



SHIRE OF GNOWANGERUP

MINUTES

ORDINARY MEETING OF COUNCIL

**15th December 2021
Commencing at 3:30pm**

**Council Chambers
Yougenup Road, Gnowangerup WA 6335**

COUNCIL'S VISION

Gnowangerup Shire – A progressive, inclusive and prosperous community built on opportunity



Shire of Gnowangerup

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Gnowangerup will be held on Wednesday 15th December 2021, at the Council Chambers 28 Yougenup Road Gnowangerup, commencing at 3:30pm.



Signed: _____

Bob Jarvis

CHIEF EXECUTIVE OFFICER

Meaning of and CAUTION concerning Council's "In Principle" support:

When Council uses this expression it means that:

- (a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and*
- (b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.*

Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Gnowangerup for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Gnowangerup disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

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

The Shire of Gnowangerup advises that anyone who has any application lodged with the Shire of Gnowangerup shall obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Gnowangerup in respect of the application.

These minutes are not a verbatim record but include the contents pursuant to Regulation 11 of Local Government (Administration) Regulations 1996.

Signed:  _____

Bob Jarvis
CHIEF EXECUTIVE OFFICER



DECLARATION OF INTEREST FORM

To: Chief Executive Officer
Shire of Gnowangerup
28 Yougenup Road
GNOWANGERUP WA 6335

I,(1) _____ wish to declare an interest in the following item to be considered by Council at its meeting to be held on (2) _____

Agenda Item(3) _____

The **type** of Interest I wish to declare is (4).

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The **nature** of my interest is (5) _____

The **extent** of my interest is (6) _____

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

Signed

Date

Notes:

1. Insert your name (print).
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 & 5.69 of the Act)..

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE)

A Member, who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the Member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a) Preside at the part of the Meeting, relating to the matter or;
- b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. **If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

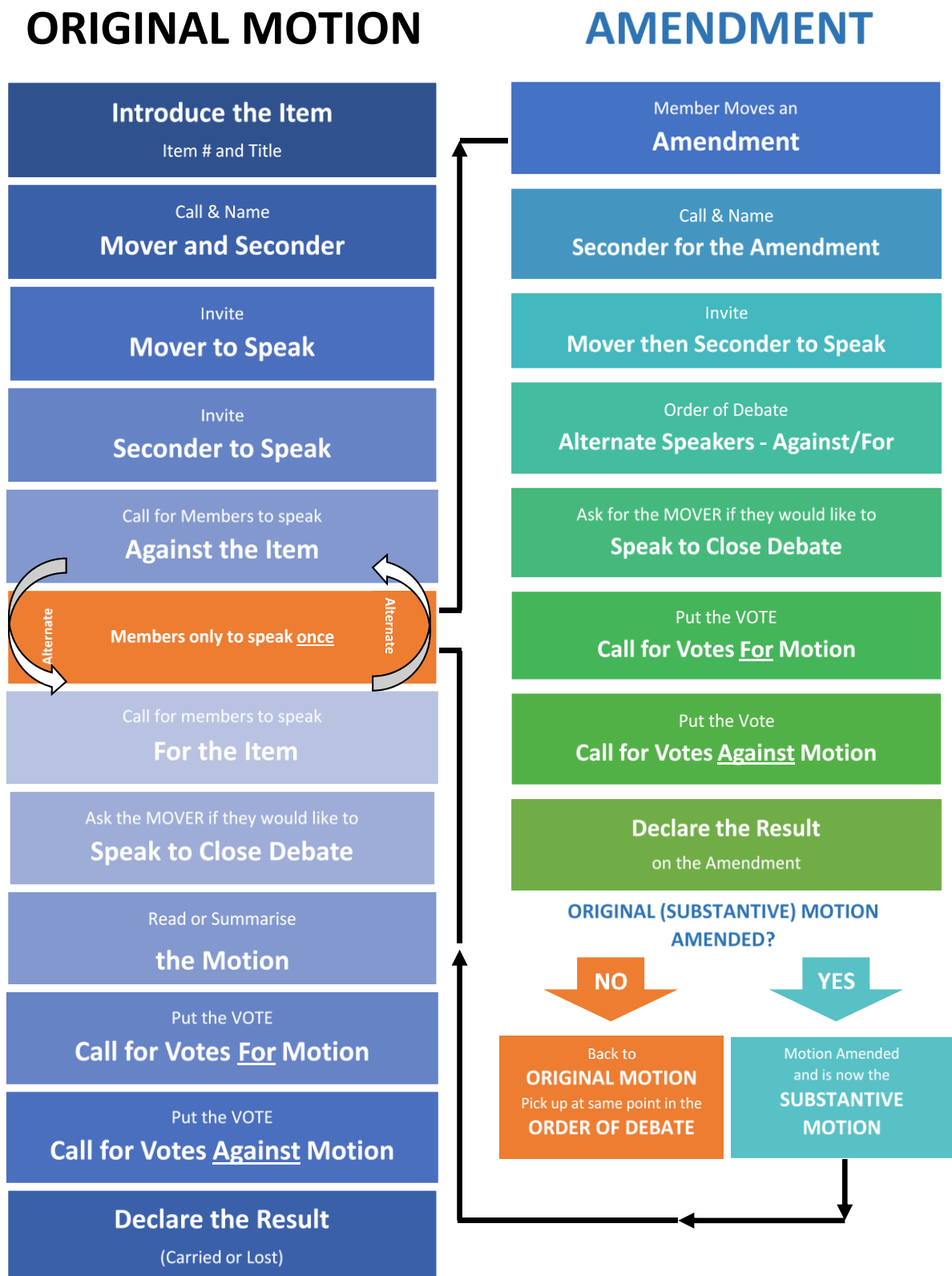
DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

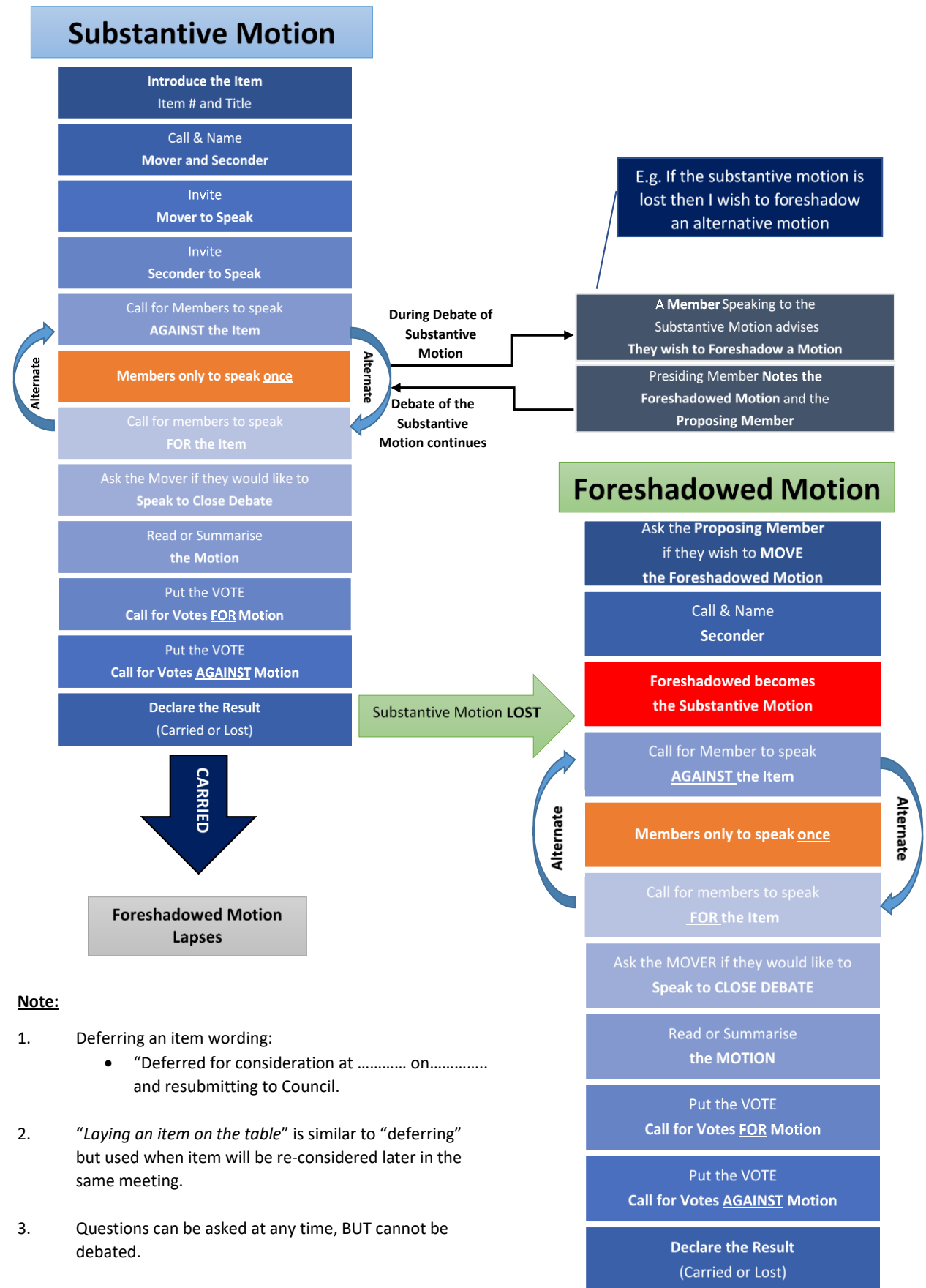
IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

Process of Motions



Slight clarification of wording of motion: A minor amendment of the motion can be done at any time through the President with the approval of the Mover and the Seconder. The Minor amendment must be minuted.



Note:

- Deferring an item wording:
 - “Deferred for consideration at on..... and resubmitting to Council.
- “Laying an item on the table” is similar to “deferring” but used when item will be re-considered later in the same meeting.
- Questions can be asked at any time, BUT cannot be debated.

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OPENING PROCEDURES

1. OPENING AND ANNOUNCEMENT OF VISITORS

Deputy Shire President, Greg Stewart welcomed Councillors, staff and opened the meeting at 3:36 pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Shire of Gnowangerup would like to acknowledge the Goreng people who are the Traditional Custodians of this land. The Shire of Gnowangerup would also like to pay respect to the Elders both past and present of the Noongar Nation and extend that respect to other Aboriginals present.

3. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

3.1 ATTENDANCE

Cr Greg Stewart	Deputy Shire President
Cr Shelley Hmeljak	
Cr Mick Creagh	
Cr Rebecca O’Meehan	
Cr Rebecca Kiddle	
Cr Kate O’Keeffe	
Cr Peter Callaghan	
Cr Lex Martin	
Bob Jarvis	Chief Executive Officer
Ian Graham	Deputy Chief Executive Officer
Geoff Carberry	Asset and Waste Management Coordinator
Yvette Wheatcroft	Manager of Works
Anita Finn	Executive Assistant

3.2 APOLOGIES

Nil

3.3 APPROVED LEAVE OF ABSENCE

Cr Fiona Gaze

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. RESPONSE TO QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

Nil

7. DECLARATION OF FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY

Nil

8. PETITIONS / DEPUTATIONS / PRESENTATIONS

8.1 PETITIONS

Nil

8.2 DEPUTATIONS

Nil

8.3 PRESENTATIONS

Nil

9. CONFIRMATION OF PREVIOUS MEETING MINUTES

9.1 ORDINARY MEETING OF COUNCIL MINUTES 24th NOVEMBER 2021

Moved: Cr M Creagh

Seconded: Cr R Kiddle

COUNCIL RESOLUTION

1221.137 That the minutes of the Ordinary Council Meeting held on 24th November 2021 be confirmed as a true record of proceedings.

UNANIMOUSLY CARRIED: 8/0

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

10.1 ELECTED MEMBERS ACTIVITY REPORT

Date of Report: 15th December 2021

Councillors: Various

Attended the following meetings/events

Cr F Gaze:

- 26th November 2021 Tidy Towns Sustainable Communities Awards
- 3rd December 2021 Shire's Christmas Lunch
- 8th December 2021 Award Night Ongerup School
- 9th December 2021 Award Night Borden Primary School
- 10th December 2021 VROC Full Meeting Gnowangerup
- 14th December 2021 Award Night Gnowangerup District High School

Cr K O'Keeffe:

- 3rd December 2021 Shire's Christmas Lunch
- 6th December 2021 Sworn in as JP
- 12th December 2021 GNP Complex meeting
- 14th December 2021 Award Night Gnowangerup District High School

Cr P Callaghan:

- 2nd December 2021 Waste Roundtable Teams (Web Meeting)
- 10th December 2021 VROC Full Meeting Gnowangerup
- 14th December 2021 Award Night Gnowangerup District High School

Cr R O'Meehan:

- 25th November 2021 GSRAG Meeting Denmark
- 9th December 2021 Award Night Borden Primary School

Cr L Martin:

- 3rd December 2021 Shire's Christmas Lunch
- 2nd December 2021 LEMC Emergency Meeting

Cr R Kiddle:

- 3rd December 2021 Shire's Christmas Lunch

Cr M Creagh:

- Nil

Cr S Hmeljak:

- 3rd December 2021 Shire's Christmas Lunch

Cr G Stewart:

- 2nd December 2021 LEMC Meeting

REPORTS FOR DECISION

11. REPORT FOR DECISION

11.1 EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN 2021

Location(s):	N/A
Proponent:	N/A
Date of Report:	1 st December 2021
Business Unit:	Strategy and Governance
Officer:	Ian Graham – Deputy CEO
Disclosure of Interest:	Nil

ATTACHMENTS

- Shire of Gnowangerup Equal Employment Opportunity Management Plan 2021

PURPOSE OF THE REPORT

For Council to adopt the Shire of Gnowangerup Equal Employment Opportunity Management Plan 2021.

BACKGROUND

Under the Equal Opportunity Act 1984 (WA) (EO Act), Local Governments in Western Australia have a statutory obligation to:

- report on activities and programs to eliminated discrimination; and
- develop and provide an equal employment opportunity (EEO) management plan, to the Director of Equal Opportunity in Public Employment (Director).

COMMENTS

The obligations apply to the entire WA Government sector, including government bodies such as Local Governments, government trading enterprises and other authorities (s.139(1)(d) of the EO Act).

The Director has the power to carry out an investigation if they are dissatisfied with any matters relating to the preparation or implementation of an EEO management plan, including any failure or omission of an authority when doing so (s.147 of the EO Act).

Local Governments are required to:

- report to the Director at least once in each year after the date the EEO management plan was implemented (s.146(1) of the EO Act); and
- send a copy of the EEO management plan and any amendment of the plan to the Director as soon as practicable after the EEO management plan or the amendment has been prepared (s.145(6) of the EO Act).

CONSULTATION

WALGA

Public Sector Commission

LEGAL AND STATUTORY REQUIREMENTS

Equal Opportunity Act 1984 s139, s145(2)(a-h), s146 and s147

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2021-2031

Theme: Our Organisation

Community Priority: Forward planning and implementation of relevant plans to achieve strategic priorities.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative option is not to adopt the Shire of Gnowangerup Equal Employment Opportunity Management Plan 2021, with the implication being non-compliance with the Equal Opportunity Act 1984.

CONCLUSION

The Officer recommendation is to adopt the Shire of Gnowangerup Equal Employment Opportunity Management Plan 2021 to ensure compliance.

VOTING REQUIREMENTS

Simple majority.

COUNCIL RESOLUTION

Moved: Cr L Martin

Seconded: Cr R Kiddle

1221.138 That Council:

Adopts the Shire of Gnowangerup Equal Employment Opportunity Management Plan 2021.

UNANIMOUSLY CARRIED: 8/0



SHIRE OF GNOWANGERUP

Equal Employment Opportunity Management Plan 2021

Creating a workplace that is equitable and diverse

EEO outcomes to be achieved during the period of the Plan

Existing	To be reviewed	Proposed	Tick box indicates my authority has: <ul style="list-style-type: none"> • <u>existing</u> initiatives in place • initiatives in place that need <u>to be reviewed</u> • <u>proposed</u> initiatives that are yet to be developed.
Outcome 1: The organisation values EEO and diversity and the work environment is free from sexual and racial harassment			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Equal employment opportunity (EEO) and diversity principles are incorporated into corporate values, business planning processes and human resource workforce plans.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A positive, inclusive and harassment-free workplace culture is communicated and promoted within the organisation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Managers and leaders are aware of their EEO responsibilities.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Performance management criteria for managers and leaders include the ability to attract and retain a diverse workforce and promote an inclusive work culture.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Implementation of strategies within this Plan occurs throughout the organisation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is an effective grievance resolution process where staff are able to raise concerns and issues.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Workplace culture is monitored and assessed to determine that it is inclusive and free from harassment and unlawful discrimination.
Outcome 2: Workplaces are free from employment practices that are biased or discriminate unlawfully against employees or potential employees			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Organisational structure and job design provide career paths for all diversity groups.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recruitment and selection practices provide equal opportunity and flexibility for all employees and potential employees.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mechanisms are in place to identify the needs of diversity groups to operate effectively in the workplace. (e.g. diversity surveys, review of exit interview feedback).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Retention practices are in place to identify, develop and retain staff from all diversity groups (e.g. induction processes, training and development opportunities, working hours and conditions, flexible work options and performance management).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The organisation monitors and assesses employment practices to ensure they contribute positively to attracting and retaining a diverse workforce.

Outcome 3: Employment programs and practices recognise and include strategies for EEO groups to achieve workforce diversity

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Demographic data is systematically collected to monitor and report on progress of all diversity groups.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Diversity objectives are identified to define the workforce profile suited to the agency's business needs.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Strategies are developed and implemented to attract, retain and provide career development opportunities for the diversity groups: <input checked="" type="checkbox"/> Women in management <input checked="" type="checkbox"/> People from culturally diverse backgrounds <input checked="" type="checkbox"/> Aboriginal Australians <input checked="" type="checkbox"/> Youth <input checked="" type="checkbox"/> People with Disability

Outcome 4: Maintain a relevant and achievable EEO Management Plan through communication, review/amendment and evaluation.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Plan and its policies and programs are communicated to all staff.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Each initiative/strategy/task is linked to a measure of success and a timeframe for completion.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Plan is monitored, reviewed and amended to ensure strategies remain relevant to the operations of the organisation.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Plan and its policies and programs are evaluated to determine the effectiveness of the Plan.

CEO Leadership Statement

It is with pleasure I present to you the Shire of Gnowangerup EEO Management Plan.

This EEO Management Plan has been developed in accordance with Part IX of the *Equal Opportunity Act 1984* and is aligned with the Director of Equal Opportunity in Public Employment's EEO and Diversity Outcome Standards Framework.

An inclusive and accepting workplace has benefits for all employees. A diverse workforce will attract and retain quality employees, which translates into effective business decisions and effective service delivery.

Our Plan is the foundation for a working environment free from harassment and discrimination. Through the implementation of this plan we will strive to build a workforce and supporting organisational culture that reflects the diversity of the greater community. Our plan is a live document that we will continue to develop and build on for our future success.

I encourage all staff to embrace equity and diversity within the organisation. We value EEO/diversity and aim to ensure that the work environment is free from racial and sexual harassment and that employment practices are not biased or discriminate unlawfully against employees or potential employees. Our employment programs and practices recognise and include strategies for EEO groups to achieve workforce diversity.

I look forward to ongoing commitment and involvement from all staff in implementing this EEO Management Plan.

CEO: Bob Jarvis

Signature:



Date:

23.11.2021

11.2 PROPOSED ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW 2022

Location(s):	N/A
Proponent:	N/A
Date of Report:	1 st December 2021
Business Unit:	Strategy and Governance
Officer:	Ian Graham – Deputy CEO
Disclosure of Interest:	Nil

ATTACHMENTS

- Proposed Shire of Gnowangerup Activities in Thoroughfares and Public Places and Trading Local Law 2022

PURPOSE OF THE REPORT

For Council to authorise the preparation and advertising of the proposed Shire of Gnowangerup Activities in Thoroughfares and Public Places and Trading Local Law 2022 (Proposed Local Law).

COMMENTS

Under the Local Government Act 1995 (the Act), Local Governments are required to carry out periodic reviews of their local laws to determine whether they should be repealed or amended. As part of the Shire’s ongoing review of its local laws, officers have determined that there is a requirement for a new Shire of Gnowangerup Activities in Thoroughfares and Public Places and Trading Local Law.

The need for this new Local Law has been determined through increased activity from mobile traders and the fact that the Shire does not currently have a Local Law to provide for regulation and control.

It is recommended that Council resolves to initiate the law-making process and authorises the CEO to commence advertising the proposed local law.

CONSULTATION

Various current WA LG Council Activities in Thoroughfares and Public Places and Trading Local Laws.

Workshop with Council.

LEGAL AND STATUTORY REQUIREMENTS

Local Government Act 1995 (s3.12 and s3.5)

Local Government (Functions & General) Regulations 1996 (Reg.3)

Section 3.5 of the Act provides the head of power for the Council to make the proposed local law. The procedure for making local laws is set out in section 3.12 of the Act and Regulation 3 of the Local Government (Functions and General) Regulations 1996.

The person presiding at a council meeting is to give notice of the purpose and effect of a proposed local law by ensuring that —

(a) The purpose and effect of the proposed local law is included in the agenda for that meeting; and

(b) The minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose and effect of the proposed local law is as follows:

- Purpose: The purpose of the proposed local law is to regulate private and commercial activities in thoroughfares and other public places in the Shire of Gnowangerup.
- Effect: The effect of the proposed local law is protection of public health and safety; preservation of neighbourhood amenity; control of pedestrian and vehicle access to and movement within thoroughfares; protection of public infrastructure and local government assets; provision for objection and appeal rights against certain decisions; preservation of adequate access in thoroughfares for public works and utility services; provision for issuing approvals and permits for specified activities in thoroughfares and public places; and provision for the enforcement of this local law.

As part of the statutory consultation process, the proposed local law is to be advertised in accordance with section 3.12(3) of the Act, by giving state-wide public notice of the local law and allowing at least six weeks for the public to make submissions. A copy of the local law is also provided to the Minister for Local Government.

Following this process, the proposed local law will then be referred back to the Council for consideration of any submissions received in relation to the local law and for the Council to resolve whether or not to make the local law by absolute majority decision.

PLAN IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2021-2031

Theme: Our Organisation

Community Priority: Forward planning and implementation of relevant plans to achieve strategic priorities.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The proposed Activities in Thoroughfares and Public Places and Trading Local Law will provide control and regulation as stated above. The alternative options include revising or amending the draft proposed Local Law, or not adopting the proposed Local Law and remaining with the status quo.

CONCLUSION

Staff have prepared the Shire of Gnowangerup Activities in Thoroughfares and Public Places and Trading Local Law 2022 in accordance with current legislation and practices.

VOTING REQUIREMENTS

Absolute majority.

COUNCIL RESOLUTION

Moved: Cr P Callaghan

Seconded: Cr K O’Keeffe

1221.139 That Council:

- 1. Approves commencement of the law-making process and making of the proposed local law, for the Shire of Gnowangerup Activities in Thoroughfares and Public Places and Trading Local Law 2022, the purpose and effect of the local law being as follows:**
 - Purpose: The purpose of the proposed local law is to regulate private and commercial activities in thoroughfares and other public places in the Shire of Gnowangerup.**
 - Effect: The effect of the proposed local law is protection of public health and safety; preservation of neighbourhood amenity; control of pedestrian and vehicle access to and movement within thoroughfares; protection of public infrastructure and local government assets; provision for objection and appeal rights against certain decisions; preservation of adequate access in thoroughfares for public works and utility services; provision for issuing approvals and permits for specified activities in thoroughfares and public places; and provision for the enforcement of this local law.**

- 2. Authorises the CEO to carry out the law-making procedure under section 3.12(3) of the Local Government Act, by providing:-**
 - **State-wide public notice and local public notice of the proposed local law; and**
 - **A copy of the proposed local law and public notice to the Minister for Local Government.**

- 3. Requests that the CEO, after the close of the public consultation period, submits a report to the Council on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act.**

CARRIED BY ABSOLUTE MAJORITY: 8/0

DRAFT LOCAL GOVERNMENT ACT 1995

SHIRE OF GNOWANGERUP

ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW 2021

LOCAL GOVERNMENT ACT 1995

Shire of Gnowangerup

**ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND
TRADING LOCAL LAW 2021**

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LOCAL GOVERNMENT ACT 1995

Shire of Gnowangerup

ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gnowangerup resolved on [INSERT DATE] to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Gnowangerup Activities In Thoroughfares and Public Places and Trading Amendment Local Law 2021*.

1.2 Definitions

In this local law unless the context otherwise requires:

- “Act”** means the *Local Government Act 1995*; **“applicant”** means a person who applies for a permit;
- “authorised person”** means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;
- “built-up area”** has the meaning given to it in the *Road Traffic Code 2000*;
- “bulk rubbish container”** means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government’s regular domestic rubbish collection service;
- “carriageway”** has the meaning given to it in the *Road Traffic Code 2000*;
- “CEO”** means the chief executive officer of the local government; **“commencement day”** means the day on which this local law comes into operation;
- “Council”** means the council of the local government;
- “crossing”** means a crossing giving access from a public thoroughfare to:
- (a) private land; or
 - (b) a private thoroughfare serving private land;
- “district”** means the district of the local government;
- “footpath”** has the meaning given to it in the *Road Traffic Code 2000*;
- “garden”** means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;
- “intersection”** has the meaning given to it in the *Road Traffic Code 2000*;
- “kerb”** includes the edge of a carriageway;
- “lawn”** means any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government;
- “liquor”** has the meaning given to it in section 3 of the *Liquor Control Act 1988*;
- “local government”** means the Shire of Gnowangerup;
- “local government property”** means anything except a thoroughfare:
- (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*; or
 - (c) which is an ‘otherwise unvested facility’ within section 3.53 of the Act; **“lot”** has the meaning given to it in the *Planning and Development Act 2005*; **“owner”** or **“occupier”** in relation to land does not include the local government; **“permissible verge treatment”** means any one of the 4 treatments described in clause 2.8(2), and includes any reticulation pipes and sprinklers;

“permit” means a permit issued under this local law; **“permit holder”** means a person who holds a valid permit; **“person”** does not include the local government;

“premises” for the purpose of the definition of “public place” in both this clause and clause 6.1, means a building or similar structure, but does not include a carpark or a similar place;

“public place” includes any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include:

- (a) premises on private property from which trading is lawfully conducted under a written law; and
- (b) local government property;

“Regulations” means the *Local Government (Functions and General) Regulations 1996*;

“sign” includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols;

“thoroughfare” has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;

“local planning scheme” means a Local Planning Scheme of the local government made under the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*;

“townsite” means all townsites within the district which are:

- (a) constituted under section 26(2) of the *Land Administration Act 1997*;
- (b) referred to in clause 37 of Schedule 9.3 of the Act.

“vehicle” includes:

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven, but excludes:
- (c) a mobility scooter or any device designed for use by a physically impaired person on a footpath; and
- (d) a pram, a stroller or a similar device;

“verge” means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare but does not include any footpath.

1.3 Application

This local law applies throughout the district.

PART 2 – ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES

Division 1 - General

2.1 General prohibitions

A person shall not:

- (a) plant any plant (except grasses or a similar plant) on a thoroughfare within 10m of an intersection;
- (b) damage a lawn or a garden or remove any plant or part of a plant from a lawn or a garden unless:
 - (i) the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) plant any plant (except grass or a similar plant) on a thoroughfare so that it is within 2m of a carriageway;
- (d) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;
- (e) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;
- (f) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a thoroughfare; or

- (g) within a mall, arcade or verandah of a shopping centre, ride any bicycle, skateboard, rollerblades or similar device.

2.2 Activities allowed with a permit – general

- (1) A person shall not, without a permit:
 - (a) dig or otherwise create a trench through or under a kerb or footpath;
 - (b) subject to Division 3 of this Part, throw, place or deposit any thing on a verge except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;
 - (d) cause any obstruction to a water channel or a water course in a thoroughfare;
 - (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (f) damage a thoroughfare;
 - (g) light any fire or burn any thing on a thoroughfare other than in a stove or fireplace provided for that purpose or under a permit issued under clause 5.13;
 - (h) fell any tree onto a thoroughfare;
 - (i) unless installing, or in order to maintain, a permissible verge treatment:
 - (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
 - (j) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
 - (k) on a public place use anything or do anything so as to create a nuisance;
 - (l) place or cause to be placed on a thoroughfare a bulk rubbish container; or
 - (m) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.

2.3 No possession and consumption of liquor on thoroughfare

- (1) A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless:
 - (a) that is permitted under the *Liquor Control Act 1988* or under another written law; or
 - (b) the person is doing so in accordance with a permit.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

Division 2 - Vehicle crossing Subdivision 1 - Temporary crossings

2.4 Permit required

- (1) Where it is likely that works on a lot will involve vehicles leaving a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and footpath, where:
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The “person responsible for the works” in subclause (1) is to be taken to be:
 - (a) the person named on the building permit issued under the *Building Act 2011*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building licence has been issued under the *Building Act 2011* in relation to the works.
- (3) If the local government approves an application for a permit for the purpose of subclause (1), the permit

is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

Subdivision 2 - Redundant vehicle crossings

2.5 Removal of redundant crossing

- (1) Where works on a lot will result in a crossing no longer giving access to a lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the local government.
- (2) The local government may give written notice to the owner or occupier of a lot requiring her or him to:
 - (a) remove any part of or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, footpath, verge and any other part of the thoroughfare, which may be affected by the removal,within the period of time stated in the notice, and the owner or occupier of the lot shall comply with that notice.

Division 3 - Verge treatments *Subdivision 1 - Preliminary*

2.6 Definition

In this Division, unless the context otherwise requires:

“acceptable material” means any material which will create a hard surface, and which appears on a list of acceptable materials maintained by the local government.

2.7 Application

This Division only applies to townsites.

Subdivision 2 - Permissible verge treatments

2.8 Permissible verge treatments

- (1) An owner or occupier of land which abuts on a verge may on that part of the verge directly in front of her or his land install a permissible verge treatment.
- (2) The permissible verge treatments are:
 - (a) the planting and maintenance of a lawn;
 - (b) the planting and maintenance of a garden provided that:
 - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare; and
 - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - (c) the installation of an acceptable material; or
 - (d) the installation over no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).

2.9 Only permissible verge treatments to be installed

- (1) A person shall not install or maintain a verge treatment which is not a permissible verge treatment.
- (2) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 2.10.

2.10 Obligations of owner or occupier

An owner or occupier who installs or maintains a permissible verge treatment shall:

- (a) keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;
- (b) not place any obstruction on or around the verge treatment; and
- (c) not disturb a footpath on the verge.

2.11 Notice to owner or occupier

The local government may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Division.

Subdivision 3 - Existing verge treatments

2.12 Transitional provision

(1) In this clause:

“**former provisions**” means the local law of the local government which permitted certain types of verge treatments, whether with or without the consent of the local government, and which was repealed by this local law.

(2) A verge treatment which:

- (a) was installed prior to the commencement day; and
- (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,

is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

Subdivision 4 – Parking and driving on verges or crossovers

2.13 Parking or driving on verges or crossovers

A person shall not park or drive any vehicle on a verge or crossover without prior permission of the property owner of the property adjoining the verge or crossover.

Subdivision 5 - Public works

2.14 Power to carry out public works on verge

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority:

- (a) is not liable to compensate any person for that disturbance;
- (b) may backfill with sand, if necessary, any garden or lawn; and
- (c) is not liable to replace or restore any:
 - (i) verge treatment and, in particular, any plant or any acceptable material or other hard surface; or
 - (ii) sprinklers, pipes or other reticulation equipment.

Division 4 - Property numbers

Subdivision 1 - Preliminary

2.15 Definition

In this Division, unless the context requires otherwise:

“**Number**” means a number of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

Subdivision 2 - Assignment and marking of numbers

2.16 Assignment of numbers

The local government may assign a Number to a lot in the district and may assign another Number to the lot instead of that previously assigned.

Division 5 - Fencing

2.17 Public place – Item 4(1) of Division 1, Schedule 3.1 of Act

The following places are specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act:

- (a) a public place, as that term is defined in clause 1.2; and
- (b) local government property.

Division 6 - Signs erected by the local government

2.18 Signs

- (1) A local government may erect a sign on a public place specifying any conditions of use which apply to that place.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this local law.

2.19 Transitional

Where a sign erected on a public place has been erected under a local law of the local government repealed by this local law, then on and from the commencement day, it is to be taken to be a sign erected under clause 2.17 if:

- (a) the sign specifies a condition of use relating to the public place which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

Division 7 - Driving on a closed thoroughfare

2.20 No driving on closed thoroughfare

- (1) A person shall not drive or take a vehicle on a closed thoroughfare unless:
 - (a) that is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained a permit.
- (2) In this clause:
“closed thoroughfare” means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

PART 3 – ADVERTISING SIGNS ON THOROUGHFARES

Division 1 - Preliminary

3.1 Definition

In this Part, unless the context otherwise requires:

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

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

“election sign” means a sign or poster which advertises any aspect of a forthcoming Federal,

State or Local Government election; and

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

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

Division 2 - Permit

3.2 Advertising signs and portable direction signs

- (1) A person shall not, without a permit:
 - (a) erect or place an advertising sign on a thoroughfare; or
 - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500mm in height nor 0.5m² in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign:
 - (a) on a footpath;
 - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
 - (c) on or within 3m of a carriageway;
 - (d) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

3.3 Matters to be considered in determining application for permit

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

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

Division 3 – Conditions on permit

3.4 Conditions on portable sign

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

- (a) the portable sign shall:
 - (i) not exceed 1m in height;
 - (ii) not exceed an area of 1m² on any side;
 - (iii) relate only to the business activity described on the permit;
 - (iv) contain letters not less than 200mm in height;
 - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
 - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
 - (vii) be secured in position in accordance with any requirements of the local government;
 - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
 - (ix) be maintained in good condition;
- (b) no more than one portable sign shall be erected in relation to the one building or business.

3.5 Conditions on election sign

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

- (a) being erected at least 30m from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
- (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare, or access to a place by any person;
- (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (e) being maintained in good condition;
- (f) not being erected until the election to which it relates has been officially announced;
- (g) being removed within 24 hours of the close of polls on voting day;
- (h) not being placed within 100m of any works on the thoroughfare;
- (i) being securely installed;
- (j) not being an illuminated sign;
- (k) not incorporating reflective or fluorescent materials; and
- (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.

PART 4 – OBSTRUCTING ANIMALS, VEHICLES OR SHOPPING TROLLEYS

Division 1 - Animals and vehicles

4.1 Leaving animal or vehicle in public place or on local government property

- (1) A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

4.2 Prohibitions relating to animals

- (1) In subclause (2), “owner” in relation to an animal includes:
 - (a) an owner of it;
 - (b) a person in possession of it;
 - (c) a person who has control of it; and
 - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal shall not:
 - (a) allow the animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare as a thoroughfare and unless it is led, ridden or driven;
 - (b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place; or
 - (c) train or race the animal on a thoroughfare.
- (3) An owner of a horse shall not lead, ride or drive a horse on a thoroughfare in a built- up area, unless that person does so under a permit or under the authority of a written law.

Division 2 - Shopping trolleys

4.3 Definition

In this Division:

“retailer” means a proprietor of a shop in respect of which shopping trolleys are provided for the

use of customers of the shop; and

“shopping trolley” means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

4.4 Shopping trolley to be marked

A retailer shall clearly mark its name or its trading name on any shopping trolley made available for the use of customers.

4.5 Person not to leave trolley in public place

A person shall not leave a shopping trolley in a public place other than in an area set aside for the storage of shopping trolleys.

4.6 Retailer to remove abandoned trolley

- (1) If a shopping trolley is found in a public place, other than in an area set aside for the storage of shopping trolleys, the local government may advise (verbally or in writing) a retailer whose name is marked on the trolley of the location of the shopping trolley.
- (2) A retailer shall remove a shopping trolley within 24 hours of being so advised under subclause (1), unless the retailer:
 - (a) requests the local government to collect and deliver the shopping trolley to the retailer; and
 - (b) pays any fee for that collection and delivery (imposed and determined under and in accordance with sections 6.16 to 6.19 of the Act) within the period specified by the local government.

4.7 Retailer taken to own trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

PART 5 - ROADSIDE CONSERVATION

Division 1 - Preliminary

5.1 Definition

In this Part:

“MRWA” means Main Roads Western Australia;

“protected flora” has the meaning given to it in section 6(1) of the *Wildlife Conservation Act 1950*;

“rare flora” has the meaning given to it in section 23F of the *Wildlife Conservation Act 1950*;

“Roadside Conservation Committee” means the Roadside Conservation Committee and appointed by the responsible Minister;

“special environmental area” means an area designated as such under clause 5.7.

5.2 Application

This Part does not apply to the townsite.

Division 2 - Flora roads

5.3 Declaration of flora road

The local government may declare a thoroughfare which has, in the opinion of the local government, high quality roadside vegetation to be a flora road.

5.4 Construction works on flora roads

Construction and maintenance work carried out by the local government on a flora road is to be in accordance with the “Handbook of Environmental Practice for Road Construction and Road Maintenance Works” (April 2005) prepared by the Roadside Conservation Committee.

5.5 Signposting of flora roads

The local government may signpost flora roads with the standard MRWA 'flora road' sign.

5.6 Driving only on carriageway of flora roads

(1) A person driving or riding a vehicle on a flora road shall only drive or ride the vehicle on the carriageway.

(2) Subclause (1) does not apply where:

- (a) conditions on the thoroughfare do not reasonably permit a vehicle to remain on the carriageway;
- (b) there is no carriageway; or
- (c) an exemption from the application of subclause (1) has been obtained from the local government.

Division 3 - Special environmental areas

5.7 Designation of special environmental areas

The local government may designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which:

- (a) has protected flora or rare flora; or
- (b) in the opinion of the local government, has environmental, aesthetic or cultural significance.

5.8 Marking of special environmental areas

The local government is to mark and keep a register of each thoroughfare, or part of a thoroughfare, designated as a special environmental area.

Division 4 – Planting in thoroughfares

5.9 Permit to plant

A person shall not plant any plant or sow any seeds in a thoroughfare without first obtaining a permit.

5.10 Relevant considerations in determining application

In determining an application for a permit for the purpose of clause 5.9, the local government is to have regard to:

- (a) existing vegetation within that part of the thoroughfare in which the planting is to take place; and
- (b) the diversity of species and the prevalence of the species which are to be planted or sown.

Division 5 - Clearance of vegetation

5.11 Permit to clear

A person shall not clear and maintain in a cleared state, the surface of a thoroughfare within 1.5m of that person's land without first obtaining a permit and any other approvals which may be required under any written law.

5.12 Application for permit

In addition to the requirements of subclause 7.1(2), a person making an application for a permit for the purpose of clause 5.11 shall submit a sketch plan clearly showing the boundary of the person's land and the portions of the thoroughfare joining that person's land which are to be cleared.

Division 6 - Fire management

5.13 Permit to burn thoroughfare

A person shall not burn part of a thoroughfare without first obtaining a permit or unless acting under the authority of any other written law.

5.14 Application for permit

In addition to the requirements of subclause 7.1(2), an application for a permit for the purposes of clause 5.13 shall:

- (a) include a sketch plan showing the portions of a thoroughfare which are proposed to be burned; and
- (b) advise of the estimated fire intensity and the measures to be taken to protect upper storey vegetation from the burn.

5.15 When application for permit can be approved

The local government may approve an application for a permit for the purpose of clause

5.13 only if the burning of the particular part of the thoroughfare will:

- (a) reduce a fire hazard and alternative means of reducing that hazard, such as slashing or the use of herbicides, are considered by the local government to be not feasible or more detrimental to native flora and fauna than burning; or
- (b) in the opinion of the local government, be beneficial for the preservation and conservation of native flora and fauna.

5.16 Prohibitions on burning

Notwithstanding anything to the contrary in this local law, an application for a permit for the purpose of clause 5.13 is not to be approved by the local government:

- (a) for burning between 31 August and 1 May of the following year where the intensity of the burn could damage native flora and fauna; or
- (b) in any year to any person for any part of a thoroughfare which is on the opposite side of the carriageway to that portion of the thoroughfare for which a permit to burn has been approved in the same year.

Division 7 - Firebreaks

5.17 Permit for firebreaks on thoroughfares

A person shall not construct a firebreak on a thoroughfare without first obtaining a permit.

5.18 When application for permit cannot be approved

- (1) The local government is not to approve an application for a permit for the purpose of clause 5.17 where the thoroughfare is less than 20m wide.
- (2) Subclause (1) does not apply where the firebreak is, in the opinion of the local government, desirable for the protection of roadside vegetation.

Division 8 – Commercial wildflower harvesting on thoroughfares

5.19 General prohibition on commercial wildflower harvesting

Subject to clause 5.20, a person shall not commercially harvest native flora on a thoroughfare.

5.20 Permit for revegetation projects

- (1) A person shall not collect seed from native flora on a thoroughfare without first obtaining a permit.
- (2) The local government may approve an application for a permit under subclause (1) only where:
 - (a) the seed is required for a revegetation project in any part of the district; and
 - (b) the thoroughfare, or the relevant part of it, is not a special environmental area.
- (3) Unless the local government specifically provides to the contrary on a permit, if the local government approves an application for a permit for the purpose of subclause (1) it is to be taken to be approved subject to the following conditions:
 - (a) the collection of the seed is to be carried out so as not to endanger the long time survival of the native flora on the thoroughfare; and

- (b) any licence or approval which may be required under any other written law is to be obtained by the applicant.

PART 6 - TRADING ON THOROUGHFARES AND PUBLIC PLACES

Division 1 - Stallholders and traders

Subdivision 1 - Preliminary

6.1 Definition

In this Division, unless the context otherwise requires:

“Competition Principles Agreement” means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995;

“public place” includes:

(a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property; and

(b) local government property,

but does not include premises on private property from which trading is lawfully conducted under a written law;

“stall” means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire; **“stallholder”** means a person in charge of a stall;

“stallholder’s permit” means a permit issued to a stallholder;

“trader” means a person who carries on trading; **“trader’s permit”** means a permit issued to a trader; and **“trading”** includes:

(a) the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services in a public place;

(b) displaying goods in any public place for the purpose of:

(i) offering them for sale or hire;

(ii) inviting offers for their sale or hire;

(iii) soliciting orders for them; or

(iv) carrying out any other transaction in relation to them; and

(c) the going from place to place, whether or not public places, and:

(i) offering goods or services for sale or hire; or

(ii) inviting offers or soliciting orders for the sale or the hire of goods or services,

but does not include:

(d) the delivery of pre-ordered goods or services to the purchaser of those goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or

the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services or from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;

(e) the setting up of a stall or the conducting of a business at a stall under the authority of a stallholder’s permit;

(f) the selling or the offering for sale of goods and services to, or the soliciting of orders for goods and services from a person who sells those goods or services;

(g) the selling or the offering for sale or hire by a person of goods of her or his own manufacture or services which he or she provides; and

(h) the selling or hiring or the offering for sale or hire of:

(i) goods by a person who represents a manufacturer of the goods; or

(ii) services by a person who represents a provider of the services, which are only sold directly to consumers and not through a shop.

Subdivision 2 - Permits

6.2 Stallholder's permit

- (1) A person shall not conduct a stall on a public place unless that person is:
 - (a) the holder of a valid stallholder's permit; or
 - (b) an assistant specified in a valid stallholder's permit.
- (2) Every application for a stallholder's permit shall:
 - (a) state the full name and address of the applicant;
 - (b) specify the proposed number of assistants to be engaged by the applicant in conducting the stall, as well as their names and addresses if already engaged;
 - (c) specify the proposed location of the stall;
 - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of operation;
 - (e) specify the proposed goods or services to be sold or hired or offered for sale or hire from the stall; and
 - (f) be accompanied by an accurate plan and description of the proposed stall.

6.3 Trader's permit

- (1) A person shall not carry on trading unless that person is:
 - (a) the holder of a valid trader's permit; or
 - (b) an assistant specified in a valid trader's permit.
- (2) Every application for a trader's permit shall:
 - (a) state the full name and address of the applicant;
 - (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
 - (c) specify the location or locations in which the applicant proposes to trade;
 - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;
 - (e) specify the proposed goods or services which will be traded; and
 - (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.
- (3) The conditions subject to which the local government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.

6.4 No permit required to sell newspaper

Notwithstanding any other provision of this local law, a person who sells, or offers for sale, a newspaper only is not required to obtain a permit.

6.5 Relevant considerations in determining application for permit

- (1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to:
 - (a) any relevant policies of the local government;
 - (b) the desirability of the proposed activity;
 - (c) the location of the proposed activity;
 - (d) the principles set out in the Competition Principles Agreement; and
 - (e) such other matters as the local government may consider to be relevant in the circumstances of the case.
- (2) The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds:
 - (a) that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought;
 - (b) that:

- (i) the applicant is an undischarged bankrupt or is in liquidation;
- (ii) the applicant has entered into any composition or arrangement with creditors; or
- (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property;

6.6 Conditions of permit

- (1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include:
- (a) the place, the part of the district, or the thoroughfare to which the permit applies;
 - (b) the days and hours during which a permit holder may conduct a stall or trade;
 - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;
 - (d) the goods or services in respect of which a permit holder may conduct a stall or trade;
 - (e) the number of persons and the names of persons permitted to conduct a stall or trade;
 - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;
 - (g) whether and under what terms the permit is transferable;
 - (h) any prohibitions or restrictions concerning the:
 - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
 - (ii) the use of amplifiers, sound equipment and sound instruments;
 - (iii) the use of signs; and
 - (iv) the use of any lighting apparatus or device;
 - (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
 - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;
 - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
 - (l) the acquisition by the stallholder or trader of public risk insurance;
 - (m) the period for which the permit is valid; and
 - (n) the designation of any place or places where trading is wholly or from time to time prohibited by the local government.
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorise another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.

6.7 Exemptions from requirement to pay fee or to obtain a permit

- (1) In this clause:
- "charitable organisation"** means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium; and
- "commercial participant"** means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit.
- (2) The local government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on:
- (a) on a portion of a public place adjoining the normal place of business of the applicant; or
 - (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.

- (3) The local government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division.

Subdivision 3 - Conduct of stallholders and traders

6.8 Conduct of stallholders and traders

- (1) A stallholder while conducting a stall or a trader while trading shall:
- (a) display her or his permit to do so in a conspicuous place on the stall, vehicle or temporary structure or if there is no stall, vehicle or temporary structure, carry the permit with her or him while conducting a stall or trading;
 - (b) not display a permit unless it is a valid permit; and
 - (c) when selling goods by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the *Trade Measurement Administration Act 2006*.
- (2) A stallholder or trader shall not:
- (a) deposit or store any box or basket containing goods on any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles;
 - (b) act in an offensive manner;
 - (c) use or cause to be used any apparatus or device including any flap or shelf, whereby the dimensions of a stall, vehicle or structure are increased beyond those specified in the permit; or
 - (d) in the case of a trader, carry on trading from a public place, unless there is adequate parking for customers' vehicles reasonably close to the place of trading.

Division 2 - Street entertainers

Subdivision 1 - Preliminary

6.9 Definition

In this Division, unless the context otherwise requires:

"perform" includes to play a musical instrument, sing, mime, dance, give an acrobatic or aerobic display or entertain, but does not include public speaking; **"permit"** means a permit issued for the purpose of clause 6.10;

"permitted area" means the area or areas, specified in a permit, in which the permit holder may perform; and

"permitted time" means the time or times, specified in a permit, during which the permit holder may perform.

Subdivision 2 - Permits

6.10 Permit required to perform

A person shall not perform in a public place without a permit.

6.11 Variation of permitted area and permitted time

- (1) The local government may by notice in writing to a permit holder vary:
- (a) the permitted area;
 - (b) the permitted time; or
 - (c) both the permitted area and the permitted time, shown on a permit.
- (2) The local government may direct a permit holder to move from one permitted area to another permitted area, if more than one area is specified in a permit.

6.12 Duration of permit

A permit is valid for a period of 3 months after the date on which it is issued unless it is sooner cancelled under this local law.

6.13 Cancellation of permit

The CEO may cancel a permit if in her or his opinion the volume of sound caused by the permit holder in connection with the performance adversely affects the enjoyment, convenience or comfort of other persons in a public place, or if, in her or his opinion, or in the opinion of an authorised person, the performance otherwise constitutes a nuisance.

6.14 Obligations of permit holder

A permit holder shall not in a public place:

- (a) perform wearing dirty, torn or ragged clothing;
- (b) act in an offensive manner; or
- (c) place, install, erect, play or use any musical instrument or any device which emits music, including a loud speaker or an amplifier -
 - (i) other than in the permitted area; and
 - (ii) unless the musical instrument or device is specified in the permit.

Division 3 - Outdoor eating facilities on public places

6.15 Definition

In this Division -

"Facility" means an outdoor eating Facility or establishment on any part of a public place, but does not include such a Facility or establishment on private land; **"permit holder"** means the person to whom a permit has been issued for the purpose of clause 6.16; and **"public place"** has the meaning given to it in clause 6.1.

6.16 Permit required to conduct Facility

A person shall not establish or conduct a Facility without a permit.

6.17 Matters to be considered in determining application

In determining an application for a permit for the purpose of clause 6.16, the local government may consider in addition to any other matter it considers relevant, whether or not-

- (a) the Facility is conducted in conjunction with and as an extension of food business which abut on the Facility, and whether the applicant is the person conducting such food premises;
- (b) any abutting food business registered in accordance with the *Food Act 2008* and whether the use of the premises is permitted under the local planning scheme;
- (c) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;
- (d) the Facility would -
 - (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person; or
 - (ii) impede pedestrian access; and
- (e) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose for which it was designed.

6.18 Obligations of permit holder

(1) The permit holder for a Facility shall:

- (a) ensure that the Facility is conducted at all times in accordance with the provisions of this local law.
- (b) ensure that the eating area is kept in a clean and tidy condition at all times;
- (c) maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times;
- (d) be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility; and

- (2) Whenever, in the opinion of the local government, any work is required to be carried out to a Facility, the local government may give a notice to the permit holder for the Facility to carry out that work within the time limited by the notice.
- (3) In subclause (2), “work” includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of a Facility.

6.19 Removal of Facility unlawfully conducted

Where a Facility is conducted without a permit, or in contravention of a condition of a permit, any tables, chairs, umbrellas or other equipment may be removed by an authorised person and impounded in accordance with the Act.

6.20 Use of Facility by public

- (1) A person shall not occupy a chair or otherwise use the equipment in a Facility the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the Facility.
- (2) A person shall leave a Facility when requested to do so by the permit holder.

6.21 Temporary removal of Facility may be requested

- (1) The permit holder for a Facility is to temporarily remove the Facility when requested to do so on reasonable grounds by an authorised person or a member of the Police Service or an emergency service.
- (2) The permit holder may replace the Facility removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

PART 7 - PERMITS

Division 1 - Applying for a permit

7.1 Application for permit

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

7.2 Decision on application for permit

- (1) The local government may:
 - (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).
- (5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a

permit on other grounds under subclause (1)(b).

Division 2 - Conditions

7.3 Conditions which may be imposed on a permit

The local government may approve an application for a permit subject to conditions relating to -

- (a) the payment of a fee;
- (b) the duration and commencement of the permit;
- (c) the commencement of the permit being contingent on the happening of an event;
- (d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (e) the approval of another application for a permit which may be required by the local government under any written law;
- (f) the area of the district to which the permit applies;
- (g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage;
- (h) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government; and
- (i) the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.

7.4 Imposing conditions under a policy

(1) In this clause:

"**policy**" means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under paragraph 7.2(1)(a).

- (2) Under paragraph 7.2(1)(a) the local government may approve an application subject to conditions by reference to a policy.
- (3) The local government is to give a copy of the policy, or the part of the policy, which is relevant to the application for a permit, with the form of permit referred to in subclause 7.2(2).
- (4) An application for a permit is to be taken not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy is to be taken to be information within section 5.94(u)(i) of the Act.

7.5 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this local law, the permit holder shall comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

Division 3 - General

7.6 Duration of permit

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

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 7.10.

7.7 Renewal of permit

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

- (2) The provisions of:
- (a) this Part; and
 - (b) any other provision of this local law relevant to the permit, which is to be renewed, shall apply to an application for the renewal of a permit with all the necessary changes required.

7.8 Transfer of permit

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

7.9 Production of permit

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

7.10 Cancellation of permit

- (1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a -
- (i) condition of the permit; or
 - (ii) provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder:
- (a) shall return the permit as soon as practicable to the local government; and
 - (b) is to be taken to have forfeited any fees paid in respect of the permit.

PART 8 - OBJECTIONS AND APPEALS

8.1 Application of Part 9 Division 1 of Act

When the local government makes a decision -

- (a) under clause 7.2(1); or
- (b) as to whether it will renew, vary, or cancel a permit,

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

PART 9 - MISCELLANEOUS NOTICES

9.1 Notice to redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the local government may give a notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.

9.2 Hazardous plants

- (1) Where a plant in a garden creates or may create a hazard for any person using a thoroughfare, the local government may give a notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.
- (2) Subclause (1) does not apply where the plant was planted by the local government.

9.3 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare has been damaged, the local government may by notice to the person who caused the damage, order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.

9.4 Notice to remove thing unlawfully placed on thoroughfare

Where anything is placed on a thoroughfare in contravention of this local law, the local government may by notice in writing to the owner or the occupier of the property which abuts on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, require the relevant person to remove the thing.

PART 10 - ENFORCEMENT

Division 1 - Notices given under this local law

10.1 Offence to fail to comply with notice

Whenever the local government gives a notice under this local law requiring a person to do anything, if the person fails to comply with the notice, the person commits an offence.

10.2 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 10.1, the local government may do the thing specified in the notice and recover from that person, as a debt, the costs incurred in so doing.

Division 2 - Offences and penalties

Subdivision 1 - General

10.3 Offences

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

Subdivision 2 - Infringement notices and modified penalties

10.4 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

10.5 Forms

Unless otherwise specified, for the purposes of this local law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in

Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and

- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

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**SCHEDULE 1 PRESCRIBED
OFFENCES**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.1(a)	Plant of 0.75m in height on thoroughfare within 10m of intersection	150
2.1(b)	Damaging lawn or garden	150
2.1(c)	Plant (except grass) on thoroughfare within 2m of carriageway	150
2.1(d)	Placing hazardous substance on footpath	150
2.1(e)	Damaging or interfering with signpost or structure on thoroughfare	350
2.1(f)	Playing games so as to impede vehicles or persons on thoroughfare	150
2.1(g)	Riding of skateboard or similar device on mall or verandah of shopping centre	150
2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	150
2.2(1)(b)	Throwing or placing anything on a verge without a permit	150
2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	150
2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	250
2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	250
2.2(1)(g)	Lighting a fire on a thoroughfare without a permit	350
2.2(1)(h)	Felling tree onto thoroughfare without a permit	150
2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	150
2.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	350
2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	150
2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	150
2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	150
2.3(1)	Consumption or possession of liquor on thoroughfare	150
2.4(1)	Failure to obtain permit for temporary crossing	250
2.5(2)	Failure to comply with notice to remove crossing and reinstate kerb	350
2.9(1)	Installation of verge treatment other than permissible verge treatment	250
2.10	Failure to maintain permissible verge treatment or placement of obstruction on verge	150
2.11	Failure to comply with notice to rectify default	150
2.13	Parking or driving on a verge or crossover without permission of the property owner of the property immediately adjoining the verge or crossover	150
2.17(2)	Failure to comply with sign on public place	150
2.19(1)	Driving or taking a vehicle on a closed thoroughfare	350
3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	150
3.2(3)	Erecting or placing of advertising sign in a prohibited area	150

4.1(1)	Animal or vehicle obstructing a public property or local government property	150
4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	150
4.2(2)(b)	Animal on public place with infectious disease	150
4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	150
4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	150
4.5	Person leaving shopping trolley in public place other than trolley bay	150
4.6(2)	Failure to remove shopping trolley upon being advised of location	150
5.6(1)	Driving a vehicle on other than the carriageway of a flora road	250
5.9	Planting in thoroughfare without a permit	250
5.11	Failure to obtain permit to clear a thoroughfare	500
5.13	Burning of thoroughfare without a permit	500
5.17	Construction of firebreak on thoroughfare without a permit	500
5.19	Commercial harvesting of native flora on thoroughfare	500
5.20(1)	Collecting seed from native flora on thoroughfare without a permit	350
6.2(1)	Conducting of stall in public place without a permit	350
6.3(1)	Trading without a permit	350
6.8(1)(a)	Failure of stallholder or trader to display or carry permit	150
6.8(1)(b)	Stallholder or trader not displaying valid permit	150
6.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	150
6.8(2)	Stallholder or trader engaged in prohibited conduct	150
6.10	Performing in a public place without a permit	150
6.11(2)	Failure of performer to move onto another area when directed	150
6.14	Failure of performer to comply with obligations	150
6.16	Establishment or conduct of outdoor eating Facility without a permit	350
6.18	Failure of permit holder of outdoor eating Facility to comply with obligations	150
6.20(1)	Use of equipment of outdoor eating Facility without purchase of food or drink from Facility	100
6.20(2)	Failure to leave outdoor eating Facility when requested to do so by permit holder	100
7.5	Failure to comply with a condition of a permit	150
7.9	Failure to produce permit on request of authorised person	150
10.1	Failure to comply with notice given under local law	500

Dated:

The Common Seal of the Shire of Gnowangerup was affixed by authority of a resolution of the Council in the presence of:

CR FIONA GAZE
Shire President

BOB JARVIS
Chief Executive Officer

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11.3	ACCOUNTS FOR PAYMENT AND AUTHORISATION – NOVEMBER 2021
Location:	Shire of Gnowangerup
Proponent:	N/A
Date of Report:	7 th December 2021
Business Unit:	Corporate and Community Services
Officer:	Sharon Miniter– Senior Finance Officer
Disclosure of Interest:	Nil

ATTACHMENTS

- November 2021 Cheque Listing

PURPOSE OF THE REPORT

To provide Council with a list of payments processed in the month of November 2021.

BACKGROUND

Nil

COMMENTS

The November 2021 cheque list for the period 01/11/2021 to 30/11/2021 is attached as follows:

FUND	AMOUNT
Municipal Fund	\$591,320.00
Credit Card	\$ 2,674.00
TOTAL	\$593,994.00

CONSULTATION

Nil

LEGAL AND STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

Regulation 12 states that:

- (1) *A payment may only be made from the municipal fund or the trust fund*
-
- (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*

POLICY IMPLICATIONS

Purchasing Policy 4.1

Corporate Credit Card Policy 4.4

FINANCIAL IMPLICATIONS

All payments are in line with the Adopted Budget or have been approved by Council as a Budget Amendment.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Theme: Our Organisation

Community Priority:

Forward planning and implementation of plans to achieve strategic priorities.

Action: Performance against commitments made.

STRATEGIC RISK MANAGEMENT CONSIDERATIONS:

Strategic Risk Category	Financial Sustainability
Consequence Rating	Catastrophic
Likelihood Rating	Unlikely
Acceptance Rating	Acceptable
Risk Acceptance Criteria	Risk Acceptable with adequate controls

IMPACT ON CAPACITY

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

CONCLUSION

This is a standard item in the Ordinary Council Meeting Agenda.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

Moved: Cr S Hmeljak

Seconded: Cr M Creagh

1221.140 That Council:

Approves the Schedule of Accounts:

Municipal Fund Cheques 00029 - 00039, EFT 18016 – EFT 18148, Superannuation and Direct Deposits totalling \$591,320.00 and Corporate Credit Card totalling \$2,674.00.

UNANIMOUSLY CARRIED: 8/0

Chq/EFT	Date	Name	Description	Amount
29	04/11/2021	DEPARTMENT OF TRANSPORT	LICENSE RENEWAL GN.17113	\$ 24.40
30	04/11/2021	WATER CORPORATION	WATER USAGE	\$ 92.79
31	11/11/2021	GNOWANGERUP SHIRE MEDICAL PRACTICE	PRE PLACEMENT MEDICAL	\$ 150.00
32	11/11/2021	SYNERGY	SUPPLY PERIOD 29 DAYS SWIMMINGPOOL	\$ 1,291.09
			SUPPLY PERIOD 29 DAYS OTHER	\$ 2,467.56
33	11/11/2021	WATER CORPORATION	WATER USAGE	\$ 19.10
34	18/11/2021	ALBANY DOG ROCK MOTEL	WORKS TRAINING/CONFERENCES - WASTE CONFERENCE ACCOMMODATION	\$ 270.00
35	18/11/2021	GNOWANGERUP SHIRE MEDICAL PRACTICE	PRE PLACEMENT MEDICAL	\$ 150.00
36	18/11/2021	GREAT SOUTHERN AVIATION	AERONAUTICAL RADIO OPERATORS CERTIFICATE	\$ 165.00
37	18/11/2021	SYNERGY	SWIMMING POOL SUPPLY PERIOD 29 DAYS 19/10 - 16/11	\$ 2,563.41
			SUPPLY PERIOD 29 DAYS OTHER	\$ 1,475.75
38	18/11/2021	WATER CORPORATION	WATER USAGE AND SERVICE CHARGES	\$ 5,269.10
			WATER USAGE SWIMMING POOL	\$ 1,233.63
39	30/11/2021	GM & K PEAKALL	PROCUREMENT OF GRAVEL AS PER AGREEMENT 0220	\$ 11,000.00
EFT18016	01/11/2021	ALEXANDER EDGAR MARTIN	COUNCILLOR NOMINATION	\$ 80.00
EFT18017	01/11/2021	PETER GERARD CALLAGHAN	COUNCILLOR NOMINATION	\$ 80.00

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EFT18018	01/11/2021 REBECCA ANNE O'MEEHAN	COUNCILLOR NOMINATION	\$ 80.00
EFT18019	04/11/2021 AFGRI EQUIPMENT AUSTRALIA PTY LTD	REPAIRS TO PUSH LAWN MOWER	\$ 109.20
EFT18020	04/11/2021 AIR LIQUIDE	CYLINDER HIRE FEE	\$ 149.68
EFT18021	04/11/2021 B P HARRIS & SON	SLASHER REPAIRS	\$ 96.25
EFT18022	04/11/2021 BUILDING AND ENERGY DIVISION DMIRS	GNDP21.002 & GBNP21.018	\$ 113.30
EFT18023	04/11/2021 BUNNINGS ALBANY	SLEDGE HAMMERS FOR DEPOT	\$ 182.10
EFT18024	04/11/2021 CONSULTING GREAT SOUTHERN	WORKFORCE PLAN AS QUOTED	\$ 8,981.50
EFT18025	04/11/2021 CORSIGN WA	ROAD MAINTENANCE SUNDRY - MULTIPLE OF POSTS	\$ 418.00
EFT18026	04/11/2021 CRYSTALLINE CIVIL AND RURAL	MAINTENANCE GRADING FOSTER, TIELINE, O'NEILL, GLEESON RDS	\$ 10,147.50
EFT18027	04/11/2021 DA & KJ MURRAY	ACCOMMODATION AND MEALS - EHO	\$ 80.00
EFT18028	04/11/2021 DWER	LICENCE FEE LIQUID WASTE FACILITY GNOWANGERUP 2021/22	\$ 1,546.00
EFT18029	04/11/2021 DESIGNER DIRT	2 PIECE POWDERED COATED SOLDIER 1.8M HIGH ANZAC PARK	\$ 830.00
EFT18030	04/11/2021 DURAQUIP	HAULFORCE SIDE TIPPER TRAILER	\$ 109,934.00
		DOLLEY	\$ 30,173.00
EFT18031	04/11/2021 EDGE PLANNING & PROPERTY	PREPARATION OF SHIRE OF GNOWANGERUP LOCAL PLANNING STRATEGY AS QUOTED	\$ 1,100.00
EFT18032	04/11/2021 EDWARDS ISUZU & KATANNING MAZDA	ISUZU 2018 D-MAX 4X4 SPACE CAB GN.0048 - BORDEN GRADER RIGHT HAND SIDE MIRROR	\$ 545.08
EFT18033	04/11/2021 GATEWAY PRINTING	ENVELOPES	\$ 511.50

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EFT18034	04/11/2021 GNOWANGERUP CRC	STAFFING FOR LIBRARY - OCTOBER 2021	\$ 429.98
		AMENITIES AND UTILITY CONTRIBUTION	\$ 718.28
EFT18035	04/11/2021 GNOWANGERUP FUEL SUPPLIES	FUEL FOR FLEET	\$ 1,367.08
EFT18036	04/11/2021 GNP HARDWARE	VARIOUS HARDWARE ITEMS	\$ 514.10
EFT18037	04/11/2021 HIMAC ATTACHMENTS	REPLACE BLADE ATTACHMENTS FOR THE SKID STEER/SLASHER	\$ 972.40
EFT18038	04/11/2021 IMPRINT PLASTIC BADGE & SIGN MANUFACTURERS	NAME BADGES FOR COUNCILLORS	\$ 106.15
EFT18039	04/11/2021 IT VISION	RATES & PROPERTY ESSENTIALS - TRAINING	\$ 3,575.00
EFT18040	04/11/2021 KATANNING TYRE POWER	MITSUBISHI NX PAJERO WAGON GN.004 - WHEEL ALIGNMENT	\$ 95.00
EFT18041	04/11/2021 LANDGATE	SLIP ANNUAL SUBSCRIPTION SERVICES	\$ 2,624.03
EFT18042	04/11/2021 MESSAGEMEDIA	3307 OUTGOING MESSAGES FOR OCTOBER	\$ 472.90
EFT18043	04/11/2021 OFFICEWORKS	STATIONERY ITEMS	\$ 61.10
EFT18044	04/11/2021 OLUMAYOKUN OLUYEDE	CASH SUBSIDY AS PER CONTRACT OCTOBER 2021	\$ 11,000.00
EFT18045	04/11/2021 ONLINE SAFETY SYSTEMS PTY LTD	PLANT ASSESSOR - OCTOBER 2021 MEMBERSHIP	\$ 632.50
EFT18046	04/11/2021 ROYAL LIFE SAVING SOCIETY WA INC	SWIMMING POOL - WATCH AROUND WATER RE- REGISTRATION FOR 3 YEARS	\$ 440.00
EFT18047	04/11/2021 STOREMASTA	SPP4 SINGLE DOOR PPE STORAGE CABINET	\$ 876.73
EFT18048	04/11/2021 TOLL TRANSPORT PTY LTD	FREIGHT	\$ 109.47
EFT18049	04/11/2021 REBECCA KIDDLE	COUNCILLOR NOMINATION	\$ 80.00

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EFT18050	08/11/2021 ONGERUP BOWLING CLUB INC	SELF SUPPORTING LOAN FUNDS #283	\$ 60,000.00	
EFT18051	11/11/2021 A V TRUCK SERVICES	IVECO STRALIS AD500 - GN.0014 - REPAIRS	\$ 580.25	F
EFT18052	11/11/2021 AUSTRALIA POST	POSTAGE - OCTOBER 2021	\$ 632.45	
EFT18053	11/11/2021 BECKS TRANSPORT	POOL CHEMICALS - FREIGHT	\$ 103.09	
EFT18054	11/11/2021 BEST OFFICE SYSTEMS	PHOTOPIER PRINTING COSTS 20/09/2021 - 20/10/2021 SES	\$ 19.04	
EFT18055	11/11/2021 BGL SOLUTIONS	MAINTENANCE AS PER CONTRACT	\$ 10,429.53	F
EFT18056	11/11/2021 COLEMAN CONSULTING	AGRN973 IMMEDIATE RECONSTRUCTION SUPERVISION OF CONTRACTORS	\$ 2,648.00	F
EFT18057	11/11/2021 DESIGNER DIRT	METAL WELCOME SIGN ONGERUP	\$ 2,338.00	
EFT18058	11/11/2021 ENERGY AND WATER OMBUDSMAN (WA) LIMITED	ANNUAL LEVY 2021/2022	\$ 0.87	F
EFT18059	11/11/2021 G & M DETERGENTS	SUPPLIES FOR GNP PUBLIC TOILETS	\$ 344.20	
EFT18060	11/11/2021 GNOWANGERUP BOWLING CLUB	REFRESHMENTS FOR COUNCIL	\$ 180.00	
EFT18061	11/11/2021 GNOWANGERUP FUEL SUPPLIES	FUEL FOR SES FLEET	\$ 147.04	
EFT18063	11/11/2021 GNP HARDWARE	GIFT VOUCHERS FOR OUTGOING COUNCILLORS	\$ 2,626.57	F
EFT18064	11/11/2021 KOMATSU AUSTRALIA PTY LTD	PARTS FOR P2016	\$ 1,961.89	
EFT18065	11/11/2021 MARKETFORCE	PUBLIC NOTICE 'INTENTION TO BORROW GREAT SOUTHERN HERALD 4TH NOVEMBER 2021	\$ 215.57	
EFT18066	11/11/2021 OFFICEWORKS	SES STATIONERY ORDER - NOVEMBER 2021	\$ 738.27	
EFT18067	11/11/2021 ONGERUP SPORTING COMPLEX	OPERATIONAL ASSISTANCE GRANT 21/22	\$ 3,729.00	F

EFT18068	11/11/2021 P G NEWBEY	GRAVEL AS PER AGREEMENT 0026	\$ 5,502.20
EFT18069	11/11/2021 PHOENIX CIVIL & EARTHMOVING PTY LTD	MAINTENANCE GRADING SOLDIERS, MOORES DAM, JACKITUP, HINKLEY, AIRPORT, PARK RDS	\$ 21,829.50
EFT18070	11/11/2021 PLASTICS PLUS	SUPPLIES FOR GNP DEPOT	\$ 60.50
EFT18071	11/11/2021 QUREMED PTY LTD	ANNUAL SERVICE THE OXY VIVA - SHIRE MEDICAL PRACTICE	\$ 195.96
EFT18072	11/11/2021 R J GARNETT & SON	MAINTENANCE GRADING XMAS FARM, WILLEMENUP, CLEAR HILLS, MARTINUP RDS	\$ 7,375.50
EFT18073	11/11/2021 SADLERS BUTCHERS	CATERING FOR COUNCIL AND MENTAL HEALTH WEEK	\$ 592.00
EFT18074	11/11/2021 SUPERLOOP (OPERATIONS) PTY LTD	FIXED WIRELESS - GNOWANGERUP MONTHLY FEE	\$ 1.10
EFT18075	11/11/2021 TOLL TRANSPORT PTY LTD	FREIGHT	\$ 57.09
EFT18076	11/11/2021 WA CONTRACT RANGER SERVICES	RANGER SERVICES 26/10/2021 & 03/11/2021	\$ 1,782.00
EFT18077	11/11/2021 WARREN BLACKWOOD WASTE	BIN PICK UP 07/10, 14/10, 21/10, 28/10	\$ 7,578.25
EFT18078	11/11/2021 WINC. (WORK INCORPORATED)	ADMIN STATIONERY ORDER - NOVEMBER 2021	\$ 353.35
EFT18079	11/11/2021 WORKWEAR GROUP	UNIFORMS	\$ 983.00
EFT18080	18/11/2021 ADMIN SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 90.00
EFT18081	18/11/2021 ADVANCE CLEAN AND SEAL PTY LTD	CLEARING DRAINS WITHIN THE GNOWANGERUP SHIRE	\$ 1,320.00
EFT18082	18/11/2021 AFGRI EQUIPMENT AUSTRALIA PTY LTD	PURCHASE ZERO TURN JDEERE MOWER GN.0029	\$ 37,807.00
		LESS TRADE IN HUSQVANA MOWER	-\$ 7,007.00
		PURCHASE JD MOWER GN.0034	\$ 38,605.60

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		LESS TRADE IN JD MOWER	-\$ 9,455.60	
EFT18083	18/11/2021 ARCHIVAL SURVIVAL	GNOWANGERUP STAR ARCHIVAL MATERIALS AND EQUIPMENT	\$ 1,218.47	
EFT18084	18/11/2021 ARMADILLO PRODUCTS	HYDRAULIC PLUG	\$ 34.91	
EFT18085	18/11/2021 BLACK AND GOLD SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 110.00	
EFT18086	18/11/2021 BOC GASES	DRY ICE - MOZZIE BAITING WITHIN SHIRE	\$ 6.74	
EFT18087	18/11/2021 BT EQUIPMENT PTY LTD	BOMAG ROLLER - PARTS	\$ 443.28	
EFT18088	18/11/2021 CRYSTALLINE CIVIL AND RURAL	GRAVEL SHEETING RABBIT PROOF FENCE ROAD	\$ 13,365.00	
EFT18089	18/11/2021 DWER	CONTROLLED WASTE DRIVER LICENCE RENEWALS	\$ 148.00	F
EFT18090	18/11/2021 DEPT OF HUMAN SERVICES	PAYROLL DEDUCTIONS	\$ 197.02	
EFT18091	18/11/2021 FIRE & SAFETY WA	BFB SAFETY EQUIPMENT	\$ 1,789.00	F
EFT18092	18/11/2021 GABRIEL EVANS	CHILDREN'S BOOK WEEK	\$ 1,016.00	F
EFT18093	18/11/2021 GNOWANGERUP IGA	CONSUMABLES	\$ 831.08	
EFT18094	18/11/2021 GNOWANGERUP TYRE SERVICE	HINO 300 SERIES CREW TIPPER GN.007 TYRES, FIT & BALANCE	\$ 902.00	
EFT18095	18/11/2021 GNP HARDWARE	1 X 20 LITRE COOLANT AND VARIOUS HARDWARE ITEMS	\$ 504.40	
EFT18096	18/11/2021 HEWER CONSULTING SERVICES	AGRN973 CONSULTANCY ENGINEERING SERVICES FOR FLOOD DAMAGE	\$ 700.00	F
EFT18097	18/11/2021 KEVROCK EARTHMOVING	AGRN973 STOCKPILE 5000M3 GRAVEL FOR FLOOD DAMAGE RESTORATION WORKS	\$ 13,134.00	F
EFT18098	18/11/2021 KOMATSU AUSTRALIA PTY LTD	KOMATSU GRADER - GN.0021 - REPAIR HYDRAULICS	\$ 74.93	

EFT18099	18/11/2021 LGRCEU	PAYROLL DEDUCTIONS	\$ 143.50
EFT18100	18/11/2021 MOHANA CATERING	CATERING FOR COUNCIL MEETINGS	\$ 660.00
EFT18101	18/11/2021 ONGERUP FARM SUPPLIES	SUPPLIES FOR WHIPPER SNIPPER	\$ 233.50
EFT18102	18/11/2021 ONGERUP TYRES & AUTOMOTIVE	DETWER MOWER REPLACEMENT TUBES	\$ 31.70
EFT18103	18/11/2021 RED SPARK PROGRAMMED SERVICES & ELECTRICAL	REPLACE ELEMENT IN OVEN - YOUGENUP CENTRE	\$ 189.00
EFT18104	18/11/2021 SADLERS BUTCHERS	CATERING FOR COUNCIL WORKSHOP	\$ 200.00
EFT18105	18/11/2021 SOLUTIONS IT	MANAGED SUPPORT FOR NOVEMBER	\$ 4,533.67
EFT18106	18/11/2021 ST JOHN AMBULANCE ASSOC OF WA	BURNS FIRST AID KITS FOR FIRE TRUCKS	\$ 239.92
EFT18107	18/11/2021 STAR SALES & SERVICE	PULLEY FOR HUSQVARNA MOWER GN.0034	\$ 221.00
EFT18108	18/11/2021 TOLL TRANSPORT PTY LTD	FREIGHT	\$ 51.81
EFT18109	18/11/2021 TRAILBLAZERS	EBA DEPOT UNIFORMS	\$ 1,607.00
EFT18110	18/11/2021 WINC. (WORK INCORPORATED)	ADMIN - STATIONERY ORDER - NOVEMBER 2021	\$ 25.92
EFT18111	18/11/2021 WORKWEAR GROUP	UNIFORMS	\$ 400.00
EFT18112	30/11/2021 A V TRUCK SERVICES	IVECO STRALIS AS500 - GN.0044 - PARTS	\$ 170.88
EFT18113	30/11/2021 ADMIN SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 110.00
EFT18114	30/11/2021 ADROIT INFORMATION MANAGEMENT	GNP MEDICAL CENTRE RECORDS RISK REVIEW	\$ 1,742.40
EFT18115	30/11/2021 ARMADILLO PRODUCTS	CATERPILLAR SKID STEER LOADER - REPAIR HOSES	\$ 358.20

EFT18116	30/11/2021 BAREFOOT CLOTHING MANUFACTURERS	EMBROIDERY FOR UNIFORM	\$ 8.00
EFT18117	30/11/2021 BEST OFFICE SYSTEMS	RICOH IMC6000 PHOTOCOPIER - PERIOD 20/10/2021-20/11/2021	\$ 667.23
EFT18118	30/11/2021 BGL SOLUTIONS	ONGERUP TOWN HALL TURF AREA RENOVATIONS	\$ 979.00
EFT18119	30/11/2021 BLACK AND GOLD SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 110.00
EFT18120	30/11/2021 BOC GASES	DRY ICE PELLETS BULK	\$ 6.74
EFT18121	30/11/2021 BROOKS HIRE SERVICE PTY LTD	HIRE OF WATER CART FOR RTR RABBIT PROOF FENCE RD GRAVEL SHEETING \$58/HR	\$ 6,231.98
EFT18122	30/11/2021 DA & KJ MURRAY	ACCOMODATION AND MEAL EHO - 4/10/25 NOVEMBER	\$ 240.00
EFT18123	30/11/2021 DFES	2021/22 ESL 2ND QUARTER CONTRIBUTION	\$ 23,839.20
EFT18124	30/11/2021 DEPT OF HUMAN SERVICES	PAYROLL DEDUCTIONS	\$ 197.02
EFT18125	30/11/2021 DL CONSULTING	REVIEW MFR SEPTEMBER AND ADDITIIONAL INFORMATION FOR AUDIT	\$ 412.50
EFT18126	30/11/2021 EVERTRANS	HINO 300 SERIES CREW TIPPER GN.007 - WHEEL ALIGNMENT	\$ 275.00
EFT18127	30/11/2021 GNOWANGERUP FUEL SUPPLIES	FUEL FOR GNP DEPOT 20,500 LITRES OF DIESEL @ \$1.5049	\$ 30,850.45
EFT18128	30/11/2021 GNOWANGERUP SMASH REPAIRS	PAJERO WAGON GN.004 REPLACE WINDSCREEN	\$ 506.00
EFT18129	30/11/2021 GNOWANGERUP TYRE SERVICE	2011 JD GRADER GN.0015 - REPAIRS/REPLACE TYRE	\$ 78.00
EFT18130	30/11/2021 GNOWANGERUP VOLUNTEER SES UNIT INC	USE OF SES FACILITIES FOR RURAL FIRE AWARENESS TRAINING 25/11/21	\$ 100.00
EFT18131	30/11/2021 GNP HARDWARE	VARIOUS HARDWARE ITEMS	\$ 422.41
EFT18132	30/11/2021 HERSEYS SAFETY PTY LTD	SUPPLIES FOR RE STOCKING OF GNP DEPOT	\$ 187.83

EFT18133	30/11/2021 LGRCEU	PAYROLL DEDUCTIONS	\$ 143.50
EFT18134	30/11/2021 M & MP BUILDERS	CONCRETE SLAB REMOVAL AT THE GNOWANGERUP CEMETERY FOR REPLACEMENT	\$ 1,320.00
EFT18135	30/11/2021 MARKETFORCE	JOB ADVERT 'ASSET MAINTENACE OFFICER' IN GREAT SOUTHERN HERALD AND ALBANY ADVERTISER ON 25	\$ 730.14
EFT18136	30/11/2021 NUTRIEN AG SOLUTIONS	RRG - KWOBURUP ROAD - FENCE POSTS STRAINERS WIRE	\$ 381.92
EFT18137	30/11/2021 OFFICEWORKS	STATIONERY FOR GNP DEPOT	\$ 253.11
EFT18138	30/11/2021 OLUMAYOKUN OLUYEDE	LOCUM MEDICAL PRACTITIONERS SUBSIDY 2021/22	\$ 13,200.00
		CASH SUBSIDY AS PER CONTRACT NOVEMBER	\$ 11,000.00
EFT18139	30/11/2021 PROTECTOR FIRE SERVICE AND FIRST AID SUPPLIES	SERVICE FIRE EQUIPMENT	\$ 149.60
EFT18140	30/11/2021 RAY FORD SIGNS	RECYCLING SIGNAGE -ONGERUP AND BORDEN, AIRPORT EMERGENCY GATE SIGNAGE	\$ 3,283.17
EFT18141	30/11/2021 SHARON MINITER	REIMBURSE MEALS AND PARKING FOR FINANCE TRAINING	\$ 113.14
EFT18142	30/11/2021 SHIRE OF CRANBROOK	CONTRIBUTION CESM COSTS JULY-SEPTEMBER 2021	\$ 4,172.49
EFT18143	30/11/2021 SOUTHERN TOOL AND FASTENER CO	CHAINSAW REPAIRS - BAR 50CM	\$ 180.00
EFT18144	30/11/2021 TOLL TRANSPORT PTY LTD	FREIGHT	\$ 73.42
EFT18145	30/11/2021 WA CONTRACT RANGER SERVICES	RANGER SERVICES 10/11 AND 17/11	\$ 1,881.00
EFT18146	30/11/2021 WINC. (WORK INCORPORATED)	SWIMMING POOL STATIONERY ORDER - NOVEMBER 2021	\$ 235.72
EFT18147	30/11/2021 WORKWEAR GROUP	UNIFORMS -ADMIN	\$ 920.04
EFT18148	30/11/2021 YONGERGNOW-ONGERUP CRC	ADVERTISING ONGERUP GRAPEVINE NEWSLETTER	\$ 195.00

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DD4947.1	01/11/2021 WESTNET	ADMIN AND CEO HOME INTERNET	\$ 277.83
DD4947.2	19/11/2021 SYNERGY	STREET LIGHTS PERIOD 29 DAYS	\$ 3,754.35
DD4954.2	23/11/2021 3E ADVANTAGE PTY LIMITED	PHOTOCOPIER RENTAL	\$ 418.00
DD4954.3	30/11/2021 TELSTRA	USAGE, SERVICE AND EQUIPMENT SES	\$ 245.70
DD4959.1	10/11/2021 AWARE SUPER	PAYROLL DEDUCTIONS	\$ 6,672.20
DD4959.2	10/11/2021 OASIS SUPERANNUATION MASTER TRUST	SUPERANNUATION CONTRIBUTIONS	\$ 200.00
DD4959.3	10/11/2021 COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 75.53
DD4959.4	10/11/2021 THE PIPA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	\$ 544.58
DD4959.5	10/11/2021 ANZ SMART CHOICE SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 344.50
DD4959.6	10/11/2021 WALGS PLAN	PAYROLL DEDUCTIONS	\$ 286.69
DD4959.7	10/11/2021 SMSF	PAYROLL DEDUCTIONS	\$ 978.68
DD4959.8	10/11/2021 WEALTH PERSONAL SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 644.99
DD4959.9	10/11/2021 COLONIAL FIRSTWRAP PLUS PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 846.75
DD4961.1	24/11/2021 TELSTRA	USAGE SERVICES AND CHARGES	\$ 176.38
DD4961.2	22/11/2021 TELSTRA	USAGE SERVICE AND CHARGES	\$ 844.09
DD4965.1	24/11/2021 AWARE SUPER	PAYROLL DEDUCTIONS	\$ 6,488.76
DD4965.2	24/11/2021 OASIS SUPERANNUATION MASTER TRUST	SUPERANNUATION CONTRIBUTIONS	\$ 200.00

F

DD4965.3	24/11/2021 THE PIPA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	\$	544.58
DD4965.4	24/11/2021 ANZ SMART CHOICE SUPER	SUPERANNUATION CONTRIBUTIONS	\$	345.16
DD4965.5	24/11/2021 WALGS PLAN	PAYROLL DEDUCTIONS	\$	286.69
DD4965.6	24/11/2021 SMSF	SUPERANNUATION CONTRIBUTIONS	\$	978.68
DD4965.7	24/11/2021 WEALTH PERSONAL SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$	644.99
DD4965.8	24/11/2021 COLONIAL FIRSTWRAP PLUS PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$	860.72
DD4965.9	24/11/2021 CARE SUPER	SUPERANNUATION CONTRIBUTIONS	\$	966.51
DD4966.1	30/11/2021 TELSTRA	MOBILE PHONES AND DATA PACKS	\$	692.99
DD4969.1	27/11/2021 SYNERGY	SYNERGY ACCOUNT FOR DCEO	\$	429.85
DD4959.10	10/11/2021 CARE SUPER	SUPERANNUATION CONTRIBUTIONS	\$	966.51
DD4959.11	10/11/2021 AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$	823.61
DD4959.12	10/11/2021 PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$	303.46
DD4959.13	10/11/2021 BENDIGO SMARTOPTIONS SUPER	SUPERANNUATION CONTRIBUTIONS	\$	99.94
DD4959.14	10/11/2021 MLC NAVIGATOR RETIREMENT PLAN	SUPERANNUATION CONTRIBUTIONS	\$	230.52
DD4965.10	24/11/2021 AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$	988.80
DD4965.11	24/11/2021 PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$	297.69
DD4965.12	24/11/2021 BENDIGO SMARTOPTIONS SUPER	SUPERANNUATION CONTRIBUTIONS	\$	124.93

R

DD4965.13	24/11/2021 MLC NAVIGATOR RETIREMENT PLAN	SUPERANNUATION CONTRIBUTIONS	\$ 230.52
		TOTAL MUNICIPAL ACCOUNT	\$ 591,320.00
	12/10/2021 EG GROUP	FUEL GN.00	\$ 89.16
	25/10/2021 PUMA ENERGY	FUEL GN.00	\$ 67.10
	26/10/2021 DAN MURPHYS ONLINE	REFRESHMENTS FOR COUNCIL	\$ 869.90
	07/10/2021 BOOKING.COM	ACCOMODATION RECORDS & PLAYGROUND AUDIT	\$ 1,217.14
	31/10/2021 BENDIGO BANK	MONTHLY CARD FEE	\$ 8.00
	09/10/2021 7 ELEVEN KELMSCOTT	FUEL GN.001	\$ 78.76
	12/10/2021 BP ARMADALE	FUEL GN.001	\$ 56.33
	12/10/2021 BP WONTHELLA	FUEL GN.001	\$ 79.20
	14/10/2021 BP BREMER BAY	FUEL GN.001	\$ 54.54
	21/10/2021 CONSERVATION SUPPLIES	STATIONERY FOR GNP STAR ARCHIVING	\$ 88.88
	28/10/2021 IINET	DCEO HOME INTERNET	\$ 64.99
		TOTAL CORPORATE CREDIT CARD	\$ 2,674.00

CERTIFICATE OF SENIOR FINANCE OFFICER

I HEREBY CERTIFY THE FOLLOWING SCHEDULE OF ACCOUNTS:

TOTAL FOR MUNICIPAL FUND: EFT 18016 -18148, Cheque 00029 - 00039, DD and Super Clearing House = \$591320.00

TOTAL FOR CREDIT CARD: \$2,674.00

- F** Fully Grant Funded
- P** Partial Grant Funded
- R** Other Funding (Reimbursements)

11.4 NOVEMBER 2021 MONTHLY FINANCIAL REPORT

Location:	Shire of Gnowangerup
Proponent:	N/A
Date of Report:	7 th December 2021
Business Unit:	Corporate and Community Services
Officer:	D. Long – Finance Consultant S. Minitier – Senior Finance Officer
Disclosure of Interest:	NIL

ATTACHMENTS

Monthly Financial Statements for the period 01/11/2021 to 30/11/2021 including:

- Statement of Financial Activity
- Report on Material Differences
- Comprehensive Income by Program and Nature & Type
- Statement of Cash Flows
- Current Assets and Liabilities

PURPOSE OF THE REPORT

For Council to receive and accept the Monthly Financial Report to the 30th November 2021, note that figures are subject to change as a result of end of year procedures and the audit process.

BACKGROUND

Nil

COMMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month.

CONSULTATION

Nil

LEGAL AND STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996
Reg. 34 Financial activity statement required each month

POLICY IMPLICATIONS

Investment Policy 4.3

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan

Theme: Our Organisation

Community Priority:

Forward planning and implementation of plans to achieve strategic priorities.

Action: Performance against commitments made.

STRATEGIC RISK MANAGEMENT CONSIDERATIONS:

Strategic Risk Category	Financial Sustainability
Consequence Rating	Catastrophic
Likelihood Rating	Unlikely
Acceptance Rating	Acceptable
Risk Acceptance Criteria	Risk Acceptable with adequate controls

IMPACT ON CAPACITY

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

CONCLUSION

This is a standard item in the Ordinary Council Meeting Agenda.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

Moved: Cr S Hmeljak

Seconded: Cr R O’Meehan

1221.141 That Council:

Receives and accepts the Monthly Financial Report for November 2021.

UNANIMOUSLY CARRIED: 8/0

SHIRE OF GNOWANGERUP

MONTHLY FINANCIAL REPORT

30 November 2021

SHIRE OF GNOWANGERUP
STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD ENDING 30 NOVEMBER 2021

	NOTES	2021-22 ANNUAL BUDGET	2021-22 YTD ACTUAL
EXPENDITURE (Excluding Finance Costs)		\$	\$
General Purpose Funding		(106,929)	(25,296)
Governance		(821,399)	(327,113)
Law, Order, Public Safety		(383,968)	(104,376)
Health		(299,375)	(123,885)
Education and Welfare		(29,789)	(12,441)
Housing		(37,110)	(11,397)
Community Amenities		(578,207)	(167,911)
Recreation and Culture		(1,596,000)	(425,655)
Transport		(3,447,983)	(1,672,815)
Economic Services		(161,221)	(60,050)
Other Property and Services		(650,790)	(184,944)
		(8,112,771)	(3,115,881)
REVENUE			
General Purpose Funding		4,758,059	4,538,086
Governance		0	526
Law, Order, Public Safety		75,687	34,677
Health		350	690
Education and Welfare		11,200	0
Housing		94,028	38,741
Community Amenities		283,567	292,775
Recreation and Culture		19,848	10,891
Transport		169,097	178,413
Economic Services		23,357	1,903
Other Property & Services		99,996	77,561
		5,535,189	5,174,265
<i>Increase(Decrease)</i>		(2,577,582)	2,058,383
FINANCE COSTS			
Housing		(8,309)	(4,702)
Recreation & Culture		(14,966)	(4,832)
Other Property & Services		(279)	(326)
Total Finance Costs		(23,554)	(9,859)
NON-OPERATING REVENUE			
Housing		0	(16,225)
Transport		1,339,691	340,409
Economic Services		246,000	0
Other Property & Services		127,187	0
Total Non-Operating Revenue		1,712,878	324,184
PROFIT/(LOSS) ON SALE OF ASSETS			
Transport Profit		0	0
Transport Loss		0	0
<i>Total Profit/(Loss)</i>		0	0
NET RESULT		(888,258)	2,372,708
Other Comprehensive Income			
Changes on revaluation of non-current assets		0	0
<i>Total Abnormal Items</i>		0	0
TOTAL COMPREHENSIVE INCOME		(888,258)	2,372,708

SHIRE OF GNOWANGERUP
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE/TYPE
FOR THE PERIOD ENDING 30 NOVEMBER 2021

	2021-22 BUDGET	2021-22 ACTUAL
Expenses		
Employee Costs	(2,650,345)	(1,156,219)
Materials and Contracts	(2,358,089)	(1,583,172)
Utility Charges	(178,508)	(61,643)
Depreciation on Non-Current Assets	(2,291,412)	0
Interest Expenses	(23,554)	(9,859)
Insurance Expenses	(251,066)	(199,399)
Other Expenditure	(383,351)	(115,449)
	(8,136,325)	(3,125,741)
Revenue		
Rates	4,223,193	4,228,383
Operating Grants, Subsidies and Contributions	896,348	649,123
Fees and Charges	305,559	194,361
Service Charges	0	0
Interest Earnings	37,455	22,264
Other Revenue	72,634	80,134
	5,535,189	5,174,265
	(2,601,136)	2,048,524
Non-Operating Grants, Subsidies & Contributions	1,712,878	324,184
Fair Value Adjustments to financial assets at fair value through profit/loss	0	0
Profit on Asset Disposals	0	0
Loss on Asset Disposals	0	0
	1,712,878	324,184
Net Result	(888,258)	2,372,708
Other Comprehensive Income		
Changes on revaluation of non-current assets	0	0
Total Other Comprehensive Income	0	0
TOTAL COMPREHENSIVE INCOME	(888,258)	2,372,708

SHIRE OF GNOWANGERUP
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDING 30 NOVEMBER 2021

	Note	2020-21 ACTUAL \$	2021-2022 ACTUAL \$	Variance \$
Current assets				
Unrestricted Cash & Cash Equivalents		2,765,030	3,534,069	769,039
Restricted Cash & Cash Equivalents		2,145,965	2,139,080	-6,885
Trade and other receivables		388,315	945,552	557,237
Inventories		23,344	31,627	8,284
Other assets		370,948	370,948	0
Total current assets		5,693,602	7,021,277	1,327,675
Non-current assets				
Trade and other receivables		114,788	114,788	0
Self Supporting Loans		0	60,000	60,000
Other Financial Assets - WALGA Unit Trust		73,807	73,807	0
Land		1,050,074	1,050,074	0
Buildings		29,110,541	29,149,582	39,041
Plant & Equipment		3,830,310	4,010,683	180,373
Furniture & Equipment		82,180	82,180	0
Infrastructure Assets - Roads		76,898,051	76,230,576	-667,476
Infrastructure Assets - Footpaths		699,025	699,025	0
Infrastructure Assets - Drainage		3,496,095	3,496,095	0
Infrastructure Assets - Parks & Ovals		5,872,194	5,872,194	0
Infrastructure Assets - Other		906,914	951,950	45,036
Infrastructure Assets - Sewerage		225,384	225,384	0
Infrastructure Assets - Airport		3,007,586	3,007,727	141
Infrastructure Assets - Solid Waste		323,471	323,471	0
Right of Use Assets		4,184	4,184	0
Total non-current assets		125,694,605	125,351,720	-342,884
Total assets		131,388,206	132,372,997	984,790
Current liabilities				
Trade and other payables		398,278	75,211	323,067
Contract Liabilities		188,809	176,370	12,439
Interest-bearing loans and borrowings		556,784	858,466	-301,683
Bonds and Deposits		0	0	0
Finance Lease Liability		4,323	2,891	1,432
Provisions		394,658	394,658	0
Total current liabilities		1,542,851	1,507,596	35,256
Non-current liabilities				
Interest-bearing loans and borrowings		564,832	224,832	340,000
Finance Lease Liability		0	0	0
Provisions		89,450	89,450	0
Total non-current liabilities		654,282	314,282	340,000
Total liabilities		2,197,133	1,821,877	375,256
Net assets		129,191,074	130,551,119	1,360,045
Equity				
Retained surplus		43,872,509	43,872,124	-385
Net Result		0	2,372,708	2,372,708
Reserve - asset revaluation		83,179,870	82,167,207	-1,012,663
Reserve - Cash backed		2,138,695	2,139,080	385
Total equity		129,191,074	130,551,119	1,360,045

This statement is to be read in conjunction with the accompanying notes

SHIRE OF GNOWANGERUP
STATEMENT OF CASH FLOWS
FOR THE PERIOD ENDING 30 NOVEMBER 2021

		2020-21 ACTUAL \$	2021-22 BUDGET \$	2021-22 ACTUAL \$
Cash Flows from operating activities				
Payments				
Employee Costs		(2,548,029)	(2,810,221)	(1,188,878)
Materials & Contracts		(1,791,826)	(2,182,394)	(1,864,188)
Utilities (gas, electricity, water, etc)		(159,395)	(193,747)	(61,643)
Insurance		(211,119)	(234,191)	(199,399)
Interest Expense		(32,319)	(31,838)	(9,859)
Goods and Services Tax Paid		0	0	0
Other Expenses		(228,800)	(376,416)	(115,449)
		(4,971,488)	(5,828,807)	(3,439,416)
Receipts				
Rates		4,103,719	4,125,515	3,545,403
Operating Grants & Subsidies		1,663,805	912,608	636,684
Contributions, Reimbursements & Donations		0	0	0
Fees and Charges		346,915	307,371	194,361
Interest Earnings		58,837	46,338	22,264
Goods and Services Tax		(39,343)	0	37,810
Other		193,492	84,856	150,182
		6,327,425	5,476,688	4,586,703
Net Cash flows from Operating Activities	9	1,355,937	(352,119)	1,147,287
Cash flows from investing activities				
Payments				
Purchase of Land		(30,619)	(27,000)	0
Purchase of Buildings		(92,961)	(176,778)	(38,830)
Purchase Plant and Equipment		(465,144)	(699,500)	(180,373)
Purchase Furniture and Equipment		(42,580)	(45,000)	0
Purchase Road Infrastructure Assets		(1,992,967)	(2,105,192)	(345,187)
Purchase of Footpath Assets		0	(5,000)	0
Purchase Aerodrome Assets		(55,680)	(55,250)	(141)
Purchase Drainage Assets		0	(5,000)	0
Purchase Sewerage Assets		0	0	0
Purchase Parks & Ovals Assets		(60,906)	(58,810)	0
Purchase Solid Waste Assets		0	0	0
Purchase Infrastructure Other Assets		(653,972)	(839,396)	(45,036)
Receipts				
Proceeds from Sale of Assets		158,636	192,000	0
Non-Operating grants used for Development of Assets		2,442,124	2,527,849	324,184
		(794,069)	(1,297,077)	(285,383)
Cash flows from financing activities				
Repayment of Debentures		(548,606)	(208,606)	(438,318)
Repayment of Finance Leases		(12,661)	(12,664)	(1,432)
Advances to Community Groups		(340,000)	0	0
Loan advances repaid		340,000	0	0
Revenue from Self Supporting Loans		29,729	29,729	0
Proceeds from New Debentures		340,000	0	340,000
Net cash flows from financing activities		(191,538)	(191,541)	(99,750)
Net increase/(decrease) in cash held		370,330	(1,840,737)	762,154
Cash at the Beginning of Reporting Period		4,540,665	4,540,665	4,910,995
Cash at the End of Reporting Period	9	4,910,995	2,699,928	5,673,149

**SHIRE OF GNOWANGERUP
STATEMENT OF CASH FLOWS
FOR THE PERIOD ENDING 30 NOVEMBER 2021**

	2020-21 ACTUAL \$	2021-22 BUDGET \$	2021-22 ACTUAL \$
RECONCILIATION OF CASH			
Cash at Bank - Unrestricted	2,764,129	471,376	3,533,169
Cash at Bank Reserves - Restricted	2,145,965	2,227,752	2,139,080
Cash on Hand	900	800	900
TOTAL CASH	4,910,994	2,699,928	5,673,149
RECONCILIATION OF NET CASH USED IN OPERATING ACTIVITIES TO OPERATING RESULT			
Net Result (As per Comprehensive Income Statement)	1,242,843	(888,259)	2,372,708
Add back Depreciation	2,331,548	2,291,412	0
(Gain)/Loss on Disposal of Assets	4,136	0	0
Less: Movement in contract liabilities	(176,370)	0	0
Less: Movement in Local Government House Unit Trust	(2,586)	0	0
Less: Self Supporting Loan Principal Reimbursements	1,219	0	0
Less: Contributions for the Development of Assets	(2,265,754)	(1,712,878)	(324,184)
Changes in Assets and Liabilities			
(Increase)/Decrease in Inventory	(8,149)	0	(8,284)
(Increase)/Decrease in Receivables	(85,319)	0	(557,447)
Increase/(Decrease) in Accounts Payable	274,219	(15,442)	(335,506)
Increase/(Decrease) in Prepayments	0	(19,422)	0
Increase/(Decrease) in Employee Provisions	40,151	68,888	0
Increase/(Decrease) in Accrued Expenses	0	0	0
Rounding	0	0	0
NET CASH FROM/(USED) IN OPERATING ACTIVITIES	1,355,937	(275,701)	1,147,287

SHIRE OF GNOWANGERUP
FINANCIAL ACTIVITY STATEMENT
FOR THE PERIOD ENDING 30 NOVEMBER 2021

	2021-22 ANNUAL BUDGET	2021-22 YTD BUDGET (a)	2021-22 YTD ACTUAL (b)	MATERIAL \$ (b)-(a)	MATERIAL % (b)-(a)/(a)
OPERATING REVENUE	\$	\$	\$		
General Purpose Funding	781,328	393,530	559,588	166,058	(30%)
Governance	0	0	526	Within Threshold	(100%)
Law, Order Public Safety	75,687	38,130	34,677	Within Threshold	Within Threshold
Health	350	250	690	Within Threshold	(64%)
Education and Welfare	11,200	4,665	0	Within Threshold	0%
Housing	94,028	39,163	38,741	Within Threshold	Within Threshold
Community Amenities	283,567	274,672	292,775	18,103	Within Threshold
Recreation and Culture	19,848	8,362	10,891	Within Threshold	(23%)
Transport	169,097	169,042	178,413	Within Threshold	Within Threshold
Economic Services	23,357	6,295	1,903	Within Threshold	231%
Other Property and Services	99,996	44,557	77,561	33,004	(43%)
	1,558,458	978,666	1,195,766		
LESS OPERATING EXPENDITURE					
General Purpose Funding	(106,929)	(35,053)	(25,296)	Within Threshold	39%
Governance	(821,399)	(376,376)	(327,113)	49,263	15%
Law, Order, Public Safety	(383,968)	(158,428)	(104,376)	54,052	52%
Health	(299,375)	(131,522)	(123,885)	Within Threshold	Within Threshold
Education and Welfare	(29,789)	(12,078)	(12,441)	Within Threshold	Within Threshold
Housing	(45,419)	(21,865)	(16,098)	Within Threshold	36%
Community Amenities	(578,207)	(254,747)	(167,911)	86,836	52%
Recreation and Culture	(1,610,966)	(715,799)	(430,487)	285,312	66%
Transport	(3,447,983)	(1,603,509)	(1,672,815)	(69,305)	Within Threshold
Economic Services	(161,221)	(52,364)	(60,050)	Within Threshold	(13%)
Other Property & Services	(651,069)	(362,119)	(185,270)	176,849	95%
	(8,136,325)	(3,723,859)	(3,125,741)		
<i>Increase(Decrease)</i>	(6,577,867)	(2,745,194)	(1,929,975)		
ITEMS EXCLUDED FROM OPERATIONS					
Movement in Employee Benefits (Non-current)	69,438	0	0	Within Threshold	0%
Movement in Deferred Pensioners (Non-current)	0	0	0	Within Threshold	0%
Movement in SS Loan (Non-current)	0	0	0	Within Threshold	0%
Movement in LG House Unit Trust	0	0	0	Within Threshold	0%
Loss on the disposal of assets	0	0	0	Within Threshold	0%
(Profit) on the disposal of assets	0	0	0	Within Threshold	0%
Depreciation Written Back	2,291,412	954,373	0	(954,373)	0%
	2,360,850	954,373	0		
<i>Sub Total</i>	(4,217,017)	(1,790,820)	(1,929,975)		
INVESTING ACTIVITIES					
Purchase of Land	0				
Purchase Buildings	(634,091)	(45,510)	(38,831)	Within Threshold	17%
Purchase Plant and Equipment	(1,026,000)	(505,000)	(196,836)	308,164	157%
Purchase Furniture and Equipment	(25,740)	(18,240)	0	18,240	0%
Infrastructure Assets - Roads	(1,637,045)	(345,159)	(345,187)	Within Threshold	Within Threshold
Infrastructure Assets - Footpaths	0	0	0	Within Threshold	0%
Infrastructure Assets - Aerodromes	(274,100)	0	(141)	Within Threshold	(100%)
Infrastructure Assets - Drainage	(5,000)	0	0	Within Threshold	0%
Infrastructure Assets - Sewerage	0	0	0	Within Threshold	0%
Infrastructure Assets - Parks & Ovals	(24,256)	(17,257)	0	17,257	0%
Infrastructure Assets - Solid Waste	0	0	0	Within Threshold	0%
Infrastructure Assets - Other	(121,613)	(109,978)	(45,036)	64,942	144%
Proceeds from Sale of Assets	362,000	205,000	16,463	(188,537)	1145%
Contributions for the Development of Assets	1,712,878	407,390	324,184	(83,206)	26%
Amount Attributable to Investing Activities	(1,672,967)	(428,753)	(285,384)		
FINANCING ACTIVITIES					
Repayment of Debt - Loan Principal	(216,784)	(98,316)	(438,318)	(340,002)	(78%)
Repayment of Debt - Finance Lease	(5,945)	(3,430)	(1,432)	Within Threshold	139%
Self Supporting Loan Principal Income	30,949	15,318	0	(15,318)	0%
Loan Advances to Community Groups	(60,000)	(60,000)	(60,000)	Within Threshold	Within Threshold
Loan Advance - Principal Repaid	0	0	0		
Transfer to Reserves	(268,398)	(2,248)	(385)	Within Threshold	484%
	(520,178)	(148,676)	(500,134)		
Plus Rounding					
<i>Sub Total</i>	(6,410,162)	(2,368,250)	(2,715,493)		
FUNDING FROM					
Transfer from Reserves	173,000	0	0	Within Threshold	0%
Loans Raised	78,240	78,240	400,000	321,760	(80%)
Estimated Opening Surplus at 1 July	2,182,200	2,182,200	2,202,004	19,804	Within Threshold
Amount Raised from General Rates	3,976,731	3,976,731	3,978,498	Within Threshold	Within Threshold
	6,410,171	6,237,171	6,580,502		
NET SURPLUS/(DEFICIT)	9	3,868,921	3,865,009		

NOTE 1

CURRENT RATIO

Current Assets	2,875,577	3.28
Current Liabilit	877,088	

Ratios greater than one indicate that Council has sufficient current assets to meet it's short term current liabilities.

SHIRE OF GNOWANGERUP
SUMMARY OF CURRENT ASSETS AND LIABILITIES
FOR THE PERIOD ENDING 30 NOVEMBER 2021

CURRENT ASSET	ACTUAL 30-Nov-21	ACTUAL 30 JUNE 2021
91000 Municipal Fund Bank Account - NAB	\$1,228,087	\$2,549,876
91001 Municipal Fund Bank Account - Bendigo	\$2,305,082	
91003 Gnp Office Till Float	\$300	\$200
91004 Gnp Office Petty Cash	\$300	\$300
91005 Swimming Pool Float	\$300	\$300
91008 SWIMMING POOL VENDING MACHINE	\$0	\$0
91009 CASH ON HAND - BANKING CHANGE	\$0	\$0
99000 TRUST FUND BANK ACCOUNT	\$0	\$0
91010 Restricted Cash - Long Service Leave Reserve	\$197,736	\$166,982
91011 Restricted Cash - Plant Reserve	\$733,606	\$741,293
91014 Restricted Cash - Ongerup Effluent Line Reserve	\$47,229	\$37,060
91017 Restricted Cash - Area Promotion Reserve	\$30,662	\$30,525
91020 Restricted Cash - Borden Community Development Reserve	\$0	\$0
91023 Restricted Cash - Swimming Pool Upgrade Reserve	\$294,492	\$237,416
91025 Restricted Cash - Land Development Reserve	\$193,415	\$192,554
91026 Restricted Cash - Unspent Grants Reserve	\$0	\$0
91027 Restricted Cash - Computer Replacement Reserve	\$53,275	\$48,058
91029 Restricted Cash - Waste Disposal Reserve	\$250,945	\$249,827
91030 Restricted Cash - Royalties for Regions Unspent Grant	\$0	\$0
91031 Restricted Cash - Futures Fund Reserve	\$205,437	\$144,773
91034 RESTRICTED CASH - LIQUID WASTE FACILITY	\$31,837	\$31,695
91035 RESTRICTED CASH - COVID-19 RESERVE	\$100,447	\$100,000
91070 Restricted Cash - Kidz Sports Grant	\$0	\$0
91071 Restricted Cash - Cat Sterilisation Grant (DLG)	\$0	\$0
91072 Restricted Cash - ICCWA Stay on Your Feet Grant	\$0	\$0
91073 Restricted Cash - CSRFF Grant Swim Pool (DSR)	\$0	\$0
91074 Restricted Cash - CLGF Grant Swim Pool (RDL)	\$0	\$0
91075 Restricted Cash - Workforce Planning Grant (DLG)	\$0	\$0
91076 Restricted Cash - Club Development Officer Grant (DSR)	\$0	\$0
91077 RESTRICTED CASH - STATE EMERGENCY SERVICES GRANT	\$0	\$211
91078 RESTRICTED CASH - BUSH FIRE SERVICES GRANT	\$0	\$119
91079 RESTRICTED CASH - CLGF YOUTH DEV SCHOLAR	\$0	\$0
91080 RESTRICTED CASH - CAT TRAP BONDS	\$0	\$100
91081 RESTRICTED CASH - TENANCY HOUSING BONDS	\$0	\$9,376
91100 Rates Debtor - Rates	\$777,706	\$125,059
91101 Rates Debtor - Specified Area Rates	\$20,731	\$9,792
91102 Rates Debtor - Rubbish Collection	\$11,025	\$5,277
91103 Rates Debtor - Health Act Rate	\$28,957	\$15,322
91104 Rates Debtor - Legal Charges	\$11,029	\$14,392
91105 Rates Debtor - Interest/Admin Charges	\$23,851	\$18,122
91106 Rates Debtor - ESL	\$21,315	\$6,251
91107 Rates Debtor - Sundry Charges	\$0	\$0
91108 Rates Debtor - Recycling Charges	\$9,477	\$4,261
91110 Sundry Debtors Control	\$48,010	\$153,804
91111 Pensioner Rebate Claims - General Rates	\$8,739	\$1,736
91112 Pensioner Rebate Claims - ESL Levy	\$670	\$107
91113 PROVISION FOR DOUBTFUL DEBTS	(\$23,137)	(\$46,624)
91120 GST Receivable	\$3,195	\$1,610
GST Payable	\$0	\$0
93041 GST Claimable	\$0	\$52
91130 Accrued Interest on SSL's	\$0	(\$425)
91131 ACCRUED INCOME	\$3,983	\$0
91140 Self Supporting Loans (Current)	\$370,948	\$29,729
80034 LOAN ADVANCE - ONGERUP COMMUNITY DEVELOPMENT	\$0	\$0
80015 PRINCIPAL REPAYED - SELF SUPPORTING LOAN INCOME	\$0	\$0
55022 Less Allocated To Works	\$0	\$0
55032 Fuel & Oils Purchased	\$89,768	\$154,766
55042 Less Fuel & Oils Allocated	(\$81,484)	(\$160,567)

91200	Stock On Hand - Fuel & Oils	\$23,344	\$20,994
91201	Stock On Hand - Materials	\$0	\$0
93031	Suspense	\$0	\$0
		7,021,276	4,894,324
LESS CURRENT LIABILITIES			
93000	Sundry Creditors Control	\$1,386	(\$220,589)
93001	ESL Payable	(\$26,991)	\$5,138
93002	ACCRUED EXPENSES	(\$33,690)	(\$30,000)
93003	Part Proceeds - Sale of Land	\$0	\$0
93010	Accrued Interest On Loans	(\$4,160)	(\$5,664)
93020	Accrued Salaries & Wages	\$0	(\$23,293)
93040	GST Payable	\$0	\$0
93004	GRANT REVENUE RECEIVED IN ADVANCE	\$0	(\$19,422)
93030	Rate Payments Received In Advance	(\$11,486)	\$0
93043	Net Gst Payable/Receivable	\$0	\$0
93050	Net Salaries & Wages	\$0	\$0
93042	GST Liability (Payable)	\$0	\$0
93060	HALL HIRE BONDS	\$0	\$0
93061	ANIMAL TRAP BONDS	(\$100)	\$0
93062	HOLLOW LOG TOURNAMENT	\$0	\$0
93063	HOUSING RETENTION MONIES	\$0	\$0
93064	TENANCY HOUSING BONDS	\$0	\$0
93065	Building Commission Levy	(\$113)	\$0
93066	BCITF Levy	\$0	\$0
99300	Trust Liabilities	\$0	(\$8,565)
99100	POLICE LICENSING (PAY)	\$459,372	\$523,234
99101	BCITF LEVY (PAY)	\$0	\$7,111
99102	BUILDING SERVICES LEVY (PAY)	\$0	\$5,795
99110	OTHER GENERAL TRUST (PAY)	\$0	\$11,155
99112	NOMINATION DEPOSITS PAYMENTS	\$0	\$480
99114	MICRO-CHIP BOND PAYMENTS	\$0	\$50
99200	POLICE LICENSING (REC)	(\$459,372)	(\$523,234)
99201	BCITF LEVY (REC)	\$0	(\$7,115)
99202	BUILDING SERVICES LEVY (REC)	\$0	(\$5,792)
99203	TENNANCY HOUSING BONDS (REC)	\$0	(\$9,376)
99208	CAT TRAP BONDS (REC)	\$0	(\$100)
99210	OTHER GENERAL TRUST (REC)	\$0	(\$2,640)
99212	NOMINATION DEPOSITS RECEIPTS	\$0	(\$480)
93067	UNCLAIMED RATES REFUND	(\$56)	\$0
93068	ADVANCE OPERATIONAL GRANT SES	\$0	\$0
93069	ADVANCE OPERATIONAL GRANT BFB	\$0	\$0
93070	CONTRACT LIABILITIES - LRCI PHASE 1	(\$4,486)	\$0
93071	CONTRACT LIABILITIES - LRCI PHASE 2	(\$171,884)	\$0
93110	Loan Liability (Current)	(\$458,466)	(\$208,606)
80035	WATC SHORT TERM LOAN	(\$340,000)	\$0
93120	LEASE LIABILITY (CURRENT)	(\$4,323)	(\$24,899)
80024	PRINCIPAL ON FINANCE LEASES	\$1,432	\$11,473
93200	Provision For Annual Leave (Current)	(\$199,000)	(\$206,798)
93210	Provision For Long Service Leave (Current)	(\$149,701)	(\$126,106)
93220	Provision for Sick Leave Bonus (Current)	(\$45,957)	(\$45,278)
		\$0	\$0
80004	Principal Repayments on Loans	\$0	\$0
80014	WATC SHORT TERM LOAN Principal	\$0	\$0
		-1,447,596	-903,521
SUB-TOTAL		5,573,680	3,990,804
ADJUSTMENTS			
95100	Reserves Cash backed	(\$2,139,080)	(\$1,980,183)
	Add Back Loan & Finance Lease Liability	\$801,357	\$222,033
	Deduct Off Self Supporting Loan Repayments	(\$370,948)	(\$29,729)
		\$0	\$0
	Rounding	\$1	\$0
SURPLUS OF CURRENT ASSETS OVER CURRENT LIABILITIES		\$ 3,865,009	\$ 2,202,924

SHIRE OF GNOWANGERUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 NOVEMBER 2021

EXPLANATION OF MATERIAL VARIANCES

2021-22

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
OPERATING REVENUE			
General Purpose Funding			
Financial Assistance Grant Funding higher than anticipated for reporting period	PERMANENT	166,058	(29.68%)
Governance			
Variance within 10% or \$10,000 materiality threshold		Within Threshold	(1)
Law Order & Public Safety -			
DFES Grant Funding held in Current Liabilities as paid in advance		Within Threshold	Within Threshold
Health			
Health Act licenses not anticipated for reporting period		Within Threshold	(63.77%)
Education & Welfare			
Variance within 10% or \$10,000 materiality threshold		Within Threshold	0%
Housing			
Variance within 10% or \$10,000 materiality threshold		Within Threshold	Within Threshold
Community Amenities			
Strategic Waste Grant not received as anticipated	TIMING	18,103	Within Threshold
Recreation & Culture			
Variance within \$10,000 materiality threshold, reimbursements higher than anticipated		Within Threshold	(23.22%)
Transport			
Variance within 10% or \$10,000 materiality threshold		Within Threshold	Within Threshold
Economic Services			
Variance within \$10,000 materiality threshold. Caravan Park licenses higher than anticipated for reporting period		Within Threshold	230.88%
Other Property and Services			
Private Works income higher and Paid Parental Leave not anticipated for reporting period	PERMANENT/ TIMING	33,004	(42.55%)
OPERATING EXPENDITURE			
General Purpose Funding			
Printing, Rate incentive and Collection costs less than anticipated for reporting period		Within Threshold	38.57%
Governance			
Community Grant expenditure less than anticipated for reporting period	TIMING	49,263	15.06%
Law Order & Public Safety -			
Emergency Services expenditure less and Depreciation yet to be applied - no monetary impact	TIMING	54,052	51.79%
Health			
Superannuation less than anticipated, Depreciation yet to be applied to Medical buildings		Within Threshold	Within Threshold
Education & Welfare			
Variance within 10% or \$10,000 materiality threshold.		Within Threshold	Within Threshold
Housing			
Variance within 10% materiality threshold, depreciation not yet applied		Within Threshold	35.82%
Community Amenities			
Depreciation not applied to date - no monetary impact	TIMING	86,836	51.72%
Recreation & Culture			
Depreciation not applied to date - no monetary impact	TIMING	285,312	66.28%
Transport			
Depreciation not applied to date - no monetary impact	TIMING	(69,305)	Within Threshold
Economic Service			
Marketing and Tourism expenditure higher than anticipated for reporting period		Within Threshold	(12.80%)
Other Property & Services			
Depreciation for plant not yet applied	TIMING	176,849	95.45%
CAPITAL REVENUES			
<u>Non-Operating Grants, Subsidies & Contributions</u>			
Transport			
Regional Road Group Grants		(196,694)	

Roads to Recovery Grants - Grant funding claimed higher than anticipated for reporting period.	TIMING	261,831	
LRCI Grants		0	
Airstrip Grants & Contributions - Grant funding not yet received	TIMING	(68,525)	
<u>Economic Services</u>			
Commonwealth Water Grants		0	
Drought Extension Grants - Grant funding not yet received	TIMING	(63,594)	
		<u>(66,981)</u>	25.67%
<u>Proceeds from Sale of Assets</u>			
Sale of Grader GN.015		0	
Sale of Manager Works GN.004 - Plant item not yet traded	TIMING	(30,000)	
Sale of Mower GN0029 - Plant item traded in earlier than anticipated	TIMING	7,007	
Sale of Mower GN0034 - Plant item traded in earlier than anticipated	TIMING	9,456	
Sale of Side Tipper GN.0050 - Plant item not yet traded	TIMING	(40,000)	
Sale of Side Tipper GN.17003 - Plant item not yet traded	TIMING	(40,000)	
Sale of Dolly GN.170002 - Plant item not yet traded	TIMING	(10,000)	
Sale of Dolly GN.17067 - Plant item not yet traded	TIMING	(10,000)	
Sale of Utility GN.037 - Plant item not yet traded	TIMING	(20,000)	
Sale of Utility GN.0051 - Plant item not yet traded	TIMING	(20,000)	
Sale of Utility GN.0036 - Plant item not yet traded	TIMING	(20,000)	
Sale of Utility GN.0048 - Plant item not yet traded	TIMING	(15,000)	
		<u>(188,537)</u>	1145.25%
<u>Transfers from Reserve</u>			
Transfers from Reserve -			
CAPITAL EXPENDITURE			
<u>Transfers to Reserve</u>			
Transfers to Reserve		Within Threshold	484.07%
<u>Furniture & Equipment</u>			
<u>Other Property & Services</u>			
Administration Furniture & Equipment - Acquisition of furniture not yet commenced	TIMING	18,240	
		<u>18,240</u>	0%
<u>Buildings</u>			
<u>Economic Services</u>			
Construction Chalets BBRF		0	
Transportable - Staff Quarters		0	
Transportable - Kitchen/Lunchroom		0	
<u>Transport</u>			
Upgrade Depot Mezzanine Floor & Lighting - Project not yet commenced	TIMING	8,938	
<u>Other Property & Services</u>			
Kitchen Upgrade and New Oven - Project commenced earlier than anticipated	TIMING	(2,273)	
<u>Recreation & Culture</u>			
Borden CWA Building - Renewals and safety measures - Project expenses lower than anticipated for reporting period.	TIMING	13,001	
Ongerup Sports Pavilion Capital - Renewals & Renovations - Project expenses higher than anticipated for reporting period	TIMING	(12,987)	
Borden Pavilion Multipurpose Shed & Shelter		0	
		<u>6,679</u>	17.20%
<u>Plant & Equipment</u>			
<u>Recreation & Culture</u>			
Purchase Mower GN.0029 - Mower purchased earlier than anticipated, purchase price higher than budget estimate	PERMANENT/ TIMING	(34,370)	

Purchase Mower GN.0034 - Mower purchased earlier than anticipated, purchase price higher than budget estimate	PERMANENT/ TIMING	(35,096)	
Rebuild of Tree Saw - Acquisition not yet occurred	TIMING	30,000	
<u>Transport</u>			
Purchase Side Tipper GN.0050 - Acquisition not yet occurred	TIMING	110,000	
Purchase Side Tipper GN.17003 - Acquisition not yet occurred	TIMING	10,060	
Purchase Dolly GN.17002		570	
Purchase Dolly GN.17067 - Acquisition not yet occurred	TIMING	30,000	
Purchase of Utility GN.0036 - Acquisition not yet occurred	TIMING	38,000	
Purchase of Utility GN.0051 - Acquisition not yet occurred	TIMING	38,000	
Purchase of Utility GN.037 - Acquisition not yet occurred	TIMING	38,000	
Purchase Manager Works GN.004 - Acquisition not yet occurred	TIMING	45,000	
Total (Over)/Under Budget		270,164	156.56%
<u>Road Construction</u>			
<u>Roads to Recovery</u>			
RTR Rabbit Proof Fence Rd - Gravel Sheet		38,888	
RTR - Magitup Road	TIMING	131,938	
RTR - Boxwood Hill Ongerup Road		30,250	
<u>Regional Road Group</u>			
RRG - Kowbrup Road	TIMING	(5,792)	
RRG - Borden - Bremer Road		34,062	
<u>Commonwealth Local Roads & Community Infrastructure</u>			
LRCIP - Phase 2 Projects	TIMING	(138,442)	
<u>Municipal Road Projects</u>			
Toompup Road South Reseal		0	
Quinn Street RAV Reseal		0	
Corakerup Road Reseal		0	
Coromup Road Reseal		0	
Gnp Tambellup Road Reseal		0	
Total (Over)/Under Budget		90,904	Within Threshold
<u>Drainage</u>			
Drainage Renewals		0	
		0	0%
<u>Airport Infrastructure</u>			
Airport Infrastructure		0	
Total (Over)/Under Budget		0	(100.00%)
<u>Parks & Ovals</u>			
Playground Gnp Sports Complex		3,671	
Weir Park Improvements		13,586	
Total (Over)/Under Budget		17,257	0%
<u>Other Infrastructure</u>			
<u>Community Amenities</u>			
Gnp Cemetery Project	TIMING	(13,842)	
<u>Transport</u>			
Depot Fencing Renewal		15,000	
Depot Adblue Storage Tank		10,000	
Gnp Precinct Renewal Project	TIMING	7,136	
Stirlings/Borden Streetscape Project	TIMING	(3,229)	
Ongerup Streetscape and Signage Works	TIMING	7,513	
<u>Economic Services</u>			
Toompup Dam Renewal		24,583	
Magitup Dam Renewal		5,227	
Gnowangerup Depot Water Harvesting project		12,554	
Total (Over)/Under Budget		64,942	144.20%
Note: (NB) = No Budget Provision Made			

12. REPORT FOR DECISION – CONFIDENTIAL ITEMS

Nil

OTHER BUSINESS AND CLOSING PROCEDURES

13. URGENT BUSINESS INTRODUCED BY DECISION OF COUNCIL

Nil

14. MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15. DATE OF NEXT MEETING

That the next Ordinary Council Meeting will be held on the 16th February 2022.

Carol Shaddick was asked by the Deputy Shire President Greg Stewart to join the meeting at 4:07pm.

Greg Stewart thanked Carol Shaddick for her time of service at the Shire of Gnowangerup.

Moved: Cr K O’Keeffe

Seconded: Cr R Kiddle

1221.142 That Council:

Thanks Carol Shaddick for the more than ten years of service and commends her on the excellent work done for the Shire of Gnowangerup.

UNANIMOUSLY CARRIED: 8/0

16. CLOSURE

The Deputy Shire President thanked Council and staff for their time and declared the meeting closed at 4:12pm.