made pursuant to the appropriate federal or state Award or in a certified Enterprise Bargaining Agreement applicable to that employee or the employee's contract of employment if detailed separately.

Date Resolved:

Amendment: 19 December 2012 (Resolution 2012/170)

E&E.2.5 PRIVATE MOTOR VEHICLE USAGE**Council Policy:**

The Chief Executive Officer may grant use of Shire vehicles to employees for commuting purposes in accordance with the Operational Guidelines.

Objective:

This will regulate the use of Shire vehicles for commuting purposes and other associated uses.

Operational Guidelines:

Shire employees' use of Shire vehicles is as follows with the applied conditions unless otherwise stipulated in a contract of employment.

Works Supervisor

Use of the vehicle restricted to within Western Australia below the 26th parallel at the CEO's discretion. The Shire will pay all operating expenses (including the cost of petrol, oil, comprehensive insurance, registration, repairs, servicing and any Fringe Benefits Tax) in connection therewith.

Leading Hands, Plant Maintenance Officer, Community Development Officer and On-call Officers

If permission is granted by the Chief Executive Officer, the vehicle can be used to travel between the home and normal place of work. Use of the vehicle for private purposes is not permitted.

An employee to whom commuting use is granted is responsible for maintaining the vehicle in a clean and tidy state.

A log book needs to be maintained for the first three months of the year.

Employees with private usage as a condition of employment are required to maintain a log book for the vehicles for which they are responsible.

Principal Conditions Applying to all Levels

The Chief Executive Officer shall be responsible for the management of all vehicles under this policy and the preparation of the light fleet management program.

The Works Supervisor shall be responsible for compliance with this policy for all vehicles used in the Works area.

- i. The vehicle is to be parked after hours within the employee's property in a secure manner and in a garage or carport on Shire properties (if provided).
- ii. The employee is required to keep the vehicle clean, i.e. washed and vacuumed at intervals of not more than two weeks and to check the water, oil and battery levels at least weekly. Those employees failing to keep their vehicles clean to the satisfaction of the Chief Executive Officer or Works Supervisor shall surrender their vehicles to commuting rights only and the vehicles will be locked at the Shire's depot over the weekend, or the vehicle may be re-allocated.

- iii. All light fleet vehicles are regarded as pool vehicles for general use by Shire employees for work related purposes. Administration staff shall be responsible for implementing a pool system and maintaining a record of use.
- iv. No other person (non-employee) will drive the vehicle except with approved level of use or with the prior approval of the Chief Executive Officer. If due to circumstances it is necessary for a person other than the employee to drive the vehicle and it is not practical to obtain the Chief Executive Officer's approval, the employee is required, as soon as practicable thereafter, to inform the Chief Executive Officer.
- v. An employee is to use his or her discretion when using a vehicle for private purposes so as not to cause any poor public relations in the community.
- vi. A strictly enforced policy of locking shire vehicles whenever left unattended is to be adhered to by all employees.
- vii. All employees are required to record mileage travelled in shire vehicles in log books for FBT/GST purposes.
- viii. Claims arising from vehicle damage due to neglect of vehicles or use not in accordance with Council policy shall be the responsibility of the employee using the vehicle.
- ix. In the event of an accident, the employee using the vehicle must report the accident immediately in writing to the Chief Executive Officer and the Deputy Chief Executive Officer and complete the necessary insurance claim and accident report.
- x. All shire vehicles must carry the provided first aid kit. Use of the first aid kit will require completion of Incident/Accident/Hazard reporting forms as per the Shire's Occupational Safety and Health Procedures.
- xi. The Chief Executive Officer is the only officer who may vary the application of this Policy in negotiating individual contracts of employment.
- xii. All shire vehicles are considered to be workplaces and as such smoking in shire vehicles is prohibited by legislation.
- xiii. Vehicle colours will generally be white, however they may vary according to Chief Executive Officer's recommendations in order to achieve maximum returns.
- xiv. Employees allocated vehicles are required to complete and sign a vehicle release form advising of compliance with conditions of use and providing a photocopy of their current driver's licence.

Vehicle Replacement

Vehicles will be replaced according to the adopted annual plant replacement program in accordance with legislation.

Date Resolved:

Amendment: 18 November 2014 (Resolution 2014/167)

E&E.2.6 EMPLOYEE SUPERANNUATION**Council Policy:**

Those employees making a voluntary contribution above the government mandated Superannuation Guarantee will be provided with an additional matching superannuation contribution from the Shire.

For each dollar of voluntary superannuation contribution made by an employee, the shire will match it with one dollar. This matching contribution will be given to a maximum of five percent.

Date Resolved: 19 December 2012 (Resolution 2012/170)

Amendment:

E&E.3 WORKPLACE ENVIRONMENT & CULTURE

E&E.3.1 OCCUPATIONAL SAFETY & HEALTH

The Shire of Mt Marshall regards the development and implementation of best practice Occupational Safety and Health systems as a common objective for the CEO, Managers, Supervisors, Team Leaders, Employees, Contractors and Volunteers and strives for continual improvement.

The Policy of the Shire of Mt Marshall is to ensure that every employee works in an environment where every effort is made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.

The employer acknowledges a duty of care to:

- Ensure the legislative responsibilities are understood and met by all levels of management including supervisors.
- Provide and maintain a safe working environment.
- Providing adequate training, instruction and supervision to enable employees to perform their work safely and effectively.
- Investigating all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace
- Comply with AS/NZS 4801-2001 Occupational Health and Safety Management Systems audit requirements.
- Compliance with current Occupational Safety and Health Act 1984, and Regulations 1996, relevant Australian Standards including AS/NZS ISO 31000, 2009, Codes of Practice and Guidance Notes.

Employees have a duty of care to:

- Working with care for their own safety and that of other employees, contractors, volunteers and public who may be affected by their acts or omissions.
- Reporting hazards, accidents, incidents and near misses to their supervisor.
- Co-operating positively in the fulfilment of the obligations placed on their employer.
- Assisting in the reporting and investigation of any accidents with the objective of introducing and reviewing controls to prevent re-occurrence.

A safe and efficient place of work is our goal, and we must all be committed to reach this outcome.

Date Resolved:

Amendment:

E&E.3.2 EQUAL EMPLOYMENT OPPORTUNITY POLICY**Objective:**

To ensure that the Shire conducts the recruitment of staff in accordance with legislation, and in conjunction with sound management practices.

To ensure each individual can carry out their job in an environment free from all forms of harassment and victimization.

Council Policy:

The Shire of Mt Marshall is committed to ensuring our workplace is free of discrimination and harassment. Council is dedicated to providing a pleasant working environment and encourages good working relationships between all employees.

The Shire will recognise its legal obligations under the Equal Opportunities Act 1984 and shall actively promote Equal Employment Opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, age, marital status, pregnancy, race, disability, religious or political convictions.

All offers of employment and all promotional opportunities will be directed towards providing equal opportunity to any individual provided their relevant experience, skills and ability meet the requirements of such opportunities.

Harassment

Harassment of any nature is considered to be unacceptable behaviour and is not tolerated under any circumstances.

Harassment may occur:

- Among peers or co-workers;
- Where a person uses harassing behaviour to control, influence or affect the career, salary or job of another person over whom they exert actual or perceived authority.

Harassment is defined as any unwelcome, offensive comment or action concerning a person's race, colour, language, ethnic origin, age, gender, marital status, pregnancy, disability, political or religious conviction. It is behaviour towards another employee which is intimidating or embarrassing. It shall not be condoned and if necessary, disciplinary action shall be taken.

Any individual who experiences harassment, should immediately make it clear to the person(s) concerned that such behaviour is unwelcome. However, if the individual has difficulty in doing this, then assistance should be sought from others to confront the person(s) concerned.

It is the responsibility of all staff to ensure that proper standards of conduct are upheld in the workplace. Management and staff in supervisory positions shall ensure that the work environment is free from all forms of harassment.

Discrimination

The Shire aims to create an environment free from all forms of discrimination including but not limited to:

Gender
Religion
Impairment
Sexual orientation

Race
Age
Pregnancy
Family status

Discrimination is essentially any practice that makes distinctions between individuals or groups of individuals, so as to treat some less favourably than others. It can be in the form of either direct or indirect discrimination.

Equal Opportunity in the Workplace

The Shire aims to ensure that women and minority groups in our organisation are given freedom and equality in the workplace by taking steps to identify and overcome discrimination and reviewing our policies and practices to ensure they provide for the career progression of women and minority groups.

Bullying

Bullying is any unsought behaviour, which humiliates, offends or intimidates someone. It includes verbal taunts and threats, physical taunts, abuse and ostracism. The emphasis is on repetition of the conduct. The behaviour is unwelcome, unsolicited and usually not reciprocated. In some instances, the level of bullying may constitute criminal activity.

Examples of behaviour that constitutes bullying include, but are not limited to:

- shouting, verbal abuse, insults, intimidating language or sarcasm;
- continually isolating and excluding a person from various work activities or groups;
- ‘initiation’ rituals, in some cases involving violence;
- stalking, following or loitering;
- damaging or interfering with an employee’s property or work equipment; and
- attempts to make competent employees appear incompetent, in the hope that they will resign or be demoted or dismissed.

EEO Complaint Handling Procedure

Employees subject to discrimination, harassment or bullying may obtain advice and assistance from the Chief Executive Officer or their immediate supervisor/manager.

Complaints of harassment, discrimination and bullying shall be considered seriously and sympathetically and they shall be attended to promptly and confidentially by authorised and trained mediators. In all cases, the utmost care shall be taken to investigate complaints impartially by recognising the rights of all parties.

However, if an employee is dissatisfied with the outcome of any conciliation attempt, they may take the matter up with the Equal Opportunity Commission or their Union.

Date Resolved: **2016/163 – 18 October 2016**

Amendment:

E&E.3.3 PROTECTION FROM THE SUN FOR OUTDOOR WORK**Council Policy:**

The minimum clothing requirements for outdoor employees shall be a long sleeve shirt and long trousers.

The basic dress code will apply all year round. (Exemptions may apply based upon written medical advice).

Except for the months of May, June, July and August a broad brimmed (8cm to 14cm) hat shall be worn. Other types of hats maybe permitted so long as they provide good protection to the face, ears and neck. This may include a peak cap with non-detachable neck flap. Baseball type caps with no ear or neck protection would not be acceptable.

The shire will supply hats, long sleeve shirts and trousers appropriate for the nature of work. The shire will not provide shorts. Wherever practicable, the ultra-violet protection factor (UPF) of clothing fabric will be 30 or better.

An 'outdoor employee' for the purpose of this document, is defined as a person whose regular daily duties require them to be in direct sunlight for more than 1 hour per day on a cumulative basis.

The following outdoor employees, because of the nature of their activities, will be subject to their particular dress requirements as nominated:

- Pool Attendant (long pants may hinder a water rescue and are not recommended).

Use of Sunscreen Cream

All outdoor workers will be supplied with sunscreen cream which should be applied to their uncovered skin in accordance with the manufacturer directions. Information, instructions and supervision will be provided in the use of sunscreens. (note Section 19(1)(b) of the Occupational Safety & Health Act – WA). In particular, this refers to their faces, ears, necks, backs of the hands, and legs if relevant. The cream provided will be registered under Australian Standards and be of the SPF 30+ broad spectrum type.

It is recommended that sunscreen be used on the face, neck and ears all year round. Exemptions may apply based on written medical advice.

Other People Who Work Outdoors

Those people who work in direct sunlight for more than thirty (30) minutes (but less than one (1) hour) per day on a daily basis are also required to wear a broad brimmed hat (or equivalent) and sunscreen, both of which the shire will supply. Such workers may be Environmental Health and Building Officers.

High Visibility Clothing

Because of the requirement for shire workers to be easily seen by vehicle users, workers must wear high visibility clothing of some description while within the road reserve or near vehicle access ways.

While the use of an overlay garment in the form of a vest or singlet is preferred, long sleeve shirts will be allowed and supplied. Should over garments (e.g. jumpers and parkers) be needed then the overlay garment must be worn over jumpers etc.

Since the above clothing policy has the implication of making workers less comfortable in hot conditions, the selection and use of high visibility overlay garments assumes greater importance. For this reason, an open weave poncho or singlet style high visibility overlay is recommended to minimize heat insulation and maximize airflow around the wearer's body.

Note: High visibility vests that Velcro up at the front will not be purchased for use, because they are often found unfastened at the front, thus are less efficient at ensuring visibility.

Supply and Use of Sunglasses

All staff working outdoors shall, when practicable wear general purpose sun protection glasses, which comply with AS1337 (1992) and AS1067 (1990) as appropriate. These will be made available to relevant staff as part of the standard personnel protective equipment issue.

Administrative and other Controls

While these policy guidelines are essentially about the type of garments worn, the implications to the wearer with respect to comfort and overheating problems are worthy of further mention.

The key factors which may promote bodily overheating problems are:

- a) Ambient and radiant temperature;
- b) Extent of air movement (wind);
- c) Pace and physical demand of work;
- d) Adequacy of water replacement required by sweating;
- e) Humidity;
- f) Person's clothing.

Actual temperatures experienced by workers will differ considerably dependent on their workplace. Working in a well-treed park will be vastly different to working on an open bitumen road. Thus some steps which should be taken include:

1. All relevant staff should have ample supplies of fresh cool water. Where main water is unavailable a 5 litre water bottle will be provided to each person;
2. Exploiting the use of natural shade;
3. The erection of temporary shade where practicable;
4. Rescheduling of particularly heavy work outdoors between the period 10:00am to 2:00pm where practicable;
5. Consideration of temporary cessation from physically demanding work for the time when severe heat related conditions are experienced.

It is readily apparent that heavy work in particularly hot weather is not efficient work, without frequent stops, at least for drinks and possibly self-dousing with water.

Lastly, staff should be encouraged to report immediately to their supervisor any significant symptoms of bodily overheating. Suitable education sessions should be conducted to ensure that staff are aware of what these symptoms are and the effects of exposure to ultra-violet radiation.

Consultation

The shire realises that the type of clothing worn in the field is of considerable importance to outdoor employees and hence people or their representatives will be consulted with respect to changes in style, type and fabric of clothing as issued in accordance with good management practices. (Note also, Section 35(1) (c) of the Occupational Safety Health Act – WA)

Wherever practicable, the Council, having adopted a clothing policy will ensure that the style and fabric of garments is acceptable and appropriate to the relevant workforce.

Education

Many people aged in their late 40's and onwards are suffering severely for their prior ignorance of the extent of damage that extended exposure to sunlight could cause.

Many workers are still not quite convinced of the significance of the risk and the probable (not possible) adverse effects on the skin.

Comprehensive educational processes are essential if these people are to willingly support more conservative clothing policies.

Date Resolved:

Amendment: 19 December 2012 (Resolution 2012/170)

E&E.3.4 A.I.D.S.**Council Policy:**

The Shire is committed to Equality of Opportunity in its employment and service delivery. It is also committed to protecting and promoting the health of its employees and of the citizens of the district.

The Shire therefore intends to ensure that people with AIDS or who are HIV positive or who have Hepatitis B or Hepatitis C, do not experience discrimination in Shire employment or as a customer in receipt of Shire services.

The Shire will work with Health Authorities and non-statutory organisations involved with the control and spread of HIV/AIDS, Hepatitis B or C.

Operating Procedures:The Law

In the administration of any AIDS related legislation, which involves the Shire or any of its Officers, the Shire, insists that such legislation is administered wisely and with compassion.

Employment

There will be no discrimination in recruitment against applicants internally or externally on the grounds that the applicant has HIV/AIDS, Hepatitis B or C.

Applicants who are deemed to be “medically fit” at the time of the interview will not be rejected an offer of work because of having contracted any of the above diseases.

Medical fitness will be determined through the normal process of consideration by the Shire’s Occupational Health Physician and normal rules concerning sickness will apply.

If it becomes known that any employee has HIV/AIDS, the Shire will ensure that reasonable arrangements are made to enable work to be continued. Employees will only be redeployed to alternative employment at their own request, except where they are deemed not medically fit through the standard procedures. The Shire believes that to continue working may enable that person to maintain confidence and social contact and therefore fight HIV/AIDS with more dignity.

No employee or applicant will be required to take the test for HIV/AIDS anti-body or Hepatitis B or Hepatitis C.

Service Provision

No-one will be denied a service to which he/she is entitled because he/she has HIV/AIDS, Hepatitis B or C.

The Shire will review all practices to ensure that all users of services and all employees are adequately protected against HIV, Hepatitis B or C infection.

All employees exposed to a Hepatitis B & C risk be offered immunisation as required.

Confidentiality

The Shire will not require those who are anti-body positive to the virus or who have HIV/AIDS, Hepatitis B or C to inform the Council.

Should the fact become known that an employee or a customer in receipt of Shire services has the virus then strict confidentiality will be maintained. Deliberate breaches of confidentiality will be made a disciplinary offence after normal consultative procedures.

Counselling

The Shire recognises the important role of a counselling service for those who have AIDS.

For reasons of confidentiality and impartiality, the Shire believes that this service should be provided by an external organisation.

The Shire recognises the important role of other organisations in the non-statutory sector.

The Shire supports a co-ordinated approach to advice and counselling to those concerned about HIV, Hepatitis B or C infection being developed between statutory and non-statutory organisations, social workers (residential, hospital and field workers), drug teams, haemophilia organisations and other relevant workers or groups.

Education, Training and Information

In recognition that the fears and prejudices in relation to AIDS, Hepatitis B or C need to be addressed, a clear strategy on these will be developed including the dissemination and presentation of material to help overcome negative reactions.

Campaigning

The Shire will co-operate with State and Federal Health Authorities in the provision of rational and logical information for the public.

The Shire supports and encourages initiatives by State and Federal Health Authorities to establish and provide counselling, educational and treatment facilities within the district.

Implementation of Policy

Resources will be made available to ensure that this policy is fully developed and implemented in a co-ordinated and consistent way across the full range of Shire services.

Date Resolved:

Amendment:

E&E.3.5 WORKPLACE DRUG AND ALCOHOL USE**COUNCIL POLICY:**

Employees are obliged to present themselves for work in a fit state so that in carrying out normal work activities they do not expose themselves, their co-workers or the public to unnecessary risks to safety and health.

OBJECTIVE:

The aim of this policy is to ensure a safe workplace free from the effects of drugs and alcohol. The policy is directed towards the welfare of the individual and the safety and health of other people. Although disciplinary action may be necessary, the focus is on preventative measures.

The use of drugs or alcohol in the workplace is forbidden. An employee being under the influence of alcohol, drugs or illegal substances is not acceptable.

The Chief Executive Officer may waive this requirement where circumstances warrant (for example, during a social event).

Employees are personally responsible for any civil or criminal penalty which results from being under the influence of drugs or alcohol in the workplace.

PROCEDURE***Testing individuals for presence of drugs or alcohol***

WorkSafe state that because drug testing in the workplace raised issues of privacy, it should be carried out only if 'substantial' risk existed for the employee, co-workers or the public. Employees shall be notified of testing programs—not individual tests—and the consequences.

Drug and alcohol testing should be limited to certain justifiable circumstances including:

- where an employee's impairment by drugs poses a substantial and demonstrable safety risk to the employee or to other people.
- where there is reasonable cause to believe that the employee to be tested may be impaired by drugs.
- where the type of drug test to be used can identify the presence of a drug at concentrations which may cause impairment.

In general, intoxication is the temporary loss of control, due to alcohol or drug abuse, over psychological or physical faculties.

If a Manager or Supervisor has justifiable cause to doubt an employee's fitness for duty, the Chief Executive Officer (or appropriate employee) may have the employee removed from the workplace and may initiate any reasonable action considered necessary. If it is believed that the use of drugs or alcohol renders risk to the health or safety of the employee, co-workers or the public, the Local Government reserves the right to remove the employee from duty pending an urgent medical examination to determine fitness for duty.

Procedure for Dealing with Drug and Alcohol Use

The procedure for dealing with drug and alcohol use is divided into three stages:

- Stage One - discussion between the employee and immediate Supervisor.
- Stage Two - discussion between the employee, supervisor, manager and representative (optional).
- Stage Three - disciplinary action.

Stage One

The employee and immediate Supervisor should participate in Stage One, although the employee may request a representative to be present. An observer should be present if an employee representative attends.

- The first stage of the process should be presented as a counselling session. Procedural fairness must be observed and the Supervisor must clearly state the performance-related reasons for the interview with the employee must be given the opportunity to respond. The Supervisor must clearly state what standards of performance are required or expected.
- The Supervisor should offer assistance by encouraging the employee to participate in an Employee Assistance Scheme, although the employee is not obliged to accept.
- A timeframe for a review should be established. The employee should be informed of expected changes, on-going performance monitoring by the supervisor and the compulsory interview at the end of the review period.
- The employee should be made aware of possible consequences if there is no significant improvement.
- The Supervisor should prepare a brief summary of the interview and give two copies to the employee. After reading the summary, the employee should sign one of the copies and return it to the Supervisor. This copy should be placed under confidential cover on file.
- The review interview should be held at the prescribed time. The points discussed should respond exactly to those raised at the first interview; improvements should be acknowledged. Continuing problems, such as continued decline in performance, and any new performance-based problems should also be identified and discussed. The Supervisor should again prepare a summary of the interview.

Stage Two

The participants at Stage Two should be the employee, supervisor, manager, at the option of the employee, a representative.

- The second meeting should be held using the same procedure as the first, although the employee should be made fully aware of the possible consequences if there is no significant improvement and that this represents a final warning.

Stage Three

If the issue remains a problem, the third stage of the procedure is in accordance with Local Government's disciplinary procedure.

Conduct by an employee while under the influence of alcohol or drugs is likely to be subject to disciplinary action.

Responsibilities

Directors, Managers and Supervisors are responsible for ensuring compliance with this procedure.

It is the employee's responsibility to comply with the procedures and advise their Supervisor if they are taking any prescribed drug or medication which may affect their fitness for duty or work performance.

The employee should also find out from their doctor or pharmacist what the effects of the prescribed drugs are on work performance.

Date Resolved: 21 December 2011 by resolution 2011/210

Amendment:

PART 5 – ENVIRONMENTAL HEALTH

EH.1 WORKPLACE SAFETY

EH.1.1 FIRST AID KITS

Council Policy:

An appropriate First Aid Kit shall be fitted to all vehicles and provided at all appropriate work places within the Shire.

All staff are required to have a current basic first aid certificate. Once per year, the shire will organise training where all staff can attain or renew their basic first aid certificate or be refreshed on the CPR component. The shire will encourage employees to gain their Senior First Aid Certificate and to show their support will reimburse course cost for employees wishing to attain their Senior First Aid Certificate.

Date Resolved:

Amendment: 2012/070 (16 May 2012)

PART 6 – FINANCE AND RATING

F&R.1 BUDGET

F&R.1.1 BUDGET ADOPTION STRATEGY

Council Policy:

The CEO shall present a draft budget to Council at its June Ordinary Council Meeting with a recommendation on the required rate increase to balance the budget. An Annual Budget, as revised by Council at its June meeting, will be presented to the July meeting for adoption.

Objective:

To provide for the early delivery of rate notices and the setting of works programs and approval of projects.

Operational Guidelines:

The CEO shall ensure that employees responsible for areas of the budget submit their expected operational costs, programs and capital item purchases in time for the preparation of the draft budget to be presented to Council at its June ordinary meeting.

Date Resolved:**Amendment:**

F&R.2 FINANCIAL MANAGEMENT**F&R.2.1 LOCAL PURCHASING****Council Policy:**

Where possible goods should be purchased locally provided the local supplier's price is no more than 10% higher than the cheapest external quote and quality of goods is not affected and that all local suppliers of the required goods be given an opportunity to quote.

Objective:

To support local business.

Operational Guidelines:

Purchase of goods and services that are subject to the Local Government (Functions and General) Regulations 1996 are to be dealt with accordingly.

The purchase of all other goods and services to be left to the responsible officer's judgement having regard to Council's desire to where possible, purchase goods and services from local suppliers.

A local supplier of goods or services is considered to be one residing in, and actively carrying on, business within the Shire.

Date Resolved:**Amendment:**

F&R.2.2 SIGNIFICANT ACCOUNTING POLICIES**Council Policy:**

As per the significant accounting policies adopted with the most recent budget.

Date Resolved: 16 June 2010

**Amendment: 2010/099
23 November 2012 (Resolution 2012/153)**

F&R.2.3 ENDORSEMENT OF SHIRE APPLICATIONS FOR GRANTS FUNDING

Council Policy: Shire applications for grants from other funding agencies will be submitted as soon as practicable provided that due allowance for the shire's financial contribution is contained within the Annual Budget.

Objective: To maximise the probability of obtaining both matching and non-matching grants funding by submitting prompt applications.

Operational Guidelines:

Employees, with the approval of the Chief Executive Officer, may submit applications for grants as soon as practicable.

Applications submitted must be within budget constraints.

Grant applications requiring unbudgeted expenditure by the Shire may be applied for but only accepted with Council approval by an absolute majority decision.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**

F&R.2.4 USE OF SHIRE OF MT MARSHALL CREDIT CARDS**Council Policy:**

All Shire of Mt Marshall Credit Cards should be used within the following policy provisions.

Objective:

To establish strict guidelines for the use of Shire of Mt Marshall Credit Cards.

Operational Guidelines:

1. Credit Cards should only be used for purchasing goods and services on behalf of the Shire of Mt Marshall. An Australian Business Number must be received for all transactions.
2. Personal expenditure and cash withdrawals from Credit Cards are prohibited and will result in instant dismissal.
3. Credit Card Purchases by facsimile, telephone or electronically should be backed up with a receipt or transaction number at the time of transaction.
4. Credit Cards may not be transferred to other users without Council approval.
5. Prior to issue of a Shire of Mt Marshall Credit Card, an agreement, which includes this policy and details of credit card numbers, expiry date, limit and person to whom issued, must be signed by the potential cardholder and witnessed by a staff member.
6. Any benefits from reward schemes received on individual Credit Cards remain the property of the Shire of Mt Marshall.
7. Credit Cards must be stored in the safe during periods of leave and other extended absence.
8. All Credit Card balances must be paid prior to the due date in order that interest is not charged.

Date Resolved:**Amendment:**

F&R.2.5 PURCHASING POLICY

Council Policy: Disclaimers (where appropriate) shall be used when providing advice or information to either the public or other statutory bodies.

Objective:

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Local Government.
- To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.

1.1. WHY DO WE NEED A PURCHASING POLICY?

The Shire of Mt Marshall is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Mt Marshall with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Mt Marshall receives value for money in its purchasing.
- Ensures that the Shire of Mt Marshall considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Mt Marshall is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Local Government's purchasing practices that withstands probity.

Operational Guidelines:**1.2. ETHICS & INTEGRITY**

All officers and employees of the Local Government shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Local Government.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;

- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

1.3. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Local Government. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

1.4. SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts.

Sustainable considerations must be balanced against value for money outcomes in accordance with the Local Government's sustainability objectives.

Practically, sustainable procurement means the Local Government shall endeavour at all times to identify and procure products and services that:

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

1.5. PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$10,000	Direct purchase from suppliers requiring only two verbal quotations.
\$10,001 - \$19,999	Obtain at least two verbal or written quotations if possible see Note 1
\$20,000 - \$39,999	Obtain at least three written quotations
\$40,000 - \$149,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations). See Note 1
\$150,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

Note:1 If it is not possible to get the required number of written quotations, a supplier's written "decline to quote" will be sufficient.

1.5.1. Up to \$10,000

Where the value of procurement of goods or services does not exceed \$10,000, purchase on the basis of at least two verbal quotations is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains a sample form for recording verbal quotations.

1.5.2. \$10,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999.

At least written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Local Government employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains sample forms for recording verbal and written quotations.

1.5.3. \$20,000 to \$39,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.

- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.

1.5.4. \$40,000 to \$149,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$149,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

The Local Government Purchasing and Tender Guide has a series of forms including a Request for Quotation Template which can assist with recording details. Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

1.6. REGULATORY COMPLIANCE

1.6.1. Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;

- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

1.6.2. Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision “sole source of supply” should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

1.6.3. Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

1.6.4. Tender Criteria

The Local Government shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For Requests with a total estimated (Ex GST) price of:

- Between \$40,000 and \$149,999, the panel must contain a minimum of 2 members; and
- \$150,000 and above, the panel must contain a minimum of 3 members.

1.6.5. Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. “The West Australian” newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;

- the date and time after which tenders cannot be submitted; and
- particulars identifying a person from whom more detailed information as to tendering may be obtained.

A reference to detailed information includes a reference to:

- such information as the local government decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which tender should be accepted;
- whether or not the local government has decided to submit a tender; and
- whether or not the CEO has decided to allow tenders to be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted,
- After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

1.6.6. Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Local Government not to compromise its Duty to be Fair.

1.6.7. Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

1.6.8. Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Local Government Officers present at the opening of tenders.

1.6.9. No Tenders Received

Where the Local Government has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$149,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

1.6.10. Tender Evaluation

Tenders that have not been rejected shall be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

1.6.11. Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Local Government may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

1.6.12. Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Local Government and tenderer have entered into a Contract, a minor variation may be made by the Local Government.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

1.6.13. Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

1.6.14. Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Local Government's internal records management policy.

Date Resolved:

Amendment:

F&R.2.6 SHIRE OF MT MARSHALL INVESTMENT POLICY**Council Policy:**

That all investments comply with the operational guidelines below.

Objective:

To establish control procedures for the investment of funds.

Operational Guidelines:

1. Funds are to be invested in term deposits to be held at an authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth).
2. Before entering into a transaction to create a term deposit, an authorised finance officer must determine the best length of the period for investment and the best available interest rate. Instructions to enter into a transaction must be signed by two authorised officers.
3. All investments are to comply with the restrictions set out under Section 6.14 of the Local Government Act 1995 and Sections 19 and 19C of the Local Government (Financial Management) Regulations 1996.
4. Authorised officers are to be determined at the discretion of the Chief Executive Officer.
5. It is preferred that term deposits be made with local Bendigo Bank agencies provided that the interest rate is equal to or better than that of equivalent authorised deposit taking institutions.

Date Resolved: 18 June 2013 (Resolution 2013/080)

Amendment: 24 September 2013 (Resolution 2013/134)

F&R.2.7 ASSET MANAGEMENT POLICY**Council Policy:**

The Shire will provide and manage assets that support the delivery of services in line with its Strategic Vision (Strategic Community Plan). Through a commitment to continuous improvement in its organisational asset management, the Shire will develop, adopt and implement a Vision, a Strategy and Management Plans.

The Shire will manage its assets in a whole-of-life and economically, environmentally, culturally and socially sustainable manner. Asset management decisions will consider other key Shire policies and priority will be given to existing assets and services over new ones. Long term resource needs (Asset Management Plans) will be balanced against availability (Long Term Financial Plan).

Objective:

The Policy provides clear direction in the provision and management of all the Shire's assets. It seeks to ensure that assets support the Shire's strategic vision and objectives, deliver sustainable service outcomes and are provided at appropriate levels of service for present and future stakeholders.

Operational Guidelines:

The Shire considers assets (such as infrastructure, land, plant and equipment) to be any that support the delivery of one or more of the following services:

- Property
- Recreation
- Transport
- Plant, Vehicles and Equipment
- Information Technology
- Waste

This Policy applies to all assets which are required to be managed by the Shire, where their components have a useful life of more than one year and a replacement cost greater than \$5,000.

Framework:

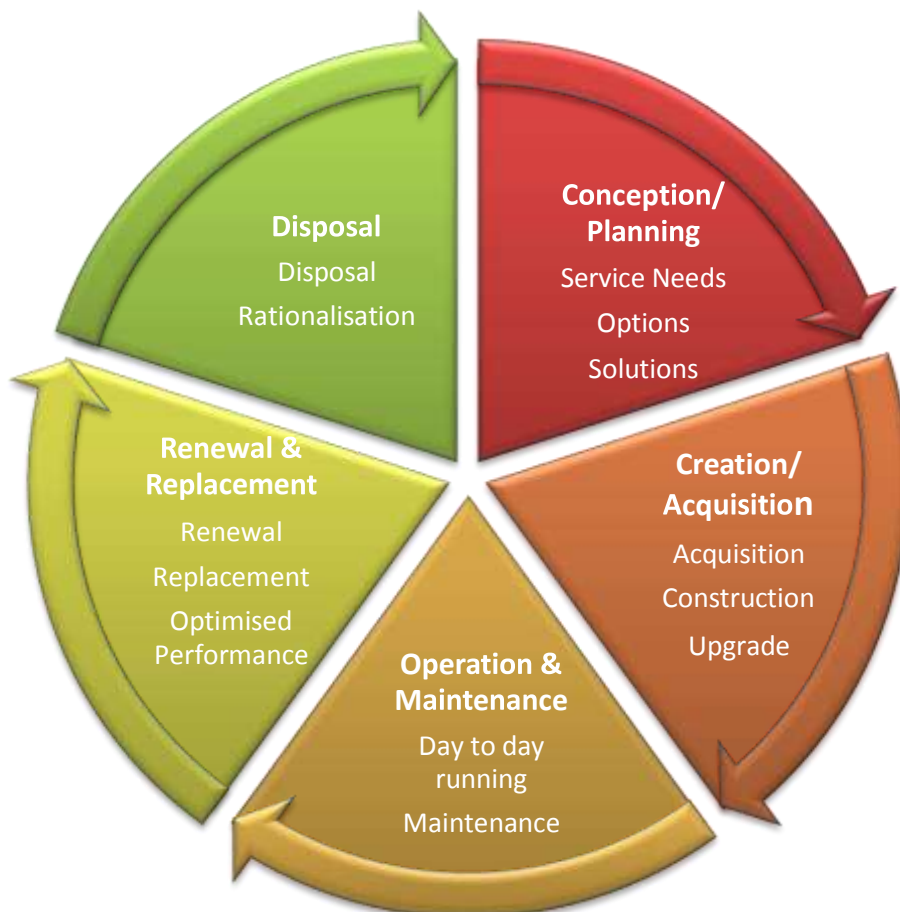
The Shire's Asset Management Vision shall be achieved through the implementation of an integrated planning and reporting framework. As a minimum:

- The Asset Management Strategy shall define the Shire's asset management Vision, Objectives, Outcomes, Enablers (e.g. Roles and Responsibilities, Training etc.), Performance Monitoring and Implementation Plan.
- The Asset Management Plans shall be driven by community informed service levels, future demand, long term sustainability and risk management.

Definitions:**The Asset Life Cycle (Whole of Life)**

For clarity, the following describes the Shire's definition of its Assets' Lifecycles.

Lifecycle asset management involves the decisions made at each stage of an asset's life, from conception to disposal. The decisions made at one stage may affect the asset's performance and cost in others.

**Levels of Service (Service Levels):**

The Shire defines Levels of Service to be statements describing the outputs of objectives an organisation or activity intends to deliver to customers (stakeholders).

Date Resolved: 2016/163 – 18 October 2016

Amendment:

F&R.2.8 RELATED PARTY DISCLOSURES**Council Policy:**

This policy is designed to provide guidelines with respect to recording and reporting Related Party Disclosures in the Annual Financial Statements in accordance with AASB 124 – Related Party Disclosures

Objective:

The objective of AASB 124 is to ensure that local government financial statements contain the disclosures necessary to draw attention to the possibility that its financial position may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

AASB 124 is not designed to detect and report fraud or misconduct. It is more to enhance transparency and accountability of council transactions. This view is reiterated in AASB's April 2017 Agenda Decision that the purpose of AASB 124 is not for assessing governance or probity issues.

Definitions:

Related Party Transaction A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

Related Parties Related Parties include:

- Entities that are Related to Council
A local government (council) related entity is an entity 'controlled' or 'jointly controlled' by council or over which council has 'significant influence'. (i.e. an entity set up, controlled, or is significantly influenced by council such as a regional council and regional subsidiaries);
- Key Management Personnel (KMP)
KMP, close family members of KMP and entities that are related to KMP or their close family members are related parties. (i.e. Mayor/President, Councillors, CEOs and/or managers). For the Shire of Mt Marshall, these include the Works Supervisor, Finance and Administration Manager and Regulatory Officer. This will be assessed in relation to each new employee and, where appropriate, will be identified in the Employment Agreement.
- Close family Members of KMP
Close family members of KMP are those family members who may be expected to influence, or be influenced by the KMP in their dealing with the local government (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins).
- Entities controlled or jointly controlled by KMP

Operational Guidelines:**a. Identifying and Capturing Changes in Related Parties**

On implementation of this Policy, Council Members and KMP employees will be required to complete a *self-assessment of business relationships* with the Shire and those of Related Entities and close family members. When new councillors are elected, or new key management staff are appointed, they will also be required to complete this self-assessment. These Self-Assessments will be updated as at 30 June each year.

b. Keeping Affected Councillors and Staff Informed

Councillors at the time of preparation of this element of the Shire of Mt Marshall will consider and adopt this addition to the Policy Manual. Affected staff will be advised of the content of this policy and any concerns will be addressed prior to implementation.

c. Ordinary Citizen Transactions (OCT)

There are some transactions with related parties that do not need to be captured and reported. These transactions are those that an ordinary citizen would undertake with council (Ordinary Citizen Transaction) such as transactions undertaken on arm's length terms and in the ordinary course of carrying out council's functions and activities. Such transactions include:

- Using the Shire's facilities after paying the normal fee, for example, use of sporting facilities.
- Fines on normal terms and conditions
- Paying rates and council fees and charges

A review of Ordinary Citizen Transactions (OCT) will be conducted as at 30 June each year to ensure the definition still meets the requirements of this Policy.

d. Capturing and Recording Transactions with Related Parties

All payment transactions are captured in the Shire's accounting system (Synergy).

As part of the preparation of the Annual Financial Statements, the Finance & Administration Manager, in consultation with the CEO will review material payments, amounts owing to (including leave liabilities) and amounts owing by key management personnel (including Rates) and include that information in the Annual Financial Statements. Particular consideration will be given to transactions that do not pass through council's accounting system if any.

Ordinary Citizen Transactions will be considered as part of this annual review to ensure that transactions are included if required.

The Shire will consider related party transactions and determine their arm's length status (i.e. terms and conditions).

The Shire will identify related party transactions in the accounting system and outside the accounting system (non-monetary transactions, contracts, service level agreements).

e. Privacy and Freedom of Information

Information is not disclosed in relation to individual amounts for specific individuals, but rather in total for like payments/liabilities to Shire/amounts owing from Shire. Care will be taken to ensure that personal information is not inappropriately disclosed.

Any request under Freedom of Information covered by this Policy will be assessed prior to release of to ensure that both Privacy and Freedom of Information legal requirements are both met. Legal advice will be obtained if required.

f. Materiality

When assessing materiality, the Shire will consider both the size and nature of the transaction, individually and collectively.

Date Resolved: 15 August 2017 (Resolution 2017/08-4)

Amendment:

PART 7 – FIRE CONTROL

FC.1 FIRE BRIGADES

FC.1.1 ESTABLISHMENT & MAINTENANCE OF BRIGADES

Council Policy

The Shire of Mt Marshall shall establish and maintain a Bush Fire Organisation in accordance with the Bush Fires Act in order to provide adequate fire protection to those areas of the municipality within the bush fire district and to carry out an ongoing programme of hazard reduction having due regard at all times for the preservation of the natural environment.

Objectives:

- i) To minimise the risk of out of control fires.
- ii) To minimise damage from fires.
- iii) To control burning within the shire.
- iv) To ensure fire fighters receive adequate training.
- v) To carry out the Shire's statutory obligations under the Bush Fires Act.

Operational Guidelines:

Bush Fire Brigades will be established and maintained in the various fire areas providing proper and adequate fire protection.

- a. The Shire will encourage members of the Volunteer Brigades to participate in training programmes offered by the Shire and the Bush Fire Service. (See Training Policy FC.2.10)
- b. The Shire must be authorised to approve and record applications for enrolments as Fire Fighting members, without reference to the Fire Advisory Committee.

Date Resolved:**Amendment:**

FC.1.2 BUSH FIRE ADVISORY COMMITTEE**Council Policy**

A Bush Fire Advisory Committee shall be formed to administer Council's Policies, on matters relating to bush fire prevention, control and extinguishment, as provided for by Section 67 of the Bush Fires Act 1954.

Operational Guidelines

- a. The Bush Fires Advisory Committee will be appointed by Council and consist of the following members (as per Council Committee)
- b. The Bush Fire Advisory Committee will meet at least once a year.
- c. Should a vacancy occur during the year, Council may appoint a person nominated by the Bush Fire Advisory Committee to fill that vacancy.
- d. The non-attendance of any Committee member from three consecutive committee meetings will disqualify the member from the position, unless leave of absence has been obtained from the Committee.
- E A quorum shall consist of three members of the Committee.
- f. Minutes of the Bush Fire Advisory Committee meetings will be presented to Council as soon as practical after each meeting.

Date Resolved:

Amendment:

FC.1.3 DUTIES OF A FIRE CONTROL OFFICER**Council Policy**

A Fire Control Officer is a person who has been approved by the Council and appointed by the Bush Fire Advisory Committee

That appointment shall be published at least once in a newspaper circulated in the Shire.

They have wide powers and are not liable for any damage, loss or injury caused as a result of the exercise of these powers, provided they are carried out in good faith.

They are voluntary workers who give their time in furthering the aims of the fire prevention and control within the Shire.

The only reward is the satisfaction gained in performing a service of the greatest importance to the individual and community.

The duties may range quite considerably from time to time, but the following is an outline of the duties they are expected to carry out.

Attend Bush Fire Advisory Committee Meetings and participate in the formulation of Control Policies.

In company with the Chief Executive Officer, supervise and inspect firebreaks which have been supplied by the various land occupiers in the locality and impress on these owners the necessity to abide by the terms as set out on the permit.

Issue Bush Fire Permits to various persons for the burning of bush and impress on these people the necessity to abide by the terms as set out on the permit.

To prevent Bush Fires and protect life and property in the case of an outbreak of a bush fire.

To demand the name and address of any person committing an offence against the Act and to report to the Chief Executive Officer. Any person refusing their name to a Bush Fire Control Officer may be arrested without warrant, under Section 56.2 of the Bush Fires Act 1954.

Date Resolved: 15 September 2010

Amendment: 2010/168

FC.1.4 GOLDFIELD – MIDLANDS REGION**Council Policy**

The Shire of Mt Marshall shall be a member of the Merredin Districts Operations Advisory Committee pursuant to the powers conferred under Section 68 of the Bush Fires Act.

The Shire of Mt Marshall shall nominate one (1) delegate and one (1) deputy each year to represent it on the Region Fire Protection Committee.

Date Resolved: 15 September 2010

Amendment: 2010/168

FC.1.5 VOLUNTEER BUSH FIRE BRIGADES**Council Policy**

Bush Fire Brigades will be established and maintained in the various fire areas providing proper and adequate fire protection.

- a. The Shire will encourage members of the Volunteer Brigades to participate in training programmes offered by the Shire and FESA. (See Training Policy Appendix A)
- b. The Shire is authorised to approve and record applications for enrolments as Volunteer Bush Fire Brigade members, without reference to the Bush Fire Advisory Committee.

Date Resolved:

Amendment:

FC.1.6 HAZARD REDUCTION OPERATIONS**Council Policy**

All hazard reduction operations undertaken by the Bush Fire Brigade shall be authorised by the Shire, in accordance with the Committees Policy.

Date Resolved:

Amendment:

FC.1.7 ADMINISTRATION**Council Policy:**

- a. The Shire of Mt Marshall shall enforce the requirements of the Bush Fires Act 1954.
- b. The Committee shall be responsible for administering the provisions of the Bush Fires Act 1954 and the Shire Bush Fire Policy.
- c. **Infringement Notices**
Only persons authorised to do so by the Shire may issue Infringement Notices for Offences under the Bush Fires Act.
- d. **Firebreak Infringement Notices**
The Shire will give notice by no later than September 30 each year, to all owners or occupiers of land within its district that firebreaks must be installed on or before the first day of October each year.

Council will thereafter give no further notice of its firebreak requirements.

After the first day of November an infringement Notice carrying penalty as per Section 33 of the Bush Fires Act 1954 may be served on owners or occupiers of land who have not complied with the Shire's firebreak requirements and compulsory firebreaks may be installed at the owners or occupiers expense.

- e. **Fire Occurrence Statistics**
Bush Fire Control Officers will submit fire reports on the forms provided by the Shire, to the Chief Executive Officer within 48 hours of the fire occurrence.

Date Resolved:**Amendment:**

FC.2 BUSH FIRE CONTROL**FC.2.1 FIRE REPORTS****Council Policy**

As soon as Fire reports that appear to require attention or action are received, the contents of same are to be referred to the Chief Executive Officer for possible investigation.

Date Resolved:

Amendment:

FC.2.2 PROHIBITED AND RESTRICTED BURNING TIMES**Council Policy**

Restricted Burning Periods – The restricted burning periods within the Shire of Mt Marshall are:

19 September to 31 October

1 February to 15 March

Prohibited Burning Periods – The prohibited burning periods within the Shire of Mt Marshall are:

1 November to 31 January

Variations to either prohibited or restricted burning times or conditions may be authorised by the Shire Council.

Date Resolved:

Amendment:

FC.2.3 PROSECUTIONS AND FIRE REPORTS**Council Policy**

Fire Control Officers may recommend prosecution where considered desirable when submitting Fire Reports, with the knowledge they will be called upon to give evidence.

Date Resolved:

Amendment:

FC.2.4 FIREBREAKS**Council Policy**

The Chief Executive Officer and CBFCO are authorised to approve or reject applications from landowners for reasonable extensions of time in which firebreaks are to be provided and to approve or reject requests for approval to provide firebreaks in alternative positions.

Date Resolved:**Amendment:**

FC.2.5 BURNING OFF**Council Policy****SUNDAY BURNING**

The lighting of bush fires is not permitted on a Sunday during the restricted burning period.

PUBLIC HOLIDAYS

The lighting of bush fires is not permitted on a Public Holiday during the restricted burning period.

Date Resolved:

Amendment:

FC.2.6 FIRE FIGHTING VEHICLES**Council Policy**

- a. The Shire shall provide and maintain fire fighting appliances and equipment pursuant to the powers conferred under Section 36 of the Bush Fires Act 1954.
- b. Maintenance and repair of all Shire owned appliances and equipment will be the responsibility of the Shire and all maintenance or repairs will be carried out either under direct supervision or with the Chief Executive Officer's knowledge and consent.
- c. All replacement parts or equipment will be purchased on an Official Shire Order.
- d. The Brigade Captain will submit reports of damage to Shire appliances or equipment to the Shire's Plant Maintenance Officer as soon as practicable after the damage has occurred.
- e. The driver of a Shire fire fighting appliance shall be responsible for bringing to the attention of the Brigade Captain and the Shire's Plant Maintenance Officer any defects in the tyres, brakes or other components that make that appliance un-roadworthy.
- f. The Brigade Captain will be responsible for:
 - Ensuring that the Brigade appliances are serviced and checked on an annual basis, by the Shire Plant Maintenance Officer.
 - Ensuring that the battery, tyres, water, oil and fuel of the Shire's fire fighting appliances are checked at least once a fortnight and after use.
- g. Fire fighting appliances allocated to Volunteer Bush Fire Brigades will be stationed at the Brigade Headquarters or other locations nominated in writing by the Brigade and agreed to by the Committee.
- h. No fire fighting appliance shall be removed from the Brigade Headquarters or other nominated locations by any person without the Brigade being advised either verbally or in writing of the intended location of the appliance.
- i. The Brigade Captain will at all times keep the Committee informed of any changes of the day to day location and operational status of the brigades appliance.
- j. The driver of any Shire fire fighting appliance will hold a current drivers licence of the appropriate type for the appliance being driven and be either:
 - A Shire employee
 - A registered member of the Volunteer Bush Fire Brigade
 - Any person authorised by the Committee or Fire Control Officer to do so.

- k. The driver of any Shire fire fighting appliance shall at all times observe the provisions of the Road Traffic Code, in particular those applying to emergency vehicles.
- l. Fire fighting appliances shall be used for approved official purposes only as detailed in this policy.

Date Resolved: 15 September 2010

Amendment: 2010/168

FC.2.7 EQUIPMENT**Council Policy**

Each fire unit shall be supplied with such equipment and tools as deemed necessary.

Date Resolved:

Amendment:

FC.2.8 PERSONNEL PROTECTIVE EQUIPMENT**Council Policy**

The Shire will encourage Volunteer Bush Fire Brigade personnel to wear protective clothing as recommended by the Fire & Emergency Services Authority of WA.

Date Resolved:

Amendment:

FC.2.9 FOOD AND DRINK**Council Policy**

The Shire will arrange a supply of food and drink for emergency sustenance of volunteer personnel at scenes of major district fire emergencies.

Date Resolved:

Amendment:

FC.2.10 COMMUNICATIONS

1. An efficient two way radio network will be established for fire fighting communications.
2. Each Brigade unit will be fitted with two-way radios.

Date Resolved: 15 September 2010

Amendment: 2010/168

FC.2.11 INSURANCE**Council Policy**

The Shire will obtain and keep current a Policy of Insurance for fire fighters and equipment as provided pursuant 37 of the Bush Fires Act, and such Policies be reviewed annually and will cover personnel, equipment and vehicles whilst engaged on emergency duties such as fire fighting, other prevention, training exercises or other activities duly authorised by Council.

Date Resolved:

Amendment:

FC.2.12 SAFETY AND HEALTH IN RELATION TO VOLUNTEER BUSH FIRE FIGHTERS**Council Policy**

The Council recognises the extremely valuable contribution to the community by the Bush Fire Volunteers.

It is the policy of the Council to ensure that Bush Fire Volunteers are provided with safe working equipment, the safest work systems practical and to minimise the frequency of accidents and injury.

Council recognises that both the Shire and Bush Fire Volunteers have a responsibility for safety and health.

Council Responsibilities

All practical efforts will be made to:

- Instruct Bush Fire Volunteers in safe working practices
- ensure that brigade owned equipment is in safe working order
- encourage use of a proper standard of protective clothing appropriate to the task
- ensure that volunteers have ready access to first aid facilities
- investigate accidents and possible safety and health risks and take appropriate remedial action
- provide a mechanism for joint Shire/Bush Fire Service/Volunteer consultation on safety matters; and
- review the effectiveness of Bush Fire Volunteer training, safety and health policies as necessary.

Volunteer Responsibilities

- to maintain a reasonable standard of physical fitness
- to acquaint themselves with safe working procedures
- to identify safety and health hazards and report these to senior officers
- to observe safe working practices and avoid unnecessary risks and be responsible for their own safety;
- to ensure they dress appropriately for fire fighting and make proper use of personal protective equipment whenever necessary, and when required to do so.

Council acknowledges that the occupational risks inherent in fire fighting and other emergency duties undertaken by Bush Fire volunteers are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to Bush Fire volunteers, both on the fire ground, and in the performance of all other duties.

Response to Hazardous Material fires:

- To provide an initial report of the incident to the Local Authority.
- to extinguish bush fires that are associated with the incident if it is safe to do so
- to assist the Police, where possible, to render the situation safe.
- to provide fire protection in the recovery phase
- to provide a fire report on the incident at the conclusion.

Reports are important and must be furnished without delay so that specialist advice on how the incident must be handled with safety can be obtained.

Reports must contain information of the location of the fire, volume and direction of the smoke plume, suspected hazardous material involved, details of fire fighting equipment available on site.

Reports must be made to the Local Government Authority who will pass on the information to the police (who will assume control of the incident) to the Fire and Emergency Service Authority of WA (who will arrange fire fighting support as required) and the EPA (who will provide specialist advice).

Date Resolved:

Amendment: 2016/163 – 18 October 2016

FC.2.13 BUSH FIRE TRAINING

Council recognises that Volunteer Bush Fire Fighters must be properly trained to perform their tasks in a safe and efficient manner.

Responsibilities differ at various levels in the fire organisation and accordingly the level of skills required to perform related tasks varies also.

Training Volunteer Bush Fire Fighters

Council Policy

A training officer be appointed to oversee training of the Shire's volunteer bush fire fighters or that a bush fire brigade appoints an officer or a member of the brigade as the Brigade Training Officer.

It will be these Officers' responsibility to ensure that all volunteer bush fire fighters are skilled in basic fire fighting procedures and the efficient and safe operation of the brigade's equipment and that Council is informed of local training standards.

The Shire will encourage members of brigades to participate in the training programs offered by FESA.

Training Officers will undertake a 'Train the Trainer' course with the Bush Fire Service and will adopt the practice, procedures and standards recommended by FESA.

All Training Officers appointed by Council and/or brigades will be required to present training to volunteer bush fire fighters throughout the Shire.

Safety of Personnel – the person in charge of training shall at all times keep the safety of those personnel under their directions as a primary consideration.

The Shire will ensure that appropriate insurance policies/extensions are held to cover volunteers whilst training.

Serving brigade members who have already undertaken formal training courses must satisfy their brigade Training Officers that they have a level of knowledge and skills at least equal to the Basic Training level.

That promotion within the brigade should be based on experience and accredited training.

The Shire requires its Bush Fire Control Officers to attend the appropriate FCO courses.

Date Resolved:

Amendment:

FC.3 BANS

FC.3.1 HARVEST AND MOVEMENT OF MACHINERY IN PADDOCKS BAN

A harvest and movement of vehicles in paddocks ban will be imposed when the McArthur Grasslands Meter registers 32 on the Fire Danger Index (very high).

The Shire of Mt Marshall will use the Kestrel Weather Meter to measure the weather for determining harvest and vehicle movement bans.

All Bush Fire Control officers will adopt the following procedures when utilising the kestrel meter.

- (a) Air Temperature - the meter must be held in the hand for a minimum of one minute and exposed to the sun.
- (b) Wind direction & speed:- the meter must face the wind direction for at least a minute and an average wind speed must be obtained then multiplied by 1.5 ie average wind speed 20kph x 1.5 =30kph.
- (c) Relative humidity:- the meter must be exposed to the weather for at least a minute to obtain a proper reading.

That Council not control harvesting on Sundays or Public Holidays unless a specific ban is imposed.

That Harvesting be prohibited within the Shire of Mt Marshall on Christmas, **Boxing Day** and New Years Day.

That upon notice of a harvest ban, the Shire's Regulatory Officer is delegated the authority to assess the worksite where the following activities are being carried out:

- i) Waterbinding of insitu foundation material or imported gravel material
- ii) Facing up of pavement in readiness for bituminous surfacing
- iii) Applying Bituminous Surfacing
- iv) and determine if it is safe for those associated workers to continue working on these activities.
- v) That all Shire employees carrying out activities other than those listed in section 4 above, are stood down and stop all road plant working when a harvest ban is imposed. This also includes welders, portable machinery etc, out in the field. When this ban is in effect, work areas should be made safe and the plant left in a condition ready for fire fighting if required.

All employees, other than those authorised to carry out activities listed in section 4, shall return to their respective depots on standby if required to fight fires.

It should be noted that the staff that are stood down during this period, may be used for other duties, but should be ready and available for fire fighting. This includes all plant and equipment.

Date Resolved:

Amendment:

PART 8 – ROADS AND VEHICLE USAGE

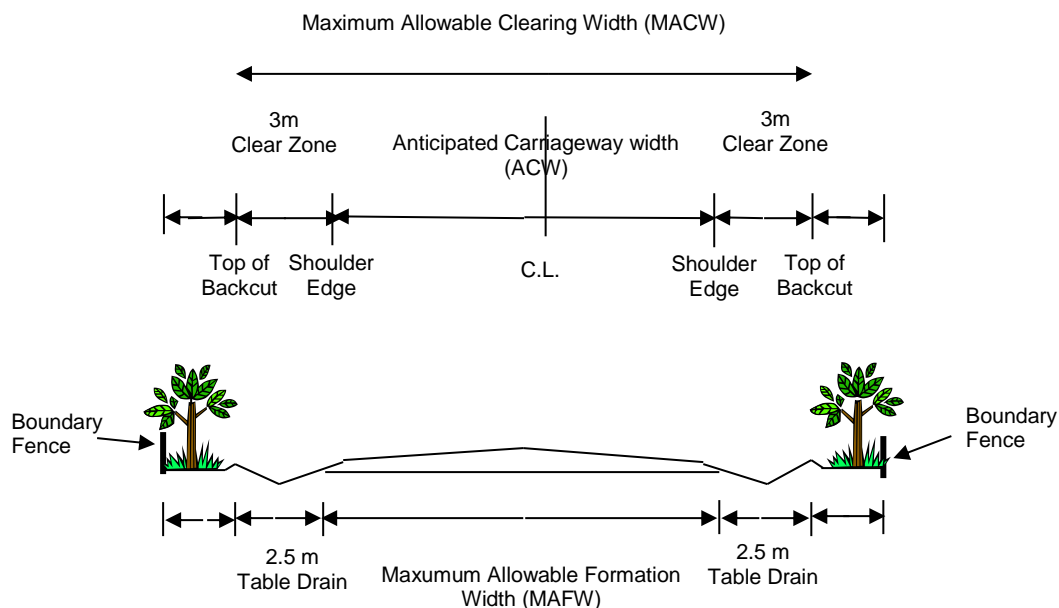
R&V.1 CONSTRUCTION

R&V.1.1 ROAD FORMATION WIDTHS & CLEARING WIDTHS FOR NEW CONSTRUCTION WORKS

Council Policy:

That all newly constructed sections of roads be formed to the maximum formation and clearing widths as designated in Table 1.0 below.

This will guide staff as to standards for new road formations and to give a uniform policy on road works.



One Chain (20m) Road Reserve - Typical Pavement / Verge Clearing Cross Section & Two Chain (40m) Road Reserve - Typical Pavement / Verge Clearing Cross Section

Table 1.0 below shows the maximum road formation and clearing widths for new work, on the three classes of roads within the Shire – refer to Table 2.0 below, showing the classification of each road within the Shire.

Road Type	Maximum Allowable Formation Width (MAFW) m	Anticipated Carriageway Width (ACW) m	Maximum Allowable Clearing Width (MACW) m
Regional Distributor	11	10	16
Local Distributor	10	9	15
Access Road	9	8	14

Table 1.0

(Note: The Carriageway width is typically 1m less than the formation width, for the flat terrain areas that are predominant in the Shire. Where new sections of roads are to be constructed with excessive cuts or fills, then this rule will not apply)

Table 2.0 below shows the Classification of the Shire's Roads by Main Roads WA Functional Road Hierachy document in 2002.

(Note: The classification of each road in the Shire may change as a result of information provided in the Shire's future Local Road Hierachy)

Road Class	Road No.	Road Name	SLK START	SLK FINISH
Regional Distributor	4150145	Wyalkatchem-Southern Cross (2020)	56.65	104.31
	4150151	Kellerberrin-Bencubbin (2020)	81.25	95.81
Local Distributor	4150002	Bencubbin-Gabbin	0.00	16.90
	4150006	Ingleton	0.00	14.50
	4150009	Bimbijy (2020)	0.00	28.50
	4150010	Mouroubra (2020)	0.00	93.50
	4150019	Gillett	0.00	16.40
	4150020	Scotsman	0.00	53.10
	4150075	Gabbin-Trayning	0.00	20.05
	4150149	Bencubbin-Beacon (2020)	0.00	42.10
	4150150	Burakin-Wialki (2020)	43.53	94.67
	4150152	Mukinbudin-Wialki (2020)	42.50	53.33
Access Road	4150003	Bonnie Rock - Wialki	0.00	3.90
	4150004	Welbungin South	0.00	15.77
	4150005	Mandiga-Marindo	0.00	39.60
	4150006	Ingleton	14.50	31.00
	4150007	Welbungin-Wialki	0.00	40.95
	4150008	Gabbin-Cleary	0.00	44.74
	4150009	Bimbijy	28.50	96.80
	4150011	Back Beacon	0.00	38.95
	4150012	Clark	0.00	25.11
	4150013	Dalgouring	0.00	26.80
	4150015	Longmuir	0.00	4.83
	4150016	Beacon Rock	0.00	25.91
	4150017	Bencubbin-Kununoppin	0.00	14.16
	4150018	Gobbart	0.00	7.50
	4150019	Gillett	16.40	45.05
	4150021	Hiscox	0.00	44.30
	4150022	Andrews Tank	0.00	29.45
	4150023	Luckman	0.00	10.62
	4150024	Bell	0.00	9.17
	4150025	Boundary	0.00	35.90
	4150026	Mandiga	0.00	4.02

Access Road	4150027	Pauley	0.00	7.30
	4150028	Dalgouring-Snake Soak	0.00	13.84
	4150029	Lancaster	0.00	16.09
	4150030	Collins	0.00	10.30
	4150031	Wren	0.00	19.45
	4150032	Jones	0.00	8.37
	4150033	Gilham-Cooper	0.00	13.20
	4150034	Un named Rd	0.00	1.00
	4150035	Barbalin-Koonkoobing	0.00	31.40
	4150036	Breakell	0.00	24.87
	4150037	Grylls	0.00	17.10
	4150038	Felbar	0.00	9.66
	4150039	Ayres	0.00	26.55
	4150040	Marindo Nth	0.00	19.31
	4150041	Job	0.00	11.50
	4150042	Mouroubra Woolshed	0.00	39.50
	4150043	Red Dam	0.00	9.01
	4150044	Hardwick	0.00	4.99
	4150046	Grant	0.00	8.40
	4150047	Bruse	0.00	5.79
	4150048	Lacey	0.00	2.54
	4150049	Perry	0.00	8.86
	4150050	Fitzpatrick	0.00	9.66
	4150051	Un named Rd	0.00	2.00
	4150053	Collins Back	0.00	6.28
	4150054	Waddouring Back	0.00	12.55
	4150055	Surtees	0.00	9.07
	4150056	Gabbin-Narkal	0.00	4.70
	4150057	Brooks	0.00	9.53
	4150058	Burnett	0.00	4.99
	4150059	Walker	0.00	8.80
	4150060	Probert	0.00	8.37
	4150061	Polkinghorne	0.00	3.22
	4150062	Faulkner	0.00	9.01
	4150063	Barney Bore	0.00	24.20
	4150064	Stone	0.00	9.66
	4150065	Matthews	0.00	6.92
	4150066	Hogan	0.00	2.90
	4150067	Sachse North-South	0.00	8.05
	4150068	Sachse East-West	0.00	2.25
	4150069	Marshall Rock North	0.00	5.15
	4150070	Marshall Rock South	0.00	3.86
	4150071	Un named Rd	0.00	3.60
	4150072	Beagley	0.00	2.41
	4150073	Gray	0.00	6.65

Access Road	4150076	Whittle	0.00	5.80
	4150077	Emu Proof Fence	0.00	37.50
	4150078	Huxley	0.00	3.38
	4150079	Mitchell	0.00	21.60
	4150080	Jack	0.00	10.30
	4150081	Crabbe	0.00	12.71
	4150082	Wialki North-East	0.00	3.60
	4150083	Gardiner	0.00	10.79
	4150084	Whyte	0.00	4.20
	4150085	Un named Rd	0.00	1.00
	4150107	Aitken	0.00	5.00
	4150108	Junk	0.00	11.08
	4150109	Millar	0.00	4.51
	4150110	Kuhl	0.00	9.01
	4150111	White	0.00	5.95
	4150113	Potts	0.00	4.40
	4150114	Bunce	0.00	16.09
	4150115	Kett	0.00	4.02
	4150116	Gabbabin	0.00	2.01
	4150117	Muggan Gabby	0.00	8.05
	4150118	Mulji	0.00	6.78
	4150119	Mandiga-Trayning	0.00	13.04
	4150120	Whyte East	0.00	3.70
	4150121	Askew	0.00	4.77
	4150122	Koorda-Bencubbin Rd	0.00	6.50
	4150125	Gooder	0.00	2.30
	4150127	Greenham	0.00	10.20
	4150128	Mackenzies	0.00	15.10
	4150129	Allen	0.00	1.40
	4150130	Hammond	0.00	6.80
	4150131	Linden	0.00	2.94
	4150132	Koonkoobing Rd	0.00	3.00
	4150137	Green Rd	0.00	6.00
	4150139	Hegarty Rd	0.00	3.40
	4150143	Welsh Rd	0.00	3.80
	4150144	Welsh Rd East	0.00	1.80
	4150158	Mitchell Rd West	0.00	5.20
	4150161	Huckstep Rd	0.00	5.00

Table 2.0

Date Resolved:**Amendment:**

R&V.1.2 CULVERTS, FLOODWAYS, INTERSECTIONS**Council Policy**Culvert Pipes

Culverts installed are on the basis that the person requesting the culvert pays for the cost of the pipes used.

Floodways

That the Shire provide floodways where necessary on its road network and to ensure that the appropriate floodway signs are provided at each end of the floodway to advise motorists accordingly

Temporary Road Closures

Where a road in the Shire is to be temporarily closed, shire staff should ensure that Councillors are consulted on the closure.

Truncated Road Intersections

That no truncated road intersections be eliminated without the specific authority of Council having been first obtained.

Objectives:

To establish rules to be observed in relation to roadworks.

- ii) To ensure a degree of fairness and safety to any changes to local roads.
- iii) To provide guidelines for staff and elected members when it becomes necessary to alter local roads.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.1.3 BOLLARDS OR BARRIERS**Council Policy:**

Provision for bollards or barriers to protect pedestrians from vehicles and bicycle traffic, where necessary, shall be included in footpath construction programs.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.1.4 DWELLINGS FACING ROADWAY**Council Policy:**

The front of all dwellings is classified as that facing the roadway.

Date Resolved:**Amendment:**

R&V.1.5 BITUMINOUS SURFACING QUALITY ASSURANCE POLICY**Council Policy:**

The following policy has been developed, to ensure that all future applications of Bituminous Surfacing within the Shire be applied as per the Main Roads WA Specification, to reduce the risk of potential future surfacing failures.

Either the Works Supervisor or their nominee is to be present onsite whilst bitumen surfacing works are being carried out to ensure that the entire application is as per the relevant MRWA specification.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.1.6 EXTRACTION OF GRAVEL & SAND**Council Policy:**

The following policy has been developed, to ensure that:

All landholders within the Shire get paid the same rate for gravel and sand materials taken from their property by the Shire's works crew for the purpose of road, drainage or other construction. The payment prices are currently set at:

- i. Gravel to be paid at \$0.80/Lcm + GST and payment will only be based on the number of side tipper loads (at a volume each of 15 Lcm) and 6 wheel tipper loads (at a volume each of 9 Lcm) extracted from the gravel pit and hauled to the road project, and paid at the completion of the roadworks.
- ii. Sand to be paid at \$0.40/Lcm + GST and payment will only be based on the number of side tipper loads (at a volume each of 15 Lcm) and 6 wheel tipper loads (at a volume each of 9 Lcm) extracted from the sand pit and hauled to the road project, and paid at the completion of the roadworks.
- iii. These payment rates are to be reviewed annually at the time of considering the Annual Budget.

Date Resolved: **21 July 2010**

Amendment: **2016/163 – 18 October 2016**
 2012/141 (17 October 2012)

R&V.2 MAINTENANCE**R&V.2.1 MAINTENANCE GRADING****Council Policy**

- i) Special attention is to be given to the maintenance of school bus routes.

That school bus routes be graded (where necessary) before the commencement of the school year i.e.. January - February.

School bus routes receive priority at the commencement of the winter maintenance grading season.

Schools be asked to provide up to date bus routes in November each year.

Schools be requested to submit copies of their five year surveys to justify upgrading roads when new bus routes are proposed and structural changes are required, these being Bencubbin, Beacon and Mukinbudin High School.

- ii) That all roads in the shire be graded during the winter maintenance grading programme.
- iii) During maintenance works, attention be given to clearing out all drains and construction of new offshoot drains where necessary.
- iv) Access roads to water tanks/standpipes be graded when graders are in the vicinity.

Objectives:

- i) To maintain school bus routes to a safe standard.
- ii) To ensure that all roads are maintained.
- iii) To ensure proper drainage of road assets.

Date Resolved:**Amendment:**

R&V.2.2 CROSSOVERS**Council Policy:****Urban Areas**

- i) All crossovers shall be constructed to approved Engineering specifications. Owner/agent shall arrange for construction.
- ii) The crossover shall be paved utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.
- iii) The Shire of Mt Marshall shall contribute (or subsidise) half the cost of a standard crossover (one crossover to a property) subject to the crossover being deemed to conform with the specifications.
- iv) The subsidy shall apply to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy shall apply to each crossover up to the number of dwellings.
- v) Crossovers eligible for subsidy may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of six months old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following: (Crossovers in excess of their life shall not be eligible).

<u>Crossover Type</u>	<u>Maximum Life of Crossover</u>
2 Coat Seal	10 years
Asphalt	15 years
Brick/Block	20 years
Concrete	25 years

- vi) Reconstruction of one crossover to a property shall attract a second subsidy where that crossover has exceeded its expected life (taken as 15 years) as determined by the Chief Executive Officer.
- vii) The reference to a 'standard crossover' shall mean a sealed or paved construction to a size conforming with Engineering Services Area standard widths referred to in specifications.
- viii) Where the Shire undertakes road works affecting existing crossovers Council will bear the cost of replacement.

Crossover Maintenance

The Shire shall not be responsible for maintenance of crossovers.

Bonds

- i) Bonds for the construction or reconstruction of crossovers shall be required to be paid at time of issue of the building licence. The amount of the bond will be set by the Chief Executive Officer.
- ii) Crossover construction or reconstruction shall be required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Chief Executive Officer that the construction is necessary.
- iii) Construction/reconstruction of a crossover as a condition of the building licence shall not be required if the value of the licence is less than \$5,000 or the building

work involves only minor works (e.g. pergola, shed, pool, patio, toilet) but shall apply to all building licences for structures accessible to vehicles.

- iv) The shire may construct the crossover in concrete if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, where payment of a crossover bond has been made.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.2.3 ROAD VERGE DEVELOPMENT CRITERIA**Council Policy**

- i) Council shall encourage and support the development of road verges in urban areas, either maintained grass style or dry garden style or a mixture of both.
- ii) The preferred style shall be the Native Garden option with irrigation and up to two trees/20m of frontage. Any irrigation system shall be installed and operated to avoid nuisance to the public. The preference is for 'water-wise' drip style irrigation to be used in order to reflect a more water wise approach.
- iii) The trees shall not be planted on the 3.5m offset so as to avoid electrical power lines and all other services. No trees shall be planted within 12m of street corners or within 2.5m of crossovers. Tree planting on road verges shall not take place without prior consultation with the Works Supervisor.
- iv) Subject to keeping the verge clear for the first 1.5m width from kerb of seal a dry garden style of small vegetation, shrubs and ground covers may be established, however, no large rocks or non frangible items shall be placed on the road reserve. Weed control using plastic sheeting with aggregate, mulch, cracker dust overlay is acceptable.
- v) Any improvements placed or constructed on the verge shall be placed there at the risk of the property owner. Shire shall endeavour to preserve the layout, but no guarantee shall be given.
- vi) No assistance shall be given by Shire for development, ongoing operation or maintenance costs.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.2.4 STREET TREE REMOVAL**Council Policy:**

- i) Individual trees within Shire reserves or grounds which are diseased, hazardous or roots of which are causing pavement damage shall be removed on approval of the Works Supervisor in consultation with the Chief Executive Officer.
- ii) Where groups of ten trees or more are to be removed from within townsite boundaries the matter of tree removal shall be referred to Council.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

R&V.2.5 ROAD RESERVES & VERGES – MANAGEMENT OUTSIDE TOWN SITES**Council Policy:**

Council authorises the Works Supervisor to

- determine applications for the reduction of roadside vegetation, fallen timber and debris, and
- undertake weed control under certain conditions.

Objective:

The Shire of Mt Marshall is committed, where possible, to preserving natural vegetation on road reserves and the proper management of specified weeds in order to

- (a) Maintain the Shire's road network.
- (b) Protect the Shire's interests in the form of damage to the environment.
- (c) Assist with revegetation and vegetation retention in our Shire.
- (d) Avoid soil erosion, enhance the landscape, protect wildlife habitats and prevent further land degradation from salinity, water logging and eutrophication.

The Shire is bound by the provisions of the *Local Government Act 1995*, the *Land Administration Act 1997*, the *Conservation and Land Management Act 1984* and the *Waterways Conservation Act 1976*.

Operational Guidelines:

- 1) Fire Hazard Reduction
 - a) Upon the request of an adjoining property owner, the Works Supervisor may inspect the road verge and decide whether work should be carried out to clean up the road verge by removing fallen timber and other debris from the roadside to reduce the fire hazard risk in that area. Debris and fallen timber should be removed to a special dump site and burnt if necessary.
 - b) Upon the request of an adjoining landholder intending to undertake preventative controlled burning adjacent to a road verge or road reserve, the Works Supervisor and the Chief Bush Fire Control Officer will inspect the area and determine whether burning is necessary. If it is determined that burning is required, the Department of Environment Regulation shall be informed and its decision will be final in determining whether burning should proceed.
- 2) Movement of Farm Machinery

Upon the request by traffic participants, the Shire Works Supervisor may inspect the road verge and decide that work should be carried out to clear vegetation to such an extent that the movement of farm machinery and larger vehicles will not be interfered with by roadside vegetation (trees and shrubs).
- 3) Weed Control
 - a) In order to
 - assist in the maintenance grading of road shoulders
 - keep culverts and drains clear of vegetation and facilitate the disposal of silt and stormwater

- keep vegetation at a manageable height at intersections and crossovers for improved sightlines and traffic safety, and
- keep signage, guide posts and other road furniture free of obstruction

the Works Supervisor shall undertake seasonal weed spraying timed to coincide with opening rains.

- b) The use of glyphosate of and other herbicides for weed control shall be rotated to assist in the minimisation of weed and crop resistance to herbicides.
- c) In road verge areas that contain known declared and priority flora the use of herbicides is prohibited and other weed control methods are to be employed.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**
 2012/141 (17 October 2012)

R&V.2.6 FOOTPATH MAINTENANCE & MANAGEMENT**Council Policy:**Footpath Inspections

All existing footpaths shall be inspected by Town Maintenance Officers twice per year (in February/March & September/October) to determine their condition in terms of tripping hazards, cracked slabs, gaps and general condition. The results shall be documented on an audit sheet and used to generate a program of footpath maintenance on a priority basis and within the budget allocation for Footpath Maintenance.

Footpath Maintenance

Isolated tripping hazards greater than 10 mm high or individual gaps greater than 15 mm shall be remedied by relaying the individual slabs, bricks, asphalt or concrete panels. These shall be completed within 3 months of the inspection. Short sections of the path that are extensively cracked by vehicles frequently driving over them shall be maintained by replacing with 100mm thick in-situ concrete, reinforced with F62 steel mesh.

Generally, all footpath surfacing shall be kept free of loose material, weeds and ant nests/mounds. Weeds are also to be removed from along the edges of the footpath.

Date Resolved:**Amendment:**

R&V.2.7 DAMAGE TO COUNCIL ROADS AND ROAD FURNITURE**Council Policy:**

The following policy has been developed, to allow the shire to advise the community and ratepayers, of the recovery costs that will be requested from motorists damaging shire roads and road furniture.

- 1) Damage to Gravel or Formed Roads or Shoulders
Repair of the damaged surface will be by grader, and the cost of the repair will be as per Shire of Mt Marshall schedule of fees and charges for Plant and Labour, including the mobilisation and demobilisation time of the grader to complete the repair work.
- 2) Damage to Bitumen Surfaced Roads
Repair of the damaged bitumen pavement will be recovered to a maximum cost of \$1000.
- 3) Damage to Road Furniture
This includes damage to signs, guideposts, raised pavement markers and the like. Repair of the damaged furniture will be by replacement, and the cost of the repairs will be the replacement material costs, plus the cost for the shire's maintenance crew to reinstate the damaged furniture, as per shire schedule of fees and charges.

Date Resolved:

Amendment: **2016/163 – 18 October 2016**
 2012/141 (17 October 2012)

R&V.2.8 MOTOR VEHICLES**Council Policy:**

1. Black Duck or equivalent seat covers are to be purchased for all new engineering and works vehicles and retained when the vehicle is disposed of; and
2. Chief Executive Officer to consider that light vehicles be offered for sale within the shire in addition to seeking trade in prices.

Date Resolved:**Amendment:**

PART 9 – SHIRE PROPERTY

Prop.1 HOUSING

Prop.1.1 HOUSING STANDARD

Council Policy:

Houses owned by the Shire and provided to employees shall include the following permanent fixtures:

- Hot Water System
- Authorized Air conditioning units (Authorized air conditioning units are inbuilt ducted systems or wall mounted units installed and owned by Shire)
- Floor Coverings
- Window Treatments
- Light Fittings (except globes)
- Satellite
- Stove
- Internal Heating Appliances

And that maintenance costs on permanent fixtures shall be the responsibility of the Shire.

Garden Shed

And that each house the Shire manages, other than the Silver Chain residence in Beacon – which is supplied rent free – shall have a garden shed not smaller than 3m x 3m provided for the tenants.

Housing to be Unfurnished

All staff housing shall be provided unfurnished and that upon Shire owned furniture becoming unserviceable, Shire shall dispose of the furniture and the tenants shall become responsible for their own requirements.

Improvements to Housing by Tenants

Any improvements carried out to Shire's accommodation shall only be permitted with prior approval of the Chief Executive Officer.

Objective:

To provide a good standard of housing and to ensure no works are undertaken that may affect that standard.

Date Resolved:

Amendment: 2012/141 (17 October 2012)

Prop.1.2 STAFF HOUSING – TENANCY AGREEMENT**Council Policy:**

That the Shire of Mt Marshall enters into formal tenancy agreements with shire employees occupying shire owned houses for the period of their employment or a lesser period as determined by the Chief Executive Officer prior to occupancy.

Objective:

To provide an agreement between the shire and the employee regarding tenancy.

Operational Guidelines:

- i. The form of agreement shall be the standard Residential Tenancies Agreement prepared by the Department of Commerce.
- ii. Under this agreement tenants will be required to pay a bond to the equivalent amount of four weeks rent.
- iii. A pet bond of \$100.00 also will apply (if applicable) under this agreement.
- iv. Persons renting shire houses will be responsible for all water charges in excess of the usage of 800kl per year.
- v. Tenants not maintaining gardens will be responsible for all their water usage.
- vi. Rent is subject to review annually.
- vii. Houses will be inspected for maintenance needs yearly.
- viii. In the event of any inconsistency between this policy and the provisions of the standard Residential Tenancies Agreement, the latter shall prevail.

Date Resolved:

Amendment: 2016/163 – 18 October 2016

Prop.1.3 MANAGEMENT AND HIRE OF PORTABLE STAGE**Ownership and Management of the Stage**

The portable stage will be owned by the Shire of Mt Marshall, however the Bencubbin Community Recreation Council will be managing it. This will include taking bookings and ensuring it is looked after and maintained.

Availability of Hire

The portable stage will be available to all not for profit community groups, organisations and businesses within the Shire of Mt Marshall for community events and activities. Bookings will be taken by the Bencubbin Community Recreation Council and priority will be given to whoever books the facility first. This was seen as the fairest way to determine who has priority when hiring the facility.

Hiring the Stage

It will be the responsibility of hirer to pick up and return the stage to the Bencubbin Recreation Complex. The hirer will also be responsible for covering the cost of any damage caused to the stage while in their care.

(Both the Bencubbin and Beacon Primary Schools are exempt from being responsible for the pickup and return of the stage as Council has agreed to assist them)

Cost of Hiring the Stage

The stage will be free of charge to not for profit community groups and organisations within the Shire of Mt Marshall. There will be a small hire charge to local businesses and groups outside of our Shire who wish to hire the facility. They will be required to pick it up, drop it off and pay a small fee which will be used to maintain the stage. The fees will be as follows:

Mt Marshall not for profit Community Group	\$0.00
Mt Marshall for profit Community Group/Business	\$50.00
Non Mt Marshall not for profit Community Group	\$50.00
Non Mt Marshall for profit Community Group/Business	\$100.00

Date Resolved: 10 February 2009

Council Decision: 2009/008

Amendment: 2013/008 (13 February 2013)

Prop.1.4 RENEWABLE ENERGY INSTALLATION ON SHIRE PROPERTY**Council Policy:**

The Shire of Mt Marshall recognises the importance of renewable energy (as demonstrated in the Strategic Community Plan) and is committed to promoting the use of renewable energy where appropriate.

Objective:

To determine occasions on which the Shire will contribute to the installation of renewable energy systems (including, but not limited to Photovoltaic Solar Power).

Operational Guidelines:

The Shire is willing to contribute 25% (up to a maximum of \$2000) of the cost of the installation of a renewable energy system onto a Shire owned house or accommodation unit, should the tenant wish to install such a system. Approval for the installation of any system should be sought from the Chief Executive Officer in advance.

The contribution will be made in line with this policy on formal request to the CEO, and must be accompanied by an invoice. This contribution is payable after installation, and must be applied for within three (3) months of the installation being completed.

Conditions of the contribution are:

- That the tenant must agree in writing that the installed system will remain on the property when they vacate their tenancy.
- That the system must be installed by a legitimate installer.
- Only one contribution will be made per house or unit

Contribution towards the installation of renewable energy systems at other Shire owned buildings (such as recreation centres) are not covered by this policy, and are subject to an individual determination by Council.

This policy is in no way intended to suggest that tenants of Shire owned accommodation are expected to install renewable energy systems.

Any CEO approval of an installation, or contribution award, does not constitute planning or development approval.

Date Resolved: 19 December 2017 (2017/12-4)

Amendment:

PART 10 – SIGNS AND POSTERS

S&P.1 SIGNS

S&P.1.1 COMMUNITY FACILITY NAME SIGNS

Council Policy: That name signs on community facilities be of an acceptable standard.

Objectives: This policy is intended to provide guidelines for the provision of Community Facility Name Signs in accordance with AS1742.5 - 1997, within the district.

Operational Guidelines:

Definition

In accordance with AS1742.5 - 1997, the purpose of Community Facility Name Signs is to advise road users of the direction to facilities, generally of a non-commercial nature. Details of typical facilities are provided in the standard.

Shape, Size, Colour

Blue with white lettering, rectangular fingerboards, in accordance with AS1742.5 - 1997.

Location, Mounting

In accordance with AS1742.5 - 1997 and Shire Street Sign Layout guidelines.

Cost of Installation

All costs are to be borne by the applicant.

Approval

Upon receipt of a request in writing for a Community Facility Name Sign, the request will be assessed against the criteria of this policy and actioned accordingly.

Date Resolved:

Amendment: 2016/163 – 18 October 2016

S&P.1.2 SIGNS PLACED ON SHIRE CONTROLLED LAND**Council Policy:**Fixed Signs

If a sign is not easily moved, the following steps shall be taken:

- i. The business or person responsible for the sign shall be given notification in writing that the sign is to be removed within fourteen (14) days.
- ii. A record is to be kept that notification has been issued to the business or person responsible.
- iii. An inspection shall be carried out at the expiry of the specified time.
- iv. If the sign has not been removed, shire officers shall arrange removal and impoundment of the sign (a truck and small crew may be required for some fixed signs).
- v. The sign may be retrieved by the person responsible for its placement after an impoundment fee has been paid at shire's cashier and the receipt presented at the depot office together with a written undertaking that they will not again unlawfully display the sign. The impoundment fee is a minimum of \$100 with total fee set by the Chief Executive Officer based on shire's normal rates for plant and labour.

Disposal of Signs

If a sign has not been collected from shire's depot within 2 months of impoundment, the Chief Executive Officer may arrange disposal of the sign in such a manner as he/she thinks fit, including sale of materials in the sign to offset shire's costs.

Recurring Offences

If a sign retrieved from shire's depot is again unlawfully displayed, the Chief Executive Officer shall authorise disposal of the sign and consideration shall be given to prosecution of the offender.

Date Resolved:

Amendment: 2012/115 (15 August 2012)

S&P.1.3 ADVERTISING SIGNS ON RECREATION RESERVES

Council Policy: Advertising on Recreation Grounds shall be administered by the Community Recreation Councils;

- i. All signs shall be well maintained and in good condition.
- ii. There shall be no advertising signs that have reference to alcohol or smoking products.
- iii. The Shire shall have the power to remove any advertising sign.

Date Resolved:

Amendment:

S&P.2 POSTERS**S&P.2.1 POLITICAL POSTERS****Council Policy:**

All applications for approval to place political posters within road reserves or on property owned by or vested in the shire shall be refused.

Objective:

To avoid the shire being associated with any particular political candidate.

Operational Guidelines:

The Chief Executive Officer is to have any such posters removed as early as possible.

Date Resolved:**Amendment:**

PART 11 – SPORT AND RECREATION

S&R.1 RECREATION RESERVES

S&R.1.1 COMMERCIAL OR NON SPORTING USE OF RECREATION RESERVES

Council Policy:

That the following recreation areas be made available for appropriate commercial or non sporting use subject to conditions as considered necessary by the Beacon and Bencubbin Recreation Council's and subject to payment of a licence agreement.

- Bencubbin Sporting Complex
- Beacon Sporting Complex

Date Resolved:**Amendment:**

S&R.1.2 MARKING OF OVALS AND SPORTS GROUNDS**Council Policy:**

The marking of sports ovals and grounds shall be the responsibility of the club or clubs hiring, granted use of or allocated the specific facility. (No herbicides to be used).

Date Resolved:**Amendment:**

S&R.2 PUBLIC SWIMMING POOL

S&R.2.1 PATRONS CODE OF CONDUCT – POOL RULES

Council Policy:

To ensure the maximum safety and enjoyment of all patrons of the swimming pool the following set of rules has been compiled.

Offenders of rules will be warned and at the discretion of the senior staff member on duty, may be requested to leave the pool grounds.

Swimming pool staff and the Shire relinquish any duty of care to such persons leaving the pool grounds.

Offenders may be banned for a period of time, which will be decided at the discretion of the swimming pool staff.

Having clearly set rules encourages and promotes maximum enjoyment and safety of all swimming pool patrons.

Should patrons defy these rules it should not become the Shire's, or its officer's responsibility to maintain a duty of care for offenders once they leave the premises.

POOL RULES

- Children under the age of 10 years must be accompanied and supervised by an adult (16 years and over) at all times. Swimming Pool staff have the discretion to determine the capability of minors regarding supervision of more than 2 children under the age of 10 years.
- Unsupervised children (under 12) should not be left at the pool for more than four (4) hours.
- Offensive language and unsociable behaviour will not be tolerated.
- Appropriate swimwear must be worn at all times. Babies and toddlers must wear a swimming nappy when in the water.
- Children over 8 and able to swim in the main pool must not use the wading pools without the permission of the management.
- Dunking, rough play, piggy backing and shoulder rides are not allowed in the pools.
- Running is not permitted on any concrete or paved areas within the complex.
- Alcohol and drugs on pool grounds are expressly prohibited (with the exception being where liquor/consumption licences are obtained for special events)
- Glass containers are not permitted on these premises.
- Chewing gum is not permitted.
- Animals are not permitted on pool grounds.
- Cooperation with staff at all times will ensure your safe enjoyment of this facility. Management reserves the right to refuse entry to any person at any time where that person is under the influence of alcohol, drugs, is causing a nuisance or for any

other reason considered unsafe or that may create a potential hazard for themselves or other patrons.

- Non-compliance with these rules will result in the person being directed immediately from the premises.

These rules are designed for the safety and enjoyment of all patrons of the Mt Marshall Swimming Pool.

Date Resolved:

Amendment: 2012/115 (15 August 2012)

S&R.2.2 FREE POOL ENTRY FOR TEACHERS**Council Policy:**

That all teachers from schools in the Mt Marshall Shire be allowed free entry to the Mt Marshall Swimming Pool when acting in a supervisory capacity.

Date Resolved:

Amendment: 2012/115 (15 August 2012)

PART 12 – THE ENVIRONMENT AND LAND CONSERVATION

E&L.1 LAND CONSERVATION

E&L.1.1 CLEARING OF LAND

Council Policy:

Any application for clearing of land within the district shall be forwarded to the Department of Agriculture and Food WA (DAFWA) and the Department of Environment and Conservation (DEC) for a departmental response.

The Shire does not support any unauthorised clearing of land within the Mt Marshall district. Any unauthorised clearing reported to the Shire is to also be reported to the appropriate authorities.

Date Resolved:**Amendment:**

E&L.1.2 PLAGUE LOCUST**Council Policy:**

That where an area of land is deemed by the Department of Agriculture and Food WA (DAFWA) to be a high risk area and chemical is issued to the Shire of Mt Marshall, the Chief Executive Officer or nominated staff member shall contact the adjoining land owner and request whether the land holder (if licensed to spray pesticide) will consider spraying the shire's road verge when spraying his/her land with the chemical supplied by DAFWA.

Should the adjoining land holder be unable to spray the Shire of Mt Marshall's road reserve or vested land the Chief Executive Officer or his/her nominee is to contact a licensed chemical application contractor and arrange for control measures to be undertaken.

Date Resolved:**Amendment:**

E&L.1.3 RESERVE USE LICENCE**Council Policy:**

The Shire of Mt Marshall has 44 reserves vested in its management. Of these reserves 23 have conservation and biodiversity values. The reserves vested with the Shire of Mt Marshall range from quarries, school sites, recreation reserves, water supply, parkland, airstrips, caravan parks, landfill sites and gravel pits. Please consult the Shire's Reserves inventory for a list of Reserves vested with the Shire of Mt Marshall.

Any person or organisation who wishes to conduct activities in a reserve vested with the Shire of Mt Marshall other than for recreation must submit an application to the shire requesting permission to do undertake the proposed activities.

The Shire of Mt Marshall defines recreation as any activity or past-time that promotes well-being through relaxation and enjoyment. These activities include sports, bushwalking, hiking, pushbike and trail bike riding (only where specific tracks exist), picnics and other community social activities.

Activities requiring approval include:

- Drilling
- Quarrying
- Mining activities (not covered by the *Mining Act 1978*)
- Native plant seed collection Plant collection
- Biodiversity survey, and
- Any other activity nominated by the license applicant of a non-recreational nature.

A person wishing to use a reserve for non-recreational activities must complete and sign an *Application for a Reserve Use Licence* and send it to the Shire of Mt Marshall for consideration.

The approval process may take up to 60 days dependent on the nature of the proposed activities. A receipt of the *Application for Reserve Use Licence* will be issued within 30 days of submission. Any approval granted will be at the discretion of the Chief Executive Officer.

The activities specified within the licence must not exceed the time period determined by the Chief Executive Officer.

If a person wishes to engage in activities in the reserve for a period longer than that specified by the Chief Executive Officer, that person must submit an additional *Application for Reserve Use Licence* application to Council requesting an extension.

Where activities that are undertaken differ from those granted under any licence, the Shire of Mt Marshall has the right to halt activities and ban offenders. When activities will differ

from those approved by the Chief Executive Officer the proponent must submit an additional *Application for Reserve Use Licence* to the Shire of Mt Marshall before these activities have taken place.

Where activities cause significant harm to the Shire reserve, surrounding land or the environment in general, the Shire of Mt Marshall has the right to halt activities until an investigation is undertaken by the Shire to assess damage. If activities are deemed 'safe' the activity can continue. If the activity is deemed 'unsafe' the activity must cease and the Shire of Mt Marshall has the right to claim any damages that have occurred.

Due to the rare nature of Sandalwood (*Santalum spicatum*) within shire reserves, the harvesting of Sandalwood timber is strictly prohibited.

Licenses for native seed collection on Crown land (which includes all shire reserves) will only be granted to Mt Marshall residents who hold an appropriate native seed collection license issued by the Department of Parks and Wildlife (DPaW) under the provisions of the *Wildlife Conservation Act 1950*.

In addition to the conditions set out in this policy, the licensee must also adhere to all DPaW licence conditions. Failure to do so may result in the shire licence being revoked.

The conditions of a *Reserve Use Licence* are as follows:

1. The licence is bound by the conditions set out in the Shire of Mt Marshall *Reserve Use Policy*.
2. Licences are required for all activities other than recreation activities.
3. A definition of recreation activities can be found in the *Reserve Use Policy*.
4. The licence is provided for a specified time period and the activities must not exceed this time period.
5. Activities may continue if an additional licence is sought and approved.
6. Licence approval may take up to 60 days.
7. Activities must not differ from those outlined in the licence application.
8. If activities will differ an additional licence should be sought.
9. The Shire of Mt Marshall reserves the right to stop any activities in reserves under its management if these activities: vary from the licence application, break any licence condition or cause adverse impacts to the reserve, the environment or neighbouring land.
10. On application and where relevant, the applicant must provide the Shire of Mt Marshall with a copy of their current DPaW native seed collection licence.
11. If a Shire of Mt Marshall native seed collection licence is issued, it is the responsibility of the licensee to ensure that their DPaW issued licence remains current for the term of the Shire's licence. Failure to do so will result in the Shire licence being revoked.
12. Appropriate hygiene measures will be followed at all times to prevent the spread of plant diseases and pests.

13. All care will be taken to avoid the disturbance of fauna habitat.

14. All care will be taken to avoid any disturbance that may lead to soil degradation.

Date Resolved:

Amendment: 2016/173 – 15 November 2016

PART 13 – LOCAL PLANNING

LP.1 PLANNING APPLICATIONS & APPROVALS

LP.1.1 APPLICATION FOR PLANNING CONSENT

This policy has been prepared in accordance with Part 9 of the Shire of Mt Marshall Local Planning Scheme No 3 ('the Scheme').

Application for Planning Consent

- a) Every application for planning consent made in accordance with Part 9 of the Scheme shall be in the form prescribed in the *Town Planning Regulations 1967* Appendix B, Model Scheme Text (MST), Schedule 6 – Form of Application for Planning Approval to this policy.
- b) Unless the Council waives any particular requirement every application for planning consent shall be accompanied by:
 - i. a plan or plans to a scale of not less than 1:500 showing:
 - Street name, Lot number(s), north point and the dimensions for the site;
 - the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the site;
 - the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - the locations and dimensions of any area proposed to be provided for the loading or the unloading of vehicles carrying goods or commodities to or from the site and the means of access to and from those areas;
 - the location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop those areas.
 - ii. plans elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain; and
 - iii. any other plan or information that the Council may reasonably require to enable the application to be determined.
- c) The notice of an application for planning consent shall be advertised in accordance with the *Town Planning Regulations 1967* in the form prescribed in Appendix B, Model Scheme Text (MST), Schedule 8 – Notice of Public Advertisement of Planning Proposal.
- d) The Council shall issue its decision in respect of an application for planning consent in the form prescribed in Appendix B, Model Scheme Text (MST), Schedule 9 – Notice of Determination on Application for Planning Approval Model Scheme Text

Model Scheme Text

Schedule 6 — Form of Application for Planning Approval

Owner details		
Name:		
Address:		Postcode:
Phone: (work): (home): (mobile):	Fax:	Email:
Contact person:		
Signature:		Date:
Signature:		Date:
<i>The signature of the owner(s) is required on all applications. This application will not proceed without that signature.</i>		

Applicant details		
Name:		
Address:		Postcode:
Phone: (work): (home): (mobile):	Fax:	Email:
Contact person for correspondence:		
Signature:		Date:

Property details		
Lot No:	House/Street No:	Location No:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants):		
Street name:	Suburb:	
Nearest street intersection:		
Existing building/land use:		
Description of proposed development and/or use:		
Nature of any existing buildings and/or use:		
Approximate cost of proposed development:		
Estimated time of completion:		
OFFICE USE ONLY		
Acceptance Officer's initials:		Date received:
Local government reference no:		

Model Scheme Text

Schedule 8 — Notice of Public Advertisement of Planning Approval

The local government has received an application to use and/or develop land for the following purpose and public comments are invited.

Lot No.: Street: Suburb:

Proposal:

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.....

Details of the proposal are available for inspection at the local government office.
Comments on the proposal may be submitted to the local government in writing on or
before the day of

Signed:

Dated:

.....

.....

for and on behalf of the Shire of Mt Marshall

Model Scheme Text

Schedule 9 — Determination on Application for Planning Approval*Town Planning Act 1928*

Shire of Mt Marshall

Determination on application for planning approval

Location:

Lot:

Plan/Diagram:

Vol. No.:

Folio No.:

Application date:

Received on:

Description of proposed development:

.....

The application for planning approval is:

☐ granted subject to the following conditions:☐ refused for the following reasons(s):

Conditions/reasons for refusal:

.....

.....

.....

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part V of the *Town Planning and Development Act 1928*. An application must be made within 28 days of the determination.

Signed:

Dated:

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for and on behalf of the Shire of Mt Marshall

Date Resolved:**Amendment: 20 May 2014 (resolution 2014/076)**

LP.1.2 MOVEABLE BUILDINGS

The Shire of Mt Marshall under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme N°3, hereby adopts the following Policy.

**LOCAL PLANNING SCHEME N°3 POLICY N°1
MOVEABLE BUILDINGS**

1. DISCUSSION

Recent land price increases and substantially increased prices for dwellings within the metropolitan and major regional centres have resulted in a substantial portion of the community unable to purchase property. This has resulted in an increased demand for land within smaller communities and in particular the sale of homestead lots within the satellite towns.

The Shire is experiencing an increase in the demand for more affordable housing types. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures. The Shire is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to, the standard of existing housing stock, and the expectations of residents or owners already established in the area. The Shire considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

2. DEFINITIONS

A PERMANENT building is generally not designed to be moved and includes the following;

- a) **'Site Built'** structures are built on location as new permanent structures. They are of traditional appearance with pitched roofs and typical house layout, designed to accommodate families.
- b) **'Relocated Dwellings'** are structures that have previously been constructed on its original site elsewhere within or outside the district. The structures that are then relocated from the original construction site are not necessarily designed to be again relocated.

A MOVEABLE building is generally any structure capable of being transported from one location to another. There are three basic types as follows;

- a) **'Transportable'** structures are those designed and constructed at a location other than where they are intended to be established. For example dwellings prefabricated in Perth, transported in sections to their building site, and assembled on location.
- b) **'Donga Type'** structures are those usually designed to provide for workforce accommodation in small individual units. The structures are generally those with skid mountings, metal sandwich panel and flat roof design. These portable modular structures are also used for other purposes.

- c) **'Containers'**. These structures, although considered 'buildings' by definition under the Building Code of Australia, are solely constructed to transport other goods. They are not in themselves designed, nor suitable, for storage of goods in an urban environment. A container includes 'seaintainers' and other large vessels designed to carry, and be carried on specially designed vehicles or transporters.

3. BACKGROUND

Due to the historic uncertainty in the permanence of mining activities, and the mobility of mining operations, the establishment of permanent workforce accommodation in the region may not always be desirable or viable.

The use and reuse of moveable buildings is common. The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality. Many other local governments are not permitting buildings within their districts which contain asbestos. Without the appropriate controls Mt Marshall could become a 'dumping ground' for such structures.

To ensure that Council has the opportunity to consider such proposals, all applications for moveable buildings, as defined above, shall require Council's Planning Consent prior to the issue of a Building Licence.

Council has delegated authority to its Building Surveyor to determine applications for planning consent for all applications for **transportable** and **relocated** dwellings in zones of the Scheme (see Table 1 – Zoning Table of LPS N°3) where dwellings are permitted. The Building Surveyor may impose appropriate conditions including the requirement for a bond or bank guarantee.

Donga type and **Containers** are subject to Council consideration.

4. POLICY

4.1 Council Policy on Moveable Buildings

- a) All applications for moveable buildings, as defined above, shall require Council's Planning Consent prior to the issue of a Building Licence. Generally the Shire is not in favour of the use of moveable buildings, especially in the townsite areas; however Council will consider each application on its merits.
- b) The Shire shall not permit the establishment, occupation or erection of **donga type** structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a camp site for accommodating a workforce. In these circumstances it may be argued that the development is not a permanent improvement, and may justify the use of such structures. In this case the Shire must be satisfied that the development will not detract from the amenity of the surrounding area.
- c) The Shire will only permit **donga type** structures for uses *other than* residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.

- d) The Shire will only permit **site built** and **relocated** structures where it is satisfied that the standard and quality of building can satisfactorily be integrated into a residential area, and that the buildings do not contain unacceptable materials.
- e) The Shire will not permit the storing or use of a '**container**', as defined above, within a townsite area, other than in the areas zoned 'Industrial'. The Shire considers the appearance, scale, and materials of these structures to be inappropriate for use in an urban environment, and are therefore in conflict with the objectives of the Scheme.
- f) The Shire may give special consideration for the use of '**containers**' outside townsite areas. In these circumstances Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of the '**containers**' will not detract from the amenity of the locality.

4.2 Measures to ensure Compliance with Planning Consent

When an application for Planning Consent for a Moveable Building is considered by the Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- a) lodge a bond or bank guarantee with the Shire. The bond or bank guarantee will provide the surety for the completion of the moveable building to a standard acceptable to the Shire;
- b) specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Shire.
- c) obtain a special building licence of a specified duration.

5. OBJECTIVES OF POLICY

- a) To maintain high amenity standards of buildings, especially within the residential areas in the townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that the moveable buildings, established within the Shire, do not use materials considered to be unacceptable (eg. asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other business or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other use structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the townsites.

- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of '**containers**' within the non-industrial areas of the townsite.

Date Resolved: 29 April 2014 (resolution 2014/054)

Amendment:

LP.1.3 HOME OCCUPATION**Council Policy**

That approval will be given for home occupations where the application complies with the requirements of this Policy

Objective

Many forms of home businesses can be compatible with the residential environment and thus the aim of the Home Occupation Policy is to ensure that no business activity within a residential area:

- Creates nuisances,
- Causes hazard, or
- Detracts from the amenity of a residential area.

The Home Occupation Policy is intended to ensure consistency in Council decision making in relation to Home Occupations and is enforceable through the provisions of the Local Planning Scheme.

Classification

For the purposes of this policy, home occupations shall be classified as follows:

Mobile Businesses

A Mobile Business is a business from which all work is conducted at the client's home, a minor amount of material is required to be stored on site and only minor home office use is involved (e.g. mobile mechanic, mobile hairdresser, mobile builder, plumber, electrician, etc.).

Home Office

As defined in *Town Planning Regulations 1967*, Appendix B, Model Scheme Text.

Home Business

As defined in *Town Planning Regulations 1967*, Appendix B, Model Scheme Text.

Home Occupation

As defined in *Town Planning Regulations 1967*, Appendix B, Model Scheme Text.

Applications*Mobile Business, Home Office or Home Business*

Persons wishing to carry on a business as described above are required to lodge details of the business activity, name and residential address with the Council.

Note: If the proposed business is a food handling activity there will be a requirement to comply with the *Food Act 2008*.

Approvals shall be granted in the form of a Home Occupation Permit.

A person seeking approval for a Mobile Business, Home Office, Home Business or Home Occupation shall apply for planning approval in accordance with the provisions of the Local Planning Scheme and is required to provide the following:

- Schedule 6 – Form of Application for Planning Approval (Appendix B, Model Scheme Text)

- Payment of the prescribed fee as set out in Planning Bulletin 93/as amended from year to year and as reflected in Council's adopted Fees and Charges Schedule.

The Shire will place a Public Notice of the proposed Home Occupation in a local publication and advise adjoining owner/occupiers. The Shire may also require, where it considers desirable, the written agreement of the owner of the premises to the proposed Home Occupation activity.

Initial approvals shall be granted only in the form of a Home Occupation Permit.

Assessment Criteria

The following control criteria shall be considered in assessing each application for approval to conduct a Home Occupation:

- Traffic - The business should not attract more than the normal residential volume of traffic into the street, and generally should not involve the calling of clients to the house.
- Parking - All vehicles associated with the business should be parked on the lot and generally should be located behind the building line, in a garage or otherwise screened from view.
- Noise - Noise from vehicles or equipment associated with the business should not be disruptive to neighbours and should not occur at any unreasonable hours.
- Safety - Normal safety should not be threatened, particularly by traffic, turning and manoeuvring of vehicles or obstruction of vision.
- Interference - There should be no adverse interference with adjacent residents caused by any of the factors mentioned in the Local Planning Scheme.
- Standard of Liveable Neighbourhoods - The presence of the business should not lower the standard of living on that Lot or any of the adjacent Lots.
- Appearance - The appearance of the premises should not be significantly different from a standard residential premises and all things such as vehicles, plant and equipment, materials, etc. should be adequately screened from view.
- Services - The business should not require greater than standard residential services and the operation of the business should not in any way affect the services to adjacent Lots.
- Scale of Operation - The scale of operation of the business should at all times be maintained at a level compatible with the above eight criteria.

Conditions of Approval

An approval to conduct a Home Occupation is subject to the following:

- Home Occupation is issued to a specific occupier of a particular parcel of land/building.
- Home Occupation shall not be transferred or assigned to any other person.
- A Home Occupation shall not be transferred from the land/building in respect of which it was granted.
- Council may at its discretion refuse to renew the permit or rescind the permit at any time where the Home Occupation Permit holder has contravened the conditions imposed upon it, any other provisions of this Policy or any other provisions of the Local Planning Scheme.
- Council may, consistent with the Local Planning Scheme, impose any conditions of approval which it considers necessary to ensure that the Home Occupation is compatible with the locality in which it is located.
- Only one (1) Home Occupation business may be approved per residential property.

Fees

The prescribed fee is set out in Planning Bulletin 93/as amended from year-to-year and as set out in the Shire's Fees and Charges Schedule.

Council Assessment Procedures

The following procedure is to be followed by Shire Officers/Council in assessing individual applications:

- i. Determine whether the nature of the operation meets the requirements of the Home Occupation definitions. If not, the activity cannot be considered as a Home Occupation;
- ii. If satisfactory, a decision may be made based on the provisions set out in the Scheme Text and the assessment criteria.

Having determined the suitability or otherwise of the application, the Shire should:

- i. Notify and seek comment from occupiers of premises within a 50 metre distance of the premises from which the Home Occupation is to be conducted;
- ii. Place an advertisement in a registered newspaper generally circulating in the district advising the nature of the business proposed and that objections are to be in writing.

Date Resolved:

Amendment: 20 May 2014 (resolution 2014/076)

LP.1.4 OUTBUILDINGS IN RESIDENTIAL AND TOWNSITE ZONED AREAS

The Shire of Mt Marshall under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme N°3, hereby adopts the following Policy.

**LOCAL PLANNING SCHEME N°3 POLICY N°2
OUTBUILDINGS IN RESIDENTIAL AND TOWNSITE ZONED AREAS**

1. DISCUSSION

The Shire is experiencing an increase in the demand for outbuildings greater in proportions to that listed in the R Codes 'Deemed to Comply' provisions. The Shire considers it reasonable to put in place this policy in order to properly consider the development of larger outbuildings.

2. DEFINITIONS

- A. 'Outbuilding'** is an enclosed non-habitable structure that is detached from any dwelling, but is NOT a –
 - a. 'Garage'** is any roofed structure, other than a carport, designed to accommodate one or more vehicles and attached to the dwelling;
 - b. 'Verandah'** is a roofed open platform attached to a dwelling;
 - c. 'Patio'** is an unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling;
 - d. 'Gazebo'** is an unenclosed open-framed structure covered in a water permeable material or unroofed, which may or may not be attached to a dwelling.
- B. 'Setback'** is the horizontal distance between a wall at any point and an adjacent Lot boundary, measured at right angles (90 degrees) to the building.
- C. 'R Codes'** is a state planning policy made under section 26 of the *Planning and Development Act 2005*. This policy is cited as State Planning Policy 3.1 Residential Design Codes or R-Codes. The purpose of the R-Codes is to provide a comprehensive basis for the control of residential development throughout Western Australia.

3. BACKGROUND

Residential and Townsite zoned Lots within the townsites of Bencubbin, Gabbin, Beacon, Welbungin and Wialki enjoy a greater size being typically around 1,000m² or greater. Land owners of Residential and Townsite zoned Lots often have development potential to build outbuildings greater in size than their City counterparts. Presently the State Planning Policy 3.1 Residential Design Codes commonly referred to as the 'R Codes' permits in areas zoned less or greater than R30 an outbuilding size that collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area whichever is the lesser, do not exceed a wall height of 2.4m and do not exceed a ridge height of 4.2m. This outbuilding policy will enable the development of outbuildings larger than the R Codes 'deemed to comply' dimensions.

Council has delegated authority to the Building Surveyor to determine applications for planning consent for all applications for outbuildings in the Residential and Townsite zones of the Scheme (see Table 1 – Zoning Table of LPS N°3).

4. POLICY

4.1 *Council Policy on Outbuildings*

Outbuildings that satisfy the following development criteria are regarded as satisfying the Design Principles of the Residential Design Codes 2013 (as amended) and may be approved by the Building Surveyor without referral to the Council of the Shire of Mt Marshall.

Applications not meeting this policy development criteria and/or are of a contentious nature are to be referred to Council in the form of a written development application (available at the Shire office) for determination. Where an application is to be referred to Council for consideration, comments from adjoining and/or affected owners are to be obtained and confirmed in writing.

Outbuildings that Comply with the Residential Design Codes 2013 (as amended) Deemed-to-comply requirements; OR:

- i. Comply with the Building Code of Australia 2013 (as amended);
- ii. Are constructed of new materials. Where second hand materials are proposed, the Building Surveyor may require a certification from a practising structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also require the cladding of the proposed second hand outbuilding to be painted in an approved colour or renewed;
- iii. Are not attached to a dwelling;
- iv. Are not habitable;
- v. Are not within the primary street setback area;
- vi. Do not reduce the amount of open space required by the Residential Design Codes 2013 (as amended) to less than the prescribed amount;
- vii. Are setback in accordance with the requirements of the Residential Design Codes 2013 (as amended);
- viii. Are of size, or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in **Table 1** below. Should the lot area exceed the table below then the proposed outbuilding will need to be referred to Council for planning consent –

Table 1

LOT AREA (m ²)	MAXIMUM SINGLE OUTBUILDING (m ²)	TOTAL OUTBUILDINGS (m ²)	MAXIMUM WALL HEIGHT (meters)	MAXIMUM RIDGE HEIGHT (meters)
500 – 749	46	62	2.4	3.6
750 – 999	73	97	3.0	3.6
1000 – 1249	94	125	3.0	3.6
1250 – 1699	117	156	3.0	3.9
1700 – 2049	130	202	3.0	3.9
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5

4.2 Measures to ensure Compliance with Planning Consent

When an application for planning consent for an outbuilding is considered by Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- A. lodge a bond or bank guarantee with the Shire. The bond or bank guarantee will provide the surety for the completion for a second hand outbuilding to a standard acceptable to the Shire;
- B. specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Shire;
- C. apply and have granted a building permit of a specified duration.

5. OBJECTIVES OF POLICY

To maintain the amenity of streetscapes and views along the street by ensuring that associated outbuildings do not detract from the streetscape and are not visually intrusive to neighbouring properties or adjoining public spaces.

Date Resolved: 29 April 2014 (resolution 2014/054)

Amendment:

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2018/1 – 014 February 2018	<ol style="list-style-type: none"> 1. That the Bencubbin Multipurpose Complex Redevelopment budget be increased by \$30,000 to \$2,705,000 to allow for a greater contingency of \$129,258 with a corresponding \$30,000 increase in transfers from the Bencubbin Recreation Complex Reserve; and 2. That the request from the Bencubbin Community Recreation Council to have the Shire fund the cold room doors be granted with funds coming from the Shire's portion of the contingency. 	Complete		
2018/1 – 003 February 2018	<p>That Council:</p> <ol style="list-style-type: none"> 1. Subject to S6.12 Local Government Act 1995, allow the request by Bencubbin Primary School to waive the Community Bus Hire Fee relating to 13 December 2017. 2. Resolve that on one occasion each swimming season whilst the Shire pool is closed the community bus can be hired free of charge by each Shire Primary School to allow for a social swim event for the children at a pool in one of the neighbouring towns. 	Complete		

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/12 – 5 December 2017	That the Chief Executive Officer, the Shire President and Deputy President attend and represent Council's best interests at the WALGA Zone Local Government Act Review meeting to be held on 1 March 2018.	Complete		
2017/11 – 4 November 2017	<p>2.</p> <p>a) Endorse the recommendations (as detailed above) of the Economic Development Committee by making the following awards, which are subject to any requirements listed above:</p> <ul style="list-style-type: none"> • Beacon Tennis Club \$3500 • Welbungin Sports & Progress Association Inc. \$0 • Beacon Country Club \$3319 • Bencubbin Truck N Auto's \$0 • Beacon Gun Club SSAA WA \$4027 • Gabbin Community Group \$3000 • Bencubbin Community Resource Centre \$2855 • Wild Orange Enterprises \$14,500 • Beacon Progress Association \$10,000 • Lake McDermott Catchment Group Inc. \$9052.45 <p>b) The Lake McDermott Catchment Group Inc award be subject to a recommendation that the soil sampler be hired out for the purpose of deep sampling only.</p>	Complete	All applicants informed and invoices requested	March 2018 for all acquittals

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/09-15 September 2017	<p>That Council:</p> <ol style="list-style-type: none"> 1. resolve that new workers accommodation be constructed in Beacon to replace the Beacon Barracks accommodation; 2. resolve that the new accommodation be sited to the West of the current Beacon Caravan Park; 3. direct the Chief Executive Officer and obtain full costings for the new camp and present them to Council for a budget to be agreed as soon as possible; and 4. direct the Chief Executive Officer to write to Public Transport Authority (WA) and request that one of the existing rooms be retained and gifted to the Shire to be preserved and used as a historical feature for the town. 	Ongoing	<p>Extension on the date of Beacon Barracks closure to December 2018.</p> <p>Clearing Application made</p> <p>Investigations into options underway.</p>	December 2018
2017/07-4 July 2017	That Council, pursuant to section 58 Land Administration Act 1997 and clause 9 Land Administration Regulations 1998, endorse the closure of the section of Bencubbin-Kellerberrin Road as outlined in the sketch, and direct the Chief Executive Officer to request the Minister for Lands to take the necessary steps to permanently close that section of road.	Ongoing	A request has been sent to the Minister and awaiting their response.	April 2018

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/06-5 June 2017	<p>That Council:</p> <ol style="list-style-type: none"> 1. subject to Section 6.8 (1) (b), increase the budget for the Bencubbin Recreation Complex Redevelopment capital expenditure account (8548) by \$75,000, to make a total of \$2,675,000. (Absolute Majority) 2. subject to Section 6.8 (1) (b), increase the income for the Bencubbin Recreation Complex Redevelopment by \$75,000, with that income being provided by the BCRC. That income is to be held in reserve as contingency monies and be used only for unforeseen and necessary works arising during the course of the building project. (Absolute Majority) 3. agree that the amount of contingency required for the project be \$99,258. 4. agree that any unused contingency money, up to the value of \$75,000, be returned to the BCRC at the end of the building project. 5. agree that should savings to the verbal quote be achieved during final negotiations with Devlyn, the BCRC contingency payment be reduced accordingly to achieve the contingency amount of \$99,258. 	Ongoing	<p>Written quote received. Engineering drawings being prepared.</p> <p>Contract currently being prepared. Awaiting for notification of start date.</p> <p>Builders on site from 18 September. Works are due to be completed mid-June 2018.</p>	June 2018

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/04-10 April 2017	<p>That Council:</p> <ol style="list-style-type: none"> 1. Subject to funding being provided by Water Corporation for essential works as indicated in attachment 12.1.15a accept the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams: <ul style="list-style-type: none"> • Warkutting Tank • Gabbining Tank • Marindo Rocks • Beebeegnying Tank • Sand Soak Dam 2. Decline the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams: <ul style="list-style-type: none"> • Wiacubbing Dam • Gabbin Dam • Snake Soak Dam 3. Direct the Chief Executive Officer to communicate the above resolution to the Water Corporation, and make the necessary arrangements for the transfer of the assets into the control of the Shire of Mt Marshall 	Ongoing	<p>Correspondence sent to Water Corporation advising them of the resolution, and asking to enter discussions regarding funding.</p> <p>Water Corp have agreed to pay \$5,000 per tank. Transfer of assets is underway.</p> <p>Matter sits with the Department of Lands.</p> <p>Department waiting on the outcome of native title settlement prior to any transfer.</p>	November 2018

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/022 February 2017	<p>That:</p> <ol style="list-style-type: none"> 1. Council Acknowledge an historic equity imbalance in the provision of facilities between the towns of Beacon and Bencubbin; 2. A desktop review be undertaken on proposed infrastructure upgrades for Beacon and that a further report be made to Council with a view to implementing a 5 year development program for the town; 3. That the Shire's Community Development Officer investigate and report on other local government models for the development and support of volunteers in both communities; and 4. That any agreed infrastructure development program and volunteer support program be incorporated into the Shire's Community Strategic Plan 	Ongoing	<p>This will be a 'work in progress' for some time. Initial conversations have taken place with CDO. This will link to the SCP which will be adopted by the end of the financial year.</p> <p>The Strategic Community Plan is being presented to the August meeting, which is the starting point of the review.</p> <p>The Strategic Community Plan and the Corporate Business Plan were adopted in September and will hopefully address some issues.</p>	
2017/019 February 2017	That the Shire of Mt Marshall seek the freehold title of Reserves 22783 (43 Brown St, Bencubbin) and Reserve 23238 (16 Rowlands St, Beacon) to enable the freehold disposal of the land to the Central East Aged Care Alliance Inc for the purpose of "Aged Persons Accommodation".	Ongoing	<p>This matter is progressing, firstly through Housing Authority and then to Dept. of Lands</p> <p>Housing Authority has responded and the matter now sits with the Dept. Of Lands.</p>	April 2018

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/016 February 2017	<p>That Council:-</p> <ol style="list-style-type: none"> 1. pursuant to Section 75 of the Planning and Development Act 2005, amend Shire of Mt Marshall Planning Scheme No.3 by: <i>(Please see Minutes for details)</i> 2. resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), that Amendment 2 is a basic amendment in accordance with r.34(c) of the Regulations as it proposes to amend the Scheme text to delete provisions that have been superseded by the deemed provisions in Schedule 2 of the Regulations; 3. authorise Shire officers to prepare the scheme amendment documentation; 4. authorise the affixing of the common seal to and endorse the signing of the amendment documentation; 5. pursuant to Section 81 of the Planning and Development Act 2005, refers Amendment 2 to the Environmental Protection Authority; and 6. pursuant to r.58 of the Regulations, provides Amendment 2 to the Western Australian Planning Commission. 	Complete	<p>Required documents have been prepared and sent to the EPA. When they are returned they will be sent to Dept. of Planning as required. Advertising will be arranged.</p> <p>Both the EPA and WPC have responded and the matter is ongoing.</p> <p>Finalised documentation has been sent to the WA Planning Commission.</p> <p>Awaiting approval from the WA Planning Commission.</p> <p>Approval received from the WA Planning Commission.</p>	December 2017

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/120 Aug 2016	3. The Shire of Mt Marshall enter into a legal agreement with the Bencubbin Community Recreation Council for the repayment of the self-supporting loan of \$250,000.	Ongoing	<p>Draft agreement received from McLeods. Needs amending to suit local circumstances pending award of construction contract.</p> <p>Draft annotated and served on BCRC for comment.</p> <p>Following up the draft agreement with the BCRC.</p> <p>Negotiations ongoing with the BCRC.</p> <p>Matter followed up at last committee meeting</p>	February 2018

ENVIRONMENTAL HEALTH OFFICER – PETER TOBOSS				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/104 July 2016	That Council endorse, in accordance with section 3.12 of <i>Local Government Act 1995</i> , the giving of 42 days state wide public notice of intention to make the <i>Shire of Mt Marshall Health Amendment Local Law 2016</i> .	Stalled	Needs serious reworking	July 2018
		Reviewing	Await new EHO commencing to deal with this issue	
			EHO is currently reviewing the Health Local Laws. Upon completion of the reviewing process, a draft Shire of Mt Marshall Health Local Laws 2018 will be produced. Changes to the Health Act 1911 and the new Public Health Act 2016 is step forward to review and amend the old Shire of Mt Marshall Health Local Laws.	

ENVIRONMENTAL HEALTH OFFICER - PETER TOBOSS

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2011/197 December 2011	<p>That Council:</p> <ol style="list-style-type: none"> 1. Proceed with legal action for failing to comply with the Notice served under the Health Act 1911 Part V Dwellings Division 1 Houses unfit for occupation Sec. 139 served to Mrs GM Trainor by registered post on the 14/10/2009. 2. That the dwelling located on Lot 10 Hammond Street Gabbin being of brick veneer, suspended timber floors and timber framed roof with clay tiles be declared condemned and that the dwelling is to be demolished and that a notice to that effect be issued with immediate effect and that the Land is to be cleaned up after removal of the dwelling pursuant to Health Act 1911 Part V Dwellings Division 1 Houses unfit for occupation Sec. 138 and that the demolition be completed within 82 days. 3. After 82 days from the serving of the demolition notice that the principal Environmental Health Officer/Building Surveyor inspect Lot 10 Hammond Street Gabbin to determine compliance with the demolition notice. 	To be reviewed	<p>Scoping document for McLeods to be written and submitted for legal opinion/advice to proceed or not.</p> <p>Letter received from Trainors builder asking for info about what required for a building permit. Inspection of dwelling imminent.</p> <p>Building license issued for renovations, Works progressing.</p> <p>At completion of 2 years from date issue of license will investigate if suitable progress has been made BL issued 30/3/2012 and will expire on the 30/3/2014</p> <p>Will investigate works undertaken at expiry of BL and review.</p> <p>Oct 2014 - Inspection done, unable to track down builder for a report of works completed. Letter sent to owners of house requesting update of progress and intent for house. Continued over page</p>	<p>Be reviewed early April (expiry of BL) Onsite inspection planned 17 June 2014 to determine extent of works, letter to be written to Builder & owners to say this will occur.</p> <p>PEHO is yet to establish contact with the owner/owners to discuss their action plan. It is estimated to be completed by April 2018</p>

ENVIRONMENTAL HEALTH OFFICER – PETER TOBOSS				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2011/197 December 2011 (continued)		Ongoing	<p>House inspected on 10/8/2016 – House is in need of repairs. Owner has advised that the Shire withdrew its order to demolish after an appeal was lodged with the State Administrative Tribunal. The owner will be undertaking repairs in the next few weeks.</p> <p>Await new EHO commencing to deal with this issue</p> <p>November 2017 - PEHO conducted site inspection; property is vacant with no person living in it. PEHO is yet to establish contact with the owner/owners and discuss the Health Notice placed on the property.</p>	

ENVIRONMENTAL HEALTH OFFICER – PETER TOBOSS				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2009/081 April 2009	That the dwelling located on Lot 94, Lindsay St, Beacon being of weather board walls over wooden stud frames, suspended timber floors and timber framed iron clad roof be declared unfit for human habitation from immediate effect of date of notification and also the Council place a work order on the said dwelling to bring the dwelling up to a standard deemed by the Environmental Health Officer/Building Surveyor to be compliant with the Health Act 1911, Shire of Mt Marshall Health Local Laws 2007 and Local Government (Miscellaneous Provisions) 1960 and that a period of time being 90 days of notification of dwelling unfit for habitation to be allowed to do such works and in the event of works not commenced to bring the dwelling to the said standard that a demolition order be placed on the said dwelling.	Ongoing	<p>Works inspected by EHO/BS and are acceptable. House Unfit for habitation to stay in effect until rear plumbing is confirmed done. Discussions with Ruth DeJong said they were keen to fix plumbing so they could get workers into the house BUT were out on jobs Statewide. Works ongoing when workhands available.</p> <p>House inspected on 10/08/2016. The house remains unfit for habitation by the owner's workers. The owner has been informed that the house needs to be made good before the order can be lifted and used for habitation.</p> <p>November 2017 - PEHO conducted site inspection; property is vacant with no person living in it. Health Notice on the door at the time of inspection. PEHO is yet to establish contact with the owner/owners.</p>	Ongoing.

FINANCE & ADMINISTRATION MANAGER – TANIKA MCLENNAN				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2018/1 – 011 February 2018	That the Budget Review document for the period ending 31 December 2017 be accepted as presented in attachment 12.4.4.	Complete		
2018/1 – 003 February 2018	That Council: <ol style="list-style-type: none"> 1. Subject to S6.12 Local Government Act 1995, allow the request by Bencubbin Primary School to waive the Community Bus Hire Fee relating to 13 December 2017. 	Complete		

FINANCE & ADMINISTRATION MANAGER – TANIKA MCLENNAN				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/172 November 2016	<p>That:</p> <ol style="list-style-type: none"> 1) In accordance with section 6.71 of the Local Government Act 1995, ownership of Lots 45 and 46 Rowlands Street, Beacon (A6870 and A6871) be transferred to the Shire of Mt Marshall; 2) In accordance with section 6.8 of the Local Government Act 1995, expenditure of \$1,300.02 be approved to settle outstanding water rates on Lots 45 and 46 Rowlands Street, Beacon; and 3) In accordance with section 6.12 of the Local Government Act 1995, the following rates be written off: <ul style="list-style-type: none"> A6870 \$7,867.50 A6871 \$7,867.50 		<p>Transfer lodged, awaiting notification of completion.</p> <p>Document rejected for want of the Common Seal. Awaiting its return to affix Common Seal.</p> <p>Document resubmitted, awaiting confirmation of transfer</p> <p>Landgate advised that documents were still progressing through their legal team and could not give an estimated completion time.</p>	<p>Complete</p> <p>Complete</p> <p>December 2017</p>

REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2018/1 – 012 February 2018	That Council, pursuant to section 58 Land Administration Act 1997 and clause 9 Land Administration Regulations 1998, endorse the closure of the section of Potts Road as outlined by the Department of Planning, Lands and Heritage SmartPlan below and direct the Chief Executive Officer to request the Minister for Lands to take the necessary steps to permanently close that section of road.	Ongoing	Waiting on a reply from the Minister	May 2018
2017/05-18 May 2017	That: 1. Council resolve not to proceed with the Extractive Industries Local Law.	Completed		
	2. The Chief Executive Officer be directed to draw up and present to Council an Extractive Industries Local Planning Policy.	Current	Staff are in the process of drafting a policy	May 2018
2016/178 November 2016	That: 1. an application be submitted to Main Roads WA to have Medlin Street, Calderwood Drive, Lindsay Street, Shemeld Street and Hamilton Street Beacon added to the RAV Network 4 and RAV Network 7; and	Completed	Advice from MRDWA is that the application was not successful. Reason given was that “MRD will not be adding RAV ACCESS at this point in time due to the regions Network Strategy”	October 2017
	2. an application be submitted to Main Roads WA seeking permission to install Give Way signs at the East end of Calderwood Drive, Beacon and the West end of the Beacon Grain Bin Road.	Ongoing	Main Roads have been advised and will assess the situation.	April 2018

REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/155 Oct 2016 Continued	h) Consent is given to the Department of Fire and Emergency Services to issue identity cards to Mt Marshall Fire Brigade members.	Ongoing	DFES require all volunteers to submit a photo, waiting for harvest and holidays to be completed before following up	April 2018
2016/110 July 2016	<p>That Council endorse the recommendation of the Wheatbelt North East Sub Regional Road Group in relation to the Wheatbelt Freight Plan as follows:</p> <p>That:</p> <p>a) The following “Collector” Routes within the WNE SRRG road network:</p> <ol style="list-style-type: none"> 1 Wyalkatchem to Southern Cross Route 2 Cunderdin to Wyalkatchem Route 3 Wongan Hills to Koorda Route 4 Hines Hill to Burakin Route 5 Kulja to Dalwallinu Route 6 Kellerberrin to Beacon Route 7 Warralakin to Burracoppin Route 8 Bruce Rock to Moorine Rock Route <p>be endorsed as our Wheatbelt Freight Plan routes.</p> <p>b) All of the 2030 roads within these eight (8) WFP “collector” routes be allocated a single RAV access level of Network 7.</p> <p>c) All of the 2030 roads within these eight (8) WFP “collector” routes be allocated an AMMS level of 2, except for the Mukinbudin / Wialki Rd within the Shire of Mukinbudin from SLK 0.0 – 25.00 (Mukinbudin – Bonnie Rock Rd intersection), which is to be kept at its current level 3.</p>	Ongoing	Awaiting confirmation that the Wheatbelt Freight Plan has been adopted.	April 2018

ENGINEERING ADMINISTRATION OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2008/083 April 2008	<p>That the Shire of Mt Marshall Local Law Relating to Dogs be amended as follows:</p> <p>15 2) Remove (e) Beacon Recreation Reserve No 36172</p> <p>15 (2) Remove (f) Bencubbin Recreation Reserve No 21535</p> <p>15 (2) Amend (g) to be denoted (e)</p> <p>Insert 15 (3) Fouling of Streets and Public Places</p> <p>Any person liable for the control of a dog as defined in Section 3(1) of the Act, who permits the dog to excrete on any street or public place or on any land within the District without the consent of the occupier commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the local government may approve.</p> <p>16 (2) Remove (a) All freehold land owned by the Shire of Mt Marshall.</p> <p>16 (2) Remove (b) All reserves owned by the Shire of Mt Marshall or under the care control and management of the Shire.</p> <p>Insert 16 (2) (a) Beacon Recreation Reserve No 36172 (outside the fenced oval area) providing there are no organised activities upon this reserve.</p> <p>Insert 16 (2) (b) Bencubbin Recreation Reserve No 29824.</p>	Ongoing	Proposed changes to be advertised.	September 2009

EXECUTIVE ASSISTANT – NADINE RICHMOND				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2018/1 – 007 February 2018	Mr Peter Waters, Mr Brett Millar and Mrs Deanne Breakell are appointed as Bencubbin Community Recreation Council representatives on the Bencubbin Multipurpose Complex Steering Committee.	Complete	BCRC has been advised in writing of appointments.	
2017/10-16 October 2017	Where community positions exist: a. Current members be approached inviting them to continue their membership; b. Where vacancies exist/occur, advertising take place seeking expressions of interest.	Complete	Letters have been sent and awaiting replies Replies received.	
2017/10-14 October 2017	That Council in accordance with Section 5.10 of the Local Government Act 1995, endorse the following committees, Working Groups and External Organisations with appointed Elected Member and Staff representation as listed below: Please see minutes for detailed resolution.	Complete	Will update the committee booklet and provide to Elected Members and staff once responses for working groups have been received from the community.	
2016/122 Aug 2016	That Council authorise the President and Acting CEO to apply the Shire of Mt Marshall common seal in accordance with the Local Government Act 1995, Section 9:49A (3) to the Shire of Mt Marshall Health Amendment Local Law 2016.			

COMMUNITY DEVELOPMENT OFFICER – OLIVIA GRANICH

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/12 – 12 December 2017	<p>That:</p> <ol style="list-style-type: none"> the Aflex Inflatable Obstacle course is made available to hire to surrounding Shires in accordance with the set terms and conditions in attachment 12.5.6; and subject to section 6.16 (3) (b) of the Local Government Act 1995, the fee charged for the hire of the Aflex Inflatable Obstacle Course be set as follows: <p>One day: \$100 Two consecutive days: \$150 One Week: \$300</p>	Complete	Trayning Pool have hired the inflatable obstacle course and it has been well received and the obstacle course has been returned in original condition.	

COMMUNITY DEVELOPMENT OFFICER – OLIVIA GRANICH

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/022 February 2017	<p>That:</p> <ol style="list-style-type: none"> 1. Council Acknowledge an historic equity imbalance in the provision of facilities between the towns of Beacon and Bencubbin; 2. A desktop review be undertaken on proposed infrastructure upgrades for Beacon and that a further report be made to Council with a view to implementing a 5 year development program for the town; 3. That the Shire's Community Development Officer investigate and report on other local government models for the development and support of volunteers in both communities; and 4. That any agreed infrastructure development program and volunteer support program be incorporated into the Shire's Community Strategic Plan 	Ongoing	CDO liaising with Volunteers WA Wheatbelt Hub to source information that will assist with the development of the report.	

COMMUNITY DEVELOPMENT OFFICER – OLIVIA GRANICH

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/190 December 2016	<p>That:</p> <ol style="list-style-type: none"> the Shire of Mt Marshall engage a consultant to undertake a Needs Assessment & Feasibility Study for a new Mt Marshall Aquatic Centre based on the methodology and deliverables outlined in the Needs Assessment & Feasibility Study Criteria; and for the purposes of the study, the site for any new aquatic facility be confined to the Beacon Recreation Complex site, the Bencubbin Recreation Complex site and the current aquatic centre site. 	Current	<p>CDO acquired quotes from consultants to undertake this work. ABV Leisure Consultants to undertake the project. ABV currently reviewing Shires strategic documents and pool history. Survey and public consultation complete. Draft Needs Assessment presented in September, provided to Council to review.</p> <p>ABV are currently working on the Feasibility Study and cost estimates for the recommended options from the Needs Analysis. Draft report expected to be presented in Feb/March 18.</p> <p>CDO is acquiring quotes to engage a Quantity Surveyor to cost the capital works, lifecycle costings and lifespan replacement cost for the Mt Marshall Aquatic centre. Concept plans are nearing completion and are expected to be presented April 18.</p>	



North Eastern Wheatbelt Regional Organisation of Councils

Koorda | Mt Marshall | Mukinbudin | Nungarin | Trayning | Wyalkatchem

Council Meeting

Tuesday 27 February 2018

Meeting held at the Mukinbudin Sports Complex
Cruickshank Street,
MUKINBUDIN

MINUTES

NEWROC Vision Statement

NEWROC is a strong, cohesive regional leadership group that fosters economic prosperity of member Councils.

Attachment 12.3.5

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ANNUAL CALENDAR OF ACTIVITIES

MONTH	ACTIVITY	MEETING
January		Executive
February	<ul style="list-style-type: none"> Council refreshes itself on NEWROC Vision, Mission, Values (review Vision and Mission every other year) Council reviews NEWROC project priorities 	Council
March	<ul style="list-style-type: none"> WDC attendance to respond to NEWROC project priorities Submit priority projects to WDC, Regional Development and WA Planning Discussion regarding portfolios vs projects, current governance structure Group insurance discussion 	Executive
April	<ul style="list-style-type: none"> NEWROC Budget Preparation Review NEWTRAVEL Tourism Officer Contract - expires June 2018 	Council
May	<ul style="list-style-type: none"> NEWROC Draft Budget Presented NEWROC Executive Officer Contract/Hourly Rate Review (current contract expires June 2019) Local Government Week agenda to be discussed at Executive meeting to determine if EA should attend 	Executive
June	<ul style="list-style-type: none"> NEWROC Budget Adopted 	Council
July		Executive
August	<ul style="list-style-type: none"> Information for Councillors pre-election 	Council
September		Executive
October	<ul style="list-style-type: none"> NEWROC CEO and President Handover 	Council
November	<ul style="list-style-type: none"> NEWROC Induction of new Council representatives (every other year) Review NEWROC MoU (every other year) 	Executive
December	<ul style="list-style-type: none"> NEWROC Annual Dinner 	Council

ONGOING ACTIVITIES

Compliance

Media Releases

NEWROC Chair Rotation

Shire of Mt Marshall

Shire of Nungarin

Shire of Wyalkatchem (November 2017 – November 2019)

Shire of Koorda

Shire of Mukinbudin

Shire of Trayning

NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS

Ordinary Meeting of Council held at the Mukinbudin Sports Complex, Cruickshank Street, Mukinbudin, on Tuesday 27 February 2018 commencing at 2.00pm.

MINUTES

1. OPENING AND ANNOUNCEMENTS

The Chair, Cr Davies declared the meeting open at 2:30 pm and welcomed everyone

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1. Attendance

Elected Members

Cr Quentin Davies	Delegate	NEWROC Chair, President, Shire of Wyalkatchem
Cr Gary Shadbolt	Delegate	President, Shire of Mukinbudin
Cr Tony Sachse	Delegate	President, Shire of Mt Marshall
Cr Eileen O'Connell	Delegate	President, Shire of Nungarin
Cr Melanie Brown	Delegate	President, Shire of Trayning

Chief Executive Officers

David Burton	CEO, Shire of Koorda
John Nuttall	CEO, Shire of Mt Marshall
Dirk Sellenger	CEO, Shire of Mukinbudin
Bill Fensome	CEO, Shire of Nungarin
Graham Merrick	CEO, Shire of Trayning

Officers

Caroline Robinson	NEWROC Executive Officer
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Guests

Cr Gary Coumbe	Delegate, Shire of Nungarin
Cr Bev Palmer	Shire of Nungarin
Cr Nick Gillett	Delegate, Shire of Mt Marshall
Cr Rachael Kirby	Shire of Mt Marshall
Cr Ruth Poultney	Shire of Mukinbudin
Cr Jannah Stratford	Shire of Koorda
Lana Foote	Manager Administration and Finance, Shire of Koorda

2.2. Apologies

Cr Ricky Storer	Delegate	President, Shire of Koorda
Ian McCabe	CEO, Shire of Wyalkatchem, CEO of NEWROC	
Wendy Newman	Wheatbelt Development Commission	
Cr Marlon Hudson	Councillor, Shire of Trayning	
Cr Sandie Ventris	Councillor, Shire of Mukinbudin	

2.3. Requests for Leave of Absence

Nil

3. DECLARATIONS OF INTEREST AND DELEGATIONS REGISTER

3.1. Declarations of Interest

Nil

3.2. Delegations Register – February 2018

Please find below a delegations register as per the new policy adopted in March 2017:

Description of Delegations	Delegatee	Delegated to	Approval
Records Management	CEO	NEWROC EO	Council
NEWROC Financial Management	CEO	NEWROC EO	Council Dec 2017
Bendigo Bank Signatory (NEWROC)	CEO	NEWROC EO	Council Dec 2017
Bendigo Bank Signatory (Shire of Wyalkatchem)	Council	CEO	Council Dec 2017
Management of NEWTravel EO	CEO	NEWROC EO	Council
NEWROC Website	CEO	NEWROC EO	Council June 2017

4. PRESENTATIONS

Nil

5. MINUTES OF MEETINGS

5.1. Minutes of Ordinary Meetings

5.1.1. Minutes of Ordinary Meeting of NEWROC Council – 12 December 2017

Minutes of the meeting held 12 December 2017 have previously been circulated.

RESOLUTION:

That the Minutes of the NEWROC Meeting of Council held on 12 December 2017 be confirmed as a true and correct record of proceedings.

Moved Cr O'Connell

Seconded Cr Sasche

Carried 6/0

5.1.2. Business Arising from NEWROC Council Meeting

Nil

5.2. Minutes of Executive Committee Meetings

5.2.1. NEWROC Executive Committee Meeting – 8 February 2018

Minutes of the NEWROC Executive Committee Meeting held on 8 February 2018 have been circulated.

RESOLUTION:

That the Minutes of the NEWROC Executive Committee Meeting held on 8 February 2018, be received.

Moved Cr O'Connell

Seconded Cr Shadbolt

Carried 6/0

5.2.2. Business Arising from the NEWROC Executive Meeting

Nil

6. FINANCIAL MATTERS

6.1. List of Income and Expenditure

PORTFOLIO: Corporate Capacity
FILE REFERENCE: 42-2 Finance Audit and Compliance
REPORTING OFFICER: Caroline Robinson, Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 19 February 2018
ATTACHMENT NUMBER: Nil
CONSULTATION: Dannelle Foley
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENTS

The below list outlines the income and expenditure from 1 December 2017 to 31 January 2018

Account Transactions

For the period 1 December 2017 to 31 January 2018

Date	Description	Reference	Credit	Debit	Gross
NEWROC Funds #5557					
Opening Balance			124,738.55	0.00	0.00
01 Dec 2017	Bendigo Bank	Interest Received	21.71	0.00	21.71
01 Dec 2017	Bendigo Bank	Bank Charges	0.00	2.40	(2.40)
01 Dec 2017	Payment: Shire of Wyalkatchem	Wyalkatchem Subs Inv37	45,284.80	0.00	45,284.80
01 Dec 2017	Payment: Digit Books Pty Ltd	D1G1T Subs Inv10747	0.00	50.00	(50.00)
11 Dec 2017	Payment: Shire of Koorda	Shire of Koorda - Subscriptions	45,284.80	0.00	45,284.80
15 Dec 2017	Payment: South Western Wireless WA	SWW - First Instalment	0.00	98,000.00	(98,000.00)
15 Dec 2017	Payment: Vernon Contracting	Vernon Contracting Inv 1018	0.00	1,687.40	(1,687.40)
15 Dec 2017	Payment: Solum	Solum - Inv 0003	0.00	5,674.18	(5,674.18)
21 Dec 2017	Payment: Nola Comerford-Smith	Xmas Dinner Catering	0.00	385.00	(385.00)
21 Dec 2017	Payment: Solum	Solum Inv 0004	0.00	5,714.68	(5,714.68)
01 Jan 2018	Bendigo Bank	Bank Charges	0.00	2.00	(2.00)
01 Jan 2018	Payment: Digit Books Pty Ltd	D1G1T Subs	0.00	50.00	(50.00)
01 Jan 2018	Bendigo Bank	Interest Received	17.92	0.00	17.92
02 Jan 2018	Payment: Digit Books Pty Ltd	D1G1T Subs	0.00	50.00	(50.00)
12 Jan 2018	Payment: Shire of Merredin	Shire of Merredin - Telecomms Project	33,000.00	0.00	33,000.00
Total NEWROC Funds #5557			123,609.23	111,615.66	11,993.57
Closing Balance			136,732.12	0.00	0.00
Total			123,609.23	111,615.66	11,993.57

Profit and Loss Report to the 31 January 2018

Profit & Loss
North Eastern Wheatbelt Regional Organisation of Councils
For the month ended 31 December 2017

	Dec-17	Total
Income		
Interest Received	\$21.71	\$21.71
Total Income	\$21.71	\$21.71
Gross Profit	\$21.71	\$21.71
Less Operating Expenses		
Accounting/Audit fees	\$45.45	\$45.45
Bank charges	\$2.40	\$2.40
Event / Ceremony Expenses	\$350.00	\$350.00
Executive Officer Business Case/Project Work	\$5,500.00	\$5,500.00
Executive Officer Contract Services	\$5,389.36	\$5,389.36
Travel Executive Officer	\$499.50	\$499.50
Travel Tourism Officer	\$434.00	\$434.00
Total Operating Expenses	\$12,220.71	\$12,220.71
Net Profit	\$12,199.00	\$12,199.00

Profit & Loss
North Eastern Wheatbelt Regional Organisation of Councils
For the month ended 31 January 2018

	Jan-18	Total
Income		
Interest Received	\$17.92	\$17.92
Special Projects Subscriptions Rec.	\$30,000.00	\$30,000.00
Total Income	\$30,017.92	\$30,017.92
Gross Profit	\$30,017.92	\$30,017.92
Less Operating Expenses		
Accounting/Audit fees	\$90.90	\$90.90
Bank charges	\$2.00	\$2.00
Executive Officer Business Case/Project Work	\$1,100.00	\$1,100.00
Executive Officer Contract Services	\$2,694.68	\$2,694.68
Printing and Stationery	\$25.00	\$25.00
Tourism Officer Contract Services	\$2,200.00	\$2,200.00
Travel Executive Officer	\$1,650.00	\$1,650.00
Travel Tourism Officer	\$189.00	\$189.00
Total Operating Expenses	\$7,951.58	\$7,951.58
Net Profit	\$22,066.34	\$22,066.34

RESOLUTION:

That the income and expenditure and the profit and loss report as at 31 January 2018, as listed, be endorsed.

Moved Cr Brown

Seconded Cr Gillett

Carried 6/0

7. MATTERS FOR DECISION

7.1. NEWTRAVEL Update

PORTFOLIO:	Economic Development and Tourism
FILE REFERENCE:	132-1 Tourism
REPORTING OFFICER:	Caroline Robinson, Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	20 February 2018
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

The next NEWTRAVEL meeting will be held on Monday 26th February 10am in Dowerin at the Dowerin Shire Council Chambers. The group will be having a presentation from Carol Redford Stargazers Club WA to talk about Astro-tourism in the Wheatbelt, followed by reviewing the proposed new NEWTRAVEL constitution and a proposed membership.

The Wheatbelt Way app is now available from the App Store for Apple devices and will be available by the end of the month in the Google Play store for Android devices.

A letter has been written to the Shires of Dowerin and Westonia requesting their financial contributions to NEWTRAVEL in 2018/19.

RESOLUTION:

That the information is received.

Moved Cr Sasche

Seconded Cr O'Connell

Carried 6/0

Discussion:

- 👉 Astrotourism presentation was well received at the NEWTravel meeting
- 👉 The revised constitution was discussed and will be passed mid year. It is beginning to address the future role of NEWTravel, membership categories etc

7.2. Regional Subsidiary and Local Government Act Review

PORTFOLIO:	Corporate Capacity
FILE REFERENCE:	041-5 Strategic and Future Planning
REPORTING OFFICER:	Caroline Robinson, Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	20 February 2018
ATTACHMENT NUMBER:	#1 – Response from Minister
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

NEWROC sent a letter to the Minister for Local Government regarding feedback on the regional subsidiary legislation.

A response from the Minister is included in attachment #1.

A reminder to all members that the review into the Local Government Act closes on the 9 March 2018.

RESOLUTION:

That the information is received.

Moved Cr Shadbolt

Seconded Cr O'Connell

Carried 6/0

Discussion:

- 👉 The Executive will work on the Regional Subsidiary Charter and begin addressing the strategies of the project and communications plans

7.3. NEWROC Health Strategy

PORTFOLIO:	Emergency Management and Health
FILE REFERENCE:	071-1 Health General
REPORTING OFFICER:	Ian McCabe, CEO Shire of Wyalkatchem
DISCLOSURE OF INTEREST:	Nil
DATE:	20 February 2018
ATTACHMENT NUMBER:	#2 Health Plan
CONSULTATION:	Caroline Robinson
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

Members are asked to review the NEWROC Better Health Plan, provide amendments and confirm the priorities identified.

Discussion at the Executive Meeting:

- 👉 Discussion regarding outcomes and possible issues with a general lack of clarity in the plan, too much to achieve in a few years etc.
- 👉 A few typo's in the plan which are to be amended by the NEWROC EO
- 👉 Discussion regarding further refinement of the plan into 8-9 achievable strategies, so too the identification of actual and aspirational strategies, less duplication and expenditure
- 👉 There are some outstanding funds still to be spent which could be directed towards developing a NEWROC Local Health Plan (as per legislation)
- 👉 NEWROC to involve the NEWROC EHO in the development of the plan

RESOLUTION:

That the NEWROC Health Plan be adopted.

Moved Cr Sasche

Seconded Cr Stratford

Carried 6/0

Discussion:

- 👉 Amendments from Ian McCabe have been sent through to the Executive Officer
- 👉 External assistance has been found to help write individual health plans for members (as part of their legislated requirements)
- 👉 Health Consumer Advocate will be attending the Executive meeting in March by Zoom to discuss WACHS engagement

7.4. NEWROC Telecommunications Project

PORTFOLIO:	Transport and Infrastructure
FILE REFERENCE:	035-1 Grants General
REPORTING OFFICER:	Caroline Robinson, Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	20 February 2018
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Leigh Ballard, SWW
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

A Data Centre Access agreement has been drafted, reviewed by a lawyer and provided to South Western Wireless regarding the process for additional parties wishing to access the Merredin Data Centre. Note – it is an agreement between the Shire of Nungarin and South Western Wireless. This agreement was presented at the Shire of Nungarin's February meeting

In early January, a series of emails between member CEO's occurred regarding a proposed access fee for parties to the Data Centre. It was agreed via email this fee would be \$33,000, the same as the Shire of Merredin's access fee, paid in December 2017.

During January, the State Government announced the Digital Farm grant. \$5 million has been allocated from the State Agricultural Telecommunications Infrastructure Improvement Fund for this grant program, which is administered by the Department of Primary Industries and Regional Development.

Up to \$500,000 (GST exclusive) per application will be available for the estimated capital costs of improving connectivity to multiple farm enterprises and other potential stakeholders over a wide area nominated by the Lead Applicant. Capital costs may include infrastructure, site acquisition, power connection, construction, equipment, regulatory approval costs and related one-off expenses.

Funding recipients will be wholly responsible for meeting any actual capital costs that exceed the estimated costs.

Since the announcement of the Digital Farm Grant and email correspondence between the CEO's regarding the data access fee, the NEWROC Executive Officer has had discussions with South Western Wireless regarding neighbouring Shires, interested in accessing the Data Centre

Some points of consideration moving forward on the data centre access fee:

- 🔥 Being fair and equitable across all Shires who wish to access the Data Centre
- 🔥 NEWROC receiving a return on investment and expanding their own network
- 🔥 Population / number of possible plans being sold in each Shire wishing to access the Data Centre

Discussion at the Executive Meeting:

- 🔥 Data Centre is in Merredin, fibre will be connected at end of the month. Has been a few hold ups with CBH who may provide access to their silo's
- 🔥 Discussion regarding the Access Fee to the Data Centre – agreed at \$33,000 (inc GST)
- 🔥 NEWROC will support where possible applications by neighbouring Shires (Dowerin, Bruce Rock, Narembreen, Kellerberrin) who wish to apply for the Digital Farm grant and they will discuss access fees when approached

NEWROC Council Meeting 27 February 2018 - MINUTES

- 👉 Unlikely NEWROC will be successful itself with the Digital Farm grant as it is not for existing infrastructure
- 👉 Future towers identified for north Mukinbudin, north Koorda, south Trayning and Wyalkatchem
- 👉 Discussion regarding the sale of plans (to get to the 200 subscribers) to the community, however SWW has agreed that the community needs to 'experience' it first or at least see some towers up
- 👉 Request has been sent to AusIndustry (Federal member, Ministers etc) regarding an official 'opening'
- 👉 Progress report / acquittal 1 has been received and accepted by AusIndustry

Action since the Executive Meeting:

- 👉 Payment for the acquittal has been received
- 👉 SWW has met with the Shires of Dowerin, Kellerberrin, Bruce Rock and Narembeen

RESOLUTION:

That the information is received.

Moved Cr O'Connell

Seconded Cr Brown

Carried 6/0

Discussion

- 👉 Executive Officer to follow up on SWW agreements with land owners who have a tower on their property regarding compensation / 'free plans'
- 👉 Agreement with land owners should include: at least 25yrs / life of tower, plan goes with the land not with the owner
- 👉 Executive Officer to follow up with SWW regarding their information sessions and attendance at the Mt Marshall Show, promotion of the Show and invites need to go out asap
- 👉 Executive Officer to request a list of locations towers have been confirmed for
- 👉 Development applications required for the towers (container and tower) – these have been completed in a poor manner and have delayed the project, Shire of Trayning approved theirs as a storage shed
- 👉 Planned 11 April official opening with Melissa Price, mid morning / lunch including a private meeting with Melissa Price prior to the opening (thank her for FAG;s)

8. EMERGING NEWROC ISSUES as notified, introduced by decision of the Meeting

- 👉 Executive Officer will develop Project Plans for each project discussed at the Strategic Planning session

9. WALGA ZONE ISSUES

- 👉 Shire of Koorda intends to ask the GECZ to hold a group meeting using CRC's video conferencing facilities

10. OTHER MATTERS

10.1. CEACA

- 👉 Some members have received an email regarding proposed amendments to the constitution
- 👉 Proposal is that the independent Chair has a vote and a casting vote as well. This potentially enables the independent Chair to have a final decision on how Council funds should be spent
- 👉 Members were informed that the CEACA Chair resigned on 26 February. Discussion regarding this development will occur at the next meeting on 7 March
- 👉 CEACA Executive have requested additional details from Access Housing regarding the budget – specifically the income. Will be further discussed at the next CEACA meeting

11. MEETING SCHEDULE

27 March	Executive	Shire of Nungarin
24 April	Council	Shire of Nungarin
22 May	Executive	Shire of Wyalkatchem
26 June	Council	Shire of Wyalkatchem
24 July	Executive	Shire of Koorda
28 August	Council	Shire of Koorda
25 September	Executive	Shire of Mt Marshall
23 October	Council	Shire of Mt Marshall
27 November	Executive	Shire of Trayning
18 December	Council	Shire of Trayning (Christmas Function)

12. CLOSURE OF MEETING

Special thank you to Bill Fensome for all his time and efforts. The meeting is Bill's last NEWROC meeting and he has made an enormous contribution to the group and region. We hope he enjoys his next challenge.

Thank you to Anne and Tony from WALGA for facilitating the strategic planning session.

Cr Davies thanked everyone for their attendance and closed the meeting at 3.14pm

Additional information to support the agenda and meeting processes.

Strategic Focus 2016-2021

What will be the core drivers to achieving our vision?

CORE DRIVER 1 - RETAINING AND GROWING OUR POPULATION

Advocating, promoting and marketing our communities as a place to live,
work and visit

Retain and attract populations

CORE DRIVER 2 - POSITIVE GOVERNMENT RELATIONS AND ATTRACTING GOVERNMENT FUNDING

Advocating on behalf of our communities

Having successful and collaborative partnerships

Promoting and engaging in civic leadership

Collaborating and sharing within our region

Maintain member identities while working with each other

How will we achieve our vision?

Helping businesses be innovative, sophisticated and growing

Developing our people (human capital)

Investing in our youth

Being technologically ready and adaptable

Investing in our natural environment

Working together and sharing our resources



Shire of Mt Marshall

Monthly Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

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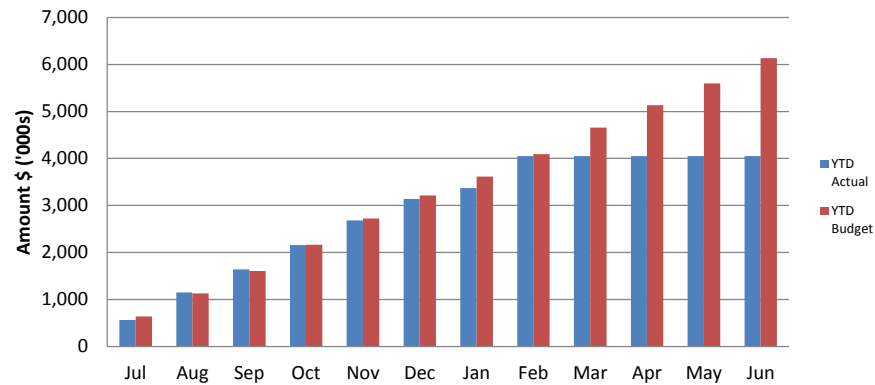
Shire of Mt Marshall
Statement of Financial Activity
For the period 1 July 2017 to 31 January 2018

	NOTE	Actual YTD 2017/2018	Budget YTD 2017/2018	Original Full Year Budget 2017/2018	Variance Budget to Actual YTD	
					%	\$
Operating Revenue						
Governance		36,614	21,960	28,399	67%	14,654
General Purpose Funding		613,716	686,801	1,322,909	(11%)	(73,085)
Law, Order & Public Safety		323,916	6,869	13,443	4616%	317,047
Health		93,388	76,300	130,800	22%	17,088
Education & Welfare		59,397	53,900	81,101	10%	5,497
Housing		94,256	99,631	170,820	(5%)	(5,375)
Community Amenities		108,642	135,929	139,899	(20%)	(27,288)
Recreation & Culture		17,828	19,845	1,051,449	(10%)	(2,017)
Transport		646,457	1,101,807	2,006,528	(41%)	(455,350)
Economic Services		92,557	136,475	221,935	(32%)	(43,918)
Other Property & Services		53,410	46,424	74,600	15%	6,986
		2,140,181	2,385,940	5,241,882		
Operating Expenses						
Governance		(274,069)	(350,797)	(431,176)	(22%)	76,728
General Purpose Funding		(36,976)	(40,460)	(69,371)	(9%)	3,484
Law, Order & Public Safety		(126,292)	(68,342)	(112,080)	85%	(57,950)
Health		(126,633)	(127,968)	(267,025)	(1%)	1,335
Education & Welfare		(132,191)	(142,201)	(243,435)	(7%)	10,010
Housing		(306,454)	(271,110)	(541,937)	13%	(35,344)
Community Amenities		(127,575)	(150,402)	(257,623)	(15%)	22,827
Recreation & Culture		(508,460)	(488,896)	(849,490)	4%	(19,563)
Transport		(1,372,466)	(1,610,825)	(2,771,956)	(15%)	238,359
Economic Services		(252,889)	(330,292)	(562,388)	(23%)	77,403
Other Property & Services		(106,812)	(30,675)	(24,981)	248%	(76,137)
		(3,370,818)	(3,611,968)	(6,131,463)		
Adjustments for Non-Cash (Revenue) and Expenditure						
(Profit)/Loss on Asset Disposals	2	32,401	60,000	60,000		
Employee benefit Provisions Cash Backed		577	4	4		
Depreciation on Assets		1,219,642	1,136,279	2,272,558		
Capital Revenue and (Expenditure)						
Purchase Property Plant & Equipment	1	(1,686,175)	(1,848,487)	(3,230,361)		
Purchase Infrastructure Assets	1	(821,551)	(1,454,981)	(2,679,978)		
Repayment of Debenture	3	(53,423)	(53,423)	(106,412)		
Proceeds from New Debenture	3	0	0	0		
Self-Supporting Loan Principal Income		6,293	6,293	19,407		
Proceeds from Disposal of Assets	2	122,777	122,777	260,000		
Reserves and Restricted Funds						
Transfers to Reserves	4	(421,360)	(421,360)	(486,659)		
Transfers from Reserves	4	39,103	39,103	1,633,127		
ADD Net Current Assets July 1 B/Fwd.	5	1,788,610	1,787,900	1,787,900		
LESS Net Current Assets Year to Date	5	(332,576)	491,928	0		
Amount Raised from Rates	6	(1,336,318)	(1,359,995)	(1,359,995)		

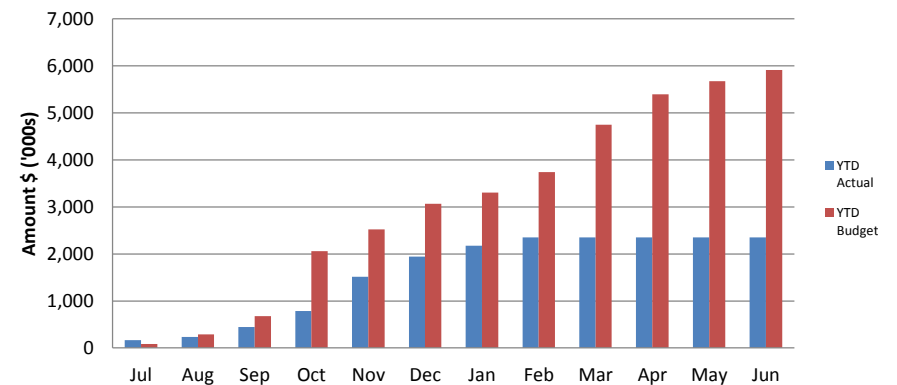
Shire of Mt Marshall

For the period 1 July 2017 to 31 January 2018

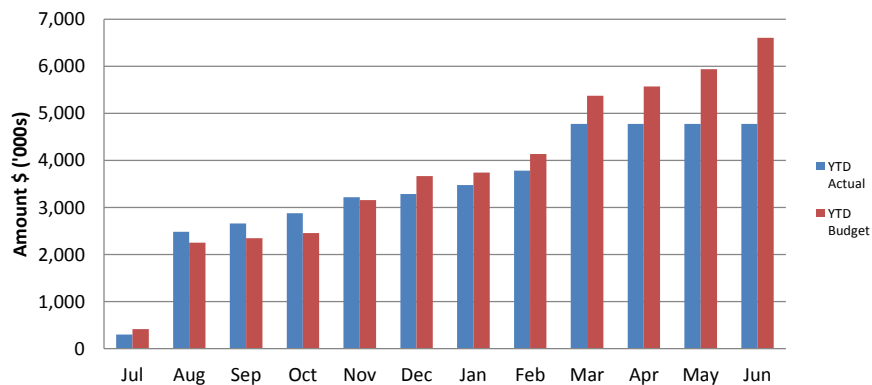
Operating Expenditure



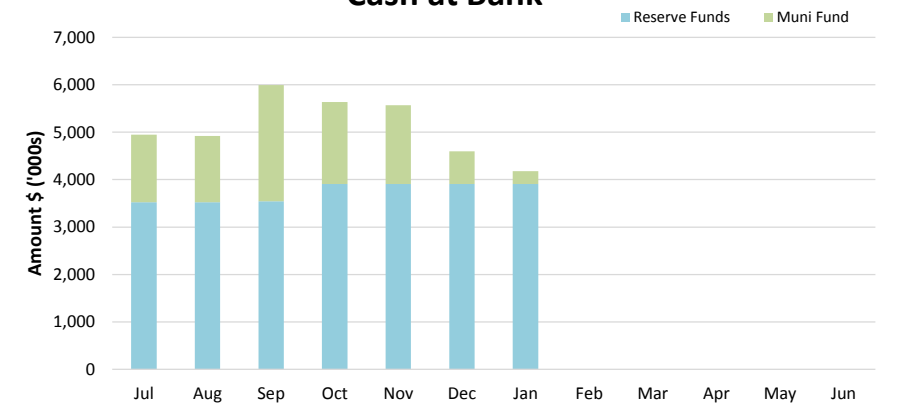
Capital Works & Equipment Purchases



Operating Income



Cash at Bank



Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 Adopted Budget \$	31-Jan-18 Actual \$	31-Jan-18 Budget YDT \$
1. ACQUISITION OF ASSETS			
The following assets have been acquired during the period under review:			
<u>By Program</u>			
Governance			
<i>Administration General</i>			
Purchase Vehicle - Admin	85,000	77,658	85,000
Law Order & Public Safety			
<i>Fire Vehicles</i>			
Isuzu FSS600 Fire Tender	0	330,521	0
Health			
<i>NEW Health Vehicles</i>			
New Health Purchase Of Motor Vehicle	25,000	72,805	25,000
Education & Welfare			
<i>Aged & Disabled Welfare</i>			
Purchase Land & Buildings - Welfare Aged	81,600	81,600	81,600
Land & Buildings - Other Welfare	0	0	0
Community Amenities			
<i>Protection of the Environment</i>			
Land & Buildings - Community Amenities	5,000	0	0
<i>Other Community Ammenities</i>			
Beacon And Bencubbin Water Collection	57,750	28,564	33,684
Purchase Of Plant	12,000	12,463	12,000
Recreation and Culture			
<i>Sporting Facilities</i>			
Land & Buildings - Sporting Facilities	15,000	2,873	15,000
Infrastructure Other Purchases	30,000	0	30,000
Land & Buildings - Bencubbin Recreation	2,447,761	967,901	1,092,887
Transport			
<i>Construction - Roads, Bridges, Depots</i>			
Roads To Recovery Road Works	918,567	166,547	634,665
State Road Projects Grant	1,163,861	566,060	653,500
Municipal Road Construction	89,800	59,392	89,800
Footpath Construction	20,000	825	13,332
<i>Road Plant Purchases</i>			
Plant Purchases	440,000	86,606	440,000
Motor Vehicle Purchases	97,000	53,749	97,000
<i>Airstrips</i>			
Beacon Airstrip Upgrade	400,000	0	0
Economic Services			
<i>Tourism & Area Promotion</i>			
Purchase Land And Buildings	22,000	0	0
<i>Other Economic Services</i>			
Infrastructure Other	0	0	0
	<u>5,910,339</u>	<u>2,507,726</u>	<u>3,303,468</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 Adopted Budget \$	31-Jan-18 Actual \$	31-Jan-18 Budget YDT \$
1. ACQUISITION OF ASSETS (Continued)			
The following assets have been acquired during the period under review:			
<u>By Class</u>			
Land Held for Resale - Current	0	0	0
Land Held for Resale - Non Current	0	0	0
Land	0	0	0
Land & Buildings	2,571,361	1,052,374	1,189,487
Furniture & Equipment	0	0	0
Motor Vehicles	207,000	204,212	207,000
Plant & Equipment	452,000	429,590	452,000
Infrastructure - Roads	2,172,228	792,162	1,377,965
Infrastructure - Footpaths	20,000	825	13,332
Infrastructure - Ovals & Parks	0	0	0
Infrastructure - Other	487,750	28,564	63,684
	<u>5,910,339</u>	<u>2,507,726</u>	<u>3,303,468</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Written Down Value		Sale Proceeds		Profit(Loss)	
	2017/18 Budget \$	January 2017 Actual \$	2017/18 Budget \$	January 2017 Actual \$	2017/18 Budget \$	January 2017 Actual \$
Administration						
Admin Vehicle	47,000	46,445	60,000	52,727	13,000	6,282
Law Order & Public Safety						
1998 Hino Fire Appliance	0	50,939	0	16,364	0	(34,576)
Health						
NEW Health Vehicles	0	35,504	60,000	35,504	60,000	0
Housing						
Lot 158 Brown St, Bencubbin	105,000	0	20,000	0	(85,000)	0
Transport						
Grader	110,000	0	70,000	0.00	(40,000)	0
UD Nissan 5 Tonne Mtc	22,000	0	20,000	0.00	(2,000)	0
Utility - MM276	13,000	13,041	10,000	9,090.91	(3,000)	(3,950)
Utility - MM136	13,000	0	10,000	0	(3,000)	0
Utility - MM170	10,000	9,248	10,000	9,090.91	0	(157)
	320,000	155,178	260,000	122,777	(60,000)	(32,401)

By Class of Asset

	Written Down Value		Sale Proceeds		Profit(Loss)	
	2017/18 Budget \$	January 2017 Actual \$	2017/18 Budget \$	January 2017 Actual \$	2017/18 Budget \$	January 2017 Actual \$
Motor Vehicles	47,000	132,889	120,000	104,595	73,000	(28,294)
Land & Buildings	105,000	0	20,000	0	(85,000)	0
Plant & Equipment	168,000	22,289	120,000	18,182	(48,000)	(4,107)
	320,000	155,178	260,000	122,777	(60,000)	(32,401)

Summary

Profit on Asset Disposals
Loss on Asset Disposals

2017/18 Adopted Budget \$	January 2017 Actual \$
73,000	6,282
(133,000)	(38,683)
(60,000)	(32,401)

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

3. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-17	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$
General Purpose Funding									
Loan 119 - Benny Mart *	29,831	0	0	10,913	6,293	18,918	23,538	797	526
Housing									
Loan 118 - Staff Housing	114,773	0	0	55,613	27,377	59,160	87,396	6,348	3,485
Recreation & Culture									
Loan 120 - Bencubbin Rec Complex Shire	432,600	0	0	14,699	7,279	417,901	425,321	16,515	5,407
Loan 121 - Bencubbin Rec SAR	491,300	0	0	16,693	8,267	474,607	483,033	18,756	6,141
Loan 122 - Bencubbin Rec Complex CRC*	250,000	0	0	8,494	4,207	241,506	245,793	9,544	3,125
<i>(Anticipated Lending Dates 2017/18)</i>									
	1,318,504	0	0	106,412	53,423	1,212,092	1,265,081	51,960	18,684

(*) Self supporting loan financed by payments from third parties.

All other loan repayments were financed by general purpose revenue.

(b) New Debentures - 2016/17

Council is currently negotiating new debentures in relation to the Bencubbin Recreation Complex Redevelopment as above.

It is anticipated that the new debentures will be taken out in the 2017/18 financial year and no repayments will be made during the current financial year.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 Adopted Budget \$	January 2017 Actual \$
4. CASH BACKED RESERVES		
(a) Plant Replacement Reserve		
Opening Balance	423,392	423,392
Amount Set Aside / Transfer to Reserve	10,585	2,615
Amount Used / Transfer from Reserve	<u>(73,000)</u>	<u>0</u>
	<u>360,977</u>	<u>426,007</u>
(b) Aged Care Units Reserve		
Opening Balance	169,020	169,020
Amount Set Aside / Transfer to Reserve	4,225	1,044
Amount Used / Transfer from Reserve	<u>(81,600)</u>	<u>0</u>
	<u>91,645</u>	<u>170,064</u>
(c) Community Housing Reserve		
Opening Balance	39,103	39,103
Amount Set Aside / Transfer to Reserve	0	0
Amount Used / Transfer from Reserve	<u>(39,103)</u>	<u>(39,103)</u>
	<u>0</u>	<u>(0)</u>
(d) Housing Reserve		
Opening Balance	33,500	33,500
Amount Set Aside / Transfer to Reserve	214,941	214,551
Amount Used / Transfer from Reserve	<u>0</u>	<u>0</u>
	<u>248,441</u>	<u>248,051</u>
(e) Employee Entitlements Reserve		
Opening Balance	93,414	93,414
Amount Set Aside / Transfer to Reserve	2,335	577
Amount Used / Transfer from Reserve	<u>0</u>	<u>0</u>
	<u>95,749</u>	<u>93,991</u>
(f) Public Amenities & Buildings Reserve		
Opening Balance	552,005	552,007
Amount Set Aside / Transfer to Reserve	13,800	3,409
Amount Used / Transfer from Reserve	<u>(308,700)</u>	<u>0</u>
	<u>257,105</u>	<u>555,416</u>
(g) Mt Marshall Aquatic Centre Development Reserve		
Opening Balance	868,179	868,179
Amount Set Aside / Transfer to Reserve	71,704	55,361
Amount Used / Transfer from Reserve	<u>0</u>	<u>0</u>
	<u>939,883</u>	<u>923,540</u>
(h) Community Bus Reserve		
Opening Balance	115,072	115,072
Amount Set Aside / Transfer to Reserve	2,877	711
Amount Used / Transfer from Reserve	<u>0</u>	<u>0</u>
	<u>117,949</u>	<u>115,783</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 Adopted Budget \$	January 2017 Actual \$
4. RESERVES (Continued)		
(i) Bencubbin Recreation Complex Reserve		
Opening Balance	1,138,653	1,138,653
Amount Set Aside / Transfer to Reserve	28,466	7,032
Amount Used / Transfer from Reserve	(1,128,847)	0
	<u>38,272</u>	<u>1,145,685</u>
(j) Office Equipment Reserve		
Opening Balance	15,941	15,941
Amount Set Aside / Transfer to Reserve	399	98
Amount Used / Transfer from Reserve	0	0
	<u>16,340</u>	<u>16,039</u>
(k) Economic Development Reserve		
Opening Balance	4,250	4,250
Amount Set Aside / Transfer to Reserve	70,106	70,026
Amount Used / Transfer from Reserve	0	0
	<u>74,356</u>	<u>74,276</u>
(l) Integrated Planning/Financial Reporting Reserve		
Opening Balance	1,878	1,878
Amount Set Aside / Transfer to Reserve	0	11
Amount Used / Transfer from Reserve	(1,878)	0
	<u>0</u>	<u>1,889</u>
(m) Beacon Accommodation Reserve		
Opening Balance	68,834	68,834
Amount Set Aside / Transfer to Reserve	51,721	50,424
Amount Used / Transfer from Reserve	0	0
	<u>120,555</u>	<u>119,258</u>
(n) Medical Enhancement Reserve		
Opening Balance	0	0
Amount Set Aside / Transfer to Reserve	7,500	7,500
Amount Used / Transfer from Reserve	0	0
	<u>7,500</u>	<u>7,500</u>
(o) Bencubbin Community Resource Centre Reserve		
Opening Balance	0	0
Amount Set Aside / Transfer to Reserve	8,000	8,000
Amount Used / Transfer from Reserve	0	0
	<u>8,000</u>	<u>8,000</u>
Total Cash Backed Reserves	<u><u>2,376,772</u></u>	<u><u>3,905,500</u></u>

All of the above reserve accounts are to be supported by money held in financial institutions.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 Adopted Budget \$	January 2017 Actual \$
4. RESERVES (Continued)		
Cash Backed Reserves (Continued)		
Summary of Transfers To Cash Backed Reserves		
Transfers to Reserves		
Plant Replacement Reserve	10,585	2,615
Aged Care Units Reserve	4,225	1,044
Community Housing Reserve	0	0
Housing Reserve	214,941	214,551
Employee Entitlements Reserve	2,335	577
Public Amenities & Buildings Reserve	13,800	3,409
Mt Marshall Aquatic Centre Development Rese	71,704	55,361
Community Bus Reserve	2,877	711
Bencubbin Recreation Complex Reserve	28,466	7,032
Office Equipment Reserve	399	98
Economic Development Reserve	70,106	70,026
Integrated Planning/Financial Reporting Reserv	0	11
Beacon Accommodation Reserve	51,721	50,424
Medical Enhancement Reserve	7,500	7,500
Bencubbin Community Resource Centre Reser	8,000	8,000
	486,659	421,360
Transfers from Reserves		
Plant Replacement Reserve	(73,000)	0
Aged Care Units Reserve	(81,600)	0
Community Housing Reserve	(39,103)	(39,103)
Housing Reserve	0	0
Employee Entitlements Reserve	0	0
Public Amenities & Buildings Reserve	(308,700)	0
Mt Marshall Aquatic Centre Development Rese	0	0
Community Bus Reserve	0	0
Bencubbin Recreation Complex Reserve	(1,128,847)	0
Office Equipment Reserve	0	0
Economic Development Reserve	0	0
Integrated Planning/Financial Reporting Reserv	(1,877)	0
Beacon Accommodation Reserve	0	0
Medical Enhancement Reserve	0	0
Bencubbin Community Resource Centre Reser	0	0
	(1,633,127)	(39,103)
Total Transfer to/(from) Reserves	(1,146,468)	382,257

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

4. RESERVES (Continued)

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Plant Replacement Reserve

- To fund the purchase of plant which exceeds Council's capitalisation threshold, so as to avoid undue heavy burden in a single year

Aged Care Units Reserve

- To fund capital works on existing Aged Care Units or construction of new Aged Care Units.

Community Housing Reserve

- To fund the future maintenance of Homeswest Joint Venture/Community Housing projects

Housing Reserve

- To fund the replacement of housing and any major maintenance

Employee Entitlement Reserve

- To be used to fund Long Service Leave requirement / other accrued leave

Public Amenities & Buildings

- To help fund future building maintenance requirements to the shire's buildings.

Mt Marshall Aquatic Centre Development

- To finance future capital and maintenance upgrades for the Mt Marshall Aquatic Centre

Community Bus Reserve

- To finance the replacement of the community bus

Bencubbin Recreation Complex

- To provide funding for future extensions to the Bencubbin Complex

Office Equipment

- To replace office equipment as required

Integrated Planning/Financial Reporting Reserve

- To set aside funds for expenditure on Council's integrated planning process.

Beacon Accommodation Reserve

- To set aside funds for the provision of transient accommodation in Beacon.

Economic Development Reserve

- To set aside funds for Economic Development initiatives.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

	2017/18 B/Fwd Per Approved Budget \$	2016/17 B/Fwd Per Financial Report \$	January 2017 Actual \$
5. NET CURRENT ASSETS			
Composition of Estimated Net Current Asset Position			
CURRENT ASSETS			
Cash - Unrestricted	2,448,039	2,448,039	367,143
Cash - Restricted Unspent Grants	0	0	0
Cash - Restricted Unspent Loans	0	0	0
Cash - Restricted Reserves	3,523,240	3,523,240	3,905,497
Rates Outstanding	129,874	129,874	216,714
Sundry Debtors	202,045	202,045	209,944
Provision for Doubtful Debts	(63,433)	(63,433)	(56,951)
Gst Receivable	(79)	79,237	1
Accrued Income/Payments In Advance	0	0	(1,204)
Loans - Clubs/Institutions	0	0	0
Inventories	21,963	21,963	25,312
	<u>6,261,649</u>	<u>6,340,965</u>	<u>4,666,456</u>
LESS: CURRENT LIABILITIES			
Sundry Creditors	(801,179)	(801,179)	(292,766)
Accrued Interest On Loans	(8,055)	(8,055)	0
Accrued Salaries & Wages	(4,823)	(4,823)	(453)
Income In Advance	0	0	0
Gst Payable	(1)	(79,317)	0
Payroll Creditors	(1,291)	(581)	(581)
Accrued Expenses	0	0	0
FBT Liability	0	0	0
Current Employee Benefits Provision	(228,574)	(228,574)	(228,574)
Current Loan Liability	(1)	(106,413)	(52,990)
	<u>(1,043,924)</u>	<u>(1,228,942)</u>	<u>(575,364)</u>
NET CURRENT ASSET POSITION	5,217,725	5,112,023	4,091,092
Less: Cash - Reserves - Restricted	(3,523,240)	(3,523,240)	(3,905,497)
Less: Cash - Unspent Grants - Restricted	0	0	0
Less: Current Loans- Clubs / Institutions	0	0	0
Add Back : Component of Leave Liability not Required to be Funded	93,414	93,414	93,991
Add Back : Current Loan Liability	1	106,413	52,990
Adjustment for Trust Transactions Within Muni	0	0	0
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	<u>1,787,900</u>	<u>1,788,610</u>	<u>332,576</u>

Shire of Mt Marshall

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

For the Period 1 July 2017 to 31 January 2018

6. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2017/18 Rate Revenue \$	2017/18 Interim Rates \$	2017/18 Back Rates \$	2017/18 Total Revenue \$	2017/18 Budget \$
General Rate								
GRV	0.126380	131	765,707	96,770			96,770	96,770
UV	0.018321	310	69,319,494	1,270,002			1,270,002	1,270,002
Mining	0.018321	1	4,100	753			753	753
Sub-Totals		442	70,089,301	1,367,525	0	0	1,367,525	1,367,525
Minimum Rates	Minimum \$							
GRV	395	42	194,853	16,590			16,590	16,590
UV	395	25	53,998	9,875			9,875	9,875
Mining	395	12	10,593	4,740			4,740	4,740
Sub-Totals		37	64,591	14,615	0	0	31,205	31,205
Discounts							1,398,730	1,398,730
Rates Written off							(53,979)	(50,000)
Total Amount of General Rates							(144)	(200)
Movement in Excess Rates							1,344,607	1,348,530
Ex Gratia Rates							(24,176)	(3,536)
Specified Area Rates							15,887	15,000
Total Rates							28,262	28,262
							1,336,319	1,388,256

All land except exempt land in the Shire of Mt Marshall is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above 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 bearing 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 Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

7. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in this statement are as follows:

Detail	Balance 01-Jul-17 \$	Amounts Received \$	Amounts Paid (\$)	January 2017 Balance \$
Police Licensing	36,024	89,147	(123,264)	1,907
Aged Care Beautification	829	0	0	829
Unclaimed Monies	59	0	0	59
Nomination Deposits	0	560	(560)	0
Prepaid Rates	0	0	0	0
Tree Planting Nursery	1,000	0	0	1,000
Sundry Creditors	0	0	0	0
Housing Bonds	9,580	2,230	(1,750)	10,060
Staff Social Club	4,280	1,805	(3,425)	2,660
Newroc Advance Account	0	0	0	0
Portable Toilet Bonds	0	0	0	0
Deposit on Land	1,000	0	(1,000)	0
Emergency Services Levy	0	0	0	0
Building Levy	0	0	0	0
Mt Marshall LCDC	0	0	0	0
Benc - Beacon Tourist Committee	0	0	0	0
Rehabilitation Bonds	5,000	0	0	5,000
	<u>57,772</u>	<u>93,742</u>	<u>(129,999)</u>	<u>21,515</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

8. OPERATING STATEMENT

	January 2017 Actual \$	2017/18 Adopted Budget \$	2016/17 Actual \$
OPERATING REVENUES			
Governance	36,614	28,399	49,490
General Purpose Funding	1,950,036	2,682,903	4,836,924
Law, Order, Public Safety	323,916	13,443	742,593
Health	93,388	130,800	0
Education and Welfare	59,397	81,101	80,434
Housing	94,256	170,820	172,430
Community Amenities	108,642	139,899	134,683
Recreation and Culture	17,828	1,051,449	60,894
Transport	646,456	2,006,528	1,659,802
Economic Services	92,557	221,935	201,433
Other Property and Services	53,410	74,600	56,581
TOTAL OPERATING REVENUE	3,476,500	6,601,876	7,995,265
OPERATING EXPENSES			
Governance	274,069	431,176	357,127
General Purpose Funding	36,976	69,371	54,794
Law, Order, Public Safety	126,292	112,080	132,004
Health	126,633	267,025	146,457
Education and Welfare	132,191	243,435	219,609
Housing	306,454	541,937	389,369
Community Amenities	127,575	257,623	249,870
Recreation & Culture	508,460	849,490	869,037
Transport	1,372,466	2,771,956	3,469,845
Economic Services	252,889	562,388	375,237
Other Property and Services	106,812	24,981	18,976
TOTAL OPERATING EXPENSE	3,370,817	6,131,463	6,282,326
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS	105,683	470,413	1,712,939

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 31 January 2018

9. BALANCE SHEET

	January 2017 Actual \$	2016/17 Actual \$
CURRENT ASSETS		
Cash and Cash Equivalents	4,272,640	5,971,279
Trade and Other Receivables	369,980	355,493
Inventories	25,312	21,963
TOTAL CURRENT ASSETS	4,667,932	6,348,735
NON-CURRENT ASSETS		
Other Receivables	10,083	10,083
Inventories	0	0
Property, Plant and Equipment	18,398,985	17,153,888
Infrastructure	90,364,070	90,476,260
Work in Progress	0	0
TOTAL NON-CURRENT ASSETS	108,773,138	107,640,231
TOTAL ASSETS	113,441,070	113,988,966
CURRENT LIABILITIES		
Trade and Other Payables	293,800	893,954
Long Term Borrowings	52,990	106,413
Provisions	228,574	228,574
TOTAL CURRENT LIABILITIES	575,364	1,228,941
NON-CURRENT LIABILITIES		
Trade and Other Payables	0	0
Long Term Borrowings	1,201,759	1,201,759
Provisions	17,382	17,382
TOTAL NON-CURRENT LIABILITIES	1,219,141	1,219,141
TOTAL LIABILITIES	1,794,505	2,448,082
NET ASSETS	111,646,565	111,540,884
EQUITY		
Trust Imbalance	0	0
Retained Surplus	77,331,100	77,607,676
Reserves - Cash Backed	3,905,497	3,523,240
Revaluation Surplus	30,409,968	30,409,968
TOTAL EQUITY	111,646,565	111,540,884

Shire of Mt Marshall

For the Period 1 July 2017 to 31 January 2018

Report on Significant Variances (greater than 10% and \$5,000)

Purpose

The purpose of the Monthly Variance Report is to highlight circumstances where there is a major variance from the YTD Monthly Budget and YTD Actual figures. These variances can occur because of a change in timing of the activity, circumstances change (e.g. grants were budgeted for but not received) or changes to the original budget projections. The Report is designed to highlight these issues and explain the reason for the variance.

The Materiality variances adopted by Council are:

Actual Variance to YTD Budget up to 5%:	Don't Report
Actual Variance exceeding 10% of YTD Budget	Use Management Discretion
Actual Variance exceeding 10% of YTD Budget and a value greater than \$5,000:	Must Report

Shire of Mt Marshall
Report on Significant Variances - Operating Income & Expenditure
For the Period 1 July 2017 to 31 January 2018

	31 January 2018 YTD	31 January 2018 YTD	Budget to Actual YTD	Budget to Actual YTD	Components of Variance	
	Actual	Budget	%	Favourable/ (Unfavourable)	Favourable/ (Unfavourable)	
	\$	\$		\$	\$	
Revenues/Sources						
Governance	36,614	21,960	67%	14,654	12,698 1,955	Bencubbin Centenary grant & bench seat contributions <i>Minor Items</i>
General Purpose Funding	613,716	686,801	(11%)	(73,085)	(29,021) 7,794 6,097 (57,909) (46)	Interest on Reserves under budget - timing Intrest on muni investments over budget Rates Debt Collection Income - offset by expenditure FAGS under budget <i>Minor Items</i>
Law, Order, Public Safety	323,916	6,869	4616%	317,047	314,158 2,890	DFES fire truck grant- offset by cost of fire truck <i>Minor Items</i>
Health	93,388	76,300	0%	17,088	(18,417) 35,504 -	NEW Health Reimbursement invoices not yet done Contribution - NEW Health Vehicle <i>Minor Items</i>
Education and Welfare	59,397	53,900	10%	5,497	6,434 0 (937)	Childcare fees charged - over budget Family Suppor Grant - timing <i>Minor Items</i>
Housing	94,256	99,631	(5%)	(5,375)	(7,994) 2,620	Rental income under budget <i>Minor Items</i>
Community Amenities	108,642	135,929	(20%)	(27,288)	(28,875) 1,588	Water Grant income - grant not acquired <i>Minor Items</i>
Recreation and Culture	17,828	19,845	(10%)	(2,017)	(2,017)	<i>Minor Items</i>
Transport	646,457	1,101,807	(41%)	(455,350)	22,767 (513,152) 34,545 490	Main Roads Direct Grant over budget Roads to Recovery Grant - Works program behind, unable to claim due to breach of own source spending agreement in 2016/17 Proceeds/realisation of disposal of assets <i>Minor Items</i>
Economic Services	92,557	136,475	(32%)	(43,918)	(25,000) (7,846) (11,748) 676	AA Dams Grant not yet received Bencubbin Cabins under budget Beacon Barracks income under budget, offset by reduced expenditure <i>Minor Items</i>
Other Property and Services	53,410	46,424	15%	6,986	24,730 (2,671) (11,342) (3,731)	Reimbursement of licencing fees over charged Diesel Fuel Rebate under budget Private Works income under budget <i>Minor Items</i>
Total Revenues excl Rates	2,140,181	2,385,940	(10%)	(245,760)		
Amount Raised from Rates	1,336,318	1,359,995	(2%)	(23,676)	(22,118) (1,559)	Movement in excess rates <i>Minor Items</i>

Shire of Mt Marshall
Report on Significant Variances - Operating Income & Expenditure
For the Period 1 July 2017 to 31 January 2018

	31 January 2018 YTD	Budget to YTD	Budget to Actual YTD	Budget to Actual YTD Favourable/ (Unfavourable)	Components of Variance Favourable/ (Unfavourable)	
(Expenses)/(Applications)	Actual \$	Budget \$	%	\$	\$	
Governance	(274,069)	(350,797)	22%	76,728	16,870 14,384 28,293 9,725 9,331 (1,875)	Subscriptions under budget Consultants under budget Records Management - not yet purchased Computer Support under budget Recruitment & Removal Exp under budget <i>Minor Items</i>
General Purpose Funding	(36,976)	(40,460)	9%	3,484	7,274 (3,790)	Valuation Expenses - Invoice not yet received for GRV reval <i>Minor Items</i>
Law, Order, Public Safety	(126,292)	(68,342)	(85%)	(57,950)	(34,576) (27,255) 3,881	Loss on disposal of fire truck Depreciation on disposed fire truck <i>Minor Items</i>
Health	(126,633)	(127,968)	1%	1,335	1,335	<i>Minor Items</i>
Education and Welfare	(132,191)	(142,201)	7%	10,010	15,113 (2,172) (2,931)	Aged Care Units under budget - timing Little Bees Salaries over budget - timing of Leave <i>Minor Items</i>
Housing	(306,454)	(271,110)	(13%)	(35,344)	(49,716) 7,499 6,872	Community Housing mtc over budget - timing. All building mtc jobs have been issued and are being worked through when time permits Staff housing mtc under budget - timing. All building mtc jobs have been issued and are being worked through when time permits <i>Minor Items</i>
Community Amenities	(127,575)	(150,402)	15%	22,827	4,595 2,347 8,722 3,167 3,996	Town Planning consultant under budget Cemeteries under budget Refuse collection under budget Public Toilets under budget <i>Minor Items</i>
Recreation & Culture	(508,460)	(488,896)	(4%)	(19,563)	(35,818) 33,215 (13,752) (3,208)	Public Halls over budget - timing Recreation Grounds under budget (investigate allocation error) Parks and Gardens over budget (investigate allocation error) <i>Minor Items</i>
Transport	(1,372,466)	(1,610,825)	15%	238,359	66,912 9,231 3,641 5,746 43,893 102,726 6,211	Road Maintenance under budget Street Cleaning under budget - timing Street Lighting under budget Traffic signs under budget - timing Loss on disposal of grader - timing Infrastructure Depreciation under budget <i>Minor Items</i>
Economic Services	(252,889)	(330,292)	23%	77,403	34,654 12,473 10,642 10,862 10,142 (1,370)	Economic Development fund - portion not yet claimed Employment of Economic Development Officer - EDO started in December. 5 months wage allocation not used Bencubbin Caravan Park under budget - timing of mtc work Beacon Barracks Exp under budget, offset by reduced income Standpipe water under budget - seasonal <i>Minor Items</i>
Other Property and Services	(106,812)	(30,675)	(248%)	(76,137)	(78,148) 2,011	Public Works Overheads over budget <i>Minor Items</i>
Total Expenses/Applications	(3,370,818)	(3,611,968)	(6%)	48,980		

Shire of Mt Marshall
Capital Expenditure Report on Significant Variances
For the Period 1 July 2017 to 31 January 2018

	Full Year Budget	31 January 2018 YTD Actual	YTD Budget	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable)	Commentary
	\$	\$	\$	%	\$	
Capital Expenditure						
Governance						
Purchase Vehicle - Admin	85,000	77,658	85,000	0%	7,342	Vehicle under budget, trade in also under budget
Law Order & Public Safety						
Isuzu FSS600 Fire Tender	-	330,521	-	100%	(330,521)	Fully covered by DFES Grant
Health						
New Health Purchase Of Motor Vehicle	25,000	72,805	25,000	100%	(47,805)	Vehicle costs were unknown, NEW Health budget only included change over costs
Education & Welfare						
Purchase Land & Buildings - Welfare Aged	81,600	81,600	81,600	0%	-	
Community Amenities						
Land & Buildings - Community Amenities	5,000	-	-	0%	-	
Water Collection Projects	57,750	28,564	33,684	15%	5,120	Project fallen behind
Portable Toiles	12,000	12,463	12,000	0%	(463)	
Recreation & Culture						
Beacon Recreation Ground Power Upgrade	15,000	2,873	15,000	81%	12,127	Final cost under budget
Other Infrastructure - Beacon Central & Hall Car Parks	30,000	-	30,000	0%	30,000	Timing of project
Bencubbin Rec Complex	2,447,761	967,901	1,092,887	11%	124,986	Timing of project
Transport						
Road Construction	2,172,228	792,162	1,377,965	43%	585,803	Program behind
Footpath Construction	20,000	825	13,332	0%	12,507	Program behind
Plant Purchases	440,000	86,606	440,000	0%	353,394	Timing - Plant not yet changed over
Beacon Airstrip Upgrade	400,000	-	-	0%	-	
Motor Vehicle Purchases	97,000	53,749	97,000	45%	43,251	Timing - 1 x Ute still to come
Economic Services						
Sandalwood Shops Capital Works	22,000	-	-	0%	-	
Total Capital Expenditure	5,910,339	2,507,726	3,303,468	24%	795,742	



Shire of Mt Marshall

Monthly Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

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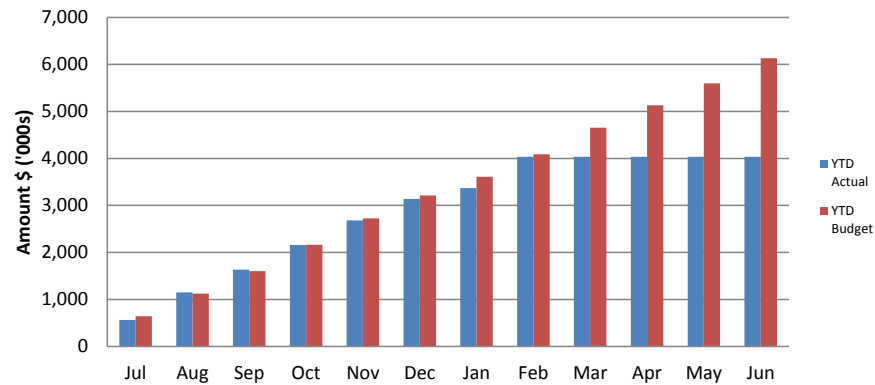
Shire of Mt Marshall
Statement of Financial Activity
For the period 1 July 2017 to 28 February 2018

		Actual YTD 2017/2018	Budget YTD 2017/2018	Original Full Year Budget 2017/2018	Variance Budget to Actual YTD	
	NOTE				%	\$
Operating Revenue						
Governance		43,309	23,240	28,399	86%	20,069
General Purpose Funding		880,552	990,825	1,322,909	(11%)	(110,273)
Law, Order & Public Safety		323,986	9,911	13,443	3169%	314,075
Health		93,388	87,200	130,800	7%	6,188
Education & Welfare		63,111	57,357	81,101	10%	5,754
Housing		109,168	113,864	170,820	(4%)	(4,696)
Community Amenities		109,025	136,719	139,899	(20%)	(27,694)
Recreation & Culture		18,768	22,680	1,051,449	(17%)	(3,912)
Transport		647,997	1,127,693	2,006,528	(43%)	(479,696)
Economic Services		108,835	152,400	221,935	(29%)	(43,565)
Other Property & Services		53,410	53,056	74,600	1%	354
		2,451,549	2,774,944	5,241,882		
Operating Expenses						
Governance		(301,286)	(361,075)	(431,176)	(17%)	59,789
General Purpose Funding		(41,780)	(46,240)	(69,371)	(10%)	4,460
Law, Order & Public Safety		(144,648)	(77,068)	(112,080)	88%	(67,580)
Health		(151,479)	(152,152)	(267,025)	(0%)	673
Education & Welfare		(172,158)	(164,584)	(243,435)	5%	(7,574)
Housing		(327,064)	(307,053)	(541,937)	7%	(20,011)
Community Amenities		(146,828)	(171,808)	(257,623)	(15%)	24,980
Recreation & Culture		(609,475)	(559,146)	(849,490)	9%	(50,329)
Transport		(1,755,702)	(1,843,018)	(2,771,956)	(5%)	87,316
Economic Services		(304,721)	(376,658)	(562,388)	(19%)	71,937
Other Property & Services		(78,348)	(29,500)	(24,981)	166%	(48,848)
		(4,033,490)	(4,088,302)	(6,131,463)		
Adjustments for Non-Cash (Revenue) and Expenditure						
(Profit)/Loss on Asset Disposals	2	32,401	60,000	60,000		
Employee benefit Provisions Cash Backed		577	4	4		
Depreciation on Assets		1,619,007	1,515,039	2,272,558		
Capital Revenue and (Expenditure)						
Purchase Property Plant & Equipment	1	(1,692,130)	(2,276,145)	(3,230,361)		
Purchase Infrastructure Assets	1	(992,591)	(1,463,126)	(2,679,978)		
Repayment of Debenture	3	(54,338)	(54,338)	(106,412)		
Proceeds from New Debenture	3	0	0	0		
Self-Supporting Loan Principal Income		7,209	7,209	19,407		
Proceeds from Disposal of Assets	2	122,777	122,777	260,000		
Reserves and Restricted Funds						
Transfers to Reserves	4	(421,360)	(421,360)	(486,659)		
Transfers from Reserves	4	39,103	39,103	1,633,127		
ADD Net Current Assets July 1 B/Fwd.	5	1,788,610	1,787,900	1,787,900		
LESS Net Current Assets Year to Date	5	(203,643)	636,301	0		
Amount Raised from Rates	6	(1,336,319)	(1,359,995)	(1,359,995)		

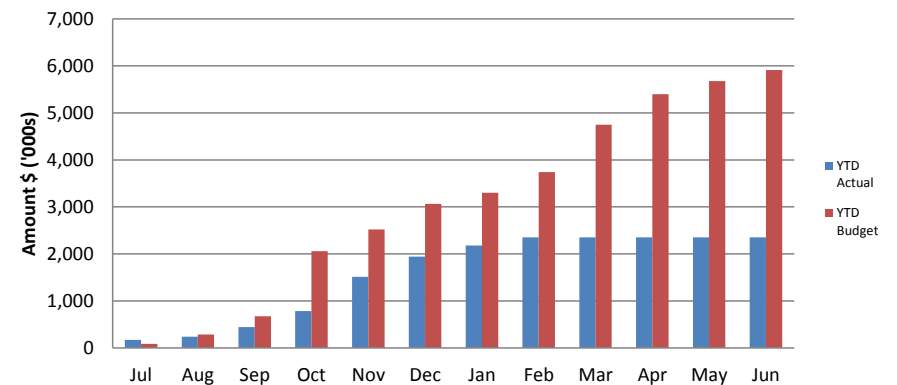
Shire of Mt Marshall

For the period 1 July 2017 to 28 February 2018

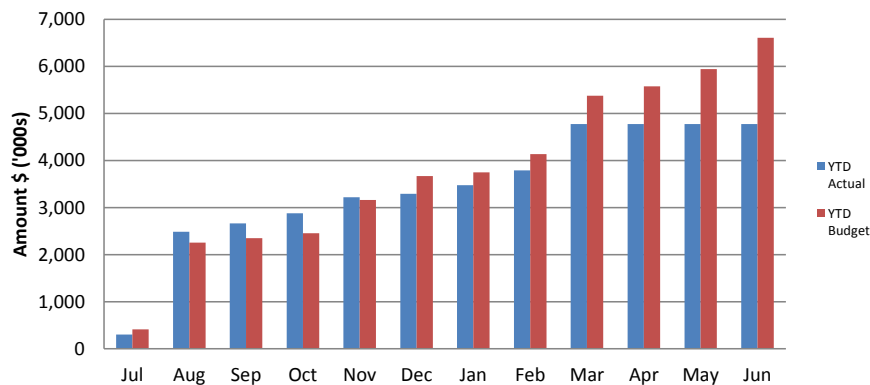
Operating Expenditure



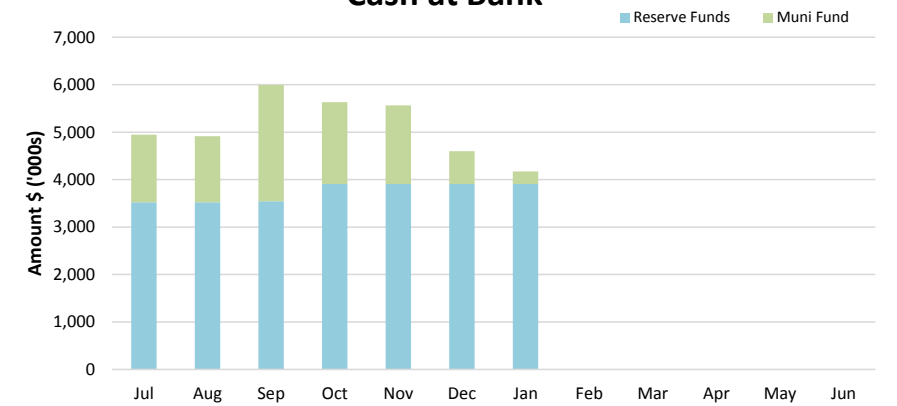
Capital Works & Equipment Purchases



Operating Income



Cash at Bank



Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 Adopted Budget \$	28-Feb-18 Actual \$	28-Feb-18 Budget YDT \$
1. ACQUISITION OF ASSETS			
The following assets have been acquired during the period under review:			
<u>By Program</u>			
Governance			
<u>Administration General</u>			
Purchase Vehicle - Admin	85,000	77,658	85,000
Law Order & Public Safety			
<u>Fire Vehicles</u>			
Isuzu FSS600 Fire Tender	0	330,521	0
Health			
<u>NEW Health Vehicles</u>			
New Health Purchase Of Motor Vehicle	25,000	72,805	25,000
Education & Welfare			
<u>Aged & Disabled Welfare</u>			
Purchase Land & Buildings - Welfare Aged	81,600	81,600	81,600
Land & Buildings - Other Welfare	0	0	0
Community Amenities			
<u>Protection of the Environment</u>			
Land & Buildings - Community Amenities	5,000	0	5,000
<u>Other Community Ammenities</u>			
Beacon And Bencubbin Water Collection	57,750	29,410	38,496
Purchase Of Plant	12,000	12,463	12,000
Recreation and Culture			
<u>Sporting Facilities</u>			
Land & Buildings - Sporting Facilities	15,000	2,873	15,000
Infrastructure Other Purchases	30,000	0	30,000
Land & Buildings - Bencubbin Recreation	2,447,761	973,856	1,493,545
Transport			
<u>Construction - Roads, Bridges, Depots</u>			
Roads To Recovery Road Works	918,567	239,353	634,665
State Road Projects Grant	1,163,861	663,524	653,500
Municipal Road Construction	89,800	59,392	89,800
Footpath Construction	20,000	750	16,665
<u>Road Plant Purchases</u>			
Plant Purchases	440,000	86,606	440,000
Motor Vehicle Purchases	97,000	53,749	97,000
<u>Airstrips</u>			
Beacon Airstrip Upgrade	400,000	0	0
Economic Services			
<u>Tourism & Area Promotion</u>			
Purchase Land And Buildings	22,000	0	22,000
<u>Other Economic Services</u>			
Infrastructure Other	0	0	0
	<u>5,910,339</u>	<u>2,684,722</u>	<u>3,739,271</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 Adopted Budget \$	28-Feb-18 Actual \$	28-Feb-18 Budget YDT \$
1. ACQUISITION OF ASSETS (Continued)			
The following assets have been acquired during the period under review:			
<u>By Class</u>			
Land Held for Resale - Current	0	0	0
Land Held for Resale - Non Current	0	0	0
Land	0	0	0
Land & Buildings	2,571,361	1,058,329	1,617,145
Furniture & Equipment	0	0	0
Motor Vehicles	207,000	204,212	207,000
Plant & Equipment	452,000	429,590	452,000
Infrastructure - Roads	2,172,228	962,431	1,377,965
Infrastructure - Footpaths	20,000	750	16,665
Infrastructure - Ovals & Parks	0	0	0
Infrastructure - Other	487,750	29,410	68,496
	<u>5,910,339</u>	<u>2,684,722</u>	<u>3,739,271</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Written Down Value		Sale Proceeds		Profit(Loss)	
	2017/18 Budget \$	February 2017 Actual \$	2017/18 Budget \$	February 2017 Actual \$	2017/18 Budget \$	February 2017 Actual \$
Administration						
Admin Vehicle	47,000	46,445	60,000	52,727	13,000	6,282
Law Order & Public Safety						
1998 Hino Fire Appliance	0	50,939	0	16,364	0	(34,576)
Health						
NEW Health Vehicles	0	35,504	60,000	35,504	60,000	0
Housing						
Lot 158 Brown St, Bencubbin	105,000	0	20,000	0	(85,000)	0
Transport						
Grader	110,000	0	70,000	0.00	(40,000)	0
UD Nissan 5 Tonne Mtc	22,000	0	20,000	0.00	(2,000)	0
Utility - MM276	13,000	13,041	10,000	9,090.91	(3,000)	(3,950)
Utility - MM136	13,000	0	10,000	0	(3,000)	0
Utility - MM170	10,000	9,248	10,000	9,090.91	0	(157)
	320,000	155,178	260,000	122,777	(60,000)	(32,401)

By Class of Asset

	Written Down Value		Sale Proceeds		Profit(Loss)	
	2017/18 Budget \$	February 2017 Actual \$	2017/18 Budget \$	February 2017 Actual \$	2017/18 Budget \$	February 2017 Actual \$
Motor Vehicles	47,000	132,889	120,000	104,595	73,000	(28,294)
Land & Buildings	105,000	0	20,000	0	(85,000)	0
Plant & Equipment	168,000	22,289	120,000	18,182	(48,000)	(4,107)
	320,000	155,178	260,000	122,777	(60,000)	(32,401)

Summary

Profit on Asset Disposals
Loss on Asset Disposals

2017/18 Adopted Budget \$	February 2017 Actual \$
73,000	6,282
(133,000)	(38,683)
(60,000)	(32,401)

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

3. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-17	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$	2017/18 Budget \$	2017/18 Actual \$
General Purpose Funding									
Loan 119 - Benny Mart *	29,831	0	0	10,913	7,209	18,918	22,622	797	586
Housing									
Loan 118 - Staff Housing	114,773	0	0	55,613	27,377	59,160	87,396	6,348	3,485
Recreation & Culture									
Loan 120 - Bencubbin Rec Complex Shire	432,600	0	0	14,699	7,279	417,901	425,321	16,515	5,407
Loan 121 - Bencubbin Rec SAR	491,300	0	0	16,693	8,267	474,607	483,033	18,756	6,141
Loan 122 - Bencubbin Rec Complex CRC*	250,000	0	0	8,494	4,207	241,506	245,793	9,544	3,125
<i>(Anticipated Lending Dates 2017/18)</i>									
	1,318,504	0	0	106,412	54,338	1,212,092	1,264,166	51,960	18,745

(*) Self supporting loan financed by payments from third parties.

All other loan repayments were financed by general purpose revenue.

(b) New Debentures - 2016/17

Council is currently negotiating new debentures in relation to the Bencubbin Recreation Complex Redevelopment as above.

It is anticipated that the new debentures will be taken out in the 2017/18 financial year and no repayments will be made during the current financial year.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 Adopted Budget \$	February 2017 Actual \$
4. CASH BACKED RESERVES		
(a) Plant Replacement Reserve		
Opening Balance	423,392	423,392
Amount Set Aside / Transfer to Reserve	10,585	2,615
Amount Used / Transfer from Reserve	(73,000)	0
	<u>360,977</u>	<u>426,007</u>
(b) Aged Care Units Reserve		
Opening Balance	169,020	169,020
Amount Set Aside / Transfer to Reserve	4,225	1,044
Amount Used / Transfer from Reserve	(81,600)	0
	<u>91,645</u>	<u>170,064</u>
(c) Community Housing Reserve		
Opening Balance	39,103	39,103
Amount Set Aside / Transfer to Reserve	0	0
Amount Used / Transfer from Reserve	(39,103)	(39,103)
	<u>0</u>	<u>(0)</u>
(d) Housing Reserve		
Opening Balance	33,500	33,500
Amount Set Aside / Transfer to Reserve	214,941	214,551
Amount Used / Transfer from Reserve	0	0
	<u>248,441</u>	<u>248,051</u>
(e) Employee Entitlements Reserve		
Opening Balance	93,414	93,414
Amount Set Aside / Transfer to Reserve	2,335	577
Amount Used / Transfer from Reserve	0	0
	<u>95,749</u>	<u>93,991</u>
(f) Public Amenities & Buildings Reserve		
Opening Balance	552,005	552,007
Amount Set Aside / Transfer to Reserve	13,800	3,409
Amount Used / Transfer from Reserve	(308,700)	0
	<u>257,105</u>	<u>555,416</u>
(g) Mt Marshall Aquatic Centre Development Reserve		
Opening Balance	868,179	868,179
Amount Set Aside / Transfer to Reserve	71,704	55,361
Amount Used / Transfer from Reserve	0	0
	<u>939,883</u>	<u>923,540</u>
(h) Community Bus Reserve		
Opening Balance	115,072	115,072
Amount Set Aside / Transfer to Reserve	2,877	711
Amount Used / Transfer from Reserve	0	0
	<u>117,949</u>	<u>115,783</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 Adopted Budget \$	February 2017 Actual \$
4. RESERVES (Continued)		
(i) Bencubbin Recreation Complex Reserve		
Opening Balance	1,138,653	1,138,653
Amount Set Aside / Transfer to Reserve	28,466	7,032
Amount Used / Transfer from Reserve	(1,128,847)	0
	<u>38,272</u>	<u>1,145,685</u>
(j) Office Equipment Reserve		
Opening Balance	15,941	15,941
Amount Set Aside / Transfer to Reserve	399	98
Amount Used / Transfer from Reserve	0	0
	<u>16,340</u>	<u>16,039</u>
(k) Economic Development Reserve		
Opening Balance	4,250	4,250
Amount Set Aside / Transfer to Reserve	70,106	70,026
Amount Used / Transfer from Reserve	0	0
	<u>74,356</u>	<u>74,276</u>
(l) Integrated Planning/Financial Reporting Reserve		
Opening Balance	1,878	1,878
Amount Set Aside / Transfer to Reserve	0	11
Amount Used / Transfer from Reserve	(1,878)	0
	<u>0</u>	<u>1,889</u>
(m) Beacon Accommodation Reserve		
Opening Balance	68,834	68,834
Amount Set Aside / Transfer to Reserve	51,721	50,424
Amount Used / Transfer from Reserve	0	0
	<u>120,555</u>	<u>119,258</u>
(n) Medical Enhancement Reserve		
Opening Balance	0	0
Amount Set Aside / Transfer to Reserve	7,500	7,500
Amount Used / Transfer from Reserve	0	0
	<u>7,500</u>	<u>7,500</u>
(o) Bencubbin Community Resource Centre Reserve		
Opening Balance	0	0
Amount Set Aside / Transfer to Reserve	8,000	8,000
Amount Used / Transfer from Reserve	0	0
	<u>8,000</u>	<u>8,000</u>
Total Cash Backed Reserves	<u><u>2,376,772</u></u>	<u><u>3,905,500</u></u>

All of the above reserve accounts are to be supported by money held in financial institutions.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 Adopted Budget \$	February 2017 Actual \$
4. RESERVES (Continued)		
Cash Backed Reserves (Continued)		
Summary of Transfers To Cash Backed Reserves		
Transfers to Reserves		
Plant Replacement Reserve	10,585	2,615
Aged Care Units Reserve	4,225	1,044
Community Housing Reserve	0	0
Housing Reserve	214,941	214,551
Employee Entitlements Reserve	2,335	577
Public Amenities & Buildings Reserve	13,800	3,409
Mt Marshall Aquatic Centre Development Rese	71,704	55,361
Community Bus Reserve	2,877	711
Bencubbin Recreation Complex Reserve	28,466	7,032
Office Equipment Reserve	399	98
Economic Development Reserve	70,106	70,026
Integrated Planning/Financial Reporting Reserv	0	11
Beacon Accommodation Reserve	51,721	50,424
Medical Enhancement Reserve	7,500	7,500
Bencubbin Community Resource Centre Reser	8,000	8,000
	486,659	421,360
Transfers from Reserves		
Plant Replacement Reserve	(73,000)	0
Aged Care Units Reserve	(81,600)	0
Community Housing Reserve	(39,103)	(39,103)
Housing Reserve	0	0
Employee Entitlements Reserve	0	0
Public Amenities & Buildings Reserve	(308,700)	0
Mt Marshall Aquatic Centre Development Rese	0	0
Community Bus Reserve	0	0
Bencubbin Recreation Complex Reserve	(1,128,847)	0
Office Equipment Reserve	0	0
Economic Development Reserve	0	0
Integrated Planning/Financial Reporting Reserv	(1,877)	0
Beacon Accommodation Reserve	0	0
Medical Enhancement Reserve	0	0
Bencubbin Community Resource Centre Reser	0	0
	(1,633,127)	(39,103)
Total Transfer to/(from) Reserves	(1,146,468)	382,257

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

4. RESERVES (Continued)

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Plant Replacement Reserve

- To fund the purchase of plant which exceeds Council's capitalisation threshold, so as to avoid undue heavy burden in a single year

Aged Care Units Reserve

- To fund capital works on existing Aged Care Units or construction of new Aged Care Units.

Community Housing Reserve

- To fund the future maintenance of Homeswest Joint Venture/Community Housing projects

Housing Reserve

- To fund the replacement of housing and any major maintenance

Employee Entitlement Reserve

- To be used to fund Long Service Leave requirement / other accrued leave

Public Amenities & Buildings

- To help fund future building maintenance requirements to the shire's buildings.

Mt Marshall Aquatic Centre Development

- To finance future capital and maintenance upgrades for the Mt Marshall Aquatic Centre

Community Bus Reserve

- To finance the replacement of the community bus

Bencubbin Recreation Complex

- To provide funding for future extensions to the Bencubbin Complex

Office Equipment

- To replace office equipment as required

Integrated Planning/Financial Reporting Reserve

- To set aside funds for expenditure on Council's integrated planning process.

Beacon Accommodation Reserve

- To set aside funds for the provision of transient accommodation in Beacon.

Economic Development Reserve

- To set aside funds for Economic Development initiatives.

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

	2017/18 B/Fwd Per Approved Budget \$	2016/17 B/Fwd Per Financial Report \$	February 2017 Actual \$
5. NET CURRENT ASSETS			
Composition of Estimated Net Current Asset Position			
CURRENT ASSETS			
Cash - Unrestricted	2,448,039	2,448,039	305,153
Cash - Restricted Unspent Grants	0	0	0
Cash - Restricted Unspent Loans	0	0	0
Cash - Restricted Reserves	3,523,240	3,523,240	3,905,497
Rates Outstanding	129,874	129,874	181,130
Sundry Debtors	202,045	202,045	88,527
Provision for Doubtful Debts	(63,433)	(63,433)	(56,951)
Gst Receivable	(79)	79,237	16,423
Accrued Income/Payments In Advance	0	0	(1,509)
Loans - Clubs/Institutions	0	0	0
Inventories	21,963	21,963	9,728
	<u>6,261,649</u>	<u>6,340,965</u>	<u>4,447,998</u>
LESS: CURRENT LIABILITIES			
Sundry Creditors	(801,179)	(801,179)	(162,083)
Accrued Interest On Loans	(8,055)	(8,055)	0
Accrued Salaries & Wages	(4,823)	(4,823)	(434)
Income In Advance	0	0	0
Gst Payable	(1)	(79,317)	(2,291)
Payroll Creditors	(1,291)	(581)	(39,467)
Accrued Expenses	0	0	0
FBT Liability	0	0	0
Current Employee Benefits Provision	(228,574)	(228,574)	(228,574)
Current Loan Liability	(1)	(106,413)	(52,075)
	<u>(1,043,924)</u>	<u>(1,228,942)</u>	<u>(484,924)</u>
NET CURRENT ASSET POSITION	5,217,725	5,112,023	3,963,074
Less: Cash - Reserves - Restricted	(3,523,240)	(3,523,240)	(3,905,497)
Less: Cash - Unspent Grants - Restricted	0	0	0
Less: Current Loans- Clubs / Institutions	0	0	0
Add Back : Component of Leave Liability not Required to be Funded	93,414	93,414	93,991
Add Back : Current Loan Liability	1	106,413	52,075
Adjustment for Trust Transactions Within Muni	0	0	0
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	<u>1,787,900</u>	<u>1,788,610</u>	<u>203,643</u>

Shire of Mt Marshall

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

For the Period 1 July 2017 to 28 February 2018

6. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2017/18 Rate Revenue \$	2017/18 Interim Rates \$	2017/18 Back Rates \$	2017/18 Total Revenue \$	2017/18 Budget \$
General Rate								
GRV	0.126380	131	765,707	96,770			96,770	96,770
UV	0.018321	310	69,319,494	1,270,002			1,270,002	1,270,002
Mining	0.018321	1	4,100	753			753	753
Sub-Totals		442	70,089,301	1,367,525	0	0	1,367,525	1,367,525
Minimum Rates	Minimum \$							
GRV	395	42	194,853	16,590			16,590	16,590
UV	395	25	53,998	9,875			9,875	9,875
Mining	395	12	10,593	4,740			4,740	4,740
Sub-Totals		37	64,591	14,615	0	0	31,205	31,205
Discounts							1,398,730	1,398,730
Rates Written off							(53,979)	(50,000)
Total Amount of General Rates							(144)	(200)
Movement in Excess Rates							1,344,607	1,348,530
Ex Gratia Rates							(24,176)	(3,536)
Specified Area Rates							15,887	15,000
Total Rates							28,262	28,262
							1,336,319	1,388,256

All land except exempt land in the Shire of Mt Marshall is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above 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 bearing 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 Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

7. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in this statement are as follows:

Detail	Balance 01-Jul-17 \$	Amounts Received \$	Amounts Paid (\$)	February 2017 Balance \$
Police Licensing	36,024	108,987	(130,901)	14,110
Aged Care Beautification	829	0	0	829
Unclaimed Monies	59	0	0	59
Nomination Deposits	0	560	(560)	0
Prepaid Rates	0	0	0	0
Tree Planting Nursery	1,000	0	0	1,000
Sundry Creditors	0	0	0	0
Housing Bonds	9,580	2,230	(2,930)	8,880
Staff Social Club	4,280	1,805	(3,685)	2,400
Newroc Advance Account	0	0	0	0
Portable Toilet Bonds	0	0	0	0
Deposit on Land	1,000	0	(1,000)	0
Emergency Services Levy	0	0	0	0
Building Levy	0	0	0	0
Mt Marshall LCDC	0	0	0	0
Benc - Beacon Tourist Committee	0	0	0	0
Rehabilitation Bonds	5,000	0	0	5,000
	<u>57,772</u>	<u>113,582</u>	<u>(139,076)</u>	<u>32,278</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

8. OPERATING STATEMENT

	February 2017 Actual \$	2017/18 Adopted Budget \$	2016/17 Actual \$
OPERATING REVENUES			
Governance	43,309	28,399	49,490
General Purpose Funding	2,216,872	2,682,903	4,836,924
Law, Order, Public Safety	323,986	13,443	742,593
Health	93,388	130,800	0
Education and Welfare	63,111	81,101	80,434
Housing	109,168	170,820	172,430
Community Amenities	109,025	139,899	134,683
Recreation and Culture	18,768	1,051,449	60,894
Transport	647,996	2,006,528	1,659,802
Economic Services	108,835	221,935	201,433
Other Property and Services	53,410	74,600	56,581
TOTAL OPERATING REVENUE	3,787,868	6,601,876	7,995,265
OPERATING EXPENSES			
Governance	301,286	431,176	357,127
General Purpose Funding	41,780	69,371	54,794
Law, Order, Public Safety	144,648	112,080	132,004
Health	151,479	267,025	146,457
Education and Welfare	172,158	243,435	219,609
Housing	327,064	541,937	389,369
Community Amenities	146,828	257,623	249,870
Recreation & Culture	609,475	849,490	869,037
Transport	1,755,702	2,771,956	3,469,845
Economic Services	304,721	562,388	375,237
Other Property and Services	78,348	24,981	18,976
TOTAL OPERATING EXPENSE	4,033,489	6,131,463	6,282,326
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS	<u>(245,621)</u>	<u>470,413</u>	<u>1,712,939</u>

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 28 February 2018

9. BALANCE SHEET

	February 2017 Actual \$	2016/17 Actual \$
CURRENT ASSETS		
Cash and Cash Equivalents	4,210,650	5,971,279
Trade and Other Receivables	228,181	355,493
Inventories	9,728	21,963
TOTAL CURRENT ASSETS	4,448,559	6,348,735
NON-CURRENT ASSETS		
Other Receivables	10,083	10,083
Inventories	0	0
Property, Plant and Equipment	18,304,981	17,153,888
Infrastructure	90,235,704	90,476,260
Work in Progress	0	0
TOTAL NON-CURRENT ASSETS	108,550,768	107,640,231
TOTAL ASSETS	112,999,327	113,988,966
CURRENT LIABILITIES		
Trade and Other Payables	204,275	893,954
Long Term Borrowings	52,075	106,413
Provisions	228,574	228,574
TOTAL CURRENT LIABILITIES	484,924	1,228,941
NON-CURRENT LIABILITIES		
Trade and Other Payables	0	0
Long Term Borrowings	1,201,759	1,201,759
Provisions	17,382	17,382
TOTAL NON-CURRENT LIABILITIES	1,219,141	1,219,141
TOTAL LIABILITIES	1,704,065	2,448,082
NET ASSETS	111,295,262	111,540,884
EQUITY		
Trust Imbalance	0	0
Retained Surplus	76,979,797	77,607,676
Reserves - Cash Backed	3,905,497	3,523,240
Revaluation Surplus	30,409,968	30,409,968
TOTAL EQUITY	111,295,262	111,540,884

Shire of Mt Marshall

For the Period 1 July 2017 to 28 February 2018

Report on Significant Variances (greater than 10% and \$5,000)

Purpose

The purpose of the Monthly Variance Report is to highlight circumstances where there is a major variance from the YTD Monthly Budget and YTD Actual figures. These variances can occur because of a change in timing of the activity, circumstances change (e.g. grants were budgeted for but not received) or changes to the original budget projections. The Report is designed to highlight these issues and explain the reason for the variance.

The Materiality variances adopted by Council are:

Actual Variance to YTD Budget up to 5%:	Don't Report
Actual Variance exceeding 10% of YTD Budget	Use Management Discretion
Actual Variance exceeding 10% of YTD Budget and a value greater than \$5,000:	Must Report

Shire of Mt Marshall
Report on Significant Variances - Operating Income & Expenditure
For the Period 1 July 2017 to 28 February 2018

	28 February 2018 YTD	28 February 2018 YTD	Budget to Actual YTD	Budget to Actual YTD	Components of Variance	
	Actual	Budget	%	Favourable/ (Unfavourable)	Favourable/ (Unfavourable)	
	\$	\$	%	\$	\$	
Revenues/Sources						
Governance	43,309	23,240	86%	20,069	13,698 7,273 (902)	Bencubbin Centenary grant & bench seat contributions Realisation on disposal of asset <i>Minor Items</i>
General Purpose Funding	880,552	990,825	(11%)	(110,273)	(36,275) 7,352 (86,864) 5,513	Interest on Reserves under budget - timing Intrest on muni investments over budget FAGS under budget <i>Minor Items</i>
Law, Order, Public Safety	323,986	9,911	3169%	314,075	314,158 (83)	DFES fire truck grant- offset by cost of fire truck <i>Minor Items</i>
Health	93,388	87,200	0%	6,188	(29,317) 35,504 (00)	NEW Health Reimbursement invoices not yet done Contribution - NEW Health Vehicle <i>Minor Items</i>
Education and Welfare	63,111	57,357	10%	5,754	6,882 0 (1,128)	Childcare fees charged - over budget Family Suppor Grant - timing <i>Minor Items</i>
Housing	109,168	113,864	(4%)	(4,696)	(9,284) 4,589	Rental income under budget <i>Minor Items</i>
Community Amenities	109,025	136,719	(20%)	(27,694)	(28,875) 1,181	Water Grant income - grant not acquited <i>Minor Items</i>
Recreation and Culture	18,768	22,680	(17%)	(3,912)	(3,912)	<i>Minor Items</i>
Transport	647,997	1,127,693	(43%)	(479,696)	22,767 (25,320) (513,152) 34,545 1,463	Main Roads Direct Grant over budget Black spot grant not yet claimed. Waiting on Brookfield Rail. Roads to Recovery Grant - Works program behind, unable to claim due to breach of own source spending agreement in 2016/17 Proceeds/realisation of disposal of assets <i>Minor Items</i>
Economic Services	108,835	152,400	(29%)	(43,565)	(25,000) (3,100) (13,264) (2,200)	AA Dams Grant not yet received Workers Camp rental income under budget Beacon Barracks income under budget, offset by reduced expenditure <i>Minor Items</i>
Other Property and Services	53,410	53,056	1%	354	354	<i>Minor Items</i>
Total Revenues excl Rates	2,451,549	2,774,944	(12%)	(323,395)		
Amount Raised from Rates	1,336,319	1,359,995	(2%)	(23,675)	(21,824) (1,852)	Movement in excess rates <i>Minor Items</i>

Shire of Mt Marshall
Report on Significant Variances - Operating Income & Expenditure
For the Period 1 July 2017 to 28 February 2018

	28 February 2018 YTD	28 February 2018 YTD	Budget to Actual YTD	Budget to Actual YTD	Components of Variance	
	Actual	Budget		Favourable/ (Unfavourable)	Favourable/ (Unfavourable)	
	\$	\$	%	\$	\$	
(Expenses)/(Applications)						
Governance	(301,286)	(361,075)	17%	59,789	16,870 15,901 28,293 (1,275)	Subscriptions under budget Consultants under budget Records Management - not yet purchased <i>Minor Items</i>
General Purpose Funding	(41,780)	(46,240)	10%	4,460	8,357 (3,897)	Valuation Expenses - Invoice not yet received for GRV reval <i>Minor Items</i>
Law, Order, Public Safety	(144,648)	(77,068)	(88%)	(67,580)	(34,576) (37,570) 4,566	Loss on disposal of fire truck Depreciation on disposed fire truck <i>Minor Items</i>
Health	(151,479)	(152,152)	0%	673	673	<i>Minor Items</i>
Education and Welfare	(172,158)	(164,584)	(5%)	(7,574)	(4,615) (2,959)	Little Bees Salaries over budget - timing of Leave <i>Minor Items</i>
Housing	(327,064)	(307,053)	(7%)	(20,011)	(41,801) 16,743 5,046	Community Housing mtc over budget - timing. All building mtc jobs have been issued and are being worked through when time permits Staff housing mtc under budget - timing. All building mtc jobs have been issued and are being worked through when time permits <i>Minor Items</i>
Community Amenities	(146,828)	(171,808)	15%	24,980	5,370 2,812 10,554 3,483 2,761	Town Planning consultant under budget Cemeteries under budget Refuse collection under budget Public Toilets under budget <i>Minor Items</i>
Recreation & Culture	(609,475)	(559,146)	(9%)	(50,329)	(51,779) 1,451	Public Halls over budget - timing <i>Minor Items</i>
Transport	(1,755,702)	(1,843,018)	5%	87,316	61,754 7,885 4,144 3,585 43,893 (37,734) 3,789	Road Maintenance under budget Street Cleaning under budget - timing Street Lighting under budget Traffic signs under budget - timing Loss on disposal of grader - timing Infrastructure Depreciation under budget <i>Minor Items</i>
Economic Services	(304,721)	(376,658)	19%	71,937	44,654 13,480 13,473 329	Economic Development fund - portion not yet claimed Employment of Economic Development Officer - EDO started in December. 5 months wage allocation not used Beacon Barracks Exp under budget, offset by reduced income <i>Minor Items</i>
Other Property and Services	(78,348)	(29,500)	(166%)	(48,848)	6,904 6,837 (86,195) 23,601 6	Repair wages under budget - PMO not replaced on retirement Freight on Parts under budget - PMO not replaced on retirement Public Works Overheads over budget Depreciation allocated to jobs under budget <i>Minor Items</i>
Total Expenses/Applications	(4,033,490)	(4,088,302)	(6%)	48,980		

Shire of Mt Marshall
Capital Expenditure Report on Significant Variances
For the Period 1 July 2017 to 28 February 2018

	Full Year Budget	28 February 2018 YTD Actual	YTD Budget	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable)	Commentary
	\$	\$	\$	%	\$	
Capital Expenditure						
Governance						
Purchase Vehicle - Admin	85,000	77,658	85,000	0%	7,342	Vehicle under budget, trade in also under budget
Law Order & Public Safety						
Isuzu FSS600 Fire Tender	-	330,521	-	100%	(330,521)	Fully covered by DFES Grant
Health						
New Health Purchase Of Motor Vehicle	25,000	72,805	25,000	100%	(47,805)	Vehicle costs were unknown, NEW Health budget only included change over costs
Education & Welfare						
Purchase Land & Buildings - Welfare Aged	81,600	81,600	81,600	0%	-	
Community Amenities						
Land & Buildings - Community Amenities	5,000	-	5,000	0%	5,000	Cemetery Works - project fallen behind
Water Collection Projects	57,750	29,410	38,496	24%	9,086	Project fallen behind
Portable Toiles	12,000	12,463	12,000	0%	(463)	
Recreation & Culture						
Beacon Recreation Ground Power Upgrade	15,000	2,873	15,000	81%	12,127	Final cost under budget
Other Infrastructure - Beacon Central & Hall Car Parks	30,000	-	30,000	0%	30,000	Timing of project
Bencubbin Rec Complex	2,447,761	973,856	1,493,545	35%	519,689	Timing of project
Transport						
Road Construction	2,172,228	962,431	1,377,965	30%	415,534	Program behind
Footpath Construction	20,000	750	16,665	0%	15,915	Program behind
Plant Purchases	440,000	86,606	440,000	0%	353,394	Timing - Plant not yet changed over
Beacon Airstrip Upgrade	400,000	-	-	0%	-	
Motor Vehicle Purchases	97,000	53,749	97,000	45%	43,251	Timing - 1 x Ute still to come
Economic Services						
Sandalwood Shops Capital Works	22,000	-	22,000	0%	22,000	Completed, waiting on invoice
Total Capital Expenditure	5,910,339	2,684,722	3,739,271	28%	1,054,549	