

WALGA Quarterly Overview Report

Q2 April – June 2018



Shire of Mt Marshall

This is your Council's WALGA Quarterly Report for the April to June 2018 quarter.

Following a successful trial, WALGA is expanding a new program to help support Elected Members in their role on Council.

The WALGA Member Advisor program proposes to provide Councils and Elected Members with information and resources from a trusted peer. Under the program, Member Advisors will attend an Ordinary Council meeting and be contactable via email and phone for individual Elected Members regarding any questions they may have in undertaking their roles on Council.

As the program is still in its early stages we would appreciate any comments or feedback from those who have been involved, or who wish to do so in the future.

MEMBER SERVICES



2
Members from the Shire of Mt Marshall attended WALGA Training this quarter.



1
Number of times Employee Relations advice was provided to the Shire of Mt Marshall.



4
Number of times Recruitment advice was provided to the Shire of Mt Marshall.

The Shire of Mt Marshall participated in the following Client Reference Groups this quarter:

- Hazardous and Emergency Events Services

COMPLETE GUIDE – LOCAL GOVERNMENT ACT SUBSCRIPTION

Under the Complete Guide – Local Government Act subscription, the following resources have been made available this quarter:

- Communications and social media tools - including a template Communications and Social Media Policy, Model Code of Conduct – new social media clause, and Elected Member Personal Use of Social Media Guideline

- Transaction (Credit) Card Template Policy, plus Guidelines for developing operational procedures for Cardholders and Card administrators
- Primary and Annual Returns Management Guideline
- Updated Compliance Calendar Template, plus a Compliance Calendar implementation guide.

SECTOR ADVOCACY

REGIONAL HEALTH SERVICES SURVEY

WALGA conducted a survey to gather information from Members on the health services currently operating in regional, rural and remote Local Government areas.

The information gathered will be reported to WALGA State Council to determine the next steps to be taken and guide further advocacy on behalf of the sector. The Shire of Mt Marshall completed the survey.

MEETINGS AND EVENTS

STATE LOCAL GOVERNMENT PARTNERSHIP AGREEMENT

The first meeting of the Partnership Executive Group comprising the Premier,

Treasurer, Minister for Planning; Transport; Lands, Minister for Local Government; Heritage; Culture and the Arts, and representatives from WALGA and LG Professionals was held on Wednesday, 20 June.

The meeting included a number of agreements: to establish a working group that will underpin this executive and conduct research and implementation actions arising from the group; exploration of partnership agreements on Climate Change and Coastal Erosion, and Procurement; an introduction of the WALGA Jobs Plan; and the need for ongoing relationship management in the sector. All parties acknowledged the restrictions on road funding and the need for further review of this going forward.

In addition, WALGA secured agreement on the need for implementing a major review of the planning system, and of currently frozen Local Government fees and charges – both long standing advocacy aims of the Association.

RESOURCES

- 2016-17 Local Government Road Assets and Expenditure Report finalised and distributed.

Attachment 12.1.26

WALGA Quarterly Overview Report

Q2 April – June 2018



CONTACTS

Chief Executive Officer

Ricky Burges
9213 2025

Deputy Chief Executive Officer

Wayne Scheggia
9213 2024

**Executive Manager
Business Solutions**

John Filippone
9213 2020

**Executive Manager
Environment and Waste**

Mark Batty
9213 2078

**Executive Manager
Finance and Marketing**

Zac Donovan
9213 2038

**Executive Manager
Governance and Organisational Services**

Tony Brown
9213 2051

**Executive Manager
Infrastructure**

Ian Duncan
9213 2031

**Executive Manager
People and Place**

Joanne Burges
9213 2018

| CHIEF EXECUTIVE OFFICER - JOHN NUTTALL | | | | |
|---|---|----------------|-----------------------------------|----------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/5-007 June 2018 | That the agenda item 12.1.24 lay on the table until 17 July 2018 Ordinary Council meeting or earlier at a Special Council meeting if required information is obtained. | Ongoing | Item going to July meeting | |

| CHIEF EXECUTIVE OFFICER - JOHN NUTTALL | | | | |
|---|--|---------------|--------------------------------|-----------------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/5-006 June 2018 | That Council: | | | |
| | 1. Receive the needs analysis report, concept designs and costings prepared by A Balanced View Leisure Consultancy Services; | Complete | | |
| | 2. Reject the concept options as proposed by A Balanced View Leisure Consultancy Services; | Complete | | |
| | 3. Direct the Chief Executive Officer to seek indicative quotes for a zero depth (splash pad) aquatic option located at the Beacon Recreation Complex; | Ongoing | | |
| | 4. Direct the Chief Executive Officer to investigate funding opportunities to assist with the cost of redeveloping the existing aquatic facility, with a report outlining; A) potential grant funding opportunities; and B) overall funding scenario/s for the project; To be presented to Council for further direction prior to any application being lodged. | Ongoing | See item to going July meeting | |
| | 5. Direct the Chief Executive Officer to conduct public consultation with residents and ratepayers following the presentation of the report outlined in 4, prior to any application for funding being lodged. | Ongoing | See item going to July meeting | |
| | 6. Instruct the CEO to engage with the same manufacturer used for the refurbishment costings of current Mt Marshall Aquatic Centre to supply indicative costs for a new stand alone pool at either the Bencubbin or Beacon Recreation Grounds | Ongoing | See item going to July meeting | |

| CHIEF EXECUTIVE OFFICER - JOHN NUTTALL | | | | |
|---|--|-----------------|----------------|-----------------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/5-005 June 2018 | That Council: <ol style="list-style-type: none"> 1. Note and receive the information from zone relating to the number of Councillors voted onto State Council. 2. Direct the Chief Executive Officer to report to the zone that Mt Marshall does not hold any firm view regarding any potential change to the number of Councillors voted onto State Council. | Complete | | |
| 2018/5-004 June 2018 | That Council: <ol style="list-style-type: none"> 1. Award the tender for the purchase of 29 Brown Street, Bencubbin to Mr Kevin Smith at the tendered price of \$37500. 2. Authorise the Chief Executive Officer to undertake the necessary arrangements to effect and complete the sale to Mr Kevin Smith, including the use of the Shire Common Seal on any necessary contract and transfer documentation. 3. Resolve that the income received for the property be placed into the housing reserve. | Ongoing | | September 2018 |

| CHIEF EXECUTIVE OFFICER - JOHN NUTTALL | | | | |
|--|---|-----------------|--|----------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/4-016 May 2018 | Proposed Health Local Law 2018 See Minutes for detailed resolution. | Ongoing | Item going to July meeting | |
| 2018/3 – 016 April 2018 | That Council: <ol style="list-style-type: none"> 1. Receive the minutes from the Economic Development Grant Fund Committee meeting of 16 April 2018 which are at attachment 14.1; and 2. Endorse the recommendation of the Economic Development Grant Fund Committee by awarding the sum of \$9383.59 from the Economic Development Fund to the Bencubbin Community Recreation Council towards the installation of Solar Panels at the Bencubbin Community Recreation Centre. | Complete | Communicated outcome to the BCRC and are awaiting an invoice. Project complete and acquittal received. | July 2018 |

| CHIEF EXECUTIVE OFFICER - JOHN NUTTALL | | | | |
|---|--|-----------------|---|----------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/3 – 008 April 2018 | That Council: <ol style="list-style-type: none"> 1. Resolve to engage Western Power to supply the power to the proposed Beacon Workers Accommodation Site; 2. Subject to Section 6.8(1) Local Government Act 1995 expenditure of \$20,000 be authorised to undertake the power supply works to the proposed Beacon Workers Accommodation Site; and 3. \$20000 be transferred from the Beacon Accommodation Reserve. | Underway | An electrician has been contracted to undertake and liaise with Western Power | October 2018 |
| 2018/3 – 006 April 2018 | That Council: <ol style="list-style-type: none"> 1. Subject to Section 3.58 (3) Local Government Act 1995, dispose of 27 Rowlands Street Beacon by way of sale to Mr Jens Dierks for the sum of \$40000; 2. Authorise the Chief Executive Officer to complete and append the common seal upon any paperwork necessary to effect the sale; and 3. Upon completion of the sale transfer the proceeds of the sale into the Housing Reserve. | Complete | Sale documentation being prepared | July 2018 |
| 2018/3 – 004 April 2018 | That Council: <ol style="list-style-type: none"> 1. Direct the Chief Executive Officer to make arrangements for a new lease for the use of the Pergandes Sheep Yards as a tourist destination between the Shire and Mr & Mrs Cooper; and 2. That any costs associated with the preparation and execution of the new lease be borne by the Shire. | Ongoing | Lease is being prepared by lawyers | August 2018 |

| 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> <p>Item in April agenda. Matter to be listed in budget considerations for 2018/2019.</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. | August 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> <p>Practical completion effected.</p> <p>Identified defects being resolved.</p> | August 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". | Complete | <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. Recent information has been received indicating that the matter is nearing conclusion.</p> <p>Notified on July 10 that transfer is complete.</p> | June 2018 |

| 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. | Complete | <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> <p>Agreement signed.</p> | |

| ENVIRONMENTAL HEALTH OFFICER – PETER TOBOSS | | | | |
|--|--|---------|-----------------------------------|-------------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/4-016 May 2018 | Proposed Health Local Law 2018 See Minutes for detailed resolution. | Ongoing | Item going to July meeting | |

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> <p>PEHO conducted site inspection April 2018. Agenda item will be presented to Council at the July 2018 Meeting.</p> <p>Item going to July meeting</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 |
| 2015/5-013 June 2018 | <p>That, pursuant to Section 6.64 (1) (b) of the Local Government Act 1995, the following property, which has rates in arrears for 3 or more years, be sold to recover unpaid rates and charges totalling \$24,651.05:</p> <ol style="list-style-type: none"> 1. A6056 being Lots 47, 48, 49 and 50 Monger Street, Bencubbin - Bencubbin Hotel | Ongoing | <p>Owner making regular repayments. Balance Outstanding on A6056 as at 12/07/18 = \$2,186.84</p> | August 2018 |
| 2018/5-012 June 2018 | <p>That the sum of \$285,000, being unspent plant reserve and municipal funds budgeted for the changeover of the Volvo 930G Grader (MM349), be transferred to the Plant Reserve.</p> | Complete | Transferred | Complete |
| 2018/5-004 June 2018 | <p>That Council:</p> <ol style="list-style-type: none"> 1. Award the tender for the purchase of 29 Brown Street, Bencubbin to Mr Kevin Smith at the tendered price of \$37500. 2. Authorise the Chief Executive Officer to undertake the necessary arrangements to effect and complete the sale to Mr Kevin Smith, including the use of the Shire Common Seal on any necessary contract and transfer documentation. 3. Resolve that the income received for the property be placed into the housing reserve. | Ongoing | <p>Information provided to Mr Smith and his bank. Awaiting return of Offer and Acceptance from Mr Smith.</p> | September 2018 |

| FINANCE & ADMINISTRATION MANAGER – TANIKA MCLENNAN | | | | |
|--|---|----------|---|---|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/3 – 006 April 2018 | That Council: 1. Subject to Section 3.58 (3) Local Government Act 1995, dispose of 27 Rowlands Street Beacon by way of sale to Mr Jens Dierks for the sum of \$40000; 2. Authorise the Chief Executive Officer to complete and append the common seal upon any paperwork necessary to effect the sale; and 3. Upon completion of the sale transfer the proceeds of the sale into the Housing Reserve. | Complete | Property settled and proceeds transferred to Housing Reserve | Complete |
| 2016/172 November 2016 | That: 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: A6870 \$7,867.50 A6871 \$7,867.50 | | Transfer lodged, awaiting notification of completion. Document rejected for want of the Common Seal. Awaiting its return to affix Common Seal. Document resubmitted, awaiting confirmation of transfer Landgate advised that documents were still progressing through their legal team and could not give an estimated completion time. Landgate rejected paperwork. Resubmitted with requested changes | Complete Complete Complete August 2018 |

| 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 | <p>Correspondence has been received from the Department of Planning, Lands and Heritage seeking confirmation that the adjoining land owners will purchase the land as well as confirmation that the Shire of Mt Marshall will be responsible for any costs associated with the road closure.</p> <p>Confirmation that Faulkner Brothers and Mr Sachse have agreed to purchase the land has been sent and informed the Dept that the Shire will not cover any costs associated with the road closure. The long delay in the road closure process looks like causing the Development Application to lapse as no substantial works have been commenced in two years.</p> | August 2018 |

| REGULATORY OFFICER – JACK WALKER | | | | |
|----------------------------------|---|---------------------------------|---|--|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2017/05-18 May 2017 | That: | | | |
| | <ol style="list-style-type: none"> 1. Council resolve not to proceed with the Extractive Industries Local Law. 2. The Chief Executive Officer be directed to draw up and present to Council an Extractive Industries Local Planning Policy. | <p>Completed</p> <p>Current</p> | Staff are in the process of drafting a policy | August 2018 |
| 2016/178 November 2016 | That: | | | |
| | <ol style="list-style-type: none"> 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 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. | <p>Completed</p> <p>Ongoing</p> | <p>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”</p> <p>Main Roads have been advised and will assess the situation.</p> | <p>October 2017</p> <p>August 2018</p> |

| 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 | August 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: 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. | August 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 |

COMMUNITY DEVELOPMENT OFFICER – OLIVIA GRANICH

| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
|------------------------------|---|---------|--|----------------------|
| 2015/5-014 June 2018 | <p>That the following 2017/18 Club Support Fund Applications be approved for funding by Council;</p> <p style="text-align: center;"> Beacon Hockey Club \$3,500 Bencubbin Football Club \$6,380 </p> | Ongoing | <p>Beacon Ladies Hockey Club have been advised in writing that they have been successful in there 2018 application.</p> <p>Bencubbin Football Club have been advised in writing that their 2018 application has been successful.</p> | TBA |
| 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. | Ongoing | <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> <p>Continued over page</p> | |

| COMMUNITY DEVELOPMENT OFFICER – OLIVIA GRANICH | | | | |
|--|----------|---------|--|----------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2016/190 December 2016 | | Ongoing | <p>Quantity Surveyor has been engaged and costings expected to be complete by the end of April 18. Research is still being conducted on the feasibility of the Aquatic Centre. Further research has been conducted by the CEO and engagement with external stakeholders by the CEO and CDO to review options for the Mt Marshall Aquatic Centre. This research will be presented in June 18.</p> <p>Council have requested more research by the CEO and CDO involving alternative aquatic centre options.</p> | |

| ECONOMIC DEVELOPMENT OFFICER – LOREN NORTHOVER | | | | |
|---|--|-----------------|---|----------------------|
| REF | DECISION | STATUS | COMMENT | ESTIMATED COMPLETION |
| 2018/3 – 016 April 2018 | <p>That Council:</p> <ol style="list-style-type: none"> 3. Receive the minutes from the Economic Development Grant Fund Committee meeting of 16 April 2018 which are at attachment 14.1; and 4. Endorse the recommendation of the Economic Development Grant Fund Committee by awarding the sum of \$9383.59 from the Economic Development Fund to the Bencubbin Community Recreation Council towards the installation of Solar Panels at the Bencubbin Community Recreation Centre. | Complete | <p>BCRC advised of successful application via writing. BCRC to advise an estimated time of installation.</p> <p>Project complete and acquittal received.</p> | |

Council Meeting

Tuesday 26 June 2018

Meeting to held at the Wyalkatchem Council Chambers
Honor Ave, Wyalkatchem

MINUTES

** Early arrival for time with Anne Maree Jensen on LG Health Plans
1.30pm Light lunch and Networking
2pm NEWROC Council Meeting

NEWROC Vision Statement

NEWROC is a strong, cohesive regional leadership group that fosters economic prosperity of member Councils.

Attachment 12.3.13

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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

NEWROC PROJECTS - Activity Running Sheet

| NEWROC PRIORITY PROJECT | DETAILS | PROGRESS | RESPONSIBLE |
|--|----------------|--|--------------------|
| Renewable Energy | Business Case | Business Case Quote requested and will include in 18/19 Budget | EO |
| IT Services | Investigation | Presentation to Executive at May Executive meeting | EO |
| Roads Contracting to MRWA | Investigation | | |
| Advocacy of Education | Advocacy | | |
| Telecommunications – contemporary and future focused | Advocacy | | |

| ADDITIONAL COLLABORATION | Progress as at March 2018 |
|---|--|
| 1. Regional Road Construction Group | Ongoing discussions |
| 2. Align waste contracts amongst members Regional Waste Site | Avon Waste presentations completed, individual waste reports to members |
| 3. Youth Officer / Youth programs | Development of Youth Strategy – funding being explored |
| 4. Art in the Wheatbelt (art on silo's and adding value to Wheatbelt Way) | Concept supported in Aug 2015, needs further progression with Wheatbelt Way |
| 5. Records Management and Disposal | Presentation by IT Vision To occur – presentation by Shire of WB regarding their records management solutions |
| 6. Group insurance | To be discussed in 2018 |

NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS

Ordinary Meeting of Council held at the Wyalkatchem Council Chambers, Wyalkatchem on
Tuesday 26 June 2018 commencing at 2.07pm.

MINUTES

1. OPENING AND ANNOUNCEMENTS

NEWROC Chair, Cr Davies welcomed everyone and opened the meeting at 2.07pm

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 |
| Cr Marlon Hudson | Delegate | Deputy President, Shire of Trayning |

Chief Executive Officers

| | |
|------------------|----------------------------------|
| Claire Trenorden | Acting CEO, Shire of Wyalkatchem |
| David Burton | CEO, Shire of Koorda |
| John Nuttall | CEO, Shire of Mt Marshall |
| Dirk Sellenger | CEO, Shire of Mukinbudin |
| Adam Majid | CEO, Shire of Nungarin |
| Graham Merrick | CEO, Shire of Trayning |

Officers

| | |
|-------------------|--------------------------|
| Caroline Robinson | NEWROC Executive Officer |
|-------------------|--------------------------|

2.2. Apologies

| | |
|-------------------|---------------------------|
| Cr Sandie Ventris | Shire of Mukinbudin |
| Cr Nick Gillett | Shire of Mt Marshall |
| Ian McCabe | CEO, Shire of Wyalkatchem |

2.3. Requests for Leave of Absence

Nil

2.4. DECLARATIONS OF INTEREST AND DELEGATIONS REGISTER

2.5. Declarations of Interest

| Declaration By (i.e. Cr B Example) | Shire (i.e. Shire of Barley Leaf) | Agenda Item # | Type and details of Interest (i.e. financial) |
|---------------------------------------|---|---------------|--|
|---------------------------------------|---|---------------|--|

| | | | |
|----------|-------------------|--------------------|--|
| Cr Brown | Shire of Trayning | Telecommunications | Land provided for a Crisp Wireless tower |
|----------|-------------------|--------------------|--|

2.6. Delegations Register – June 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 |

3. PRESENTATIONS

Nil

4. MINUTES OF MEETINGS

4.1. Minutes of Ordinary Meetings

4.1.1. Minutes of Ordinary Meeting of NEWROC Council – 24 April 2018

Minutes of the meeting held 24 April 2018 have previously been circulated.

RESOLUTION

That the Minutes of the NEWROC Meeting of Council held on 24 April 2018 be confirmed as a true and correct record of proceedings.

Moved Cr O'Connell

Seconded Cr Shadbolt

Carried 6/0

4.1.2. Business Arising from NEWROC Council meeting

Nil

4.2. Minutes of Executive Committee Meetings

4.2.1. NEWROC Executive Committee Meeting – 22 May 2018

Minutes of the NEWROC Executive Committee Meeting held on 22 May 2018 have been circulated.

RESOLUTION

That the Minutes of the NEWROC Executive Committee Meeting held on 22 May 2018, be received.

Moved Cr Storer

Seconded Cr Brown

Carried 6/0

4.2.2. Business Arising from the NEWROC Executive Meeting

Nil

5. FINANCIAL MATTERS**5.1. 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: 15 June 2018
ATTACHMENT NUMBER:
CONSULTATION: Dannelle Foley
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENTS

The below list outlines the income and expenditure from 1 May to 31 May 2018

NEWROC Funds #5557 Transactions

North Eastern Wheatbelt Regional Organisation of Councils

For the period 1 May 2018 to 31 May 2018

| Date | Description | Reference | Credit | Debit | Gross |
|---------------------------|---------------------------------|-----------------------------------|-------------------|------------------|------------------|
| NEWROC Funds #5557 | | | | | |
| | Opening Balance | | 116,909.22 | 0.00 | 0.00 |
| 01 May 2018 | Payment: Digit Books Pty Ltd | D1G1T Subscription | 0.00 | 50.00 | (50.00) |
| 01 May 2018 | Bendigo Bank | Bank Charges | 0.00 | 1.20 | (1.20) |
| 01 May 2018 | Bendigo Bank | Interest Received | 14.94 | 0.00 | 14.94 |
| 08 May 2018 | Payment: Solum | Solum - EO Services | 0.00 | 2,908.00 | (2,908.00) |
| 08 May 2018 | ATO | BAS Jan-March 2018 | 0.00 | 2,832.00 | (2,832.00) |
| 08 May 2018 | Payment: Vernon Contracting | TO September Inv 1014 | 0.00 | 1,325.50 | (1,325.50) |
| 08 May 2018 | Payment: Vernon Contracting | Tourism Officer Services April | 0.00 | 1,210.00 | (1,210.00) |
| 08 May 2018 | Payment: Wegner's Rural | Catering Inv10 - Telecomms Launch | 0.00 | 147.50 | (147.50) |
| 23 May 2018 | Payment: Shire of Nungarin | Nungarin Telecomms Project | 20,589.80 | 0.00 | 20,589.80 |
| 30 May 2018 | Payment: Solum | Solum - EO Services May | 0.00 | 2,870.50 | (2,870.50) |
| 31 May 2018 | Payment: Shire of Nungarin | Shire of Nungarin Subs 17/18 | 17,820.00 | 0.00 | 17,820.00 |
| 31 May 2018 | Payment: Vernon Contracting | TO Services Inv 1029 | 0.00 | 1,210.00 | (1,210.00) |
| 31 May 2018 | Payment: NEWTRAVEL INC | WBW Marketing Annual Subs | 0.00 | 3,000.00 | (3,000.00) |
| | Total NEWROC Funds #5557 | | 38,424.74 | 15,554.70 | 22,870.04 |
| | Closing Balance | | 139,779.26 | 0.00 | 0.00 |
| | Total | | 38,424.74 | 15,554.70 | 22,870.04 |

Profit and Loss Report to the 31 May 2018

Profit & Loss
North Eastern Wheatbelt Regional Organisation of Councils
For the 12 months ended 31 May 2018

May-18

| | |
|--|---------------------|
| Income | |
| Interest Received | \$3,842.16 |
| Medical Enhancement Fund Subs Rec. | \$12,500.00 |
| NEWROC Business Case / Project Work Subs | \$12,000.00 |
| NEWROC Subscriptions Received | \$341,853.84 |
| Special Projects Subscriptions Rec. | \$144,308.00 |
| Tourism Officer Subscriptions Rec. | \$16,200.00 |
| Wheatbelt Way Marketing Subscription | \$3,000.00 |
| Total Income | \$533,704.00 |
| <hr/> | |
| Gross Profit | \$533,704.00 |
| <hr/> | |
| Less Operating Expenses | |
| Accounting/Audit fees | \$1,063.35 |
| Advertising | \$205.59 |
| Bank charges | \$20.80 |
| Catering | \$134.09 |
| EO Office Expenses | \$1,311.14 |
| Event / Ceremony Expenses | \$135.61 |
| Executive Officer Business Case/Project Work | \$19,676.09 |
| Executive Officer Contract Services | \$31,769.85 |
| Executive Officer Travel | \$5,355.06 |
| Grants distributed | \$13,365.45 |
| Literary Luncheon | \$600.00 |
| Printing and Stationery | \$76.41 |
| Records Storage | \$25.00 |
| Telecommunications Contractor/Services | \$401,500.00 |
| Tourism Officer Contract Services | \$14,300.00 |
| Tourism Officer Travel | \$1,706.60 |
| WBW Marketing | \$3,000.00 |
| Website and Database | \$552.72 |
| Total Operating Expenses | \$494,797.76 |
| <hr/> | |
| Net Profit | \$38,906.24 |
| <hr/> | |

RESOLUTION

That the income and expenditure and the profit and loss report as at 31 May 2018, as listed, be endorsed.

Moved Cr O'Connell

Seconded Cr Storer

Carried 6/0

5.2. BUDGET

| | |
|--------------------------------|--------------------------------------|
| PORTFOLIO: | Corporate Capacity |
| FILE REFERENCE: | 42-2 Finance Audit and Compliance |
| REPORTING OFFICER: | Caroline Robinson, Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 15 June 2018 |
| ATTACHMENT NUMBER: | Nil |
| CONSULTATION: | Dannelle Foley |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENTS

Below is a Budget vs Actuals for NEWROC from 1 July 2017 to 31 May 2018. Followed by the draft Budget 2018/19

Comments in regards to the draft Budget for 2018/19:

- 🐦 Subscription fees have remained the same
- 🐦 Each year the NEWROC usually takes on one significant business case to assist with its strategic projects – this has again been included in the Budget
- 🐦 Income allocation for access to the Data Centre (Shire of Dowerin if they are successful in their funding application) and an allocation towards another tower for the Telecommunications Project
- 🐦 Following the final acquittal for the Telecommunications Project, income will be returned to NEWROC from the Shire of Nungarin as we transferred funds to them to ensure they had enough money to cover the 3 payments - \$143,375
- 🐦 NEWROC Executive Officer Fee for Service allocation remains at the budgeted amount, albeit this is actually always much lower

Profit & Loss
North Eastern Wheatbelt Regional Organisation of Councils
1 Jul 2017 to 31 May 2018

| | Actual | Budget | YTD Actual | YTD Budget | Var AUD |
|--|---------------------|-----------------------|---------------------|-----------------------|----------------------|
| Income | | | | | |
| Grants received | \$143,375.00 | \$737,393.00 | \$143,375.00 | \$737,393.00 | -\$594,018.00 |
| Interest Received | \$3,859.08 | \$7,120.00 | \$3,859.08 | \$7,120.00 | -\$3,260.92 |
| Medical Enhancement Fund Subs Rec. | \$12,500.00 | \$12,500.00 | \$12,500.00 | \$12,500.00 | \$0.00 |
| NEWROC Business Case / Project Work Subs | \$12,000.00 | \$12,000.00 | \$12,000.00 | \$12,000.00 | \$0.00 |
| NEWROC Subscriptions Received | \$66,000.00 | \$66,000.00 | \$66,000.00 | \$66,000.00 | \$0.00 |
| Special Projects Subscriptions Rec. | \$144,308.00 | \$112,308.00 | \$144,308.00 | \$112,308.00 | \$32,000.00 |
| Tourism Officer Subscriptions Rec. | \$16,200.00 | \$16,200.00 | \$16,200.00 | \$16,200.00 | \$0.00 |
| Wheatbelt Way Marketing Subscription | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$0.00 |
| Total Income | \$401,242.08 | \$966,521.00 | \$401,242.08 | \$966,521.00 | -\$565,278.92 |
| Gross Profit | \$401,242.08 | \$966,521.00 | \$401,242.08 | \$966,521.00 | -\$565,278.92 |
| Less Operating Expenses | | | | | |
| Accounting/Audit fees | \$1,063.35 | \$3,540.00 | \$1,063.35 | \$3,540.00 | -\$2,476.65 |
| Advertising | \$205.59 | \$0.00 | \$205.59 | \$0.00 | \$205.59 |
| Bank charges | \$22.00 | \$72.00 | \$22.00 | \$72.00 | -\$50.00 |
| Catering | \$134.09 | \$200.00 | \$134.09 | \$200.00 | -\$65.91 |
| EO Office Expenses | \$1,272.73 | \$3,000.00 | \$1,272.73 | \$3,000.00 | -\$1,727.27 |
| EO Seminars/Conferences | \$0.00 | \$1,000.00 | \$0.00 | \$1,000.00 | -\$1,000.00 |
| EO Travelling Expenses (Accom) | \$0.00 | \$1,000.00 | \$0.00 | \$1,000.00 | -\$1,000.00 |
| Event / Ceremony Expenses | -\$318.94 | \$0.00 | -\$318.94 | \$0.00 | -\$318.94 |
| Executive Officer Business Case/Project Work | \$16,303.54 | \$20,000.00 | \$16,303.54 | \$20,000.00 | -\$3,696.46 |
| Executive Officer Contract Services | \$31,742.85 | \$57,399.00 | \$31,742.85 | \$57,399.00 | -\$25,656.15 |
| Executive Officer Travel | \$5,203.56 | \$9,996.00 | \$5,203.56 | \$9,996.00 | -\$4,792.44 |
| Gifts | \$0.00 | \$200.00 | \$0.00 | \$200.00 | -\$200.00 |
| Grants distributed | \$0.00 | \$737,939.00 | \$0.00 | \$737,939.00 | -\$737,939.00 |
| Legal expenses | \$0.00 | \$1,000.00 | \$0.00 | \$1,000.00 | -\$1,000.00 |
| Literary Luncheon | \$600.00 | \$0.00 | \$600.00 | \$0.00 | \$600.00 |
| Medical Enhancement Project Sub-Contractors | \$0.00 | \$40,000.00 | \$0.00 | \$40,000.00 | -\$40,000.00 |
| Printing and Stationery | \$76.41 | \$0.00 | \$76.41 | \$0.00 | \$76.41 |
| Records Storage | \$5.00 | \$50.00 | \$5.00 | \$50.00 | -\$45.00 |
| Subscriptions Distributed (Medical) | \$0.00 | \$600.00 | \$0.00 | \$600.00 | -\$600.00 |
| Telecommunications Contractor/Services | \$401,500.00 | \$251,561.00 | \$401,500.00 | \$251,561.00 | \$149,939.00 |
| Tourism Officer Contract Services | \$12,100.00 | \$13,200.00 | \$12,100.00 | \$13,200.00 | -\$1,100.00 |
| Tourism Officer Travel | \$1,383.20 | \$3,000.00 | \$1,383.20 | \$3,000.00 | -\$1,616.80 |
| WBW Infrastructure | \$0.00 | \$21,448.00 | \$0.00 | \$21,448.00 | -\$21,448.00 |
| WBW Marketing | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$0.00 |
| Website and Database | \$552.72 | \$2,000.00 | \$552.72 | \$2,000.00 | -\$1,447.28 |
| Total Operating Expenses | \$474,846.10 | \$1,170,205.00 | \$474,846.10 | \$1,170,205.00 | -\$695,358.90 |
| Net Profit | -\$73,604.02 | -\$203,684.00 | -\$73,604.02 | -\$203,684.00 | \$130,079.98 |

NEWROC DRAFT Operating Budget 2018-19
North Eastern Wheatbelt Regional Organisation of Councils
1 July 2018 to 30 June 2019

BUDGET Excl GST

| Account | Total |
|--|------------------|
| Opening Balance (as at June 30 2018) | \$125,831 |
| Income | |
| Grants received (256) | 30,000 |
| Interest Received (276) | 4,120 |
| Subscriptions Received (255) | |
| <i>Medical Enhancement Fund</i> | |
| <i>NEWROC Business Case / Project Work (6 x \$2,000)</i> | 12,000 |
| <i>NEWROC Subscriptions (6 x \$11,000)</i> | 66,000 |
| <i>Special Projects Subscription Rec.</i> | |
| <i>Tourism Officer</i> | 20,000 |
| <i>Wheatbelt Way Marketing</i> | 4,000 |
| Sundry Income (267) | |
| Total Income | 136,320 |
| Less Operating Expenses | |
| Executive Officer | |
| Executive Officer Contract Services (412) | 57,400 |
| Executive Officer Business Case/Project Work (414) | 20,000 |
| Seminars/Conferences (408) | 1,000 |
| Travel Executive Officer (477) | 10,000 |
| Office Expenses (450) | 3,000 |
| Travelling Expenses (Accom) (479) | 2,500 |
| Governance / General Administration | |
| Accounting/Audit fees (390) | 3,545 |
| Advertising (392) | 200 |
| Bank charges (398) | 72 |
| Catering (402) | 200 |
| Consultancy Fees (409) | |
| Events/Ceremony Expenses | 400 |
| Gifts (431) | 200 |
| Legal expenses (440) | 1,000 |
| Materials (447) | |
| Printing and Stationery | 100 |
| Records Storage (393) | 50 |
| Grant Funding | |
| Grants distributed (433) | |
| Telecommunications (Schedule 6) | |
| Telecommunications Contractor/Services | 80,000 |

Medical Enhancement Fund (Schedule 7)

Subscriptions Distributed Medical

NewArts Literary Luncheon (860)

Literary Luncheon (600)

600

NEWROC Promotion

Website and Database (460)

2,000

NEWTRAVEL Tourism Officer (Schedule 9)

Tourism Officer Contract Services (413)

13,200

Travel Tourism Officer (478)

3,000

Wheatbelt Way

WBW Infrastructure (501)

WBW Marketing (500)

3,000

Total Operating Expenses

201,467

Total Expenses

201,467

Net Operating Surplus (Deficit)

(-70,147)

Transfer To Reserves (-)

Transfer From Reserves (+)

Nett Change in Reserves

Closing Balance

\$60,684

RESOLUTION

The NEWROC Budget for 18/19 is adopted with the following amendments:

NEWROC Tourism Officer / NEWTRAVEL to include income contributions from 8 Shires (NEWROC plus the Shires of Westonia and Dowerin) to the value of \$2500 each

Wheatbelt Way to include income contributions from 8 Shires (NEWROC plus the Shires of Westonia and Dowerin) to the value of \$500 each

Moved Cr O'Connell

Seconded Cr Brown

Carried 6/0

Discussion:

- 👉 Next NEWTravel meeting is on 26 July and this is when the constitution will be discussed again and it is likely after this meeting that NEWTravel will take over the management of the NEWTravel Tourism Officer
- 👉 Discussion regarding whether direction should be given to NEWTravel regarding the additional funds provided to them by the Shire of Dowerin (confirmed) and Shire of Westonia (unconfirmed). The NEWTravel Executive Officer is most likely at capacity – hence it will be at the discretion of the members
- 👉 Discussion as to how we gauge the increase in investment to the group - 2 delegates at each NEWTravel meeting and they will gauge the activities



Gifts (\$200) is allocated in the budget but rarely ever used. Ideally it should still be included so the Executive Officer can spend the money if required

MATTERS FOR DECISION

5.3. NEWROC Audit 17/18

| | |
|--------------------------------|--------------------------------------|
| PORTFOLIO: | Corporate Capacity |
| FILE REFERENCE: | 031-1 Finance and Audits |
| REPORTING OFFICER: | Caroline Robinson, Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 19 June 2018 |
| ATTACHMENT NUMBER: | Nil |
| CONSULTATION: | Ian McCabe |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENT

In previous years the NEWROC Audit has been conducted by the Shire who holds the position of Chair and CEO.

Whilst NEWROC is not a separate entity in its own right it does have its own ABN and bank accounts and the Executive Officer is requesting the audit be conducted independently of the host Shire.

Three quotes were requested:

- 👉 Byfields Business Advisors - \$1000 plus GST
- 👉 Muntz and Partners in York - \$350 plus GST
- 👉 Middleton Accountants in Merredin – not received in time for the agenda

Additionally, an audit will be required for the BBRF application so this will need to be included in the scope of works.

As the NEWROC does not employ any persons as such, and with our new Xero system with all expenses electronically stored the audit is not expected to be too onerous.

RESOLUTION

NEWROC engages Middleton Accountants for the 2017/18 Audit

Moved Cr Shadbolt

Seconded Cr Storer

Carried 6/0

Discussion:

- 👉 Declaration of interest by Cr O'Connell as a customer of Middleton Accountants, Cr Sasche and Caroline Robinson as customers of Byfields
- 👉 Last year's audit was via the Shire of Nungarin at a cost of \$3,300
- 👉 Middleton Accountants has quoted an approximate of \$550

5.4. NEWROC Strategic Planning

| | |
|--------------------------------|---|
| PORTFOLIO: | Corporate Capacity |
| FILE REFERENCE: | 041-5 Strategic and Future Planning |
| REPORTING OFFICER: | Caroline Robinson, Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 19 June |
| ATTACHMENT NUMBER: | #1 Renewable Energy Business Case Quote |
| CONSULTATION: | David Burton Dirk Sellenger |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENT

The following have been identified as strategic projects and activities for 2018 - 2021

| Projects/Activities for Next 2-3 Years | Action |
|--|-------------------------|
| Renewable Energy – solar, wind, etc | Business Case |
| IT Services – shared service for software, hardware and support. Opportunity to share a common platform. Opportunity to provide fee for service to local business as income stream | Business Case |
| Roads Contracting to MRWA | Business Case |
| Education delivery in Council facilities | Advocacy |
| Telecommunications – Contemporary and future focused e.g. 5G | Advocacy |
| Reserve Projects | |
| Waste Management | No action at this stage |
| Trade base in each town/incubators | No action at this stage |

At the May Executive Meeting IWS Corporate presented to the CEO's what services they offer. The Executive Officer will follow up with CEO's regarding their need for an audit and quote as well as other IT services in their communities as IWS Corporate is keen to expand into the region and place staff physically in the area.

The NEWROC Executive Officer has been liaising with a number of potential consultants that could develop a business case in the renewable energy space. Indicative estimates from some larger firms have been \$50,000 plus, hence an approach was made to Juliet Grist, former RDA Wheatbelt Executive Officer who has now established her own business Rural and Regional Economic Solutions.

The NEWROC Executive Officer and Juliet have spoken about various options and outcomes and she has prepared four options for members to consider. The options range from simple to complex and a key question to determine is what is the end result NEWROC wants?

Discussion at the Executive Meeting in May:

ACTION

NEWROC Council to provide further information on the desired outcomes of the renewable energy project so that the consultant's quote can clearly match their needs

- 🔥 Discussion regarding solar systems and perhaps they are not producing the entire benefits we need
- 🔥 Dirk provided information on fluctuating voltage in Mukinbudin – may be causing equipment failure. In Koorda and Nungarin it is possibly too low
- 🔥 Where is the power high and where is it low across the NEWROC? Dirk to follow up

Activities since the May Executive Meeting:

- 🔥 Dirk Sellenger followed up with the following emails to CEO's on 25 May 2018

Hello All,

Further to the renewable power discussion at the NEWROC Executive Meeting, please see attached examples from Mukinbudin as discussed at the meeting re high AC Voltage which I understand to be an issue throughout majority of the NEWROC Shires which result in our Solar Systems being significantly less efficient than they could and should be. In the case of the Muka Admin system (photos attached) this is a 15kw system and on a sunny day has the potential to generate around 90-100 units, obviously based on the day, the season and the orientation of the installation on this particular building, the best we have ever done was around 102 units from Memory however days without dropping out are very rare, I estimate to be around 1 in 10.

The average cloudy type day for this time of the year will on average generate around 50-65 units, today for example where the system hasn't dropped out once (surprisingly) we have generated 39 units (to 1.00pm), this considering we have had showers earlier today and it is generally a less than ideal day for a PV systems.

The cause of the dropping out is excessive AC Voltage which exceeds 258 volts, the system is designed to drop out for a period of between 30-60 minutes, the system will try and switch back on and if the AC voltage exceeds 258 volts still the system will immediately drop out, generating no power for the next 30-60 minutes, so on and so forth. I understand all Solar systems are designed to operate in exactly the same way and this isn't limited to one particular type as this is regulated by Western Power. The generated power for 31st March (photo attached) resulted in only 1.25 units of power being generated as the system was effectively out all day due to high AC voltage, by comparison 22nd March is the average type of performance to be expected from our system with no dropouts for this day and a fair 83 units (value of approximately \$25.00 worth of Electricity, based on 30 cents per unit) generated.

I understand from the Solar installer AC power in Perth and other parts of WA is generally between 225 and 245 volts, the commissioning of a new solar system for the Shire in Muka recently at the Pool the AC Voltage was at 258volts which prevented the system from even starting once the install was completed. This system has been installed for 7 days now and has been left on this entire time and has generated only 3.4 units of Electricity (a savings of approximately 90cents in 7 days) despite the system (7.5KW) having the ability and capacity to generate around 30-50 units on an average day.

The regular and constant dropouts have been brought to the attention of Western Power as I mentioned at the meeting, I have also provided them with detailed Inverter logs dating back around 6 months for various Shire owned PV systems each suffering the same problem to allow them to know that we know and that this is causing us problems and costing us money, as we all know that Western Power already know of the high AC Voltage and have done for many years.

I will keep you posted when I hear back from Western Power.

👉 Email 14 June 2018

Hello Rachel,

Thanks for your email, it's a serious and costly problem as you suggest, I have spoken with Western Power and have this logged as a fault also. I have an item going to Council next week to identify and records this as a problem, one which I believe is an issue through much of the Wheatbelt.

I understand from Western Power reps and the Installer of our PV System that the solution isn't a complex one, requiring the voltage of the transformer in question to be reduced (or simply wound down) to avoid the 258volt "trip" limit. It isn't unusual for each of our three Shire PV systems from three different transformers to have a constant 255 to 257 volts with the panels switched off (photo from office system attached), requiring only a few extra volts and the system becomes an expensive roof decoration for the next 30-60 mins. The newly installed 7.5KW system at the Pool generated only 4 units of power (\$1.20) in the past week (to 11am today) and not a single unit today (until 11.00am) despite the fact it is a clear and sunny day, given the orientation of the installation, I suggest a 30-35 unit day should be achievable from this system at this time of the year and up to 50 units during summer.

👉 Email from Cr Kirby 14 June

I can empathise because we are experiencing exactly the same issue with installations in Beacon. Over the past 6 months, solar PV systems have been installed on four community buildings in Beacon. The smaller 5kW systems at Beacon Central and the Beacon Complex seem to be travelling pretty well, but the larger - 25kW and 20kW systems at the Beacon Co-operative and Beacon Country Club are being affected by voltage spikes. A fault has been reported to Western Power, but they have not yet resolved the problem as they have a high number of voltage fault reports to investigate and it might take a couple of months for data loggers to be available to investigate the problem.

RESOLUTION

Council to provide feedback on the desired outcomes of the renewable energy project

Request a report from Western Power regarding voltage and voltage variation (by district) and (subsequently, with evidence) express concerns about performance of PV systems, possible equipment damage, service reliability and related.

Moved Cr Storer

Seconded Cr O'Connell

Carried 6/0

Discussion:

- 👉 David Burton attended the "Powering the Future Conference" in Collie. Key points included: more energy is going to renewables, distribution network – area will not allow Western Power to replace poles for extended grid where other opportunities are possible (Ben Wyatt, Minister for Energy), Ben Bristow from Synergy indicated that micro grids were a solution going into the future (unsure of future ownership and looking at implementing beyond 2050)
- 👉 Discussion around DPIRD and a proposal to use straw from local farmers for bio fuel. Additionally the wind farm in Merredin supplies power to other communities but the Merredin residents get no power from it (the DPIRD idea is that locals can benefit e.g. local farmers get a return on straw they supply and Shire gets their street lights lit)

- 👉 Kalbarri, Ravensthorpe and Perenjori have some renewable energy sources, so too there is a private solar farm in Northam. Trial of a mini micro grid at Bonnie Rock
- 👉 Collgar Wind Farm wants to expand, Synergy is their only customer at present but Synergy wants to expand into renewables and could possibly become Collgar's main customer and competitor
- 👉 Cr Sasche attended a meeting in Perenjori, key point was that the network needs to remain to feed power into the grid. Melissa Price spoke about ARENA and batteries (help with power outages)
- 👉 Dirk Sellenger relayed that micro grids in each town possibly may not work but finding a solution for backup power is a possibility. Across the NEWROC there could be an integration of all forms of power (wind, solar, diesel, coal etc)
- 👉 Do we go down the path of securing our energy infrastructure (wood v concrete poles)? Western Power infrastructure is failing.
- 👉 What will the future privatisation of Western Power look like? Is there a centralisation of Western Power services happening at the moment?
- 👉 Discussion regarding that outcomes we want. Do we want to save consumers (Shires, residents, ratepayers) or provide backup power? Or both? Or attracting a new industry?
- 👉 Discussion regarding the discharge of extra voltage which needs to go to 'somewhere'

MOTION

Invite a senior Western Power representative to attend a NEWROC Council meeting to discuss energy infrastructure and supply.

NEWROC to advocate to Western Power that there is an issue across the NEWROC communities with energy infrastructure and supply, and for them to acknowledge this.

NEWROC to investigate alternative energy solutions to supply back up power in each of our communities, individually or collectively as a whole, whilst retaining an awareness of the bigger energy picture.

Moved Cr Shadbolt

Seconded Cr Sasche

Carried 6/0

5.5. Telecommunications Project

| | |
|--------------------------------|--|
| PORTFOLIO: | Transport and Infrastructure |
| FILE REFERENCE: | 035-1 Grants General |
| REPORTING OFFICER: | Caroline Robinson, Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 19 June 2018 |
| ATTACHMENT NUMBER: | #2 NEWROC Registration List #3 Project Budget V Actual #4 Marketing Plan #5 List of Mukinbudin EOI #6 Project Meeting Minutes 30 May |
| CONSULTATION: | Ian McCabe John Nuttall Cullen Macleod Maree Gooch – Crisp Wireless Leigh Ballard – Crisp Wireless |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENT

Towers:

- 🐦 The Shire of Mukinbudin is working with Crisp Wireless to determine an appropriate tower location – as one is yet to be approved in their Shire. The Talgamine tower location is dependent on the Mukinbudin tower.
- 🐦 A planning application has been submitted to the Shire of Mt Marshall (May Council meeting) for a tower as the one planned for CBH was taking a considerable period of time to be approved and conditions were placed on it (as below)
- 🐦 CBH indicated it would cost Crisp Wireless \$13,000 a year, per site to erect the towers. Additionally CBH uses a spectrum in the 2.4Ghz – 5Ghz range for its operations (which is actually an open spectrum and available to anyone), but put a condition on Crisp Wireless that they could not use it. Because of this the additional tower costs have not been considered in the overall project cost.

An update on activities (project management):

- 🐦 Telco license has not yet been approved through ACMA
- 🐦 Turning the fibre on is the priority – delay is with VOCUS – Leigh would like to provide a date for the 'live' network within the next week
- 🐦 Plans available for your Shire: <http://www.crispwireless.com.au/plans/business-plans.aspx>
- 🐦 Infrastructure at the Shire of Merredin and Hutton and Northey Merredin is in and ready to receive a live connection
- 🐦 SLA is now an Agreement and Cullen Macleod have been very good in helping us with this, hopefully a final draft to you shortly for immediate review

- 👉 An email to all the EOI registrations has been sent out by Crisp Wireless – all CEO's received this and are welcome to share the information
- 👉 We still need to encourage EOI registrations to www.crispwireless.com.au
- 👉 We have requested a variation to our grant agreement – to extend the project timeline, which has been granted
- 👉 Maree Gooch, Chair of Crisp Wireless has requested I include this statement in the NEWROC Agenda:

I respectfully request that in the Agenda of the meeting on the 22nd of May, that the NEWROC Councils are aware of the \$1 million that CRISP Wireless have put into the project and realise our commitment. I would appreciate feedback of any discussion that follows.

Discussion at the May Executive Meeting:

- 👉 Dirk requested information from Crisp Wireless as to the total value of the NEWROC Telecommunications Project and queried whether Crisp Wireless had committed an additional \$1million to the Project

The following activities have taken place since the May Executive Meeting:

- 👉 Crisp Wireless have provided a copy of their telecommunications licence to NEWROC CEO and NEWROC EO
- 👉 Ian McCabe and John Nuttall met with Crisp Wireless to discuss the project status as well as a formal agreement developed by Cullen Macleod
- 👉 Shire of Merredin internet connection was established and turned on "live"
- 👉 Mukinbudin tower not finalised as yet (see attached list of Mukinbudin EOI's)
- 👉 Final Crisp Wireless (South Western Wireless) invoice for the project was paid
- 👉 Marketing plan supplied by Crisp Wireless
- 👉 BBRF Acquittal in progress
- 👉 Email from Maree Gooch, Chair of Crisp Wireless regarding support teams for customers:

Hello Ian

We have our own Customer Management System (CMS). File notes are collected when speaking to a customer – for signing up and for the 'back end' support process that may be necessary if there is a problem.

There is a dedicated CMS support team of four people with technical experts plus customer service team members. Resources will be increased as necessary.

If there is a problem we can check remotely to see if the issue is at our end or at the customer's end. The following are levels of escalation in regards to problem areas.

Kind regards Maree

Maree Gooch
Chairman

BBRF Telecommunications Project Budget v Actuals update

- 🐦 External Cash Variance: \$3517.86 over – this is due to Merredin's contribution being lower than anticipated. However, NEWROC had agreed to underwrite any differences
- 🐦 Cash LGA - Under budget due to the contingency that was allowed
- 🐦 Cash NEWROC – balanced however the expenditure does have some differences to what was allocated in the grant budget
- 🐦 In-Kind – NEWROC – over budget for project management.

RESOLUTION

Information is received

Shires individually arrange a time with Jeremy Devenish of Crisp Wireless to connect to the service

Continue to promote the need for residents and businesses to complete an Expression of Interest

Endorse the Project Actuals and NEWROC invoice the Shire of Nungarin the project balance of \$143,375 ex GST

Moved Cr O'Connell

Seconded Cr Sasche

Carried 6/0

Discussion

- 🐦 A positive meeting was held between Ian McCabe, John Nuttall, Maree Gooch and Leigh Ballard in Northam
- 🐦 NEWROC and Crisp Wireless are currently developing the formal agreement regarding the infrastructure and services (rights over infrastructure via PPSR)
- 🐦 The Network is now live with the Shire of Merredin and Hutton and Northey as users
- 🐦 Still some discussion on the final placement for the Mukinbudin tower. From Nov 2017 and to March 2018 there has been a reduction from 3 towers to 1. The Shire of Mukinbudin feels that the 1 tower left will not provide much benefit to its residents and businesses. Caroline, Dirk and Crisp Wireless to meet in the coming weeks to finalise
- 🐦 Throughout the project the number of customers Crisp Wireless required as a minimum was 200. Following the in person meeting in May between Ian, John, Maree and Leigh it was determined that it was rather an amount of money Crisp Wireless needed per month, higher customer plans could cover the lower level plans. All agreed that NEWROC needs a product to tell residents about and the quicker it can be all live and working, with Shires signed on the better chance the 200 customers / \$ amount will be achieved
- 🐦 The Shire of Koorda told members that the original tower location was amended from CBH to a location just outside of Koorda, with a smaller tower in the town. They will hold an information session in the coming weeks to encourage take up
- 🐦 Another face to face meeting between Crisp Wireless and NEWROC planned for in July
- 🐦 Shire of Wyalkatchem is meeting with Jeremy next week to discuss their telecommunications needs

- 🔥 Discussion around the comments from Crisp Wireless that they have invested an additional \$1million into the project. NEWROC has funded the infrastructure but did not want to maintain it. Further clarification on this is required.
- 🔥 Cr Brown's residence will be connected on the 27.8.18 and she will report back to the NEWROC

David Burton left the meeting at 3.30pm

5.6. NEWTRAVEL

| | |
|--------------------------------|--|
| PORTFOLIO: | Tourism and Economic Development |
| FILE REFERENCE: | 132-1 NEWTRAVEL |
| REPORTING OFFICER: | Caroline Robinson |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 15 May 2018 |
| ATTACHMENT NUMBER: | #7 Visitor Stats #8 Social Media Report |
| CONSULTATION: | Caroline Robinson |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENT

An extract from the NEWTravel Executive Officer email to members:

The last Wheatbelt Way statistics have been collated as well as 2017 data analysed.

In 2017 at least 5,383 people stayed an average of 1.75 nights in local government caravan parks across the Wheatbelt Way spending an average \$94/night in those communities. It is estimated that led to an estimated \$885,503.50 of direct "new" money generated by tourist spending in Wheatbelt Way communities and an indirect multiplier effect of \$2,656,510.50.

Over the last 12 months NEWTravel has focused its marketing efforts for the Wheatbelt Way in the digital format. In short:

On the Wheatbelt Way website:

- 👉 An average increase of 30% in unique users.
- 👉 An average increase of 30% in sessions.
- 👉 An increase of 267% of leads to the website from Facebook.

On the Wheatbelt Way Facebook page:

- 👉 A 96% increase in Facebook "likes".
- 👉 A 296% increase in Facebook reach.
- 👉 A 167% in Facebook engagement.

This month is a great time to complete your Shires Annual Wheatbelt Way Site Audit and identify any maintenance activities. This is an important activity to do annually to ensure that the Wheatbelt Way sites are kept up to standard and meet visitors expectations. Templates have previously been provided to each Shire so that you know what should be at each site. Contact Linda if you need these supplied again

The following new accommodation providers are operating in the Wheatbelt Way region: Rosevale Homestead Farmstay Bed and Breakfast at Kununoppin in the Shire of Trayning

The next NEWTravel General Meeting will be at 10am on Thursday 26 July 2018 in Wyalkatchem.

Discussion at the May Executive Meeting:

- 👉 Workers accommodation not included in the Bencubbin neither Beacon barracks. Mukinbudin stats are high because of a majority of contractors. Request clarification from NEWTRAVEL Officer

👉 Response from Linda Vernon regarding the worker accommodation query:

Thanks for touching base with me about this. NEWTRAVEL do wish to collect ALL the visitor statistics including business visitors to the Wheatbelt Way. When we say visitor we do mean both holiday and leisure visitors and business visitors. This is why on the recording template there is a column for both of these visitor types and we ask that you ideally have some means of asking for and collecting this information when your visitor books into your accommodation.

I have been aware of some discrepancies (not just the business information) in data from participating Councils and businesses over the time of collecting Wheatbelt Way Visitor Statistics, often I do touch base with who is providing the data to clarify and provide assistance to rectify. I am also very happy to work with anyone who provides visitor statistics data to make sure that they clearly understand what is expected with what data to collect or to make sure the data collected is in the correct format to meet both our needs. I can confirm that historically Mt Marshall did not want to include the data from the Bencubbin Workers Camp (back when it had the arrangement to provide accommodation for the Water Corporation contractors) and still have not done so to date, but for the last quarter (1 November 2017- 28 February 2018) did include business visitors in the Bencubbin Caravan Park data that was submitted. Beacon have always provided complete data including all visitor statistics including business visitors for the Beacon Barracks.

The Wheatbelt Way Visitor Statistics that are circulated quarterly and then annually should only be used as guide for this reason – not a direct comparison of “apples v apples” due to the variation in data collection methods by each accommodation provider at present.

| | | |
|--------------------------------|---------------------------|--------------------|
| MOTION | | |
| Information is received | | |
| Moved Cr Shadbolt | Seconded Cr Sasche | Carried 5/0 |

5.7. LOCAL GOVERNMENT WEEK 2018

| | |
|-------------------------|--------------------|
| PORTFOLIO: | Corporate Capacity |
| FILE REFERENCE: | |
| REPORTING OFFICER: | Caroline Robinson |
| DISCLOSURE OF INTEREST: | Nil |
| DATE: | 15 May 2018 |
| ATTACHMENT NUMBER: | Nil |
| CONSULTATION: | Caroline Robinson |
| STATUTORY ENVIRONMENT: | Nil |
| VOTING REQUIREMENT: | Simple Majority |

COMMENT

The Convention will be held at the Perth Convention and Exhibition Centre (PCEC) from Wednesday 1 August to Friday 3 August 2018

This year's theme is *Ready and Relevant*.

Keynote Speakers for the event: <https://walga.asn.au/News,-Events-and-Publications/Events/2018-WA-Local-Government-Convention-Trade-Exhibi/Keynote-Speakers.aspx>

Members are asked whether they would like to hold a NEWROC Dinner on the Thursday evening, as done in previous years. If so, recommendations for a venue are requested.

Last year, members discussed whether the NEWROC Executive Officer should attend a few sessions at WA Local Government Week – relevant to the strategic direction of NEWROC.

The Executive Officer is seeking direction on this.

MOTION

Information received. NEWROC dinner to be held on Wednesday evening at Local Government Week and that the NEWROC EO attend the Wednesday networking day and Thursday speakers – particularly on the topics of leading local economies and creating great places

Moved Cr Sasche

Seconded Cr Storer

Carried 5/0

Discussion

- 🐦 Cr Brown suggested Rambler on Swan in South Perth for the Wednesday night dinner and will follow this up

6. EMERGING NEWROC ISSUES as notified, introduced by decision of the Meeting

6.1. Literary Lunch

The Literary Lunch is unfortunately being held during Local Government Week. Cr Brown and Cr Davies will ensure someone representing NEWROC can attend and present. Cr Stratford (Shire of Koorda) is available

Cr Brown left the meeting at 3.40pm

7. WALGA ZONE ISSUES

Nil

8. OTHER MATTERS

8.1. WALGA Update

- 🐦 Funding of Community Resource Centres was discussed. State Council is supportive of the Community Resource Centres. Looking at the delivery of State Government strategies through CRC's e.g. job creation, economic development, government services
- 🐦 Anne is also on the Board of the State Library, who are currently reviewing public library service delivery, possibly with consideration towards CRC's going into the future
- 🐦 The Wheatbelt Business Network has been engaged by DPIRD to follow up income generation opportunities for the Wheatbelt group of CRC's
- 🐦 Additional services may include Department of Transport – Licensing, Australia Post, recovery phase role during emergencies (reference to the EMPA Disaster and Emergency Communications Conference Communications), CEACA funding packages, employment agencies

8.2. NEWROC Vehicle Number Plate

- 🐦 NEWROC number plate is available at the Wyalkatchem CRC. All agreed to ask the CRC to hold onto it.

9. MEETING SCHEDULE

| | | |
|--------------|-----------|--|
| 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 |
| 11 December | Council | Shire of Trayning (Drinks after meeting) |

NOTE: NEWROC Dinner will be held in February 2019 after the strategic planning session, rather than at the December 2018 meeting

| |
|-------------------------------|
| 10. CLOSURE OF MEETING |
|-------------------------------|

Cr Davies thanked the NEWROC on behalf of the Davies family for their support on the passing of Dexter. Cr Davies shared the following with members, which was from Dexter's first speech in State Parliament and which was remembered during some recent condolences in Parliament;

It doesn't matter how clever any of us think we are, there is not a lot we can do about what happened yesterday, but if we contribute in some small way towards improving something that is going to happen tomorrow, everything has been worthwhile.

Cr Davies thanked everyone for their attendance and closed the meeting at 3.53pm



Shire of Mt Marshall

Monthly Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

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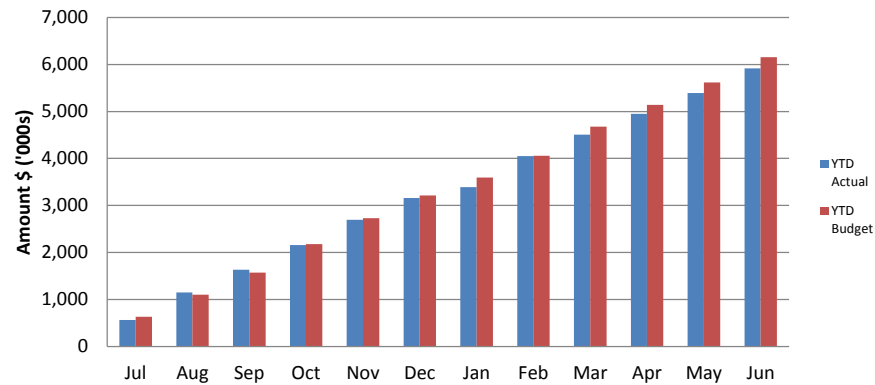
Shire of Mt Marshall
Statement of Financial Activity
For the period 1 July 2017 to 30 June 2018

| | | Actual YTD 2017/2018 | Budget YTD 2017/2018 | Original Full Year Budget 2017/2018 | Variance Budget to Actual YTD |
|---|----------|-------------------------|-------------------------|--|----------------------------------|
| | NOTE | | | | % \$ |
| Operating Revenue | | | | | |
| Governance | | 51,916 | 28,399 | 28,399 | 83% 23,517 |
| General Purpose Funding | | 2,424,515 | 1,342,909 | 1,342,909 | 81% 1,081,606 |
| Law, Order & Public Safety | | 334,156 | 13,443 | 13,443 | 2386% 320,713 |
| Health | | 164,322 | 130,800 | 130,800 | 26% 33,522 |
| Education & Welfare | | 100,724 | 81,101 | 81,101 | 24% 19,623 |
| Housing | | 196,349 | 170,820 | 170,820 | 15% 25,529 |
| Community Amenities | | 159,347 | 139,899 | 139,899 | 14% 19,448 |
| Recreation & Culture | | 951,012 | 1,051,449 | 1,051,449 | (10%) (100,437) |
| Transport | | 1,660,389 | 2,006,528 | 2,006,528 | (17%) (346,139) |
| Economic Services | | 173,250 | 221,935 | 221,935 | (22%) (48,685) |
| Other Property & Services | | 82,358 | 74,600 | 74,600 | 10% 7,758 |
| | | 6,298,338 | 5,261,882 | 5,261,882 | |
| Operating Expenses | | | | | |
| Governance | | (398,273) | (431,176) | (431,176) | (8%) 32,903 |
| General Purpose Funding | | (79,301) | (89,371) | (89,371) | (11%) 10,070 |
| Law, Order & Public Safety | | (183,101) | (112,080) | (112,080) | 63% (71,021) |
| Health | | (250,307) | (267,025) | (267,025) | (6%) 16,719 |
| Education & Welfare | | (326,664) | (243,435) | (243,435) | 34% (83,229) |
| Housing | | (567,066) | (541,937) | (541,937) | 5% (25,129) |
| Community Amenities | | (228,268) | (257,623) | (257,623) | (11%) 29,356 |
| Recreation & Culture | | (885,885) | (849,490) | (849,490) | 4% (36,395) |
| Transport | | (2,602,745) | (2,771,956) | (2,771,956) | (6%) 169,211 |
| Economic Services | | (409,495) | (562,388) | (562,388) | (27%) 152,893 |
| Other Property & Services | | 12,335 | (24,981) | (24,981) | (149%) 37,317 |
| | | (5,918,770) | (6,151,463) | (6,151,463) | |
| Adjustments for Non-Cash (Revenue) and Expenditure | | | | | |
| (Profit)/Loss on Asset Disposals | 2 | 61,434 | 60,000 | 60,000 | |
| Employee benefit Provisions Cash Backed | | 2,255 | 4 | 4 | |
| Depreciation on Assets | | 2,234,150 | 2,272,558 | 2,272,558 | |
| Capital Revenue and (Expenditure) | | | | | |
| Purchase Property Plant & Equipment | 1 | (3,102,561) | (3,230,361) | (3,230,361) | |
| Purchase Infrastructure Assets | 1 | (2,265,857) | (2,679,978) | (2,679,978) | |
| Repayment of Debenture | 3 | (106,411) | (106,411) | (106,412) | |
| Proceeds from New Debenture | 3 | 0 | 0 | 0 | |
| Self-Supporting Loan Principal Income | | 19,407 | 19,407 | 19,407 | |
| Proceeds from Disposal of Assets | 2 | 209,115 | 260,000 | 260,000 | |
| Reserves and Restricted Funds | | | | | |
| Transfers to Reserves | 4 | (809,048) | (486,659) | (486,659) | |
| Transfers from Reserves | 4 | 1,663,128 | 1,633,127 | 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 | (1,406,805) | 0 | 0 | |
| Amount Raised from Rates | 6 | (1,333,014) | (1,359,995) | (1,359,995) | |

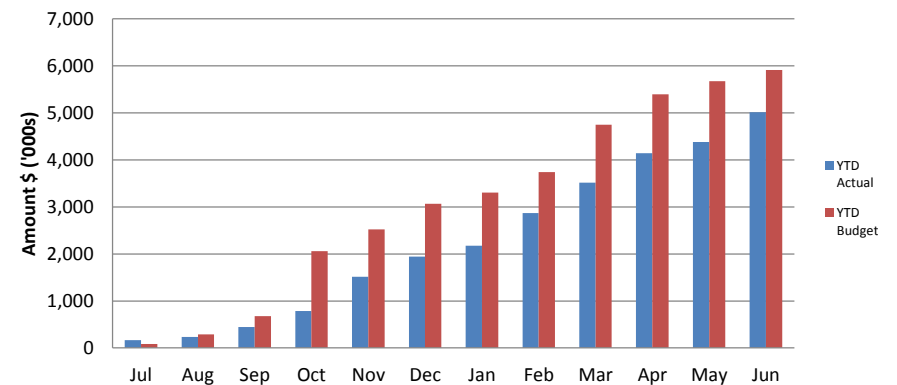
Shire of Mt Marshall

For the period 1 July 2017 to 30 June 2018

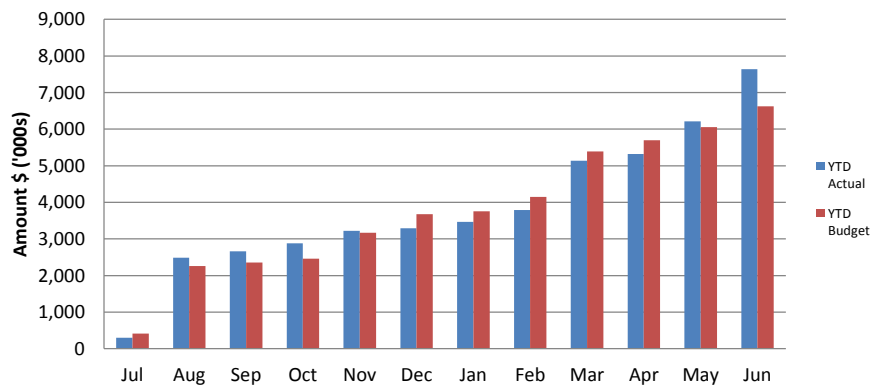
Operating Expenditure



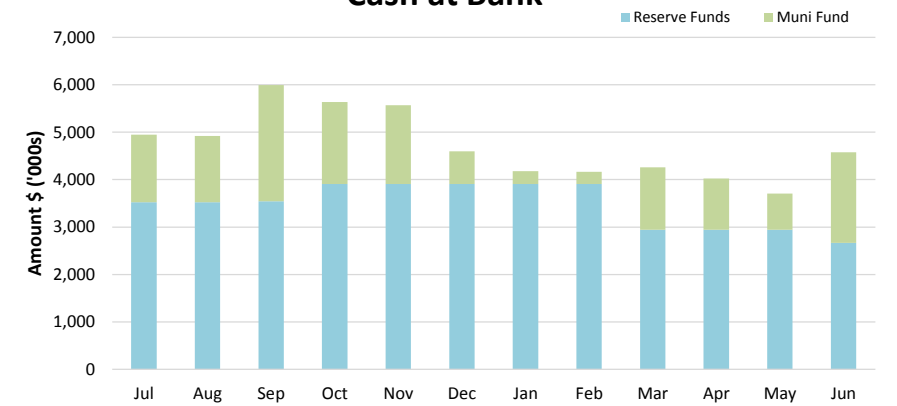
Capital Works & Equipment Purchases



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 30 June 2018

| | 2017/18 Adopted Budget \$ | 30-Jun-18 Actual \$ | 30-Jun-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 | 73,526 | 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 | 0 | 81,600 |
| Land & Buildings - Other Welfare | 0 | 0 | 0 |
| Community Amenities | | | |
| <i>Protection of the Environment</i> | | | |
| Land & Buildings - Community Amenities | 5,000 | 0 | 5,000 |
| <i>Other Community Ammenities</i> | | | |
| Beacon And Bencubbin Water Collection | 57,750 | 53,671 | 57,750 |
| Purchase Of Plant | 12,000 | 13,005 | 12,000 |
| Recreation and Culture | | | |
| <i>Sporting Facilities</i> | | | |
| Land & Buildings - Sporting Facilities | 15,000 | 2,873 | 15,000 |
| Infrastructure Other Purchases | 30,000 | 26,333 | 30,000 |
| Land & Buildings - Bencubbin Recreation | 2,447,761 | 2,414,085 | 2,447,761 |
| Transport | | | |
| <i>Construction - Roads, Bridges, Depots</i> | | | |
| Roads To Recovery Road Works | 918,567 | 966,744 | 918,567 |
| State Road Projects Grant | 1,163,861 | 992,052 | 1,163,861 |
| Municipal Road Construction | 89,800 | 210,571 | 89,800 |
| Footpath Construction | 20,000 | 15,995 | 20,000 |
| <i>Road Plant Purchases</i> | | | |
| Plant Purchases | 440,000 | 86,606 | 440,000 |
| Motor Vehicle Purchases | 97,000 | 86,744 | 97,000 |
| <i>Airstrips</i> | | | |
| Beacon Airstrip Upgrade | 400,000 | 491 | 400,000 |
| Economic Services | | | |
| <i>Tourism & Area Promotion</i> | | | |
| Sandalwood Shops | 22,000 | 22,397 | 22,000 |
| <i>Other Economic Services</i> | | | |
| Infrastructure Other | 0 | 0 | 0 |
| | <u>5,910,339</u> | <u>5,368,418</u> | <u>5,910,339</u> |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

| | 2017/18 Adopted Budget \$ | 30-Jun-18 Actual \$ | 30-Jun-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 | 2,439,354 | 2,571,361 |
| Furniture & Equipment | 0 | 0 | 0 |
| Motor Vehicles | 207,000 | 233,075 | 207,000 |
| Plant & Equipment | 452,000 | 430,132 | 452,000 |
| Infrastructure - Roads | 2,172,228 | 2,169,367 | 2,172,228 |
| Infrastructure - Footpaths | 20,000 | 15,995 | 20,000 |
| Infrastructure - Ovals & Parks | 0 | 0 | 0 |
| Infrastructure - Other | 487,750 | 80,495 | 487,750 |
| | <u>5,910,339</u> | <u>5,368,418</u> | <u>5,910,339</u> |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 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 \$ | June 2018 Actual \$ | 2017/18 Budget \$ | June 2018 Actual \$ | 2017/18 Budget \$ | June 2018 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 |
| Lot 19 Rowlands St, Beacon | 0 | 81,485 | 0 | 35,429 | 0 | (46,056) |
| Transport | | | | | | |
| Grader | 110,000 | 0 | 70,000 | 0 | (40,000) | 0 |
| UD Nissan 5 Tonne Mtc | 22,000 | 21,612 | 20,000 | 34,545 | (2,000) | 12,934 |
| Utility - MM276 | 13,000 | 13,041 | 10,000 | 9,091 | (3,000) | (3,950) |
| Utility - MM136 | 13,000 | 12,274 | 10,000 | 16,364 | (3,000) | 4,090 |
| Utility - MM170 | 10,000 | 9,248 | 10,000 | 9,091 | 0 | (157) |
| | 320,000 | 270,549 | 260,000 | 209,115 | (60,000) | (61,434) |

By Class of Asset

| | Written Down Value | | Sale Proceeds | | Profit(Loss) | |
|-------------------|-------------------------|------------------------------|-------------------------|------------------------------|-------------------------|------------------------------|
| | 2017/18 Budget \$ | June 2018 Actual \$ | 2017/18 Budget \$ | June 2018 Actual \$ | 2017/18 Budget \$ | June 2018 Actual \$ |
| Motor Vehicles | 47,000 | 132,889 | 120,000 | 104,595 | 73,000 | (28,294) |
| Land & Buildings | 105,000 | 81,485 | 20,000 | 35,429 | (85,000) | (46,056) |
| Plant & Equipment | 168,000 | 56,175 | 120,000 | 69,091 | (48,000) | 12,916 |
| | 320,000 | 270,549 | 260,000 | 209,115 | (60,000) | (61,434) |

Summary

Profit on Asset Disposals
Loss on Asset Disposals

| 2017/18 Adopted Budget \$ | June 2018 Actual \$ |
|------------------------------------|------------------------------|
| 73,000 | 23,305 |
| (133,000) | (84,739) |
| (60,000) | (61,434) |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

3. INFORMATION ON BORROWINGS

(a) Debenture Repayments

| Particulars | Expiry | 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 * | 27/03/2019 | 29,831 | 0 | 0 | 10,913 | 10,913 | 18,918 | 18,918 | 797 | 785 |
| Housing | | | | | | | | | | |
| Loan 118 - Staff Housing | 25/06/2019 | 114,773 | 0 | 0 | 55,613 | 55,613 | 59,160 | 59,160 | 6,348 | 6,230 |
| Recreation & Culture | | | | | | | | | | |
| Loan 120 - Bencubbin Rec Complex Shire | 28/04/2037 | 432,600 | 0 | 0 | 14,699 | 14,699 | 417,901 | 417,901 | 16,515 | 13,595 |
| Loan 121 - Bencubbin Rec SAR | 28/04/2037 | 491,300 | 0 | 0 | 16,693 | 16,693 | 474,607 | 474,607 | 18,756 | 15,439 |
| Loan 122 - Bencubbin Rec Complex CRC* | 28/04/2037 | 250,000 | 0 | 0 | 8,494 | 8,494 | 241,506 | 241,506 | 9,544 | 7,856 |
| | | 1,318,504 | 0 | 0 | 106,412 | 106,411 | 1,212,092 | 1,212,093 | 51,960 | 43,905 |

(*) Self supporting loan financed by payments from third parties.

All other loan repayments were financed by general purpose revenue.

(b) New Debentures

Nil

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

| | 2017/18 Adopted Budget \$ | June 2018 Actual \$ |
|---|------------------------------------|------------------------------|
| 4. CASH BACKED RESERVES | | |
| (a) Plant Replacement Reserve | | |
| Opening Balance | 423,392 | 423,392 |
| Amount Set Aside / Transfer to Reserve | 10,585 | 294,788 |
| Amount Used / Transfer from Reserve | (73,000) | (73,000) |
| | <u>360,977</u> | <u>645,180</u> |
| (b) Aged Care Units Reserve | | |
| Opening Balance | 169,020 | 169,020 |
| Amount Set Aside / Transfer to Reserve | 4,225 | 3,597 |
| Amount Used / Transfer from Reserve | (81,600) | (81,600) |
| | <u>91,645</u> | <u>91,017</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 | 257,950 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>248,441</u> | <u>291,450</u> |
| (e) Employee Entitlements Reserve | | |
| Opening Balance | 93,414 | 93,414 |
| Amount Set Aside / Transfer to Reserve | 2,335 | 2,255 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>95,749</u> | <u>95,669</u> |
| (f) Public Amenities & Buildings Reserve | | |
| Opening Balance | 552,005 | 552,007 |
| Amount Set Aside / Transfer to Reserve | 13,800 | 11,503 |
| Amount Used / Transfer from Reserve | (308,700) | (308,700) |
| | <u>257,105</u> | <u>254,810</u> |
| (g) Mt Marshall Aquatic Centre Development Reserve | | |
| Opening Balance | 868,179 | 868,179 |
| Amount Set Aside / Transfer to Reserve | 71,704 | 71,845 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>939,883</u> | <u>940,024</u> |
| (h) Community Bus Reserve | | |
| Opening Balance | 115,072 | 115,072 |
| Amount Set Aside / Transfer to Reserve | 2,877 | 2,775 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>117,949</u> | <u>117,847</u> |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

| | 2017/18 Adopted Budget \$ | June 2018 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 | 24,274 |
| Amount Used / Transfer from Reserve | (1,128,847) | (1,158,847) |
| | <u>38,272</u> | <u>4,080</u> |
| (j) Office Equipment Reserve | | |
| Opening Balance | 15,941 | 15,941 |
| Amount Set Aside / Transfer to Reserve | 399 | 384 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>16,340</u> | <u>16,325</u> |
| (k) Economic Development Reserve | | |
| Opening Balance | 4,250 | 4,250 |
| Amount Set Aside / Transfer to Reserve | 70,106 | 71,352 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>74,356</u> | <u>75,602</u> |
| (l) Integrated Planning/Financial Reporting Reserve | | |
| Opening Balance | 1,878 | 1,878 |
| Amount Set Aside / Transfer to Reserve | 0 | 0 |
| Amount Used / Transfer from Reserve | (1,878) | (1,878) |
| | <u>0</u> | <u>0</u> |
| (m) Beacon Accommodation Reserve | | |
| Opening Balance | 68,834 | 68,834 |
| Amount Set Aside / Transfer to Reserve | 51,721 | 52,550 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>120,555</u> | <u>121,384</u> |
| (n) Medical Enhancement Reserve | | |
| Opening Balance | 0 | 0 |
| Amount Set Aside / Transfer to Reserve | 7,500 | 7,633 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>7,500</u> | <u>7,633</u> |
| (o) Bencubbin Community Resource Centre Reserve | | |
| Opening Balance | 0 | 0 |
| Amount Set Aside / Transfer to Reserve | 8,000 | 8,141 |
| Amount Used / Transfer from Reserve | 0 | 0 |
| | <u>8,000</u> | <u>8,141</u> |
| Total Cash Backed Reserves | <u><u>2,376,772</u></u> | <u><u>2,669,163</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 30 June 2018

| | 2017/18 Adopted Budget \$ | June 2018 Actual \$ |
|---|------------------------------------|------------------------------|
| 4. RESERVES (Continued) | | |
| Cash Backed Reserves (Continued) | | |
| Summary of Transfers To Cash Backed Reserves | | |
| Transfers to Reserves | | |
| Plant Replacement Reserve | 10,585 | 294,788 |
| Aged Care Units Reserve | 4,225 | 3,597 |
| Community Housing Reserve | 0 | 0 |
| Housing Reserve | 214,941 | 257,950 |
| Employee Entitlements Reserve | 2,335 | 2,255 |
| Public Amenities & Buildings Reserve | 13,800 | 11,503 |
| Mt Marshall Aquatic Centre Development Rese | 71,704 | 71,845 |
| Community Bus Reserve | 2,877 | 2,775 |
| Bencubbin Recreation Complex Reserve | 28,466 | 24,274 |
| Office Equipment Reserve | 399 | 384 |
| Economic Development Reserve | 70,106 | 71,352 |
| Integrated Planning/Financial Reporting Reserv | 0 | 0 |
| Beacon Accommodation Reserve | 51,721 | 52,550 |
| Medical Enhancement Reserve | 7,500 | 7,633 |
| Bencubbin Community Resource Centre Reser | 8,000 | 8,141 |
| | 486,659 | 809,048 |
| Transfers from Reserves | | |
| Plant Replacement Reserve | (73,000) | (73,000) |
| Aged Care Units Reserve | (81,600) | (81,600) |
| Community Housing Reserve | (39,103) | (39,103) |
| Housing Reserve | 0 | 0 |
| Employee Entitlements Reserve | 0 | 0 |
| Public Amenities & Buildings Reserve | (308,700) | (308,700) |
| Mt Marshall Aquatic Centre Development Rese | 0 | 0 |
| Community Bus Reserve | 0 | 0 |
| Bencubbin Recreation Complex Reserve | (1,128,847) | (1,158,847) |
| Office Equipment Reserve | 0 | 0 |
| Economic Development Reserve | 0 | 0 |
| Integrated Planning/Financial Reporting Reserv | (1,877) | (1,878) |
| Beacon Accommodation Reserve | 0 | 0 |
| Medical Enhancement Reserve | 0 | 0 |
| Bencubbin Community Resource Centre Reser | 0 | 0 |
| | (1,633,127) | (1,663,128) |
| Total Transfer to/(from) Reserves | (1,146,468) | (854,080) |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 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 30 June 2018

| | 2017/18 B/Fwd Per Approved Budget \$ | 2016/17 B/Fwd Per Financial Report \$ | June 2018 Actual \$ |
|--|---|--|------------------------------|
| 5. NET CURRENT ASSETS | | | |
| Composition of Estimated Net Current Asset Position | | | |
| CURRENT ASSETS | | | |
| Cash - Unrestricted | 2,448,039 | 2,448,039 | 1,959,858 |
| Cash - Restricted Unspent Grants | 0 | 0 | 0 |
| Cash - Restricted Unspent Loans | 0 | 0 | 0 |
| Cash - Restricted Reserves | 3,523,240 | 3,523,240 | 2,669,161 |
| Rates Outstanding | 129,874 | 129,874 | 108,464 |
| Sundry Debtors | 202,045 | 202,045 | 128,400 |
| Provision for Doubtful Debts | (63,433) | (63,433) | (69,713) |
| Gst Receivable | (79) | 79,237 | 79,475 |
| Accrued Income/Payments In Advance | 0 | 0 | (32,854) |
| Loans - Clubs/Institutions | 0 | 0 | 0 |
| Inventories | 21,963 | 21,963 | 10,554 |
| | <u>6,261,649</u> | <u>6,340,965</u> | <u>4,853,345</u> |
| LESS: CURRENT LIABILITIES | | | |
| Sundry Creditors | (801,179) | (801,179) | (568,706) |
| Accrued Interest On Loans | (8,055) | (8,055) | 0 |
| Accrued Salaries & Wages | (4,823) | (4,823) | (40,067) |
| Income In Advance | 0 | 0 | 0 |
| Gst Payable | (1) | (79,317) | (21,243) |
| Payroll Creditors | (1,291) | (581) | (27,898) |
| Accrued Expenses | 0 | 0 | 0 |
| FBT Liability | 0 | 0 | 0 |
| Current Employee Benefits Provision | (228,574) | (228,574) | (214,995) |
| Current Loan Liability | (1) | (106,413) | (2) |
| | <u>(1,043,924)</u> | <u>(1,228,942)</u> | <u>(872,911)</u> |
| NET CURRENT ASSET POSITION | 5,217,725 | 5,112,023 | 3,980,434 |
| Less: Cash - Reserves - Restricted | (3,523,240) | (3,523,240) | (2,669,161) |
| Less: Cash - Unspent Grants - Restricted | 0 | 0 | 0 |
| Add Back : Component of Leave Liability not Required to be Funded | 93,414 | 93,414 | 95,669 |
| Add Back : Current Loan Liability | 1 | 106,413 | 2 |
| Adjustment for Trust Transactions Within Muni | 0 | 0 | (139) |
| ESTIMATED SURPLUS/(DEFICIENCY) C/FWD | <u>1,787,900</u> | <u>1,788,610</u> | <u>1,406,805</u> |

Shire of Mt Marshall

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

For the Period 1 July 2017 to 30 June 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 | (187) | | 1,269,815 | 1,270,002 |
| Mining | 0.018321 | 1 | 4,100 | 753 | | | 753 | 753 |
| Sub-Totals | | 442 | 70,089,301 | 1,367,525 | (187) | 0 | 1,367,338 | 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 | | | | | | | 1,398,543 | 1,398,730 |
| Rates Written off | | | | | | | (53,979) | (50,000) |
| Total Amount of General Rates | | | | | | | (3,261) | (200) |
| Movement in Excess Rates | | | | | | | 1,341,303 | 1,348,530 |
| Ex Gratia Rates | | | | | | | (24,176) | (3,536) |
| Specified Area Rates | | | | | | | 15,887 | 15,000 |
| Total Rates | | | | | | | 28,259 | 28,262 |
| | | | | | | | 1,333,015 | 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 30 June 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 (\$) | June 2018 Balance \$ |
|--------------------------|----------------------------|---------------------------|-------------------------|-------------------------------|
| Police Licensing | 36,024 | 165,556 | (191,470) | 10,110 |
| Aged Care Beautification | 829 | 0 | 0 | 829 |
| Unclaimed Monies | 59 | 0 | 0 | 59 |
| Nomination Deposits | 0 | 560 | (560) | 0 |
| Tree Planting Nursery | 1,000 | 0 | 0 | 1,000 |
| Sundry Creditors | 0 | 0 | 0 | 0 |
| Housing Bonds | 9,580 | 3,630 | (3,090) | 10,120 |
| Staff Social Club | 4,280 | 3,185 | (4,785) | 2,680 |
| Portable Toilet Bonds | 0 | 0 | 0 | 0 |
| Deposit on Land | 1,000 | 0 | (1,000) | 0 |
| Rehabilitation Bonds | 5,000 | 0 | 0 | 5,000 |
| | <u>57,772</u> | <u>172,931</u> | <u>(200,905)</u> | <u>29,798</u> |

Shire of Mt Marshall

Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2017 to 30 June 2018

8. OPERATING STATEMENT

| | June 2018 Actual \$ | 2017/18 Adopted Budget \$ | 2016/17 Actual \$ |
|---|------------------------------|------------------------------------|-------------------------|
| OPERATING REVENUES | | | |
| Governance | 51,916 | 28,399 | 49,490 |
| General Purpose Funding | 3,757,531 | 2,702,903 | 4,836,924 |
| Law, Order, Public Safety | 334,156 | 13,443 | 742,593 |
| Health | 164,322 | 130,800 | 0 |
| Education and Welfare | 100,724 | 81,101 | 80,434 |
| Housing | 196,349 | 170,820 | 172,430 |
| Community Amenities | 159,347 | 139,899 | 134,683 |
| Recreation and Culture | 955,219 | 1,051,449 | 60,894 |
| Transport | 1,660,388 | 2,006,528 | 1,659,802 |
| Economic Services | 173,250 | 221,935 | 201,433 |
| Other Property and Services | 82,358 | 74,600 | 56,581 |
| TOTAL OPERATING REVENUE | 7,635,560 | 6,621,876 | 7,995,265 |
| OPERATING EXPENSES | | | |
| Governance | 398,273 | 431,176 | 357,127 |
| General Purpose Funding | 79,301 | 89,371 | 54,794 |
| Law, Order, Public Safety | 183,101 | 112,080 | 132,004 |
| Health | 250,307 | 267,025 | 146,457 |
| Education and Welfare | 326,664 | 243,435 | 219,609 |
| Housing | 567,066 | 541,937 | 389,369 |
| Community Amenities | 228,268 | 257,623 | 249,870 |
| Recreation & Culture | 885,885 | 849,490 | 869,037 |
| Transport | 2,602,745 | 2,771,956 | 3,469,845 |
| Economic Services | 409,495 | 562,388 | 375,237 |
| Other Property and Services | (12,335) | 24,981 | 18,976 |
| TOTAL OPERATING EXPENSE | 5,918,770 | 6,151,463 | 6,282,326 |
| CHANGE IN NET ASSETS RESULTING FROM OPERATIONS | <u>1,716,790</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 30 June 2018

9. BALANCE SHEET

| | June 2018 Actual \$ | 2016/17 Actual \$ |
|--------------------------------------|------------------------------|-------------------------|
| CURRENT ASSETS | | |
| Cash and Cash Equivalents | 4,629,019 | 5,971,279 |
| Trade and Other Receivables | 210,628 | 355,493 |
| Inventories | 10,554 | 21,963 |
| TOTAL CURRENT ASSETS | 4,850,201 | 6,348,735 |
| NON-CURRENT ASSETS | | |
| Other Receivables | 6,213 | 10,083 |
| Inventories | 0 | 0 |
| Property, Plant and Equipment | 19,451,769 | 17,153,888 |
| Infrastructure | 91,042,101 | 90,476,260 |
| Work in Progress | 0 | 0 |
| TOTAL NON-CURRENT ASSETS | 110,500,083 | 107,640,231 |
| TOTAL ASSETS | 115,350,284 | 113,988,966 |
| CURRENT LIABILITIES | | |
| Trade and Other Payables | 657,914 | 893,954 |
| Long Term Borrowings | 2 | 106,413 |
| Provisions | 214,995 | 228,574 |
| TOTAL CURRENT LIABILITIES | 872,911 | 1,228,941 |
| NON-CURRENT LIABILITIES | | |
| Trade and Other Payables | 0 | 0 |
| Long Term Borrowings | 1,201,759 | 1,201,759 |
| Provisions | 17,939 | 17,382 |
| TOTAL NON-CURRENT LIABILITIES | 1,219,698 | 1,219,141 |
| TOTAL LIABILITIES | 2,092,609 | 2,448,082 |
| NET ASSETS | 113,257,675 | 111,540,884 |
| EQUITY | | |
| Trust Imbalance | 0 | 0 |
| Retained Surplus | 80,178,546 | 77,607,676 |
| Reserves - Cash Backed | 2,669,160 | 3,523,240 |
| Revaluation Surplus | 30,409,968 | 30,409,968 |
| TOTAL EQUITY | 113,257,674 | 111,540,884 |

Shire of Mt Marshall

For the Period 1 July 2017 to 30 June 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 30 June 2018

| | 30 June 2018 | | Budget to | Budget to | Components | |
|----------------------------------|------------------|------------------|-------------|-------------------------------|--|--|
| | YTD | YTD | Actual YTD | Actual YTD | of Variance | |
| | Actual | Budget | | Favourable/ (Unfavourable) | Favourable/ (Unfavourable) | |
| | \$ | \$ | % | \$ | \$ | |
| Revenues/Sources | | | | | | |
| Governance | 51,916 | 28,399 | 83% | 23,517 | 15,635 7,273 610 | Bencubbin Centenary grant & bench seat contributions Realisation on disposal of asset <i>Minor Items</i> |
| General Purpose Funding | 2,424,515 | 1,342,909 | 81% | 1,081,606 | (1,583) 6,379 (12,102) 1,088,039 873 | Interest on Reserves under budget Interest on muni investments over budget Rates debt collection income over budget - offset by expenditure FAGS over budget - Early Payment of 2018/19 funds <i>Minor Items</i> |
| Law, Order, Public Safety | 334,156 | 13,443 | 2386% | 320,713 | 314,158 5,037 1,519 | DFES fire truck grant- offset by cost of fire truck DFES operating grant over budget <i>Minor Items</i> |
| Health | 164,322 | 130,800 | 0% | 33,522 | (1,982) 35,504 - | NEW Health June Reimbursement invoice not yet done Contribution - NEW Health Vehicle <i>Minor Items</i> |
| Education and Welfare | 100,724 | 81,101 | 24% | 19,623 | 8,213 11,410 | Childcare fees charged - over budget <i>Minor Items</i> |
| Housing | 196,349 | 170,820 | 15% | 25,529 | 10,845 13,509 1,175 | Other Housing Rental Income - over budget Staff Housing - fusion claim <i>Minor Items</i> |
| Community Amenities | 159,347 | 139,899 | 14% | 19,448 | 20,000 (552) | State NRM Grant Income - not in budget <i>Minor Items</i> |
| Recreation and Culture | 951,012 | 1,051,449 | (10%) | (100,437) | (91,740) (4,261) (4,436) | Final portion of NSRF grant still to be claimed Gym income under budget <i>Minor Items</i> |
| Transport | 1,660,389 | 2,006,528 | (17%) | (346,139) | 22,767 (233,275) (154,300) 17,023 1,646 | Main Roads Direct Grant over budget Roads to Recovery Grant - Final claim not yet done Beacon Aistrip Grant - under budget, project to carry into 2018/19 Profit on disposal of assets <i>Minor Items</i> |
| Economic Services | 173,250 | 221,935 | (22%) | (48,685) | (25,000) (21,125) (2,560) | AA Dams Grant not received Beacon Barracks income under budget, offset by reduced expenditure <i>Minor Items</i> |
| Other Property and Services | 82,358 | 74,600 | 10% | 7,758 | 5,909 1,849 | Max Employment - staff reimbursement <i>Minor Items</i> |
| Total Revenues excl Rates | 6,298,338 | 5,261,882 | 20% | 1,036,456 | | |
| | | | | | | |
| Amount Raised from Rates | 1,333,014 | 1,359,995 | (2%) | (26,981) | (20,639) (6,342) | 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 30 June 2018

| | 30 June 2018 | | Budget to Actual YTD | Budget to Actual YTD Favourable/ (Unfavourable) | Components of Variance Favourable/ (Unfavourable) | |
|------------------------------------|--------------------|--------------------|----------------------|---|--|---|
| | YTD | YTD | | | | |
| (Expenses)/(Applications) | Actual \$ | Budget \$ | % | \$ | \$ | |
| Governance | (398,273) | (431,176) | 8% | 32,903 | 28,046 4,856 | Records Management - not purchased <i>Minor Items</i> |
| General Purpose Funding | (79,301) | (89,371) | 11% | 10,070 | (6,169) 10,699 5,540 | Valuation Expenses - Invoice not yet received for GRV reval Rates Debt Collection Exp - under budget <i>Minor Items</i> |
| Law, Order, Public Safety | (183,101) | (112,080) | (63%) | (71,021) | (34,576) (50,557) 2,000 2,709 4,717 3,000 1,687 | Loss on disposal of fire truck Depreciation on disposed fire truck Fire fighting training under budget Fire Equipment Mtc under budget Admin Alloc under budget Purchase of Minor Equipment under budget <i>Minor Items</i> |
| Health | (250,307) | (267,025) | 6% | 16,719 | 10,330 6,389 | EHO Scheme, not yet invoiced <i>Minor Items</i> |
| Education and Welfare | (326,664) | (243,435) | (34%) | (83,229) | 19,887 (17,331) (81,600) (5,513) 1,329 | Aged care units under budget CDO Wages over budget - paid maternity leave Donation to CEACA budgeted as capital expenditure in error Little Bees Salaries over budget <i>Minor Items</i> |
| Housing | (567,066) | (541,937) | (5%) | (25,129) | (25,630) 501 | Staff Housing mtc over budget <i>Minor Items</i> |
| Community Amenities | (228,268) | (257,623) | 11% | 29,356 | 8,470 20,682 5,119 (4,915) | Town Planning consultant under budget Refuse collection under budget Public Toilets under budget <i>Minor Items</i> |
| Recreation & Culture | (885,885) | (849,490) | (4%) | (36,395) | (47,727) 5,122 9,421 (3,211) | Public Halls Depreciation over budget - due to change in valuation Libraries under budget Ag Society under budget <i>Minor Items</i> |
| Transport | (2,602,745) | (2,771,956) | 6% | 169,211 | 10,210 12,687 13,513 6,995 43,893 83,291 (1,377) | Road Maintenance under budget Beacon Main Street Beautification funds not spent. CDO is working on this. Street Cleaning under budget Traffic signs under budget Loss on disposal of grader - carry over to 18/19 Infrastructure Depreciation under budget <i>Minor Items</i> |
| Economic Services | (409,495) | (562,388) | 27% | 152,893 | 61,736 28,087 15,394 26,441 20,127 1,107 | Economic Development fund - portion not spent Standpipes under budget Employment of Economic Development Officer - EDO started in December. 5 months wage allocation not used Beacon Caravan Park under budget Beacon Barracks Exp under budget, offset by reduced income <i>Minor Items</i> |
| Other Property and Services | 12,335 | (24,981) | 149% | 37,317 | 23,404 20,621 (11,808) 5,100 | Public Works Overheads end of year adjustments to be completed Final Depreciation to be run Engineering Annual Leave over budget - to be offset by provisions <i>Minor Items</i> |
| Total Expenses/Applications | (5,918,770) | (6,151,463) | (6%) | 48,980 | | |

Shire of Mt Marshall
Capital Expenditure Report on Significant Variances
For the Period 1 July 2017 to 30 June 2018

| | Full Year Budget | 30 June 2018 YTD Actual | YTD Budget | Budget to Actual YTD % | Budget to Actual YTD Favourable/ (Unfavourable) | Commentary |
|--|---------------------|-------------------------------|------------------|------------------------------|--|--|
| | \$ | \$ | \$ | % | \$ | |
| Capital Expenditure | | | | | | |
| Governance | | | | | | |
| Purchase Vehicle - Admin | 85,000 | 73,526 | 85,000 | 0% | 11,474 | 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 | 0% | 81,600 | Transferred to operating. This was a cash donation to CEACA, not the purchase of an asset. |
| Community Amenities | | | | | | |
| Land & Buildings - Community Amenities | 5,000 | - | 5,000 | 0% | 5,000 | Cemetery Works - project fallen behind |
| Water Collection Projects | 57,750 | 53,671 | 57,750 | 7% | 4,079 | Additional project approved to spend remainder of budget |
| Portable Toiles | 12,000 | 13,005 | 12,000 | 0% | (1,005) | |
| 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 | 26,333 | 30,000 | 0% | 3,667 | Final cost under budget |
| Bencubbin Rec Complex | 2,447,761 | 2,414,085 | 2,447,761 | 1% | 33,676 | Awaiting final invoice |
| Transport | | | | | | |
| Road Construction | 2,172,228 | 2,169,367 | 2,172,228 | 0% | 2,861 | |
| Footpath Construction | 20,000 | 15,995 | 20,000 | 0% | 4,005 | |
| Plant Purchases | 440,000 | 86,606 | 440,000 | 0% | 353,394 | Grader not purchased, carry over to 2018/19 |
| Beacon Airstrip Upgrade | 400,000 | 491 | 400,000 | 0% | 399,509 | Timing - Grant approved, project to carry over to 2018/19 |
| Motor Vehicle Purchases | 97,000 | 86,744 | 97,000 | 11% | 10,256 | Final cost under budget |
| Economic Services | | | | | | |
| Sandalwood Shops Capital Works | 22,000 | 22,397 | 22,000 | 0% | (397) | |
| Total Capital Expenditure | 5,910,339 | 5,368,418 | 5,910,339 | 9% | 541,921 | |



Q Stone Pty Ltd

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BAYSWATER WA 6053

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3 July 2018

Mr John Nuttall
Chief Executive Officer
Shire of Mt Marshall
ceo@mtmarshall.wa.gov.au

Dear John

I would like to request a 2 year extension to a Development Application submitted by Q Stone Pty Ltd that was approved by the Shire of Mt Marshall on 16 July 2016, Council Decision reference DA 2-16. The purpose of the Development Application is to allow for the development of a Quartz Quarry situated near Potts Road within the Shire.

All documentation submitted to the Shire with the original Application is still current and therefore will still apply to the project. All approvals and agreements from Landholders remain valid and in place.

This extension is required as a result of unexpected and uncontrollable delays with the Department of Water and Environment Regulation (DWER) processes applicable to clearing permits and works approvals. DWER has also sought further environmental information and data in relation to the proposed development site area.

Q Stone Pty Ltd remains keen to pursue a commercial venture in the Shire of Mt Marshall and seeks your consideration of this extension request. I look forward to your response and please advise if you and the Shire require any further information or clarification regarding this request.

Yours sincerely

John Guthrie

John Guthrie
Managing Director – Q Stone Pty Ltd

Shire of Mt Marshall Health Local Law 2018

1. Enacting provision

The enacting provision currently states that the local law was made on 15 May 2018. This date is incorrect, since the local law is still in the drafting phase and is yet to be submitted to Council for final endorsement.

When the final draft of the local law is submitted to Council to be made, the Shire should ensure that the correct date of this meeting is included in the enacting provision.

2. Health local law

The Department notes that this local law is made under the *Local Government Act 1995* and as a result, the approval of the Department of Health (DoH) is not required. Nevertheless, it may be advisable to contact the DoH to see if they have any comments or suggestions on the proposed draft. The staff of DoH have a high level of expertise in health matters and they may have input that will assist the Shire.

3. New health legislation

The Department is aware that WA is slowly transitioning away from the current *Health Act 1911* to the new *Public Health Act 2016*.

As this shift occurs, it is possible that new regulations may come into force and render parts of health local laws invalid. The Shire should keep in touch with the Department of Health to identify when this shift is likely to occur and how the Shire's local law may be impacted.

4. Use of Australian Standards

The Department notes that the local law includes several references to Australian Standards. The Department's standard advice on the use of Standards is as follows:

- (a) The Shire should ensure that the citations for these standards are complete, accurate and up to date.
- (b) The Parliament's Delegated Legislation Committee has expressed concerns about local laws containing Standards, since many of these Standards are not freely accessible. When the Shire makes the local law and provides its supporting material to the Committee, the Shire should include information on where the Shire's residents can view the relevant Standards or obtain technical advice on how these Standards can be complied with. For example, if the Shire keeps a copy of the Standards at its office or library, this should be mentioned to the Committee.

5. Clause 1.4 – repeal

Clause 1.4 currently refers to a health local law made in 2002. This reference is unnecessary, since the 2002 local law was repealed in 2015 by the Shire's most recent health local law.

It is suggested the second sentence be reworded as follows:

"This local law repeals the Shire of Mount Marshall Health Local Law 2014 as published in the Government Gazette on 1 April 2015."

6. Clause 5.1.4 – Public vehicles

Clause 5.1.3 currently refers to “public vehicles”. It is suggested that the term be defined, as the meaning may be subject to various interpretations by readers.

7. Minor edits

The following minor edits are suggested:

- **Contents page** – In the item for 7.1.11 insert a full stop between “1” and “11”.
- **Clause 1.5** – Change “victors of diseases” to “vectors of disease”
- **Clause 3.2.1** – Change the cross reference to “Division 1 of Part 8”.
- **Clause 3.2.3** – In the first line change the cross reference to “clause 3.2.2”.
- **Clause 5.1.10** – At the start of the clause delete “An”.
- **Clause 5.2.1** – The term **cattery** does not appear to be used elsewhere in that division. The definition may not be required.
- **Clause 5.3.3(1)** – The paragraphs in this subclause start at (c). They should be renumbered to avoid confusion. A similar issue exists for subclause (2).
- **Clause 5.4.2(3)** –
 - After “pigeons” insert “that may be”
 - Change “any one lot of land” to “a premises” to ensure consistency with the terminology of subclause (1).
- **Clause 5.4.4(1)** - The first part of the subclause repeats itself prior to branching into paragraphs. The additional text should be removed.
- **Clause 5.4.4(2)** - The term “gamebird” refers to birds which can be legally hunted. Emu and ostriches can’t generally be hunted, so it may be preferable to move them to a new paragraph to avoid confusion.
- **Clause 5.4.5** – Remove the excess space between paragraph (a) and (b).
- **Clause 5.5.1** –
 - At the end of the first two definitions, replace the full stop with a semicolon.
 - At the end of the third definition, insert a full stop.
- **Clause 7.2.1** – Two clauses are currently numbered as “7.2.1”. The second clause should be renumbered to “7.2.2”.
- **Clause 7.1.2** – Remove the excess space between this clause and the next clause.
- **Clause 7.1.11(1)** – Renumber the paragraph as (a) and (b).
- **Clause 8.1.1:**
 - In the definition for **Certificate of Registration of a Lodging House** change the cross reference to “clause 8.1.4”.
 - In the definition for **Certificate of Sleeping Accommodation** change the cross reference to “clause 8.3.4”. A similar amendment is also required for the next definition as well.
- **Clause 8.2.9(5)(a)** – In subparagraph (i), number the provisions with capital roman numerals [e.g. (I) (II)]. Similar amendments can be made to subparagraph (ii) and (iii).
- **Clause 8.2.12** – Two clauses are currently numbered as “8.2.12”. The second clause should be renumbered to “8.2.13”. The remaining clauses in Part 8 Division 2 after that point will also need to be renumbered.
- **In the first instance of clause 8.2.12** - change “clause 8.34” to “clause 8.3.4”.

- **Clause 8.3.11:** Paragraph (h) currently refers to clause 8.34. It is possible that this reference is intended to refer to 8.3.10 or some other clause. The Shire should review the reference and ensures it refers to the correct provision.
- **Clause 9.1.2(1)(a)** – Change the cross reference to “9.1.3”
- **Clause 9.1.3** – Change both instances of “9.2” to “9.1.2”.

LOCAL GOVERNMENT ACT 1995



SHIRE OF MT MARSHALL

HEALTH LOCAL LAW 2018

LOCAL GOVERNMENT ACT 1995

SHIRE OF MT MARSHALL

HEALTH LOCAL LAW 2018

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LOCAL GOVERNMENT ACT 1995

SHIRE OF MT MARSHALL

HEALTH LOCAL LAW 2018

Under the powers conferred by the *Local Government Act 1995* and under all powers enabling it, the Council of the Shire of Mt Marshall resolved on 17 July 2018 to make the following local law:

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as *Shire of Mt Marshall Health Local Law 2018*.

1.2 Commencement

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

1.3 Application

This local law applies throughout the entire district.

1.4 Repeal

This local law repeals the *Shire of Mt Marshall Health Local Laws 2014* as published in the *Government Gazette* on 1 April 2015.

1.5 Interpretation

(1) In this local law, unless the context otherwise requires—

Act means the *Health (Miscellaneous Provisions) Act 1911*;

adequate means satisfactory or fit for purpose or, if there is any doubt, at the discretion of an Authorised Officer;

adequate supply of water means a flow of water of not less than 5 litres per minute;

approved means approved by the local government;

AS or AS/NZS means Australian Standard or Australian/New Zealand Standard published by Standards Australia, as amended from time to time, and in this local law includes:

- (a) *AS 3786:2014 Smoke alarms using scattered light, transmitted light or ionization*;
- (b) *AS 2293.1:2005 Emergency escape lighting and exit signs for buildings – System design, installation and operation*;
- (c) *AS 1530.2:1993 Methods for fire tests on building materials, components and structures - Test for flammability of materials*;
- (d) *AS 1530.3:1999 Methods for fire tests on building materials*,

- components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release;*
- (e) *AS 2001.5.4:2005 Methods of test for textiles – Dimensional change – Domestic washing and drying procedures for textile testing (ISO 6330:2000, MOD);*
 - (f) *AS/NZS ISO 717.1:2004 Acoustics - Rating of sound insulation in buildings and of building elements - Airborne sound insulation;*
 - (g) *AS 3666.2: 2011 Air-handling and water systems of buildings - Microbial control - Design, installation and commissioning;*
 - (h) *AS 1668.2: 2012 The use of ventilation and air conditioning in buildings - Mechanical ventilation in building;*

Authorised Officer means a person appointed under the provisions of the *Public Health Act 2016* and includes officers employed by the local government as an Environmental Health Officer, Assistant Environmental Health Officer, Acting Environmental Health Officer and Principal Environmental Health Officer;

bed means a piece of furniture on which to sleep;

bedding includes beds, mattresses, pillows and bed heads as well as bed linen;

bed linen includes sheets, blankets, pillow cases, quilt and doona covers and mattress covers;

Building Code means the latest edition of the Building Code of Australia published from time to time by or on behalf of the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with that Code;

Chief Executive Officer means the Chief Executive Officer of the local government and includes an Acting Chief Executive Officer;

Chief Health Officer means a person appointed to this position under the provisions of the *Public Health Act 2016*;

Council means the Council of the local government;

district means—

- (a) the district of the local government under the *Local Government Act 1995*;
- (b) any area placed under the jurisdiction of the local government under section 22 of the Act; and
- (c) any river, or other water deemed to be within the district of the local government under section 25 of the Act;

drinking water means drinking water as defined in the *Australian Drinking Water Guidelines*;

dwelling house means a place of residence containing at least one sleeping room and includes a room or outbuilding separate from, but ancillary to, the building in which the sleeping room is located;

Environmental Health Officer means a person appointed to this position under the provisions of the *Public Health Act 2016*;

food premises means any premises or vehicle used by a food business as defined by section 10 of the *Food Act 2008*;

habitable room means a room used for normal domestic activities, and—

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, play-room, family room and sun-room or the like; but
- (b) excludes a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, lobby, photographic dark room, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods;

hot water means water at a temperature of at least 65 degrees Celsius;

local government means the Shire of Mt Marshall;

morgue means a place for the temporary reception and keeping of the bodies of the dead awaiting burial or cremation;

nuisance has the meaning given to it in section 182 of the Act;

public place includes every place to which the public ordinarily have access, whether by payment of a fee or not;

public vehicle includes a coach, cab, omnibus, motor car, wagon, or other vehicle carrying passengers for hire, and includes a tramcar and railway carriage;

sanitary convenience includes urinals, toilets, sinks, baths, wash troughs, apparatus for the treatment of sewage, or other receptacle for the deposit of faecal matter, or refuse, and all similar conveniences;

sewage means any kind of sewage, faecal matter or urine, and any waste composed wholly or in part of liquid;

sewer includes sewers and drains of every description, except drains to which the word “drain” as defined in the Act applies, also water channels constructed of stone, brick, concrete, or any other material, including the property of the local government;

street includes any highway, and any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

toilet means a toilet bowl or urinal and includes a room or cubicle in which one or more of these are located;

townsite means the townsites within the district which are constituted under section 26(2) of the *Land Administration Act 1997* or referred to in clause 37 of the Schedule 9.3 of the *Local Government Act 1995*;

urinal may be—

- (a) an individual stall or wall-hung urinal; or
- (b) each 600 mm length of a continuous urinal trough; or
- (c) a toilet bowl used in place of a urinal

vectors of disease includes fleas, flies, bedbugs, cockroaches, lice and any other insect prescribed by the local government;

water means drinking water within the meaning of the Australian Drinking Water Guidelines as published by the National Health and Medical Research Council in 2011 and as amended from time to time;

window means a glass panel, roof light, glass brick, glass louvre, glazed sash, glazed door, or other device which transmits natural light directly from outside a building to the room concerned when in the closed position;

- (2) Where in this local law, a duty or liability is imposed on an “owner or occupier” the duty or liability shall be deemed to be imposed jointly and severally on each of the owner or occupier.
- (3) Where under this local law an act is required to be done or forbidden to be done in relation to any premises, the owner or occupier of those premises has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

PART 2 – SANITATION

Division 1 – Sanitary Conveniences

2.1.1 Interpretation

In this Part, unless the context otherwise requires—

event includes a fair, function or festival;

organiser means a person—

- (a) to whom approval has been granted by the local government to conduct the event; or
- (b) responsible for the conduct of the event;

public sanitary conveniences means a sanitary convenience to which the public ordinarily have access; and

temporary sanitary convenience means a sanitary convenience, temporarily placed for use by—

- (a) patrons in conjunction with an event ; or
- (b) employees at construction sites or the like.

2.1.2 Dwelling house

- (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet.
- (2) A room in which a toilet is located shall have adequate electrical lighting.

2.1.3 Premises other than a dwelling house

- (1) The owner of premises other than a dwelling house shall not use or occupy, or permit to be used or occupied, premises other than a dwelling house unless—
 - (a) the premises have sanitary conveniences in accordance with the Building Code and this Part;
 - (b) the toilets required by this clause are situated within a reasonable distance and are easily accessible to the persons for whom they are provided; and
 - (c) the premises have hand wash basins—
 - (i) in accordance with the Building Code;
 - (ii) for the use of persons employed or engaged on the premises;
 - (iii) provided with an adequate supply of water supplied by taps located over each hand wash basin;

- (iv) separate from any trough, sink or hand wash basin used in connection with any process carried out on the premises; and
 - (v) situated within a reasonable distance of the sanitary conveniences and easily accessible to the person for whom they are provided.
- (2) The occupier of the premises other than a dwelling house shall ensure that—
 - (a) clean toilet paper is available at all times in each cubicle;
 - (b) a sanitary napkin disposal facility is provided in each toilet set aside for the use of females; and
 - (c) each hand wash basin is provided with—
 - (i) an adequate supply of soap or other hand cleaning substances; and
 - (ii) hand-drying facilities, situated adjacent to and visible from the hand wash basin.

2.1.4 Events

The organiser of an outdoor event must provide sanitary conveniences in accordance with the recommendations contained within the Department of Health's '*Guidelines for concerts, events and organized gatherings*'.

2.1.5 Toilets

- (1) Toilets on premises shall be maintained in accordance with the following requirements—
 - (a) the door to a toilet, other than an internal toilet, shall be properly screened to a continuous height of 1.8 metres from the floor;
 - (b) a toilet or its entrance which is visible from overlooking windows shall be properly screened;
 - (c) the floor of any internal toilet shall be—
 - (i) of concrete or of other approved impervious material of an approved thickness; and
 - (ii) graded to a floor waste outlet and proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump; and
 - (d) the floor of any external toilet shall be—
 - (i) of concrete or of other approved impervious material of an approved thickness; and
 - (ii) graded to the door or alternatively an approved outlet.
- (2) Toilets on premises other than a dwelling house shall be maintained in accordance with the following additional requirements—
 - (a) a toilet for the exclusive use of males shall not adjoin any toilet for the exclusive use of females unless the toilets are separated by a wall extending from floor to ceiling and of sufficient density to have a sound transmission class of not less than 50 as required by *AS/NZS ISO 717.1:2004*; and
 - (b) where more than one toilet is provided on the premises, the entrance to each toilet shall bear a suitable sign indicating for which sex its use is intended.

2.1.6 Temporary works

A person who undertakes temporary work at any place shall ensure every temporary sanitary convenience is installed and maintained in accordance with the

requirements of the *Health (Temporary Sanitary Conveniences) Regulations 1997*.

2.1.7 Maintenance of sanitary conveniences and fittings

- (1) The occupier of premises shall—
 - (a) keep clean, in good condition and repair; and
 - (b) whenever required by an Authorised Officer, effectively disinfect and clean;all sanitary conveniences including sanitary fittings in or on the premises.
- (2) The owner of premises shall—
 - (a) keep or cause to be kept in good repair; and
 - (b) maintain an adequate supply of water to;all sanitary conveniences including sanitary fittings in or on the premises.

2.1.8 Ventilation of toilets

- (1) A toilet in any premises shall be ventilated in accordance with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* and the Building Code.
- (2) A mechanical ventilation system provided under subclause (1) shall be maintained in good working order and condition.

2.1.9 Public sanitary conveniences

- (1) A person shall not—
 - (a) foul;
 - (b) damage or vandalise; or
 - (c) write on or otherwise deface;a public sanitary convenience or sanitary fixtures or fittings or the premises in or on which the sanitary convenience is located.
- (2) A person shall not live or sleep in or on the premises in which a public sanitary convenience is located or use it for a purpose other than that for which it was intended.

2.1.10 Lighting

The owner and occupier of premises in which a sanitary convenience or a public sanitary convenience is located shall provide and maintain adequate electric lighting for persons using the convenience.

2.1.11 Installation

Every sanitary convenience shall be installed in accordance with the requirements of *Country Areas Water Supply Act 1947*, the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Wastes) Regulations 1974* and the *Water Services Act 2012* and shall have an adequate supply of water.

Division 2 – Bathrooms, Laundries and Kitchens

2.2.1 Bathrooms

- (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that—
 - (a) is adequately lined with an impervious material and has a ceiling that complies with the Building Code;
 - (b) complies with the *Health Act (Laundries and Bathrooms) Regulations* and the Building Code; and
 - (c) is equipped with—
 - (i) a hand wash basin; and
 - (ii) either a shower in a shower recess or a bath.
- (2) All baths, showers, hand wash basins and similar fittings shall be provided with an adequate supply of hot and cold water.

2.2.2 Laundries

- (1) A laundry must comply with the requirements of the *Health Act (Laundry and Bathrooms) Regulations* and the Building Code.
- (2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling.
- (3) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall—
 - (a) not be more than 1,220 millimetres wide; and
 - (b) have a door which when closed shall completely fill the opening.

2.2.3 Washing or keeping of clothes in kitchens

A person shall not in any kitchen or other place where food is kept—

- (a) wash or permit to be washed any clothing or bed linen; or
- (b) keep or permit to be kept any soiled clothing or bed linen.

2.2.4 Kitchens

- (1) In this clause, a **cooking facility** includes a stove, oven, facility or appliance used for or in connection with the cooking of food.
- (2) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen which complies with the requirements of the Building Code and which is equipped with—
 - (a) a cooking facility which is adequate in the opinion of an Authorised Officer; and
 - (b) a sink which is adequate in the opinion of an Authorised Officer and which has an adequate supply of hot and cold water.
- (3) The occupier of a dwelling house shall ensure that the stove, oven and sink are kept clean, in good order and repair and fit for use.
- (4) A cooking facility shall—
 - (a) be installed in accordance with the requirements of the Department of Commerce - Energy Safety division and the manufacturer's specifications; and
 - (b) not be installed or used in any room other than a kitchen.
- (5) Mechanical extraction shall be provided in a kitchen and the exhaust air shall be—

- (a) carried to the outside air as directly as practicable; and
 - (b) boxed throughout.
- (6) Mechanical ventilation shall be maintained in good working order and condition

PART 3 – HOUSING AND GENERAL

Division 1 – Maintenance of Dwelling Houses

3.1.1 Dwelling house maintenance

The owner or occupier of a dwelling house and any appurtenant buildings for which the owner or occupier has the care and control of, shall maintain the dwelling house and appurtenant buildings in sound condition and fit for use and, in particular, shall—

- (a) maintain all roofs in sound weatherproof condition;
- (b) maintain any footings, foundations and walls, either external or internal, in a sound condition;
- (c) replace any missing, broken, decayed or termite-eaten timber or other deteriorated material in any veranda, roof, walls, steps, handrails, floors or their supports with material of sound quality;
- (d) comply with the directions of an Authorised Officer to treat the premises for the purpose of destroying any termites;
- (e) maintain any brick, stone, mortar or cement work in a sound condition;
- (f) maintain, repair or replace any flashings or ant caps which are missing or defective;
- (g) maintain all floors even in surface and free from cracks;
- (h) maintain all ceilings, internal wall finishes, skirting boards, architraves and other fixtures and fittings complete and with smooth unbroken surfaces;
- (i) maintain all doors and windows in good working order and weatherproof condition;
- (j) retain all natural lighting free from any obstruction which would reduce the natural lighting, below the ratio of 10% of the floor area;
- (k) maintain all pipes, fittings and fixtures connected with water supply, drainage or sewerage so that they comply in all respects with the provisions of the *Water Services Act 2012*, the Plumbing Code of Australia and relevant associated standards, and any other legal requirements to which they are subject;
- (l) maintain all electric wiring, gas services and fittings to comply with the requirements of all relevant public authorities; and
- (m) maintain all ventilators in good order and repair.

3.1.2 Guttering and downpipes

The owner or occupier of a dwelling house which has guttering and downpipes shall—

- (a) maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstruction; and
- (b) not permit any rainwater from the premises to discharge from the guttering onto or over a footpath, street or other property.

3.1.3 Disposal of rainwater

The owner or occupier of a dwelling house shall not use or occupy or permit to be used or occupied, a dwelling house unless all rainwater is effectively disposed of or collected in an approved manner that will not be a nuisance or injurious or dangerous to health of any person.

Division 2 – Ventilation of Houses

3.2.1 Exemption for short term hostels and recreational campsites

This division shall not apply to short term hostels and recreational campsites referred to in Division 1 of Part 8.

3.2.2 Overcrowding

The owner or occupier of a house shall not permit—

- (a) a room in the house that is not a habitable room to be used for sleeping purposes;
- (b) a habitable room in the house to be used for sleeping purposes unless—
 - (i) for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and
 - (ii) for every person between the ages of 1 and 10 years there is at least 8 cubic metres of air space per person; or
- (c) any garage, shed or area under a veranda or patio to be used for sleeping purposes.

3.2.3 Calculated sufficient space

For the purpose of clause 3.2.2, in calculating the space required for each person—

- (a) each room shall be considered separately and sufficient space shall be allowed in each room for the number of persons present in the room at any one time; and
- (b) deduction shall be made for the space occupied by furniture, beds, equipment, fittings and projections of the walls into a room.

3.2.4 Ventilation

- (1) A person shall not use or occupy, or permit to be used or occupied, a house unless the house is properly ventilated.
- (2) For the purpose of subclause (1) a house shall be deemed to be properly ventilated if it complies with the Building Code, including the provision of—
 - (a) natural ventilation; or
 - (b) a mechanical ventilation or air-conditioning system complying with AS1668.2:2012.
- (3) The owner of a house provided with a mechanical ventilation or air-conditioning system as its only or prime means of ventilation shall ensure that the system is—
 - (a) maintained in good working condition and in accordance with AS/NZS3666.2:2011; and
 - (b) in use at all times the building is occupied if the building is without approved natural ventilation.
- (4) If, in the opinion of an Authorised Officer, a house is not properly ventilated, the Authorised Officer may by notice require the owner of the house to—

- (a) provide a different, or additional method of ventilation; or
- (b) cease using the house until it is properly ventilated.

3.2.5 Sub-floor ventilation

The owner or occupier of a house shall make provision for sub-floor ventilation by ensuring that air bricks and other openings are kept clear of refuse, vegetation, building materials, dirt and the like.

Division 3 – Water Supply

3.3.1 Water supply

- (1) The owner of every house shall provide a continuous supply of drinking water, reticulated for use and obtained from—
 - (a) a licensed water service operator;
 - (b) an underground bore; or
 - (c) a rainwater storage system with a minimum capacity of 120,000 litres.
- (2) The water supply shall at all times deliver an adequate supply of drinking water to each tap in the house.
- (3) The water supply to toilets or for garden use may be from an alternative source that is not necessarily drinking water but must comply with the requirements of relevant legislation, codes of practice or guidelines where applicable.

3.3.2 Rainwater tanks

The owner or occupier of a house for which the water supply is drawn from a rainwater tank shall ensure that it is managed and maintained so as to meet the relevant standards in the *National Health and Medical Research Council Drinking Water Guidelines* and in particular —

- (a) maintain in a clean condition—
 - (i) the roof forming the catchment for the tank; and
 - (ii) the guttering and downpipes appurtenant to the roof;
- (b) ensure that each rainwater tank is fitted with a tight-fitting mosquito proof cover which shall not be removed at any time except for the purpose of inspecting, cleaning, repairing or maintaining the tank;
- (c) if the tank water is breeding mosquitoes, eliminate the point of entry and treat with a small quantity of liquid paraffin at a rate of not more than 5 millilitres per square meter of surface area so as to form a thin even film over the whole surface or otherwise as advised by an Authorised Officer;
- (d) inspect the rainwater tank and associated components at least every six months including gutters, catchment roof, tank inlet, debris traps, mosquito cowls, inside of the tank, tank roof and connecting pipework and remove any accumulated debris, leaf material or other contaminants evident and repair any damaged components;
- (e) at least once every two years, inspect the bottom and walls of the tank for accumulated sediments, sludge and slime and where necessary thoroughly clean any tank which contains water used for human consumption;
- (f) when directed by an Authorised Officer, empty, clean and disinfect any tank upon the premises which contains water used for human consumption; and
- (g) dispose of any organic material and water from cleaning and desludging operations around the garden or yard ensuring that it is retained on site and

does not cause a health nuisance.

3.3.3 Bores and wells

The owner or occupier of any premises shall not use or permit for human consumption the use of water from any bore or well unless the bore or well is—

- (a) at least 30 metres from any soak well, leach drain or irrigation area where effluent has been discharged from any wastewater treatment system or any other possible source of pollution unless otherwise approved by the Chief Health Officer;
- (b) covered with a tight-fitting cover without openings of any sort other than those essential for the insertion of a pump; and
- (c) compliant with the requirements of the *Health Act (Underground Water Supply) Regulations 1959*.

3.3.4 Pollution

A person shall not deposit on or under any land, any sewage, offensive matter or any other thing which may pollute or render unfit for human consumption, water from a well or other underground source.

Division 4—Second-hand Furniture, Bedding and Clothing

3.4.1 Prohibition on sale

A person shall not offer for sale or sell any second-hand furniture, bedding or clothing which is filthy or infested with vermin or vectors of disease.

3.4.2 Prohibition on possession

A dealer in second-hand furniture, bedding or clothing shall not have on any premises used for the operation of the business any second-hand furniture, bedding or clothing which is filthy or infested with vermin or vectors of disease.

Division 5 – Morgues

3.5.1 Licensing of morgues

- (1) All non-government morgues shall be licensed pursuant to the provisions of this clause.
- (2) An application for licence of a morgue shall be in the form set out in Schedule 8 and shall be—
 - (a) made by the applicant;
 - (b) forwarded to the Chief Executive Officer with the fee as fixed by the local government from time to time under Section 344C of the Act.
- (3) A Certificate of Licence of a Morgue shall –
 - (a) be in the form set out in Schedule 9; and
 - (b) expire on 30 June next after the date of its issue.
- (4) A Certificate of Licence of a Morgue shall not be granted in respect of any premises unless—
 - (a) provision has been made for the keeping of the bodies of the dead at a

- temperature not exceeding zero degrees Celsius;
- (b) the walls are constructed of stone or brickwork or other approved material;
- (c) the interior surface of all walls is covered with glazed tiles or is rendered impervious so as to be non-absorbent and washable;
- (d) all floors are constructed of some impervious material, having a fall to an outlet discharging over a trapped gully; and
- (e) the premises are adequately ventilated by direct communication with the outside air.

PART 4 – LIQUID REFUSE, LIQUID WASTE, BUTCHERS' WASTE, RUBBISH AND REFUSE

Division 1 – Liquid Refuse and Liquid Waste

4.1.1 Interpretation

In this division, unless the context otherwise requires—

apparatus for the treatment of sewage has the same meaning as in section 3 of the *Health (Miscellaneous Provisions) Act 1911*;

liquid refuse includes all washing from the commercial cleaning of vehicles, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges;

liquid waste means wastewater or any other liquid waste from domestic, industrial or commercial activities and includes bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage;

receptacle for drainage has the same meaning as in the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*;

Approved carrier means a carrier approved by the local government.

4.1.2 Deposit of liquid refuse

A person shall not deposit or cause or permit to be deposited liquid refuse—

- (a) on a street;
- (b) in a storm water disposal system; or
- (c) on any land or place other than a place or depot duly authorised for that purpose.

4.1.3 Disposal of liquid waste

- (1) The owner or occupier of premises shall provide, by one of the methods prescribed in this clause, for the disposal of all liquid waste produced on the premises; and at all times maintain in good working order and condition any apparatus used for the disposal of liquid waste.
- (2) Liquid waste shall be disposed of by one of the following methods—
 - (a) discharging it into the sewage system of a licensed water service operator in a manner approved by the licensed water service operator;

- (b) discharging it into an apparatus for the treatment of sewage approved by the local government; or
- (c) collection and disposal at an approved liquid waste disposal site in a manner approved by the local government.

4.1.4 Approval for septic tank pumpouts and removal of liquid waste

A person shall not—

- (a) unless he or she is an approved carrier;
- (b) without the written approval of the local government; and
- (c) except in accordance with any terms and conditions imposed by the local government or the Chief Health Officer in connection with the approval under paragraph (b),
collect, remove or dispose of the contents of a septic tank, the pumpouts from holding tanks or an apparatus for the treatment of sewage and other liquid wastes.

4.1.5 Application for approval

- (1) A carrier may apply in writing to the local government for approval to collect, remove or dispose of the contents of a septic tank, the pumpouts from holding tanks or an apparatus for the treatment of sewage.
- (2) The local government may grant or refuse an application under this clause subject to conditions relating to —
 - (a) the time and method of collection, removal or disposal of the contents; or
 - (b) the route to be followed by a vehicle used in collection, removal or disposal of the contents; or
 - (c) the type of liquid waste that can be collected.
- (3) Any conditions imposed by the local government under this clause shall be -
 - (a) specified in the written approval of the local government; and
 - (b) In addition to any conditions imposed by the Chief Health Officer or conditions applying under any other law.
- (4) The local government may from time to time vary conditions imposed by it under this clause by giving written notice of the variation to the person to whom approval was given

4.1.6 Provision of quarterly reports

The approved carrier may be required to provide quarterly reports to the local government containing accurate details of —

- (a) the date of servicing the liquid waste system ;
- (b) the address or location of the involved property; and
- (c) the type of system serviced.

Division 2 – Transport of Butchers' Waste

4.2.1 Interpretation

In this division, unless the context otherwise requires—

butchers' waste includes animal skeletons and rib cages, from a boning room and the inedible products of an abattoir or a butcher's shop.

4.2.1 Restriction of vehicles

A person shall not use, for the transport of butchers' waste—

- (a) a vehicle or container not approved by the local government; or
- (b) a vehicle used for the transport of food or drugs; or
- (c) anything intended to be used for the packing or handling of food or drugs.

4.2.3 Transport of butchers' waste

- (1) A person shall not transport butchers' waste otherwise than in a compartment complying with the following specifications—
 - (a) the floor and four walls to be made of an approved impervious material;
 - (b) all joints to be made water-tight;
 - (c) the loading doors, if any, to be water-tight and kept closed at all times except when loading or unloading;
 - (d) the top and sides are to be covered by a tarpaulin or other impervious material approved by an Authorised Officer so as to keep the load out of sight of the public; or
 - (e) in a container which is water-tight, durable and impervious and which is fitted with a lid which can be tightly closed.
- (2) A person shall not transport any butchers' waste in a vehicle unless the vehicle and its fittings, including the compartment or container referred to in this clause are—
 - (a) maintained in good order and condition; and
 - (b) thoroughly cleaned at the conclusion of each day's work.
- (3) A person shall not load, transport, or unload butchers' waste in a manner that is or may be offensive due to—
 - (a) the sight of animal skeletons, bones, offal or waste matter;
 - (b) the odour of putrefaction, offal or waste matter; or
 - (c) the presence of blood and particles of flesh or fat dropping onto the surface of the street, pavement or ground.

Division 3 – Rubbish and Refuse

4.3.1 Interpretation

In this division, unless the context otherwise requires—

rubbish or refuse includes any filth, dirt, ashes, vegetation, garden refuse, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse; and

refuse disposal site means land set apart by the local government under the Act as a site for the deposit of rubbish or refuse; or which is licensed or registered under the provisions of the *Environmental Protection Regulations 1987*; and any waste facility as defined in the *Waste Avoidance and Resource Recovery Act 2007* that is operated by the local

government.

4.3.2 Deposit of refuse

A person shall not deposit or cause or permit to be deposited any rubbish or refuse in or on any street or on any land other than a refuse disposal site defined in these local laws or a waste service or waste facility as defined in the *Waste Avoidance and Resource Recovery Act 2007* that is operated by the local government or by an approved contractor.

4.3.4 Burning of rubbish or refuse

- (1) A person shall not set fire to rubbish, either in any incinerator or on the ground except in accordance with the conditions of the local government.
- (2) Subject to subclause (3), the burning of rubbish is subject to the following conditions –
 - (a) the material to be burnt –
 - (i) does not include any plastic, rubber, food scraps, green garden cuttings and other material which may become offensive when burnt; and
 - (ii) is of such quantity, or of such a nature, as to be unsuitable for removal by the local government refuse collection service; and
 - (b) there is no other appropriate means of disposal; and
 - (c) burning shall not take place –
 - (i) during any period for which an air dispersion alert has been issued by the Bureau of Meteorology; or
 - (ii) where there is no current air dispersion alert, outside the hours of 10.00am to 6.00pm; and
 - (d) burning shall only be undertaken using an incinerator that is designed to burn efficiently in order to minimise smoke emissions and which incorporates a spark arresting device and which is located –
 - (i) at least 3 metres from a fence, building or inflammable matter; and
 - (ii) in such a position so as not to create a nuisance or be offensive to other persons.
- (3) Subject to any requirements of a Fire Break Notice issued by the local government and any directions issued by the Department of Fire and Emergency Services, the local government may grant a permit to clear by burning fire breaks or vacant blocks of grass, straw, hay, undergrowth, herbage and other similar vegetation.

PART 5 – NUISANCES AND GENERAL

Division 1 – Nuisances

5.1.1 Interpretation

In this division, unless the context otherwise requires **fertiliser** includes manure.

5.1.2 Footpaths etc. to be kept clean

An owner or occupier of premises shall take reasonable steps to keep in a clean and

tidy condition any footpath, pavement area or right of way immediately adjacent to their premises which has been made unclean or untidy by any action of the owner or occupier or as a result of overhanging or overgrown vegetation.

5.1.3 Escape of smoke etc.

An owner or occupier of premises shall take reasonable measures to prevent the escape of smoke, dust, fumes, offensive or foul odours, liquid waste or liquid refuse from the premises in such quantity or of such a nature as to cause or to be a nuisance.

5.1.4 Public vehicles to be kept clean

The owner or person in control of a public vehicle shall take reasonable measures to maintain the vehicle at all times—

- (a) in a clean condition;
- (b) free from vectors of disease; and
- (c) whenever directed to do so by an Authorised Officer, thoroughly clean and disinfect the vehicle.

5.1.5 Prohibition against spitting

A person shall not spit on a footpath, street or within or on, any public place, building or facility accessible to the public which is within the local government's jurisdiction.

5.1.6 Transportation, use and storage of offal or blood

- (1) A person shall not transport or store offal or blood, for the purpose of being used as manure, unless it has been sterilised by steam and properly dried or by some other effective method approved by an Authorised Officer.
- (2) No person shall remove any offensive matter unless such offensive matter is carried in watertight barrels or tanks securely covered to prevent the escape of any of the contents thereof, or the emission of any offensive odours therefrom.
- (3) Every person using any sealed containers or vehicle in the removal of any offensive matter shall keep such container or vehicle in a thoroughly clean condition and in good repair.

5.1.7 Use or storage of fertiliser

An owner or occupier of premises shall not use or keep for the purpose of use, as fertiliser any—

- (a) pig manure within 200 metres of townsite boundaries, or within townsites, unless it has been effectively treated to the satisfaction of an Authorised Officer;
- (b) human faeces; or
- (c) urine.

5.1.8 Storage and dispatch of artificial fertiliser

An owner or occupier of premises where artificial fertiliser is stored in bulk for sale shall –

- (a) keep all artificial fertiliser in a building—
 - (i) of which the walls, floors and ceilings or undersides of the roof are constructed of durable and non-absorbent materials finished internally

- with a smooth surface; and
 - (ii) free from damp and properly ventilated;
- (b) take proper precautions to prevent the emission of dust or offensive effluvia from the building; and
- (c) ensure that all artificial fertiliser dispatched from the premises is packed in such a manner so as to prevent any nuisance arising during transit.

5.1.9 Storage of fertiliser and compost

- (1) Subject to subclause (2) fertiliser and compost is not to be stored inside a dwelling house in a habitable room, kitchen, laundry, bathroom, living area, passage way or bedroom.
- (2) Fertiliser and compost can be stored—
 - (a) in a non-habitable building such as a shed, garage or storage room which is fully enclosed, well ventilated and separated from the habitable areas of the dwelling house; or
 - (b) in an outside area.
- (3) The owner or occupier of premises where fertiliser or compost is stored shall—
 - (a) prevent the escape of odours, dust or particles which could cause a nuisance;
 - (b) treat the fertiliser or compost in such a manner so as to effectively prevent it attracting or being a breeding place for flies or other insects; and
 - (c) store only such amounts of fertiliser or compost;
 - (i) as can be readily used within a reasonable period; or
 - (ii) as may be directed by an Authorised Officer.

5.1.10 Vehicles used for transporting of animals and birds

Unless transporting a pet animal or bird, no person having the control or management of any vehicle in which animals or birds are being or have been transported or confined shall allow such vehicle to stand within a townsite until the vehicle has been thoroughly cleaned.

Division 2 – Keeping of Animals and birds

5.2.1 Interpretation

In this division, unless the context otherwise requires—

animal include dogs, rabbits, and ferrets or like;

birds includes galahs, parrots, budgerigars, finches, pigeons and doves or the like.

5.2.2 Cleanliness

An owner or occupier of premises in or on which an animal or bird is kept shall—

- (a) keep the premises free from excrement, filth, food waste and all other matters which is or is likely to become offensive or injurious to health or to attract rats or other vermin and vectors of disease;
- (b) when so directed by an Authorised Officer, clean and disinfect the premises; and

- (c) keep the premises, so far as possible, free from flies or other vermin and vectors of disease by spraying with a residual insecticide or other effective means.
- (d) ensure the animal or bird kept is not causing a nuisance or is injurious, offensive or dangerous to health.

5.2.3 Animal enclosures

- (1) A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
- (2) The owner or occupier of premises where animals or birds are kept shall, when directed by an Authorised Officer, pave, grade and drain floors of all structures and the surface of the ground of all enclosures used for the keeping of animals or birds.

5.2.4 Slaughter of animals

- (1) Subject to subclause (2), a person shall not slaughter any animal within the district.
- (2) Subclause (1) does not apply to—
 - (a) euthanasia of animals by veterinarians or other duly authorised persons;
 - (b) the slaughter of animals for human consumption in abattoirs approved by the local government;
 - (c) farmers, pastoralists and the like who slaughter stock for their own consumption and who are exempted under Regulation 20 (2) of the *Food Regulations 2009*; and
 - (d) slaughter of animals for the purposes of pet meat and game meat operations.

5.2.5 Disposal of dead animals

- (1) An owner or occupier of premises on which there is a dead animal shall immediately remove the carcass and arrange for its disposal at an approved disposal site.
- (2) An owner, or a person having the care of any animal that dies or is killed in a public or private place, shall immediately remove the carcass and arrange for its disposal at an approved disposal site.
- (3) The requirements of subclauses (1) and (2) shall not limit the practice by farmers, pastoralists and the like of disposing of carcasses on rural land in a manner that is not likely to pollute or be dangerous or injurious to health.
- (4) An owner or operator of a veterinary practice where dead animals are kept for more than 12 hours shall refrigerate the carcass prior to its removal and disposal, at an approved disposal site.

Division 3 – Keeping of Large Animals

5.3.1 Interpretation

In this division, unless the context otherwise requires—

approved animal includes a horse, cow, or other large animal the subject of an approval by the local government under clause 5.3.2;

cow includes an ox, calf or bull;

horse includes an ass, mule, donkey or pony; and

other large animal includes a pig, sheep, goat, deer or camel, cow, horse, lama, emu, ostrich or the like

5.3.2 Conditions for keeping of an animal

- (1) An owner or occupier of premises, within a townsite shall not keep a horse, cow, other large animal, more than 3 sheep or more than 3 goats on those premises without approval of the local government.
- (2) An owner or occupier of premises shall not keep within a townsite an approved large animal or specified number of sheep or goats unless —
 - (a) the premise has an area of not less than 0.2 hectares of alienated land; and
 - (b) the approved animal does not approach within 30 metres of a dwelling or place where food is stored, manufactured, processed, served or exposed for sale.
- (3) The owner or occupier wanting to keep more than the above number of animals, on a block of land 0.2 hectares or larger and within a townsite, can do so only by obtaining the written approval of the local government. The approval will stipulate the maximum number of animals that may be kept. The number of animals will be calculated using the following —
 - (a) 4 large animals and 2 of their offspring up to the age of twelve months; or
 - (b) 12 sheep or 12 goats per 0.2 hectares or part thereof.

5.3.3 Stables

- (1) An owner or occupier of premises within a townsite, who keeps an approved animal shall provide a stable which shall comply with the requirements of the Building Code, and which—
 - (a) is not situated within 30 metres of a house or other premises;
 - (b) has adequate space for each animal;
 - (c) is constructed of weatherproof materials and of a design which provides adequate protection from the elements;
 - (d) provides adequate natural ventilation; and
 - (e) subject to subclause (2), has a floor, the upper surface of which shall—
 - (i) be at least 75 millimetres above the surface of the ground;
 - (ii) be constructed of cement, concrete, or other similar impervious material approved by an Authorised Officer; and when required;
 - (iii) have a fall ratio 1:100 which effectively drains liquid wastes into a trapped gully situated outside the stable and shall discharged in a manner approved by local government.
- (2) The construction of a stable with a sand floor may be permitted, subject to the

following conditions—

- (a) the site must be well drained with the highest known water table no closer than 1.5 metres below the ground or sand floor level, which may be achieved artificially;
 - (b) a 300 millimetres of thick bed of aggregate approved by an Authorised Officer, shall be laid under the sand of the stable;
 - (c) sand, whether natural or imported, it must be clean, coarse, free from dust and prevent pooling of liquids;
 - (d) footings to each stable shall be a minimum of 450 millimetres below ground level;
 - (e) the stable design must facilitate suitable access for cleaning and removal of waste materials and replenishment of clean sand; and
 - (f) the minimum floor area of each stall shall be not less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally;
 - (g) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall;
 - (h) in all other respects subclause (1) shall apply to the stable.
- (3) The owner or occupier of premises on which a stable is located shall—
- (a) maintain the stable in a clean and hygienic condition at all times;
 - (b) keep all parts of the stable so far as possible free from flies, vermin or other vectors of disease; by spraying with an approved residual insecticide or other effective means; and
 - (c) comply with the relevant requirements of the *Biosecurity and Agriculture Management Act 2007 - Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016* (as amended from time to time by the Department of Primary Industries and Regional Development).
- (4) The owner or occupier of a stable shall comply with any direction or notice of an Authorised Officer in relation to its state of repair, cleanliness, hygiene, control of pests or any other matter which is considered necessary to prevent health nuisances or maintain a satisfactory standard for the keeping of animals therein.

5.3.4 Manure receptacle

An owner or occupier of premises on which a stable is constructed shall—

- (a) provide in a position convenient to the stable a receptacle for manure, constructed of smooth, impervious, durable material that is easily cleanable and provided with a tight fitting hinged cover, and with no part of the floor lower than the surface of the adjoining ground;
- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it coming offensive or a breeding place for flies or other vectors of disease;
- (d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
- (e) cause all manure produced on the premises to be collected daily and placed in the receptacle or comply with such other arrangements as approved by an Authorised Officer.

Division 4 – Keeping of Poultry and Pigeons

5.4.1 Interpretation

- (1) In this division, unless the context otherwise requires—
poultry includes fowls, peafowls, turkeys, geese, ducks, chickens, bantams and other domestic fowls;
pigeons are birds that are classified within the family Columbidae and includes doves.
- (2) This division applies to the keeping of poultry on residential properties for domestic purposes and not to commercial poultry establishments such as broiler, breeder or egg producing farms.
- (3) Commercial poultry establishments mentioned in subclause (2) are to manage operations in accordance with the *Environmental Code of Practice for Poultry Farms in Western Australia 2004* produced by the Western Australian Broilers Growers Association and Poultry Farmers Association of Western Australia, in conjunction with state and local authorities to control environmental and health nuisances.

5.4.2 Limitation on numbers of poultry and pigeons

- (1) An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons without the approval of the local government.
- (2) An Authorised Officer may issue a written notice to the owner or occupier of land, whether within a townsite or not, where poultry or pigeons are kept for the number of poultry and pigeons to be reduced to ensure that a health nuisance does not exist.
- (3) An Authorised Officer may increase the number of poultry or pigeons that may be kept on a premises if satisfied that a health nuisance does not exist.

5.4.3 Conditions of keeping poultry in limited numbers

A person who keeps poultry or permits poultry to be kept shall ensure that—

- (a) no poultry is able to approach within 9 metres of a dwelling house, public building, or premises where people are employed or premises where food is stored, prepared manufactured or sold
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
- (c) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres; and
- (d) no poultry is able to approach within 9 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, the local government has approved a lesser distance;
- (e) no poultry is able to approach within 1.2 metres of any side or rear boundary of the premises; and
- (f) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Authorised Officer.

5.4.4 Roosters, Geese, Turkeys, Peafowl and Gamebirds

- (1) An occupier of premises within a townsite, shall not without the written approval of the local government, keep or permit to be kept on those premises, any one or more of the following fowl —
 - (a) a rooster;
 - (b) a goose or gander;
 - (c) a turkey;
 - (d) a peacock or peahen;
 - (e) a gamebird
 - (f) an emu
 - (g) an ostrich
- (2) The local government may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep on the premises any one or more birds as specified in subclause (1).
- (3) A person who has been granted approval under this clause to keep a bird may keep the bird on the premises only while he is the occupier thereof.
- (4) The local government may revoke an approval granted under this clause if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

5.4.5 Conditions of keeping pigeons or doves

A person who keeps, or permits to be kept, pigeons or dove shall ensure that—

- (a) none is able to approach within 9 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
- (b) except where registered homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed pigeon loft or dove cote that —
 - (i) is in a yard having an otherwise unobstructed area of at least 30 square metres; and
 - (ii) does not allow them to approach within 1.2 metres of any side or rear boundary of the premises; and
 - (iii) is maintained in such a manner so as not to create a nuisance by the emission of dust, effluvia or odours.

5.4.6 Removal of nonconforming structure or enclosure

- (1) If a structure or enclosure is used for the keeping of poultry or pigeons contrary to the provisions of clauses 5.4.3 or 5.4.5, as applicable, the local government may direct the owner or occupier to amend it or remove it.
- (2) An owner or occupier shall comply with a direction from the local government under this clause.

5.4.7 Restrictions on pigeon nesting or perching

- (1) The local government may order an owner or occupier of a house or other structure in or on which pigeons are, or are in the habit of, nesting or perching so as to create a health nuisance to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier shall comply with a local government order made under this clause.

5.4.8 Restrictions on feeding wild birds

A person shall not feed a pigeon, dove, seagull, ibis, raven or other wild bird, so as to cause a nuisance or be injurious or dangerous to health.

Division 5 – Feedlots

5.5.1 Interpretation

In this division, unless the context otherwise requires—

feedlot means a confined area with watering and feeding facilities where animals are held and fed for the purpose of weight gain;

animal includes cattle, sheep, goats, deer and the like;

birds includes roosters, hens, geese, turkeys, ducks, poultry, emus and ostriches.

5.5.2 Premises to be approved

- (1) No premises shall be used as a feedlot unless approved by local government.
- (2) Subject to subclause (3), no premises shall be approved as a feedlot by the local government unless every portion of such feedlot complies with the minimum separation distances listed in Schedule 13.
- (3) Site unable to satisfy the separation requirements may be approved at the discretion of the local government when satisfied that approving the feedlot will not give rise to a health nuisance.

5.5.3 Site conditions

The owner or occupier of an approved feedlot must ensure that –

- (a) the premises is sited in an area where the land slope is no greater than 1:20 but no less than 1:100;
- (b) the premises is sited on soils with sufficient filtration to avoid surface ponding and run-off;
- (c) the premises has a minimum groundwater clearance of 2 metres;
- (d) drainage diverts all uncontaminated stormwater from the general waste stream;
- (e) stock numbers per pen do not cause dust and effluvia to become a nuisance; and
- (f) the premises has solid and liquid waste disposal arrangements that are not offensive or injurious to health.

5.5.4 Compliance with direction or notice of an Authorised Officer

The owner or occupier of a feedlot shall comply with any direction or notice of an Authorised Officer in relation to its state of repair, cleanliness, hygiene, control of pests or any other matter which is considered necessary to prevent health nuisances or maintain a satisfactory standard for the keeping of animals therein.

PART 6 – PEST CONTROL

Division 1 – Flies

6.1.1 Interpretation

In this division, unless the context otherwise requires –

flies means any of the two-winged insects constituting the order Diptera commonly known as flies.

6.1.2 Fly breeding matter not to be left on premises unless covered or treated

An owner or occupier of premises shall not place, throw or leave, or permit or cause to be placed, thrown or left in, on or about the premises any matter or thing which is liable to attract or be a breeding place for flies, unless that matter or thing is covered, protected, treated or dealt with in such a manner as to effectively prevent it from attracting or being a breeding place for flies.

6.1.3 Measures to be taken the owner or occupier

An owner or occupier of the premises shall ensure that —

- (a) rubbish receptacles are kept clean and tightly sealed at all times except when refuse is being deposited or emptied;
- (b) food scraps and uneaten pet food are wrapped tightly and deposited in a rubbish receptacle without delay;
- (c) lawn clippings used on gardens as mulch are raked out thinly;
- (d) fertilisers are dug well into the soil;
- (e) compost heaps are kept covered;
- (f) barbecues are kept clean and free from food scraps;
- (g) anything that is buried and may attract or be a breeding place for flies is covered with at least 100 millimetres of soil; and
- (h) excrement from pets is collected and properly disposed of without delay.

6.1.4 Persons in contact with an infectious disease sufferer

Where in an opinion of an Authorised Officer flies are prevalent or are breeding on any premises, the Authorised Officer may give to the owner or occupier of the premises notice in writing directing him or her to take, within the time specified in the notice, such measures as in the opinion of the Authorised Officer are necessary to—

- (a) control the prevalence;
- (b) effect the eradication of; or
- (c) effectively prevent the breeding of flies.

6.1.5 Local government may carry out work and recover costs

(1) Where—

- (a) a person is required under this division or by a notice given under this division, to carry out any work; and
- (b) that person fails or neglects to comply with the requirement, that person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.

- (2) The costs and expenses incurred by the local government in the execution of a power under subclause (1) may be recovered in a court of competent jurisdiction from the person referred to in subclause (1).
- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subclause (1) in relation to any action taken by the local government under this clause, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

Division 2 – Mosquitoes

6.2.1 Interpretation

In this division, unless the context otherwise requires—

mosquitoes means any of the two-winged insects constituting the family *Diptera Clicidae* commonly known as mosquitoes.

6.2.2 Measures to be taken to prevent mosquito breeding

An owner or occupier of premises shall ensure that the premises are kept free from possible mosquito breeding sites and shall—

- (a) follow any direction or notice of an Authorised Officer for the purpose of—
 - (i) controlling the prevalence of mosquitoes;
 - (ii) eradication of mosquitoes; and
 - (iii) effectively preventing the breeding of mosquitoes;
- (b) assist an Authorised Officer to locate any possible mosquito breeding sites that may be present in or about the premises.

6.2.3 Measures to be taken by occupier

An occupier of premises where water is kept in a horse trough, poultry drinking vessel or other receptacle shall—

- (a) frequently change the water; and
- (b) keep the water clean and free from vegetable matter and slime.

6.3.4 Removal of undergrowth or vegetation

Where it appears to an Authorised Officer that there is, on any premises, undergrowth or vegetation likely to harbour mosquitoes, the officer may direct, orally or in writing, the owner or occupier of the premises to cut down and remove within a specified time the undergrowth or vegetation.

6.2.5 Filling in excavations etc.

A person who undertakes any activity on any land which creates an excavation likely to hold water and cause mosquito breeding shall as soon as practicable following the completion of the activity, and taking into consideration the purpose of the excavation, ensure that the excavation is filled in with clean material and made level with the surrounding surface or alternatively treated with an approved pesticide to control mosquito breeding.

6.2.6 Drains, channels and septic tanks

An owner or occupier of land shall—

- (a) cause all drains and channels in or on the land to be kept in good order and free from obstruction; and
- (b) where a septic tank is installed on the land—
 - (i) apply an approved larvicide according to the direction on the container, into the septic tank system, whenever directed to do so by an Authorised Officer; and
 - (ii) provide, and keep in sound condition at all times, wire mesh having openings no larger than 1.2 millimetres covering any inlet vent to the tank.

6.2.7 Drainage of land

An owner or occupier of land upon which there is water liable to become a breeding place for mosquitoes shall, when required by the local government, effectively drain the land and, for that purpose, shall—

- (a) make or provide drains on the land;
- (b) remove all irregularities in the surface of the land; and
- (c) if necessary, adjust the surface of the land or raise the level of the surface in such a manner that—
 - (i) the water on the land may flow into the drains without obstruction;
 - (ii) no water shall remain on any portion of the land other than the drains; and
 - (iii) keep all drains in good order and free from obstruction.

6.2.8 Local government may carry out work and recover costs

- (1) Where—
 - (a) that person required under this division or directed by a notice given under this division, to carry out any work; and
 - (b) that person fails or neglects to comply with the requirement, that person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.
- (2) The costs and expenses incurred by the local government in the execution of a power under this clause may be recovered in a court of competent jurisdiction from the person referred to in subclause (1).
- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subclause (1) in relation to any action taken by the local government under this clause, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

Division 3 – Rodents

6.3.1 Interpretation

In this division, unless the context otherwise requires—

rodents means those animals belonging to the order *Rodentia* and includes rats and mice but does not include native rodents, laboratory bred rats and mice or animals (other than rats) kept as pets in an enclosure

designed for the purpose of keeping as pets animals of that kind.

6.3.2 Measures to be taken to eradicate rodents

- (1) An owner or occupier of premises shall at all times take effective measures to eradicate any rodents in or on the premises.
- (2) A person must not store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or compartment.
- (3) An Authorised Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action, in the opinion of the Authorised Officer, is necessary to prevent the presence of rodents in or on the premises.

6.3.3 Food premises etc to be cleaned after use

An owner or occupier of a theatre or place of entertainment, whether indoor or outdoor, shall cause the premises to be cleaned immediately after the last occasion on which the premises has been used on that day or, if the use extends after midnight, then immediately after that use.

Division 4 – Cockroaches

6.4.1 Interpretation

This this division, unless the context otherwise requires—

cockroach means any of the various orthopterous insects commonly known as cockroaches.

6.4.2 Measures to be taken to eradicate cockroaches

- (1) An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.
- (2) An Authorised Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action is necessary to prevent or deter the presence of cockroaches in or about the premises.
- (3) An owner or occupier shall within the time specified comply with any direction given by an Authorised Officer.

Division 5 – Argentine Ants

6.5.1 Interpretation

In this division, unless the context otherwise requires –

Argentine ant means an ant belonging to the species *Linepithema humile* (formerly *Irdomyrmex humilis*).

6.5.2 Measures to be taken to keep premises free from Argentine ants

An owner or occupier of premises shall comply with the requirements of an Authorised Officer if an infestation of Argentine ants are found on their premises.

Division 6 – European Wasps

6.6.1 Interpretation

In this division, unless the context otherwise requires—

European wasp means a wasp *Vespula germanica*.

6.6.2 Measures to be taken to keep premises free from European wasp nest

An owner or occupier of premises shall ensure that the premises are kept free from European wasp nests and shall—

- (a) immediately notify the local government of any wasp nest in, on or about the premises that is suspected to be a European wasp nest;
- (b) follow any direction of an Authorised Officer for the purpose of destroying the wasps and their nest; and
- (c) assist an Authorised Officer, of his or her representative, to trace any nest that may be present in, on or about the premises.

Division 7 – Bee Keeping

6.7.1 Interpretation

In this division, unless the context otherwise requires—

bee means an insect belonging to any of the various *hymenopterous* insects of the super family *Apoidea* and commonly known as bee; and

bee hive means a moveable or fixed structure, container or object in which a colony of bees is kept.

6.7.2 Limitation on numbers of hives

- (1) A person shall not keep or permit the keeping of bees anywhere within the district unless approval to do so has been given by an Authorised Officer.
- (2) Subject to subclauses (3) and (4), a person shall not keep or permit the keeping of bees in more than 2 hives on a lot.
- (3) An Authorised Officer may, upon written application, consent, with or without conditions, to a person keeping bees in more than 2 hives on a lot.
- (4) A person shall comply with any conditions imposed by an Authorised Officer under subclause (3).

6.7.3 Restrictions on keeping of bees in hives

A person shall not keep or permit the keeping of bees in a hive on a lot unless, at all times—

- (a) an adequate and permanent supply of water is provided on the lot within 10 metres of the hives;
- (b) the hive is kept—
 - (a) outside, and at least 10 metres from, any building other than a fence;
 - (b) at least 10 metres from any footpath, street, private street or public place; and
 - (c) at least 5 metres from the boundary of the lot; and
- (c) the hive is enclosed on all sides by a fence, wall or other enclosure.

6.7.4 Bees which cause a nuisance not to be kept

- (1) A person shall not keep, or permit the keeping of, bees which cause a nuisance.
- (2) An Authorised Officer may direct any person to remove any bees or beehives which in the opinion of the Authorised Officer are causing a nuisance.

Division 8 – Arthropod Vectors of Disease

6.8.1 Interpretation

In this division, unless the context otherwise requires—

arthropod vectors of disease includes—

- (i) fleas (*Siphonaptera*)
- (ii) bedbugs (*Cimex lectularious*)
- (iii) crab lice (*Phthirus pubis*)
- (iv) body lice (*Pediculus humanus var. corporis*); and
- (v) head lice (*Pediculus humanus var. capitis*).

6.8.2 Responsibility of the owner or occupier

The owner or occupier of the premises shall—

- (i) keep the premises and any person residing in or on the premises free from any arthropod vectors of disease; and
- (j) comply with the direction of an Authorised Officer to treat the premises, or anything on the premises, for the purpose of destroying any vectors of disease.

PART 7 – INFECTIOUS DISEASES

Division 1 – General Provisions

7.1.1 Purpose of exercise of powers

The powers under this Part are to be exercised for the purpose of preventing or controlling the spread of an infectious disease.

7.1.2 Authorised Officer may visit, inspect and report

An Authorised Officer may visit and inspect any house, its occupants, fixtures and fittings, out-buildings, yards, drains and sewers connected with any house where an infectious disease has been identified or where an infectious disease is suspected in order to check or prevent the spread of any infectious disease.

7.1.3 Insanitary houses, premises and things

- (1) An owner or occupier of any house or premises shall maintain the house or premises free from any insanitary condition or thing.
- (2) Where the local government considers that a house is insanitary, it may, by notice in writing, direct an owner of the house, within the time and in the manner specified in the notice, to destroy or amend the house.
- (3) Where an Authorised Officer considers that—
 - (a) a house or premises is not being maintained in a sanitary condition; or

- (b) anything is insanitary,
the officer may, by notice in writing, direct, as the case may be—
 - (i) the owner or occupier of the house or premises to amend any insanitary condition; or
 - (ii) the owner or occupier of the thing to destroy or amend it, within the time and in the manner specified in the notice.
- (4) A person who is given notice under subclauses (2) or (3) shall comply with the terms of the notice.

7.1.4 Requirements on owner or occupier to clean, disinfect and disinfect

An Authorised Officer may, by notice in writing, direct an owner or occupier of premises, within the time and in the manner specified in the notice, to clean, disinfect and disinfect—

- (a) the premises; or
- (b) such things in or on the premises as are specified in the notice, or both, to the satisfaction of an Authorised Officer.

7.1.5 Local government may disinfect or disinfect the premises

- (1) Where the local government is satisfied that any case of infectious disease has occurred on any premises, the local government may direct an Authorised Officer, other local government officer or other person to disinfect and disinfect the premises or any part of the premises and anything in or on the premises.
- (2) An owner or occupier of premises shall permit, and provide access to enable, an Authorised Officer, other local government officer or other person to carry out the direction given under subclause (1).
- (3) The local government may recover the cost of carrying out the work under this clause from the owner or occupier of the premises in or on which the work was carried out.
- (4) The local government is not liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government or any of its staff under this clause, other than compensation or damages for loss or damage suffered because the local government or any of its staff acted negligently or in breach of duty.

7.1.6 Authorised Officer may authorise disinfecting

Where an Authorised Officer believes that a person is or may be infected by an infectious disease, the Authorised Officer may direct the person to have his or her body, clothing and effects disinfected at a place and in a manner directed by the Authorised Officer.

7.1.7 Persons in contact with an infectious disease sufferer

If a person in any house is, or is suspected of, suffering from an infectious disease, any occupant of the house or any person who enters or leaves the house—

- (d) shall obey such instructions or directions as the local government may issue; and
- (e) may be removed, at the direction of the local government, to isolation in an appropriate place to prevent or minimise the risk of the infection spreading and

if so removed, shall remain in that place until the local government directs otherwise.

7.1.8 Declaration of infected house or premises

- (1) To prevent or check the spread of infectious disease, the local government may from time to time declare any house or premises to be infected.
- (2) A person shall not enter or leave any house or premises declared to be infected without the written consent of an Authorised Officer.

7.1.9 Destruction of infected animals

An Authorised Officer, upon being satisfied that an animal is or may be infected or is liable to be infected or to convey infection may, by notice of writing, direct that the animal be examined by a registered veterinary officer and all steps taken to enable the condition to be controlled or eradicated or the animal destroyed and disposed of—

- (a) in the manner and within the time specified in the notice; and
- (b) by the person in whose possession, or upon whose premises, the animal is located.

7.1.10 Disposal of a body

- (1) An occupier of premises in or on which is located the body of a person who has died of an infectious disease shall, subject to subclause (2), cause the body to be buried or disposed of in such manner, within such time and with such precautions as may be directed by an Authorised Officer.
- (2) A body shall not be removed from the premises where death occurred except to a cemetery or a morgue.

7.1.11 Local government may carry out work and recover costs

- (1) Where—
 - (a) a person is required under this division or by a notice given under this division, to carry out any work; and
 - (b) that person fails or neglects to comply with the requirement, that person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.
- (2) The costs and expenses incurred by the local government in the execution of a power under this clause may be recovered from the person referred to in subclause (1).
- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subclause (1) in relation to any action taken by the local government under this clause, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

Division 2 – Disposal of Used Condoms and Needles

7.2.1 Disposal of used condoms

- (1) An occupier of premises on or from which used condoms are produced shall

- ensure that the condoms are—
- (a) placed in a sealed impervious container and disposed of in a sanitary manner; or
 - (b) disposed of in such a manner as may be directed by an Authorised Officer.
- (2) A person shall not dispose of a used condom in a public place except in accordance with subclause (1).

7.2.2 Disposal of used needles

A person shall not dispose of a used hypodermic syringe or needle in a public place unless it is placed in an impenetrable, leak proof container and deposited in a refuse receptacle.

PART 8 – LODGING HOUSES

Division 1 – Registration

8.1.1 Interpretation

- (1) In this part, unless the context otherwise requires—

bed means a single sleeping berth only. A double bed provided for the use of couples, shall have the same floor space requirements as two single beds;

bunk means a sleeping berth comprising one of two arranged vertically;

Certificate of Registration of a Lodging House means a certificate issued under clause 8.1.4 in the form of Schedule 2;

Certificate of Sleeping Accommodation means a certificate issued under clause 8.3.4 in the form of Schedule 6;

Certificate of Sleeping Accommodation for a Lodging House with more than 20 Sleeping Apartments means a certificate issued under clause 8.3.4 in the form of Schedule 7;

dormitory means a building or room utilised for sleeping purposes at a short term hostel or recreational campsite;

Food Standards Code means the Australia New Zealand Food Standards Code as defined in the Commonwealth *Food Standards Australia New Zealand Act 1991*;

keeper means a person whose name appears on the register of keepers, in respect of a lodging house, as the keeper of that lodging house and who is the person responsible for the care and management of the lodging house;

laundry unit means a facility consisting of—

- (a) a washing machine with a capacity of not less than 4 kilograms of dry clothing;
- (b) either an electric drying cabinet or not less than 30 metres of clothes line;
- (c) one wash trough of not less than 45 litres capacity, connected to both hot and cold water; and

- (d) A hot water system that—
 - (i) is capable of delivering an adequate supply of water at a temperature of at least 65 degrees Celsius for each washing machine and wash trough provided with the communal facilities; and
 - (ii) has a delivery rate of not less than 5 litres per minute for each washing machine or a higher delivery rate according to the manufacturer's specification;

lodger means a person who obtains, for hire or reward, board or lodging in a lodging house;

lodging house includes a recreational campsite, a serviced apartment and a short term hostel and has the same meaning as defined in Section 3 of the Act;

manager means a person duly appointed by the keeper in accordance with this division to reside in, and have the care and management of, a lodging house;

recreational campsite means a lodging house –

- (a) situated on a campsite principally used for –
 - (i) recreational, sporting, religious, ethnic or educational pursuits, or
 - (ii) conferences or conventions; and
- (b) where the period of occupancy of any lodger is not more than 14 consecutive days, and includes youth camps, youth education camps, church camps and riding schools;

but does not include a camp or caravan within the meaning of the *Caravan Parks and Camping Grounds Act 1995*;

register of lodgers means the register kept in accordance with Section 157 of the Act and this Part;

register of keepers means a register kept in accordance with Section 146 of the Act by the local government in which is registered the names and residences of the keepers of all lodging houses within its district and the situation of every such house and the number of persons authorised by the local government to be resident therein;

resident means a person, other than a lodger, who resides in a lodging house;

serviced apartment means a lodging house in which each sleeping apartment, or group of sleeping apartments in common occupancy, is provided with its own sanitary conveniences and may have its own cooking facilities;

short term hostel means a lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and shall include youth hostels and backpacker hostels;

sleeping apartment means a room used for lodgers to sleep in; and

vector of disease means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice and head lice.

- (2) Where in this Part an act is required to be done or forbidden to be done in relation to any lodging house, the keeper of the lodging house has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

8.1.2 Lodging house not to be kept unless registered

A person shall not keep or cause, suffer or permit to be kept a lodging house unless—

- (a) the lodging house is constructed in accordance with the requirements of this Part;
- (b) the lodging house is registered by the local government under clause 8.4;
- (c) the name of the person keeping the lodging house is entered in the register of keepers; and
- (d) either—
 - (i) the keeper; or
 - (ii) a manager who, with the written approval of an Authorised Officer, has been appointed by the keeper to have the care and management of the lodging house;resides or intends to reside continuously in the lodging house whenever there is one or more lodgers in the lodging house.

8.1.3 Application for registration

An application for registration of a lodging house shall be—

- (a) in the form prescribed in Schedule 1;
- (b) duly completed and signed by the proposed keeper; and
- (c) accompanied by—
 - (i) the fee as fixed from time to time by the local government under Section 344C of the Act; and
 - (ii) detailed plans and specifications of the lodging house.

8.1.4 Certificate of Registration of a Lodging House

The local government may approve, with or without conditions, an application under clause 8.3 by issuing to the applicant a Certificate of Registration of a Lodging House in the form of Schedule 2.

8.1.5 Renewal of registration

A person who keeps a lodging house which is registered under this Part shall—

- (a) during the month of June in each year apply to the local government for the renewal of the registration of the lodging house; and
- (b) pay the fee as fixed from time to time by the local government under Section 344C of the Act at the time of making each application for renewal.

8.1.6 Notification upon sale or transfer

If the owner of a lodging house sells or transfers or agrees to sell or transfer the lodging house to another person, he or she shall, within 14 days of the date of sale, transfer or agreement, give to the Chief Executive Officer, in the form of Schedule 3 written notice of the full name, address and occupation of the person to whom the

lodging house has been, or is to be, sold or transferred.

8.1.7 Revocation of registration

- (1) Subject to subclause (3), the local government may, at any time, revoke the registration of a lodging house for any reason which, in the opinion of the local government, justifies the revocation.
- (2) Without limiting the generality of subclause (1), the local government may revoke a registration upon any one or more of the following grounds—
 - (a) that the lodging house has not, to the satisfaction of an Authorised Officer, been kept free from vectors of disease or in a clean, wholesome and sanitary condition;
 - (b) that the keeper has—
 - (i) been convicted of an offence against these local laws in respect of the lodging house; or
 - (ii) not complied with a requirement of this Part; or
 - (iii) not complied with a condition of registration;
 - (c) that the local government, having regard to a report from the Police Service, is satisfied that the keeper or manager is not a fit and proper person; and
 - (d) that, by reason of alterations or additions or neglect to repair or renovate, the condition of the lodging house is such as to render it, in the opinion of an Authorised Officer, unfit to remain registered.
- (3) Before revoking the registration of a lodging house under this clause, the local government shall give notice to the keeper requiring him or her, within a time specified in the notice, to show cause why the registration should not be revoked.
- (4) Whenever the local government revokes the registration of a lodging house, it shall give the keeper notice of the revocation and the registration shall be revoked as from the date on which the notice is served on the keeper.

Division 2 - Construction and use requirements

8.2.1 General construction requirements

The general construction requirements of a lodging house shall comply with the Building Code.

8.2.2 Insect screening

The keeper shall provide and maintain in good working order and condition on the premises windows and external doors that are screened with mesh having openings no larger than 1.2 millimetres.

8.2.3 Sanitary conveniences

- (1) A keeper shall maintain in good working order and condition and in convenient positions on the premises—
 - (a) toilets; and
 - (b) bathrooms, each fitted with a shower or bath (or both) and hand wash basin, in accordance with the requirements of the Building Code.

- (2) A bathroom or toilet which is used as a private bathroom or toilet to the exclusion of other lodgers or residents shall not be counted for the purposes of subclause (1).
- (3) Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.
- (4) The walls of each shower and bath shall be of an impervious material to minimum height of 1.8 metres above the floor level.
- (5) Each toilet and bathroom shall—
 - (a) be so situated, separated and screened so as to ensure privacy;
 - (b) be apportioned to each sex;
 - (c) have a distinct sign displayed in a prominent position denoting the sex for which the toilet or bathroom is provided; and
 - (d) be provided with adequate electric lighting.
- (6) Subclauses (5) (a), (b) and (c) do not apply to a serviced apartment.

8.2.4 Laundry unit

- (1) A keeper shall subject to subclause (2) –
 - (a) provide on the premises a laundry unit for each 15 lodgers;
 - (b) at all times maintain each laundry unit in a proper sanitary condition and in good repair;
 - (c) provide an adequate supply of hot and cold water to each wash trough, sink and washing machine; and
 - (d) ensure that the floor area of each laundry unit is properly surfaced with an even fall to a floor waste.
- (2) An Authorised Officer may approve the provision of a reduced number of laundry facilities if suitable equipment of a commercial type is installed.

8.2.5 Kitchen

The keeper of a lodging house shall provide in that lodging house a kitchen which complies with the relevant requirements of the *Food Act 2008*, *Food Regulations 2009* and *Standards 3.1.1, 3.2.2, and 3.2.3 of the Food Standards Code* as determined by an Authorised Officer.

8.2.6 Cooking facilities

The keeper of a lodging house where meals are prepared shall provide a kitchen with cooking appliances of a number and type approved by an Authorised Officer.

8.2.7 Dining room

The keeper of a lodging house shall provide in that lodging house a dining room located in close proximity to, or combined with, the kitchen—

- (a) the floor area of which shall be not less than the greater of—
 - (i) 0.5 square metres per person; or
 - (ii) 10 square metres; and
- (b) which shall be—
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

8.2.8 Lounge room

The keeper of a lodging house shall provide in that lodging house a lounge room—

- (a) with a floor area of—
 - (i) where the lounge is not combined with the dining room – not less than 0.6 square metres per person; or
 - (ii) where the lounge room is combined with a dining room – not less than 1.2 square metres per person;but in either case having a minimum of 13 square metres; and
- (b) which shall be—
 - (i) adequately furnished to accommodate, at any one time, half the number of lodgers; and
 - (ii) provided with a suitable floor covering.

8.2.9 Fire prevention and control

- (1) A keeper shall—
 - (a) ensure smoke alarms complying with *AS 3786:2014* are installed on or near the ceiling in every bedroom and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building as required by the Building Code;
 - (b) ensure that there is installed in each passage or corridor in the lodging house a smoke alarm incorporating evacuation lighting which is activated by the smoke alarm as required by the Building Code;
 - (c) ensure that evacuation lighting is kept separate from the general lighting system and kept illuminated during the hours of darkness;
 - (d) provide an approved fire blanket positioned within 2 metres of the cooking area in each kitchen;
 - (e) ensure that illuminated exit signs are installed above exit doorways which comply with *AS 2293.1:2005* and which are maintained in good working order at all times; and
 - (f) provide firefighting equipment in accordance with the requirements of the Building Code and that the equipment is clearly visible, accessible and maintained in good working order at all times.
- (2) A keeper shall ensure that all buildings comprising the lodging house are fitted with fire protection equipment as required by the Building Code.
- (3) No person shall smoke in any dormitory, kitchen or dining room or other enclosed public place within a lodging house.
- (4) A keeper shall ensure that any items which are likely to cause a fire hazard are not located within bedrooms or dormitories of a lodging house.
- (5) The keeper of a lodging house which is a recreational campsite or short term hostel, but not a serviced apartment, shall ensure that—
 - (a) materials used in bedrooms and dormitory area comply with *AS1530.2:1993* and *AS1530.3:1995* as follows—
 - (i) drapes, curtains and blinds—
 - (i) a maximum flammability index of 6;
 - (ii) flammable furniture, upholstery and beds—
 - (i) a maximum spread of flame index of 6; and
 - (ii) a maximum smoke developed index of 5; and
 - (iii) floor coverings—

- (i) a maximum spread of flame index of 7; and
 - (ii) a maximum smoke developed index of 5; and
- (b) Fire retardant coatings used to make a material comply with these indices must be—
 - (i) certified by the manufacturer as approved for used with the fabric to achieve the required indices;
 - (ii) certified by the manufacturer to retain its fire retardancy effect after a minimum of 5 commercial dry cleaning or laundering operations carried out in accordance with *AS 2001.5.4-2005*; and
 - (iii) certified by the applicator as having been carried out in accordance with the manufacturer's specification.

8.2.10 Obstruction of passages and stairways

A keeper shall not cause, suffer or permit furniture, fittings or other things to be placed either temporarily or permanently in or on—

- (a) a stairway, stair landing, fire escape, window or common passageway; or
- (b) part of the lodging house in common use or intended or adapted for common use,

in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging house.

8.2.11 Fitting of locks

A person shall not fit, or cause or permit to be fitted, to an exit door a lock or other device that prevents the door being opened from within a lodging house.

8.2.12 Restriction on use of rooms for sleeping

- (1) Subject to subclause (3) and clause 8.3.4, a keeper shall not use or permit to be used as a sleeping apartment a room in a lodging house—
 - (a) which contains food;
 - (b) which contains or is fitted with a cooking appliance or kitchen sink;
 - (c) which is used as a kitchen, scullery, store room, dining room, general sitting room or lounge room or for the preparation or storage of food;
 - (d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;
 - (e) which, except in the case of a short term hostel or a recreational campsite, contains less than 5 square metres of clear space for each lodger occupying the room;
 - (f) which is not naturally illuminated in accordance with the requirements of the Building Code;
 - (g) which is not ventilated in accordance with the requirements of the Building Code;
 - (h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;
 - (i) which is not free from internal dampness;
 - (j) of which any part of the floor is below the level of the adjoining ground; or
 - (k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by an Authorised Officer.
- (2) For the purposes of this clause, two children under the age of 10 years shall

be counted as one lodger.

- (3) Paragraphs (a), (b) and (c) of subclause (1) shall not apply to a serviced apartment.

8.2.13 Sleeping accommodation short term hostels and recreational campsites

- (1) A keeper of a short term hostel or recreational campsite shall provide clear floor space of not less than—
 - (a) 4 square metres per person in each dormitory utilising beds; or
 - (b) 2.5 square metres per person in dormitories utilising bunks.
- (2) The calculation of floor space in subclause (1) shall exclude the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.
- (3) The minimum height of any ceiling in a short term hostel or recreational campsite shall be 2.4 metres in any dormitory utilising beds and 2.7 metres in any dormitory utilising bunks.
- (4) The minimum floor area requirements in subclause (1) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the Building Code.
- (5) The keeper of any short term hostel or recreational campsite shall provide—
 - (a) fixed outlet ventilation at a ratio of 0.15 square metre to each 10 square metres of floor area of the dormitories;
 - (b) each dormitory with direct ventilation to the open air from a point within 230 millimetres of the ceiling level through a fixed open window or vents, carried as direct to the open air as is practicable; or
 - (c) mechanical ventilation in lieu of fixed ventilation.
- (6) The keeper of any short term hostel or recreational campsite shall provide—
 - (a) beds with a minimum size of—
 - (i) in short term hostels – 800 millimetres x 1.9 metres; or
 - (ii) in recreational campsites – 750 millimetres x 1.85 metres; and
 - (b) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.
- (7) The keeper of any short term hostel or recreational campsite shall—
 - (a) ensure at all times there is a distance of 750 millimetres between beds and a distance of 900 millimetres between bunks;
 - (b) ensure that where bed or bunk heads are placed against the wall on either side of a dormitory, there is a passageway of at least 1.35 metres between each row of beds and a passageway of at least 2 metres between each row of bunks and the passageway is kept clear of obstruction at all times; and
 - (c) ensure all doors, windows and ventilators are kept free from obstruction.

8.2.14 Furnishing etc. of sleeping apartments

A keeper shall—

- (a) furnish each sleeping apartment with a sufficient number of beds and sufficient bed linen of good quality;
- (b) ensure that each bed—
 - (i) has a bed head, mattress and pillow;
 - (ii) is provided with a pillow case, two sheets, a blanket or rug and, in cold

- weather, not less than one additional blanket or rug; and
- (iii) has a mattress protector fitted;
- (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room; and
- (d) not cause, suffer or permit any tiered beds or bunks to be used in a sleeping apartment other than in a lodging house used exclusively as a short term hostel or recreational campsite.

8.2.15 Ventilation

If, in the opinion of an Authorised Officer, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, he or she may direct the keeper to provide a different or additional method of ventilation.

8.2.16 Numbers to be placed on doors

- (1) A keeper shall number each room available to a lodger or provide an alternative means of identification approved by an Authorised Officer.
- (2) The numbering system or alternative means of room identification is to be legible and easily identified.

Division 3 – Management and Care

8.3.1 Keeper or manager to reside in the lodging house

Whenever there are one or more lodgers in a lodging house, a keeper or manager shall—

- (a) reside continuously in the lodging house; and
- (b) not be absent from the lodging house unless he or she arranges for a reputable person to have the care and management of the lodging house.

8.3.2 Register of lodgers

- (1) A keeper shall keep a register of lodgers in the form of Schedule 4.
- (2) The register of lodgers shall be—
 - (a) kept in the lodging house; and
 - (b) available for inspection at any time on demand by any member of the Police Service or by an Authorised Officer.

8.3.3 Keeper report

A keeper shall, whenever required by the local government, provide, in the form of Schedule 5, the name of each lodger who lodges in the lodging house during the preceding day or night.

8.3.4 Certificate of Sleeping Accommodation

- (1) An Authorised Officer may issue to a keeper a Certificate of Sleeping Accommodation, in respect of each room, which shall be in the form of Schedule 6 or, for lodging houses with more than 20 sleeping apartments, a Certificate of Sleeping Accommodation for a Lodging House with more than 20 Sleeping Apartments, which shall be in the form of Schedule 7.

- (2) The certificate issued under subclause (1) shall specify the maximum number of persons who shall be permitted to occupy each room as a sleeping apartment at any one time.
- (3) When required by an Authorised Officer, a keeper shall exhibit the certificate issued under this clause in a conspicuous place in the room to which the certificate refers.
- (4) A person shall not allow a greater number of persons than is specified on a certificate issued under this clause to occupy the room to which it refers.

8.3.5 Duplicate keys and inspection

Each keeper and manager of a lodging house shall—

- (a) retain possession of a duplicate key to the door of each room; and
- (b) when required by an Authorised Officer, open the door of any room for the purpose of inspection by the Officer.

8.3.6 Room occupancy

- (1) A keeper of a lodging house shall not—
 - (a) cause, suffer or permit more than the maximum number of persons permitted by the Certificate of Registration of a Lodging House to be lodged at any one time in the lodging house;
 - (b) cause, suffer or permit to be placed or kept in any sleeping apartments—
 - (i) a larger number of beds; or
 - (ii) a larger quantity of bedding,than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and
 - (c) allow to be used for sleeping purposes, a room that—
 - (i) has not been certified for that purpose; and
 - (ii) the local government has forbidden to be used as a sleeping apartment.
- (2) For the purpose of this clause, two children under 10 years of age shall be counted as one lodger.

8.3.7 Infectious disease

A keeper shall immediately after becoming aware that a lodger or resident is suffering from a notifiable infectious disease notify an Authorised Officer.

8.3.8 Maintenance of a room by a lodger or resident

- (1) A keeper may permit, or contract with, a lodger or resident to service, clean or maintain the room or rooms occupied by the lodger or resident.
- (2) Where permission is given or a contract entered into under subclause (1), the keeper shall—
 - (a) inspect each room the subject of the permission or agreement at least once a week; and
 - (b) ensure that each room is being maintained in a clean condition.
- (3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, shall maintain the room in a clean condition.

8.3.9 Cleaning and maintenance requirements

- (1) In this clause –
bed linen includes sheets, pillowcases, mattress protectors and mattress covers.
- (2) A keeper of a lodging house shall—
- (a) maintain in a clean, sound and undamaged condition—
 - (i) the floor, walls, ceilings, woodwork and painted surfaces;
 - (ii) the floor coverings and window treatments; and
 - (iii) the toilets, including toilet seats, cisterns and associated plumbing; and
 - (b) maintain in a clean and in good working order—
 - (i) all fixtures and fittings; and
 - (ii) all windows, doors and door furniture;
 - (c) ensure that the internal walls of each bathroom and toilet have a smooth, impervious washable surface;
 - (d) ensure that all floors are kept clean at all times;
 - (e) ensure that—
 - (i) all bed linen, towels, and house linen in use is washed at least once a week;
 - (ii) within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
 - (iii) a person does not occupy a bed which has been used by another person unless the bed has been provided with clean bed linen;
 - (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
 - (v) when any vectors of disease are found in a bed, furniture, room or sleeping apartment, immediate effective action is taken to eradicate the vectors of disease; and
 - (vi) a room which is not free from vectors of disease is not used as a sleeping apartment;
 - (f) when so directed by an Authorised Officer, ensure that—
 - (i) a room, together with its contents, and any other part of the lodging house, is cleaned and disinfected; and
 - (ii) a bed, or other article of furniture that is infested is removed from the lodging house and properly disposed of;
 - (g) ensure that the yard is kept clean at all times;
 - (h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting; and
 - (i) comply with any direction, whether orally or in writing, given by an Authorised Officer.

8.3.10 Responsibilities of lodgers and residents

A lodger or resident shall not—

- (a) use any room available to lodgers—
 - (i) as a shop, store or factory; or
 - (ii) for manufacturing or trading services;
- (b) keep or store in or on the lodging house any goods or materials which are inflammable or offensive;
- (c) use a bath or hand wash basin other than for ablutionary purposes;
- (d) use a bathroom facility or fitting for laundry purposes;
- (e) use a sink installed in a kitchen or scullery for any purpose other than the

- washing and cleaning of cooking and eating utensils, other kitchenware or culinary purposes;
- (f) deposit rubbish or waste food other than into a proper rubbish receptacle;
 - (g) in a kitchen or other place where food is kept—
 - (i) wash or permit the washing of clothing or bed linen; or
 - (ii) keep or permit to be kept any soiled clothing or bed linen;
 - (h) subject to clause 8.3.11—
 - (i) keep, store, prepare or cook food in any sleeping apartment; or
 - (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;
 - (i) place or keep, in any part of a lodging house, any luggage, clothing, bedding, bed linen or furniture, that is infested with vermin or vectors of disease;
 - (j) store or keep such a quantity of furniture, material or goods within the lodging house—
 - (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
 - (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;
 - (k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; and
 - (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

8.3.11 Approval for the storage of food

- (1) An Authorised Officer may—
 - (a) upon written application from a keeper, approve the storage of food within a refrigerator or sealed container in a sleeping apartment; and
 - (b) withdraw the approval if any nuisance, vector of disease, vermin or infestation is found to exist in the lodging house.
- (2) The keeper of a serviced apartment may permit the storage and consumption of food within that apartment if suitable storage and dining facilities are provided.

PART 9 – OFFENSIVE TRADES

Division 1 – General

9.1.1 Interpretation

In this part, unless the context otherwise requires—

Certificate of Registration of Premises for Offensive Trade means a certificate issued under clause 9.5 in the form of Schedule 12;

occupier in relation to premises includes the person registered as the occupier of the premises in the Schedule 12 Certificate of Registration of Premises for Offensive Trade;

offensive trade means any trade as defined by section 186 of the Act; and

premises includes houses.

9.1.2 Consent to establish an offensive trade

- (1) A person seeking the consent of the local government under section 187 of the Act to establish an offensive trade shall—
 - (a) advertise notice of his intention to apply for consent in accordance with clause 9.1.3; and
 - (b) lodge with the Chief Executive Officer an application in the form of Schedule 10.
- (2) A person who makes a false statement in an application under this clause shall be guilty of an offence.

9.1.3 Notice of application

A notice required under subclause 9.1.2(1) (a) shall—

- (a) contain the name and address of the person who intends to make the application;
- (b) contain a description of the nature of the offensive trade;
- (c) contain details of the premises in or upon which it is proposed to carry on the proposed trade; and
- (d) appear in a local newspaper at least two weeks but not more than one month before the application under clause 9.2 (1) (b) is lodged with the Chief Executive Officer.

9.1.4 Registration of premises

An application for the registration of premises pursuant to section 191 of the Act shall be—

- (a) in the form of Schedule 11;
- (b) accompanied by;
 - (i) the fee prescribed in the *Health (Offensive Trades Fees) Regulations 1976*; and
 - (ii) a comprehensive management plan; and
- (c) lodged with the Chief Executive Officer.

9.1.5 Certificate of Registration of Premises for Offensive Trade

Upon the registration of premises for the carrying on of an offensive trade, the local government shall issue to the applicant a Certificate of Registration of Premises for Offensive Trade in the form of Schedule 12.

9.1.6 Change of occupier

Where there is a change of occupier of the premises registered pursuant to this Division, the new occupier shall forthwith notify the Chief Executive Officer in writing of such change.

9.1.7 Alterations to premises

While any premises remain registered under this Division, a person shall not, without the written permission of the local government, make or permit any change or alteration to the premises other than minor repairs, installations or interior refurbishment.

9.2.1 Interpretation

In this Division, unless the context otherwise requires—

occupier means the occupier, or where there is more than one occupier, each of the occupiers of the premises in or upon which an offensive trade is carried on; and

premises means those premises in or upon which an offensive trade is carried on.

9.2.2 Cleanliness

The occupier shall—

- (a) keep or cause to be kept in a clean and sanitary condition and in a state of good repair the floors, walls and ceilings and all other portions of the premises;
- (b) keep or cause to be kept in a clean and sanitary condition and in a state of good repair all fittings, fixtures, appliances, machinery, implements, shelves, counters, tables, benches, bins, cabinets, sinks, drain boards, drains, grease traps, tubs, vessels and other things used on or in connection with the premises;
- (c) keep the premises free from any unwholesome or offensive odour arising from the premises;
- (d) maintain in a clean and tidy condition all yards, footpaths, passage ways, paved areas, stores or outbuildings used in connection with the premises; and
- (e) clean daily and at all times keep and maintain all sanitary conveniences and all sanitary fittings and grease traps on the premises in a clean and sanitary condition.

9.2.3 Rats and other vectors of disease

The occupier shall—

- (a) ensure that the premises are kept free from vermin, rodents, cockroaches, flies and other vectors of disease; and
- (b) provide in and on the premises effective means and methods for the eradication and prevention of vermin, rodents, cockroaches, flies and other vectors of disease.

9.2.4 Sanitary conveniences and hand wash basins

The occupier shall provide on the premises in an approved position sufficient sanitary conveniences and hand wash basins, each with an adequate supply of hot and cold water for use by employees and by all other persons lawfully upon the premises.

9.2.5 Painting of walls etc.

The occupier shall cause the internal surface of every wall, the underside of every ceiling or roof and all fittings as may be directed in and on the premises to be cleaned and painted when instructed by an Authorised Officer.

9.2.6 Effluvia, vapours or gases

- (1) The occupier shall provide, use and maintain in a state of good repair and working order, appliances and preventive measures capable of effectively

destroying or of rendering harmless all offensive effluvia, vapours, dust or gases arising in any process of his business or from any material, residue or other substance which may be kept or stored upon the premises.

- (2) The occupier shall manage and operate the premises such that odours emanating from the premises do not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person.

9.2.7 Offensive material

The occupier shall—

- (a) provide on the premises impervious receptacles of sufficient capacity to receive all offensive material and trade refuse produced upon the premises in any one day;
- (b) keep airtight covers on the receptacles, except when it is necessary to place something in or remove something from them;
- (c) cause all offensive material and trade refuse to be placed immediately in the receptacles;
- (d) cause the contents of the receptacles to be removed from the premises at least once in every working day or other interval as may be directed by an Authorised Officer; and
- (e) cause all receptacles after being emptied to be cleaned immediately with an efficient disinfectant.

9.2.8 Storage of materials

The occupier shall cause all material on the premises to be stored so as not to be offensive or injurious to health whether by inhalation or otherwise and so as to prevent the creation of a nuisance.

9.2.9. Specified offensive trades

- (1) For the purposes of this clause, “specified offensive trade” means one or more of the offensive trades carried on, in or connected with the following works or premises -
- (a) fish processing premises, fish curing premises and shellfish and crustacean processing establishments; and
 - (b) laundries, dry cleaning premises and dye works.
- (2) Where premises are used for or in relation to a specified offensive trade, the occupier shall –
- (a) cause the floor of the premises to -
 - (i) be properly paved and drained with impervious materials;
 - (ii) have a smooth surface; and
 - (iii) have a fall to a bucket trap or spoon drain in such a way that all liquids falling on the floor shall be conducted by the trap or drain to a drain inlet situated inside the building where the floor is situated; and
 - (b) cause the angles formed by the walls with any other wall, and by the wall with the floor, to be coved to a radius of not less than 25 millimetres.
 - (c) cause all liquid refuse to be -
 - (i) cooled to a temperature not exceeding 26 degrees Celsius and in into any drain outlet from any part of the premises; and
 - (ii) directed through such screening or purifying treatment as an Authorised Officer may from time to time direct.

9.2.10 Directions

- (1) An Authorised Officer may give to the occupier directions to prevent or diminish the offensiveness of a trade or to safeguard the public health.
- (2) The occupier shall comply with any directions given under this clause.

9.2.11. Other duties of occupier

In addition to the requirements of this Division, the occupier shall comply with all other requirements of this Part that apply to the particular offensive trade or trades conducted on the premises.

Division 3 – Fat Rendering Establishments

9.3.1 Interpretation

In this Division, unless the context otherwise requires—

fat rendering establishments means a premises where edible fats including suet, dripping or premier jus are rendered down by any heat processing method; and

occupier means the occupier of any premises on which the trade of fat rendering is carried on.

9.3.2 Ventilation

The occupier shall provide and maintain—

- (a) a hood which shall—
 - (i) be of an approved design and construction;
 - (ii) be situated so as to arrest all effluvia, odours and smoke from the process of fat rendering; and
 - (iii) extend a minimum of 150 millimetres beyond the length of each appliance; and
- (b) an exhaust ventilation system—
 - (i) the point of discharge of which shall be at least 1 metre above the ridge of a pitched roof or 3 metres above a flat roof and shall not be located within 6 metres of an adjoining property or any fresh air intake; and
 - (ii) which shall discharge in such manner and in such a position that no nuisance is created.

9.3.3 Covering of apparatus

External parts of the fat rendering apparatus shall be constructed or covered with smooth, non- corrosive and impervious material, devoid of holes, cracks and crevices.

9.3.4 Rendering of walls

The occupier shall cause each wall within a radius of 3 metres of the rendering apparatus or machinery to be rendered with a cement plaster with a steel float finish or other approved finish to a height of 2 metres, devoid of holes, cracks and crevices.

Division 4 – Fish Premises

9.4.1 Interpretation

In this Division, unless the context otherwise requires—

appliance includes a utensil, an instrument, a cover, a container or apparatus;

fish means fresh fish, frozen fish, chilled fish and cooked fish, whether cleaned, uncleaned or part cleaned and includes crustaceans and molluscs but does not include –

- (a) fish which has been cured, preserved, hermetically canned or treated to prevent putrefaction; or
- (b) cleaned fish supplied in cartons or packets by a packer and sold in such cartons or packets if they are at all times kept in a deep freeze refrigeration unit at a temperature not exceeding minus 15 degrees Celsius;

fish premises includes fish processing establishments, fish curing establishments and shellfish and crustacean processing establishments but does not include retail fish shops in which no significant fish processing occurs;

fish transport vehicle includes—

- (a) an appliance attached to, carried in or used in connection with a vehicle; and
- (b) a trailer and a portable box, used or designed to be used for the transport or storage of fish; and

portable box means a box for the transport or storage of fish and includes a fish transport vehicle.

9.4.2 Fish preparation room

- (1) The occupier of a fish premises which requires a fish processing or preparation room shall ensure that this room complies with the following requirements—
 - (a) the walls shall be constructed of brick or concrete with the internal surface rendered with a cement plaster with a steel float finish or other approved material and shall be devoid of holes, cracks and crevices;
 - (b) the floor shall be of concrete with a smooth, durable surface and shall be treated with an approved surface hardening process;
 - (c) the minimum floor area shall be 9 square metres;
 - (d) the room shall be furnished with a hand wash basin connected to a piped

- supply of hot and cold water; and
 - (e) the room shall be fly-proofed and provided with adequate light and ventilation.
- (2) The occupier shall ensure that all fish are prepared in the fish processing or preparation room and that room is to be used solely for that purpose.
- (3) The occupier of a fish premises shall provide, in or easily accessible from each fish preparation room, cleaning facilities consisting of a double bowl stainless steel wash trough of adequate size to accommodate the equipment and utensils used on the premises, connected to a piped supply of hot and cold water.

9.4.3 Bench

The occupier of a fish premises shall provide and maintain on the premises a separate stainless steel bench for the handling of fish.

9.4.4 Disposal of waste

The occupier of a fish premises shall cause all offal and wastes, all rejected and unsaleable fish and any rubbish or refuse which is likely to be offensive or a nuisance to be—

- (a) placed in the receptacles referred to in clause 9.14 and disposed of in accordance with that clause; or
- (b) kept in a frozen state in an approved enclosure before its removal from the premises.

9.4.5 Fish containers

The occupier of a fish premises shall not allow any box, basket or other container used for the transport of fish to—

- (a) remain on the premises longer than is necessary for it to be emptied; or
- (b) be kept so as to cause a nuisance or to attract flies.

9.4.6 Cooking of fish

Where cooking of fish is carried out in a fish premises, the occupier shall provide and maintain—

- (a) a hood, which shall be of an approved design and construction in accordance with the requirements of *AS 1668.2:2012* and so situated as to capture and remove all effluvia, odours and smoke from the process of cooking;
- (b) an exhaust ventilation system—
 - (i) the point of discharge of which shall be at least 1 metre above the ridge of a pitched roof or 3 metres above a flat roof and shall not be located within 6 metres of an adjoining property or any fresh air intakes; and
 - (ii) which shall discharge in such manner and in such a position that no nuisance is created.

9.4.7 Use of an approved portable box

An Authorised Officer may permit an approved portable box to be used for the transport or storage of fish.

9.4.8 Fish transport vehicle

A person shall not use a fish transport vehicle for the transport or storage of fish unless it is so constructed, equipped and maintained that—

- (a) the frame is made of metal or other approved material;
- (b) all internal surfaces—
 - (i) are made of metal or approved impervious plastic substance, which may include stainless steel, aluminium galvanised iron, fibreglass, or other material of similar strength and impermeable qualities;
 - (ii) are smoothly finished;
 - (iii) are rigidly secured with a solid backing; and
 - (iv) have floor and vertical angles coved with not less than a 9.5 millimetre radius, but, if all necessary floor joints are effectively sealed, the surface of the floor, or part of it, may be of an approved tread type track material;
- (c) internal horizontal joints made between metal sheeting are lapped from top to bottom and either—
 - (i) continuously welded; or
 - (ii) lapped with a minimum of 40 millimetres cover secured with blind rivets and sealed with a durable, non-absorbent sealing material;
- (d) the vehicle is effectively insulated with a stable insulating material;
- (e) the vehicle has, at the rear or side, doors that are made in the manner provided by paragraphs (a), (b), (c) and (d) of this clause, are close fitting, and have a suitable locking device fitted;
- (f) the vehicle is fitted with shelves and grids, made of impervious material, in such a manner that the shelves and grids may be easily removed;
- (g) any containers used in the vehicle for fish are made of stainless steel, fibreglass or approved impervious plastic; and
- (h) the vehicle is in good repair and condition and is thoroughly clean.

Division 5 – Laundries, Dry Cleaning Establishments and Dye Works

9.5.1 Interpretation

In this Division, unless the context otherwise requires—

dry cleaning establishment—

- (a) means premises where clothes or other articles are cleaned by use of solvents without using water; but
- (b) does not include premises in which perchlorethylene or arklone is used as dry cleaning fluid in a machine operating on a full cycle and fully enclosed basis.

dye works means a place where articles are commercially dyed, but does not include dye works in which provision is made for the discharge of all liquid waste therefrom into a public sewer;

exempt laundromat means a premises in which—

- (a) laundering is carried out by members of the public using, on payment of a fee, machines or equipment provided by the owners or occupiers of those establishments;
- (b) laundering is not carried out by those owners or occupiers for or on behalf of other persons; and
- (c) provision is made for the discharge of all liquid waste therefrom into a public sewer;

laundromat means a public place with coin or card operated washing machines, spin dryers or dry cleaning machines; and

laundry means any place where articles are laundered by commercial grade machinery but does not include an exempt laundromat.

9.5.2 Receiving depot

An owner or occupier of premises shall not use or permit the premises to be used as a receiving depot for a laundry, dry cleaning establishment or dye works except with the written permission of the Principal Authorised Officer who may at any time by written notice withdraw such permission.

9.5.3 Reception room

- (1) The occupier of a laundry, dry cleaning establishment or dye works shall—
 - (a) provide a reception room in which all articles brought to the premises for treatment shall be received and shall not receive or permit to be received any such articles except in that room; and
 - (b) cause such articles as may be directed by an Authorised Officer to be thoroughly disinfected.
- (2) A person shall not bring or permit food to be brought into the reception room referred to in this clause.

9.5.4 Walls and floors

- The occupier of a laundry, dry cleaning establishment or dye works shall cause—
- (a) the internal surfaces of all walls to be rendered with a cement plaster with a steel float finish or other approved material to a height of 2 metres and to be devoid of holes, cracks and crevices;
 - (b) the floor to be impervious, constructed of concrete or other material approved by an Authorised Officer and finished to a smooth surface; and
 - (c) every floor and wall of any building on the premises to be kept at all times in good order and repair, so as to prevent the absorption of any liquid which may be splashed or spilled or may fall and be deposited on it.

9.5.5 Laundry floor

The occupier of a laundry shall provide in front of each washing machine a non-corrosive grating, with a width of at least 910 millimetres, so constructed as to prevent any person from standing in water on the floor.

9.5.6 Escape of dust

The occupier of a dry cleaning establishment shall provide effective means to prevent the escape into the open air of all dust or other material from the premises.

9.5.7 Precautions against combustion

The occupier of a dry cleaning establishment where volatile liquids are used shall take all proper precautions against combustion and shall comply with all directions given by an Authorised Officer for that purpose.

9.5.8 Trolleys

The occupier of a dry cleaning establishment shall—

- (a) provide trolleys for the use of transporting dirty and clean linen; and
- (b) ensure that each trolley is—
 - (i) clearly designated to indicate the use for which it is intended;
 - (ii) lined internally with a smooth impervious non-absorbent material that is easily cleaned; and
 - (iii) thoroughly cleaned and disinfected on a regular basis.

9.5.9 Sleeping on premises

A person shall not use or permit any room in a laundry, dry cleaning establishment or dye works to be used for sleeping purposes.

Division 6 – Abattoirs

9.6.1 Construction

An abattoir shall conform to relevant Standards as adopted under the *Food Act 2008* section 144 (6) and the requirements of Part 5 of the *Food Regulations 2009*.

Division 7 – Piggeries

9.7.1 Interpretation

In this Division, unless the context otherwise requires:

piggery means any building, enclosure or yard, in which one or more pigs are kept, bred, reared or fattened for purposes of trade, and shall include any portion of the premises to which pigs have access.

intensive piggery means pigs are housed, fed and watered in breeding and growing pens in sheds;

9.7.2 Premises to be approved

- (1) No premises shall be used as a piggery unless approved by the local government.
- (2) Subject to subclause (3), no premises shall be approved as a piggery by the local government unless every portion of such piggery complies with the minimum separation distances listed in Part 11, Schedule 14; or if it is an intensive piggery, the minimum separation distances listed in Part 11, Schedule 15.
- (3) Sites unable to satisfy the separation requirements may be approved at the discretion of the local government when satisfied that approving the piggery will not give rise to a health nuisance.

9.7.3 Site conditions

The owner or occupier of premises shall take effective measures to prevent the discharge of dust, which may involve —

- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or

- (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
- (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

9.7.4 Conditions of registration

Any person intending to establish a piggery within the district shall ensure the application made in the form of Schedule 10 is accompanied by plans and specifications in duplicate of the proposed piggery including—

- (a) details of the approximate number of pigs to be kept;
- (b) details of the drainage and effluent disposal system to be installed; and
- (c) details of the method by which cleanliness of the piggery shall be maintained.

9.7.5 Sties, enclosures or sheds

- (1) The occupier of every piggery shall provide either—
 - (a) sties and enclosures; or
 - (b) enclosures; or
 - (c) sheds;within which pigs shall be kept.
- (2) Where sties and enclosures are provided—
 - (a) the floor of every sty shall be properly paved with impervious materials, and every such floor shall have sufficient fall to a surface gutter, which shall—
 - (i) be constructed of similar materials;
 - (ii) be not less than 300 millimetres wide and 75 millimetres deep in the centre of its width;
 - (iii) extend the whole length of the sty; and
 - (iv) have sufficient fall so that it shall discharge all liquids falling upon the floor or upon the gutter into an impervious sump of sufficient capacity to receive at least one day's drainage; and
 - (b) the area of every enclosure appurtenant to a sty or group of sties shall be not less than three times the area of the sty or group of sties to which it is appurtenant.
- (3) Where enclosures only are provided, then—
 - (a) the fences of such enclosures shall be movable; and
 - (b) the fences shall be moved and re-erected to enclose a new site whenever—
 - (i) the ground within a site is becoming offensive; or
 - (ii) the occupier is directed to do so by an Authorised Officer.
- (4) Where one or more sheds are provided, then—
 - (a) the floor of every shed shall comply with subclause 2(a);
 - (b) they shall be maintained in a structurally sound and clean condition free of infestation with flies and other vectors of disease; and
 - (c) they shall be effectively drained and effluent waste removed so as to prevent a nuisance occurring.

9.7.6 Slaughtering

The occupier of any piggery shall not permit any slaughtering of animals on the premises.

9.7.7 Feed

The occupier of any piggery shall—

- (a) not receive, or allow to be received on such premises, any carcass or part of a carcass of a diseased animal;
- (b) not feed the pigs upon the flesh or offal of diseased animals;
- (c) not receive or suffer or permit to be received on the premises, putrid matter for any purpose; and
- (d) not receive or suffer or permit to be received on the premises, any kitchen, slaughter-house or butcher's wastes or other putrescible pig feed.

9.7.8 Fencing

Every piggery occupier shall securely fence all the enclosures.

9.7.9 Water supply

Every piggery occupier shall provide a sufficient and constant supply of clean water, which shall be properly protected against pollution and always available for cleansing purposes.

9.7.10 Feeding troughs

- (1) Every such occupier shall:
 - (a) where sties and enclosures are provided under the provisions of clause 9.7.5(2), provide feeding troughs in every sty, situated near to the drainage gutter or positioned to be accessible to the pigs in two or more sties or enclosures;
 - (b) where enclosures are provided under the provisions of clause 9.7.5(3), provide feeding troughs in every such enclosure;
 - (c) cause all feeding troughs, other than those provided in connection with movable enclosures, to be fixed upon a cement or concrete floor extending 1.2 metres in all directions from such trough, and designed to permit ready drainage; and
 - (d) not permit pigs to be fed other than at the feeding troughs provided in accordance with this clause.
- (2) Notwithstanding the provisions of subclause (1), where pigs are kept continually confined in fully enclosed pens, floor feeding with pellets or dry meal shall be permitted, in which case feeding troughs are not required to be provided.

PART 10 – OFFENCES AND PENALTIES

Division 1 - General

10.1.1 Offences and penalties

- (1) A person who contravenes a provision of this local law commits an offence.
- (2) A person who commits an offence under subclause (1) is liable to—
 - (a) a penalty which is not more than \$2,500 and not less than—
 - (i) in the case of a first such offence, \$250; and
 - (ii) in the case of a second such offence, \$500; and

- (iii) in the case of a third or subsequent such offence, \$1,250 and
- (b) if the offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

10.1.2 Other enforcement actions

- (1) In addition to a penalty imposed under clause 10.1, any expense incurred by the local government in consequence of a breach or non-observance of this local law, in the execution of work directed to be executed by any person and not executed by him or her, must be paid by the person committing the breach for failing to execute the work.
 - (2) On a breach, or successive breaches, by a licensee or a person registered under this local law, the local government may suspend or cancel the licence or registration as the case may be.
-

PART 11 – SCHEDULES OF FORMS

SCHEDULE 1 - Application for Registration of a Lodging House

[clause 8.1.3]

To: Chief Executive Officer
Shire of Mt Marshall

I/We,
(Full name of Applicant/s)

of
.....
(Residential Address of Applicant/s)

apply for the registration of premises situated (or to be situated) at

.....
as a lodging house to be classified as:

- ☐ a lodging house;
- ☐ a short term hostel;
- ☐ serviced apartments;
- ☐ a recreational campsite; or
- ☐ other, (specify).

and for my name to be entered in the Register as the keeper of the lodging house

DESCRIPTION OF LODGING HOUSE

Number of storeys.....

Rooms for private use

| | Number | Area |
|-----------------------------|--------|-------|
| Laundries/toilets/bathrooms | | |
| Bedrooms | | |
| Dining Rooms | | |
| Kitchens | | |
| Sitting Rooms | | |
| Other (Specify) | | |

Rooms for lodgers

| | Number | Area |
|-----------------|--------|-------|
| Bedroom | | |
| Dining Rooms | | |
| Kitchens | | |
| Sitting Rooms | | |
| Other (Specify) | | |

Sanitary Conveniences for male lodgers

| | Number |
|------------------|--------|
| Toilets | |
| Urinals | |
| Baths | |
| Showers | |
| Hand wash basins | |

Sanitary Conveniences for female lodgers

| | Number |
|------------------|--------|
| Toilets | |
| Baths | |
| Showers | |
| Hand wash basins | |

Laundry Facilities

| | Number |
|----------------------------------|--------|
| Wash troughs | |
| Washing machines | |
| Drying cabinets or clothes lines | |

Additional Details

- (a) Lodgers' meals will be provided by the manager/keeper/lodgers.
- (b) The keeper will/will not reside continuously on the premises.
- (c) Name and occupation of proposed manager if keeper resides elsewhere:
.....
- (d) There will be.....family members residing on the premises with the keeper/manager.

Application fee of \$.....is attached.

.....
(Signature of Applicant/s)

.....
(Date)

SCHEDULE 2 - Certificate of Registration of a Lodging House

[clause 8.1.4]

This is to certify that the premises situated at

.....

..... are registered as Lodging House
and classified as:

- ☐ a lodging house
- ☐ a short term hostel
- ☐ serviced apartments
- ☐ a recreational campsite
- ☐ other (specify)

until 30 June 20....., on the following conditions:

1. that, whose name is entered on the register of keepers of the Shire of Mt Marshall, continues to be the keeper of the lodging house;
2. that, appointed by the keeper to be the manager of the lodging house, continues to be the manager of the lodging house;
3. that the Certificate of Registration of a Lodging House is not sooner cancelled or revoked;

That the maximum number of rooms to be used as sleeping apartments for lodgers is:

4.; and
5. that the maximum number of lodgers accommodated on the premises shall not exceed.....

This Certificate of Registration of a Lodging House is issued subject to the *Health (Miscellaneous Provisions) Act 1911* and the *Shire of Mt Marshall Amendment Health Local Law 2018* and is not transferable.

Dated 20.....

Fee received: \$.....

.....

Signature
Authorised Officer
Shire of Mt Marshall

SCHEDULE 3 - Notice of Change of Owner of a Lodging House

[*clause 8.1.6*]

To: Chief Executive Officer
Shire of Mt Marshall

I/We,
(Full name of Applicant/s)

of
.....
(Residential Address of Applicant/s)

am/are the new owner/s of premises situated
at.....

.....
which are registered in the name of.....

.....
for the carrying on of the lodging house business.

.....
Signature of Applicant/s

.....
Date

SCHEDULE 4 - Register of Lodgers

[*clause 8.3.2*]

Location of Lodging House:

.....
.....

Date of Arrival

Name

Previous
Address.....

Signature

Room No.

Date of Departure

.....
Signature of Keeper

.....
Date

SCHEDULE 5 - List of Lodgers

[*clause 8.3.3*]

The following is the name of every person who resided in the lodging house at

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

on the day of
20.....

.....
Signature of Keeper

.....
Date

[*clause 8.3.4*]

**SCHEDULE 7 - Certificate of Sleeping Accommodation for a Lodging House with
more than 20 Sleeping Apartments**

[*clause 8.3.4*]

To.....
(Name of Keeper)

of.....
(Address of Keeper)

for the registered lodging house situated at
.....
.....

The rooms listed below are not to be occupied by more than the number of lodgers or
residents indicated below.

ROOM NUMBER MAXIMUM OCCUPANCY

| | |
|-------|-------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

.....
Signature of Authorised Officer

.....
Date

SCHEDULE 8 - Application for Licence of a Morgue

[*clause 3.5.1 (2)*]

To: Chief Executive Officer
Shire of Mt Marshall

I.....
(full name in block letters)

of.....
(full residential address)

apply to licence the premises listed below as a Morgue

Address of premises.....
.....

Name of
premises.....

Dated this day of..... 20.....

.....
Signature of Applicant

SCHEDULE 9 - Certificate of Licence of a Morgue

[*clause 3.5.1(3) (a)*]

This is to certify the following premises is licensed as a morgue from:

.....day of.....20.....
until 30th day of June 20.....

Address of premises.....
.....

Name of premises
.....

.....
Signature of Authorised Officer

.....
Date

SCHEDULE 10 - Application for Consent to Establish an Offensive Trade

[clause 9.1.2(1)(b)]

To: Chief Executive Officer
Shire of Mt Marshall

I/We,
(Full Name of Applicant/s)

of.....
.....
(Residential Address of Applicant/s)

apply for consent to establish an offensive trade being.....
.....

Description of Offensive Trade

in or upon
.....

Location of the Premises

Notice of my/our intention to make this application was advertised

in.....
.....

on.....
(Date of Advertisement)

Plans and specifications of the buildings proposed to be used or erected in connection
with the proposed offensive trade are attached.

.....
Signature of Applicant/s

.....
Date

SCHEDULE 11 - Application for Registration of Premises for Offensive Trade

[clause 9.1.4 (a)]

To: Chief Executive Officer
Shire of Mt Marshall

I/We,
(Full Name of Applicant/s)

of.....
.....
.....
(Residential Address of Applicant/s)

apply for registration, for the year ended.....
of.....
(Location of Premises)

being premises in or upon which there is (or is to be) carried on an offensive trade, namely
.....
.....
(Description of Offensive Trade)

under the business name of.....
.....

The prescribed registration fee of \$..... is attached.

.....
Signature of Applicant/s

.....
Date

SCHEDULE 12 - Certificate of Registration of Premises for Offensive Trade

[clause 9.1.5]

This is to certify that the premises situated at.....

of which.....

is the occupier, are registered for the carrying on of the trade
of.....

Trade

Name.....

This registration expires on the day of..... 20.....

Dated this..... day of 20.....

.....
Signature of Authorised Officer

.....
Date

SCHEDULE 13 - Required Buffer Distances for Feedlots

[Clause 5.5.2(2)]

Required buffer distances for feedlots

| Buffer | Distance |
|--|----------|
| Townsite boundaries | 5,000 m |
| Isolated rural dwellings, dairies & industries | 1,000 m |
| Public roads and recreation areas | 100 m |
| Neighbouring rural property boundaries | 50 m |
| Major water course and water impoundments | 300 m |
| Bores, wells or soaks used for drinking, stock or irrigation | 300 m |
| Minor water courses | 100 m |

SCHEDULE 14 - Required Buffer Distances for Piggeries

[Clause 9.7.2(2)]

Required Buffer Distances for Piggeries

| Buffer | Distances |
|--|-----------|
| Townsite boundaries | 5,000m |
| Isolated rural dwellings, dairies & industries | 1,000m |
| Public roads and recreation areas | 100m |
| Neighbouring rural property boundaries | 50m |
| Major water course and water impoundments | 300m |
| Bores, wells or soaks used for drinking, stock or irrigation | 300m |
| Minor water courses | 100m |

SCHEDULE 15 - Required buffer distances for intensive piggeries

[Clause 9.7.2(2)]

| Buffer | Code |
|---|------|
| Townsite boundaries..... | A |
| Isolated rural dwellings, dairies & industries..... | B |
| Public roads and recreation areas..... | C |
| Neighbouring rural property boundaries..... | D |
| Surface water supply catchments..... | E |
| Water courses/rural water impoundments..... | F |
| Bores/wells/soaks drinking water supply..... | G |
| Stock irrigation supply..... | H |

| Piggeries & land use | A | B | C | D | E | F | G | H |
|--|-------|-------|------|-----|---------------|------|------|-------|
| Piggeries & facilities Catering for more than 5000 pigs | 5000m | 1000m | 200m | 50m | not permitted | 800m | 300m | 100 m |
| 500 to 5000 pigs | 3500m | 1000m | 150m | 50m | not permitted | 800m | 300m | 100 m |
| 50 to 499 pigs | 2000m | 1000m | 100m | 50m | not permitted | 800m | 300m | 100 m |
| Less than 50 pigs | 500m | 1000m | 50m | 30m | not permitted | 800m | 300m | 100 m |
| Land used to dispose of raw or partly treated wastes | 1000m | 1000m | 100m | 50m | not permitted | 300m | 300m | 300 m |

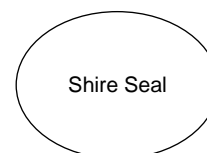
| | | | | | | | | |
|--|------|-------|-----|-----|---------------|------|------|------|
| Land used to dispose of effectively treated wastes | 200m | 1000m | 20m | 20m | not permitted | 100m | 100m | 100m |
|--|------|-------|-----|-----|---------------|------|------|------|

Passed at an ordinary Meeting of the Shire of Mt Marshall held on this TBC

The Common Seal of the Shire of Mt Marshall was affixed by authority of a resolution of the Council in the presence of —

CR. TONY SACHSE

SHIRE PRESIDENT



JOHN NUTTALL

CHIEF EXECUTIVE OFFICER