



Shire of
Nannup
rest • connect • grow

Minutes

UNCONFIRMED COPY

NOVEMBER 2017

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of Nannup. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Contents

Item	Minute	Title	Page
1		Declaration of Opening/Announcement of Visitors	1
2		Record of Attendance/Apologies/Leave of Absence (Previously Approved)	1
3		Response to Previous Public Questions Taken on Notice	1
4		Public Question Time	1
5		Applications For Leave of Absence	2
6		Petitions/Deputations/Presentations	3
7		Declarations of Interest	3
8		Confirmation of Minutes of Previous Meetings	3
	17204	Confirmation of Previous Council Meeting Minutes	
9	17205- 17210	Minutes Of Council Committees	3
10		Announcements By Presiding Member Without Discussion	4
11		Reports By Members Attending Committees	5
12		Reports of Officers	
12.1	17211	2017 Council Elections – Returning Officers Report	6
12.2	17212	Review of Freedom of Information Statement	8
12.3	17213	Amendment No.20 to the Shire of Nannup Local Planning Scheme No. 3: Submitted for Adoption	9
12.4	17214	Road Naming Request	17
12.5	17215	Acceptance of Shire of Nannup Annual Report 2016/17	20
12.6	17216	Budget Monitoring – October 2017	22
12.7	17217	Monthly Accounts for Payment - October 2017	24
12.8	17218	Barrabup 03 Forest – Request for Support Proposed National Park Status	26

13		New Business Of An Urgent Nature Introduced By Decision Of Meeting	28
13.1		Officers	
13.2		Elected Members	
14		Meeting Closed To The Public	28
	17219	Procedural Motion	29
14.1	17220	Reserves 20333 Brockman Street and 24762 Balingup Road, Nannup	29
	17221	Procedural Motion	31
15		Elected Members Motions Of Which Previous Notice Has Been Given	31
16		Question By Members Of Which Due Notice Has Been Given	32
17		Closure Of Meeting	32

Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4:16pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE:

Shire President: Cr A Dean

Councillors: R Mellema, C Buckland, R Longmore, N Steer, V Hansen, C Stevenson and P Fraser

Peter Clarke – Chief Executive Officer

Tracie Bishop – Manager Corporate Services

Jon Jones – Manager Infrastructure

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS:

Ms Bee Winfield, Mrs Ellie Mckie, Mr Martin Mckie, Mr Len Gilchrist and one other resident.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.

Nil

4. PUBLIC QUESTION TIME:

The Shire President invited questions from the Public at 4:16pm.

Mrs Bee Winfield, 48 Thomas Road

Q1 Can we recycle green waste at the tip rather than burning it?

As I have purchased a mulcher/chipper for use on my own property, could the the Shire help advertise that residents could dispose of their green waste at my property where the mulching/chipping of green waste could be undertaken?

- A1 The Shire President deferred this question to the Manager Infrastructure who responded that Council has no influence of how you process green waste on your property.**

On the other question you ask the Waste Management Facility (WMF) to investigate costs associated with processing green waste at the WMF as against burning of this waste.

This is something that can be completed on the assumption that there would be costs and these costs would need to be budgeted for and potentially offset by income from sale of this waste in order to be sustainable in the long term.

- Q2 Would the Nannup Shire be acknowledging that this is a cost of burning is a cost that we are all bearing in terms of global warming**

- A2 Shire President responded that this is not a question to the Manager Infrastructure as it is based on science not current Council practices.**

I refer to your original question and this will be addressed by the Manager Infrastructure after conversations with the Contractor of the WMF. Any changes to the way in which this green waste is processed at this establishment will have relevance to the Contractor and their input is required prior to any changes being implemented.

Mr Len Gilchrist, Lot 35 Blackwood River Drive

- Q1 Are you aware of the current situations with the Council and the bloke in Perth at the present time for doing things that aren't true. Like wearing medals, saying he has been to university and all that. Are you aware of Lisa Scaffidi troubles and are you aware that I am going to ask this question of which I have had two replies and I have told you who I know and I have spoken to them today as I have not received a proper reply in this matter. Do you recall Councillor Longmore's answering.....**

- A1 Shire President interjected requesting Mr Gilchrist to stop the question and then referred to Clause 5.7(1) and (3) of the Shire of Nannup's Standing Orders Local Law 2010.**

Mr Gilchrist started to interrupt with expletives and as a result the Shire President asked the Chief Executive Officer to escort Mr Gilchrist from the Chamber.

The Shire President then proceeded to read out the relevant section of the Local Law which states that:

5.7 Other procedures for question time for the public

(1) Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion; and

(3) The Presiding Member may reject any question that may be deemed offensive towards, or reflect adversely upon the character and/or any actions, of any member of the Council or employee of the Shire

After reading the section the Shire President stated that if Mr Gilchrist would like to ask a sensible question of Council this would be addressed but if he preferred to rehash questions that had already been answered they would not be addressed.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. DECLARATIONS OF INTEREST

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 17204 STEER/LONGMORE

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 26 October be confirmed as a true and correct record.

CARRIED (8/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

9.1 17205 STEVENSON/FRASER

That the Minutes of the BigN AGM and Committee meeting held on Thursday, 5 October 2017 be received.

CARRIED (8/0)

9.2 17206 STEVENSON/FRASER

That the Minutes of the Local Tourism Organisation Steering Committee meeting held on Wednesday, 25 October 2017 be received.

CARRIED (8/0)

9.3 17207 MELLEMA/STEER

That the Minutes of the Bush Fires Advisory Committee meeting held on Monday, 6 November 2017 be adopted.

CARRIED (8/0)

9.4 17208 STEVENSON/FRASER

That the Minutes of the Risk Management Advisory Committee meeting held on Wednesday, 15 November 2017 be received.

CARRIED (8/0)

9.5 17209 STEVENSON/FRASER

That the Minutes of the Local Emergency Committee meeting held on Wednesday, 15 November be received.

CARRIED (8/0)

9.6 17210 MELLEMA/STEER

That the Minutes of the Audit Committee meeting held on Thursday, 23 November 2017 be adopted.

CARRIED (8/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Scott River Growers Group

The Shire President advised that together with Cr Fraser, the CEO and Manager Infrastructure he had attended a meeting of the Scott River Growers Group held at the Scott River Fire Shed on Thursday, 16 November 2017. The Shire President advised that the Shire of Augusta-Margaret River had also been invited as the main purpose of the meeting was to discuss the condition of Governor Broome Road and other roads in the Scott River area.

From the meeting the following recommendations were agreed upon although the Shire President indicated that the recommendations hinged upon the cooperation between the two Shires and the availability of funding or the obtaining of grant funding for the works in question:-

Agreed Recommendations:

- 1. The Shires of Augusta Margaret River and Nannup work together to investigate and apply for sources of funding to bring:**
 - a) Governor Broome Rd up to an acceptable standard suitable for B trains**
 - b) Dennis Rd (stage 2) up to an acceptable standard suitable for B trains**
 - c) Scott River Rd (stage3) up to an acceptable standard suitable for B trains**
 - d) and to prevent bruising of vegetables in transit.**

Discussion centered around investigation of BBRF “Building Better Regions Infrastructure fund” next round early 2018.

Also discussed was Commodities route funding, Regional Road group funds or lobbying state government for special road funding as was achieved for construction of Milyeanup Coast Road.

- 2. A feasibility study was agreed first step. Bunbury Fibre agreed to contribute to cost of feasibility study with both Shires also contributing.**

Industry need to be consulted and involved in helping to build the economic case.

- 3. The AMR shire to collaborate with industry on required needs to bring Milyeanup Coast Rd Sth, up to a useable standard for trucks to transport horticultural product to Beenup Mine Site.**

This route would serve 3 existing horticulture operations.

Forest Products Commission (FPC)

The Shire President advised that he had received correspondence from FPC to advise that it is investigating the establishment of a timber processing yard in the South West and is seeking information through an Expression of Interest (EOI) process.

The proposal is for an “*Integrated Timber Processing Yard*” that will consist of a log merchandising line that would include a debarker, log scanner, docking saws and log sorting equipment . There are also opportunities for the further processing of logs for a range of uses including veneer, sawn timber and energy.

The Shire President advised that a critical aspect of the EOI is the identification of land in the South West that could be available for industrial development. The Shire President indicated that the Managers of Nannup Timber Processing (NTP) would be attending a briefing by FPC on the EOI on Friday, 24 November 2017 in Bunbury.

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Date	Meeting	Councillor
2/11/17	Business Initiative Group	Buckland
6/11/2017	Bush Fire Advisory Committee	Mellema, Stevenson, Fraser
8/11/17	Australia Day Advisory Committee	Stevenson, Buckland, Fraser, Hansen
11/11/2017	Fire Preparedness Chat	Mellema, Stevenson, Steer
15/11/17	Risk Management Advisory Committee	Steer, Longmore
15/11/17	Local Emergency Management C'ttee	Dean
16/11/17	Scott River Growers Group Meeting	Dean, Fraser
17/11/17	New Councillor Seminar	Buckland, Hansen
21/11/17	SW Emergency Management Alliance	Stevenson

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	2017 Council Elections – Returning Officers Report
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Peter Clarke – Returning Officer
FILE REFERENCE:	ADM 2
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	2 November 2017

BACKGROUND:

This report is to brief Elected Members on the conduct of the Election held on Saturday, 21 October 2017 and to provide an overview of statistics that relate to the Election.

COMMENT:

Two staff worked on Election Day between the hours of 7.30am to 6.00pm for the receiving of votes during Polling Day and then between 6.00pm to 8.00pm for the conduct of the count.

Results and Statistics

Ward: South
Candidate Elected: Robin Mellema
Term of Office: Term Expires October 2021

Number of Candidates	Total Number Eligible Votes on Roll	Total Valid Votes Cast	Total Informal Votes	Total Votes Cast	Percentage Turnout
2	278	92	4	96	34.53%

Ward: North
Candidates Elected: Catherine Stevenson and Vicki Hansen
Term of Office: Terms Expire October 2021

Shire of Nannup
Ordinary Council Meeting Minutes: 23 November 2017

Number of Candidates	Total Number Eligible Votes on Roll	Total Valid Votes Cast	Total Informal Votes	Total Votes Cast	Percentage Turnout
4	434	201	6	207	47.69%

STATUTORY ENVIRONMENT:

For this Election the CEO acted as Returning Officer. The Election was conducted on the basis of Electors voting in person. Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997* specify the way Local Government Elections are to be conducted.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The total cost of conducting the Election this year was \$2,336.00.

The above costs consisted of WALGA Composite Election Advertising (\$1,810), Advertising through Nannup Telegraph (\$440) and purchase of ballot boxes and voting screens from the WA Electoral Commission (\$86). In respect to wages for the CEO and Manager Corporate Services, both elected to take time off in-lieu.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community Leadership – Strategy 5.1 Listen to the People and Our Council Leadership – Strategy 6.1 Provide a Listening Leadership that represents the People.

RECOMMENDATION

That Council receives the Returning Officer's report relating to statistical information for the 2017 Local Government Elections.

VOTING REQUIREMENTS:

Simple Majority

17211 LONGMORE/STEVENSON

That Council receives the Returning Officer's report relating to statistical information for the 2017 Local Government Elections.

CARRIED (8/0)

AGENDA NUMBER:	12.2
SUBJECT:	Review of Freedom of Information Statement
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 7
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	13 November 2017
ATTACHMENT	12.2.1 – Freedom of Information Statement 2017/18

BACKGROUND:

The Freedom of Information Act 1992 requires agencies covered by the Act to produce and annually review a Freedom of Information Statement. A Statement is currently available on the council's website and was last reviewed at the Ordinary Meeting of Council on 24 November 2016.

COMMENT:

Amendments were required for the following areas:

1. The Council's organisation structure has been updated.
2. Updates to Elected Member information following the 2017 Elections.
3. Addition of Representative Working Groups of Council and other organisations.

STATUTORY ENVIRONMENT:

Sections 96 and 97 of the Freedom of Information Act 1992.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council endorses the amendments to the Shire of Nannup's Freedom of Information Statement as presented.

VOTING REQUIREMENTS:

Simple Majority.

17212 LONGMORE/STEVENSON

That Council endorses the amendments to the Shire of Nannup's Freedom of Information Statement as presented.

CARRIED (8/0)

AGENDA NUMBER:	12.3
SUBJECT:	Amendment No.20 to the Shire of Nannup Local Planning Scheme No. 3: Submitted for Adoption
LOCATION/ADDRESS:	Lot 3 (2731) on DP12565 Balingup-Nannup Road, Nannup
NAME OF APPLICANT:	Blackwood River Clinic
FILE REFERENCE:	TPL1/20
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	31 October 2017
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	12.3.1 – Location 12.3.2 – Documentation from applicant

BACKGROUND:

The applicant seeks Council's adoption of a scheme amendment to modify the special provisions/conditions for Lot 3 (2731) Balingup-Nannup Road to facilitate the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat.

The site's location is shown in Attachment 12.3.1. The site is 34.5667 hectares in area and it contains a number of buildings including the Blackwood River Clinic (day hospital), Sky Lakes Retreat (accommodation units), staff accommodation, sheds and various dams.

The Blackwood River Clinic is an accredited "D-Class" Day Hospital which provides treatment for a range of mental health issues such as anxiety, depression, trauma and PTSD as well as alcohol and substance abuse. Currently the maximum number of patients at the clinic at any one time is 30.

Sky Lakes Retreat is an ancillary accommodation component to the day hospital and provides low cost equity access accommodation to make coming to the clinic easier. It currently provides accommodation for up to 20 people.

The applicant's documentation is set out in Attachment 12.3.2. The documentation provides the necessary information and justification required by the Shire of Nannup Local Planning Scheme No. 3 (LPS3) including suitability analysis, land capability,

and the effective management of the site. The documentation provides background information which is generally not repeated in this report.

A structure plan has not been provided for this proposal as the Blackwood River Clinic and Sky Lakes Retreat are already operational.

The site is zoned 'Special Use (SU12)' and is within a 'Landscape Values Area' in LPS3. Approximately two thirds of the site is declared as a bushfire prone area.

COMMENT:

As Council are aware, in November 2016 the then WA Minister for Mental Health announced that Abbotsford Private Hospital had been successful in securing 16 new residential rehabilitation treatment beds, to be located at the Blackwood River Clinic, as part of the \$14.9 million *Western Australian Meth Strategy 2016*. Dr Stephen Proud of the Blackwood River Clinic addressed Council at its meeting of 24th November 2016 to discuss how this announcement would affect the current operations at the clinic and at this time it was anticipated that the 16 beds would be made available from those already in use at the clinic.

Since the above announcement was made, the property on which Blackwood River Clinic and Sky Lakes Retreat are located has been sold and is now owned by Healthe Care Australia Pty Ltd. Both the landowner and the applicant have reviewed the current approvals and permitted uses for the property and are requesting an amendment to LPS3 to support the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat and to provide sufficient flexibility to changing circumstances. The Shire administration has received no indication that the landowner or applicant wishes to significantly alter the day-to-day operations of either the Blackwood River Clinic or Sky Lakes Retreat.

Should Council resolve to support Scheme Amendment No. 20, all future development of the property will still require the landowner/proponent to gain Development Approval from the Shire.

There is a current Bushfire Management Plan, endorsed by the Department of Fire and Emergency Services in place for the property. Any new development which proposes additional guest or overnight accommodation may be considered a vulnerable land use as set out in the *Guidelines for Planning in Bushfire Prone Areas* as follows:

"Typically, vulnerable land uses are those where persons may be less able to respond in a bushfire emergency. These can be categorised as one or more of the following:

- land uses and associated infrastructure that are designed to accommodate groups of people with reduced physical or mental ability such as the elderly, children (under 18 years of age), and the sick or injured in dedicated facilities such as aged or assisted care, nursing homes, education centres, family day care centres, child care centres, hospitals and rehabilitation centres;

- facilities that, due to building or functional design, offer limited access or the number of people accommodated may present evacuation challenges, such as corrective institutions (prisons) and detention centres; and
- short stay accommodation or visitation uses that involve people who are unaware of their surroundings and who may require assistance or direction in the event of a bushfire, such as bed and breakfast, caravan park and camping ground, holiday house, holiday accommodation, home business, serviced (short stay) apartment, tourist development and workers' accommodation."

Subject to the location of the proposed development, if a vulnerable land use is proposed, it is expected that the landowner/proponent will be required to review the previously endorsed Bushfire Management Plan and/or prepare a Bushfire Attack Level (BAL) assessment.

It is recommended that Council resolves to support Scheme Amendment No. 20 without further modifications as outlined in Attachment 12.3.2 to formally progress the process of amending LPS3.

The amendment is a standard amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:

- The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Subject to the Council's decision, the documentation will be forwarded to the Environmental Protection Authority (EPA) seeking environmental clearance. Following this, the amendment will be publicly advertised for 6 weeks by writing to stakeholders, placing notices in local papers, placing details on the Shire's website and having information available at the Shire office.

Following the close of the consultation period, the matter will again be considered by the Council to determine whether or not to support final adoption of the scheme amendment. After this, the Western Australian Planning Commission will next assess the scheme amendment request with the final decision made by the Minister for Planning.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015 and LPS3.

POLICY IMPLICATIONS:

State Planning Policy *SPP 3.7 Planning in Bushfire Prone Areas* and the WAPC's *Guidelines for Planning in Bushfire Prone Areas* are relevant to the scheme amendment request.

FINANCIAL IMPLICATIONS:

The applicant has paid the required scheme amendment fee in accordance with adopted 2017/18 Schedule of Fees and Charges.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council:

1. Determines that the Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, contained in Regulation 34, for the following reasons:
 - (a) The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
 - (b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
 - (c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
2. Agree to adopt an amendment to the *Shire of Nannup Local Planning Scheme No. 3*, pursuant to section 75 of the *Planning and Development Act 2005*, through the following:
 1. Deleting the provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’.
 2. Adding the following provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’:

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none">• Hospital and Medical Centre• Residential Building• Caretakers Dwelling• Consulting Rooms• Single Dwelling	<ol style="list-style-type: none">1. All future development is subject to the requirement to gain Development Approval from the local government.2. All applicable ‘Special Uses’ shall be deemed to be ‘D’ uses pursuant to the Scheme.3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.
------	--	---	--

Shire of Nannup
Ordinary Council Meeting Minutes: 23 November 2017

			<ul style="list-style-type: none"> • Home Office • Home Occupation • Agriculture – Extensive • Recreation – Private • Rural Pursuit 	<p>4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</p> <p>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</p> <p>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</p> <p>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</p> <p>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</p> <p>9. Stormwater drainage shall be designed to the satisfaction of the local government.</p>
<p>3. Numbers the abovementioned Amendment as Number 20 to <i>Shire of Nannup Local Planning Scheme No. 3</i>.</p> <p>4. Authorises the Shire President and the Chief Executive Officer to execute the Scheme Amendment No.20 documents.</p> <p>5. Notes the Shire will refer Scheme Amendment No.20 to the Environmental Protection Authority for assessment pursuant to section 81 of the <i>Planning and Development Act 2005</i>. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>				

VOTING REQUIREMENTS: Simple Majority

17213 MELLEMA/HANSEN

That Council:

1. ***Determines that the Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, contained in Regulation 34, for the following reasons:***
 - (a) ***The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;***
 - (b) ***The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and***
 - (c) ***The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.***

2. ***Agree to adopt an amendment to the Shire of Nannup Local Planning Scheme No. 3, pursuant to section 75 of the Planning and Development Act 2005, through the following:***
 - a. ***Deleting the provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’.***

 - b. ***Adding the following provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’:***

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none"> • <i>Hospital and Medical Centre</i> • <i>Residential Building</i> • <i>Caretakers Dwelling</i> • <i>Consulting Rooms</i> • <i>Single Dwelling</i> • <i>Home Office</i> • <i>Home Occupation</i> • <i>Agriculture – Extensive</i> • <i>Recreation – Private</i> • <i>Rural Pursuit</i> 	<ol style="list-style-type: none"> 1. <i>All future development is subject to the requirement to gain Development Approval from the local government.</i> 2. <i>All applicable ‘Special Uses’ shall be deemed to be ‘D’ uses pursuant to the Scheme.</i> 3. <i>More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.</i> 4. <i>Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan</i>
-------------	---	---	---

			<p><i>and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</i></p> <p><i>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</i></p> <p><i>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</i></p> <p><i>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</i></p> <p><i>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</i></p> <p><i>9. Stormwater drainage shall be designed to the satisfaction of the local government.</i></p>
--	--	--	---

- 3. Numbers the abovementioned Amendment as Number 20 to Shire of Nannup Local Planning Scheme No. 3.**
- 4. Authorises the Shire President and the Chief Executive Officer to execute the Scheme Amendment No.20 documents.**
- 5. Notes the Shire will refer Scheme Amendment No.20 to the Environmental Protection Authority for assessment pursuant to section**

81 of the Planning and Development Act 2005. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

CARRIED (8/0)

AGENDA NUMBER:	12.4
SUBJECT:	Road Naming Request
LOCATION/ADDRESS:	Unnamed Road Reserve off White Rd, Cundinup
NAME OF APPLICANT:	Alfred Carroll
FILE REFERENCE:	ROA00
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke - Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	14 November 2017
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT	12.4.1 - Location 12.4.2 - Documentation from applicant 12.4.3 - Information from Nannup Historical Society 12.4.4 - Submissions

BACKGROUND:

The Shire has received a request from Mr Alfred Carroll to have an unnamed road reserve off White Road, Cundinup named Hartnett Road to facilitate improved property addressing and to recognise a long-standing association the Hartnett family has with the Cundinup area.

The location of the unnamed road is shown in Attachment 12.4.1. This road provides legal vehicular access to four properties within the Shire of Nannup and the Shire of Donnybrook-Balingup.

As with all road name requests, the Shire requires that clear reasons for the choice of names be provided, given this information will be reported to the Council and to the Geographic Names Committee.

The applicant has provided background information on the Hartnett family and agreement from the surviving members of the family for the name Hartnett to be used as a road name as shown in Attachment 12.4.2. The Shire also contacted the Nannup Historical Society for additional background on the Hartnett family and their response is shown in Attachment 12.4.3.

The Shire administration wrote to 20 key stakeholders including emergency service providers and the adjoining local governments of Shire of Donnybrook-Balingup and City of Busselton, all of whom were invited to comment for a 6 week period.

The Shire received 3 submissions, all of which were supportive of the proposed road name. These submissions are included in Attachment 12.4.4.

COMMENT:

Road names need to be approved by the Minister for Lands following advice from the State Government's Geographic Names Committee and meet their "Road Naming Guidelines."

Some of the guiding principles used by the Geographic Names Committee include:

- suitable names include those from the local Aboriginal language, pioneers and citizens who have made a significant community contribution;
- unsuitable names include long or difficult to pronounce names;
- name duplication is not supported within 50 kilometres; and
- names of living persons should only be used in exceptional circumstances.

Following receipt of the naming request, the Shire made initial enquiries with Landgate who advised that there were no current or historical uses of the name Hartnett within 50km of the Shire of Nannup.

Based on the information received from the applicant, the Hartnett family and the Nannup Historical Society, it is suggested that the Hartnett family can be considered to have made a significant contribution to the agricultural industry in the Cundinup area and more generally, to the Shire of Nannup through their association with the Volunteer Fire Brigade and the Pine Ridge Golf Club.

It is recommended that the Council agree to name the unnamed road as shown in Attachment 12.4.1 as Hartnett Road and forward a formal request to the Geographic Names Committee for consideration by the Minister.

STATUTORY ENVIRONMENT:

Land Administration Act 1997. Road names are considered by the Geographic Names Committee with the ultimate decision made by the Minister for Lands.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Appropriate road names can assist in providing a "sense of place" in adding to an area's distinctive character.

RECOMMENDATION:

That Council:

1. Agrees to name the unnamed road adjoining White Road, Cundinup and shown in Attachment 12.4.1 as Hartnett Road.
2. Request the Geographic Names Committee and the Hon. Minister for Lands to agree to the above road name within the Shire of Nannup.
3. Advise submitters of the above.

VOTING REQUIREMENTS:

Simple Majority

17214 MELLEMA/HANSEN

That Council:

- 1. Agrees to name the unnamed road adjoining White Road, Cundinup and shown in Attachment 12.4.1 as Hartnett Road.***
- 2. Request the Geographic Names Committee and the Hon. Minister for Lands to agree to the above road name within the Shire of Nannup.***
- 3. Advise submitters of the above.***

CARRIED (8/0)

AGENDA NUMBER	12.5
SUBJECT:	Acceptance of Shire of Nannup Annual Report 2016/17
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 17
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	14 November 2017
ATTACHMENT:	12.5.1 - Annual Report 2016/17 is included as a separate document with this Agenda

BACKGROUND:

Section 5.53(1) of the Local Government Act 1995 (the Act) stipulates that a Local Government is to prepare an Annual Report for each financial year. A draft Annual Report has been circulated under separate cover for consideration.

COMMENT:

The Annual Report contains all the statutory information required, including the Annual Financial Statements for the year under review and will also form the main document for scrutiny at Council's Annual Electors Meeting.

Prior to today's meeting Councillors have had the opportunity to attend the Audit Committee meeting in which Council's appointed auditor was available to go through the different components of the now completed annual audit of the financial statements for 2016/17.

Assuming that these statements have been endorsed by Council the following dates are submitted to ensure that Council complies with the Local Government Act 1995.

Date	Description
23/11/2017	Audit Advisory Committee meeting with Council's Auditor in attendance for full review of 2016/17 Financial Statements
23/11/2017	Annual Report brought to Council for endorsement.
27/11/2017	Local advertising via public notices around town supplemented with Advertisement in local newsletter – "Nannup Telegraph" advising of date and time of Electors Meeting
14/12/2017	Annual Electors meeting to be held at 5.00pm in the Shirley Humble Room.

STATUTORY ENVIRONMENT:

Section 5.54(1) of the Act requires that the Annual Report be accepted by 31 December, with an absolute majority vote being required. However, if the auditor's report is not available in time for the Annual Report to be accepted by 31 December section 5.54(2) requires that it be accepted no later than two months after the auditor's report becomes available.

Section 5.27(2) states that a general meeting of electors is to be held on a day selected by the local government, but not more than 56 days after the local government accepts the annual report for the previous financial year. Section 5.29(1) requires that the CEO gives at least 14 days local public notice of the date, time, place and purpose of the meeting.

Assuming that the Annual Report is accepted at today's meeting, it is proposed to hold the Annual Electors Meeting at 5pm Thursday 14 December 2017.

Notice of the availability of the Annual Report is to be given as soon as practical after its acceptance by Council. An advertisement informing electors of the proposed timing of the Electors Meeting has been prepared for the local Telegraph newsletter, which will meet the statutory requirement of the advertising period. Appropriate notices will be placed on noticeboards within the Townsite.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council;

1. Accept the Draft Annual Report for the Shire of Nannup for the year ended 30 June 2017 as required by section 5.54(1) and 5.54(2) of the Local Government Act 1995.
2. Hold its Annual Electors Meeting on Thursday 14 December 2017 in the Shirley Humble Room commencing at 5 pm.

VOTING REQUIREMENTS: Absolute Majority

17215 LONGMORE/BUCKLAND

That Council;

- 1. Accept the Draft Annual Report for the Shire of Nannup for the year ended 30 June 2017 as required by section 5.54(1) and 5.54(2) of the Local Government Act 1995.***
- 3. Hold its Annual Electors Meeting on Thursday 14 December 2017 in the Shirley Humble Room commencing at 5 pm.***

CARRIED BY ABSOLUTE MAJORITY (8/0)

AGENDA NUMBER:	12.6
SUBJECT:	Budget Monitoring – October 2017
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Prime – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DATE OF REPORT	14 November 2017
ATTACHMENT:	12.6.1 – Financial Statements for the period ending 31 October 2017

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$30,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.6.1.

Whilst this has resulted in all variances of 10% being identified and reported, it only focuses attention on the performance to the month in question and not the likely outcome at the end of the year.

Monthly reporting draws on the flexibility allowed in the Financial Management Regulations to draw attention to likely under and overspends at the end of the year.

COMMENT:

Please refer to the attachment, Financial Statements for period(s) ending 31 October 2017 for a detailed analysis of our end of year position, as found in Note 2.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34(1)(a).

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The attached financial statements detail financial outcomes for 2017/18.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

Monthly Financial Statements for the period ending 31 October 2017 be received.

VOTING REQUIREMENTS:

Simple Majority.

17216 FRASER/STEVENSON

Monthly Financial Statements for the period ending 31 October 2017 be received.

CARRIED (8/0)

AGENDA NUMBER:	12.7
SUBJECT:	Monthly Accounts for Payment - October 2017
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Prime – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2017
ATTACHMENT:	12.7.1 – Accounts for Payment – October 2017 12.7.2 – Credit Card Transactions – October 2017

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 September 2017 to 30 September 2017 as detailed hereunder and noted on the attached schedule are submitted to Council.

COMMENT:

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently one corporate credit card in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

Municipal Account

Accounts paid by EFT	9854 – 9950	337,194.49
Accounts paid by cheque	20227 – 20235	33,687.48
Accounts paid by Direct Debit	DD9973.1 – DD9985.11	39,337.35
<i>Sub Total Municipal Account</i>		<u>\$410,219.32</u>

Trust Account

Accounts paid by EFT	9901 - 9902	1,104.78
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		<u>\$1,104.78</u>
Total Payments		<u>\$411,324.10</u>

STATUTORY ENVIRONMENT:

LG (Financial Management) Regulation 13

POLICY IMPLICATIONS:

None.

FINANCIAL IMPLICATIONS:

As indicated in Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS:

None.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$411,324.10 1 October 2017 to 31 October 2017 in the attached schedule be endorsed.

VOTING REQUIREMENTS:

Simple Majority.

17217 MELLEMA/STEER

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$411,324.10 1 October 2017 to 31 October 2017 in the attached schedule be endorsed.

CARRIED (8/0)

AGENDA NUMBER:	12.8
SUBJECT:	Barrabup 03 Forest – Request for Support Proposed National Park Status
LOCATION/ADDRESS:	Barrabup 03 State Forest
NAME OF APPLICANT:	Barrabup Conservation Group
FILE REFERENCE:	Nil
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	20 November 2017
ATTACHMENT:	12.8.1 - Correspondence to Support Barrabup 03 Forest as National Park

BACKGROUND:

Mrs Ellie Mckie, on behalf of the Barrabup Conservation Group, contacted the CEO on Monday, 20 November 2017 requesting that Council supports the Barrabup Conservation Group, by way of writing to the State Government's Standing Committee of Environment and Public Affairs; requesting the Government to give consideration for the Barrabup 03 Forest to be declared a National Park.

The CEO indicated to Mrs Mckie that the November 2017 Agenda had already been circulated to Councillors however, as Council does not hold a meeting in December, and the earliest that the matter would be referred to Council would be until the January 2018 meeting, a late item would be submitted to Council for its November meeting, which she greatly appreciated.

COMMENT:

The attached correspondence comprehensively outlines why the Barrabup Conservation Group considers that the Barrabup 03 State Forest should be classified as a National Park, with the dot points below highlighting some of the reasons:-

- Its closeness to the Nannup town site;
- Tourism benefits;
- Aboriginal heritage; and
- Endangered flora and fauna.

The Barrabup Conservation Group has actively campaigned against the logging of the Barrabup 03 Forest for a number of months now and have built up a significant amount of support from Nannup residents and Conservationists in their quest to stop logging at this site.

Throughout the Barrabup Conservation Group's campaign, Council has remained neutral in its position as it considered that whilst its supported conservation in the Shire, there was also a significant timber industry in the Shire that employed a considerable number of local people and Council was mindful of this industry and

future employment prospects. Even with the closure of NTP's green mill, the timber industry still remains in part, and there could well be opportunities for the Mill to be revived in the future.

Whilst the Conservation Group has actively campaigned to stop logging in Barrabup 03 Forest, Council has repeatedly informed the Group that its position on logging in State Forest has been governed by the Conservation Commission of Western Australia's Forest Management Plan 2014-2023 which was developed to balance the preservation of National Park and State Forest but also to maintain a viable timber industry in Western Australia through logging of certain areas of the State's land assets.

It is the opinion of the author of this report that Council's position has not changed which is reflected in the recommendation below, unless Council wishes to change its position.

STATUTORY ENVIRONMENT:

Conservation Commission of Western Australia's Forest Management Plan 2014-2023.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027:-

Our Natural Environment – Strategy 4.1 Our Sanctuary – Protect Our Range of Natural Assets.

Our Economy – Strategy 2.1 The Big Picture – Encourage and Support more Industry, Businesses and Employment into our Shire.

RECOMMENDATION:

That Council advises the Barrabup Conservation Group that whilst it acknowledges the Group's strong campaign on the future protection of the Barrabup 03 Forest and the support for Barrabup 03 to be declared as a National Park, Council still maintains that it should remain neutral in the logging debate and that Council will continue to support the Conservation Commission of Western Australia's Forest Management Plan 2014-2023, or until this document has been amended by the State Government to set aside Barrabup 03 as National Park.

VOTING REQUIREMENTS:

Simple Majority.

17218 DEAN/MELLEMA

That Council advises the Barrabup Conservation Group that whilst it acknowledges the Group's strong campaign on the future protection of the Barrabup 03 Forest and the support for Barrabup 03 to be declared as a National Park, Council still maintains that it should remain neutral in the logging debate and that Council will continue to support the Conservation Commission of Western Australia's Forest Management Plan 2014-2023, or until this document has been amended by the State Government to set aside Barrabup 03 as National Park.

CARRIED (6/2)

Against Crs Stevenson and Fraser

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 OFFICERS

13.2 ELECTED MEMBERS

14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

CONFIDENTIAL ITEM

PROCEDURAL RECOMMENDATION:

That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.

(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)

17219 STEVENSON/LONGMORE

That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.

(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)

CARRIED (8/0)

AGENDA NUMBER	14.1
SUBJECT:	Nannup Caravan Park – Lease Agreement
LOCATION/ADDRESS:	Reserves 20333 Brockman Street and 24762 Balingup Road, Nannup
NAME OF APPLICANT:	Mr Ton van Hattem
FILE REFERENCE:	RES 20333
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2017
ATTACHMENT:	Nil

PROCEDURAL RECOMMENDATION:

That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.

17220 STEVENSON/LONGMORE

That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.

CARRIED (8/0)

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

17221 HANSEN/MELLEMA

- 1. That Council accepts the financial statement received from Lessee as confirmation of revenue received for the 2016/17 financial year*
- 2. That Council write to lessees of the Caravan Park congratulating them on their continued improvement to the park which is shown within the increase in revenue for the 2016/17 financial year.*

CARRIED (8/0)

15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil.

17. CLOSURE OF MEETING

The meeting was closed by the Shire President at 5.10pm.



Shire of
Nannup
rest • connect • grow

MINUTES

Shire of Nannup – Annual Meeting of Electors Meeting held on 14 December 2017

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 5 were confirmed by
Council on Thursday 25 January 2018 as a true and accurate record.

.....
**Cr Tony Dean
SHIRE PRESIDENT**

MINUTES

1. Attendance and Apologies

The Shire President welcomed members of the public and declared the meeting open at 5.00pm.

Attending:

Cr Dean – Shire President

Crs R Mellema, C Buckland, B Longmore, V Hansen, N Steer, P Fraser and C Stevenson.

Peter Clarke – Chief Executive Officer

Tracie Bishop – Manager Corporate Services

Jon Jones – Manager Infrastructure

Electors Attendance Register

Julie Kay, Rita Stallard, Kerry Firth, Jenny Laughton, Len Gilchrist

Apologies:

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

STEER/LONGMORE

That the Minutes of the Annual Electors Meeting held on 21 December 2016 be confirmed as true and correct record.

CARRIED

3. ADOPTION OF THE ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE 2016/2017 FINANCIAL YEAR

R STALLARD/BUCKLAND

That the Shire of Nannup Annual Report and Financial Statements for 2016/17 Financial year be received and adopted.

CARRIED

4. ADOPTION OF THE 2016/2017 AUDITOR'S REPORT

FRASER/R STALLARD

That Auditor's Report for the 2016/2017 Financial Year be received and adopted.

CARRIED

5. ADOPTION OF THE SHIRE PRESIDENTS REPORT

STEER/R STALLARD

That the Shire President's Report for the 2016/2017 Financial Year be received and adopted.

CARRIED

6. ADOPTION OF THE CHIEF EXECUTIVE OFFICERS REPORT

MELLEMA/LONGMORE

That the Chief Executive Officer's Report for the 2016/2017 Financial Year be received and adopted.

CARRIED

7. GENERAL BUSINESS OR OTHER BUSINESS AT THE DISCRETION OF THE SHIRE PRESIDENT OR AS APPROVED BY THE ELECTORS PRESENT:-

7.1.1 Other Business – Questions on Notice

Nil

7.1.2 Other Business – Questions from the floor

Rita Stallard

Q1 I hear the Waste Management Facility is to be closed? Is this true?

A1 The Manager Infrastructure responded that this is incorrect; the Waste Management Facility is not to be closed.

Q2 When will we be able to recycle plastic bags in Nannup?

A2 The Shire President initially sought clarification from Mrs Stallard as to the type of plastic bags that she was referring to. The Manager Infrastructure advised that the soft type single plastic bags that Mrs Stallard was referring to were not able to be recycled in Nannup.

For clarification, Cr Stevenson responded that this is not a service that is available at the Waste Management Facilities throughout the State however, these types of plastic bags can be deposited at Coles and Woolworths supermarkets and any type of soft bags are accepted at these locations. The State government is banning single use plastic bags as of 1 July 2018.

Q3 Can we investigate the option of having a bin to collect bags in the Shire and have them taken to Coles/Woolworths for recycling?

A3 The Shire President advised that the Manager of Infrastructure will investigate this further to respond to this question at the January or February 2018 Ordinary Council Meeting.

Q4 I have raised the condition of the "Gussies Mill" Reserve on a number of occasions with Council and question whether there are any plans or funds available to clean up this Reserve.

A4 The CEO advised that there are no immediate plans for this site however, Council is currently in the process of identifying reserves that have a high risk fire danger as per the Bush Fire Risk Management Plan and will be applying for funding under the State Government's Bushfire Mitigation program. The CEO acknowledged that this is for fire mitigation risks only and not general clean-ups of reserves.

Q5 Will reserves in general be looked at in this mitigation funding? The Railway Reserve to the mill and areas on East Nannup road are a fire hazard. Can something be done about this?

A5 The CEO advised that not all Reserves are under the control of the Shire of Nannup however, some of the Reserves referred to are vested in the Shire and they will be included if they are deemed to be of a high risk in the Bush Fire Risk Management Plan.

Q6 The Recreation Centre Stadium floor was repaired at the eastern end of the court some years ago and the small section repaired appears to be bubbling again and is considered to be dangerous. Also Council addressed some of the sunlight issues last year but the western entrance doors when opened still allows a direct beam of sunlight onto the court which distracts players. Could these two areas be addressed please?

A6 **The Shire President advised that the Manager Infrastructure would further investigate Mrs Stallard's request.**

Cr Steer

A1 At the Annual Electors meeting in 2016 Cr Gilbert questioned the responsibility for maintaining the long grass on the eastern side of the Danjangerup Cottages and what has transpired regarding ongoing maintenance.

A1 **The Chief Executive Officer advised that Alliance Housing is responsible for the Danjangerup Cottages vacant land section but the Catholic Church also has responsibility for the land immediately behind the Church.**

Kerry Firth

Q1 Yesterday I queried the CEO regarding white ant mounds immediately adjacent to my property and the need for these to be sprayed.

A1 **The Manager Infrastructure responded that the white ant mounds referred to were addressed by Council's Pest Control Contractor today and further, the Pest Control Contractor has been instructed to treat all mounds in the immediate area.**

Jenny Laughton

Q1 Shire drainage outside properties on Blackwood River Drive. Grass is long in the verge section and is a fire danger. Is there any intention of mowing this to reduce the fire hazard?

A1 Manager Infrastructure acknowledged that the road verges are managed by shire and ultimately Council is responsible for maintaining them.

Q2 How and when do you intend to do this? There is a dip in the verge so you could not mow with tractor can only be done with a whipper snipper.

A2 Manager Infrastructure responded that a whipper snipper would work but would be too expensive in regard human resources. Currently looking at dedicated machinery to undertake this type of work in the future, however there are financial issues associated with this.

Q3 If restricted financially what can be done in interim?
Is there an onus on property owners to look after this?

A3 Inevitably there are road verges that will not get completed each year due to the number of roads within the Shire and that some landowners would address this matter themselves if they felt it was a fire danger. The Manager Infrastructure indicated that if Ms Laughton contacted the Office he would be happy to visit the site and possibly suggest a remedy to this issue.

Len Gilchrist

Q1 Has the Fire Break Inspector completed a fire break inspection as yet?

A1 The Chief Executive Officer responded that Council's Contractor is currently undertaking inspections for fire break compliance as per the Shire of Nannup's Fire Break Order. Landholders not complying will receive a warning and then if this is not adhered to then infringements will be issued.

The Shire President advised that Rural landholders are not required to construct firebreaks but Plantation owners and Special Rural landholders are required to meet the Fire Break Order requirements.

8. Meeting Closure

There being no further business to discuss the Shire President thanked everyone for their attendance and declared the meeting closed at 5.29pm.

Business Initiative Group Minutes

Date:		2 November	
Venue:		Bowling Club	
Meeting Opened:		6 pm	
Attendance:		Di Ness, Lorraine Raynel, Cheryl Brown, Chris Buckland, Leanne White, Peter Clark, Jim Green, Ian Gibb, Isabel Green,	
Visitors:			
Apologies:		Davina Gibb	
Business arising:		Gift voucher, ongoing. TOMR – help with stalls or organisation – eg sign	
Confirmation of previous minutes:		That the minutes of the meeting held 5 th Oct 2017 be confirmed Moved: Isabel Seconded: Jim	CARRIED
Correspondence			
OUT:			
IN:		<ul style="list-style-type: none">- Fiona Fitzgerald requiring more information to put together a synopsis of the meeting-- Riverside walk – upgrade document, Peter discussed what had been done so far. A second document discussed asking for comment. BIGN to send a positive response to shire with no objections.- Christmas dinner – menu sent. \$30 per person. 7th Dec, Nannup Hotel. Invite in Telegraph	TO BE ACTIONED? Moved – Ian Seconded – Cheryl Letter-To Be Actioned – Davina Invite to be created and submitted
Reports			
Chairpersons Report:		Di – busy time of the year in Nannup. Asking for new judges for the Christmas light competition. Laraine, Grant, Jean, Tony stepping down – Ian and Davina will step in as judges.	29th to be confirmed
Finance Report:		Record of payment for Rec club and the hire of the shire hall for Markets. Payments endorsed: Di, Seconded: Ian That the financial statements as presented by Cheryl endorsed. Moved: Laraine Seconded: Di	CARRIED
Agenda Items:			
General Business:			
1	Ian displayed the jacket for the TOMR winner, Positive response from attendees.		
2	<ul style="list-style-type: none">- TOMR- Wednesday night is the pizza night at the Blackwood Cafe,- Thursday is movie and pasta night at the Bridge Cafe,- Friday is Sundowner, bike parade and bonfire at the village,		

	<ul style="list-style-type: none"> - Saturday is the big race, - Sunday is the presentations 	
3	Strategic Planning Meeting – Fiona requires more information. Cheryl indicated Fiona did not focus on the BIGN but the big picture Peter suggested she should prepare a draft first so the BIGN can have input. forward the Economic Development Strategy form the Shire of Nannup document, suggesting that	? What was suggested
4	Membership drive – Ian – approaching people.	<i>Ian to Action</i>
5	Tigers – Ian – plasticine moulds made ready to cast. Positive response from all	
6	Leanne – suggested meeting on site at businesses in town so the BIGN members become aware of all the businesses available in Nannup. Di suggested the social meetings are a great opportunity.	List of potential businesses to be compiled
7	BIG N welcomed Chris Buckland as a Nannup Council representative. Questions can be posed. It allows a conduit between the shire and BIGN.	
8	Cheryl – Wednesday 29 November proposed as late night shopping. Ideas for involving the kids: ice cream, craft, a "Mrs Christmas and the Christmas Fairy"	
9	Larraine – can we encourage the Music Club and Flower & Garden festival representative to join the BIGN to foster reciprocal understanding.	
10	Di – spoken to Rob Mellema – to drop off the trees, decorate and put up on the fence. Di requests up to \$100 for the late night shopping craft materials and the Christmas tree decorations.	To Be Actioned
11	Local Tourism Development Organisation – document passed around for perusal.	To be discussed next meeting
12	Jim – Mens Shed – will follow up with TOMR volunteering, other odd jobs, Bowling club – first day of visitors in Thursday December 14.	
13	Cheryl – CRC recently did a printing job for the Shire of Margaret River/Augusta. Find the fun app – an information evening – Wednesday 15 th November, 5:30 – for businesses to load their business onto the apps.	
Meeting Closed:		7.30 pm
Next Meeting:		Thursday 7 th December 2017

Note: Davina to take out the conversation, point 2 general business AGM to regular meeting notes.



**WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION
SOUTH WEST ZONE**

MINUTES

DATE Friday 24TH NOVEMBER 29117

COMMENCING AT 9.00 am

VENUE Shire of Donnybrook- Balingup Community Library
Cnr Bentley and Collins St Donnybrook

PROGRAM	9.00 am	Opening
	9.05 am	Business as per agenda
	10.15 am	Morning Tea
	10.45 am	Meeting resumes
	11.00 am	Presentations
	12.30 pm	Lunch

AGENDA FORMAT

The agenda is sent in two parts. The first, being the Zone Agenda, the second the State Council Agenda in PDF format. The State Council Agenda was emailed separately to members

E R Fisher
Executive Officer

Distribution Lists (by Email to the following addressees)

M Archer G Henley C Frewing T King	D Blurton S Stanley	M Osborne T. Smith	P Omedei A Campbell	Capel (Info) Paul Sheedy M Scott
Cathy Lee M Bennett	P Clarke T Dean	T Clynych T Pratico	G Evershed P Townshend	A Lamb G Aird
M Parker Debbie Brown	B Piesse B Rose	M Degebrodt (WALGA)	Vern McKay (Audit)	

Please advise EO of any changes required

Contents

Item	Subject	Page
1	Opening & Announcements & Election of Office Bearers	3
2	Attendance and apologies	3
3	Visitors	5
3.1	Election of Office Bearers for the Zone and SC Delegate,	5
3.2	Endorsement of Council Representatives	
4	Presentations	5
5	Confirmation of previous minutes	6
6	Business Arising	7
7	Reports	7
8	State Council Agenda	8
9	Zone Agenda Items	10
10	Zone Status Report	17
11	Discussion Forum	18
12	Financial Report	25
13	Schedule of meetings	26
14	Closure	24

1. Opening

- 1.1 Cr M Scott will open the meeting at 9.00 am and welcome all present.
- 1.2 Cr M Scott on behalf of the members congratulates all re-elected members and welcomes new members to the meeting.
- 1.3 Cr M Scott on behalf of all members congratulates Cr Tania Jackson, Shire President of Harvey on being awarded the WALGA Eminent Service Award during the recent Local Government Week ceremony.
- 1.4 Cr Scott advises that a presentation will be made to former Zone President Wayne Sanford in recognition of his diligent service on behalf of the Zone.

2. Attendance & Apologies

The following attendance and apologies are recorded:

Local Government	Delegate		CEO	
Shire of Augusta – Margaret River	Cr P Townshend	Present	Mr. G Evershed Ms A Riorden	Apology Present
Shire of Boyup Brook	Cr G Aird	Present	Mr. A Lamb	Present
Shire of Bridgetown-Greenbushes	Cr T Pratico	Present	Mr. T Clynych	Present
City of Bunbury	Cr T Smith	Present	Mr. M Osborne	Present
City of Busselton	Mayor G Henley	Present	Mr. C Frewing	Present
Shire of Capel	Cr M Scott	Present	Mr. P Sheedy	Present
Shire of Collie	Cr S Stanley	Present	Mr. D Blurton	Present
Shire of Dardanup	Cr M Bennett	Present	Mr. M Chester	Present
Shire of Donnybrook-Balingup	Cr B Piesse	Present	Mr. B Rose	Present
Shire of Harvey	Cr T Jackson	Present	Mr. M Parker	Present
Shire of Manjimup	Cr P Omodei	Present	Mr. A Campbell	Present

Shire of Nannup	Cr T Dean	Present	Mr P Clarke	Present
Executive Officer			Mr. E Fisher	Present

3. Visitors:

WALGA:

Mr Wayne Scheggia, Deputy CEO
Ms Debra Langridge, Manager Community
Ms Heather Squire, MWAC Policy Coordinator

Other Guests

Eric Lumsden	Chair, Western Australian Planning Commission
David Saunders	Acting Assistant Director General, Land Use Planning
Michael Schramm	Planning Director, Land Use Planning
Ross Thornton	WAPC Commission Member
Garry Middle	WAPC Commission Member

3.1 Election of State Councillor and Zone Chair

Nominations are being sought for the positions of State Councillor, Deputy State Councillor, Zone Chair and Deputy Zone Chair for the SWZ Zone. It is the normal practice in this Zone that the President is the delegate to State Council and the Deputy is the proxy.

Terms of office for elected representatives and deputy representatives will be two (2) years, commencing 6 December 2017 at the first Ordinary Meeting of the new State Council until and including the day prior to the December 2019 meeting of State Council. The term of office for the Chair and Deputy Chair will commence at the November 2017 Zone meeting and end at the Zone meeting prior to the December 2019 meeting of State Council.

Only Elected Members who are a nominated Zone Delegate are eligible to nominate for these positions. Zone Delegates are invited to submit their nominations in writing to the Executive Officer via return email. You should seek a confirmation of delivery.

The nominations period will close on the day of the November Zone meeting immediately prior to the item being considered. Please note that additional nominations can be sought from the floor at the Zone meeting, with the agreement of the meeting.

Elections will be formally held at the Zone meeting. Elections will be conducted via secret ballot under the first-past-the-post system.

The first meeting of State Council for the newly elected State Council representatives will be 6 December 2017 at the WALGA office in West Leederville.

The timetable of events for new and returned State Councillors on 6 December is as follows:

- 9:00am to 11:30am – Induction and Engagement Strategy
- 11:30pm to 2:30pm – CEDA “State of the State” Lunch Forum at the PCEC (includes travel time): <https://ceda.com.au/Events/Library/W171206>
- 2:45pm to 3:45pm – Strategic Forum
- 3:45pm – photo shoot for the Road Ribbon for Road Safety® campaign
- 4pm to 6pm – State Council: Minister for Local Government, Chief of Staff and Director General to attend State Council meeting at 4pm
- 6:30pm – State Council Christmas Dinner function

A paper providing information on WALGA, the State Council, the role of State Councillors and what makes an effective State Councillor is provided as an attachment.

Election of Office Bearers, Confirmation of Delegates and Nomination of Zone Representatives

Cr Scott asked the Executive Officer in his role as Returning Officer to proceed with the election of officers and confirmation of delegates to the SWZ.

Nominations for President

Cr T Dean

Following the counting of votes by the Returning Officer, Cr. T Dean as declared elected as Zone President for a period of 2 years to November 2019

Nominations for Deputy President

Cr M Scott

Following the counting of votes by the Returning Officer Cr. M Scott was declared elected as Deputy Zone President for a period of 2 years to November 2019.

3.2 Endorsement of Council Representatives

Notification of Representatives and Deputy Representatives

Member councils have notified the following representatives and deputy representatives to the SWZ

Local Government	Delegate	Deputy
Shire of Augusta – Margaret River	Cr P Townshend	Cr J Meldrum
Shire of Boyup Brook	Cr G Aird	

Shire of Bridgetown-Greenbushes	Cr T Pratico	
City of Bunbury	Cr T Smith	Cr M Steck
City of Busselton	Mayor G Henley	Cr P Carter
Shire of Capel	Cr M Scott	Cr B Herne
Shire of Collie	Cr S Stanley	Cr I Miffing
Shire of Dardanup	Cr M Bennett	Cr P Robinson
Shire of Donnybrook-Balingup	Cr B Piesse	Cr L Wringe
Shire of Harvey	Cr T Jackson	Cr A Lovatt
Shire of Manjimup	Cr P Omedei	Cr C Winfield
Shire of Nannup	Cr T Dean	Cr N Steer

Moved	Cr M Bennett	Seconded	Cr T Pratico	Carried
-------	--------------	----------	--------------	---------

That the members nominated by Councils are representative on the SWZ be endorsed

4. Presentations:

4.1 Host Council Presentation

Host shires are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

4.2 WA Planning Commission Visit

Mr. Eric Lumsden (Chairman) and WAPC members will attend. He has suggested the following matters as discussion issues.

Bushfire planning,
Coastal planning,
Infrastructure planning,
Rural residential proposals,
Employment.

Local Planning Schemes

Notes on the presentation have been recorded and will be distributed following editing by Mr lumsden to ensure correctness

4.3 Incorporation of Waste Management into Emergency Event Planning and Recovery

Presentation by Ms. H Squire of WALGA - this will be distributed when it is received.

5. Confirmation of Previous Minutes

Corrections – Nil

Moved	Cr. M Bennett	Seconded	Cr T Pratico	Carried
-------	---------------	----------	--------------	---------

MOTION:

The minutes of the meeting held at the City of Busselton on 25th August 2017 be confirmed as a true and correct record of the meeting

6. Business Arising

6.1 Letter to the Premier regarding Boyup Brook and 3 other shires from which the infill sewerage scheme funding was withdrawn. A reply was received referring the matter to The Minister for Local Government and the Minister for Water. (Copy of letter attached)

7 Reports

7.1 Report by State Council Delegate or WALGA Representative

7.2 Annual Program of Topics for Discussion by Councils

Members are invited to suggest topics on which they would like to hear presentations.

This will enable the Executive Officer to arrange suitable speakers well in advance.

Location	Meeting Date	Suggested Topics
TBA	February	Invite Minister for Tourism

		and DG Department of Tourism to attend. Alternative Minister for Regional Development or DG of departments
--	--	---

7.4 State President's Report

Elections Over – Work Begins

Welcome to both new & returning elected members.

Now that the 2017 Local Government elections are behind us it is time to reset and get on with the job that our communities want us to do. An important part of that process for new elected members is getting a good induction, both to your individual Local Government and to the sector more broadly.

I also find that many returning elected members benefit from participating in new councillor inductions, because there are often unasked or unanswered questions that reveal themselves in these sessions and everyone gains an equal understanding from hearing them explained.

After induction, there is the very important issue of training and development. In this day and age you can't just fly by the seat of your pants. Governing your community is a legal, financial, strategic and relational challenge. You need real skills and expertise to manage what's expected of you. Whilst experience helps, it's not enough and often experience is out of date and may not be based on best practice.

So I encourage all of you, both novice and experienced elected members, to get a handle on your training needs and make sure you become the best elected member that you can be.

Domestic Violence – It's Not Okay

WA's first Minister for the Prevention of Family and Domestic Violence, Simone McGurk MLA, is inviting all WA Local Governments to promote the message that violence against women is not okay.

The Western Australian Police attend over 50,000 incidents of family and domestic violence each year of which women and children are the significant majority of victims. November 25 is the International Day for the Elimination of Violence against Women and marks the beginning of 16 days of activism to end to domestic violence.

Local Governments can demonstrate their commitment to stopping violence against women by emailing details of any local events, activities or public statements to Ms Selina Getley, Principal Policy Adviser, at selina.getley@dpc.wa.gov.au

Commonwealth Treasury Roundtable

On 10 November, WALGA was invited to participate in a roundtable discussion about the WA economy hosted by Commonwealth Treasury. The event was held to mark the opening of Commonwealth Treasury's Perth office, and was attended by the State's leading economists from across industry and Government.

The roundtable provided an important opportunity for WALGA to engage directly with senior officials from Commonwealth Treasury on key issues for the sector, and to establish a basis for ongoing dialogue. The opening of the new Perth office will enable WALGA to have more regular engagement with Commonwealth Treasury and ensure that the issues important to the sector, such as Financial Assistance Grants and infrastructure, remain on the agenda.

Development Sector Issues

WALGA recently hosted a meeting for the Minister for Local Government, the Hon David Templeman MLA, to discuss a variety of issues that have been raised regarding Local Government performance. Numerous representatives from the five Development Industry Associations - *the Master Builders Association (MBA)*, *Urban Development Institute of Australia (UDIA)*, *Housing Industry of Australia (HIA)*, *Swimming Pool and Spa Association (SPASA)* and *the Property Council (PC)* - attended the meeting on the 10 November 2017.

We were able to discuss and debate the concerns raised by these organisations in regard to the planning and building portfolio, in particular: -

1. Reporting on Planning Matters and Performance Monitoring
2. Planning reforms and local planning policies
3. Developer Contributions
4. Fees and charges
5. Certification (both Planning and Building)

The Association was able to dispel a number of assumptions about Local Government performance and positively highlight the role of Local Government in the Planning and Building assessment process. We emphasised that any improvements to the system must be based on sound evidence and clearly outlined that the State Planning framework supports and encourages the LOCAL in the Local Planning Scheme. A meeting will be held next year to continue these conversations with the Minister and Industry Associations.

Local Government Act Review Process

The WALGA discussion paper on the review of the Local Government Act was circulated to the sector on July 20th for comment by October 20th. At the close of submissions 5 zones, (representing 61 Local Governments) had made collective submissions and 24 Local Governments had made individual submissions.

The collective feedback is presented in an agenda item for consideration at the December State Council meeting. The recommendation contained in the report is extensive, as it deals with all policy positions associated with refining the Act. Notwithstanding, I encourage you to give your close attention to the positions that the report will establish, to ensure that our advocacy reflects the needs of the sector.

Merry Christmas!

The end of the year is fast approaching and this is the final meeting cycle for 2017.

The year ahead will be both challenging and full of opportunity as we seek to;

- negotiate revisions to the various Acts, Regulations and Policies which guide and govern the sector;
- maintain sector funding levels;
- exercise the State Local Government Partnership Agreement to ensure reliable Local Government input to State decision making;
- continue to build a positive profile for the sector;
- expand the availability of value for money, cost effective, member services, and;
- ensure that WA's voice is heard at the national level.

I'd like to thank all elected members and staff for your support during the year and I wish you all the very best for the festive season and new year ahead.

PRESIDENT'S CONTACTS

During the September - December period, contacts that have occurred or are scheduled to take place prior to the December State Council meeting are as follows:

State Government Relations:

- Hon. David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts x 2
- Hon. Roger Cook MLA, Deputy Premier; Minister for Health; Mental Health
- State Roads Funds to Local Government Advisory Committee

Local Government Relations

- LGIS Board Planning Day
- LGIS Board Meeting
- Parliamentary Committee – Regional Airfares WA
- ALGA Board Meeting & National Local Roads & Transport Congress 2017
- Local Government House Trust Meeting
- Paula Rogers, State Director, CEDA

Conferences / Workshops / Public Relations

- RAC's President Leadership Dinner
- Meet the Minister Breakfast with Hon. Rita Saffioti MLA
- Elected Member Census Launch with Hon. David Templeman MLA
- Roundtable with Hon. David Templeman MLA WALGA, MBA, UDIA, HIA, SPASA and Property Council
- Pathways Guide to a Healthy Community Launch
- CEDA GST Breakfast briefing

Zone Meetings

- Great Southern Country Zone
- State Council Regional Trip – North Metropolitan Zone

8. State Council Agenda

The State Council Agenda numbers and page numbers have been retained for easy reference.

5. MATTERS FOR DECISION.....	6
5.1 Local Government Act 1995 Review.....	6
5.2 Submission to ERA – Western Power Access Arrangement (05-042-02-0001 DM)	30
5.3 Public Health Act 2016 (05-031-01-0001 EDR).....	51
5.4 Outcome of Consultation - Short-Term Rental Accommodation and the Sharing Economy Discussion Paper (05-036-03-0016 CH)	82
5.5 Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads (05-006-03-0001MB).....	101
5.6 Review of the Western Australian Rail Access Regime (05-006-02- 0005 ID)	114
5.7 Interim Submission on the Climate Change Authority’s Review of the Carbon Farming Initiative Legislation and the Emissions Reduction Fund (05-028-01-0005 LS).....	126
 6. MATTERS FOR NOTING / INFORMATION	 139
6.1 Consultation – Third Party Appeal Rights in Planning (06-06-01-0001 GC).....	139
6.2 National Disability Insurance Scheme (NDIS) and support to Local Government (05-021-01-0002/1)	142
6.3 Control of off-road vehicles (05-053-03-008 NH).....	145
6.4 2017-18 State Budget (05-088-03-0001 DM).....	147
6.5 Productivity Commission Inquiry into Horizontal Fiscal Equalisation (05-088-03-0001 DM).....	152
6.6 Review of Climate Change Policy (05-028-03-0011 LS).....	155
6.7 Container Deposit Scheme Submission (05-040-03-0001RNB)	157
6.8 Household Hazardous Waste Program – Next Phase (06-043-01-0001RNB)	159
 7. ORGANISATIONAL REPORTS.....	 161
7.1 Key Activity Reports	164
7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB).....	164
7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)	164
7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID).....	168
7.1.4 Report on Key Activities, People and Place (01-006-03-0014 JB).....	172
7.2 Policy Forum Reports	178
7.2 Policy Forum Reports (01-006-03-0007 TB).....	178

MOVED

THAT *the recommendations in the State Council Agenda be endorsed.*

Moved	Mayor . G Henley	Seconded	Cr M Bennett	Carried
-------	------------------	----------	--------------	---------

8.1 Excluded Items

Nil

9. Discussion Forum

Items submitted by Councils for discussion

9.1 CITY OF BUNBURY SUBMISSION TO WALGA – REVIEW OF LOCAL GOVERNMENT ACT

Thank you for the opportunity to provide comment on the current review of the *Local Government Act 1995* (the Act). The City of Bunbury (the City) provides this submission to the WA Local Government Association (WALGA) on behalf of Council, who endorsed the content herein at its ordinary meeting held on XXXXX. The City understands that WALGA will use this information to help inform its position before the matter is formally considered by State Council in December 2017.

In providing comment, the City has broadly followed the proposals detailed in the Discussion Paper produced by WALGA in this regard, as well having included some of its own suggestions as to possible amendments to the Act that would benefit the local government industry.

In general terms, the City welcomes the review of the Act, and supports comments made by the Minister for Local Government (the Minister) that the review will focus on modernising local government, as well as improving service delivery to the community.

Local and Statewide Public Notice (s.1.7 and 1.8)

The City welcomes the opportunity to modernise the requirements of giving public notice of particular matters, as prescribed in the Act. The Minister has indicated an intention to deal with this by making information available online, as opposed to the current requirements for print media. It is already common practice within the local government industry to place statutory public notices on official websites, despite there being no legislated requirement to do so.

Expand the Role of Council (s2.7)

At present, the role of Council as defined in section 2.7 of the Act is largely generic, and the application of the Act for each local government is restricted to outcomes within its boundaries; that is, there is no mechanism to take into consideration the broader regional context when making decisions. 2

As an example, the *City of Perth Act 2016*, section 4(a)(ii) recognises the *important role that the City of Perth plays in representing the broader Perth area and the State of Western*

Australia. Further, section 8(1)(f) states that one of the objects of the City of Perth is to initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area (emphasis added underlined).

It is suggested that having regard for the broader community when local governments make key strategic decisions is something that should be expressed within the “Role of Council” as defined within the Act. This could be achieved as part of a broader expansion of the “Role of Council”, to recognise that the demands on local governments have grown significantly since the inception of the 1995 Act.

A specific example as to why this may be beneficial could be a local government considering the construction of a major sporting centre. If done in isolation with no due regard as to whether surrounding local governments might be considering similar developments, this could result in unnecessary duplication, ultimately to the financial detriment of ratepayers and the broader community of both the local governments.

Elected Member Training (new proposal)

The City notes previous WALGA State Council resolutions opposing any legislative change that would:

1. Require candidates to undertake training prior to nominating for election;
2. Incentivise Elected Member training through the fees and allowances framework; or
3. Mandate Elected Member training.

The City supports WALGA’s position in this regard.

In the event that mandatory training was to be legislated, the City considers:

1. There should be no retrospectivity, ie. it should only be applied to first time Elected Members;
2. There should be appropriate recognition of prior learning (RPL);
3. Training should be completed within the first 12 months of office; and
4. That penalties for non-completion of training be a reduction in fees and allowances payable.

Stand Down when Contesting State or Federal Election (new proposal)

Currently under the Act, there is no requirement for an Elected Member to either stand down or take leave of absence if they are a candidate for a State or Federal election. If elected to Parliament the Elected Member is immediately ineligible to continue as an Elected Member. Currently it is up to an individual Elected Member to determine if they wish to take a leave of absence.

The City supports any amendment to the Act that would require an Elected Member, when contesting a State or Federal election, to either:

1. Be prohibited from participating in a decision-making capacity of the Council, namely attending Council and Committee meetings; or
2. Take a leave of absence from all aspects of their role as an Elected Member.

It is suggested that either of the above could apply from the issue of Writs for the relevant election. 3

Extraordinary Vacancies (Division 6 of Part 2)

At present, if a sitting Councillor is elected by the electors to the office of Mayor or President, an extraordinary vacancy occurs pursuant to section 2.32(f). The vacancy created by that Councillor being elected to the office of Mayor or President can only then be filled at an extraordinary election.

It is suggested that where an ordinary election is required (ie more candidates than vacancies), that the vacancy created by virtue of the sitting Councillor being elected to the position of Mayor or President be filled by the candidate who records the next highest number of votes in that election.

Control of Certain Unvested Facilities (s.3.53)

The Act includes provisions, under section 3.53, that have been carried forward from section 300 of the former *Local Government Act 1960*. Former Section 300 stated:

300. A council has the care, control, and management of public places, streets, ways, bridges, culverts, fords, ferries, jetties, and drains, which are within the district, or, which although not within the district, are by this Act placed under the care, control, and management, of the council, or are to be regarded as being within the district, except where and to the extent that under an Act, another authority has that care, control, and management.

Section 3.53 refers to infrastructure as an 'otherwise unvested facility', and is defined to mean "*a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section.*"

Section 3.53 places responsibility for an otherwise unvested facility on the local government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain provenance of many of these facilities, particularly bridges, can place an unwarranted and unfunded burden on local governments.

The City supports the deletion of section 3.53 of the Act, and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Tender Threshold (Reg. 11 Local Government (Functions and General) Regulations 1996)

The City supports an increase to the tender threshold from \$150,000 to \$250,000, which is consistent with the State Government tender threshold. This would allow better responsiveness by local governments when procuring relatively low value goods and services.

It must be noted that any purchases up to the tender threshold are already governed by a local governments purchasing policy developed under regulation 11A, which ensures probity in all facets of procurement up to the tender threshold.

Regional Subsidiaries

The Act was amended in late 2016 to enable local governments to establish regional subsidiaries. The *Local Government (Regional Subsidiaries) Regulations 2017*, which were enacted in early 2017, contain significant restrictions that limit flexibility, and reduce the

benefits of the regional subsidiary model. In particular, the regulations prevent regional subsidiaries from borrowing from any organisation other than a constituent local government, entering into a land transaction, or commencing a trading undertaking. 4

The City supports legislative change that would enable regional subsidiaries to:

1. Borrow in their own right;
2. Enter into land transactions; and
3. Undertake commercial activities.

Conduct of Postal Elections (s.4.20 and 4.61)

Currently, the WA Electoral Commission has a legislatively enshrined monopoly on the conduct of local government postal elections.

The City of Bunbury supports any change to legislation that would also allow the Australian Electoral Commission and local governments to conduct postal elections, thus making the process more competitive and removing the current monopoly.

Attendance at Council Meetings by Telephone (s.5.25 and Reg. 14A)

The City supports an amendment to the legislation to clarify the definition of a “suitable place” to allow participation under this provision when an Elected Member is outside the state of Western Australia. At present the application of the *Land Administration Act 1997* when defining a “townsite” or “suitable place” restricts participation to within Western Australia only.

Electors’ General Meeting (s.5.27)

The Act currently requires a general meeting of electors be held each financial year. There is adequate provision in the Act for the public to participate in local government matters and access information by attending meetings, participating in public question time, lodging petitions, and requesting special electors’ meetings.

Accordingly the City supports any amendment to legislation that does not make meetings of electors mandatory.

Special Electors’ Meeting (s.5.28)

The City supports an amendment to section 5.28 to preclude the calling of a special meeting of electors on the same issue within a 12 month period, unless Council determines otherwise.

Gifts and Contributions to Travel (s.5.82 and 5.83)

The current gift provisions in the Act are very confusing and overly prescriptive. The City supports WALGA’s position in advocating for the following through the Department of Local Government’s Gift Working Group:

1. That there only be one section in the Act for declaring gifts; remove declarations for travel.
2. That there be no requirement to declare gifts received in a genuinely personal capacity.
3. That gift provisions apply only for Elected Members and CEO’s. Other staff fall should be covered under the local government’s Codes of Conduct.

4. That only gifts above \$500.00 need to be declared.
5. That there be no defined categories of notifiable or prohibited gifts.
6. That there be exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts. Therefore, Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

Revoking or Changing Decisions (Reg. 10 Local Government (Administration) Regulations 1996)

Regulation 10 of the *Local Government (Administration) Regulations 1996* provides a mechanism for the revocation or change to a previous decision of Council. It does not however, contain any provision clarifying that the provisions do not apply to Council decisions that have already been implemented.

At present, this regulatory deficiency is managed administratively (through Standing Orders), but warrants an appropriate legislative amendment to assist in clarifying the rights of an Elected Member seeking a revocation or change.

Local Government (Rules of Conduct) Regulations 2007

The City supports the implementation of official conduct legislation to govern the behaviour of Elected Members. It is suggested that the General Principles of Behaviour outlined in regulation 3 of these regulations would be an appropriate starting point.

Rating Exemptions – Charitable Purposes (s.6.26(2)(g))

Exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers. There may be an argument for exemptions to be granted by State or Federal legislation, with examples including exemptions granted by the Commonwealth *Aged Care Act 1997*, as well as group housing for the physically and intellectually disabled which is supported under a government scheme such as a Commonwealth-State Housing Agreement or Commonwealth-State Disability Agreement.

The City fully supports previous WALGA State Council positions on this matter, namely:

1. That the Act be amended to clarify that Independent Living Units should only be exempt from rates where they qualify under the *Commonwealth Aged Care Act 1997*; and
2. That either:
 - a. the charitable organisations section of the Act be amended to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
 - b. that a compensatory fund for local governments be established, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of local government rates.

Basis of Rates (s.6.28)

The method of valuation of land to be used as the basis of rating in Western Australia is either:

- ☐ _Gross Rental Value for predominantly non-rural purpose; or
- ☐ _Unimproved value of land for rural purposes.

These are the only two methods available under the section 6.28 of the Act in Western Australia. Eastern State local governments can elect to rate on one of the following options:

1. Site Value - levy on the unimproved value of land only and disregards the value of buildings, personal property and other improvements;
2. Capital Value - value of the land including improvements;
3. Annual Value - rental value of a property (same as GRV).

The City supports the examination of the limitations of the current methods of valuation of land in Western Australia, with a view to exploring other alternatives. 6

Differential Rates (s.6.28 and 6.33)

It is noted that concern has previously been raised by metropolitan local governments at the amount of vacant land remaining in an undeveloped state for an extensive period of time and holding up development opportunities.

The City supports any amendment to the current legislative provisions in relation to differential rating to enable a differential rate to be applied on the basis of the length of time a property has remained in an undeveloped state.

Exemption from AASB 124 (Reg. 4 Local Government (Financial Management) Regulations 1996)

Regulation 4 of the *Local Government (Financial Management) Regulations 1996* provides a mechanism for an exemption from the Australian Accounting Standard. Regulation 16 is an example of the use of this mechanism, relieving local governments from the requirement to value land under roads.

The City supports an amendment that would allow an exemption from the implementation of AASB 124 'Related Party Transactions' due to the current provisions in the Act on declarations of interest at meetings and in Primary and Annual returns. This is regarded as providing appropriate material declaration and disclosure of interests associated with function of local government.

Thank you for the opportunity to provide comment in this regard, and should you have any queries please do not hesitate to contact me directly on 9792 7031.

MJ (Mal) Osborne
A/Chief Executive Officer

This item was noted

9.2 SHIRE OF CAPEL SUBMISSION LOCAL GOVERNMENT GRANT SCHEME (ESL) ELIGIBLE EXPENDITURE

MOTION

Moved	Cr M Scott	Seconded	Cr T Pratico	Carried
-------	------------	----------	--------------	---------

That WALGA be requested to lobby the State Government for:

- 1. A comprehensive review of items of eligible expenditure under the Local Government Grant Scheme to enable the full costs of operating Volunteer Bush Fire Brigades to be met; and**
- 2. The establishment of the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.**

BACKGROUND

The Zone has previously considered matters relating the funding of the operations of Local Government Volunteer Bush Fire Brigades. These considerations have been mainly based around the disproportionate amount of the total funds collected under the Emergency Services Levy which is then returned to Local Government to fund the operation of our Bush Fire Brigades.

Arising from the Inquiry into the 2016 Waroona Fire, the State Treasurer asked the Economic Regulation Authority to conduct a review into the ESL. WALGA led a statewide process to coordinate an industry wide submission into the review which included how the ESL is collected and the purposes for which it is used.

The ERA has completed its Review and the report has been presented to the Treasurer to table the report in Parliament.

COMMENT

In recent weeks, further examples of the poor treatment of Local Governments under the Local Government Grants Scheme have come to light as follows:

In 2013, some Local Government Volunteer Bush Fire Brigades were allocated an Automatic External Defibrillator (AED) by way of a grant from RAC WA. The announcement of this grant was made by the DFES Commissioner. At the Shire of Capel, one of our community groups considered that all of the Shire's brigades should have "in the field" access to an AED and purchased an additional 4 units at a cost of over \$10,500.00.

The AED is powered by a battery which has a "useful life" but when this has passed, the battery needs to be replaced at a cost of approximately \$300.00 to keep the AED operational.

In spite of the fanfare of the announcement by the DFES Commissioner that the AED's are of "vital importance to DFES and the provision of additional lifesaving equipment will further enhance the safety of all emergency service volunteers", the replacement cost of batteries and the replacement "pads" (when used) are not eligible expenditure under the Local Government Grant Scheme.

This means this cost must be either met by the Local Government or the Brigade.

That the costs associated with the maintenance of the AED's should be eligible expenditure, is one issue of concern. The main issue however is that AED's supplied to (DFES) SES Units are provided by and maintained by DFES utilising funds collected from the ESL.

Clearly funding variances of this nature go to the heart of the concerns of local government about the way the ESL is administered by DFES and allocated to the various emergency services. A simple principle of consistency in eligible expenditure between all emergency services should be applied

Another issue has recently arisen where one of the Shire of Capel's Brigades has established a cadet unit to encourage young people to become part of the brigade with the view to providing sufficient volunteers for the Brigade's future.

Rightly, those involved in the training of these young people are required to obtain Working With Children Checks (WWCC) under the Working with Children (Criminal Record Checking) Act 2004.

DFES has encouraged the formation of the cadet unit to the extent of providing setup guidelines for any Brigade considering this activity. While the initiative of establishing the cadet unit is strongly supported by DFES, the costs to volunteers in obtaining their WWCC is not considered eligible expenditure under the Local Government Grant Scheme.

Again, this leaves this expenditure to have to be funded by the Local Government, the Brigade or the individual volunteer.

While the sum involved is individually not individually (at around \$15 per application), it considered that this is yet another example of the failure of the Local Government Grants Scheme to recognise and fund the true costs of operating Volunteer Bush Fire Brigades.

10. Zone Status Report

SOUTH WEST COUNTRY ZONE STATUS REPORT

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C	2017 August 25 Zone Agenda Item 11.1 Cat Act 2011 Review (Shire of Capel)	THAT WALGA be requested to lobby the State Government to seek amendments to the Cat Act 2011 to make it an offence under the Cat Act 2011 to have an uncontrolled, untethered cat in a public place and to provide the power for local governments to designate	WALGA to enquire with State Government on timing of the review of the Cat Act 2011.	Nov 2017	James McGovern Manager Governance 9213 2093 jmcgovern@walga.asn.au

		certain public places where cats are prohibited.			
Sth West C	2017 August 25 Zone Agenda Item 11.2 ESL Funding – DFES Operations (Shire of Capel)	That WALGA be requested to lobby the State Government for: 1. A maximum contribution of 70% from the ESL to fund the administrative operations of DFES, with the other 30% coming from state government general revenue; and 2. The Office of Emergency Management to take over the role of advising Treasury how ESL funds should be distributed.	WALGA made a submission to the Economic Regulation Authority (ERA) addressing the request of the South West Country Zone. 1. The submission addressed concern raised by members that the ESL has increased considerably at the same time as we have seen a reduction of consolidated revenue for DFES operating costs. The ERA in its final report to the Treasurer has recommended that the Department of Treasury should undertake a review of the department of Fire and Emergency Services structure, resources and administration costs to determine whether services are efficiently delivered (recommendation 6). Furthermore, the ERA recommended that a proportion of the Department of Fire and Emergency Services corporate services costs should be funded by general government revenues, rather than ESL (recommendation 10). 2.. WALGA in its final submission supported the ERAs recommendation that the Office of Emergency Management should be given the oversight functions for advising the Minister for Emergency Services on the amount of ESL revenue required, and the ESL rates. The ERA made this recommendation to the Treasurer in its final report.	Nov 2017	Melissa Pexton Policy Manager Emergency Management mpexton@walga.asn.au 9213 2080
Sth West	2017 August 25	That the WALGA submission be	WALGA has amended its submission to include comment on the declining rate revenue caused	Nov 2017	Nina Hewson Senior Policy Advisor,

t C	State Council Agenda Item 5.7 Productivity Commission Inquiry – Introducing Competition & Informed User Choice into Human Services: Reforms to Human Services	supported and that WALGA give consideration to including comment in their submission relating to the declining rate revenue caused by the practice of the Housing Authority “contracting out” management of its properties to rate exempt charitable Community Housing organisations.	by the practice of the Housing Authority “contracting out” management of its properties to rate exempt charitable Community Housing organisations. STATE COUNCIL RESOLUTION SEPTEMBER 2017 That the interim submission to the Productivity Commission Inquiry on Introducing Competition and Informed User Choice into Human Services – Reforms to Human Services, be endorsed with the addition of comment relating to the declining rate revenue caused by the practice of the Housing Authority “contracting out” management of its properties to rate exempt charitable Community Housing organisations.		Community nhewson@walga.asn.au 9213 2055
Sth West t C	2016 November 25 Zone Agenda Item 10.4 Shire of Collie Submission – Charitable Rating Status	That WALGA; Express concern to the Department of Housing regarding the proliferation of organisations (quite often managing properties on behalf of the Housing Authority)	Zone position aligns with current WALGA Policy. This matter is included in the Association’s Local Government Act Review Discussion Paper.	Nov 2017	James McGovern Manager Governance 9213 2093 jmcgovern@walga.asn.au

		<p>claiming charitable status and seeking to avoid paying rates. This has and will lead to a diminishing unsustainable rate base for local governments and urgent attention is required to address this matter,</p> <p>Seek agreement from the Department of Housing that the outsourcing of the management of public housing to not for profit organisations will not adversely impact on Councils rating income.</p>			
<p>Sth West C</p>	<p>2016 August 26 Zone Agenda</p>	<p>That WALGA make representation to the</p>	<p>WALGA has continued to raise the issue with the Department including the President's column in the West Australian on 11 October 2017.</p>	<p>June 2017</p>	<p>Joanne Burges Executive Manager, People & Place jburges@walga.asn.au</p>

	<p>Item 7.6 Withdrawal of DLGC Owned Buildings – Shire of Collie</p>	<p>Department of Local Government and Communities and strongly oppose the Department of Local Government and Communities (DLGC) plans to withdrawal its support for childcare services and ownership of related assets on the ground of cost shifting to affected local governments and community organisations.</p>	<p>The issue has been raised with the Minister’s chief of staff and at a number of forums, however the State Government has been resolute in their position.</p> <p>WALGA has met with Linkwest to discuss their role with assisting centres in the transition.</p> <p>With the McGowan Labor Government now fully implemented, the Association will raise this issue with both the Minister for Local Government, David Templeman and the Minister for Community Services, Simone McGurk.</p> <p>The Department of Local Government and Communities has developed a new Supporting Communities Program to replace the existing Community and Neighbourhood Development Services, Individual and Family Support and Youth Support Services Programs. The program consists of two streams – a Stronger Communities sub-program and an Individual and Family Services sub-program. The Department invited service providers and key stakeholders to attend workshops to learn more about the proposed program and provide their input.</p> <p>The workshops were held on the afternoon of Friday, 2 June and Tuesday, 13 June 2017. The first workshop on 2 June was restricted to services funded under the current programs and local governments that currently provide them with accommodation. The second workshop was open to all interested organisations and Local Governments.</p> <p>WALGA President Cr Lynne Craigie and Executive staff met with Hon Simone McGurk</p>	<p>August 2017</p>	<p>9213 2018</p>
--	---	--	--	--------------------	-------------------------

			<p>MLA, Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services on Wednesday 3 May 2017. WALGA raised the concerns of members with regard to recent withdrawals of funding for family centres. The Minister advised that Child Care Centres (where vested in Government) will be vested to organisations on conditional leases and that a new Fund Supporting Communities Program has been established to replace the existing Community and Neighbourhood Development Services, Individual and Family Support and Youth Support Services Programs. Valued at \$9.4 million the program will consist of two streams – a Stronger Communities sub-program and an Individual and Family Services sub-program.</p> <p>A discussion paper was released providing an overview of the program and feedback was sought until 14 July 2014 via the Tenders WA website. Organisations were encouraged to register with Tenders WA to receive further updates on the consultation process and for the development of the Request for Tender. If you require any assistance, please email tenderswa@finance.wa.gov.au</p> <p>The Tender process is expected to open in September 2017. Further information can be obtained by emailing supportingcommunities@dlgc.wa.gov.au</p> <p>On 27 October the State Government announced a Regional Community Child Care Development Fund that will receive one-off funding of \$1.658</p>	Nov 2017	
--	--	--	--	----------	--

			<p>million to ensure regional communities have sustainable childcare services in the future.</p> <p>Further announcements about specific regional funding components will be made in the coming weeks.</p>		
<p>Sth West t C</p>	<p>2016 April 22 Zone Agenda Item 11.3 Review of Biosecurity and Agriculture Managemen t Act</p>	<p>That WALGA be requested to seek an amendment to the Biosecurity and Agriculture Management Act to remove the exclusion on Government agencies and the Public Transport Authority currently not bound by legislation to ensure reserves in urban areas comply with "managed bushland" category. Furthermore a complete</p>	<p>WALGA staff are continuing discussions with staff from the new Department of Primary Industries and Regional Development (DPIRD). It is understood the Government has now committed to reviewing the Act in 2019, with preparatory work being undertaken next year. This issue will be raised as part of the review.</p>	<p>November r 2017</p>	<p>Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au</p>

		review of the act be undertaken.			
--	--	--	--	--	--

11. Finance

11.1 Financial Reports

**SOUTH WEST ZONE WA LOCAL GOVERNMENT ASSOCIATION
FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 2017**

DETAILS	2017/18 ANNUAL BUDGET \$	2017/18 ACTUAL \$
Opening Cash Funds at 1 July	<u>12,353</u>	<u>12,387</u>
<u>Revenue</u>		
Interest on Investment	100	0
Member Council Contributions	7,200	6,600
Total Revenue	7,300	6,600
<u>Expenditure</u>		
Secretarial Service	(7,000)	(1,400)
Miscellaneous Expenses	(100)	(26)
Total Expenditure	(7,100)	(1,426)
Surplus (Deficit) for Period	200	5,174
Closing Funds at 31 October 2017	12,553	17,561

Closing Funds at 31 October 2017 Represented By:

Cash at Bank	
Cheque Account	\$5,715
Term Deposit 0.5% - Holding Investment	\$11,846
	\$17,561
Less Creditor	
Meeting Fee Due	(\$0)
Net Assets Available at 31 October 2017	\$17,561

11.2 Payments

Executive Officer for Admin Services
\$1400

Executive Officer for Presentation clock and plaque to Cr Sanford (Invoices tabled)
\$189.30

MOTION:

That the financial report be received, and accounts be approved for payment

Moved	Cr M Scott	Seconded	Cr G Henley	Carried
-------	------------	----------	-------------	---------

12. Schedule of meetings 2017

WALGA has advised of the following dates for State Council Meetings and preferred dates for Zone Meetings

Preferred dates for Zone Meetings		State Council Meeting Dates
Fri, 23 Feb to	Fri 2 Mar	Wed, 7 March
Fri, 20 Apr to	Fri 27 Apr	Thur & Fri - 3 & 4 May Regional Meeting
N/A		Special Meeting Budget Adoption Wed, 6 June
Fri, 22 June to	Fri 29 June	Wed, 4 July
Fri, 24 August to	Fri 31 August	Thur & Fri - 6 & 7 September Regional Meeting
Fri, 23 Nov to	Fri 30 Nov	Wed, 5 December

The following dates are proposed for meetings for the next 12 months retaining the practice of meeting on the 4th Friday of the month. (For endorsement)

Month	Location	Agenda
22nd February	Margaret River	Minister for Tourism
27 th April	Boyup Brook	Auditor General
22 nd June	Bridgetown	
24 th August	Bunbury	
23 rd November	Busselton	

These dates were endorsed

13. Closure

The President thanked members for their attendance and the Shire of Donnybrook - Balingup and their staff for the hospitality extended to the Zone delegates and closed the meeting at 12.20 pm

Notes on the comments by by Mr Eric Lumsden – Chairman WAPC

These will be circulated separately



Hon David Templeman MLA
Minister for Local Government; Heritage; Culture and the Arts

Our Ref: 66-02942

Mr Eliot Fisher
Executive Officer
WA Local Government Association South West Zone
9 Lisa Road
AUSTRALIND WA 6233

Dear Mr Fisher

Thank you for your correspondence dated 2 October 2017 to the Hon Mark McGowan MLA, Premier of Western Australia, regarding the provision of funding for sewerage schemes in the townsites of Boyup Brook, Bindoon, Kukerin and Leonora.

Given the involvement of the Water Corporation, the Minister for Local Government, Hon David Templeman MLA, has requested that your concerns be raised with the Minister responsible for that portfolio.

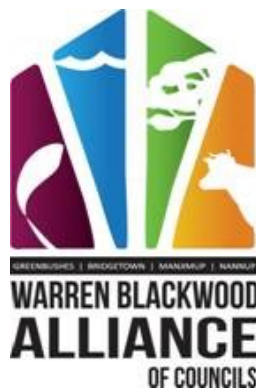
As such, I have taken the liberty of referring your correspondence to the Hon Dave Kelly MLA, Minister for Water, for his consideration.

I wish to thank you for bringing this matter to the attention of the Premier and Minister Templeman.

Yours sincerely

GARY HAMLEY
CHIEF OF STAFF

23 OCT 2017



LOCAL TOURISM ORGANISATION STEERING GROUP

3.00PM, WEDNESDAY 29 NOVEMBER 2017

HOST: SHIRE OF BRIDGETOWN GREENBUSHES

Meeting opened: 3.05pm

Attendance:

Stuart Hutchinson (Chair)
Heather Walford
Leon Buckley
Wendy Eiby
Mark Hudson
Tracey Hodgkins
Christine King (arrived 3.10pm)
Roger Purnell (arrived 3.25pm)
Paul Omodei, SOM
Peter Clarke, SON

Tim Clynch, SOBG
Mark Exeter, SWDC (arrived 3.20pm)
Katie Drummond (WBAC)

Apologies:

Diane Ness
Tim Foley, DBCA
Catrin Alsop, ASW
Josh Whitelands, WAITCO

Declaration of interest: Wendy Eiby for item 5 as she is a Visitor Centre employee.

1. Minutes of last meeting (20.09.17) & matters arising

The minutes are confirmed as true and correct.

Moved: Mark Hudson

Seconded: Leon Buckley **Carried**

2. Actions checklist

Actions from Meeting held on 20.09.17	Status
Two presentation at ASW events	Completed
Stakeholder Management and Engagement Plan	Completed
Have LTO information at:	
All Shire receptions.	Sent
All VC's.	Sent
All CRC's.	Sent
Shire of Manjimup revitalisation office.	Sent
Copies to each board members to have to give out.	Have a meeting
Email to all stakeholders.	Complete
Bridgetown to have information sessions with the Stakeholders.	6 th December at Nelson

On website, add on a 'let us know your thought' section.	Complete
Katie to write draft constitution.	Ongoing
Continued work on Database.	Ongoing
Industry representatives and Katie to meet up to go through lists.	Ongoing

Feedback from group:

The Shire of Bridgetown-Greenbushes and the LTO steering group representatives are holding an information session with the shire's tourism stakeholders on Wednesday 6th December from 5.30pm – 7.30pm. Katie and Stuart also to attend. Katie to do feedback form to capture information from attendees.

Tourism stakeholders are still negative about the LTO but part of this may be that they are misinformed. Hopefully the continued engagement and the Bridgetown tourism meeting will help rectify this issue.

There are concern over Bridgetown visitor centre within the community which will be discussed at the Bridgetown tourism meeting.

The Shire of Denmark is looking to involve Walpole with its future plans. They currently give the VC \$5,000.

It was suggested that every town (via Shire) should have a community discussion about the future of visitor centres.

Christine has asked if visitor servicing can be excluded for the LTO model.

3. Financial report

There has been no change since the October meeting:

Total Income	\$ 30,000.00
Total Expenditure	\$837.25
Funding Available	\$ 29,162.75

4. Stakeholder Management and Engagement Plan

A draft copy of the Stakeholder Management and Engagement Plan was circulated.

On the CRC, VC and chamber of commerce sections, take out the town listings as have 'across region'.

5. LTO development

a) Budget for LTO

The group review the budget from the Investigation report into a sustainable LTO:

INCOME	Year 1	Year 2	Year 3	Year 4	Year 5
MEMBERSHIP INCOME					
Potential members, 'core'	0	275	280	285	290
% take-up of membership	0	75%	85%	95%	95%
Av Fee	\$ -	\$ 450	\$ 450	\$ 475	\$ 475
sub total, core	\$ -	\$ 92,813	\$ 107,100	\$ 128,606	\$ 130,863
Potential members, 'non-core'	0	0	20	30	40
Av Fee			\$ 100	\$ 110	\$ 120
sub total, non-core	\$ -	\$ -	\$ 2,000	\$ 3,300	\$ 4,800
Sub Total - Membership Income	\$ -	\$ 92,813	\$ 109,100	\$ 131,906	\$ 135,663
OTHER INCOME					
Office premises, in kind	\$ 7,000	9000	9000	9000	9000
SWDC establishment support TBC	\$ 25,000	\$ 25,000	\$ 25,000		
ASW leveraged marketing value TBC	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Co-Operative Marketing from Operators		\$ 15,000	\$ 25,000	\$ 30,000	\$ 30,000
Sponsorship	\$ -				
Grants	\$ -				
Icon Attraction	\$ -	\$ -	\$ -	\$ -	?
Sub Total - Other Income	\$ 42,000	\$ 59,000	\$ 69,000	\$ 49,000	\$ 49,000
Total Income	\$ 42,000	\$ 151,813	\$ 178,100	\$ 180,906	\$ 184,663
EXPENDITURE	Year 1	Year 2	Year 3	Year 4	Year 5
Staffing					
Marketing 1.0 FTE @ \$80K	\$ 32,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
Membership + Visitor Services 0.4 FTE @ \$60K	\$ 9,600	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000
Industry + Product Development 0.0 FTE @ \$75K	\$ -	\$ -	\$ -	\$ -	\$ -
Exec Officer 0.5 FTE @ \$90k	\$ 22,500	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000
Admin Support 0.1 FTE @ \$45K	\$ 1,800	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
Sub Total - Staffing	\$ 65,900	\$ 153,500	\$ 153,500	\$ 153,500	\$ 153,500
Destination Development Spend					
Digital	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
Publications	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
PR/Comms	\$ 10,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Branding and Launch	\$ 30,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Ind Famils	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Operator training, famils	\$ 5,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Product Development	\$ -	\$ -	\$ -	\$ -	\$ -
Sub total - Destination Development Spend	\$ 130,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000
Other Expenses					
Vehicle Lease + Operating	\$ 7,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000
Office premises, in kind	\$ 7,000	9000	9000	9000	9000
Office Occupancy	\$ 7,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000
Sub Total - Other Expenses	\$ 21,000	\$ 32,000	\$ 32,000	\$ 32,000	\$ 32,000
Total Expenditure	\$ 216,900	\$ 305,500	\$ 305,500	\$ 305,500	\$ 305,500
OPERATING SURPLUS / DEFECIT	-\$ 174,900	-\$ 153,688	-\$ 127,400	-\$ 124,594	-\$ 120,838
Local Government Contribution	Year 1	Year 2	Year 3	Year 4	Year 5
LTO	\$ 174,900	\$ 153,688	\$ 127,400	\$ 124,594	\$ 120,838
Visitor Servicing	\$ 225,100	\$ 246,313	\$ 272,600	\$ 275,406	\$ 279,163
Local Government Contribution	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000
Local Government Contribution	Year 1	Year 2	Year 3	Year 4	Year 5
LTO	\$ 174,900	\$ 156,761	\$ 132,496	\$ 132,069	\$ 130,505
Visitor Servicing	\$ 225,100	\$ 251,239	\$ 283,504	\$ 291,931	\$ 301,496
Local Government Contribution	\$ 400,000	\$ 408,000	\$ 416,000	\$ 424,000	\$ 432,000

Visitor Services

The group need to look at where / how visitor services can be offered and co-located. Potential opportunities could be through:

- Attractions
- Accommodation providers
- Main street retail shops
- CRC's
- Existing facilities

Website

- The website is a priority for this region and the LTO.
- Need to start looking at how services will be offered digitally through the one region website and app development.
- Katie to look at a comparison between booking systems, i.e. Expedia, Bookeasy, Wotif etc. to see the costs, benefits and commissions.

Start up budget

Need to look at developing a start-up budget as well as an implementation budget and operational budget. Katie speak to MRBTA to ask for their advice.

b) Implementation budget and timeframe

Proposals:

- Marketing from 1 July 2018
- Visitor Servicing from 1 July 2019

c) Membership fee structure

There are two proposals for membership:

- Have a tiered model – stakeholders have options of which level of membership they join
- Have a flat membership fee and stakeholders pay for additional 'add-on's'

Katie to circulate MRBTA's membership structure and investigate other models.

d) Grant opportunities

- Building betters regions funding
 - Innovation
 - Creativity
- New industry funding
- SWDC
 - Once budget is redefined we should contact SWDC (by February) with request for support.
- Other Agencies
 - Once budget is redefined we should contact other agencies with information of the project and with request for support.
- Lotterywest
 - Business Planning
 - Strategic Planning & Development
 - Start-up costs

A subcommittee will be formed to investigate the budgets and implementation of the Local Tourism Organisation. On the subcommittee there will be:

- ***Stuart Hutchinson***
- ***Heather Walford***
- ***Tracey Hodgkins***
- ***Tim Clynych***
- ***Catrin Alsop (ASW)***
- ***Greg Lockwood (Shire of Manjimup – check with CEO)***
- ***Katie Drummond (As Executive Officer)***

Moved: Stuart Hutching

Seconded: Christine King **Carried**

The meeting will be on Wednesday 17th January 2018 at the Shire of Manjimup.

6. General Business

Building betters regions funding is open now and closing next week. Katie to speak to Charles Jenkins from Regional Development Australia South West to see if we should apply for a small grant for start-up funding, brochures and resources.

A future develop opportunity is to have tours which start from the Busselton Margaret River Airport. This is something which should be developed and ready to go to market in 18 months.

Merchandise for the region can be developed by the LTO and be available in retail outlets and online.

The question was asked of what will happen if the Bridgetown – Greenbushes residents don't want the name 'Southern Forests and Valley's. This will be addressed by the WBAC. It was mentioned that the Southern Forests and Valley's name and brand was around before the SFFC and there are huge marketing benefits and established brand recognition attached to this name.

The SFFC have funding for one more year, Katie to talk to them about their tours and how these will be managed / sustained if they close.

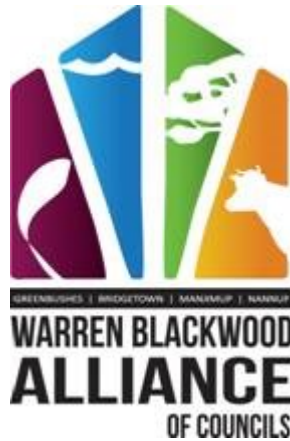
7. Next meeting

- a) Wednesday 31st January, Shire of Nannup

Actions from 29.11.17 LTO meeting

- Bridgetown stakeholder information session, Wednesday 6 November 2018 at Nelsons.
- Katie to do feedback form for Bridgetown Stakeholder information session.
- Katie amend Stakeholder Management and Engagement Plan
- Katie to look at a comparison between booking systems, i.e. Expedia, Bookeasy, Wotif etc. to see the costs, benefits and commissions.
- Katie speak to MRBTA to ask for their advice on developing a start-up budget, implementation budget and operational budget

- Katie speak with Shire of Manjimup about Greg Lockwood sitting on LTO budget subcommittee.
- Katie to circulate MRBTA's membership structure and investigate other models.
- Katie to speak to Charles Jenkins regarding Building betters regions funding.
- Katie speak to SFFC about sustainability of their tours.
- Everyone to continue with updating Tourism database.
- LTO budget subcommittee meeting on Wednesday 17th January 2018 at the Shire of Manjimup.



Minutes

WARREN BLACKWOOD ALLIANCE OF COUNCILS BOARD MEETING TUESDAY 5 DECEMBER 2017, 5.30PM HOST: SHIRE OF NANNUP

Meeting opened: 5.31pm

Attendance:

Cr Tony Pratico (Chair)
Cr Paul Omodei
Cr Alan Wilson
Cr Bob Longmore
Cr Cliff Winfield
Cr Vicki Hansen

Tim Clynch
Peter Clarke
Andrew Campbell
Billy Wellstead
Katie Drummond (EO)

Apologies:

Cr Tony Dean

Cr Tony Pratico welcomed the new members to the WBAC.

1. Minutes of last meeting & matters arising

- Tim Clynch clarified that the name for the LTO is a draft name only.
- Tomorrow evening (6th December) the Shire of Bridgetown – Greenbushes are holding a community meeting with tourism operators and stakeholders to gain feedback.
- If the LTO decide to use a different name will ASW change their name for our region?

Minutes of WBAC board meeting on 03.10.17 confirmed as true and correct.

Moved: Cr Paul Omodei

Seconded: Cr Bob Longmore

Carried 6/0

2. Correspondence

Over the past 3 years Peter Needs has sent the same letter to each shire and the WBAC, most recently the Shire of Nannup. Peter is a member of the Manjimup community who has ideas and is motivated by wanting to see the region grow.

EO to respond to Peter, thank him for his letter and advise that if, in the future, the opportunity presents we will take him up on his ideas.

Moved: Cr Bob Longmore

Seconded: Cr Cliff Winfield

Carried 6/0

3. Financial report

a) 2017.2018

- EO reported that the insurance premium this year has been reduced saving us \$190.
- Billy Wellstead informed the WBAC that due to Ministry changes, all current SWDC commitments are being financially reviewed. The WBAC has a unique agreement with the SWDC and Billy has been advised the SWDC will support WBAC financially this year but this will be reviewed again for next year. EO and Billy to show the economic benefit of the SWDC's involvement with the WBAC.

Moved: Cr Cliff Winfield
Seconded: Cr Paul Omodei

Carried 6/0

4. Executive Officer work report

Report received by all members.

5. Local Tourism Organisation

a) Meeting minutes of LTOSG meetings

CEO representatives on the LTO Steering Group reported that the meetings have been very productive, progressive and positive. Their next steps are investigating finance, writing the constitution and looked at tier membership.

The minutes of the WBAC LTO Steering Group meetings on 25.10.17 and 29.11.17 were received by the WBAC.

Moved: Cr Paul Omodei
Seconded: Cr Bob Longmore

Carried 6/0

b) Name

All comments were made in item 1.

c) Shire Representatives

Due to changes in councillors the new representatives on the LTO committee from the WBAC are:

<i>President:</i>	<i>Cr Paul Omodei</i>	<i>Shire of Manjimup</i>
<i>Councillor:</i>	<i>Cr Bob Longmore</i>	<i>Shire of Nannup</i>
<i>CEO:</i>	<i>Tim Clynch</i>	<i>Shire of Bridgetown – Greenbushes</i>

Moved: Cr Alan Wilson
Seconded: Cr Vicki Hansen

Carried 6/0

d) Bunbury Geographe Tourism Partnership

The Bunbury Geographe Tourism Partnership (BGTP) includes the Chief Executive Officer's from the Shires of Boyup Brook, Capel, Collie, Dardanup, Donnybrook Balingup, Harvey and the City of Bunbury.

Peter & EO presented at the Bunbury Tourism Partnership meeting on 27.11.17 about our LTO developments. They saw the benefit in the consulting processes we've undertaken.

6. Regional Stock Route

a) Project managers Warren Blackwood Stock Route report

The report was received by all members. The Shire of Manjimup will support the project manager to write the tender documents.

b) Budget

The DBCA have given their specification requirements for vaulted system toilets which has increased the costs for the campsites and taken the project \$12,667 over budget.

c) Realigned route

The report detailed the realignment of the trail, campsites and stopovers.

Infrastructure of full campsites will be at:

- Bridgetown
- Willow Springs
- Nannup
- Darradup
- Warren Equestrian Centre (WEC)
- Smeathers Road

The following campsites are receiving funding horse yards:

- Quinninup - to be done within project
- Shannon - \$10,000 to DBCA to install

The following campsites will have no infrastructure and promoted as locations only:

- Kookaburra
- Scott River
- Steves Road
- Broke Inlet

The Trail will be marked from Scott River – Nannup –Bridgetown-Manjimup –Broke Inlet

The SWDC have confirmed the route changes and campsites infrastructure changes do not change the integral intent of the funding.

The WBAC endorse the changes to the Warren Blackwood Stock Route as detailed in the project manager's report.

Moved: Cr Paul Omodei

Seconded: Cr Bob Longmore

Carried 6/0

7. WBAC

a) Name on WBAC logo

WBAC will change the WBAB logo from 'Greenbushes I Bridgetown I Manjimup I Nannup' to 'Bridgetown- Greenbushes I Manjimup I Nannup'.

Moved: Cr Alan Wilson

Seconded: Cr Paul Omodei

Carried 6/0

EO check we have copyright over logo.

b) Constitution Review

On review of the constitution by EO and CEO's there are a lot of changes and amendments to be made.

EO and Andrew Campbell to draft an amended constitution for the WBAC and present it at the February WBAC meeting

Moved: Cr Vicki Hansen

Seconded: Cr Bob Longmore

Carried 6/0

8. General Business

- a) Billy Wellstead informed the WBAC that the governments focus going forward is Economic Development and it is recommended that the WBAC investigate developing an Economic Development Plan for the region.
 - EO to put on the agenda for February meeting.
- b) Andrew Campbell thanked the CEO's from the Shire of Nannup and Bridgetown-Greenbushes for their submissions into the regional overview. The Shire of Manjimup recently received the National Economic Development award for Stage one of the Town Revitalisation Project.
- c) Peter Clarke has met with Prof. Wendell Ela of Curtin University about a Cooperative Research Centre for Waterproof Regional Growth. They are working with Southern Dirt on the initiative and would welcome the opportunity to present to the WBAC. EO to circulate information from Prof. Wendell to the WBAC board with minutes of this meeting.

9. Date of next meeting

- a) Tuesday 13th February 2018, Shire of Manjimup

Meeting closed: 6.44pm



Department of
Local Government, Sport
and Cultural Industries

Nannup - Compliance Audit Return 2017

Certified Copy of Return

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

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



Department of
**Local Government, Sport
and Cultural Industries**

Delegation of Power / Duty

No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Peter Clarke
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Peter Clarke
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Peter Clarke
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Peter Clarke
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	Yes		Peter Clarke
6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Peter Clarke
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Peter Clarke
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Peter Clarke
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Peter Clarke
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A		Peter Clarke
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Peter Clarke
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2016/2017 financial year.	Yes		Peter Clarke
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Peter Clarke

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Peter Clarke
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Peter Clarke



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Peter Clarke
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Peter Clarke
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	N/A		Peter Clarke
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	Yes		Peter Clarke
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	Yes		Peter Clarke
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Peter Clarke
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Peter Clarke
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Peter Clarke
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Peter Clarke
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Peter Clarke
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Peter Clarke
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Peter Clarke



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Peter Clarke
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Peter Clarke

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Peter Clarke
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Peter Clarke

Elections

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

Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Tracie Bishop
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Tracie Bishop
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Tracie Bishop
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Tracie Bishop



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government within 30 days of completion of the audit.	Yes		Tracie Bishop
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government by 31 December 2017.	Yes		Tracie Bishop
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	Yes	There were no issues raised within the Audit Report that required action. However there were minor issues raised within the management letter that have been actioned and will be reported to Council at the next Audit Committee meeting.	Tracie Bishop
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	Yes	Refer question 7 above	Tracie Bishop
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A	Refer question 7 above	Tracie Bishop
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Tracie Bishop
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Tracie Bishop
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Tracie Bishop
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Tracie Bishop
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Tracie Bishop



Department of
**Local Government, Sport
and Cultural Industries**

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 19DA (6) Audit Reg 9A (2)(a)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	22 June 2017	Peter Clarke
2	s5.56 Admin Reg 19DA (6) Audit Reg 9A (2)(a)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		Peter Clarke
3	s5.56 Admin Reg 19C (7) Audit Reg 9A (2)(b)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	27 April 2017	Peter Clarke
4	s5.56 Admin Reg 19C (7) Audit Reg 9A (2)(b)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		Peter Clarke
5	S5.56 Audit Reg 9A (2)(c)	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	25 May 2017	Peter Clarke
6	S5.56 Audit Reg 9A (2)(d)	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	22 June 2017	Peter Clarke
7	S5.56 Audit Reg 9A (2)(e)	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	25 May 2017	Peter Clarke



Local Government Employees

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



Department of
**Local Government, Sport
and Cultural Industries**

Official Conduct

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

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	N/A	No Tenders called in year under review	Peter Clarke
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		Peter Clarke
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	N/A		Peter Clarke
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	N/A		Peter Clarke



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	N/A		Peter Clarke
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	N/A		Peter Clarke
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	N/A		Peter Clarke
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Peter Clarke
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	N/A		Peter Clarke
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	N/A		Peter Clarke
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A		Peter Clarke
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Peter Clarke
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Peter Clarke
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Peter Clarke
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A		Peter Clarke
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A		Peter Clarke



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A		Peter Clarke
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A		Peter Clarke
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A		Peter Clarke
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application (s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Peter Clarke
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A		Peter Clarke
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A		Peter Clarke
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Peter Clarke
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	N/A		Peter Clarke
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes		Peter Clarke



Department of
**Local Government, Sport
and Cultural Industries**

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Nannup

Signed CEO, Nannup

Proposal	WALGA Position/Issue	Comments
PART 1 – INTRODCUTORY MATTERS		
Local and Statewide Public Notice: Sections 1.7 and 1.8	Modernise public notice provisions from mandatory print media to online or other means	Endorse WALGA position State and local newspapers are not reaching all intended targets. In addition to online options, local governments should be permitted to utilise a community newsletter for publishing of local notices rather than having to go Statewide
Part 2 – CONSTITUTION OF LOCAL GOVERNMENT		
Method of Election of Mayor/President: Section 2.11	Local Governments should be able to determine whether their Mayor or President is elected by the Council or the electors at large	Endorse WALGA position This is the current practice of the Shire of Nannup and should be retained.
Elected Member Training	<p>WALGA opposes legislative change that would:</p> <ol style="list-style-type: none"> 1.Require candidates to undertake training prior to nominating for election; 2.Incentivise Elected Member training through the fees and allowances framework; <p>or</p> <ol style="list-style-type: none"> 3. Mandate Elected Member training. <p>Further, if mandatory training becomes inevitable, WALGA will seek to ensure that it:</p> <ol style="list-style-type: none"> a) Only applies to first time Elected Members; 	Endorse WALGA position Whilst training is important for Elected Members, to apply mandatory training may discourage prospective candidates from nominating.

	<p>b) Utilises the Elected Member Skill Set as the appropriate content for mandatory training;</p> <p>c) Applies appropriate Recognition of Prior Learning (RPL);</p> <p>d) Requires training to be completed within the first 12 months of office; and</p> <p>e) Applies a penalty for non-completion of a reduction in fees and allowances payable.</p>	
Stand Down when contesting State or Federal Elections	<p>Amend the Act to require an Elected Member to stand down when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:</p> <p>(a) that an Elected Member stand down from any decision making role and not attend Council and Committee meetings; or</p> <p>(b) that an Elected Member stand down from all aspects of their role as Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act</p>	<p>Endorse WALGA position</p> <p>There is an argument that a nomination for State or Federal Parliament by an existing elected member shouldn't unduly influence decisions of a Local Government if they continue to hold true to the statutory requirements of their role as Councillor. However, this is an issue of public perception and it is apparent there is a public view that in these situations the elected member can have conflicts of interest. It is suggested that the taking of leave of absence by the elected member from the date of issuing of writs for the election would be the simplest option to remove themselves from any potential conflicts of interest.</p>
PART 3 – FUNCTIONS OF LOCAL GOVERNMENT		
Notification of Affected Owners: Section 3.51	<p>Section 3.51 of the Local Government Act 1995 concerning "Affected owners to be notified of certain proposals" should be amended to achieve the following effects:</p> <p>1. to limit definition of "person having an</p>	<p>Endorse WALGA position.</p> <p>This Section applies to fixing or altering the level of or the alignment of a public thoroughfare or draining water from a public thoroughfare or public place onto adjoining land. Written notice is to be provided and if any adverse effect to</p>

	<p>interest” to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and</p> <p>2. to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).</p>	<p>land is expected local public notice is to be given. The way this section is worded any work on a thoroughfare requires referral.</p>
<p>Control of Certain Unvested Reserves: Section 3.53</p>	<p>The Local Government Act 1995 includes a provisions, under Section 3.53, that is carried forward from Section 300 of the former Local Government Act 1960.</p> <p>Former Section 300 stated: <i>A council has the care, control, and management of public places, streets, ways, bridges, culverts, fords, ferries, jetties, and drains, which are within the district, or, which although not within the district, are by this Act placed under the care, control, and management, of the council, or are to be regarded as being within the district, except where and to the extent that under an Act, another authority has that care, control, and management.</i></p> <p>Section 3.53 refers to infrastructure as an ‘otherwise unvested facility’, and is defined to mean: “a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person</p>	<p>Endorse WALGA position</p> <p>Assets considered to be an “otherwise unvested facility” on Crown land have created significant financial and resourcing obligations for many years for a number of local governments.</p> <p>The WA Government, via Landgate, has statutory responsibility for the management of un vested land.</p>

	<p>other than under this section.”</p> <p>Section 3.53 places responsibility for an otherwise unvested facility on the Local Government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain provenance of many of these facilities, particularly bridges, is reported as placing an unwarranted and unfunded burden on a number of Local Governments.</p> <p>It is recommended Section 3.53 of the Act be deleted and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.</p>	
Regional Local Governments: Part 3 Division 4	The compliance obligations of Regional Local Governments should be reviewed.	<p>WALGA position <u>NOT</u> Supported</p> <p>Regional Local Governments should have the same levels of compliance requirement as individual Local Government on the basis that they often deal in larger projects which often have much greater risk and financial obligation.</p>
Council Controlled Organisations: Part 3 Division 4	The Local Government Act 1995 should be amended to enable Local Governments to establish Council Controlled Organisations (CCO) - also referred to as ‘Local Government Enterprises’ i.e. WALGA’s Systemic Sustainability Study 2008.	<p>Endorse WALGA position</p> <p>Further detail would need to be assessed in due course.</p>
Tender Threshold: Finance and General Regulations	WALGA supports an increase in the tender threshold to align with the State Government	Endorse WALGA position

11(1)F&G	tender threshold (\$250,000).	The cost of undertaking a tender process is significant. An increase of \$100,000 to the existing tender threshold is supported. The WALGA Preferred Supplier program is also being used for amounts greater than \$150,000 now. All local governments are required to have purchasing policies and these policies ensure probity in all facets of procurement.
Dispositions of Property: Finance and General Regulations 30(3)	That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.	Endorse WALGA position Has little relevance to the Shire of Nannup however in principle it is supported.
Regional Subsidiaries: RS Regulations	That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to: 1. Borrow in their own right; 2. Enter into land transactions; and, 3. Undertake commercial activities.	Endorse WALGA position In the case of the South West Region the establishment of a Regional Subsidiary to operate a regional waste site isn't currently an option as it would be unable to operate the site as a commercial activity, purchase the land, etc. Operating a regional waste site is the type of activity that Regional Subsidiaries should be encouraged to undertaken and the proposed changes advocated by WALGA would allow that.
PART 4 – ELECTIONS AND OTHER POLLS		
Conduct of Postal Elections: Sections 4.20 and 4.61	The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and Local Governments to conduct postal elections.	Endorse WALGA position It would be expected that significant cost savings could be made if a competitive element for the conducting of elections was introduced.
Voluntary Voting: Section 4.65	Voting in Local Government elections should remain voluntary.	Endorse WALGA position Postal voting generally results in elected turnout of 40% and

		<p>above with generally lower turnouts for in-person elections. The Government needs to articulate the benefits it believes would be achieved by moving to a compulsory voting model.</p>
On-Line Voting	<p>WALGA has received requests from three (3) Zones to explore the possibility of introducing on-line voting in Local Government elections.</p> <p>A State Council Item for Noting was prepared in May 2017 advising that WALGA staff will liaise with the WAEC regarding the use of the iVote system and also seek feedback from the Local Government sector on online voting and other opportunities to increase voter turnout. The Minister for Local Government has indicated that online voting is likely to be considered in the context of increasing elector participation.</p>	<p>Endorse WALGA position</p> <p>Technology is changing and subject to an assurance of security, on-line voting should encourage additional elector turnout and significantly reduce costs.</p>
<p>PART 5 – ADMINISTRATION</p>		
Electors General Meeting: Section 5.27	<p>Section 5.27 of the Local Government Act 1995 should be amended so that Electors' General Meetings are not compulsory. There is adequate provision in the Local Government Act for the public to participate in Local Government matters and access information by attending meetings, participating in public question time, lodging petitions, and requesting special electors' meetings.</p>	<p>Endorse WALGA position</p> <p>The Annual General Meeting of Electors meeting at the Shire of Nannup attracts very few electors every year. Council meets once per month and there is ample opportunity at those meetings for electors to ask questions on relevant and immediate issues and to seek a deputation, etc.</p>

Special Electors Meeting: Section 5.28	<p>That Section 5.28(1)(a) be amended:</p> <p>(a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and</p> <p>(b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.</p>	<p>Endorse WALGA position</p> <p>There is a need for provisions for concerned electors to call a Special Meeting of electors and a minimum figure of 5% or 500 electors would demonstrate that the issue is one that is of concern to a significant number of electors. Opportunity exists every month for a person(s) or representatives of a group to address Council as part of ordinary Council meetings.</p>
Senior Employees: Section 5.37(2)	<p>That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly).</p>	<p>Endorse WALGA position</p> <p>As it currently stands, Council is required to be informed of any proposal to employee or dismiss a Senior Employee and this includes such matters as contract extensions or non-renewal of contracts. The relationship between Council and the administration is via the Chief Executive Officer who is specifically tasked with employment functions in the organisation.</p>
Annual review of Certain Employees Performance: Section 5.38	<p>Section 5.41(g) of the Act prescribes the function of responsibility for all employees, including management supervision, to the Chief Executive Officer. Section 5.38 therefore creates unnecessary ambiguity; unnecessary in terms of the certainty that Section 5.41(g) already provides. It is recommended that Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.</p>	<p>WALGA position <u>NOT</u> Supported</p> <p>Section 5.38 should simply be amended to state that it is the responsibility of the CEO to ensure that reviews of certain employees occur on an annual basis.</p>

<p>Gifts and Contributions to Travel: Sections 5.82 and 5.83</p>	<p>The current Gift Provisions in the Local Government Act are very confusing and overly prescriptive. The Department of Local Government and Communities have established a Gift Working Group to look at completely reviewing the gift provisions for changes following the March 2017 State Election. WALGA is a participant in this working group. WALGA representatives have been advocating for the following:</p> <ul style="list-style-type: none"> • There be one section for declaring gifts. Delete declarations for Travel. • No requirement to declare gifts received in a genuinely personal capacity. • Gift provisions only for Elected Members and CEO's. Other staff fall under Codes of Conduct from the CEO to the staff. • Gifts only to be declared if above \$500.00. • There will not be any category of notifiable gifts or prohibited gifts. • Gifts only to be declared in respect to an Elected Member or CEO carrying out their role. • Exemptions for ALGA, WALGA and LG Professionals (already achieved). • Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts. So Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift. 	<p>Endorse WALGA position</p> <p>The Gift Provisions within the Act are considered overly restrictive and at times unworkable and are unnecessarily impacting lower level employees that have very limited delegated authority such as authority to purchase to small amounts.</p> <p>The WALGA proposal is comprehensive and simplifies the process whilst still retaining the fundamental risk management considerations in having gift provisions.</p>
<p>Vexatious and Frivolous</p>	<p>It is recommended that a statutory provision</p>	<p>Endorse WALGA position</p>

<p>Complainants: New Provision</p>	<p>be considered, permitting a Local Government to declare a person a vexatious or frivolous complainant. Section 5.110(3a) of the Act was recently introduced in relation to the Local Government Standards Panel ruling on vexatious and frivolous Rules of Conduct Regulations breach allegations: "...a standards panel can at any stage of its proceedings refuse to deal with a complaint if the standards panel is satisfied that the complaint is frivolous, trivial, vexatious, misconceived or without substance."</p> <p>Given the extensive cost and diversion of administrative resources currently associated with vexatious and frivolous complainants across the Local Government sector, it is recommended that a more general mechanism, based on the principles associated with the introduction of Section 5.110(3A), be investigated.</p>	<p>Unfortunately there will be occasions where the proposed provision is necessary. A local government would have to have good reasons to declare a person as a vexatious or frivolous complainant. The decision to declare a person as a vexatious or frivolous complainant must only be made by the Council and cannot be delegated by the Council. There must also be reasonably straight forward appeal process for the affected person.</p>
<p>Revoking or Changing Decisions: Regulation 10</p>	<p>Regulation 10 provides a mechanism for the revocation or change to a previous decision of Council. It does not however, contain any provision clarifying that the provisions do not apply to Council decisions that have already been implemented. This regulatory deficiency is currently managed administratively, but warrants an appropriate amendment to assist clarify the rights of a Councillor to seek a revocation or change.</p>	<p>Endorse WALGA position</p> <p>WALGA's proposal seeks to remove any ambiguity in changing previous Council resolutions.</p>

<p>Minutes, contents of: Regulation 11</p>	<p>Regulation 11 contains a potential anomaly in that the content requirements relating to Minutes of a Council or Committee meeting do not make reference to the reports and information that formed the basis of the Agenda to that meeting. Despite it being a common practice that Agenda reports and information are included in most Minutes, this is not universally the case, and it is recommended that an amendment be considered as an aid to community understanding of the decision-making process of the Council.</p>	<p>Endorse WALGA position</p> <p>The Council Minutes of Shire of the Shire of Nannup already conform to this proposed standard.</p>
<p>Repayment of Advance Annual Payments: new Regulation</p>	<p>The Local Government Legislation Amendment Act 2016 introduced Section 5.102AB, which provides that Regulations may be made relating to the recovery of advance payments of annual allowances or annual fees made to a person who subsequently ceases to hold office during the period to which the payment relates:</p> <p>5.102AB. Repayment of advance annual payments if recipient ceases to hold office (2) Regulations may be made — (a) requiring the repayment to a local government, to the extent determined in accordance with the regulations, of an advance payment of an annual allowance or annual fee in the circumstances to which this section applies; and (b) providing for a local government to</p>	<p>Endorse WALGA position</p> <p>The head of power exists to make Regulations to this effect but has yet to be completed.</p>

	<p>recover any amount repayable if it is not repaid.</p> <p>Regulations enabling the recovery of advance annual payments have yet to be made and it is recommended this matter be prioritised.</p>	
Local Government (Rules of Conduct) Regulations	<p>WALGA supports:</p> <ol style="list-style-type: none"> 1. Official Conduct legislation to govern the behaviour of Elected Members; 2. An efficient and effective independent Standards Panel process; 3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and, 4. Confidentiality for all parties being a key component of the entire process. <p>(NOTE: Point 3 achieved under the Local Government Legislation Amendment Act 2016)</p>	<p>Endorse WALGA position</p> <p>The criteria sought by WALGA is sensible, fair and transparent.</p>
PART 6 – FINANCIAL MANAGEMENT		
Imposition of Fees and Charges: Section 6.16	<p>That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.</p>	<p>Endorse WALGA position</p> <p>The proposal seeks to address the issue of statutory fees being prescribed well below a cost recovery position of the Local Government. There are many examples of statutory fees below cost recovery being received by Local Government and it is considered that flexibility in decision making on this matter would empower Local Government to strike an</p>

		appropriate balance on statutory fees and charges. It is also noted that State Government agencies tend to review fees on a regular or annual basis and the same rights should be given to local governments.
Power to Borrow: Section 6.20	6.20(2) requires, where a power to borrow is proposed to be exercised and details of the proposal are not included in the annual budget, that the Local Government must give one month's public notice of the proposal (unless an exemption applies). There is no associated requirement to request or consider written submission prior to exercising the power to borrow, as is usually associated with giving public notice. Section 6.20(2) simply stops the exercise of power to borrow for one month, and it is recommended it be deleted.	Endorse WALGA position The current practice of giving public notice of a proposal to borrow without any requirement to seek comments/submissions serves little purpose. If there is a view that public submissions should be sought then Regulations could exempt borrowings at the lower scale, determined by an appropriate ratio to revenue.
Restrictions on Borrowings: Section 6.21	Section 6.21 of the Local Government Act 1995 should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.	Endorse WALGA position In most other situations freehold land provides adequate security for financing purposes. It is considered that Local Government should also be able to do the same however where there is a significant public infrastructure (definition of "significant" would be required) asset on the freehold land, restrictions on the use of that freehold land for security for financing purposes should exist.
Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)	WALGA's policy position regarding charitable purposes is as follows: 1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged	Endorse WALGA position This is a significant issue across the whole local government sector but to date hasn't impacted upon the Shire of Nannup. However it is clear that the claiming of charitable purposes exemptions by what are quasi-commercial operators has

	<p>Care Act 1997;</p> <p>2. Either:</p> <p>a) amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or</p> <p>b) establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.</p>	<p>significantly exceeded the original intent of legislation and in the case of some local governments is impacting upon rate revenue and/or placing a financial burden on other ratepayers.</p>
<p>Basis of Rates: Section 6.28</p>	<p>1. That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives.</p> <p>The method of valuation of land to be used as the basis of rating in Western Australia is either: Gross Rental Value for predominantly non-rural purpose; or unimproved value of land for rural purposes. These are the only two methods available under the Section 6.28 of the Local Government Act in Western Australia.</p> <p>Eastern State Local Governments can elect to rate on one of the following options:</p> <ul style="list-style-type: none"> • Site Value - levy on the unimproved 	<p>Endorse WALGA position</p> <p>Support should be given to an examination of the limitations of the current methods of valuation of land with a view to exploring what opportunities may exist. The inequity of differential rating vacant land purely because it holds up development opportunities needs to be carefully considered. Is it costing the local government more to service that land or is the argument that it costs more to service land outside of these undeveloped allotments? People have different reasons for not developing land and not all of these reasons are due to land speculation. Some people hold onto vacant land because they can't afford to develop their land or they may be planning to develop the land when personal circumstances (i.e. retirement) occur – should this trigger the payment of more rates?</p>

	<p>value of land only and disregards the value of buildings, personal property and other improvements;</p> <ul style="list-style-type: none"> • Capital Value - value of the land including improvements; • Annual Value - rental value of a property (same as GRV). <p>Alternative land valuation methods came under the scope of the WALGA Systemic Sustainability Study, particularly Capital Improved Valuations which is in operation in Victoria and South Australia.</p> <p>2. Advocate for amendment to Section 6.28 to enable Differential Rating based on the time land remains undeveloped. Concern at the amount of vacant land remaining in an undeveloped</p>	
Differential General Rates: Section 6.33	<p>This section outlines the characteristics that Local Governments may take into account when imposing differential general rates. It is recommended the issue of time-based differential rating should be examined, to address some Local Governments view that vacant land should be developed in a timely manner.</p>	<p>WALGA position <u>NOT</u> Supported</p> <p>Refer to comments above</p>
Service of Rates Notice: Section 6.41	<p>That Section 6.41 be amended to:</p> <p>(a) permit the rates notice to be issued to electronically; and</p> <p>(b) introduce flexibility to offer regular rate</p>	<p>Endorse WALGA position</p> <p>Local Government is in a position to utilise technology and reduce costs.</p>

	payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notice.	
Rates or Service Charges Recoverable in Court: Section 6.56	That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.	Endorse WALGA position
Rating Exemptions – State Agreement Acts	Resource projects covered by State Agreement Acts should be liable for Local Government rates.	Endorse WALGA position Although not currently an issue in the Shire of Nannup this is an issue of concern to many other local governments and therefore is supported.
Rating Exemptions – Rate Equivalency	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.	Endorse WALGA position Although not currently an issue in the Shire of Nannup the payment or rate equivalency payments are what they are titled – the equivalent of rates – therefore should be payable to the applicable local government.
Exemption from AASB 124: Regulation 4	Regulation 4 of the Financial Management Regulations provides a mechanism for an exemption from the Australian Accounting Standards (AAS). Regulation 16 is an example of the use of this mechanism, relieving Local Governments from the requirement to value land under roads. A Zone has requested that an exemption be allowed from the implementation of AASB 124 'Related Party Transactions' due to the current provisions in the Act on declarations of interest at meetings and in Primary and	Endorse WALGA position Support is given to an exemption from the implementation AASB 124 "Related Party Transactions" as it is considered there is more than adequate transparency in the existing requirements for lodging of Primary and Annual Return and the disclosure of interest requirements under the Local Government Act.

	Annual returns. This is regarded as providing appropriate material declaration and disclosure of interests associated with function of Local Government.	
PART 8 – SCRUTINY OF THE SAFFAIRS OF LOCAL GOVERNMENT		
Stand Down Provision	<p>WALGA supports, in principle, a proposal for an individual elected member to be ‘stood down’ from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council’s reputation, subject to further policy development work being undertaken. Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:</p> <ol style="list-style-type: none"> 1. That the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and 2. That activities associated with the term ‘disruptive behaviour’, presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance. 	<p>Endorse WALGA position</p> <p>Few existing options are available to deal with significant issues created by individual Councillors. Statutory provisions exist for the standing down of full Council which penalises the whole Council for the wrongdoing of one or a few.</p>
PART 9 – MISCELLANEOUS PROVISIONS		
Onus of Proof in vehicle	Amend Section 9.13 by introducing the	Endorse WALGA position

Offences may be Shifted: Section 9.13(6)	definition of ‘responsible person’ and enable Local Governments to administer and apply effective provisions associated with vehicle related offences	The same responsibilities as placed on vehicle owners under the Road Traffic Act should be adopted – that is the owner is liable for any offence unless he/she can identify the driver of the vehicle at the time of the offence.
Poll Provisions	Schedule 2.1 of the Local Government Act 1995 should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.	Endorse WALGA position Currently poll provisions only apply to the abolition of two or more Local Government districts and amalgamation into one or more Local Government districts. During the last Perth Metropolitan Reform process there were significant boundary adjustments proposed that did not have statutory backing to enable electors to trigger a poll. The proposed amendment to the Act would ensure electors have the opportunity to participate in the process for significant boundary adjustments or amalgamation proposals.
Number of Electors: Clause 2.1(1)(d)	That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 10% of electors) to 500 (or 5% of electors) whichever is fewer.	Endorse WALGA position 500 or 5% of electors (whichever is the least) isn’t a significant number of electors.
SCHEDULE 2.2 – PROVISIONS ABOUT NAMES, WARDS AND REPRESENTATION		
Who may make Submission: Clause 3.1	That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.	Endorse WALGA position 500 or 5% of electors (whichever is the least) isn’t a significant number of electors.
SCHEDULE 4.1 – HOW TO COUNT VOTES AND ASCERTAIN RESULT OF ELECTION		
Method of Voting	Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.	Endorse WALGA position “First past the post” voting is very simple to understand,

		reflects the views of electors and does not encourage nomination “tickets” in elections.
--	--	---



Department of
**Local Government, Sport
and Cultural Industries**

Local Government Act 1995 review
Agile • Smart • Inclusive



Local Government Act 1995 **Review**

Agile • Smart • Inclusive – Local governments for the future

Phase 1: Consultation Paper

8 November 2017

Contents

Minister's foreword	8
Introduction	10
Consultation to date.....	12
Having your say	13
About local government in Western Australia.....	14
Meeting community expectations of standards and performance	16
1. Relationships between council and administration.....	17
Introduction	17
Defining the roles of council and administration	18
Across Australia.....	20
2. Training.....	23
Introduction	23
Across Australia.....	24
2.1 Competencies required to be an elected member.....	25
2.2 Funding training	26
2.3 Mandatory training	27
2.4 Continuing professional development	30
3. The behaviour of elected members	32
3.1 Current Situation	33
Across Australia.....	33
Code of conduct requirements.....	36
3.2 Regulation of elected member conduct: rules of conduct.....	38
Across Australia.....	38
Option 1: Streamlined Rules of Conduct	41
Option 2: Revised disciplinary framework	42
3.3 Other matters recommended in the 2015-16 review	44
Application of Rules of Conduct	44

Offence provisions	44
Confidentiality.....	44
3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations	45
Across Australia.....	46
Option 1: Status Quo.....	47
Option 2: Sector Conduct Review Committees	48
3.5 Sanctions and other Standard Panel matters.....	51
Across Australia.....	51
Mediation	53
Prohibition from attending council meetings.....	53
Compensation to the local government.....	54
Complaint administrative fee	54
Cost recovery to the local government.....	55
Publish complaints in the annual report	55
Table decision report at Ordinary Council Meeting	56
3.6 Elected member interests	56
4. Local government administration.....	59
4.1 Recruitment and selection of local government Chief Executive Officers	59
Across Australia.....	60
Option 1: Local governments to engage the services of the Public Sector Commission to provide support and guidance to council during the selection of a CEO	60
Option 2: Councils to involve third-parties in CEO selection	61
Option 3: Local governments to adopt a CEO recruitment standard.....	62
Option 4: Status Quo.....	62
4.2 Acting Chief Executive Officers	63
Across Australia.....	63
4.3 Performance review of local government Chief Executive Officers	64
Across Australia.....	65
Option 1: Approved third-party to be involved in the performance review of CEOs	67
Option 2: Local governments to adopt a CEO performance review policy	68

Option 3: Local governments to conform to a standard for CEO performance review.....	68
4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election	69
4.5 Public expectations of staff performance	70
5. Supporting local governments in challenging times	72
Across Australia.....	73
Proposed Remedial Action Process.....	75
Discussion.....	78
6. Making it easier to move between State and local government employment	80
Public confidence in Local Government	82
7. Gifts	83
7.1 Simplifying the gift provisions	83
Background.....	83
Across Australia.....	84
Current situation.....	85
Recommendations of the gifts working group	86
Key elements of the proposed approach.....	87
Excluding gifts in a genuine personal capacity.....	92
Transparency.....	94
8. Access to information	95
8.1 Public notices	96
Across Australia.....	97
General options.....	97
Specific options	98
8.2 Information available for public inspection	99
Across Australia.....	100
General options.....	101
9. Available information.....	105
9.1 Expanding the information provided to the public.....	105

Option 1: Status Quo.....	107
Option 2: Additional reporting requirement.....	107
Option 3: Policy requirement.....	107
Red Tape Reduction.....	110
10. Reducing red tape	111
10.1 Defining red tape.....	111
Red Tape Rapid Assessment Tool.....	112
Regulatory Burden Measure	112
10.2 Potential red tape reductions	113
Special Majority.....	113
Senior employees	114
Across Australia.....	114
Exemption from Accounting Standard AASB124 — Related Party Disclosures..	115
Disposal of Property.....	116
Regional Subsidiaries.....	119
11. Regional Subsidiaries	120
11.1 Risks and benefits of borrowing.....	121
Across Australia.....	123
11.2 Options:	124
Option 1: Status quo	124
Option 2: Regional subsidiaries are permitted to borrow from Treasury Corporation.	124
Option 3: Regional subsidiaries are permitted to borrow from financial institutions	125
For more information, please contact:	128
Attachment 1: Councillor position description	129
Attachment 2: Gifts	131
Supplementary Information: Public notices	137

8 November 2017

Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, 140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844
Telephone: (08) 6551 8700 Fax: (08) 6552 1555
Freecall: 1800 620 511 (Country only)
Email: legislation@dlgsc.wa.gov.au Website: www.dlgsc.wa.gov.au

Translating and Interpreting Service (TIS) – Telephone: 13 14 50

All or part of this document may be copied. Due recognition of source would be appreciated. If you would like more information please contact the Department of Local Government, Sport and Cultural Industries.

Minister's foreword

The McGowan Government is undertaking a review of the Act to modernise local governments and better position them to deliver services for the community.

Western Australia's local government system is unique in Australia and reflects the State's colonial heritage through the establishment of roads boards as some of the State's first forms of European municipal government.

While the Western Australian *Constitution Act 1889* provides for a system of local government throughout the State, the powers and functions of local governments are conferred by the *Local Government Act 1995* (the Act).

The review will be undertaken in two phases. Phase 1 of the review considers the following matters:

- meeting community expectations of standards and performance
- transparency
- making more information available online
- red tape reduction.

These matters address reforms that have the potential to modernise local government, empower and enable local government, meet community expectations for accountability and transparency, and relieve regulatory burden. Local government autonomy in decision-making remains a key feature of Western Australia's local government system.

Where possible, I would like the detail relating to the powers and responsibilities for local government to be addressed in regulations rather than a prescriptive Act to ensure that the legislation is more flexible and adaptable to changing needs.

This consultation paper seeks your comment to inform the government's position. While the consultation deals with specific matters, comment is welcome on all aspects of the Act.

This paper presents a range of options that aim to modernise local government, restore the reputation of the sector, simplify regulation and improve services. I seek your valuable feedback to inform this review.

Western Australians deserve local government that is smart, agile and inclusive.

Hon David Templeman MLA
MINISTER FOR LOCAL GOVERNMENT

Introduction

The *Local Government Act 1995* (the Act) provides the framework for Western Australian local government. Local governments are created by the Act which sets out the functions, responsibilities and powers of local government.

Western Australia has changed greatly since the Act was introduced in 1995. Public expectations of government and what can be achieved through technology have evolved. While the Act has been regularly amended, key aspects seem outdated.

It is time to modernise the Act to match public expectations of local government. As a consequence, the McGowan Government has committed to undertaking a review of the Act. The following principles underpin the review:

- Transparent – providing easy access to meaningful, timely and accurate information about local governments.
- Participatory – strengthening local democracy through increased community engagement.
- Accountable – holding local governments accountable by strengthening integrity and good governance.
- Efficient – providing a framework for local governments to be more efficient by removing impediments to good practice.
- Modern – embracing contemporary models for governance and public sector management.
- Enabled – local governments will be empowered to deliver for communities as autonomous bodies with powers and responsibilities specified in legislation.

The review will be conducted in two phases as outlined below:

Phase 1	Phase 2
Making information available online	Increasing participation in local government elections
Meeting public expectations for accountability	Increasing community participation
Meeting public expectations of ethics, standards and performance	Introducing an adaptive regulatory framework
Building capacity through reducing red tape*	Improving financial management
	Building capacity through reducing red tape*
	Other matters raised in phase 1 consultation

**matter to be dealt with in both phases*

While this consultation paper deals with the matters listed above in phase 1, responses and proposals for reform are invited on any aspect that contributes to the principles underpinning the review of local government legislation.

A second consultation paper will be released in 2018.

This review is examining all of the legislation that sets the framework for local government: the *Local Government Act* and the twelve sets of regulations that underpin it.

Local government makes a big difference in our everyday lives. Local governments define the places where Western Australians live, work and play.

In Western Australia's regions they are often a major employer and glue for communities. They can support local economies, businesses and the environment and have an important role supporting our communities, including vulnerable people and must carefully balance these competing priorities. Local governments have a tough job and often have to make controversial decisions.

Local governments are an expression of their community and like Western Australians communities, are increasingly diverse and face complex issues. They manage an aging population, provide safe and inclusive public spaces and deliver high quality services and infrastructure.

To meet contemporary community expectations, local governments need a contemporary legislative framework that provides boundaries for their operations. The framework will need to account for the diversity of Western Australia's local governments and the varying roles that they perform to service their unique communities.

While the Act establishes local government and the key rules for its operation, this Act is just one of many legislative instruments administered across multiple portfolios that inform how local governments conduct their business. For example, local governments' role in planning is defined in planning laws and their role in public health matters is defined in the *Public Health Act 2016*. Some of the matters raised in this review may therefore impact other legislation.

Consultation to date

Modernising the legislative framework by which local governments operate is a complex task. The views of local government, the community and business are all needed to achieve the best result.

In June 2017, a reference group was established to provide expertise and advice to the review. The reference group members are drawn from the:

- Western Australian Local Government Association (WALGA);
- LG Professionals Australia WA (LG Professionals WA);
- Western Australian Council of Social Service;
- Western Australian Electoral Commission;
- Regional Chamber of Commerce and Industry; and
- Western Australian Rangers Association.

In July and August 2017, the Department of Treasury and the Department of Local Government, Sport and Cultural Industries (the Department) hosted three red tape workshops. The workshops were attended by representatives from WALGA, LG Professionals WA and various industry groups.

In July 2017, the Department presented its findings to the Minister for Citizenship and Multicultural Interests' Multicultural Reference Group.

In preparing this consultation paper, the Department has also met with local governments, industry groups and community sector advocates on an individual basis.

Having your say

Submissions

The State Government invites submissions on the consultation. Submissions can be sent via:

completing the online submission form:

www.dlgsc.wa.gov.au/lgareview

email:

legislation@dlgsc.wa.gov.au

post:

LGA Review

Department of Local Government, Sport and Cultural Industries

PO Box 8349

Perth Business Centre

Western Australia 6849

Your submission will be made public and published in full on the Department's website unless you ask for it to be confidential. Submissions that contain defamatory or offensive material will not be published.

Submissions close on Friday 9 February 2018.

Community workshops

The Department will be conducting community workshops across Western Australia to promote the paper and seek your views.

Attend one of our workshops in your region and tell us how you think the local government legislation can be improved.

Details of the workshops are on the Department's website at

www.dlgs.wa.gov.au/LGARReview

About local government in Western Australia

Western Australia's constitution establishes a system of elected local government bodies empowered through State Government legislation.

Much of Western Australia's system of local government can be traced back to road boards created in the 19th century. Over the past 120 years, there have been various pieces of legislation establishing local municipalities and their functions. The most recent of these is the *Local Government Act 1995*.

Reflecting Western Australia's unique history and geography, the State has the nation's most diverse local government sector. The State's 137 local governments and the two Indian Ocean Territories feature the largest and smallest in the country by size, the nation's thirteenth most populous local government and the nation's least populous.

Over 90 per cent of the State's population live in the State's largest 40 local governments, with the remaining 10 per cent living in the State's other 97 local governments. The combined population of the State's 34 least populated local governments is less than 1 per cent of the State's total population.

All local governments regardless of their size or population are framed by the Act which in line with the power of general competence provides significant autonomy to local governments.

Councils appoint a Chief Executive Officer (CEO) to manage the day to day operations of the local government. The CEO is responsible for hiring all other local government staff.

The council is the primary decision-maker in the local government, although they can delegate some powers to an officer. The CEO is responsible for implementing council's decisions.

While the term is not used within the Act, local governments in Western Australia operate under the principle of 'general competence'. This means that local governments are autonomous bodies established to provide for the good government of persons in their district.

The degree of autonomy is an ongoing challenge. On one hand, many local governments believe that they do not have enough autonomy. On the other hand, some industry groups and members of the community are concerned that local government decision making is inconsistent, and that greater oversight and

accountability is required. This tension between autonomy and oversight is a constant and is not unique to Western Australia.

At the time of its introduction, the current Act was intended to replace prescriptive legislation with a broad outcomes-based framework. The Act reduced the number of areas where the Minister's approval was required down to 30, from approximately 150 in the previous Act.

The Act is still considered quite prescriptive, in the sense that it establishes rules for particular matters, especially as they relate to accountability, while giving local governments autonomy on other matters.

Given the diversity in their size, location and population, it is not surprising that local governments in Western Australia provide a variety of services, and to varying standards. All local governments in Western Australia provide core services including waste, roads, parks, playgrounds and gardens, as well as having statutory responsibilities in planning, development approvals, public health and various licencing requirements.

In response to community expectations, some local governments also provide other services such as community centres, libraries, swimming pools, gyms, child care, seniors and youth programs, environmental and land care programs, health programs, local infrastructure including marinas and airports, as well as programs to support tourism, local events and businesses.

In general, the scope and range of services provided by local governments are expanding. While some may argue that this is due to cost-shifting from other tiers of government, local governments ultimately determine the majority of the services they choose to provide.

While Western Australia's local government structure is unique, lessons can be learned from other jurisdictions. Victoria, New South Wales, Tasmania, and the Northern Territory are conducting, or have recently concluded, major reviews of their local government legislation.

Meeting community expectations of standards and performance

Local governments today have many complex responsibilities. They deal with potentially controversial matters such as town planning, assessment of development applications and domestic animal management, and provide an increasing variety of community services.

Elected members and local government officers have a challenging job and their communities have high expectations of standards, ethics and performance.

Largely, the Western Australian community is well served by local government. However, on occasion poor governance or ineffective management can result in community expectations not being met.

This review presents the opportunity to consider whether reforms are required to strengthen accountability by modernising the governance model that frames local government decision making and operations.

Areas where opportunities may exist include:

- improving relationships between council and administration,
- improving behaviour and managing misconduct,
- increasing training for elected members,
- reforming CEO selection and recruitment, and
- improving the way that a CEO's performance is reviewed.

1. Relationships between council and administration

Introduction

The effectiveness of a local government in Western Australia is largely dependent on the relationship the council has with the administration, primarily the CEO. Running alongside this is the requirement for a council to act independently when it is making decisions in the best interests of, and on behalf of, the community it was elected by.

Local governments are made up of several components:

Local government

The Western Australian *Constitution Act 1889* states that Parliament will maintain a system of local government throughout the State. This is given effect through local government legislation which confers powers and functions on local governments. A local government is a corporate body which can sue and be sued.

Council

The council is elected by the community and is the governing body of a local government. It is made up of between six and fifteen elected members and is led by a mayor or president. Councils are responsible for the governance of their local government's affairs and functions. This includes oversight of the planning and allocation of finances and resources, and the determination of local government policies.

Chief Executive Officer (CEO)

The CEO is employed by the council to head the administration and manage the day to day operations, or executive functions, of the local government and to implement council policies and decisions.

Staff

The staff are employed by the CEO to perform the functions of the local government.

The community

The community is comprised of residents, ratepayers including property owners that do not live in the district and those renting business premises within the district, as

well as the extended community that are impacted by council decisions but do not live within its district.

Defining the roles of council and administration

In 1995, when the current Act was introduced to Parliament, the then Minister for Local Government remarked in his second reading speech:

“There will be a clear specification of the roles of key players; that is, council, mayor or president, and councillors. This is designed to promote efficient administration at the local government level and to avoid conflicts caused by uncertainty. The lack of role clarity has led to some mayors/presidents and councillors becoming involved in administrative matters which should be handled by staff. The new Act will provide a clear distinction between the representative and policy making role of the elected councillors and the administrative and advisory role of the chief executive officer and other staff.”¹

Under the Act the council —

- governs the local government’s affairs; and
- is responsible for the performance of the local government’s functions, which includes (although is not limited to):
 - overseeing the allocation of the local government’s finances and resources; and
 - determining the local government’s policies.

The role of an individual councillor includes:

- representing the interests of electors, ratepayers and residents of the district;
- providing leadership and guidance to the community in the district;
- facilitating communication between the community and the council;
- participating in the local government’s decision-making processes at council and committee meetings; and
- performing such other functions as are given to a councillor by the Act or any other written law.

The mayor or president has the following additional roles:

- presiding at meetings in accordance with the Act;
- providing leadership and guidance to the community in the district;
- carrying out civic and ceremonial duties on behalf of the local government;

¹ Western Australia, *Parliamentary Debates*, Legislative Assembly, 31 August 1995, 7548-9 (Hon Paul Omodei MLA).

- speaking on behalf of the local government;
- performing such other functions as are given to the mayor or president by the Act or any other written law; and
- liaising with the CEO on the local government's affairs and the performance of its functions.

The CEO's functions under the Act are to:

- advise the council in relation to the functions of a local government under this Act and other written laws;
- ensure that advice and information is available to the council so that informed decisions can be made;
- cause council decisions to be implemented;
- manage the day to day operations of the local government;
- liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;
- speak on behalf of the local government if the mayor or president agrees;
- be responsible for the employment, management, supervision, direction and dismissal of other employees;
- ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law; and
- perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the CEO.

Despite this, tension still arises within local governments. This appears to be due to a lack of understanding of the separation of powers between the council and the administration, or deliberate attempts to act outside this separation.

The diagram below sets out how the Department believes an effective relationship between a local government council and the administration should operate:

Separation of powers



While it is expected that training and education would clarify the roles of a council and the administration, the roles as currently defined are drafted broadly. Very little detail is provided about the tasks that should be undertaken by the council and the CEO.

Delegations

Councils may delegate certain functions and powers to the CEO or senior staff. Delegations are an important tool for local governments as they mean that many matters do not need to be considered by council, which saves time.

Different local governments delegate different powers, with some only delegating very limited powers to the CEO, while other local governments delegate everything, retaining only specific, stated powers.

Delegations are occasionally a point of contention between council and administration, and the decision whether to delegate certain powers is sometimes viewed as a test of the council's confidence in the CEO.

Across Australia

Each Australian jurisdiction has a broadly similar set of roles and responsibilities for their members of council. The table below highlights the differences.

Jurisdiction	Additional provisions relating to elected members, not included in the Western Australian legislation
New South Wales	<ul style="list-style-type: none"> To participate in the development of the integrated planning and reporting framework To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor

Jurisdiction	Additional provisions relating to elected members, not included in the Western Australian legislation
Victoria	<ul style="list-style-type: none"> • The role of a councillor does not include the performance of any functions that are specified as functions of the CEO
Queensland	<ul style="list-style-type: none"> • To participate in council meetings, policy development, and decision-making, for the benefit of the local government area • A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties
South Australia	<ul style="list-style-type: none"> • To participate in the deliberations and civic activities of the council • To keep the council's objectives and policies under review to ensure that they are appropriate and effective • To keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review
Tasmania	<ul style="list-style-type: none"> • To develop and monitor the implementation of strategic plans and budgets • To determine and monitor the application of policies, plans and programs for: <ul style="list-style-type: none"> ○ the efficient and effective provision of services and facilities ○ the efficient and effective management of assets ○ the fair and equitable treatment of employees of the council • To facilitate and encourage the planning and development of the municipal area in the best interests of the community • To appoint and monitor the performance of the general manager • To determine and review the council's resource allocation and expenditure activities • To monitor the manner in which services are provided by the council • In performing any function under this Act or any other Act, a councillor must not– <ul style="list-style-type: none"> ○ direct or attempt to direct an employee of the

Jurisdiction	Additional provisions relating to elected members, not included in the Western Australian legislation
	<p>council in relation to the discharge of the employee's duties; or</p> <ul style="list-style-type: none"> ○ perform any function of the mayor without the approval of the mayor
Northern Territory	<ul style="list-style-type: none"> • To ensure, as far as practicable, that the council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities • However, a member of the council has no power to direct or control staff, or to interfere with the management of staff

Defining the roles of council and administration: Guidance questions

- 1) How should a council's role be defined? What should the definition include?
- 2) How should the role of the CEO and administration be defined?
- 3) What other comments would you like to make on the roles of council and administration?
- 4) Are there any areas where the separation of powers is particularly unclear? How do you propose that these are improved?

Senior Employees: Section 5.37(2)

That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly).

That Section 5.37(2) of the Local Government Act be deleted.

Improving relationships between council and administration: Guidance question

- 5) Do you have any other suggestions or comments on this topic?

2. Training

Introduction

Elected members have a unique and challenging role. Internal support available to elected members is often limited, especially in smaller local governments.

They are elected officials who represent their often diverse communities and oversee multi-million dollar budgets. No qualifications are required to be a candidate. Elected members are often elected in contests where less than one third of eligible voters cast a ballot. Elected members are frequently elected unopposed in regional areas. The 2016 Census of Western Australian Elected Members conducted by the University of Western Australia on behalf of the Department found that approximately one in four elected members completing the survey had not completed year 12.

It could be argued that elected members should be provided with the knowledge and skills to be able to properly understand and perform their role.

Training for elected members has been recommended by successive inquiries and reports by the Corruption and Crime Commission. Making elected member training compulsory has also been raised.

Elected member training through the Country Local Government Fund

To encourage more elected members in regional Western Australia to participate in training, the State Government invested more than \$1.5 million over four years to provide subsidised training in four core areas.

Between June 2014 and June 2017, more than 500 individual elected members participated in at least one training unit of the Country Local Government Fund (CLGF) elected member training program. This represented approximately 55 per cent of the more than 900 elected members in regional areas who could have undertaken the training.

The program has achieved a breadth, if not depth of coverage, with 105 of the 109 country local governments represented at one or more sessions. There were 24 local governments which did not have a single elected member attend a training session.

On average, elected members who have attended training through the CLGF participated in 2.4 units. Some elected members attended the same course on multiple occasions with two elected members attending all four of the courses twice.

Elected members currently have access to training provided on a commercial basis by WALGA. WALGA provides training courses in topics including, but not limited to, serving on council; meeting procedures and debating; effective community leadership; and land use planning. WALGA's suite of training for elected members culminates in an Elected Member Diploma, through the Western Australian Training Accreditation Council. Undertaking any of these courses is currently voluntary.

Since 2013-14, WALGA has delivered more than 340 training courses to elected members across the State. Over the same period, approximately 70 elected members have enrolled in the Elected Member Diploma.

WALGA elected member training

	2013-14	2014-15	2015-16	2016-17
Courses delivered	61 (including 8 CLGF funded courses)	89 (including 31 CLGF funded courses)	90 (including 41 CLGF funded courses)	106 (including 76 CLGF funded courses)
Individual registrations	625 (including 41 registrations at CLGF funded courses)	899 (including 308 registrations at CLGF funded courses)	838 (including 423 at CLGF funded courses)	930 (including 595 at CLGF funded courses)

In some circumstances, elected members are required to receive training. Under the *Planning and Development (Development Assessment Panels) Regulations 2011*, elected members appointed as a Development Assessment Panel (DAP) members are required to complete training approved by the Department of Planning, Lands and Heritage. This requirement reflects that to perform certain duties elected members require specialist skills that they may not yet possess.

Across Australia

Until recently, South Australia was the only State that required elected members to be trained. However, across Australia, moves are underway to introduce mandatory training. New South Wales has amended its legislation to require councils to implement induction programs and professional development, and serious consideration is being given to the concept in Tasmania and the Northern Territory.

While training in Queensland is not mandatory, a culture of professional development has been embedded in the State, with 90 per cent of elected members and a high percentage of candidates voluntarily undergoing training.

Jurisdiction	Status
Western Australia	Voluntary
New South Wales	Mandatory Regulations under development
Victoria	Voluntary
Queensland	Voluntary – high participation rates due to use of an in-house training unit
South Australia	Mandatory: <ul style="list-style-type: none"> • A council must prepare and adopt a training and development policy for its members • Council policies must comply with training standards • The training standards cover introduction to local government, legal responsibilities, council and committee meetings, financial management and reporting
Tasmania	Voluntary - but under consideration
Northern Territory	Voluntary - but under consideration

2.1 Competencies required to be an elected member

With an operating budget of over \$4 billion and assets worth over \$40 billion, Western Australian local government is a big business.

Local government elected members take on a uniquely challenging role. They are responsible for representing their district and providing oversight for the complex operations of a local government, with varying levels of support from local government administration. The complex role of elected members is summarised in the councillor position description included as Attachment 1. This was developed by the Department in 2015 to assist potential candidates better understand the role.

In Western Australia, WALGA has developed an elected member learning and development pathway that includes courses covering matters like ‘serving on council’, ‘effective community leadership’ and ‘meeting procedures and debating’. Many of these modules are linked to units of competency under the National Training Qualification Framework.

In considering ways to provide elected members across Western Australia with the competencies required to do their difficult role, there may be benefits in identifying core training units as part of a new elected member professional development training package along with training units which provide advanced skills. These skills could include matters such as:

- the role of an elected member
- meeting procedures
- knowledge of the Local Government Act and other legislation
- understanding financial reports
- budgeting and rates setting
- long term financial planning
- town planning and approvals
- engaging with the community
- policy development
- recruitment and performance appraisal.

Elected member competencies: Guidance questions

- 6) What competencies (skills and knowledge) do you think an elected member requires to perform their role?
- 7) Do these vary between local governments? If so, in what way?

2.2 Funding training

While the benefits of training are widely recognised, there is a cost to training. These costs include the actual fees for the training courses, travel costs (particularly for those in regional areas) and lost time from the elected member’s job or business. Currently, the costs associated with training are variously met by local governments (the community) and individual elected members.

Some councils allocate funds towards the professional development of elected members and directly fund all or part of elected member training. In other cases, elected members undertake and pay for training as part of their role as an elected member or generally as part of their profession.

In the past, concerns have been raised that the benefits of dedicating funding to training elected members is constrained by the turnover in elected members. An elected member may only perform the role for a single four-year term. Countering this are the benefits gained by the local government and the community in having elected members who are well-equipped to perform their best. Turnover in new elected members may potentially be reduced if they felt more confident in their ability to undertake the role competently.

A local government's financial capacity will determine its ability to absorb the costs of training. Local governments with less revenue may find allocating funds for training more difficult than larger local governments. Similarly it will be costlier for country local governments to pay for travel to attend face-to-face courses.

One solution may be the establishment of a training fund to which local governments could contribute in proportion to their annual revenue. This would provide a means of sharing the costs of training across the sector.

Funding training: Guidance questions

- 8) Who should pay for the costs of training (course fees, travel, other costs)?
- 9) If councils are required to pay for training, should a training fund be established to reduce the financial impact for small and regional local governments? Should contribution to such a fund be based on local government revenue or some other measure?

2.3 Mandatory training

Based on participation rates on the state-funded councillor training programs, it appears that providing heavily subsidised or free training does not provide sufficient incentive for many elected members to undertake training. To increase participation rates in training alternative methods are required.

Mandatory training would result in all local government elected members being better prepared to undertake their challenging role.

WALGA's 2008 *Systemic Sustainability Study* recommended that a comprehensive induction or foundational training program be mandated and supported by payments for attendance. The report further stated that, "More generally, a culture of continuing professional development for elected members should be encouraged to ensure ongoing exposure and insights to the role of local government."²

² <http://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/WALGA-Advocacy-Position-Statements/2-2-2006-SSS-Panel-Report-In-your-Hands-Final-Report.pdf.aspx?lang=en-AU>

The Corruption and Crime Commission (CCC) observed in its report on the actions of the former CEO of the Shire of Dowerin that it was difficult see how the responsibilities of an elected member could be fulfilled without some training.

Reforms to require elected members to undertake an induction was also a recommendation of the City of Canning Inquiry.³

The case against requiring elected members to undertake mandatory training has three main arguments:

- training is not mandatory for State and Commonwealth parliamentarians;
- mandatory training would dissuade people from standing for office; and
- limiting the holding of office to people who have completed or will complete training is undemocratic.

It is difficult to assess whether mandatory training would dissuade people from standing for office. In regional Western Australia especially, unopposed elections are common. In the 2015 ordinary elections, 153 of the 169 (90 per cent) uncontested elections took place in country local governments.

While limiting the holding of office to those who have completed training or will complete training may seem to be undemocratic, it represents one of a series of pre-conditions to be an elected member. The eligibility criteria currently covers items such as not being insolvent, or having previously been convicted of a serious local government offence, or other indictable offence. It could be argued that being prepared to complete the training required to perform this important role could also be a minimum criterion.

In South Australia, mandatory training operates by requiring a local government to adopt a training policy that must comply with the training standard. The content of the training standard is specified in regulations.

Implementation of mandatory training would need to take into account the barriers that currently exist to training, including cost, time and access to training, particularly in regional and remote areas. Training would need to be made available in a range of modes, including online, to allow elected members throughout the State to undertake the training with minimal disruption to their working and personal lives.

Who should be required to undertake training?

³ https://www.dlqc.wa.gov.au/publications/documents/inquiry_City_Canning_report.pdf

One of the key questions around mandatory training is who should be required to complete training. It could apply to:

- all elected members,
- all elected members, with exemptions given to those who complete a recognition of prior learning process, or
- only first-time elected members.

Some local governments have previously advocated that only first-time elected members should be required to undertake mandatory training. Due to the relatively high turnover of elected members, requiring only first-time elected members to complete training would still result in a significant proportion of elected members receiving training. At the 2015 ordinary local government elections, almost half of the candidates elected (306 of 655) had not previously served on council.

Training for all elected members regardless of their previous service would provide the greatest coverage and ensure the best performing councils. As noted in successive inquiries, experience does not necessarily equate to competence when it comes to the evolving and complex role of an elected member.

In addition, candidates could be required to complete an induction program as part of their nomination process. This would ensure that they better understood the role and responsibilities of the position for which they are nominating. In Western Australia, candidates are currently encouraged to attend web-based sessions to increase their awareness of the roles and responsibilities of elected members, but only a fraction of candidates participate. Requiring candidates to complete an induction could reduce the number of potential candidates but improve their understanding of the complex and challenging role they are preparing to undertake.

Mandatory training: Guidance questions

- 10) Should elected member training be mandatory? Why or why not?
- 11) Should candidates be required to undertake some preliminary training to better understand the role of an elected member?
- 12) Should prior learning or service be recognised in place of completing training for elected members? If yes, how would this work?
- 13) What period should apply for elected members to complete essential training after their election?

2.4 Continuing professional development

While there are benefits to training that builds essential basic skills, the ongoing professional development of elected members has the potential to improve and maintain capacity in the long-term.

Continuing professional development is an accepted part of many professions in fields like law, finance and accounting. Continuing professional development reflects the complexity of these professions and the need to be aware of innovations and changing requirements and responsibilities.

Being an elected member shares many of the complexities of these professions. Like these professions, elected members are best placed to serve the community if they are aware of evolving best practice in matters such as community engagement, planning, auditing and finance.

Continuing professional development also better equips elected members to perform their legislated functions and work constructively with the CEO to improve the efficiency and effectiveness of local government services.

Many elected members already undertake continuing professional development through training providers such as WALGA. WALGA's Diploma in Local Government is one example; however, training programs offered on topics such as planning, financial management, and governance are also available.

In New South Wales legislation was introduced in 2016 that requires elected members to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of the elected member. In doing so, New South Wales embedded continuing professional development as a requirement to be an elected member.

Requiring councils to adopt a training policy that incorporates the concept of continuing professional development is one option to build the capacity of councils through ongoing skills development and training.

Many professions require their members to gain a specific number of credit points each year by undertaking additional training. Relevant courses, seminars and other activities are allocated credit points on the basis of their duration and complexity.

Continuing professional development: Guidance questions

- 14) Should ongoing professional development be undertaken by elected members?

15) If so, what form should this take?

Training: Guidance question

16) Do you have any other suggestions or comments on training?

That WALGA:

- 1. Supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;
 - i. Understanding Local Government;**
 - ii Serving on Council;**
 - iii Understanding Financial Reports and Budgets;**
 - iv Conflicts of Interest; and,**
 - v Meeting Procedures and Debating.****
- 2. Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;**
- 3. Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members; and**
- 4. Supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member.**

3. The behaviour of elected members

The Act regulates the conduct of local government elected members and employees through provisions that prescribe:

- that each local government must adopt a code of conduct to apply to elected members and employees (which is managed by individual local governments);
- a system for dealing with ‘minor breaches’ by elected members (which is administered by the Local Government Standards Panel);
- a process for dealing with ‘serious breaches’ by elected members (which is administered by the Department with referral to the State Administrative Tribunal);
- offences against the Act; and
- powers⁴ for the Minister and/or Department to investigate where conduct impacts the ability of the local government to perform its functions properly.

In 2015, responding to concerns about the timeliness and effectiveness of the process raised through the Local Government Governance Roundtable, a review of the *Local Government (Rules of Conduct) Regulations 2007* and associated minor breach complaint administration was initiated.

The 2015-16 review analysed minor breach complaints received by the Panel between November 2007 and November 2015, considered inter-jurisdictional models and undertook targeted consultation with departmental officers, Standards Panel members, the WA local government sector and the State Solicitor’s Office.

The key concerns highlighted by the sector about the minor breach process during initial consultation were that:

- the process is perceived to be slow, legalistic and non-transparent; and
- there is low sector confidence in the Standards Panel and minor breach framework and concern that the original objectives are not being met.

The analysis of the minor breach complaints received since 2007 revealed that the regulations are poorly understood. Over 60 per cent of complaints received related to inconsequential conduct that posed no risk to the effective performance of the local government. The evidence suggested that many complainants appear to regard the system as a grievance mechanism, a political tool or a way to enlist the State in matters that should be resolved locally.

In contrast, some clearly dysfunctional behaviour that had potential to impact the effectiveness of council was found not to result in a minor breach because the

⁴ under Part 8 of the Act

conduct is not defined in the regulations or the conduct did not occur within the very narrow circumstances to which the regulation applies.

The focus of this 2015-16 review was on amendments to the regulations. The 2015-16 review also noted, however, that a relatively inflexible rules-based system is not well equipped to deal with the complexities of local government culture and sometimes volatile relationships, and is vulnerable to manipulations and misuse.

With the review of the Act it is timely to consider potential reforms to improve the overall framework for managing allegations of minor breaches.

3.1 Current Situation

Under the current Act, all local governments are required to have a code of conduct for elected members, committee members and employees.

This is in addition to rules of conduct set by regulations which elected members are required to observe. These are discussed in the following sections.

A code of conduct is required to include the information prescribed in the *Local Government (Administration) Regulations 1996*. This includes provisions relating to prohibited gifts, notifiable gifts, and disclosure of interest.

All other matters in a code of conduct are up to the local government to decide, as long as they are not inconsistent with the Act.

While codes of conduct are mandatory for local governments, they have limited enforceability. Non-compliance is to be dealt with by the local government as an internal disciplinary matter.

Across Australia

The differences between the systems in other States are contrasted below:

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
Western Australia	Yes	The code must contain certain provisions as prescribed in regulations. The remaining content is left to the	Failure to comply with the code is interpreted as non-compliance with the Act. However, non-compliance is not defined as an

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
		discretion of the local government, provided it does not contradict the Act.	offence or a form of misconduct in itself.
New South Wales	Yes	Local governments must adopt the model code of conduct as prepared by the Minister. The model may be supplemented with additional provisions, provided the existing model isn't contradicted.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Victoria	Yes	The code must contain certain provisions as set in regulations. The remaining content is left to the local government's discretion, provided it does not contradict the Act.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Queensland	No Conduct requirements are addressed by Act and Regulations. Code of conduct is optional.	None	The code has no application to councillors. Employees are required to comply with a code if one exists.
South Australia	No Conduct requirements are	None	Not applicable

Jurisdiction	Code of conduct required?	Content	Enforceability for members and employees
	addressed by the Act and Regulations. Code of conduct is optional.		
Tasmania	Yes	Local governments must adopt the model code of conduct as prepared by the Minister. Variations can be made if the regulations state that this variation is permitted. The model may be supplemented with additional provisions, provided the existing model isn't contradicted.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.
Northern Territory	Yes	The code must contain certain provisions as set in regulations. The remaining content is left to the local government's discretion, provided it does not contradict the Act.	Members who fail to comply with the code commit misconduct and can be reported for investigation. The code has no legislative effect on employees.

As the above comparison shows, the jurisdictions differ regarding the requirements for a codes content.

Code of conduct requirements

As part of the review of the Act, the State Government is investigating whether codes of conduct are necessary and if so, whether the level of prescription should be changed.

The consideration of other jurisdictions raises potential options outlined below:

Option	Advantages	Disadvantages
Codes of conduct are no longer required.	<p>Increased autonomy for local governments.</p> <p>Mandatory conduct requirements could be addressed in regulations.</p>	<p>Local governments may not clearly specify (in any form) the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p> <p>May require a strengthening of the Rules of Conduct Regulations.</p>
Codes of conduct are required but the content is left to the local government's discretion.	<p>Increased autonomy for local governments.</p> <p>Mandatory conduct requirements could be addressed in regulations.</p>	<p>Risk of code imposing improper requirements.</p> <p>Local governments may not clearly specify the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p>
<p>Codes of conduct are required.</p> <p>The content of a code is partially prescribed in regulations, but is otherwise at the local government's discretion.</p>	Status quo	<p>Risk of code imposing improper requirements.</p> <p>Local governments may not clearly specify the standard of behaviour expected of employees and elected members leading to increased uncertainty about expectations.</p>

Option	Advantages	Disadvantages
<p>Codes of conduct are required.</p> <p>The content of a code is prepared by a local government and approved by the Minister.</p>	<p>The Minister's approval could prevent the imposition of improper or unclear requirements while maintaining local government autonomy.</p>	<p>Increased burden on Department and Ministerial staff to assess draft codes.</p> <p>Increased red tape.</p> <p>Reduced autonomy for local governments.</p>
<p>Codes of conduct are required</p> <p>Local governments must adopt a model code, with certain clauses subject to modification</p>	<p>Create more uniformity in the codes of conduct between districts.</p> <p>It will make codes of conduct easier to draft, since most of it will be derived from the model.</p>	<p>Reduced autonomy for local governments.</p>
<p>Codes of conduct are required.</p> <p>The codes will only cover the matters which local governments have a discretion to decide.</p> <p>All other matters are to be addressed in Act and Regulations.</p>	<p>The legislation will be reorganised to better reflect the role which a code of conduct serves.</p>	<p>These won't cause any practical changes to the current system.</p>

Codes of conduct: Guidance questions

- 17) Should standards of conduct/behaviour differ between local governments? Please explain.
- 18) Which option do you prefer for codes of conduct and why?
- 19) How should a code of conduct be enforced?

3.2 Regulation of elected member conduct: rules of conduct

Since 2007, the Act has provided for a disciplinary framework to deal with minor, recurrent and serious breaches of conduct by individual elected members. The minor breach system is intended to provide a mechanism to deter inappropriate conduct by individual elected members that may lead to council dysfunction, loss of trust between council and administration, impairment of the local government's integrity and operational performance, and a consequent reduction in public confidence. The current minor breach system complements local government codes of conduct with enforceable standards for specified conduct that focuses on governance and integrity.

The foundation of the minor breach system is the *Local Government (Rules of Conduct) Regulations 2007*⁵. This provides for the reporting of contraventions of the regulations to the Local Government Standards Panel, which comprises members appointed by the Minister.

The current regulations are very prescriptive and an opportunity exists to introduce reforms that provide greater flexibility and agility to resolving allegations of breaches.

Across Australia

Jurisdiction	
New South Wales	Councils are required to adopt a Model Code of Conduct which outlines the expected standards of behaviour. The Code is a legal document.
Victoria	<p>All councils must adopt a councillor code of conduct which needs to be publicly available on the council's website.</p> <p>There are various levels of misconduct:</p> <p>Misconduct – repeatedly contravenes the councillor conduct principles or does not comply with the internal resolution procedure or sanctions imposed for breaching the code;</p> <p>Serious misconduct – behaviour that is more disruptive to good governance at a local level;</p> <p>Gross misconduct – breaches of the councillor conduct principles and certain sections of the Local Government</p>

⁵ enforced through the complaints process set out in Part 5 Division 9 of the Act

Jurisdiction	
	Act (Vic).
Queensland	<p>The Local Government Act (Qld) sets out the conduct and performance of councillors. Councils are responsible for managing inappropriate behaviour (low level matters that are not misconduct).</p> <p>Matters of misconduct (defined in the Act) are referred to a regional conduct review panel or the Tribunal.</p> <p>A mandatory, uniform Code of Conduct is proposed.</p>
South Australia	<p>Code of Conduct for Council Members is published in the <i>Gazette</i>. The Code applies to all elected members.</p> <p>The Code addresses general principles with which an elected member must comply and determines what is misconduct.</p>
Tasmania	<p>Model Code of Conduct sets out the standard of behaviour for all Councillors.</p> <p>The Model addresses a range of matters, including decision making, conflict of interest, use of office and use of resources.</p>

Current situation

The Rules of Conduct Regulations provide the general principles to guide the behaviour of elected members, including that they should:

- act with reasonable care and diligence
- act with honesty and integrity
- act lawfully, and
- avoid damage to the reputation of the local government.

While it is not a rule that elected members have to observe the principles set out in the regulations, there are a number of rules where non-compliance constitutes a minor breach. Alleged breaches are considered by the Standards Panel.

The Rules of Conduct prescribe the following behaviour as a minor breach:

Disclosing information

Regulation 6 states that an elected member must not disclose information that an elected member derived from a confidential document or acquired from a closed meeting (unless the information was from a non-confidential document).

There are a number of exceptions, including if the information is already in the public domain or provided to an officer of the Department, the Minister or a legal practitioner for the purpose of obtaining legal advice.

Securing personal advantage or disadvantaging others

Regulation 7 states that an elected member must not make improper use of the person's office to gain advantage for the person or to cause detriment to the local government or any other person.

Misuse of local government resources

Regulation 8 prohibits an elected member from using the resources of a local government to persuade electors to vote in a particular way or for any other purpose unless authorised by council or the CEO.

Involvement in administration

Regulation 9 prohibits an elected member from undertaking a task that contributes to the administration of the local government unless authorisation is granted by the council or CEO.

Relations with local government employees

Regulation 10 provides that an elected member is not to direct, attempt to direct or attempt to influence a person who is a local government employee.

It also prohibits an elected member attending a council meeting, committee meeting or other event where members of the public are present, from making statements that a local government employee is incompetent or dishonest, or from using offensive or objectionable expressions about a local government employee.

Disclosure of interest

Regulation 11 defines an interest as '*an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association*'.

In accordance with the regulations, a person who has an interest in any matter that is to be discussed at a council or committee meeting is required to disclose the interest both in writing to the CEO and at the meeting before the matter is discussed.

Interests referred to in the Rules of Conduct Regulations differ from financial and proximity interests defined under the Act. An interest in accordance with the Rules of Conduct Regulations does not preclude a member from participating in the matter to be discussed. Rather the interest needs to be noted at the meeting and recorded in the minutes. It is a minor breach if an interest is not disclosed.

Option 1: Streamlined Rules of Conduct

Option 1 proposes that the Rules of Conduct are streamlined and more emphasis is placed on conduct that is likely to:

- be a detriment to the local government,
- result in council dysfunction, or
- impair public confidence in decision making.

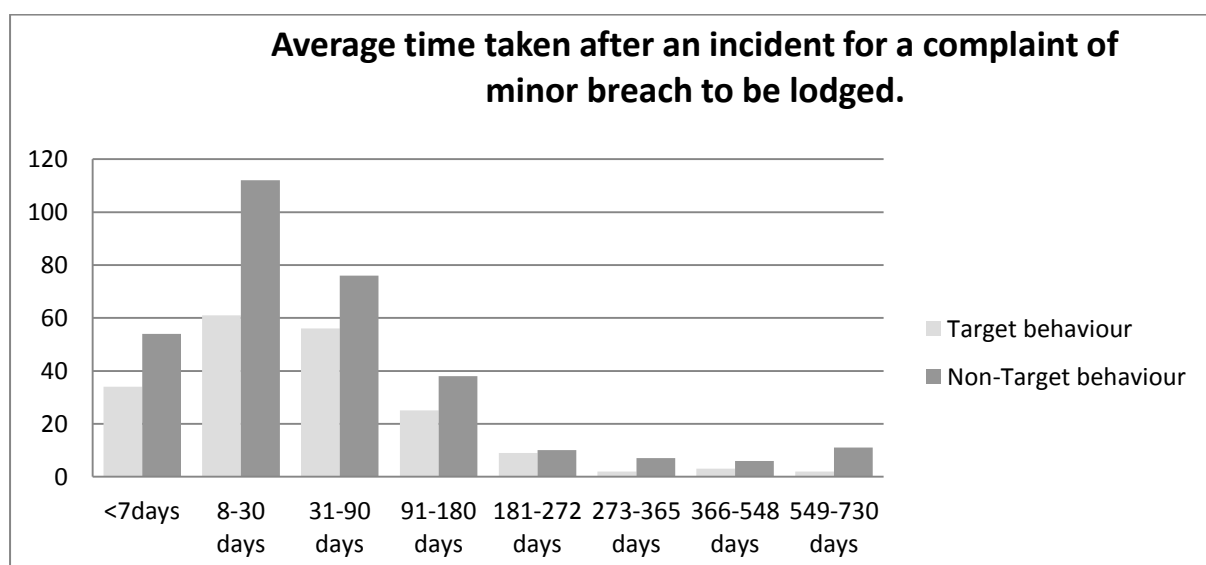
This option proposes to minimise the rules that constitute a minor breach and which are dealt with externally. It is intended that those which are removed will be captured under the local government's Code of Conduct and will be dealt with locally. This reinforces the principle of autonomy.

The streamlined rules will focus on:

- misuse of information,
- disclosure of interest, and
- securing personal advantage or disadvantaging others.

This will increase the responsibility of local governments to manage disputes at a local level. Matters relating to relationships between elected members, and between staff and elected members, could be seen to be more appropriately dealt with at a local level. This could result in those types of issues being dealt with more rapidly and before they escalate.

A review of complaints has identified that most complaints are made within three months of the incident, with very few made later than six months, as identified in the graph below.



Target behaviour is that which has significant potential consequences for local government integrity, performance or reputation. Non-target behaviour has no significant consequences for the local government.

The time limit for submitting a complaint could be reduced from the existing two years after the incident to three months, with a provision for an extension of up to 12 months to be granted in exceptional circumstances.

Streamlined rules of conduct: Guidance questions

- 20) Do you support streamlined Rules of Conduct regulations? Why?
- 21) If the rules were streamlined, which elements should be retained?
- 22) Do you support a reduction in the time frame in which complaints can be made? Is three months adequate?

Option 2: Revised disciplinary framework

Option 2 proposes that a disciplinary framework that is less prescriptive and more outcome-based is introduced. Such a scheme would require elected members to refrain from conduct likely to impair the integrity, operational performance or reputation of the local government, and they would be held accountable should they fail to do so. The focus would be on abuses of position, breaches of trust, dishonesty and bias that can be demonstrated.

Rule-based disciplinary models, such as the current minor breach system, are generally not able to capture all dysfunctional conduct, or exclude all minor lapses that might result in vexatious complaints. A more flexible outcome-based misconduct management model may provide greater focus on the impact, intent and context of the conduct. The investigation, evidence gathering and determination process required is likely to be considerably more resource intensive compared to the current situation or Option 1.

In a practical sense, the current Rules of Conduct regulations would be repealed and the Act would be amended to set out that an elected member is to refrain from:

- impairing the integrity of the local government;
- impairing the operational performance of the local government;
- impairing the reputation of the local government; and
- any other matters as set out in regulations.

All complaints where a person believed that the outcomes were breached would be submitted through the local government complaints officer (usually the CEO) to the

reviewing body. The reviewing body would assess complaints based on whether the integrity, operational performance or reputation of the local government has been impaired, rather than whether a breach of a specific regulation has occurred. This proposal may create uncertainty as to what behaviours would constitute a breach and could result in an increase in the number of complaints received.

As with Option 1, the time limit for submitting a complaint could be reduced from two years after the incident to three months, with provision for an extension of up to 12 months to be granted in exceptional circumstances.

The options for complaint management are discussed in the next section.

Revised disciplinary framework: Guidance questions

- 23) Do you support an outcome-based framework for elected members? Why or why not?
- 24) What specific behaviours should an outcomes based framework target?

WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.

Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:

- 1. That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and**
- 2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.**

3.3 Other matters recommended in the 2015-16 review

Application of Rules of Conduct

The 2015-16 review recommended that the rules governing behaviour be extended to candidates in local government elections. In this case sanctions would only apply for any minor breaches if the candidate was ultimately elected. This change would ensure that all nominees for election would be held to the same high standard of behaviour, as currently councillors seeking re-election must conform with the rules of conduct while other nominees do not.

Application of the Rules of Conduct: Guidance question

- 25) Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections? Please explain.

Offence provisions

It was further proposed that the restriction relating to improper use of information acquired in the performance of their role apply to persons who were formerly elected members, for a period of 12 months after their separation from local government. This offence carries a maximum penalty of \$10,000 or imprisonment for 2 years, and currently only applies to elected members, committee members and employees.

Offence Provisions: Guidance questions

- 26) Should the offence covering improper use of information be extended to former members of council for a period of twelve months? Why?
- 27) Should this restriction apply to former employees? Please explain.

Confidentiality

Currently, the Act restricts a person who makes a complaint or becomes aware of any detail of a complaint made during the campaign period from disclosing that a complaint has been made or any details. This restriction applies up until election day. This provision was inserted to prevent the complaints system being used as a tool in an election period against a candidate seeking re-election.

The 2015-16 review proposed that this restriction on the disclosure of the existence or details of a complaint apply at all times and not only during campaign periods.

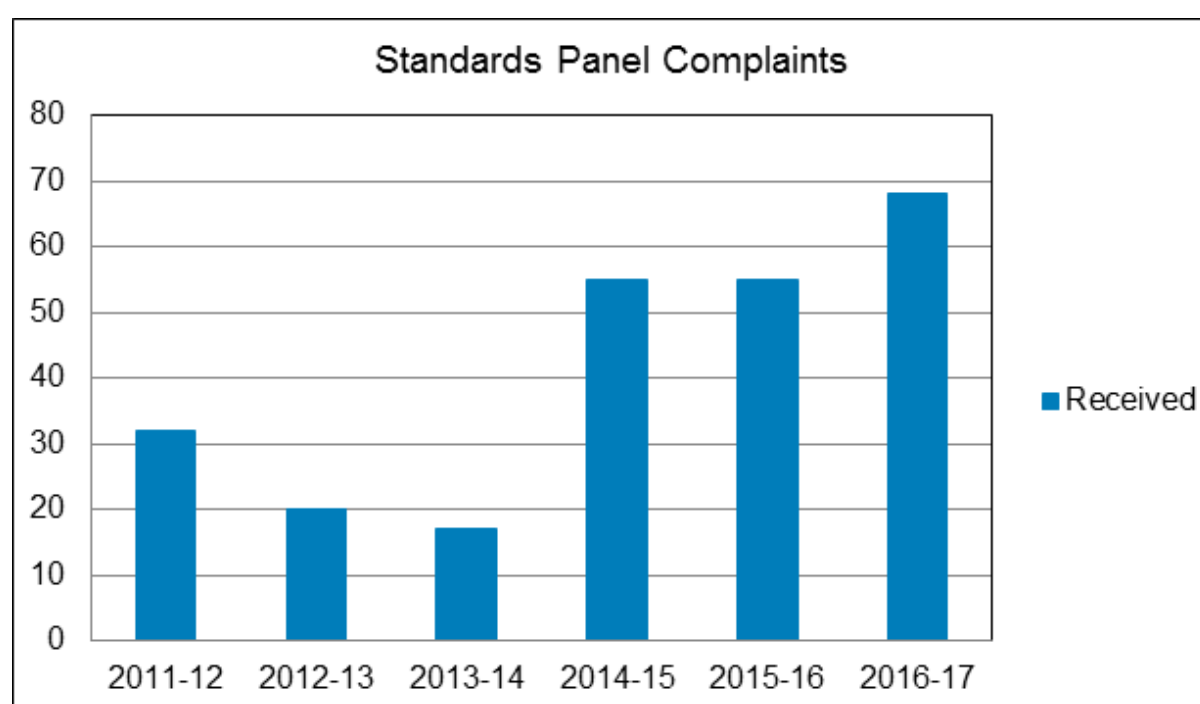
Confidentiality: Guidance question

- 28) Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved? Why?

3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations

The Local Government Standards Panel⁶ currently reviews alleged breaches of the Rules of Conduct Regulations. In practice, most local governments and most elected members have little or no contact with the minor breach system. Between the commencement of the system in late 2007 and August 2015, 68 per cent of the total minor breach allegations (343 allegations out of 507 in total) were generated from less than 10 per cent of the State's local governments and involved complaints against just 6 per cent of all elected members. 80 local governments have not used the system at all.

A graph of the number of complaints received by the Panel since 2011-12 shows that there have been large increases in complaints over the past three financial years.



While the minor breach system appears to be supported in principle by the local government sector, the current system can be slow, and does not necessarily allow for early intervention to address inappropriate behaviour. The significant number of complaints – and procedural fairness requirements – mean that the process is lengthy. The goal to deter inappropriate conduct by individual elected members may

⁶ The Standards Panel is established by the Minister under section 5.122 of the Act and provisions about the Panel are outlined in Schedule 5.1.

consequently be lost. A breach finding may be an overreaction to a matter which is relatively minor, and which could be better dealt with in other ways.

Of the 59 complaints of minor breach that were finalised by the Panel during 2016-17⁷, the Panel made findings that:

- 14 minor breaches had occurred
- No minor breach had occurred in relation to 22 complaints.

Of the remaining complaints:

- There were five complaints that were finalised on the basis that the Panel did not have jurisdiction to consider them or there was no allegation of minor breach.
- There were 10 complaints which were finalised by becoming suspended as a consequence of the councillor, the subject of the complaint, ceasing to be an elected member.
- The Panel refused to deal with eight complaints because it was satisfied that the complaints were either frivolous, trivial, vexatious, misconceived or without substance.

Across Australia

Jurisdiction

New South Wales	Local governments are required to manage any breach to the Model Code of Conduct at a local level, including the appointment of a person to review allegations. Council is required to establish by resolution a panel of conduct reviewer. Councils may share a panel of conduct reviewers ⁸ .
Victoria	<p>Local government councils are required to have an internal resolution procedure to address a breach of a code of conduct, including providing for an independent arbiter.</p> <p>If the elected member does not comply with the internal resolution process or repeatedly breaches the code of conduct (considered misconduct), the breach is referred to an independent Councillor Conduct Panel. The Councillor Conduct Panel is established by the Minister for Local Government and comprises legal and non-legal members</p>

⁷ Local Government Standards Panel Annual Report 2016-17
[http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4010618aa75348cc3a9c03324825819a0019a8c7/\\$file/618.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4010618aa75348cc3a9c03324825819a0019a8c7/$file/618.pdf)

⁸ <https://www.olg.nsw.gov.au/sites/default/files/Procedures-for-Administration-of-Model-Code-of-Conduct.pdf>

Jurisdiction

(five members in total).

Queensland

The Regional Conduct Review Panel is an independent body established under the *Local Government Act 2009* (Qld) to hear and decide on complaints of misconduct. The Panel consists of three members from a pool of suitably qualified persons appointed by the Department. The Panel is supported by the Department.

A Remuneration and Discipline Tribunal is also established to deal with remuneration for elected members and determine cases of serious misconduct. The Tribunal consists of three people appointed by the Governor.

Changes are proposed to this system following a report tabled in Parliament in July 2017 recommending the introduction of an Independent Assessor to consider all complaints against councillors⁹. The Assessor will be able to assess and prosecute complaints.

The report follows an independent Councillor Complaints Review Panel that was appointed in April 2016 to review how complaints about local government councillors were dealt with¹⁰.

South Australia

The Code of Conduct outlines the review process for complaints and misconduct.

Complaints of misconduct, which are specified in the Code of Conduct, can be reported to the Council, Ombudsman, Electoral Commission (for specific breaches) or Office for Public Integrity.

Tasmania

The Minister has established a Local Government Code of Conduct Panel which is responsible for the investigation and determination of code of conduct complaints.

Option 1: Status Quo

Option 1 is to maintain the Status Quo where all complaints against the Rules of Conduct Regulations are referred to the Standards Panel. The three person Panel

⁹ <https://www.dilgp.qld.gov.au/resources/publication/local-government/councillor-complaints-review-report-government-response.pdf>

¹⁰ <https://www.dilgp.qld.gov.au/resources/publication/local-government/councillor-complaints-review-report.pdf>

consists of a person from the Department, a person who has experience as a member of a council and a person with relevant legal knowledge.

While the Act provides that more than one panel can be established, to date only one has been created. Currently, the Panel meets at least monthly and considers four or more complaints at each meeting, depending on the complexity of the complaints.

Local governments are charged for processing minor breach complaints. The fee reflects the time spent by the legal panel member on the complaint. No fee is charged to the person making the complaint, and elected members found to have committed a breach are not required to repay the local government.

Local governments paid approximately \$1,187 per complaint in 2016-17 (with an average of 1.7 allegations per complaint), but the real cost to the public is likely to be several times this amount, once State and local government administrative costs are factored in, including the time of the other panel members. In addition there are intangible costs such as reduced local government productivity and distress to participants.

Amendments made to the Act in 2016 introduced the ability for the Panel to refuse to consider frivolous, vexatious and misconceived complaints and those lacking in substance. While potentially reducing the time taken to consider and rule on complaints, resources are still required for assessment and the recording of decisions.

Option 2: Sector Conduct Review Committees

Under this option, minor breach complaints would be processed by the local government complaints officer and forwarded to a sector-based Conduct Review Committee.

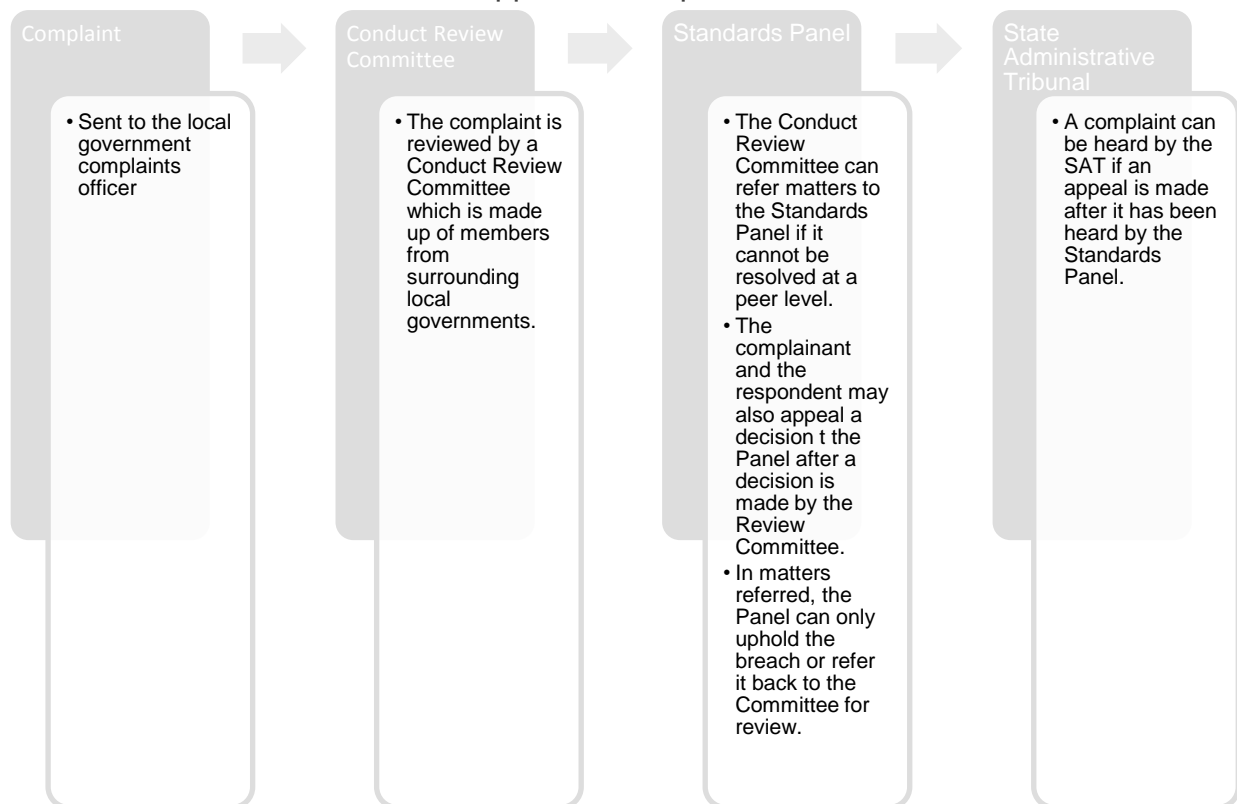
The Conduct Review Committee would be limited to the following actions:

- dismissing the complaint due to non-compliance
- dismissing the complaint for being trivial, frivolous or vexatious or without substance
- ordering mediation
- ordering a public apology
- directing the complaint to the Standards Panel.

The Conduct Review Committee could refer a matter to the Standards Panel if it believes that a breach warrants the Panel's involvement. Regulations could prescribe matters that must be sent directly to the Panel.

Under this model, a pool of potential members for the Conduct Review Committee would be established. Membership could be sought from one or more of the following groups: elected members, people with local government experience and independent stakeholders. Appointments to the pool could be made by the Director General of the Department, which is consistent with the Queensland model. Alternatively, assessment of the applications to be included in the pool could be made jointly by the Director General of the Department, WALGA and LG Professionals WA.

The flow chart below outlines the approach of Option 2:



A party to the complaint would be able to seek a review by the Standards Panel, with regulations setting out the circumstances where this could occur. The State Administrative Tribunal would remain the ultimate appeal body.

The local government from which the complaint originated would be responsible for the cost of establishing the Conduct Review Committee, including travel and accommodation expenses. This option may incur additional costs to cover committee membership expenses.

It is expected that this option would reduce the number of complaints referred to the Standards Panel and would speed up the review of minor breach complaints. A further potential advantage is that it could lead to greater support being provided by

the sector to a local government that was experiencing multiple complaints being lodged.

Guidelines could be prepared similar to those in New South Wales for the Conduct Review Panels to assist Conduct Review Committee members understand their duties and obligations.

Sector conduct review committees: Guidance questions

- 29) What do you see as the benefits and disadvantages of this model?
- 30) What powers should the Conduct Review Committee have?
- 31) In your opinion what matters should go directly to the Standards Panel?
- 32) Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders?
- 33) Who should select the members for the pool?
- 34) How many members should there be on the Review Committee?
- 35) Are the proposed actions for the Review Committee appropriate? If not, what do you propose?

Review of elected member non-compliance: Guidance questions

- 36) Which of the options for dealing with complaints do you prefer? Why?
- 37) Are there any other options that could be considered?
- 38) Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?

3.5 Sanctions and other Standard Panel matters

Section 5.110(6) of the Act outlines the actions that the Standards Panel can impose when a minor breach is found:

- dismissing the complaint (the breach is found but no sanction is applied)
- ordering that the person must undertake specified training
- ordering that the person must publicly apologise
- ordering that the person be publicly censured.

Across Australia

Jurisdiction	Available sanctions
New South Wales	A full spectrum of sanctions is available as matters can be dealt with by councillors, the general manager or the New South Wales Civil and Administrative Tribunal. This includes censure, training and the

Jurisdiction	Available sanctions
	requirement to apologise.
Victoria	<p>Following an internal review of a code of conduct breach, a council can:</p> <ul style="list-style-type: none"> • direct an elected member to apologise • direct an elected member to not attend up to, but not exceeding, two council meetings • remove the elected member from committees or representative roles of the local government.
Queensland	<p>The Remuneration and Discipline Tribunal, which considers cases of misconduct, has various powers available including ordering that an elected member:</p> <ul style="list-style-type: none"> • receive counselling • make an apology • participate in mediation with another person • forfeit an allowance, payment, benefit or privilege • reimburse or make a payment to the local government. <p>The Tribunal can also recommend to the Director General of the Department that they monitor the councillor or local government for compliance with the Local Government Act.</p> <p>The Tribunal can recommend to the Minister that the councillor is suspended or dismissed or can make a recommendation to the Crime and Misconduct Commission or Police Commissioner to further investigate the conduct.</p>
South Australia	<p>Sanctions available to councils when dealing with complaints include:</p> <ul style="list-style-type: none"> • take no action • pass a censure motion • request a public apology (written or verbal) • request the member attend specific training • resolve to remove or suspend the member from a position within council • request the member repay monies to the council.
Tasmania	<p>A Code of Conduct Panel can apply the following sanctions:</p> <ul style="list-style-type: none"> • a caution

Jurisdiction	Available sanctions
	<ul style="list-style-type: none"> • a reprimand • an apology • counselling or training • suspension from office for up to three months (no allowances).
Northern Territory	<p>A Local Government Disciplinary Committee can impose the following sanctions:</p> <ul style="list-style-type: none"> • take no disciplinary action • reprimand the member • impose a fine • recommend to the Minister the member is removed from office.

Mediation

The Standards Panel cannot currently order that mediation is undertaken. A benefit of mediation is that it could address underlying issues and lack of understanding between elected members or between an elected member and another person. This is likely to lead to improved ongoing relationships and reduce the likelihood of the breach recurring.

Mediation: Guidance question

- 39) Do you support the inclusion of mediation as a sanction for the Panel? Why or why not?

Prohibition from attending council meetings

In some cases, minor breach complaints relate to inappropriate behaviour at council meetings. If an elected member is found to have committed a minor breach of this nature, it may be useful if the Panel could direct the member to not attend council meetings for a set period. While this could be seen as a circuit breaker, it must be noted that there is likely to be a considerable period between the inappropriate behaviour and the sanction.

The member would not be suspended from undertaking their other duties as an elected member. This sanction could have a financial impact on the elected member if they are not eligible for sitting fees or allowances associated with attendance at those council meetings.

Prohibition from attending council meetings: Guidance questions

- 40) Do you support the Panel being able to prohibit elected members from attending council meetings? Why or why not?
- 41) How many meetings should the Panel be able to order the elected member not attend?
- 42) Should the elected member be eligible for sitting fees and allowances in these circumstances?

Compensation to the local government

Another sanction option could be to require the person who has been found to have committed a minor breach to pay the local government an amount of compensation. The amount that could be ordered would have a limit, such as \$10,000. It is expected that this sanction would only be imposed in circumstances where there has been a clear financial impact to the local government.

This option exists under the equivalent breach systems in Tasmania, the Northern Territory, Queensland and South Australia.

Compensation to the local government: Guidance questions

- 43) Do you support the Panel being able to award financial compensation to the local government? Why or why not?
- 44) What should the maximum amount be?

Complaint administrative fee

This option proposes that a fee accompanies a complaint when it is lodged with a complaints officer. In the event that a breach is found, the fee would be refunded to the complainant. If no breach is found, the fee would be retained by the Department to partly off-set some of the administrative costs associated with the panel proceedings.

The benefit of requiring a complainant to pay a fee is twofold. Firstly, it would encourage complainants to only lodge a complaint where, in their opinion, there is strong evidence of a breach. It is expected that this would encourage more complaints to be dealt with at a local level and reduce the use of the Panel as a mechanism for dealing with personal grievances.

Secondly, a reduction in the number of trivial or vexatious complaints that need to be considered by the Panel will allow the Panel to consider breaches which may be causing serious dysfunction in a more expedient manner.

An administration fee for lodging an application is currently required by other bodies, such as the Liquor Commission Western Australia and Racing Penalties Appeal Tribunal.

Complaint administrative fee: Guidance questions

- 45) Do you support this option? Why or why not?
- 46) Do you believe that a complaint administrative fee would deter complainants from lodging a complaint? Is this appropriate?
- 47) Would a complaint administrative fee be appropriate for a sector conduct review committee model? Why or why not?
- 48) What would be an appropriate fee for lodging a complaint?
- 49) Should the administrative fee be refunded with a finding of minor breach or should it be retained by the Department to offset costs? Why or why not?

Cost recovery to the local government

An alternative to imposing a financial sanction is to require the elected member who has committed the breach to reimburse the local government the cost of the panel proceedings. Currently, the local government pays the cost.

Cost recovery to local government: Guidance questions

- 50) Do you support the cost of the panel proceedings being paid by a member found to be in breach? Why or why not?

Publish complaints in the annual report

This proposal is that local governments are required to publish in their annual report the number of minor breach allegations, the number of findings of breach and the costs reimbursed to the Standards Panel relating to those complaints. This would increase transparency to the community and make elected members more accountable for their actions.

This is a requirement under the Tasmanian framework for dealing with the conduct of elected members. New South Wales also requires a statistical report of complaints to be published within three months of the end of September each year.

Publication of complaints in the annual report: Guidance question

- 51) Do you support the tabling of the decision report at the Ordinary Council Meeting? Why or why not?

Table decision report at Ordinary Council Meeting

This proposal is that the council is required to table any decision reports which result from a minor breach finding against one of their elected members at the next Ordinary Council Meeting that is open to the public.

Currently where there is a breach finding the report is published on the Department's website. This proposal is more likely to ensure that all elected members and the local community are made aware of the minor breach finding.

This is a requirement under the Tasmanian framework. It is expected to increase transparency while acting as a deterrent.

Tabling decision report at Ordinary Council Meeting: Guidance question

- 52) Do you support this option? Why or why not?

3.6 Elected member interests

The Act requires elected members to disclose any financial interest they have. They are not allowed to participate in decision making related to that interest¹¹.

Section 5.63(f) provides an exemption for members of not-for-profit organisations. Specifically, it states that if a member is, or intends to become, a member of a not-for-profit organisation, the member does not need to disclose a financial interest.

They are, however, required to disclose what is known as an 'impartiality interest' under the Rules of Conduct Regulations. This must be recorded in the minutes of the relevant meeting but does not limit the member from participating in the decision making.

This option proposes that the Act is amended to remove the exemption. This would mean that members of not-for-profit organisations would no longer be able to participate in discussion or decision making on matters relevant to that organisation.

¹¹ Part 5, Division 6

While this would limit elected members' ability to use their role to potentially benefit their organisation, it could also interfere with the decision making of councils. Elected members are often very involved with their communities and are members of various community groups. It is possible that a majority of elected members could be members of the same not-for-profit organisation. If they are prohibited from participating in decisions that relate to those groups, it could affect the ability of council to make a decision if there is no longer a quorum. The Act, however, contains two provisions to mitigate that risk.

Where a member has disclosed an interest, the other elected members at the meeting can decide that the interest is so trivial or insignificant to be unlikely to influence the member's conduct or that the interest is common to a significant number of electors or ratepayers.¹² In these circumstances the other elected members can allow that member to participate in the discussions and vote on the matter. This must be recorded in the minutes.

An application can also be made to the Minister by the council or CEO when an interest has been disclosed.¹³ The Minister may decide to allow one or more members to participate in the decision making where this is necessary to provide a quorum or where it is in the public interest. The Minister can impose conditions on such an approval.

It could be argued that declaring an impartiality interest and having it recorded in the minutes is adequate to ensure transparency and accountability.

Elected member interests: Guidance questions

- 53) Should not-for-profit organisation members participate in council decisions affecting that organisation? Why or why not?
- 54) Would your response be the same if the elected member was an office holder in the organisation?

Improving the behaviour of elected members: Guidance question

- 55) Do you have any other suggestions or comments on this topic?

¹² Under s 5.68

¹³ Under s 5.69

WALGA supports:

- 1. Official Conduct legislation to govern the behaviour of Elected Members;**
- 2. An efficient and effective independent Standards Panel process;**
- 3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and**
- 4. Confidentiality for all parties being a key component of the entire process.**

4. Local government administration

4.1 Recruitment and selection of local government Chief Executive Officers

Local governments are given considerable autonomy when it comes to employing a CEO. The Act requires a local government to employ a CEO that the council believes is suitably qualified.¹⁴ Regulations require the council approve the process used to select and appoint a CEO before the position is advertised. The Act also requires that the CEO's performance should be reviewed by council at least once per year. Local government CEOs are appointed under a contract with a maximum duration of five years.

As the employing authority, the council has the power to employ, review the performance and dismiss a CEO ensuring that the CEO remains accountable to the council. Some elected members believe, however, that CEOs have too much power, leaving the council with no option but to renew a CEO's contract and to agree to the conditions requested.

High profile cases of governance failures in recent years indicate that, in some cases, selection outcomes could be improved. Likewise, a common issue expressed by small, regional councils is the difficulty in attracting high-calibre candidates. Reforms to the way CEOs are recruited and selected would potentially assist in expanding the pool of recruits and finding the right people.

The importance of an effective local government CEO with a strong and healthy relationship with council has been identified by multiple independent inquiries including the 2012 Metropolitan Local Government Review (the Robson Report) and inquiries into the Cities of South Perth (2002) and Canning (2014), the 2003 report on the Act by the Western Australian Parliament Standing Committee on Public Administration and Finance, and the Corruption and Crime Commission's report into the actions of the former CEO of the Shire of Dowerin.

The pitfalls associated with CEO recruitment were highlighted in the independent inquiry into the City of Joondalup in 2005. Among other things, the inquiry found that the council had failed to run an appropriate selection process for their CEO which resulted in the appointment of a candidate who had misrepresented their qualifications. This ultimately led to the dismissal of the council. While the example from the City of Joondalup is over a decade old and can be viewed as an isolated incident, the provisions in the Act concerning CEO recruitment remain largely

¹⁴ Section 5.36

unchanged. Furthermore, it demonstrated that such issues can impact local governments regardless of their size.

This section examines whether improvements can be made in this area.

Across Australia

Jurisdiction	Provisions
New South Wales	New South Wales requires councils to use a merit based selection process and abide by equal employment opportunity provisions.
Victoria	A council must appoint a person after it has invited applications in a state-wide newspaper. In its Directions for a new Local Government Act paper, it is proposed to introduce the requirement for the Mayor to obtain independent advice when overseeing CEO recruitment.
Queensland	A council must appoint a 'qualified' person to be its CEO. A qualified person is someone that has the ability, experience, knowledge and skills that the local government considers appropriate.
South Australia	Councils are required to advertise the position in a state-wide newspaper and appoint a selection panel to make recommendations to the council on an appointment.
Tasmania	Councils are required to advertise the position but the Act does not currently prescribe principles or a detailed process. The draft bill provides the Minister with powers to specify the principles governing the selection of a general manager and their performance management.
Northern Territory	Legislation requires councils appoint CEOs in accordance with the relevant Ministerial guidelines.

Option 1: Local governments to engage the services of the Public Sector Commission to provide support and guidance to council during the selection of a CEO

A case has previously been made, most prominently in the 2012 Robson Report, that the Public Sector Commission (PSC) should be involved in the selection of local government CEOs. The rationale for this proposal is four-fold:

- the PSC is currently responsible for leading the recruitment of State Government agency CEO positions by examining the applications and making a recommendation to the Government;
- the expertise of elected members, as democratically elected representatives, may not necessarily extend to CEO recruitment and selection;
- elected members may not have the resources required to undertake a suitably intensive and wide-reaching recruitment and selection process to select a high-performing CEO, particularly if this process is to be conducted independently of the existing CEO; and
- local governments in regional areas have frequently reported difficulties in attracting suitably-qualified candidates. The involvement of the PSC in recruitment could expand the pool of available candidates.

Local governments could be encouraged, or required through amendments to the Act, to use the expertise of independent people approved by the PSC, or the PSC itself. Currently, local governments may use the services of a recruitment agency or other independent assistance. However, concerns exist with the overall quality and consistency of this support and the capacity of small local governments to pay for private recruitment services.

By adapting the process used to recruit State government CEOs, the PSC could support councils with recruitment by providing a shortlist of applicants. Council would then determine whether to appoint one of the shortlisted candidates or an alternative candidate.

Option 2: Councils to involve third-parties in CEO selection

The knowledge and experience within Western Australia's local government sector and the public sector more broadly represents an underutilised resource for councils when selecting a CEO. Greater assistance could be provided in two areas: in assisting with, or participating on the selection panel in an advisory capacity.

Under this approach, a list would be maintained of approved providers that are 'accredited' to provide expert advice to local governments during the selection of a CEO. The support provided could include general advice, recruitment and short-listing services, background checks on candidates and support to selection panels. Importantly it could include early discussion on the particular skills and experience required by the CEO to deliver that local government's Strategic Community Plan under direction of the council.

The list of approved people could include private recruitment agencies, representatives from peak bodies and independent senior public servants.

The availability of approved providers would ensure that all councils could access high-quality recruitment services. Local governments would be required to meet the costs associated with contracting private recruitment specialists but would benefit from a high-quality recruitment process.

This approach also proposes reforms that require a council to include an experienced panel member from another local government, peak body or public sector agency on the selection panel. This could improve the diversity of panels and better equip local governments in making this important decision.

Several entities may be suitable to perform the role of accrediting representatives: This could include the Department, the Local Government Advisory Board, or the Public Sector Commission.

Option 3: Local governments to adopt a CEO recruitment standard

A CEO recruitment standard could be developed in consultation with the sector. It could be required that local governments adopt the standard through amendments to the Act, or the sector could be supported in the application of the standards, by the PSC or other relevant third parties.

The standard could formalise the existing guidance on good practice for CEO recruitment and detail the matters that local governments should have regard to when selecting a CEO. It would set out steps or processes that should be undertaken.

The standard could draw on best practice guidance published by the Public Sector Commission and describe the characteristics and attributes that a CEO should possess together with desirable experience, competencies and qualifications.

Option 4: Status Quo

A council's autonomy in selecting a CEO is a fundamental element of the current Act. Reforms to the way CEOs are selected may be seen as a restriction on the autonomy of local governments. Most CEOs employed in the sector are highly competent and manage their local governments effectively. In addition, it can be argued that local government CEO positions are unique and elected members, who must work closely with their CEO, are best positioned to select a candidate. This does not, however, address any lack of skills or experience in the elected members who are undertaking the selection process.

Recruitment and selection of local government CEOs: Guidance questions

- 56) Would councils benefit from assistance with CEO recruitment and selection? Why?
- 57) How could the recruitment and selection of local government CEOs be improved?
- 58) Should the Public Sector Commission be involved in CEO recruitment and selection? If so, how?
- 59) Should other experts be involved in CEO recruitment and selection? If so, who and how?
- 60) What competencies, attributes and qualifications should a CEO have?

4.2 Acting Chief Executive Officers

From time to time due to the absence of the CEO it is necessary for the local government to appoint an acting CEO. Absences can be temporary, when the CEO is on leave or temporarily absent for other reasons; or permanent, when the CEO has resigned, died or when the CEO's employment has been terminated.

The Act states that an employee may act in the position of the CEO or senior employee for a term not exceeding one year without a written contract.¹⁵ The Act is silent as to who has the responsibility for appointing the acting CEO.

Competing arguments exist as to whether the appointment of an acting CEO should be the responsibility of the CEO, council, or council in conjunction with the CEO. It can also be argued that there is a difference between the appointment of an acting CEO for a temporary absence and a situation where the appointed CEO will not be returning to the position.

The process for appointing an acting CEO is usually set out in council policy. In the absence of such a policy, this matter can cause confusion, especially if the CEO is absent unexpectedly.

Across Australia

Jurisdiction	Provisions
--------------	------------

¹⁵ Section 5.39(1a)

Jurisdiction	Provisions
New South Wales	Appointed by council, although legislation is silent on temporary vacancies for short term absences.
Victoria	Nil
Queensland	The council appoints a qualified person to act in the absence of the CEO.
South Australia	If the CEO is absent and there is a deputy, the deputy acts as the CEO. If not, the acting CEO is appointed by council.
Tasmania	Acting CEOs are appointed by the mayor and confirmed by the council. The legislation is silent on temporary vacancies.
Northern Territory	If the CEO is absent and there is a deputy, the deputy acts as the CEO. If not, the CEO nominates a person and informs the council.

As illustrated above there is no one approach that has been adopted across Australia.

Acting CEOs: Guidance questions

- 61) Should the process of appointing an acting CEO be covered in legislation? Why or why not?
- 62) If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?
- 63) Who should appoint the CEO if there will be vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

4.3 Performance review of local government Chief Executive Officers

The Act requires that the performance of each employee who is employed for a term of more than one year, including the CEO, is to be reviewed at least once every year.¹⁶ While the CEO is responsible for reviewing the performance of officers, it is the council that is solely responsible for reviewing the CEO's performance.

¹⁶ Section 5.38

Councils have significant autonomy in selecting the method and means to review the performance of the CEOs. Some councils appoint a sub-committee of elected members, while others use external independent experts, including WALGA, to assist the process. For some councils, this can be a cursory assessment.

Reviewing the performance of a CEO is a critical matter. Like recruitment, elected members may not have any expertise in performance review. The review of a CEO's performance can be particularly difficult when relationships between the council and CEO are not professional. Both hostile and overly friendly relationships between council and CEO can be equally problematic.

Across Australia

Jurisdiction	Provisions
New South Wales	<p>Section 338 of the NSW <i>Local Government Act 1993</i> requires general managers and other senior council staff to be employed under performance based contracts and empowers the Chief Executive of the Office of Local Government to approve a standard form of contract for the general manager and senior staff.</p> <p>Part 7 of the approved standard contract for General Managers requires councils and General Managers to enter into a performance agreement setting out agreed performance criteria and for their performance to be reviewed regularly based on the performance criteria</p> <p>The role of the mayor prescribed under legislation includes to lead performance appraisals of the general manager in consultation with the councillors.</p> <p>The Office of Local Government has issued guidelines on the appointment and oversight of general managers. These include information on convening of performance review panels, their membership and the performance review process.</p> <p>Councils are required to consider the guidelines.</p>
Victoria	<p>At least once each year a council must review the performance of its Chief Executive Officer (section 97A(1) of the <i>Local Government Act 1989</i> (Vic)).</p> <p>The Chief Executive Officer's contract of employment must specify performance criteria for the purpose of that person's performance reviews (section 95A(2)).</p> <p>There is currently no legislative requirement for a council to engage independent advice regarding Chief Executive Officer performance matters, nor is there an existing requirement for a council to maintain a policy concerning</p>

Jurisdiction	Provisions
	<p>Chief Executive Officer performance.</p> <p>Reforms are being considered that will require all councils to have a CEO remuneration policy that broadly aligns with the policy that applies to executive positions in the Victorian Public Service.</p> <p>The directions paper also proposes that each council's audit and risk committee monitor and report on the council's performance against the remuneration policy, and further proposes that councils obtain independent professional advice in overseeing CEO recruitment, contractual arrangements and performance monitoring.</p>
Queensland	<p>The council is solely responsible for the performance review of the CEO as led by the Mayor and has autonomy to do so (nothing is prescribed). This often involves a group led by the Mayor, sometimes consultants are involved and sometimes it involves all councillors led by the Mayor.</p>
South Australia	<p>The <i>Local Government Act 1999</i> (SA) does not prescribe specific standards or processes in relation to CEO performance.</p> <p>Each council must have a chief executive officer. The CEO's performance standards are set by council. Section 97(1)(iv) of the Act enables termination of the CEO's appointment based on, amongst other things, failings of '...any performance standards specified by the council or in any contract relating to his or her appointment'.</p> <p>Section 99 covers the functions and some expectations of the CEO role and the Act contains other requirements of the CEO, however, does not contain quantitative performance measures.</p> <p>The Office of Local Government publishes guidance material for councils. This material addresses the selection process for a CEO but does include a short section covering the setting of CEO performance criteria by a council.</p>
Tasmania	<p>Section 28(2)(d) of the <i>Local Government Act 1993</i> requires the council to appoint and monitor the performance of the General Manager. External recruitment firms specialising in executive appointments are often engaged to assist with the appointment process, but are not mandated in legislation.</p> <p>Councils generally appoint a Council Committee under section 23 of the Act to undertake performance reviews of General Managers and report to the full council. Some councils engage external consultants to assist with the performance review process but again this is not mandated.</p>

Jurisdiction	Provisions
	Amendments to the Act are currently being developed that would give a power to the Minister to develop Ministerial Orders regarding the appointment and performance of general managers. Specifically the Order would provide the processes and procedures to be followed by a council in monitoring the performance of a General Manager.
Northern Territory	While the Minister in the Northern Territory has issued guidance material, CEO performance review is a matter for the council.

Option 1: Approved third-party to be involved in the performance review of CEOs

As councils work with CEOs daily, they are uniquely positioned to assess CEO performance. Providing additional tools such as guidance material for councils to review performance is an alternative to legislative reform. Without the skills or expertise to use these tools, however, they may be of little benefit.

Elected members do not necessarily have the competencies or experience in conducting performance reviews and may face difficulties balancing the professional performance of the CEO with community concerns about the implementation of unpopular decisions.

Involving an approved third-party can mitigate some of these challenges and ensure that CEO performance is assessed based on evidence. It may result in more rigorous and fair performance reviews.

The Public Sector Commission manages performance agreements with State Government agency CEO's and equivalents. The role of the Public Sector Commission to participate in local government CEO performance reviews could be expanded by:

- providing advice to local governments;
- maintaining panels of experts that local governments could contract to assist with reviews; or
- participating in performance reviews with councils.

Other experts that local governments could involve include experienced elected members or senior public servants. Alternatively, councils could contract services from WALGA or other consultants.

Option 2: Local governments to adopt a CEO performance review policy

Councils adopting a CEO performance review policy that contains specified elements could achieve greater consistency between local governments and result in more rigorous and fair performance reviews.

Items to be included within a CEO performance review policy could include:

- who is required to participate in the performance review; and
- what matters should be considered in the review such as key performance indicators, benchmarks and progress towards achieving the Strategic Community Plan and Corporate Business Plan.

Requiring local governments to adopt a CEO performance review policy would mandate a practice that is already employed by some local governments across the State but could provide further guidance on the contents of such policies. This in turn may result in improvements to the conduct of CEO performance reviews.

Option 3: Local governments to conform to a standard for CEO performance review

Providing a standard for CEO performance review represents another option that could achieve greater consistency, fairness and rigour in CEO performance review. A standard would take the concept of policy a step further by specifying the methods for performance review and the matters to be considered.

Performance review of local government CEOs: Guidance questions

- 64) Who should be involved in CEO performance reviews?
- 65) What should the criteria be for reviewing a CEO's performance?
- 66) How often should CEO performance be reviewed?
- 67) Which of the above options do you prefer? Why?
- 68) Is there an alternative model that could be considered?

Annual Review of Certain Employees Performance: Section 5.38

That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.

4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election

As an employee directly appointed by the council, a CEO contract may be extended or terminated by council at any time, though financial penalties will apply to early termination. This can create situations where a newly elected council dismisses the CEO immediately after an election, or where a council extends the contract of the CEO before an election for an extended period thus binding incoming elected members.

Dismissal of a CEO immediately after an election can be a political decision, rather than one based on performance and can lead to a lack of continuity and dysfunction during the time when a new council is settling in to their role. Western Australian legislation specifies that a CEO or senior employee who has their contract terminated is entitled to be compensated the value of the contract to a maximum of one year's remuneration, which means that while there is a financial consequence for terminating a CEO, it is not so great as to dissuade councils from terminating CEOs.

Council decisions regarding CEO contract management should be based on the CEO's performance and achievement. The current legislative framework does not provide significant protections to ensure that the grounds for extension or termination of the CEO are valid.

In New South Wales the Independent Local Government Review Panel¹⁷ recommended reforms that would introduce:

- a six month 'cooling off' period following a general election where a CEO's contract could not be terminated; and
- limits on the capacity of councils to extend CEO contracts prior to an election.

These reforms are being considered by the New South Wales Government.

A cooling off period could enable new councils and CEOs to establish a productive relationship, identify priorities and avoid potentially rushed or emotional decisions to remove a CEO.

Termination or extension of CEO contract around an election: Guidance questions

¹⁷

<http://www.localgovernmentreview.nsw.gov.au/documents/LGR/Revitalising%20Local%20Government%20-%20ILGRP%20Final%20Report%20-%20October%202013.pdf>

- 69) Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?
- 70) What length should such a cooling off period be?
- 71) For what period before an election should there be a restriction on a council from extending a CEO contract? Should there be any exceptions to this?

4.5 Public expectations of staff performance

Western Australian local government employees perform important roles delivering services, regulating local businesses, supporting communities and ensuring that the local governments themselves are well managed.

While the public has high expectations for public officers at all levels of government, the public expectations of local government employees may be heightened because the community interacts so frequently with local government employees.

Local government employees are entrusted with public money, and must make sure that their decision making is fair and free of bias, and that private information is stored and used appropriately.

With over 15,000 employees across Western Australia, it is not surprising that, on occasion, public expectations of staff conduct and performance are not met. In Western Australia, the Public Sector Commission is responsible for oversight of minor misconduct for public officers and for misconduct and education programs. Matters of serious misconduct and corruption are the focus of the Corruption and Crime Commission.

There are clear benefits to preventing misconduct and raising the standard of public officer performance and conduct. The first step is employing the right people.

In respect to employment, the Act states that a person should not be employed unless the CEO believes that the person is suitably qualified for the position. It further states that employment should be based on merit and equity without nepotism, patronage or discrimination.

Local governments have greater autonomy than the State public service in determining the methods of selecting, remunerating and managing their workforce.

The Public Sector Commissioner's Instruction No.2 Filling a Public Sector Vacancy applies to State government agencies but not local government. This means there are no uniform requirements that local governments must advertise positions other

than the CEO or senior employee. Officers are not required to complete a probationary period or meet other criteria such as being an Australian citizen or permanent resident.

Likewise, unless specified by an individual local government recruitment process, applicants are not required to provide evidence of a criminal record check, working with children check, health clearance or information regarding outstanding or completed disciplinary processes.

This gives local governments freedom to manage their operations more efficiently, but relies heavily on the diligence of CEOs.

Where oversight is not sufficient, poor workforce management decisions can be costly. Lack of diligence in the selection of staff can be particularly damaging in small local governments which have fewer staff. Remote local governments with small workforces are at greatest risk because they have fewer resources and may have difficulty attracting high quality applicants.

Many roles within local government involve significant levels of public trust. Some roles involve collecting and using private information, advising on important regulatory matters, procuring goods and services and enforcing local laws. Given the sensitivity and high public expectations of accountability, diligence and personal conduct in many local government roles, it could be argued that people found to have committed certain offences should be excluded from holding local government roles. Such exclusions would need to conform with discrimination laws.

Public expectations of staff performance: Guidance questions

- 72) Is greater oversight required over local government selection and recruitment of staff?
- 73) Should certain offences or other criteria exclude a person from being employed in a local government? If so, what?

Strengthening local government administration: Guidance question

- 74) Do you have any other suggestions or comments on this topic?

5. Supporting local governments in challenging times

The power of general competence means that the circumstances in which the State Government can reasonably intervene in local government affairs are limited. For instance, the State Government cannot intervene in lawful decisions made by a local government, even when these lawful decisions are inconsistent with broader community views.

Under the current Act, there are limited options for the State Government to implement remedial actions to ensure the good governance of a local government. This includes situations where a local government, a member of council, a CEO or employee has failed or is failing to comply with provisions under the Act or regulations.

There are also limited intervention options when there is reason to believe that a person or persons within a local government are engaging in behaviour adversely affecting the ability of council, its members or employees, or the local government to properly perform its functions.

In most cases, the need for remedial action is due to relatively minor issues in governance. Typically, a remedial action may be required because a local government:

- fails to meet statutory compliance requirements including budgeting, annual reporting or rate setting;
- does not comply with responsibilities under the Act or regulations including tender provision requirements or reviews of internal procedures; or
- poor relationships between the administration and the council impacting the performance of a local government's functions.

Remedial actions currently take the form of direct interventions. Suspending a council and installing a commissioner is an option of last resort and is neither an appropriate or effective approach to respond to the smaller governance issues that impact local governments from time to time.

A range of options and approaches is needed that is geared towards improving governance for the public, while supporting local democracies. These options ideally should be focused on intervening early, building capacity in local governments and working in partnership.

Across Australia

Jurisdiction	Provisions
New South Wales	<p>In New South Wales there are early intervention powers which are intended to provide the Minister with power to intervene early in a council that is experiencing difficulties. This may include the performance of a general manager (CEO).</p> <p>The Minister can issue performance improvement orders (PIO), and, in more serious circumstances, can suspend the governing body for up to 3 months (which can be extended for a further 3 months). A PIO can be aimed at addressing administrative deficiencies in the council.</p> <p>The Minister can appoint a temporary adviser to assist the council in implementing a PIO. Generally this is to assist the administrative body of council, but in some circumstances it is to assist the governing body.</p> <p>A financial controller can also be appointed to implement financial controls, and other functions relating to council finances, as specified by a PIO or a subsequent order appointing the financial controller.</p> <p>The cost is met by the Council.</p>
Victoria	<p>The Minister can appoint a municipal monitor at a local government to investigate complaints.</p> <p>The municipal monitor's function is to monitor council governance processes and practices, advise the council on governance improvements they should make, report to the Minister on any steps or actions taken by the council to improve its governance and the effectiveness of those steps, investigate any referred complaint received by the Minister, provide advice to and prepare a report for the Minister in relation to a complaint, and monitor and report to the Minister on any other matters determined by the</p>

Jurisdiction	Provisions
	<p>Minister.</p> <p>The cost is met by the Council.</p>
Queensland	<p>If information gathered by the department CEO shows a local government or councillor is not performing their responsibility properly or complying with the <i>Local Government Act 2009</i>, the information may be provided to the Minister along with recommendations about what remedial action to take. Remedial action is an action to improve the performance or compliance of a local government or councillor. The Minister may take remedial action that the Minister considers appropriate.</p> <p>Remedial action may include, for example, directing—</p> <ul style="list-style-type: none"> (a) the local government or councillor to take the action that is necessary to comply with the <i>Local Government Act 2009</i>; or (b) the local government to replace a resolution that is contrary to a <i>Local Government Act 2009</i> with a resolution that complies; or (c) the local government to amend a local law by removing a provision that is contrary to the <i>Local Government Act 2009</i> <p>If the local government is not performing appropriately, an advisor can be appointed. The advisor's role is to help the local government build its capacity to perform its responsibilities properly or comply with the <i>Local Government Act 2009</i> and perform other related duties as directed by the department CEO.</p> <p>If the local government is not performing appropriately, a financial controller can be appointed to implement financial controls as</p>

Jurisdiction	Provisions
	<p>directed by the department CEO; and perform other related duties as directed by the department CEO. Payments from an account kept by the local government require the financial controller's approval.</p> <p>The costs are paid to the State by the local government.</p>
South Australia	<p>Can appoint an administrator to undertake the affairs of the council if a council is dismissed for not undertaking its duties.</p> <p>The remuneration of an administrator is paid out of the funds of the defaulting council.</p>
Tasmania	<p>Can appoint a Commissioner to assist the Council, but no powers exist to assist with the administrative functions of the Council.</p> <p>The defaulting council is to pay the Commissioner.</p>
Northern Territory	<p>The Minister may establish a Commission of Inquiry to consider the affairs of a particular council. If deficiencies are identified, the Minister can recommend to the council specified remedial action to ensure the deficiencies are addressed. The Minister may place the council under official management if the deficiencies are serious enough or if the council has not remedied the situation. This applies to the council and not to the administration.</p> <p>Council pays for the official manager. The official manager has full power to transact any business of the council and perform any of its normal functions.</p>

Proposed Remedial Action Process

The introduction of more sophisticated ways to work with local governments to improve financial management, governance and performance has the potential to prevent large-scale issues and to strengthen local government capacity.

Currently, capacity building strategies, such as Better Practice Reviews, governance programs, service delivery reviews, asset management programs and tailored one-on-one support are employed. While these programs have strengthened local government capacity significantly, they are voluntary. As voluntary programs, their reach is limited to local governments that wish to participate and participation varies considerably across the sector.

The other tool available is a Directions Notice, which requires the local government to provide certain information.

Providing the State Government with the legislative power to formally implement a process to ensure local governments are providing good governance to their communities could take many forms including:

- issuing a remedial notice requiring the performance of an action or activity.
- the appointment of a person to the local government to assist local governments with a part of their operations.
- requiring the local government to participate in a capacity building program.

Through a remedial action process, matters could be addressed more quickly and efficiently. The proposed process would allow the State Government to direct local governments to address concerns where the capacity to do so exists, or in more serious cases, to appoint a person to the local government where specific expertise is required.

In contrast to the current approach, the process described below presents a range of options for working in partnership with a local government to deal with issues commensurate with the risk and, if necessary, provides ways to escalate the matter. Regardless of the severity, the proposed approach follows a repeatable sequence that allows a consistent, transparent but scalable approach to ensure good governance.

Under the proposed approach, if a local government fails to comply with the Act or regulations, behaves in a manner that affects the ability of the local government to perform its functions, or other factors considered relevant, a remedial notice may be issued to the local government.

The remedial notice would describe the matter of concern and the actions that the State Government has determined are required to resolve the matter. The remedial notice would be backed by the Act with legislative power as a written statutory direction that would require, by law, that the notified recipient undertake works or activities detailed in the notice.

If the matter detailed in the remedial notice is addressed then the remedial action process would be completed. This would be typical in breaches of the Act for minor matters.

However, if the matter is not resolved satisfactorily, the revised approach presents options for scaled, proportional responses. One option that has been identified previously is appointing a person to assist the local government to implement strategies to resolve the matter.

In 2016, this approach was used on a voluntary basis to assist a shire to strengthen its financial management. This arrangement has been successful and presents an option for improving performance of local governments in areas beyond governance. Unlike the voluntary approach used in this case, the proposed approach would be formally incorporated within the Department's risk and compliance approach.

An appointed person would need to be a suitably qualified person with relevant expertise. The appointed person would work with the local government for a set period and report on progress regularly to the Department. Depending on the nature of the matters of concern, the appointed person may assist the CEO or relevant staff, or the appointed person may oversee the administration.

Remedial intervention: Guidance questions

- 75) Should the appointed person be a departmental employee, a local government officer or an external party? Why?
- 76) Should the appointed person be able to direct the local government or would their role be restricted to advice and support? Please explain.
- 77) Who should pay for the appointed person? Why?

To perform their duties, the appointed person would require wide-ranging powers and have the ability to employ a variety of strategies. This role could include:

- making recommendations to the council, CEO and the Department;
- mediating between parties;
- arranging for training; and
- reviewing, and making recommendations on, practices and procedures.

Powers of appointed person: Guidance question

- 78) What powers should an appointed person have?

A key role for the appointed person would be making recommendations to the Department about the success of the remedial action and whether escalation is required. In line with the current approach, in the rare event that a local government

is failing to provide good governance for their district, the Minister will retain the ability to suspend a council and install a commissioner.

Discussion

The proposed remedial approach presents considerable benefits over the existing approach. It expands the narrow power of the existing directions notice to enable the Department to ensure that local governments are performing to the high standard expected by the community.

In situations where local governments are not meeting their obligations, the approach provides a scalable, repeatable and transparent approach that focuses on resolving the issue to the benefit of the community in a timely manner. In doing so, the approach is not focused on punishing the local government and by extension the wider community but on providing support.

The process may reduce costs in the long term by enabling intervention in local governments well before the need for formal inquiries. The process could provide councils and staff with the confidence of an independent evaluation that is key to identifying the issues that may be limiting the provision of good governance.

Views from local government peak bodies have been sought in the development of this proposal. While peak bodies have been broadly supportive, it is recognised that the suitability of the approach would be dependent on key, detailed aspects of its implementation. These include the details and conditions of employment of an appointed person including the responsibility for payment of the salary. Concerns were also expressed about the capacity of some local governments to respond to the remediation action process.

Remedial action process: Guidance questions

- 79) Do you think the proposed approach would improve the provision of good governance in Western Australia? Please explain.
- 80) What issues need to be considered in appointing a person?

Supporting local governments in challenging times: Guidance question

- 81) Do you have any other suggestions or comments on this topic?

That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:

- | |
|---|
| <ul style="list-style-type: none">(a) Uphold the General Competence Principle currently embodied in the Local Government Act;(b) Provide for a flexible, principles-based legislative framework; and(c) Promote a size and scale compliance regime. |
|---|

6. Making it easier to move between State and local government employment

Local government employees are defined in Western Australia legislation as ‘public officers’ but have a unique status that complicates recognition of service and the ability of employees to transfer between local and State government.

These complications can make movement between local and State government less appealing for employees and limit the opportunity for transfers and secondments that currently give greater flexibility for State government agencies.

Removing these barriers has the potential to greatly increase the skills and capacity of both State and local government workforces. Both can be viewed as ‘closed shops’, and increasing the cross-pollination between these two major employers could result in exchange of skills, experience and capability that will benefit both tiers of government and the community.

While there are no specific prohibitions in place that would prevent individual State government agencies from recognising a new employee’s service with a local government employer (or vice versa) in respect to long service leave and personal leave, the practice is not common. This is in part because no avenue currently exists for employers to recover the costs of the employee’s leave entitlements.

Further legislative and industrial relations barriers exist to the seamless transition for employees between local and State government.

Local governments are defined in the *Public Sector Management Act 1994* as Schedule 1 entities. Other Schedule 1 entities include Western Australia’s public universities, electoral officers of members of Parliament and government corporations.

Due to historic agreements, portability of leave (and recovery of the associated costs) to State government positions is possible for some schedule 1 entities but not all. It does not currently apply to local governments.

Reforms to simplify and encourage the transfer of employees between local and state government would require a whole of government approach and amendments to the *Public Sector Management Act 1994*, *Financial Management Act 2006*, and *Local Government Act 1995*.

Transferability of employees: Guidance questions

- 82) Should local and State government employees be able to carry over the recognition of service and leave if they move between State and local government?
- 83) What would be the benefits if local and State government employees could move seamlessly via transfer and secondment?

Making it easier to move between State and local government employment: Guidance question

- 84) Do you have any other suggestions or comments on this topic?

Public confidence in Local Government

Elected members make decisions on how funding is raised by the local government and how that money is spent. They decide development applications and give building approvals, determine what services will be provided and how these will be delivered. These decisions fundamentally affect the nature, function and appearance of our towns and suburbs.

Senior officers prepare reports and provide recommendations to council on a wide variety of matters. Officers are also responsible for the implementation of council decisions.

The community places their trust in their elected members and the local government administration to make decisions that are in the best interests of the broader community and to act without bias or favour. Occasionally local governments can misuse that trust.

One area where the potential exists for this to occur is in the acceptance of gifts.

7. Gifts

7.1 Simplifying the gift provisions

Background

Councillors and local government employees, as everyone does, occasionally receive gifts. Given the important role of council members and many local government employees as decision-makers in positions of power, the public has a reasonable expectation that the important decisions that a local government makes are free from improper influence.

There is nothing inherently wrong with accepting gifts when they are offered. It is critical, however, that their receipt is openly and transparently acknowledged and recorded, and that those records are made freely available to the community. Non-disclosure of gifts that may have an effect on, or could be perceived as possibly having an effect on, the decision-making of elected members runs the risk of damaging the reputation of the local government sector and the trust placed in elected members by their communities. In extreme cases this could leave councils unable to perform their primary function of providing for the good government of people in their districts.

The rules concerning the declaration of gifts must also be sensible and not create an unreasonable burden or compromise the council member's rights to maintain a private life beyond their service as a councillor.

Gifts and contributions to travel are regulated under the Act and three sets of Regulations – the *Local Government (Administration) Regulations 1996*, *Local Government (Elections) Regulations 1997* and *Local Government (Rules of Conduct) Regulations 2007*. Each regulation has a different framework for declaring gifts and contributions, which has led to confusion in the sector. Attachment 2 outlines the provisions currently applying in Western Australia.

It is widely acknowledged that current approach to gifts is overly complex and requires reform. Acknowledging the need for change, in September 2016 a gift working group was established with representatives from the Department of Local Government, WALGA, LG Professionals WA, the Department of the Premier and Cabinet, the Mayor of Armadale, Shire President of Morawa and the CEOs of the Cities of Swan and Vincent.

Prior to the formation of the working group WALGA, as the peak body representing the sector, prepared a policy position based on consultation with its members. While the working group did not accept all of these positions, the document formed the

basis for the discussion and the working group's initial recommendations. Following consideration of the matter, the individual working group member's positions have been refined.

With the review of the Act it is timely to consider the recommendations of the group to ensure that the proposed way forward is aligned to public expectations of accountability and transparency.

Across Australia

A summary of local government gift disclosure requirements across Australia is provided below:

State	Threshold	Exemptions
New South Wales	\$500 gift, \$250 travel	<ul style="list-style-type: none"> • Relatives • Political donation captured under other legislation. • Travel from public funds, political parties, relatives
Victoria	\$500	<ul style="list-style-type: none"> • Relatives • Reasonable hospitality. • Gifts received more than 12 months prior to becoming an elected member or employee (not including election campaign donations)
Queensland	\$500 gift, travel considered a "sponsored hospitality benefit"	<ul style="list-style-type: none"> • Relatives • Someone else related by blood or marriage. • Friends • Sponsored hospitality benefits where there could not be a perception of a conflict of interest
South Australia	\$750 in annual return, \$100 in register of interests	<ul style="list-style-type: none"> • Hospitality of reasonable value • Relatives by blood or marriage or family members
Tasmania	N/A	Not set at state-wide level
Northern Territory	N/A	Not set at a state-wide level
Australian Capital Territory	N/A	N/A

It is clear there is no “one size fits all” solution for the disclosure of gifts in the local government sector.

Current situation

The current framework for the disclosure of gifts and travel is outlined in detail in Attachment 2 and is summarised below:

Elements of Disclosure	Current requirements
Gift disclosure	✓
Travel disclosure	✓
Prohibited gifts	✓
Notifiable gifts	✓
Election gifts	✓
Monetary threshold	<ul style="list-style-type: none"> • \$50 for a notifiable gift • \$200 for a disclosable gift • \$200 for an election gift • Over \$300 for a prohibited gift
Prescribed timeframe for cumulative acceptance of gifts	Six or 12 months (depending on the regulation)
Who is required to disclose	<p>Elected members and designated employees for gifts and travel contributions.</p> <p>Notifiable and Prohibited gifts apply to elected members only.</p>
Exemptions (vary depending on the category of gift)	<ul style="list-style-type: none"> • A gift or travel from a relative • A gift or travel under \$200 • Travel contribution from Commonwealth, State or local government funds • Travel contribution as part of occupation of the person (not related to council duties) • Travel contribution was from a political party, of which the person is a member, for the purpose of political activity or representation • An electoral gift disclosable under the Elections Regulations • A gift from a statutory authority, government instrumentality or non-profit association for

Elements of Disclosure	Current requirements
	<p>professional training (prohibited and notifiable gifts only)</p> <ul style="list-style-type: none"> • A gift from WALGA, the Australian Local Government Association or Local Government Managers Australia WA (for prohibited and notifiable gifts only)

Recommendations of the gifts working group

The gifts working group proposed that a new framework should:

- provide for a transparent system of accountability where members of the community can have confidence in the decision-making of their representatives; and
- create a simplified legislative framework to deal with gifts received by elected members and senior staff.

The reference group agreed on an overhaul of the current requirements that included six key parts:

- There would no longer be separate monetary thresholds to determine what “type” of gift has been received, as is currently the case with “notifiable” and “prohibited” gifts and gifts under section 5.82.
- All gifts received by local government elected members and CEOs valued at \$500 or more received from a donor in a 12-month period must be disclosed.
- Recipients of gifts valued at \$500 or more would be prohibited from voting on matters before the council concerning the donor of the gift. The Minister for Local Government may, at their discretion and upon application, allow elected members to vote on such matters.
- Exemptions from the gift provisions would be minimal to aid simplicity.
- Gifts from a “relative” will continue to be exempt from disclosure; however, the definition of “relative” will be expanded to include adopted and foster children and grandchildren.
- All local governments will be required to develop and adopt a gifts policy for employees other than the CEO. Individual local governments can determine what gifts can or cannot be accepted by employees, any applicable threshold amounts and disclosure requirements.

Some members of the reference group sought additional changes, after agreement was reached on these positions.

Key elements of the proposed approach

The current framework sets three different categories for gifts with different thresholds:

- \$50 for a notifiable gift;
- \$200 for a disclosable gift; and
- \$300 for a prohibited gift.

Notifiable and prohibited gifts apply in situations where there is likely to be a perceived conflict of interest – where the donor has matters which require council decisions.

Replacing notifiable and prohibited gifts with a single category

Under the proposed approach, there would no longer be such a thing as a “prohibited” gift. Instead, the appropriateness of the acceptance of the gift will be a matter for the recipient.

This would simplify disclosure requirements while still maintaining a level of probity, accountability and transparency.

All gifts could be accepted regardless of the amount, but that acceptance of gifts over the threshold would disqualify the recipient of such a gift (being an elected member) from voting on matters relating to the donor. This would apply for the term in which they received the gift, or for the term following their election in the case of a gift received in the election period. This deals with any perception of bias in decision-making.

The Minister for Local Government would have the discretion to approve voting by elected members on such matters and on application from the local government where this is considered to be in the public interest. This approach would be consistent with section 5.69 of the Act, which gives the Minister the statutory authority to allow elected members who have disclosed an interest to continue to participate in meetings.

This would:

- allow elected members and CEOs to use their own judgement on the acceptance of gifts of any value without the concern that they are “prohibited”
- demonstrate that there is nothing inherently wrong with accepting a gift when it is offered, provided acceptance is properly regulated and disclosed
- deal with the critical matter to be addressed, being any attempt to influence decision-making through the provision of gifts
- make it clear to recipients and donors alike that while any and all gifts can be accepted regardless of value, they can have no perceived or actual impact on

the recipient's decision-making as the recipient will not be able to vote on matters relating to the donor

- provide for a level of independent Ministerial oversight by requiring recipients to apply for approval to vote on matters concerning the donor in circumstances where this is considered necessary (for example, if a quorum can no longer be formed).

Consolidating 'gifts' and 'contributions to travel'

Consolidating gifts and contributions to travel would further streamline the gift provisions. At present, different information must be recorded depending on whether a gift or contribution to travel is received. What constitutes a contribution to travel can be a source of confusion, particularly when work trips may be extended for personal purposes. In addition, components of a trip may come under the definition of a gift rather than a contribution to travel.

In the interests of simplifying the disclosure requirements while still maintaining a level of probity, accountability and transparency, it is recommended that separate treatment of "contributions to travel" be discontinued.

In addition, using "gift" as an umbrella concept which includes travel will simplify and streamline the existing disclosure requirements for elected members and reduce red tape. The consolidation of the two also recognises that contributions to travel, including accommodation, are in practice a form of gift.

Having a single threshold of \$500

Replacing the categories of 'notifiable' and 'prohibited' gifts with a monetary threshold of \$500 would simplify gift provisions significantly. Any gifts under \$500 would be exempt from disclosure.

The argument for increasing the threshold is two-fold: to compensate for removing multiple exemption categories and so that the threshold was set at a level that would not generally capture gifts received from friends or multiple small gifts from the same person or organisation such as hospitality. Removing exemptions (see details in the table above) would further simplify the provisions, leading to less confusion on what should be disclosed.

The working group recommended \$500 as the threshold as it would capture many of the gifts that it was considered that members of public would reasonably expect council members to receive in the course of their everyday life – what could be considered to be personal gifts.

While it is acknowledged that raising the threshold to \$500 would allow more expensive gifts to be accepted without the requirement to disclose, there is also a

significant reduction in red tape and administrative burden through the proposed lessened disclosure requirements.

Increasing the disclosure threshold to \$500 would:

- align Western Australia with the requirements in South Australia and Victoria; and
- align with the proposed gift framework more generally and reduce the confusion stemming from the differing disclosure amounts, leading towards a simplified and streamlined approach.

New South Wales has the highest disclosure threshold, being \$1,000. However, New South Wales is also more restrictive in prohibiting donations from particular donors, perhaps as a method of offsetting its relatively high disclosure threshold.

Disclosure timeframes

Regulations currently prescribe a six-month timeframe for cumulative acceptance of gifts to the \$50 and \$300 notifiable and prohibited thresholds. The cumulative threshold for disclosable gifts and contributions to travel is \$200 in a 12-month period. The working group recommended that these should be amended to \$500 over a 12-month period.

Raising the threshold and extending the prescribed time period will have the effect of reducing the administrative burden on elected members. For example, attendance at regular meetings including a meal worth \$40 would add up to \$480 over a year. It is less likely that, with a threshold of \$500 in 12 months, reasonably priced hospitality would be disclosable.

A timeframe of six months effectively doubles the threshold. Gifts of \$1,000 are likely to be significant enough that there is a strong public interest argument for disclosing them.

In the interests of promoting accountability and transparency and ensuring the community is aware of expensive gifts received by elected members it is recommended that the prescribed time period be 12 months.

Who should the framework apply to?

The working group recommended that the new gift disclosure provisions apply only to local government elected members and CEOs, with each local government required to adopt a gifts policy with which all other employees must comply.

Allowing each local government to set its own gifts policy provides the opportunity to tailor requirements to a local government's unique situation. With 137 local governments across the State and staffing numbers ranging from fewer than 20 to more than 800, there is no practical "one size fits all" approach.

The current framework captures all manner of employees which, while potentially appropriate in theory, is not actually necessary or practical. While those who choose to run for office and represent their community as an elected member are public figures, and are therefore expected to make reasonable concessions as to their personal privacy, there is no compelling public interest reason for all local government employees, who are private citizens, to be required to disclose gifts.

Empowering local governments to develop their own gifts policies for employees gives the sector the flexibility to determine what gifts should and should not be accepted and to tailor each policy to the requirements of the district.

Excluding gifts from relatives

Gifts received from a relative do not need to be disclosed. A relative is currently defined as any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the person or of the person's spouse or de facto partner;
- (b) the person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.¹⁸

Consistent with the recommendations of the working group, it is proposed that the definition of relative is expanded to ensure foster and adopted children and grandchildren are also classed as relatives. This is consistent with the definition of "relative" in the *Members of Parliament (Financial Interests) Act 1992*, which includes that "an adopted person shall be treated as the legitimate child of his adopters".

It is also intended that the definition of gift specifically refers to fiancés and fiancées. This will remove any uncertainty about the giving of an engagement ring.

Penalties for non-disclosure or provision of false information

The working group recommended that existing penalties for non-disclosure and giving false and misleading information be retained. Under section 5.89B of the Act a failure to comply with the disclosure requirements is an offence with a penalty of \$10,000 or imprisonment for two years.

¹⁸ section 5.74

Similarly, it is an offence to give false or misleading information in a return lodged under various sections of the Act (including the gift provisions) with the same penalty of a \$10,000 fine or two years' imprisonment.

A new framework for disclosing gifts: Guidance questions

- 85) Is the new framework for disclosing gifts appropriate?
- 86) If not, why?
- 87) Is the threshold of \$500 appropriate?
- 88) If no, why?
- 89) Should certain gifts – or gifts from particular classes or people – be prohibited? Why or why not?
- 90) If yes, what gifts should be prohibited?

Excluding gifts in a genuine personal capacity

More recently, local government peak bodies have advocated for reforms in addition to the working group's initial recommendations by seeking for gifts in a genuine personal capacity to also be excluded

The argument for this exemption is that gifts from friends are a personal matter and not relevant to the performance of an elected member's functions. The value of some of these gifts may be over the threshold limit.

The difficulty with this option is how to define 'personal capacity'. A substantial gift from a property developer, for example, could be given to coincide with the elected member's birthday and said to be given in a personal capacity.

It is the role of elected members to make decisions on matters affecting the community, including on planning and other approvals and on expenditure of funds raised from rates and other charges. A gift could influence the recipient's views on the donor and result in decision making that may not be in the public interest. This can be mitigated in one of two ways: banning the receipt of gifts or requiring the giving of the gift to be made public. The second method allows the community to judge whether they believe decision-making has been affected.

An alternative treatment is to set a threshold at an amount that would exclude gifts that could be considered to be a personal gift.

Excluding gifts received in a personal capacity: Guidance questions

- 91) Should gifts received in a personal capacity be exempt from disclosure?
- 92) If yes, how could 'personal capacity' be defined?

- 93) Should there be any other exemptions from the requirement to disclose a gift over the threshold?
- 94) If so, what should these be? Please justify your proposal.

Gifts: Guidance question

- 95) Do you have any other suggestions or comments on this topic?

That the *Local Government Act 1995* and Regulations be amended so that:

- There be one section for declaring gifts. Delete declarations for Travel.
- No requirement to declare gifts received in a genuinely personal capacity, as gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- Gift provisions only for Elected Members and CEO's.
- Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).
- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts, so Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

Transparency

Local governments are required to make a variety of information available as a matter of accountability and transparency. This includes issuing public notices on tenders, advertising annual electors meetings and keeping registers on a range of subjects. Other documents are required to be available for public inspection at the council office during business hours.

These requirements have not kept up with technology. In the digital age, people expect to be able to access information when and where they want. For many people, finding a notice in a newspaper is old-fashioned and not easily accessible. In fact, in the Kimberley and other areas of the State, the West Australian newspaper is no longer available.

All local governments now have a website and some have social media accounts.

This section examines what changes need to be made to meet current community expectations on information availability.

That Sections 1.7 and 1.8 of the Local Government Act be amended to remove the statutory requirements for statewide and local public notice to be placed in a newspaper circulating statewide or locally, to be replaced with the requirement for a Local Government to place public notices on their website.

8. Access to information

It is vital that local governments take positive steps to provide information to their communities. This ensures that:

- Local governments operate in a transparent manner;
- Residents are sufficiently engaged in community affairs; and
- The public recognises the work and service that local governments provide to the community.

The Act provides many situations where local governments must provide information to the community. This includes issuing public notices, keeping registers on a variety of subjects and making certain documents available for public inspection.

Access to technology has changed the way that information is shared, received and discovered. Current trends indicate that people are turning away from traditional print media in favour of the internet and social media.

This shift in information consumption has significantly reduced the impact of the print notices required by the Act. It has also brought into question the practice of keeping physical documents available for inspection, which requires a person to attend the local government's offices during business hours.

It is difficult to justify the cost and inconvenience of continuing these practices when the same information could be made available electronically. In addition to being cheaper, electronic disclosure has the potential to be more accessible and convenient.

All other jurisdictions in Australia have addressed this issue by amending their legislation to account for new technology. The particular approach differs from State to State, but each jurisdiction now provides for:

- the operation of local government websites;
- the issuing of electronic notices; and
- online access to public documents.

Western Australia is the only jurisdiction that has yet to follow suit. The Act is generally silent on electronic disclosure and local governments have been left to address this issue themselves.

As a result, the review is considering how the Act should account for electronic disclosure and what approach is the most appropriate.

8.1 Public notices

The Act requires local governments to provide public notice to the community in a variety of circumstances. The Act specifies two forms of notice:

- (a) written notice in a newspaper circulating in the district (“local notice”); and
- (b) written notice in a newspaper circulating in the State (“state-wide notice”).

The Act requires public notices to be issued in many situations. A complete list of the notices required by the Act is listed at the end of this section as supplementary information-Pubic notices.

The introduction of electronic notices on local government websites would have a number of positive benefits, but also have a number of drawbacks. These impacts are summarised below:

Benefits of electronic notice	Drawback of electronic notice
Cheaper than print media	Increased IT costs
Doesn't require the services of an external publisher	Requires IT skills provided internally or via a contractor
Accessible and convenient for the general population	Inconvenient for people who lack internet access
Available to be viewed from any location with internet access	Unlikely to be viewed by people outside the district
Can operate in conjunction with accessibility software	May not be accessible for certain demographics
Modernises sector standards for local governments	Makes local governments more dependent on website operations

The ultimate effect that electronic notices will have on the sector depends on the role that these notices will play in legislation.

For example:

- If an electronic notice were introduced as a replacement for a print notice, this could represent a significant reduction in red tape and its associated costs.
- If an electronic notice were to replace a State-wide notice, this could reduce transparency since people outside the district would generally have no reason to check the local government's website.

- If local governments were required to issue an electronic notice instead of providing the option of an electronic or print notice, this would improve sector standards at the cost of flexibility.
- If an electronic notice were required in addition to print notices, this would increase the regulatory burden imposed on the sector, with an associated increase in costs.

Across Australia

In other Australian jurisdictions, the requirement to issue electronic notices on websites is generally in addition to print notices.

This approach improves transparency, maximises the coverage of notices and ensures that local governments take advantage of electronic communication.

However, this approach also represents an increase in total regulatory burden and cost. This undermines one of the primary advantages of electronic notice, which is its potential to reduce costs.

Jurisdiction	Public notice requirements
Western Australia	Print notice only
New South Wales	Print and electronic notice required
Victoria	Print and electronic notice required
Queensland	Print and electronic notice required
South Australia	Print and electronic notice required
Tasmania	Print and electronic notice required
Northern Territory	Print and electronic notice required

General options

The general options available for public notice are as follows:

Option	Local notice requirements	State-wide notice requirements
1	No change to notice requirements	

Option	Local notice requirements	State-wide notice requirements
2	Print or electronic notices	No change to State-wide notice requirements
3	Print or electronic notices	Print and electronic notices
4	Print or electronic notices	
5	Electronic notice required Additional print notices are optional	
6	Print and electronic notices	
7	Electronic notice on local government website	Electronic notice published on centralised website

Specific options

In addition to reviewing how notices are made available, the question also arises as to whether a particular type of notice is still appropriate in its current form.

For each type of notice, there are several options which are available:

- (a) The requirement can remain unchanged;
- (b) The type of notice required by the Act may be changed from state-wide notice to local notice;
- (c) The form of the notice can be changed from print to electronic;
- (d) The requirement to issue the notice may no longer be necessary.

How appropriate these options are will depend on the type of notice and the reason for its issue.

Public notices: Guidance questions

- 96) Which general option do you prefer for making local public notices available? Why?
- 97) Which general option do you prefer for State-wide public notices? Why?
- 98) With reference to the list of public notices, do you believe that the requirement for a particular notice should be changed? Please provide details.

- 99) For the State-wide notices in Attachment 3, are there alternative websites where any of this information could be made available?

8.2 Information available for public inspection

Under the Act there are a number of registers and documents that local governments are required to produce and maintain. These documents are required to be available for inspection at the local government office on request.

Information that is currently required to be available to the public:

Information required to be made available
Annual Report
Annual Budget
Future plan for the district
Minutes of council, committee and elector meetings
Notice papers and agendas of meetings
Reports tabled at a council or committee meeting
Primary and Annual returns – for elected members
Includes – Sources of income
Trusts
Debts
Property holdings
Interests and positions in corporations
Discretionary disclosures generally
Gifts (already required to be on the website)
Electoral gifts register
Disclosure of travel contributions (already required to be on the website)
Allowance for deputy mayor or deputy president
Payments for certain committee members
Codes of Conduct
Complaints register (concerning elected members)

Information required to be made available

Contracts of employment of the CEO and other senior local government employees

Register of delegations to committees, CEO and employees

Schedule of fees and charges

Proposed local laws

Gazetted local laws (and any other law that has been adopted by the district)

Rates record

Electoral roll

Tenders register

Currently the only documents that are required to be placed upon a local government's website are the gifts register and contributions of travel register, and annual report following the amendments to the auditing provisions.

It may also be appropriate to make additional information available to enhance the transparency of local governments.

Across Australia

Information required to be available in other States includes:

Additional Information

Rates information generally

District maps that contain ward boundaries

Adverse findings by the Standards Panel or State Administrative Tribunal against elected members

Broadly speaking the impacts of requiring information to be made available on the local government's website are assessed as follows:

Benefits of electronic registers

Drawback of electronic register

Benefits of electronic registers	Drawback of electronic register
Accessible and convenient for the general population without having to attend a local government office	Increased IT costs
Available to be viewed from any location with internet access	Requires IT service via internal staff or contractor
More likely to be viewed by members of the local community	Makes local governments more dependent on website operations
Can operate in conjunction with accessibility software	
Modernises sector standards for local governments	
Potentially reduces staff time in providing access to the registers at the office	

The impact that electronic disclosure will have depends on how the information is provided.

General options

The options available are as follows:

- (a) The requirement can remain unchanged: Information is provided in person on demand, with placement on a website discretionary.
- (b) A hybrid approach depending on the nature of the information: Some information is required to be placed on a local government website, while other more sensitive information is only provided in person.
- (c) Electronic disclosure replaces physical registers completely: All information is provided on a local government website and no information is provided in person. This would represent a significant increase in the availability of information to the public.
- (d) Electronic disclosure is required for all information, in addition to providing it in person: This will increase the level of transparency, although it may create additional costs to publish the information online. A local government could simply print out the information if requested for it in person.

Information available for public inspection: Guidance questions

100) Using the following table, advise how you think information should be made available:

Provision	Documents	In person only	Website only	Both	Neither
Section 5.53	Annual Report				
Section 5.75 & 5.76	Primary and Annual returns – for Elected members Includes – sources of income Trusts Debts Property holdings. Interests and positions in corporations.				
Section 5.87	Discretionary disclosures generally				
Section 5.82	Gifts (already required to be on the website)				
Section 5.83	Disclosure of travel contributions (already required to be on the website)				
Elections Regulations 30H	Electoral gifts register				
Section 5.98A	Allowance for deputy mayor or deputy president				
Section 5.100	Payments for certain committee members				
Functions and General	Tenders register				

Regulations 17

Section 5.94 & Administration Regulations 29	Register of delegations to committees, CEO and employees
	Minutes of council, committee and elector meetings
	Future plan for the district
	Annual Budget
	Notice papers and agendas of meetings
	Reports tabled at a council or committee meeting
	Complaints register (concerning elected members)
	Contracts of employment of the CEO and other senior local government employees
	Schedule of fees and charges
	Proposed local laws
	Gazetted Local laws (and other law that has been adopted by the district)
	Rates record
	Electoral roll

Note: There is no intention to amend the current limitations imposed by section 5.95 of the Act which limits the disclosure of certain information.

- 101) Should the additional information that is available to the public in other jurisdictions be available here? If so which items? How should they be made available: in person, website only or both?
- 102) Is there additional information that you believe should be made publicly available? Please detail.
- 103) For Local Governments: How often do you receive requests from members of the public to see this information? What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?

Access to information: Guidance question

- 104) Do you have any other suggestions or comments on this topic?

9. Available information

9.1 Expanding the information provided to the public

Initial consultation with the sector highlighted additional information which could be reported and made available for public inspection.

The list of these proposals is provided below:

Proposal	Reasoning
Live streaming video of council meetings on local government website	<p>Streamed meetings will give the public a better understanding of council matters.</p> <p>It will also allow community members an opportunity to directly scrutinise the behaviour of elected members during meetings.</p>
Diversity data on council membership and employees	<p>Reporting this information will identify whether a local government's council and employment practices are reflective of local demographics.</p>
Elected member attendance rates at council meetings	<p>Reporting this information will give the public an indication of whether elected members are attending meetings in accordance with their statutory duties.</p>
Elected member representation at external meetings/events	<p>This information will give the public an understanding of how often the council sends representatives to external events.</p> <p>The information will also assist ratepayers to assess whether an appropriate level of representation is occurring and whether the expenses are reasonable.</p>
Gender equity ratios for staff salaries	<p>This information will indicate whether the local government is operating in a diverse and equitable manner.</p>
Complaints made to the local government and actions taken	<p>This information will inform the public of how the local government deals with complaints and how often action is taken to</p>

Proposal	Reasoning
	resolve these issues.
Performance reviews of CEO and senior employees	Providing these reviews will allow ratepayers to assess whether the CEO and senior staff are pursuing their duties with appropriate diligence.
Website to provide information on differential rate categories	This information will assist ratepayers to understand the rate system and how it applies in practice.
District maps and ward boundaries	<p>This information will assist the public to identify the limits of their local government's jurisdiction.</p> <p>This will also mean that the public can identify the correct authority to which they should refer a complaint or query.</p>
Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission	<p>This will inform district residents of critical governance matters of which they might not otherwise be aware.</p> <p>While adverse findings may be the subject of public media, there is never a guarantee that this will occur.</p>
Financial and non-financial benefits register	<p>This would inform ratepayers of the amount spent on each elected member and senior employee for:</p> <ul style="list-style-type: none"> (a) remuneration (b) superannuation payments (c) other monetary benefits (d) fringe benefits, and (e) any other non-monetary benefit which is significant and capable of being quantified.

For each proposal, the following options have been identified:

Option 1: Status Quo

Under this option, the reporting requirements under the Act will remain unchanged. This will prevent any increase in regulatory burden, but it will represent a lost opportunity for increasing the transparency standards applicable to the sector. While there will not be a legislative requirement to provide the information, local governments will still be able to provide it voluntarily.

Option 2: Additional reporting requirement

Under this option, local governments will need to provide the additional information on the local government's website.

This will increase transparency, better informing community decision-making. It will, however, represent an increase in regulatory burden.

Option 3: Policy requirement

Under this option, local governments will not be required to report additional information to the public. Instead, the local government will be required to develop a policy which states:

- (a) whether the information is available for public inspection; and
- (b) if so, how this information may be accessed by the public.

This policy will need to be made available on the local government's website.

This option will slightly increase transparency of local governments, since it will assist the public to determine what kind of information is accessible to them. It does not make the information readily available.

The option will slightly increase the regulatory burden on local governments, although this burden will be restricted to the creation and disclosure of policy documents. Any further burden will depend on what level of information the local government chooses to make disclosable to the public.

Expanding the information provided to the public: Guidance questions

105) Which of these options do you prefer? Why?

106) In the table below, please indicate whether you think the information should be made available, and if so, whether this should be required or at the discretion of the local government:

Proposal	Should this be made available: No, optional, required?
Live streaming video of council meetings on local government website	
Diversity data on council membership and employees	
Elected member attendance rates at council meetings	
Elected member representation at external meetings/events	
Gender equity ratios for staff salaries	
Complaints made to the local government and actions taken	
Performance reviews of CEO and senior employees	
Website to provide information on differential rate categories	
District maps and ward boundaries	
Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission.	
Financial and non-financial benefits register	

107) What other information do you think should be made available?

Minutes, contents of: Regulation 11

That Regulation 11 be amended to require that information presented in a Council or Committee Agenda also be included in the Minutes to that meeting.

Expanding the information available to the public: Guidance question

108) Do you have any other suggestions or comments on this topic?

Red Tape Reduction

No-one likes red tape. It gets in the way and makes simple tasks seem difficult.

Distinguishing red tape from vital checks which ensure our government acts in a fair manner, protects members of the community, and that everyone abides by the law, can be difficult.

Local governments may be subject to unnecessary red tape. Similarly, they may be unintentionally creating red tape for businesses and members of the community. This aspect of the review seeks to identify examples of red tape so these can be addressed.

10. Reducing red tape

Modern bureaucracies must strike a delicate balance between oversight and red tape. Accountability measures that go too far can become regulatory burdens that create unnecessary costs that outweigh their compliance benefits.

A goal of effective regulation is to impose the least amount of resistance to activity, for the lowest cost possible, while providing a governance framework to prevent or reduce the number, or seriousness, of issues in a timely manner.

The Department has identified a number of options for reducing red tape within the current Act and regulations. These only represent a partial list of potential options to streamline the legislation that provides the framework for local government.

Although this part of the review seeks to cover all aspects of the Act and associated regulations, it does not concern the individual decisions or internal policies used by a local government. These matters will be considered in phase 2 of the review.

10.1 Defining red tape

Red tape is comprised of time-consuming and excessive processes, procedures and paperwork. It imposes costs on government, businesses and individuals through duplicative and confusing regulations, overly complicated forms and excessive compliance burdens.

In the context of this review, some examples of red tape reduction burdens could be:

- Unnecessary or out-of-date reporting requirements imposed on local governments – regulatory requirements that may no longer have any benefit in the present day operations of local governments, or where the rationale for imposing these requirements no longer exists.
- The one size fits all approach where smaller local governments are disproportionately and negatively affected by compliance requirements.
- Requiring local governments to collect unnecessary data or requesting data that is already collected elsewhere within State Government. If the information can be sourced elsewhere, this should be preferred over requiring a local government to collect, store and submit information to State Government.
- Poor coordination between local government and other State Government agencies regarding applications and approvals.
- Local governments having outdated processes or requirements in their interactions with business and the community.

Defining red tape: Guidance questions

- 109) Which regulatory measures within the Act should be removed or amended to reduce the burden on local governments? Please provide detailed analysis with your suggestions.
- a) Briefly describe the red tape problem you have identified.
 - b) What is the impact of this problem? Please quantify if possible.
 - c) What solutions can you suggest to solve this red tape problem?
- 110) Which regulatory measures within the Act should be removed or amended to reduce the burden on the community? Please provide detailed analysis with your suggestions.
- a) Briefly describe the red tape problem you have identified.
 - b) What is the impact of this problem? Please quantify if possible.
 - c) What solutions can you suggest to solve this red tape problem?

That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:

- (a) Uphold the General Competence Principle currently embodied in the Local Government Act;**
- (b) Provide for a flexible, principles-based legislative framework; and**
- (c) Promote a size and scale compliance regime.**

Red Tape Rapid Assessment Tool

The Department of Treasury administers the Red Tape [Rapid Assessment Tool \(RAT\)](#) to provide a framework for examining processes and procedures. The RAT helps identify customers' and agencies' points of frustration or failures in a given process, and clarify options for improvement.

The RAT allows users to take a step back to see the whole picture, and map out the journey of how different stakeholders interact to achieve the desired outcome. This is appropriate when there is a specific process to be mapped to pinpoint areas for improvement (e.g. delays, duplication, bottlenecks, waste, and capacity issues).

Regulatory Burden Measure

The Department of Treasury administers the [Regulatory Burden Measure \(RBM\)](#) to assist in calculating the compliance costs of regulatory proposals on business, individuals and community organisations using an activity-based costing methodology. The tool also calculates the cost of administering regulatory proposals.

This helps to illustrate the cost burden on government of enforcing and monitoring a particular regulatory process.

The quality of the cost analysis through the RBM is dependent on the quality of data available. This can help paint a better picture of the administrative and compliance activities imposed, including the volume of work, steps required and time taken to comply. This information will feed into an RBM assessment.

As an alternative to calculating a final dollar saving, other means of articulating a red tape reduction saving include:

- Number of licences, registrations and documents being moved online
- Number of hours/days/weeks/months saved from going online, reduced waiting times, fewer delays
- Number of paper pages no longer required or being published online

All feedback received on this topic will be analysed and considered for implementation. Easy to implement and well-considered suggestions may be implemented in phase 1. More complicated suggestions will be considered for inclusion in phase 2 of the review.

10.2 Potential red tape reductions

Special Majority

Section 1.10 of the Act defines a special majority decision as one made by a council with more than 11 members through a 75 per cent majority. In cases where there are 11 elected members or fewer, decisions that require a special majority may be made through an absolute (more than 50 per cent) majority.

The rules concerning special majorities currently apply to just 18 of the State's local governments, and a special majority is only required when changing the method of filling the office of mayor or president.

This means that a special majority is required very infrequently and by only a few local governments.

Special majority: Guidance question

111) Should the provisions for a special majority be removed? Why or why not?

Senior employees

A local government may designate employees to be senior employees.¹⁹ Currently, local government CEOs are required to inform the council of a proposal to employ or dismiss a senior employee. The council may accept or reject the CEO recommendation but if council rejects the CEO's recommendation it must provide reasons for doing so.

Some local government CEOs have argued that council involvement in workforce matters related to senior employees confuses the separate roles of council and administration established elsewhere in the Act, and can be source of tension between council and CEOs²⁰.

For employees other than senior employees, the Act provides the CEO with broad workforce management powers, including the power to employ, direct, and dismiss employees. As a responsibility of the CEO, council has no role in the recruitment, selection and performance management of non-senior employees.

The Act does not define what criteria should be used to determine if an employee should be designated as a senior employee. A local government could, if it wished, designate all employees as senior employees.

Most commonly, local governments will designate employees that report directly to the CEO as senior employees. As these people are key personnel, often responsible for large portfolios and budgets, council may wish to retain the current oversight provisions.

An alternative view is that, as council cannot direct local government staff (other than the CEO), council involvement in workforce issues (beyond those involving the CEO) is an unnecessary expansion of council responsibility. It also can be viewed as a restriction of the powers and responsibility of the CEO to manage the day to day operations of the local government and implement council decisions.

Across Australia

Jurisdiction	Status
--------------	--------

¹⁹ section 5.37 of the Act.

²⁰ Local governments have also queried whether the council is required to be informed of a decision to renew the contracts of senior employees.

Jurisdiction	Status
New South Wales	Senior staff are a defined category of person linked to the Executive Band of the Local Government (State) Award. The CEO can appoint (and dismiss) although must consult with council
Victoria	Nil
Queensland	Senior employees are a defined category and are appointed by a panel that includes the mayor, CEO and one other
South Australia	No separate senior employee category. The Deputy CEO is appointed by the CEO with the concurrence of the council. All other appointments are made by the CEO.
Tasmania	No separate category and the CEO is responsible for the appointment of all staff
Northern Territory	No separate category and the CEO is responsible for appointment of all staff

Senior employees: Guidance questions

- 112) Is it appropriate that council have a role in the appointment, dismissal or performance management of any employees other than the CEO? Why or why not?
- 113) Is it necessary for some employees to be designated as senior employees? If so, what criteria should define which employees are senior employees?

Senior Employees: Section 5.37(2)

That Section 5.37(2) of the Local Government Act be deleted.

Exemption from Accounting Standard AASB124 — Related Party Disclosures

The Australian Accounting Standards Board (AASB) establishes Accounting Standards that regulate financial transactions and management of financial matters. Local government treatment of financial reporting must conform with AASB Standards, although regulations provide that if a provision of the Australian Accounting Standards is inconsistent with a provision of the *Local Government (Financial Management) Regulations 1996*, the provision of the regulations prevails to the extent of the inconsistency.

In July 2016 changes were made to AASB 124 - Related Party Disclosures. The Standard requires that transactions made between 'related parties' are to be disclosed. Related parties are defined as entities with a close relationship and in the context of local governments could include regional subsidiaries, key management personnel like the mayor or president, elected members and CEO, close family members of key management personnel, and entities that are controlled by key management personnel. Only related party transactions that are material (significant) are required to be disclosed.

Provisions in the Act already require local governments to disclose certain financial interests. Interests must be disclosed through the form of a primary return or annual return by the elected member and senior staff, and lodged with the CEO (or in the case of the CEO disclosing an interest, it must be lodged with the mayor or president). This must be done within three months of the day that they take up that position. The CEO (or the mayor or president) must also provide written acknowledgement of receipt of the disclosure.

The AASB disclosure requirements may represent a duplication or overlap as most related party transactions should already be addressed by the Act's disclosure provisions. Alternatively, it can be argued that the AASB requirements introduce consistency between local governments and private entities, and thus strengthen accountability.

Exemption from accounting standard AASB124 - Related party disclosures: Guidance questions

- 114) Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB 124? Why or why not?

Exemption from AASB 124: Regulation 4

That Regulation 4 of the *Local Government (Financial Management) Regulations* be amended to provide an exemption from the application of AASB 124 'Related Party Transactions' of the Australian Accounting Standards (AAS).

Disposal of Property

Section 3.58 of the Act outlines the process that a local government is required to follow in order to dispose of property. Disposal is defined as 'to sell, lease or otherwise dispose of any property (other than money)'.

Property can be disposed of:

- through a public auction to the highest bidder; or
- through public tender to the most acceptable tender.

Alternatively, a local government can dispose of property if a local public notice is given and submissions sought on the proposed disposal of the property.

There are some exemptions to these requirements with respect to real property, property disposed of as part of a trading undertaking, and other exemptions set out in regulations.

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* provides for a number of exemptions from these requirements predominately with respect to land transactions. Other exemptions exist where the requirements of the Act have been complied with but the property was not disposed of.

Two exemptions concern property that has a market value of less than \$20,000, and property that is disposed of during a 'trade-in' when less than \$75,000 is paid. It has been suggested that these thresholds create a burden that is not commensurate with the monetary value of the property involved.

Trading-in property when purchasing new property of a similar type is a method of asset disposal that is widely used and accepted in the community. The threshold as currently set can create issues with the disposal of major equipment that is used by local governments such as graders, trucks or buses as an item valued over \$75,000 will need to be offered for sale by public auction or public tender.

Disposal of property: Guidance questions

- 115) The threshold for trade-ins was set originally to \$50,000 in 1996 and raised to \$75,000 in 2015. Should that threshold be raised higher, if so how high?
- 116) Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?
- 117) The general \$20,000 threshold was put in place in 1996 and has not been amended. Should the threshold be raised higher than \$20,000? If so, what should it be and why?
- 118) Would raising these thresholds create an unacceptable risk that the items would not be disposed of to achieve the best price for the local government?

119) Is there an alternative model for managing the disposal of property? Please explain.

Dispositions of Property: Local Government (Functions and General) Regulation 30(3)

That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

Reducing red tape: Guidance question

120) Do you have any other suggestions or comments on this topic?

Regional Subsidiaries

Local governments are finding themselves under increased pressure to maintain community services in the current economic climate. The Act provides local governments with several mechanisms by which they can cooperate and pool resources. This includes the ability to form semi-independent entities known as regional subsidiaries. This model provides the ability for two or more local governments to provide a service or carry on an activity jointly with fewer compliance obligations under the Act.

Currently, many local governments are concerned that the regulatory requirements are too stringent to pursue the establishment of regional subsidiaries and at this time there are no regional subsidiaries in operation in WA.

The State Government strongly support local governments working collaboratively, and an effective subsidiary model will assist in delivering positive outcomes for local communities.

11. Regional Subsidiaries

Under the Act, local governments have the ability to form a corporate entity known as a regional subsidiary.

This arrangement allows multiple local governments to pool their resources to carry out their statutory functions, provide services across multiple districts or provide other benefits to their communities.

The characteristics of a regional subsidiary are:

- a separate legal entity from the local governments that form it
- governed by a binding charter which sets out its powers, functions and duties
- managed by a board appointed by the member councils, which can consist fully or partly of non-local government members (that is, people who are not elected members or employees)
- In the event of a regional subsidiary being wound up, the assets would become the property of the local governments that formed it, and those local governments would be liable for any debts
- required to release an annual report and financial statement, with any other reporting requirements to be set out in the charter
- not allowed to pursue commercial enterprises or borrow money except from the local governments which form it

This model was designed as a low risk-low compliance one. That is, most of the reporting and other statutory obligations under the Act would not apply to a regional subsidiary as it would be undertaking activities that would not present a significant risk to the forming local governments and therefore to the communities in those districts.

Regional subsidiaries are designed to carry out many of the activities which could be performed by a local government. They cannot, however, undertake commercial enterprises or speculative investments.

Under the *Local Government (Regional Subsidiaries) Regulations 2017*, subsidiaries are currently only able to borrow money from the local governments that form the subsidiary (the member councils). This restriction was put in place to ensure that regional subsidiaries would not incur excessive liabilities and cause risk to ratepayer money.

The local government sector has requested that regional subsidiaries be permitted to borrow money, either from financial institutions or the Treasury.

Further feedback from the sector has indicated that the restriction on borrowing is a major impediment to using regional subsidiaries to deal with matters such as waste management and other activities.

The implications of this proposal are discussed below.

11.1 Risks and benefits of borrowing

Regional subsidiaries were designed to be used as a form of collaborative service provision. The intent was that the model would allow local governments to pool their resources to provide new services and more effective existing services. They could also use the model to share back-office functions, such as accounting, records management and human resources.

For this reason, much of the financial management and reporting controls in the Act have not been applied to regional subsidiaries.

Importantly, for a regional subsidiary to be created, the Minister must approve an Establishment Charter which sets out the purpose of the regional subsidiary and its governance arrangements prior to its creation.

If subsidiaries were permitted to borrow money, this could have a number of advantages:

Advantage	Reasoning
Subsidiaries will have a greater capacity to obtain funds	<p>The subsidiary could borrow money which can be used to pursue the subsidiary's goals.</p> <p>The subsidiary will be able to obtain funds for unexpected situations or emergencies.</p> <p>Establishment of subsidiaries will be easier, since once the subsidiary is formed, it can borrow money to assist with setting up its operations.</p>
Subsidiaries will be less dependent on financial contributions from the member councils	<p>Subsidiaries will require less funding from member councils, since they can borrow money when needed.</p> <p>Borrowing money from a bank is less complex than obtaining funding from the member councils.</p>

Advantage	Reasoning
Subsidiaries will be more attractive to local governments	If the subsidiary model is more flexible, there is more chance that local governments will consider using the model.
Complexity will be reduced for the member councils	The forming councils do not have to consider how the loan will be apportioned between them.

Allowing subsidiaries to borrow money would also involve a number of risks and disadvantages which are set out below:

Disadvantage	Reasoning
Increased vulnerability	If a subsidiary incurs significant levels of debt, this will make the subsidiary more vulnerable to financial or economic shocks.
Increased chance of insolvency	<p>If a subsidiary is unable to pay its debts, the member councils will be required to pay the debts on the subsidiary's behalf.</p> <p>This could cause significant financial loss and the loss of jobs. It will also cause significant damage to public confidence.</p>
Reduced control by member councils	<p>Member councils will have less control over the borrowing activities of the subsidiary, with the degree of control and reporting entirely dependent upon any restrictions placed in the charter.</p> <p>Member councils may not foresee the need for these at the time of forming the subsidiary or may not have sufficient skills in this area to ensure that adequate safeguards are put in place.</p> <p>There is no requirement for the managing body of a regional subsidiary to have any members from the local governments (whether elected members or officers).</p>
Repayments	<p>Once a subsidiary borrows money, it will need to pay the money back in addition to interest repayments.</p> <p>This will place the subsidiary under pressure</p>

Disadvantage	Reasoning
	<p>to earn revenue to repay the loan.</p> <p>Any money spent on interest repayments will divert money which could have been spent on service provision.</p> <p>If a subsidiary is unable to pay back a loan, the member councils will be liable for any interest which is unpaid as well as the principal loan.</p>
Subprime lending	<p>The debts of a subsidiary will always be guaranteed by member councils.</p> <p>Banks will have little incentive to ensure that the subsidiary itself can repay the loan, since the debt can always be recovered from ratepayer money.</p> <p>Banks that make risky loans to a subsidiary will actually be rewarded if the debt spirals out of control, since this increases the total profit that the bank will receive.</p>

While the borrowing of money would lead to a number of risks, the danger could be mitigated by ensuring sufficient protections.

These legislative protections could include one or more of:

- Increasing the required reporting requirements of a subsidiary;
- Requiring the subsidiary to obtain consent to borrow;
- Only allowing borrowing to occur when permitted by the charter;
- Limiting the purposes for which money can be borrowed; or
- Limiting the amounts which can be borrowed by a subsidiary.

Each one of these precautions would lower the risk of a subsidiary, but would also represent a reduction in the model's flexibility.

Across Australia

Each Australian jurisdiction has a different approach regarding whether subsidiaries are allowed to borrow money. Subsidiaries in this situation has been interpreted widely to be the most applicable model in that jurisdiction. The range of approaches is as follows:

Jurisdiction	Status
--------------	--------

Jurisdiction	Status
Western Australia	Subsidiaries can borrow money, but only from member councils that formed it.
New South Wales	Subsidiaries can borrow money with Ministerial approval.
Victoria	Subsidiaries can borrow money with Ministerial approval.
Queensland	Subsidiaries cannot borrow money.
South Australia	Subsidiaries can borrow money when permitted by the charter and with the consent of member councils.
Tasmania	Subsidiaries can borrow money, but Ministerial approval is needed if liabilities exceed 30 per cent of subsidiary's revenue.
New Zealand	Subsidiaries can borrow money as necessary. Debts are not guaranteed by member councils.

11.2 Options:

Option 1: Status quo

This option proposes that the existing rules will remain unchanged and subsidiaries can only borrow from member councils.

This option will mean that subsidiaries do not gain the advantage of being able to borrow money from external bodies to pursue their objectives. It will mean, however, that subsidiaries will remain low-risk.

The current provisions have not provided the incentive for local governments to establish regional subsidiaries. Consequently, the collaborative benefits sought in the development of the legislation have not eventuated.

Currently, there are no regional subsidiaries in operation in WA.

Option 2: Regional subsidiaries are permitted to borrow from Treasury Corporation.

This option proposes that regional subsidiaries will be permitted to borrow money from the Treasury Corporation.

This will mean that subsidiaries have less chance of becoming insolvent. The Treasury will only lend money to the subsidiary in reasonable circumstances and subject to reasonable terms.

There is still a possibility that the subsidiary may borrow money it lacks the capacity to repay. Member councils will still be liable for the debt at the cost of their ratepayers.

Option 3: Regional subsidiaries are permitted to borrow from financial institutions

This option proposes that regional subsidiaries will be permitted to borrow money from financial institutions if permitted by the charter.

This course of action would result in the complete range of advantages and disadvantages listed in the previous section.

If this option is taken, the Government would need to review what additional legislative protections might be necessary to ensure that borrowing does not cause excessive risks to ratepayer money.

Regional subsidiaries: Guidance questions

- 121) Which option do you prefer?
- 122) Should regional subsidiaries be allowed to borrow money other than from the member councils?
- 123) Why or why not?
- 124) If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?

Regional subsidiaries: Guidance question

- 125) Do you have any other suggestions or comments on this topic, including on any other aspect of the *Local Government (Regional Subsidiaries) Regulations 2017*?

Regional Subsidiaries

That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to:

- Borrow in their own right;**
- Enter into land transactions; and**
- Undertake commercial activities**

126)

Local Government Act review: Guidance question

127) You are invited to make comment and put forward suggestions for change on other matters which have not been covered in this paper.

For more information, please contact:

Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, 140 William Street, Perth WA 6000
GPO Box R1250, Perth W.A. 6844

Telephone: (08) 6551 8700 Fax: (08) 6552 1555

Freecall: 1800 620 511 (Country only)

Email: legislation@dlgsc.wa.gov.au

Website: www.dlgc.wa.gov.au/lgareview

Translating and Interpreting Service (TIS) – Telephone: 13 14 50

Attachment 1: Councillor position description

Councillor position description	
Role as prescribed by the <i>Local Government Act 1995</i>	<ul style="list-style-type: none"> • represent the interests of electors, ratepayers and residents of the district • provide leadership and guidance to the community district • facilitate communication between the community and the council • participate in the local government decision making process at council and committee meetings • perform such other functions as are given to councillor by the <i>Local Government Act 1995</i> or any other written law
Accountabilities, as prescribed by the <i>Local Government Act 1995</i>	<ul style="list-style-type: none"> • an understanding of the role and structure of local government as prescribed by the <i>Local Government Act 1995</i> • an understanding of the quasi-judicial town planning role of local government, as prescribed by the <i>Planning and Development Act 2005</i> • an understanding of Integrated Strategic Planning – the strategic plans for the future of local government, the processes involved and the strategic role of a councillor • an understanding of the process of managing the Chief Executive Officer's performance • ability to read and understand financial statements and reports • a basic understanding of legal processes
Governance and ethical standards	<ul style="list-style-type: none"> • an understanding of the 'separation of powers' between councillors and the administration (the difference between governing and managing) • an understanding of meeting process, including Standing Orders • an appreciation for policy development processes

Councillor position description

	<ul style="list-style-type: none">• an awareness of risk management strategies• an understanding of the accountability framework prescribed by <i>the Local Government Act 1995</i> and the <i>Corruption and Crime Act 2003</i>, and other legislation
Values, characteristics and commitment to the role	<ul style="list-style-type: none">• the ability to communicate, debate and actively participate in meetings; ability to enhance discussion and assist discussions to reach closure; ability to disagree, without being disagreeable• the ability to develop and maintain effective working relationships and to manage interpersonal conflicts• ability to exercise independent judgements

Attachment 2: Gifts

The current gift framework

The current framework is established by section 5.82 of the Act for gifts and section 5.83 of the Act for contributions to travel. Under these sections, relevant persons are required to disclose gifts and contributions to travel over a prescribed amount, in writing, to the CEO within 10 days of receipt. The disclosures must be recorded in a register using a set form, which must then be made available on the local government's official website. There is currently no timeframe for disclosures to be published on the local government website.

Gift disclosures must include:

- a description of the gift;
- the name and address of the person who made the gift;
- the date on which the gift was received;
- the estimated value of the gift at the time it was made; and
- the nature of the relationship between the relevant person and the person who made the gift.

Section 5.82(4) of the Act defines a “gift” as:

“...any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another, otherwise than by will (whether with, or without, an instrument in writing) without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contributions to travel...”.

Section 5.82(2) provides for the following exemptions from disclosure:

- if the gift did not exceed the prescribed amount (\$200), unless it was:
 - one of two or more gifts made by one person at any time during a year; and
 - the sum of those two or more gifts exceeded the prescribed amount;
- or
- the donor was a relative of the person.

Travel disclosures must include:

- a description of the contribution;
- the name and address of the person who made the contribution;
- the date on which the contribution was received;
- the estimated value of the contribution at the time it was made;

- the nature of the relationship between the relevant person and the person who made the contribution;
- a description of the travel; and
- the date of travel.

A “contribution to travel” is not explicitly defined in the Act but section 5.83(4) states that it includes “accommodation incidental to a journey”. Regulation 34D of the *Local Government (Administration) Regulations 1996* defines a “travel contribution” as:

“...in relation to a person, means a financial or other contribution that has been made to any travel undertaken by the person.”

Section 5.83 provides for the following exemptions from disclosure:

- if the contribution was made from Commonwealth, State or local government funds; or
- the contribution was made by a relative of the person; or
- the contribution was made in the ordinary course of an occupation of the person which is not related to his or her duties as an elected member or employee; or
- the amount of the contribution did not exceed the prescribed amount unless it was –
 - one of two or more contributions made by one person at any time during a year; and
 - the sum of those two or more contributions exceeded the prescribed amount;

or

- the contribution was made by a political party of which the person was a member and the travel was undertaken for the purpose of political activity of the party, or to enable the person to represent the party.

If an elected member receives a gift or contribution to travel that needs to be disclosed under section 5.82 or 5.83 then for the remainder of their term in which the gift was received, the donor is deemed to be a “closely associated person” under section 5.62(1)(eb). As a consequence, the member will then have a financial interest (section 5.60) and need to disclose that interest in accordance with s. 5.65 if the donor requires (or has a financial relationship with someone who requires) a local government decision.

Section 5.103 of the Act requires every local government to prepare or adopt a code of conduct to be observed by elected members, committee members and employees. Regulations may prescribe the content or matters that are to be included, being the *Local Government (Administration) Regulations 1996*. Further information on codes of conduct can be viewed in Chapter 3.1 of this paper.

Section 5.104 of the Act states that elected members are required to observe rules of conduct which are set out in regulations, specifically the *Local Government (Rules of Conduct) Regulations 2007*.

In addition to the requirements set out in the Act, there are three sets of Regulations dealing with disclosure of gifts and contributions to travel:

- *Local Government (Rules of Conduct) Regulations 2007* (Rules of Conduct Regulations)
- *Local Government (Administration) Regulations 1996* (Admin Regulations)
- *Local Government (Elections) Regulations 1997* (Election Regulations)

Each set of regulations sets out different requirements including disclosure periods, monetary thresholds and exemption categories.

Rules of Conduct Regulations

The Rules of Conduct Regulations are “general principles to guide the behaviour of elected members”. This includes acting with reasonable care, diligence, honesty and integrity, acting lawfully, avoiding damage to the local government’s reputation, and being open and accountable to the public.

Regulation 12 sets out the requirements surrounding acceptance and disclosure of gifts received by elected members.

Regulation 12 broadly aligns with the definition of gift under section 5.82(4) of the Act except for the following exemptions:

- a gift from a relative as defined in section 5.74(1) of the Act – parent, grandparent, sibling, uncle, aunt, nephew, niece, lineal descendant, spouse/de facto; or
- an electoral gift disclosable under the *Local Government (Elections) Regulations 1997* Regulation 30B; or
- a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
- a gift from WALGA, the Australian Local Government Association or Local Government Managers Australia WA.

Types of gifts

The Rules of Conduct Regulations provide for two distinct types of gift with two monetary thresholds.

A notifiable gift is any gift between \$50 and \$300, or any series of gifts from the same donor which would come to that amount in value in a six-month period.

Notifiable in this context means that any gift between \$50 and \$300 must be disclosed to the CEO and entered into the notifiable gift register.

A prohibited gift is any gift worth over \$300, or any series of gifts from the same donor which would come to that amount in value in a six-month period. Elected members cannot accept prohibited gifts if the donor is undertaking, is seeking to undertake, or it is reasonable to believe will seek to undertake, an “activity involving local government discretion”.

An activity involving local government discretion is defined at *regulation 12(1) of the Rules of Conduct Regulations*. It means “an activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government”. A practical example of such an activity in a local government context could be a property developer seeking to build an apartment block – such a change would require an application to the local government for approval.

These provisions sit alongside the section 5.82 and 5.83 provisions. Where a gift is valued between \$200 and \$300 and the donor is undertaking, or seeking to undertake, an activity involving local government discretion, disclosure will be required in both registers.

Administration Regulations

The Administration Regulations provide for administrative matters for local governments, including meeting procedures, employment requirements, reporting and planning, and disclosure of financial interests. This includes disclosure by local government employees of gifts.

The Administration Regulations mirror the Rules of Conduct Regulations in most matters relating to gifts.

Relevant regulations

Regulation 25 prescribes the amount of a gift for the purposes of section 5.82(2)(a) of the Act. The prescribed amount is \$200.

Regulation 26 prescribes the amount of a contribution to travel for the purposes of section 5.83(2)(d) of the Act. The prescribed amount is also \$200.

Regulation 34B prescribes that local governments must have a code of conduct regarding the acceptance of gifts. The code of conduct provisions only apply to employees. Regulation 34B of the Administration Regulations otherwise mirrors Regulation 12 of the Rules of Conduct Regulations.

The types of gifts established in Regulation 12 of the Rules of Conduct Regulations are, again, mirrored in Regulation 34B of the Admin Regulations.

Election Regulations

The Election Regulations prescribe requirements for the holding and management of local government elections.

Relevant regulations

Regulation 30A provides that gifts of \$200 or more, or gifts with a total value of \$200 or more received from the same person in the “disclosure period” are relevant for the purposes of the Election Regulations.

Regulation 30BA provides that candidates cannot receive gifts unless the name and address of the donor are known to them. Such gifts are not taken to have been received if, as soon as they become aware of the gift, the candidate takes reasonable steps to either return the gift or give it to the CEO for disposal.

Regulation 30B provides for the disclosure requirements.

Regulation 30CA provides that the donor of the gift must also disclose to the CEO within a required time.

Regulation 30C outlines the disclosure period. The disclosure period commences six months before election day and concludes three days after election day for unsuccessful candidates. For successful candidates, the disclosure period concludes on the start day as defined in section 5.74 of the Act. This effectively means that any electoral gifts received six months prior to and three days after the election must be disclosed.

Regulation 30D provides that disclosure must be made by completing a set form and lodging it with the CEO, within three days of the making, receipt or promise of a gift once the person has nominated to be a candidate. Gifts received earlier than the nomination date but within six months of the election must be disclosed within three days of nomination.

Regulation 30F outlines the information to be provided: description of the gift, date of receipt/making/promise, value and name/address of each donor.

Regulation 30G requires the CEO to maintain an electoral gifts register. Disclosures relating to unsuccessful candidates must be removed after the disclosure period (that is, three days after election day) and be retained separately for at least two years. Similarly, for successful candidates, the CEO must remove disclosures following the completion of the person’s term of office. Those forms must be retained separately for at least two years.

Regulation 30H requires the electoral gifts register be kept at the local government's offices for public access.

Supplementary Information: Public notices

Situations where local public notices are required by the Local Government Act or associated regulations:

Provision	Situation	Details
Section 3.12	Local law is made and gazetted by the local government	Notice must specify the date the local law activates and where it can be inspected
Section 3.50	Closure of a thoroughfare for more than 4 weeks	Public notice must be issued before closure can occur
Section 3.51	Alterations to property in a way that will affect any individual	After public notice is issued, a “reasonable time” must be given before work can commence
Section 3.58	Disposing of certain kinds of property other than via an auction or tender	Notice must invite submissions from the local community (2 week minimum)
Section 5.29	Convening a meeting of local electors	Public notice must be issued at least 14 days prior to the meeting
Section 5.50(1)	Policies regarding the making of extra payments to terminated employees	Public notice must be issued after policy is adopted
Section 5.50(2)	Extra payments made to terminated employees	Public notice only required if amount exceeds the policy made under section 5.50(1)
Section 5.55	Release of annual report	Public notice must be issued as soon as practicable after the report is accepted by the council
Section 6.11	Proposal to use reserve account for a purpose other than what the money was originally reserved	Public notice must be given a month before the proposal is put into operation
Section 6.19	Proposal for the local government to set a new fee or charge	Public notice only required if changing fee or charge other than at the start of a financial year
Section 6.20	Proposal for the local	Public notice must be given a

Provision	Situation	Details
	government to borrow money or obtain credit	month before the proposal is put into operation
Section 6.36	Proposal to impose differential rates and minimum payments	The notice must provide information on the rates being imposed and invite public submissions (3 week minimum)
Schedule 2.2 Clause 7	Local government seeks to carry out a review of the district ward boundaries	Public notice must invite public submissions (6 week minimum)
Schedule 6.3 Clause 1	Local government seeks to sell land for non-payment of rates	Public notice must be issued if the ratepayer cannot be notified personally through usual means
Administration Regulation 12	Council meeting dates	Public notice must be issued once a year and list the meeting dates for the next 12 months
Administration Regulation 19D	Release of strategic community plan	Notice must specify where the plan is available for inspection
Constitution Regulation 11H	Validity of election results is challenged	Notice must be issued once a decision is reached in the Court of Disputed Returns
Elections Regulation 73	Local election is to be postponed to a future time	Notice must be issued stating that the election is postponed
Elections Regulation 80	Final results of local election are available	Public notice must set out the results in the prescribed form
Elections Regulation 92	Poll to determine how presiding member of council is to be appointed	Public notice must set out the results in the prescribed form
Regional Subsidiaries Regulation 4	Proposal to establish subsidiary	Notice must state where the business plan may be inspected and invite submissions (6 week minimum)

Situations where State-wide notice is required:

Provision	Situation	Details
Section 2.12A	Proposal to change the method of electing the presiding member of council	Public notice must invite public submissions on the proposal (6 week minimum)
Section 3.12	Proposal to introduce new local law	Public notice must invite public submissions on the draft local law (6 week minimum)
Section 3.16	Review of an existing local law	Public notice must invite public submissions on the existing local law (6 week minimum)
Section 3.59	Major trading undertakings or land transactions	Public notice must invite public submissions on the business plan (6 week minimum)
Section 4.39	Closing date for enrolment in election	The notice must include details on how a person can become an elector
Section 4.47	Nomination of candidates in election	The notice must specify how many seats are up for election and how nominations can be submitted
Section 5.36	Advertising a vacancy for a CEO position	Also applies to senior employee positions
Schedule 6.3	Sale of land	The notice must include a description of the land and any improvements sold with the land
Functions and General Regulation 14	Invitation for tenders	Tender process applies whenever the local government seeks to acquire goods or services above a prescribed amount
Functions and General Regulation 21	Expression of interest for prospective suppliers	This process is used to obtain a group of prospective suppliers prior to formal tender process
Functions and General Regulation 24AD	Panel of pre-approved suppliers	Similar to tender process, but conducted in advance
Functions and General	Regional price preference policy	Notice must specify the region to which the policy will apply and invite submissions (4 week

Provision	Situation	Details
Regulations 24E		minimum)



SHIRE OF NANNUP	
Ref: <u>Adm</u>	No. <u>201/560</u>
17 OCT 2017	
CEO MCS WM MDS	AO EO CDO CR: <u>planner</u>
LIB PUB	FMO YO RO

17th October, 2017

Shire of Nannup
15 Adam Street
NANNUP 6275

Attn: Planning Department

Re: Residential Design Code Variation (Justification)

We wish to apply for a residential design code variation in regards to the side setbacks on the Northern and Southern boundaries of lot 90 Wilson Street, Nannup.

The new home having to be set approx. three metres of height to meet the finished floor level which is a flood level requirement.

The shire has a FFL requirement of ~~67.80~~HD from natural ground level because of the 100 year flood level, which causes a problem for us with the two setback requirements. We have provided a verandah all the way round the dwelling to enhance the streetscape, and require the reduced setback to Ford Way to maximise the setback to the Northern boundary.

We agree to screen the verandah on the northern face of the building and around to the stairs on the eastern face to a height of 1.65m. This screening will be 75% obscure and permanently fixed to the verandah. The screening will be installed prior to occupation.

We hope this is satisfactory and look forward to hearing from you.

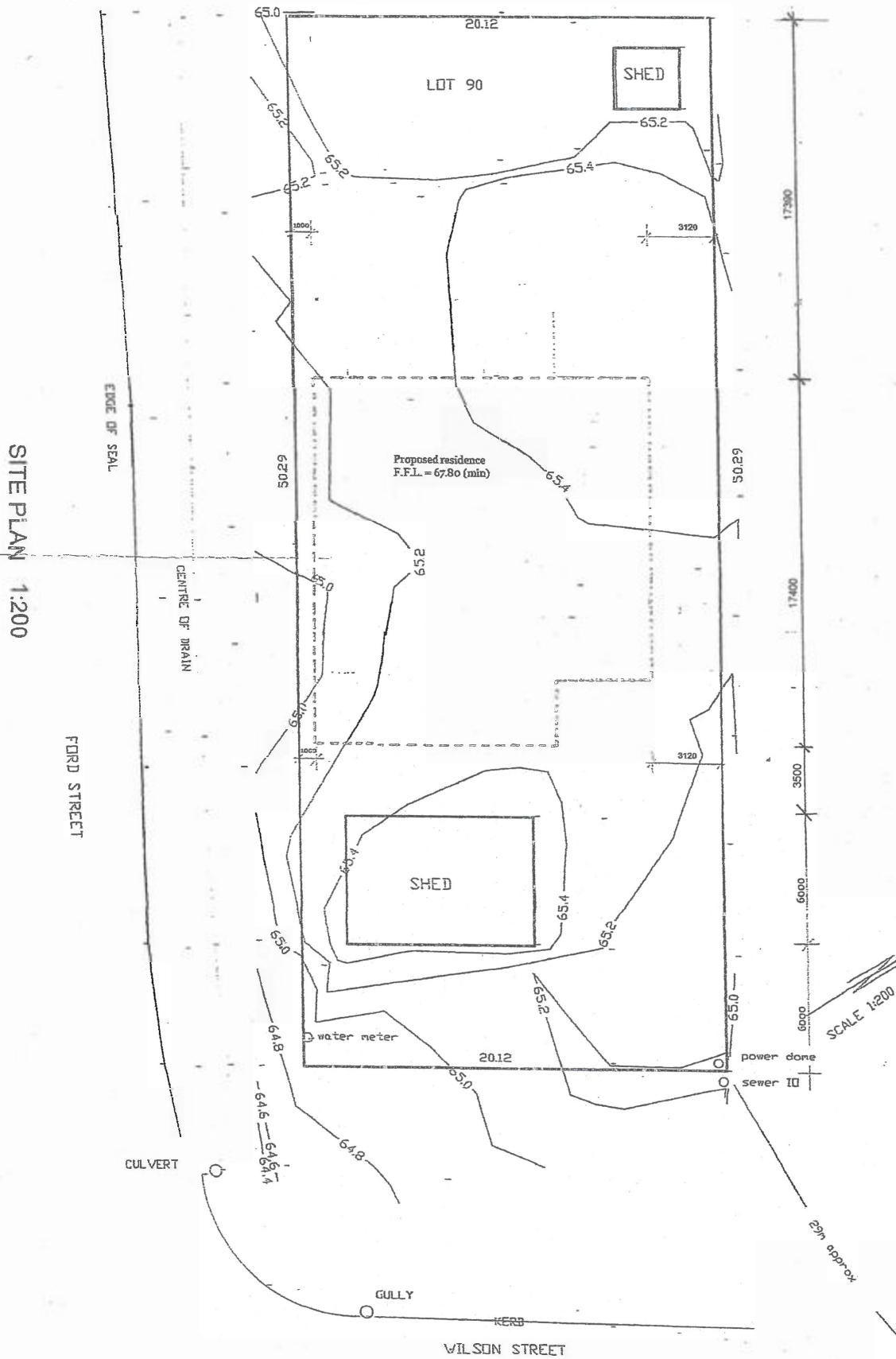
Regards



Alex & Jean Ross

22 DEC 2017

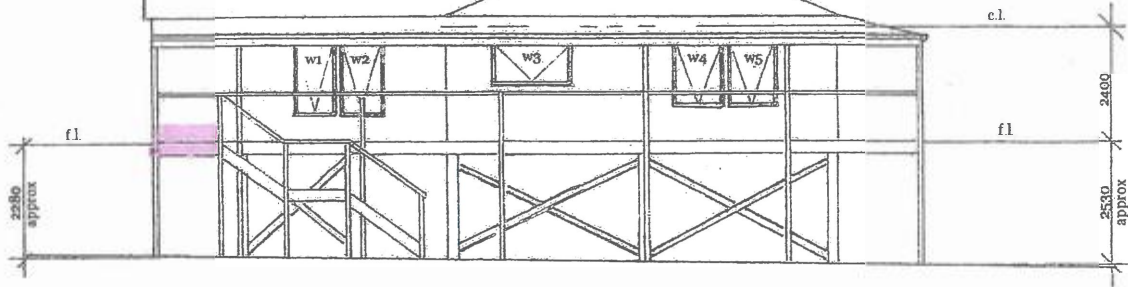
REVISED SITE
PLAN



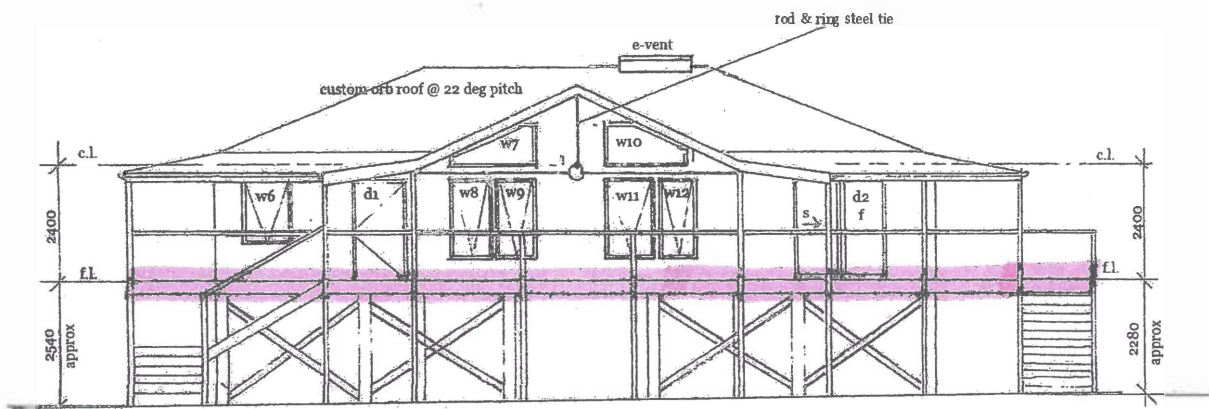
150mm overhang

custom orb roof @ 22 deg pitch

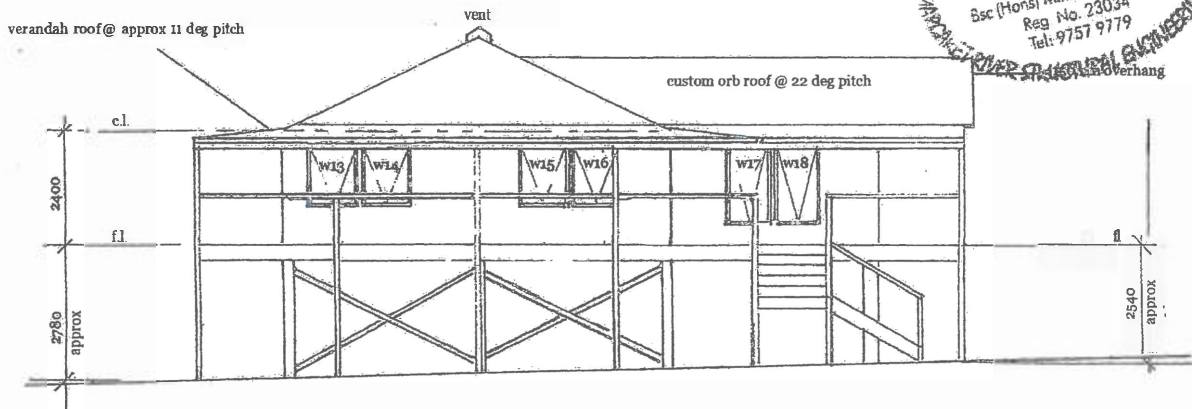
22 DEC 2017



ELEVATION A



ELEVATION B



ELEVATION C

NPZ
Roger Pateman
Bsc (Hons) M.J.E. Aust. C.P. Eng.
Reg No. 23034
Tel: 9757 9779
HARDING OVERLAND ARCHITECT PTY LTD

ROSS CARPENTRY

ALEX

08 9417 0512

PO Box 177

Nannup WA 6275

08 9417 0512



NOTES

1/ Sub-floor bracing shown for illustration. Refer engineer drawings for actual positions.
2/ Ballstading to B.C.A. requirements.

Proposed residence at
Lot 90 Wilson Street
Nannup WA 6275
for AH & JL Ross

DATE

22 DEC 2017

DRAWN

A. Ross

SCALE

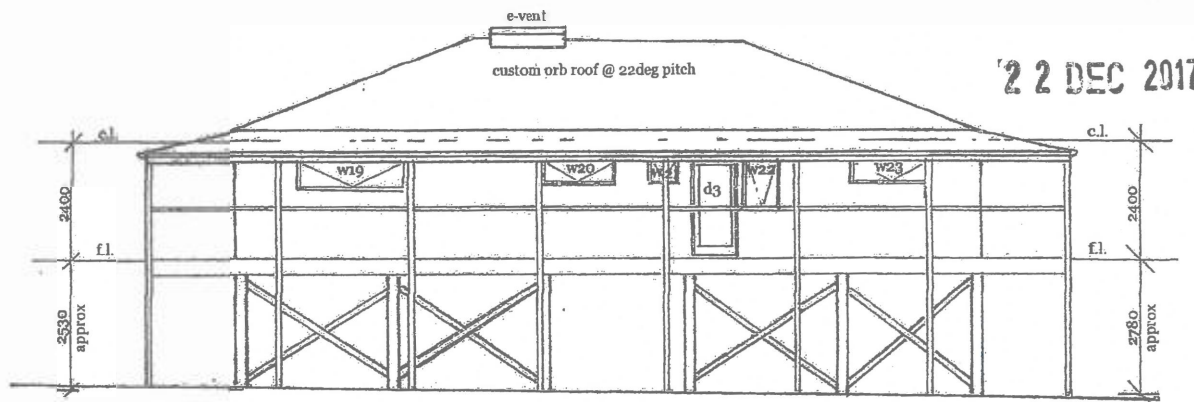
1:100 at A3

DRAWING NO. 03

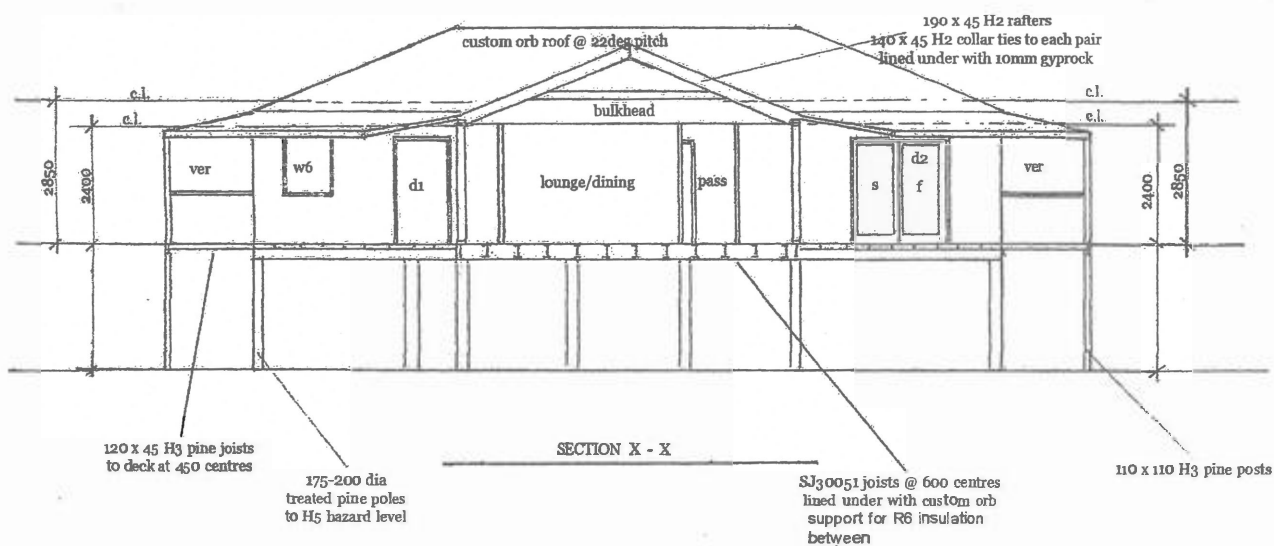
Elevations

NOTES

W7 + W10 sized to suit gable and ceiling height.



ELEVATION D



SECTION X - X

MR
Roger Poteman
 Bsc (Hons) M.I.E.A. st. C.P. Eng.
 Reg No. 20034
 Tel: 9757 4179
 CROSS RIVER STRUCTURAL ENGINEERING PTY LTD

ROSS CARPENTRY

ALEX

Mobile: 08 7022112

08 7022112

Nannup 6275

08 7022112



NOTES

- 1/ Ceiling height change in living room to 2850
- 2/ Timber truss roof to bedroom/ kitchen/bathroom area.
- 3/ Pitched stick roof to living room and verandah.

Proposed residence at
 Lot 90 Wilson Street
 Nannup WA 6275
 for AH & JL Ross

DATE

10/10/2017

SCALE

1:100 at A3

DRAWN
 A. Ross

DRAWING NO. 24
 Elevations +
 Cross sections

NOTES

Jane Buckland

From: Daniel Wong <daniel.wong@dwer.wa.gov.au>
Sent: Thursday, 9 November 2017 1:17 PM
To: Jane Buckland; ShireofNannup
Cc: Simon Rodgers
Subject: Development application for a single timber-framed dwelling in a flood risk area – Lot 90 (no. 26) Wilson Street, Nannup
Attachments: NANNUP-02-05.pdf

9th November 2017

Our Reference: PA 016692, DWERDT19943

Your Reference: A611

To: Shire of Nannup

Attention: Jane Buckland

RE: Development application for a single timber-framed dwelling in a flood risk area – Lot 90 (no. 26) Wilson Street, Nannup

Dear Jane,

Thank you for referring the above clearing proposal to the Department for our comment.

The Department of Water in carrying out its role in floodplain management provides advice and recommends guidelines for development on floodplains with the object of minimizing flood risk and damage.

The Blackwood River Flood Study through Nannup shows that the lot is significantly affected by flooding during major river flows with the following flood levels expected (refer to attached plan):

1 in 25 AEP	65.6 m AHD
1 in 100 AEP	67.23 m AHD.

An observed flood level of 67.8 m AHD was recorded at Kearney Street (approximately 600 metres upstream) for an event in January 1982. This event is similar in magnitude to the expected 1 in 100 AEP flood event.

When development is proposed within the floodplain our department assesses each proposal based on its merits and the factors examined include depth of flooding, velocity of flow, its obstructive effects on flow, possible structural and potential flood damage, difficulty in evacuation during major floods and its regional benefit.

With regard to this proposal the following comments are provided:

- The general natural surface level of the Lot is ~ 65.0 m AHD.
- The entire Lot is subject to flooding of up to 0.5 m deep during a 1 in 25 AEP event. This depth is considered hazardous to some vehicles and to children and the elderly. The distance to higher ground above the 1 in 25 AEP floodplain is relatively long (greater than 100 metres). Consequently, there would be some potential difficulty in evacuation during an event of this magnitude.

- Flood depths in 1 in 100 AEP event are expected to exceed 2.0 metres. This depth is considered hazardous to people, vehicles and buildings and would pose significant difficulties for evacuation and potential dangers to any people sheltering in the dwelling during an event.
- The proposed dwelling (combined with similar potential developments on the Lots between Kearney and Wilson Street) has the potential to be obstructive to major flows.

Based on the above discussion, we do not consider the proposed dwelling acceptable with regard to major flooding.

Thank you.

Yours faithfully,

Daniel Wong

Environmental Officer
Department of Water and Environmental Regulation
South West Region

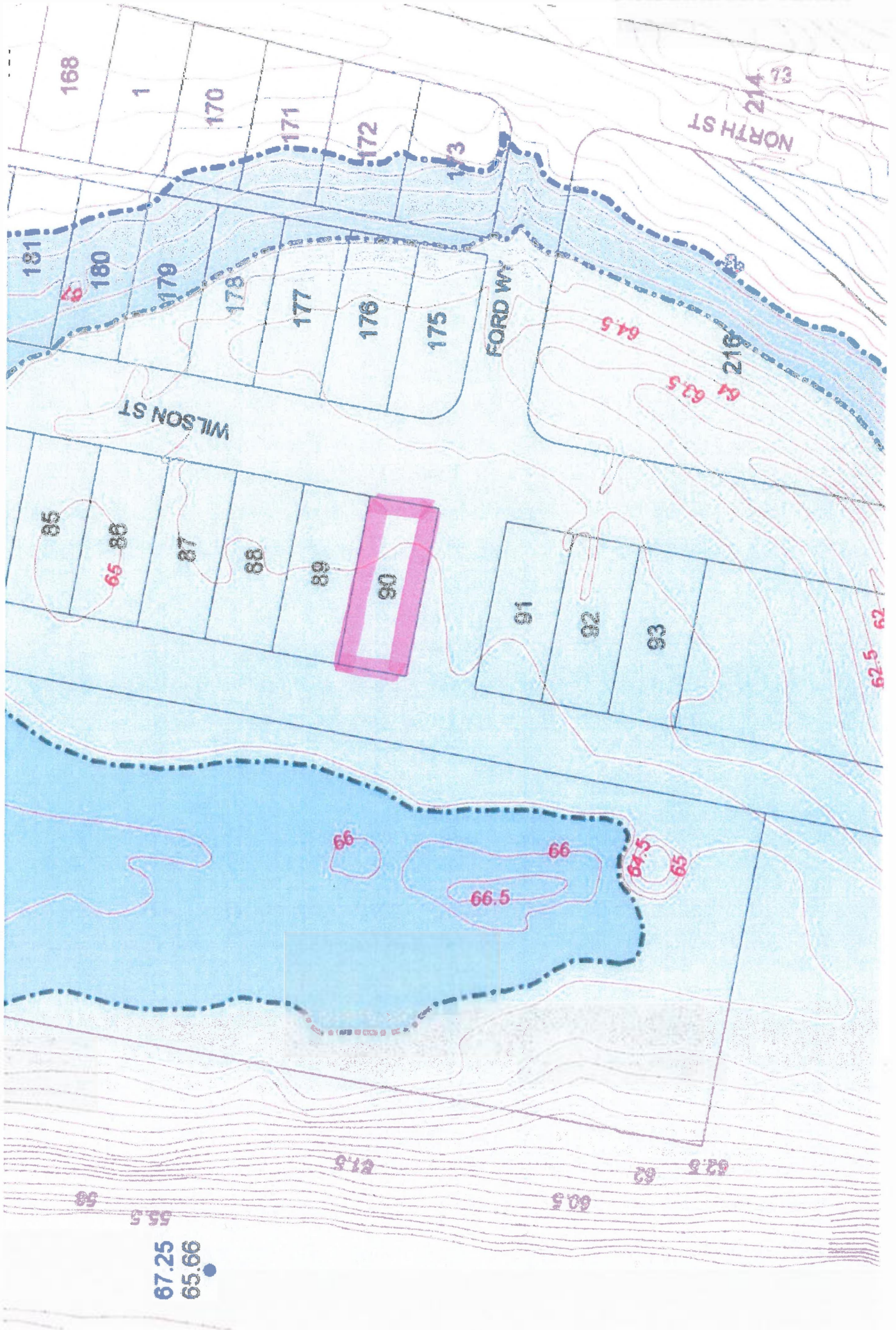
Email: daniel.wong@dwer.wa.gov.au
Phone: 08 9726 4113
Fax: 08 9726 4100
Postal: PO Box 261, Bunbury, WA 6231
Location: 35-39 McCombe Road, Bunbury, WA 6230

Water Resource Advice Only

The Department of Water has recently merged with the Department of Environment Regulation and Office of the Environmental Protection Authority to create the new agency Department of Water and Environmental Regulation.

The former agencies are in the process of amalgamating their functions. Until this fully occurs, please note that the advice in this correspondence pertains only to water resource matters previously dealt with by the Department of Water.

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.



PART 6 – SPECIAL CONTROL AREAS

6.1 OPERATION OF SPECIAL CONTROL AREAS

The following Special Control Areas are shown on the Scheme Maps:

- **Flood Risk Land** – relates to areas liable for flooding.
- **Landscape Values Area** – relates to the conservation and enhancement of significant natural and man made landscapes including the preservation of significant vegetation, prominent landforms and view corridors.
- **Special Rural Policy Area** – relates to areas considered suitable for further investigation for rural-residential development.
- **Heritage Area** – relates to the conservation and enhancement of heritage areas – Refer Clause 7.2.
- **Public Drinking Water Source Area** – relates to the protection of public drinking water supplies.

6.2 SPECIAL CONTROL AREA PROVISIONS

Special control areas are shown on the Scheme Map. The provisions of the special control area apply in addition to the provisions of the zone and any general provisions of the Scheme.

6.2.1 Flood Risk Land

6.2.1.1 Notwithstanding any other provision of the Scheme.

- (a) the local government shall not grant approval to the carrying out of any development on land (or portion(s) thereof) that is shown on the Scheme Map as being flood risk land or where land abuts the Blackwood River unless an assessment has been made of:
 - (i) the effect of the proposed development on the efficiency and capacity of the floodway to carry and discharge flood water;
 - (ii) the safety of the proposed development in time of flood; and
 - (iii) whether the proposed development involves any possible risk to life, human safety or private property in time of flood.
- (b) A person shall not carry out any development on land (or portion(s) thereof) identified as flood prone land on the Scheme Map or on other land which, in the opinion of the local government, may be liable to flooding, unless:
 - (i) the floor of any dwelling house or other habitable building is, or will be, raised a minimum of 500 millimetres (mm) above the 1 in 100 year flood level identified for the land;
 - (ii) the base of the septic tank/leach drain system is to be a minimum 300mm above the 1 in 100 year flood level identified for the land and fitted with appropriate devices to prevent back flow of effluent or ground water. This requirement may be removed if an approved alternative treatment unit was installed instead of a conventional septic tank/leach drain effluent disposal system;
 - (iii) where the proposed development is for residential purposes an engineering certification is to be submitted. This

- certification is to ensure that the dwelling has been designed taking into account the potential forces of flood waters; and
- (iv) where the proposed development is for residential purposes a licensed survey shall be submitted confirming the floor level height of the building compared to the identified flood level for the portion of the subject land. This survey is to be carried out and submitted for local government endorsement upon completion of the sand pad or stumping network of the proposed building. No further works on the proposed building are to be commenced until local government endorsement of the survey information has been given.

6.2.1.2 For land identified by the Blackwood River Flood Study 1983 as being within the 1 in 25 year flood level, residential development (new dwellings and extension to existing dwellings) should be connected to the reticulated sewerage network unless the applicant suitably demonstrates to the satisfaction of the local government that-

(a) On-site effluent disposal can be accommodated to address human health and environmental risk; and

(b) it is not feasible to connect to the reticulated sewerage network.
AMD 14 GG 13/06/14

6.2.1.3 Where proposals are received for the development of extensions or additions to existing residential development sited within a flood risk area, the requirements of sub-clause 6.2.1.1(b)(i) will be waived where such extensions/additions do not exceed 25 per cent of the floor area of the existing building. *AMD 7 gg 9/3/2010*

6.2.1.4 Proposals for the development of tourist or commercial uses within flood risk land will be assessed by the local government having regard to the type, size and scale of the proposed development and the comments of the Department of Water which are to be sought and obtained prior to any decision being made. *AMD 7 gg 9/3/2010*

6.2.1.5 For the purposes of sub-clause 6.2.1.1, the local government may consult with, and take into consideration, the advice of the Department of Water, in relation to the delineation of flood ways and flood prone land, the effect of the development on a floodway, and any other measures to offset the effects of flooding. *AMD 7 gg 9/3/2010*

6.2.1.6 Any decision made by the local government in pursuance of this clause is deemed to be a decision made in 'good faith' and the local government is hereby forever indemnified against any claim made by any person and relating to any loss whatsoever arising from such a decision.

6.2.1.7 Where land which is identified as being Flood Risk Land is proposed to be subdivided the local government, if resolving to support the application for subdivision, shall recommend to the Commission that memorials be placed on newly created titles to ensure prospective purchasers are aware that the land may be prone to flooding.

6.2.2 Landscape Values Area

6.2.2.1 The places identified on the Scheme Map as being within a Landscape Values Area are those areas considered by the local government to be of particular scientific, scenic or other value and should be retained in their present state, or restored to their original state or to a state acceptable to the local government.

RESIDENTIAL DESIGN CODES – SINGLE HOUSE ASSESSMENT

Assessment Number:	A611
Date:	16/10/2017
Applicant:	Alex & Jean Ross
Proposal:	Single House In a Flood Risk Area
Property Address:	26 Wilson Street, Nannup
Zoning: Town Planning Scheme No 3:	Residential R15
Use Class:	Single House
Permissibility (i.e.P, D, A, X):	P
Lot Area:	1012m²

Residential Design Codes – Part 5 – Design Elements					
	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
5.1	Context				
5.1.1	Site Area				
C1.1	Minimum Site Area (Table 1)	Minimum / Average Site Area Required: 580/666m ² Site Area Provided: 1012m ²	Yes		Single lot.
Table 1	Battleaxe Lots	Minimum Site Area Required: Site Area Provided:	N/A	N/A	
Table 1	Minimum Frontage	Minimum Frontage Required: 12m Frontage Provided: 20.12m	Yes		Eastern frontage to Wilson St. Southern frontage is greater.
5.1.2	Street Setback				
C2.1	Primary Street Setback (Table 1)	Minimum / Average Setback Required: 6m Minimum / Average Setback Provided: 18.0m	Yes		Eastern frontage to Wilson St.
C2.2	Secondary Street Setback (Table 1)	Minimum Setback Required: 1.5m Setback Provided: 1.0m	No	Yes	Building has verandah to all faces to enhance both street elevations. Setback has been minimised to increase setback to residential lot on northern side giving more privacy to adjoining lot.
C2.3	Truncation (As per Secondary Street)	Minimum Setback Required: 1.5 Setback Provided:	N/A	N/A	Proposed dwelling is well setback from corner.
6.2.2	Minor Incursions	Maximum 1m if not more than 20% of frontage.	N/A	N/A	
5.1.3	Lot Boundary Setback				
C3.1	Side Setbacks	Minimum Side Setback Required: 4.0m northern side Setback Provided: 3.12m northern side	No	Yes	Verandahs to northern side are to be screened. Building has been moved further to the south to increase privacy to both this and the adjoining residential lot. No adverse impact on adjoining lot and does not reduce solar access.

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C3.1	<u>Rear Setback</u>	Minimum Rear Setback Required: 6m Setback Provided: 13.99m	Yes		
C3.2	<u>Boundary Walls</u>	Maximum length / height permitted: Maximum length / height proposed:	N/A	N/A	
5.1.4	Open Space				
C4	<u>Open Space</u> (Table 1)	Open Space Required: 50% of site Open Space Provided: 70%	Yes		Total dwelling area is 276m ² .
C6	<u>Building Height</u> (Table 3)	Maximum wall / roof height: Wall 6m/Roof 9m Wall height / roof provided: Wall 5.18m/Roof 7.14m	Yes		
5.2	Context				
5.2.1	Garages and Carports				
C1.1	<u>Primary Street Garage Setback</u>	Setback Required: Setback Provided:	N/A	N/A	
C1.2	<u>Carport Setbacks</u>	Setback Required: Setback provided:	N/A	N/A	
C1.3	<u>Manoeuvring Space</u>	6m minimum required if garage or carport fronts a private street or right of way	N/A	N/A	
C1.4	<u>Secondary Street Garage Setback</u>	Setback Required: Setback Provided:	N/A	N/A	
C1.5	<u>Maximum Carport Width</u>	Maximum width permitted: Maximum width proposed:	N/A	N/A	
5.2.2	Garage Width				
C2	<u>Garage Width</u>	Where a garage is in front of or within 1m of the dwelling, facing the primary street, max 50% at the setback line. 60% where there is an upper level balcony and the dwelling entry is clearly visible.	N/A	N/A	
5.2.3	Street Surveillance				
C3.1	<u>Dwelling Entry</u>	Clearly definable entry point require, visible and accessed from the street.	Yes		Stairs & verandah face primary street.

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C3.2	<u>Major Openings</u>	At least one major opening from a habitable room faces the street or the pedestrian or vehicle approach.	Yes		Major openings face both street aspects.
5.2.4	<u>Street Walls and Fences</u>				
C4	<u>Front Fences</u>	Front fences within the primary street setback area to be visually permeable above 1.2m of natural ground level.	N/A	N/A	
5.2.5	<u>Sight Lines</u>				
C5	<u>Sight Lines</u>	Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where structures adjoin vehicles access points.	N/A	N/A	
5.3	Site Planning and Design				
5.3.1	<u>Outdoor Living Areas</u>				
C1.1	<u>Outdoor Living Area</u> (Table 1)	Minimum area required: No minimum Minimum area provided: 861m² Behind the street setback area; Directly accessible from a habitable room; Min dimension of 4m; Min two-thirds without permanent roof cover.	Yes		Garden and verandah are directly accessible from habitable rooms. Covered verandah is 110.27m ² therefore approx. 74% of the outdoor living area is without permanent roof cover.
5.3.2	<u>Landscaping</u>				
C2	<u>Landscaping</u>	See provisions i. – x. in the R-Codes.	N/A	N/A	
5.3.3	<u>Parking</u>				
C3.1	<u>Resident Parking</u>	Number of spaces required: 2 Number of spaces provided: 2	Yes		Two spaces provided immediately adjoining dwelling.
5.3.4	<u>Design of Parking Spaces</u>				
C4.1	<u>AS2890.1</u>	Spaces and manoeuvring designed in accordance with AS2890.1	N/A	N/A	

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
5.3.5	Vehicular Access				
C5.1	<u>Access to On-Site Parking</u>	Where available from a ROW; Secondary street if no ROW; Primary street if no secondary street or ROW.	Yes		Access is via Wilson St.
C5.2	<u>Driveways</u>	4 dwellings or less, not narrower than 3m; None wider than 6m at the street boundary and 9m in aggregate.	Yes		3m at street, widening to dwelling.
C5.3	<u>Driveway Location</u>	No closer than 0.5m to side boundary or street pole; No closer than 6m to a street corner; At right angles to the street; Avoid street trees or replace at applicant's cost.	Yes		Complies with all requirements.
5.3.7	Site Works				
C7.1	<u>Excavation or Fill in Street Setback</u>	Not exceeding 0.5m between the street and building or within 3 m of street alignment whichever the lesser.	N/A	N/A	
C7.2	<u>Excavation or Fill more than 1m from boundary</u>	Within site but more than 1m from boundary, must comply with building heights	N/A	N/A	
C7.3	<u>Excavation or Fill within 1m of side or rear boundary</u>	Behind street setback and within 1 m of common boundary – not more than 0.5 m.	N/A	N/A	
5.3.8	Retaining Walls				
C8.1	<u>Retaining more than 0.5m</u>	Setback from lot boundaries in accordance with Table 1.	N/A	N/A	
C8.2	<u>Retaining less than 0.5m</u>	Can be on or within 1m of lot boundaries.	N/A	N/A	
5.3.9	Stormwater				
C9	<u>Stormwater Retention</u>	Must be contained on site.	Yes		Standard condition of building approval.
5.4	Building Design				
5.4.1	Visual Privacy				

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C1.1	<u>Setbacks for Visual Privacy</u>	R50 or lower; 4.5m for bedrooms and studies, 6m for other habitable rooms, 7.5m for outdoor active habitable spaces. R60 and above; 3m for bedrooms and studies, 4.5m for other habitable rooms, 6m for outdoor active habitable spaces.	No	Yes	Screens to 1.65m with 75% min blackout are to be installed to the unenclosed outdoor living area along the northern elevation and a portion of the eastern elevation which overlook the adjoining residential lot.
5.4.2	Solar Access				
C2.1	<u>Solar Access</u>	Shall not exceed 25% of adjoining site on R25 or lower, 35% for R30 and R40 and 50% for R50 and above.	Yes		No shadow will be cast on adjoining properties at midday, 21 June.
5.4.3	Outbuildings				
C3	<u>Outbuildings</u>	See provisions I – viii of the R-codes.	N/A	N/A	
5.4.4					
C4.3	<u>Other External Fixtures</u>	Not visible from primary street, designed to integrate with building and not visually obtrusive.	Yes		
C4.4	<u>Antennas and Satellite Dishes</u>	Not visible from primary and secondary streets.	N/A	N/A	
5.4.5	Utilities and Facilities				
C5.3	<u>Clothes Drying</u>	Screened from primary and secondary streets	N/A	N/A	



Martin Tinney
30B Wilson St
Nannup WA 6275

21st November 2017

Shire of Nannup
15 Adam St
Nannup WA 6275

To whom it may concern,

Please find enclosed my application to construct a new dwelling and shed at 30B Wilson St, Nannup in what I understand is a flood risk area.

The dwelling is proposed to be constructed with a finished floor level of 67.725m which I believe is 500mm above the 1 in 100 year AHD flood level as required by the Shire's Local Planning Scheme No.3. The shed is proposed to be constructed on a concrete slab which will not be significantly raised as it is to be used for the storage of vintage vehicles, tools and machinery. All of these items require access to the shed at ground level and can be easily removed from the property in the event that a flood is likely to occur. I also intend to locate the electrical service high on the walls rather than near the floor.

Both the dwelling and the shed will be connected to the reticulated sewer network in the Wilson Street road reserve.

Due to the requirement to raise the dwelling above the flood level, I am proposing to locate the dwelling at the Wilson Street end of the property and close to the southern boundary (2m) in order to have the least impact on the neighbouring residential properties. The two existing dwellings on Trapper Trail are both original cottages and as such are single storey buildings located at ground level. The dwelling on Terry Street which is the property immediately adjoining my property to the south, is located approximately 120m away from my boundary. I believe that even given its height, my dwelling will have limited visual or privacy impacts on these properties if the proposed location is approved.

I would also like to construct the shed in the same style as the dwelling to make it more aesthetically pleasing given its proposed location at the front of the property. The proposed skillion roof will be pitched at the same level as the dwelling roof which will result in a maximum wall height on the northern face of 4.0m which I understand is not consistent with the maximum height limit of 3m in the Shire's outbuildings policy. I wish to point out that a pitched roof shed could have a ridge height of 5m under that same policy whereas the shed I am proposing will have a maximum overall height of just over 4m. I believe that the overall impact of my proposed shed will be less than a pitched roof shed at the maximum allowable height.

The walls of the shed will be clad in timber and Colourbond to match the dwelling.

I hope the above proposal meets with Council approval.

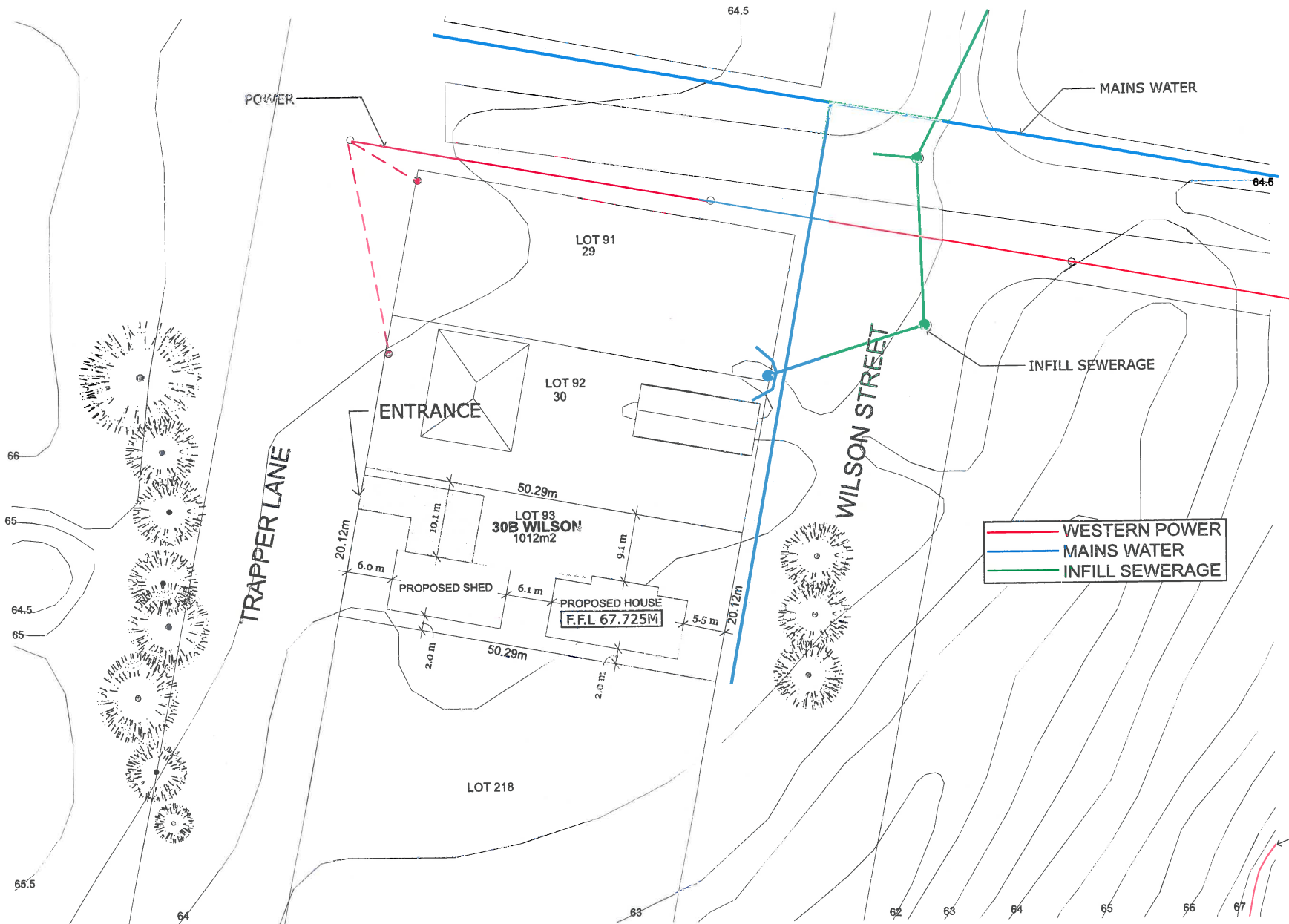
Regards,



Martin Tinney



SITE VIEW
 SCALE 1: 200



Date:
 09/08/2017

Drawn by:
 Gary Dobbin

Client
 MARTY TINNEY
 308 WILSON ST
 NANNUP 6275 WA

PROJECT:
PROPOSED HOME for
MARTY TINNEY
308 WILSON ST, NANNUP



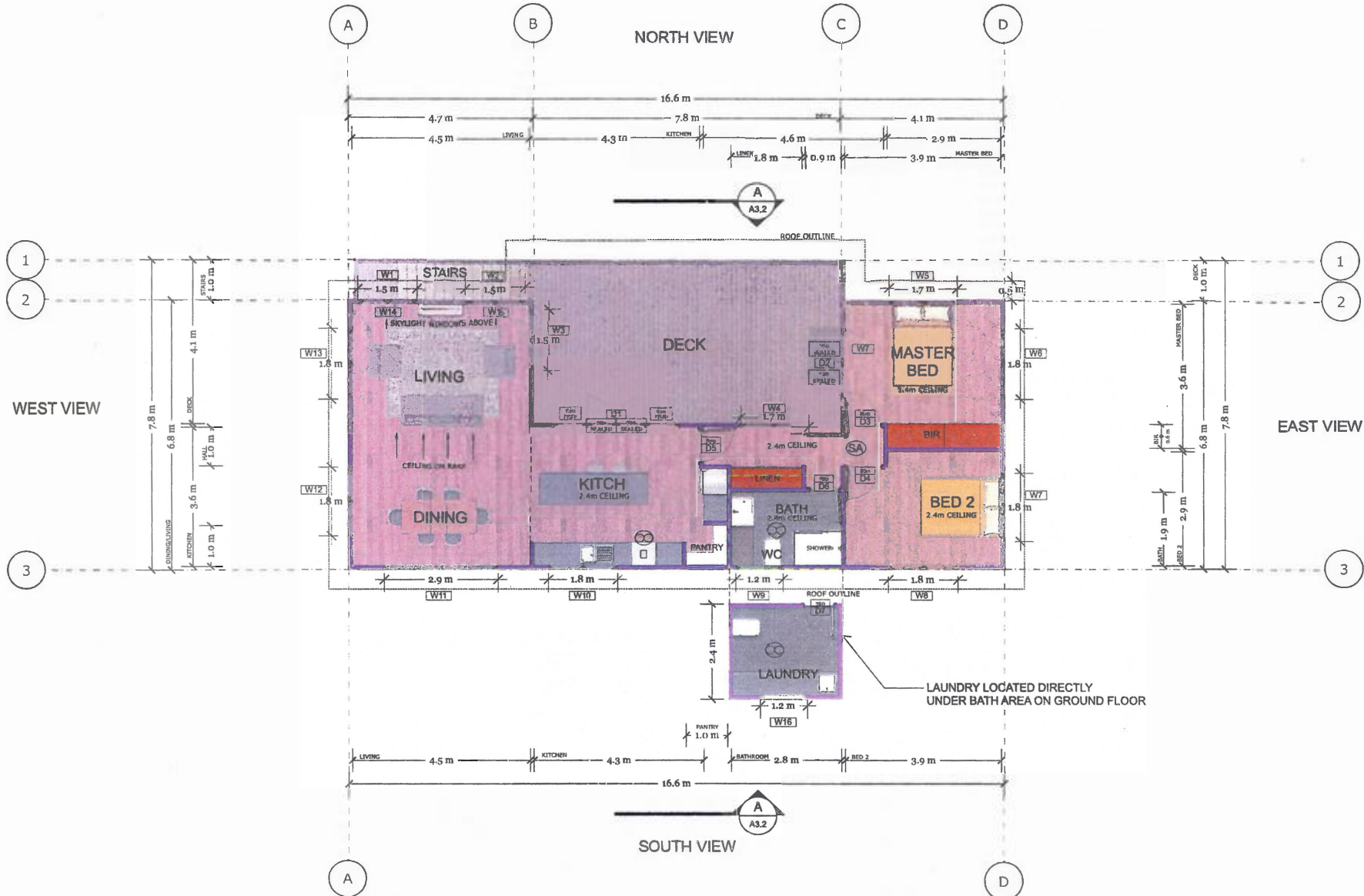
FLOOR PLAN

LINTEL SPAN TABLE

SPAN	LINTEL
610 - 90 x 45 MGP10	
1210 - 120 x 45 MGP10	
1810 - 140 x 45 MGP10	
2410 - 190 x 45 MGP10	

PROPOSED AREAS

LIVING AREAS	89 m ²
DECK AREA -	35.2 m ²
TOTAL	245 m ²



⊗ FAN - MECHANICALLY VENTILATED TO BE FLUED TO THE OUTSIDE AIR.

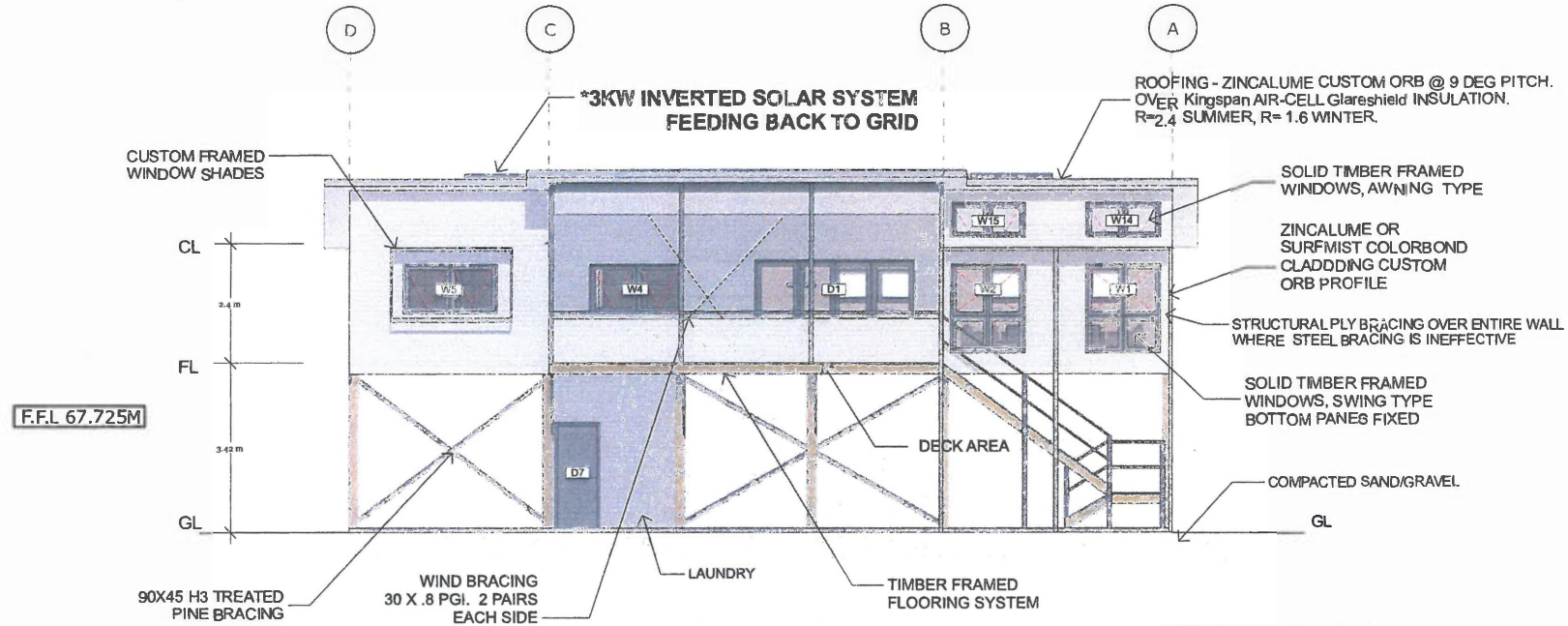
SA SMOKE ALARM TO MEET AS3766 HARD WIRED AND BATTERY BACKUP.

*TERMITE TREATMENT - FULL HAND SPRAY TO A.S. 3660.1

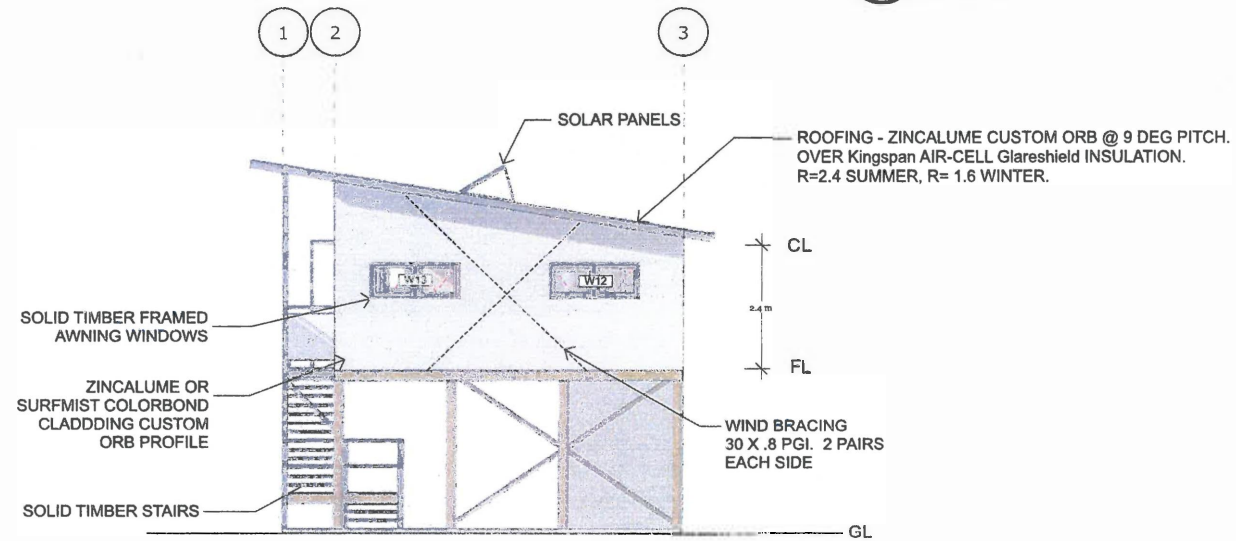
*CONNECTED TO MAINS SEWERAGE.

1 FLOOR PLAN
 2.1 SCALE: 1:100

A2.0



1 NORTH ELEVATION
 3.0 SCALE 1:100

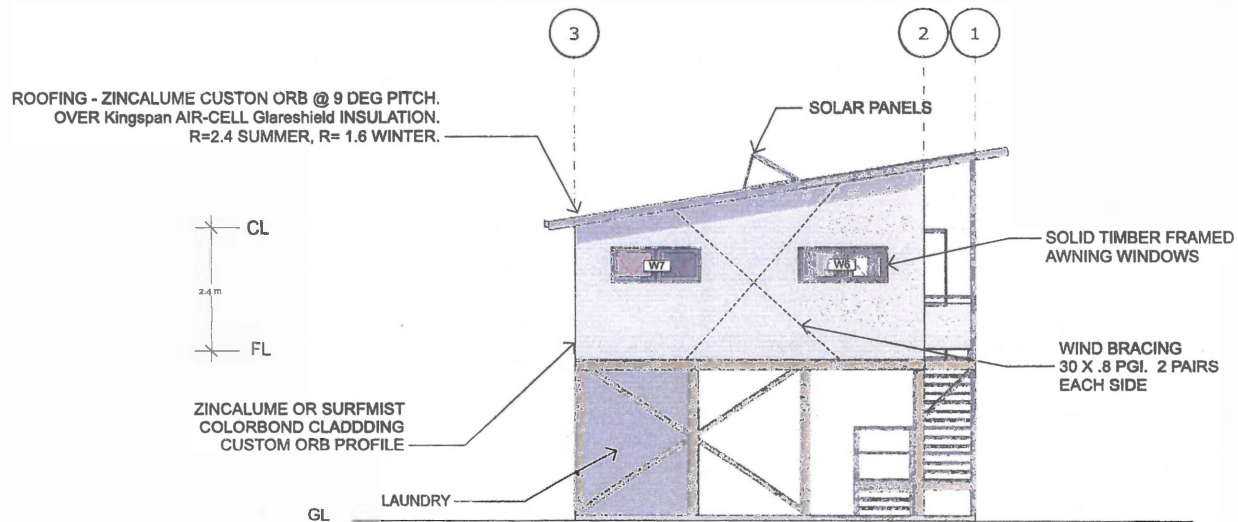
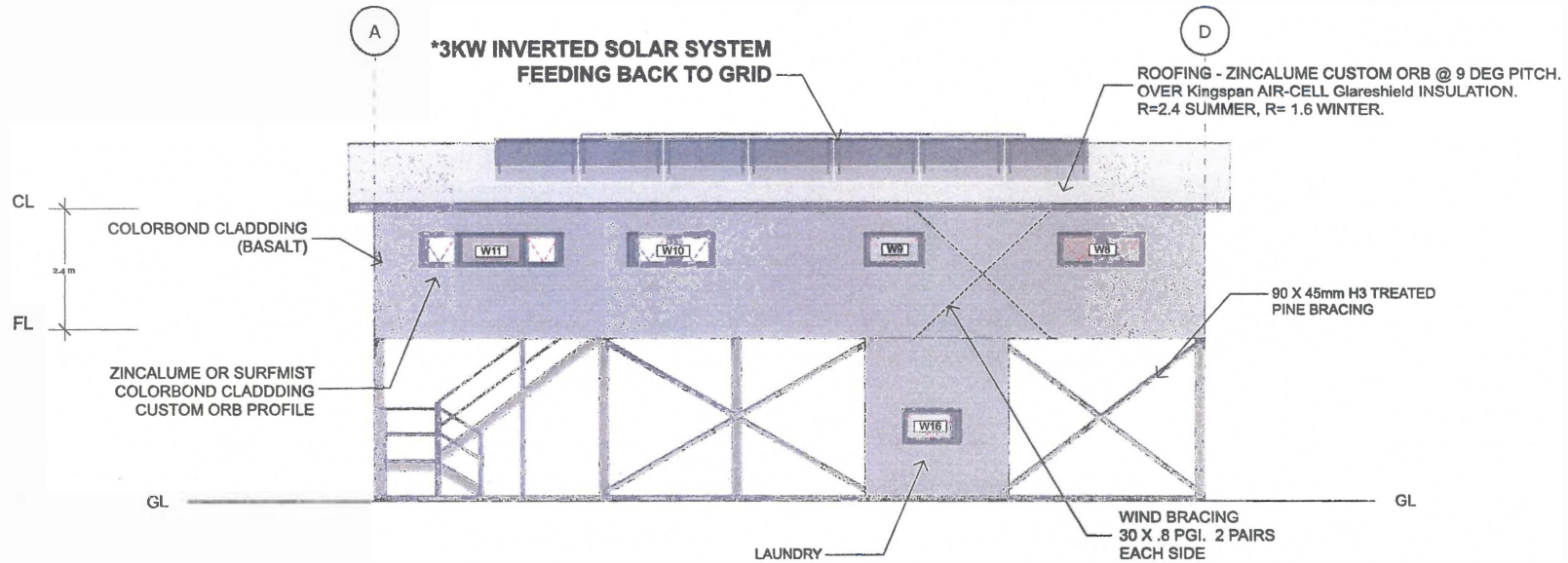
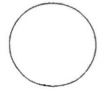


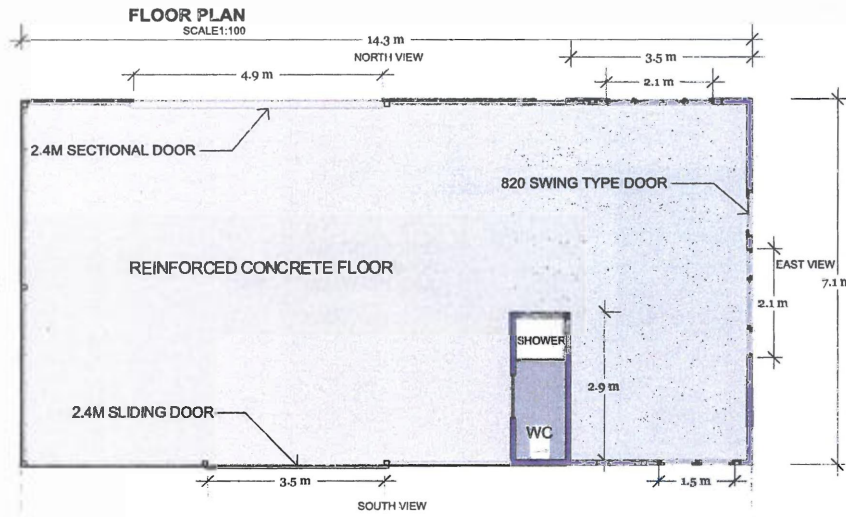
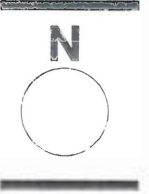
2 WEST ELEVATION
 3.0 SCALE 1:100



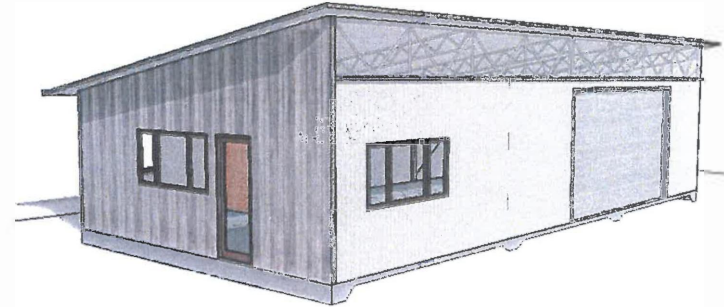
ELEVATIONS

A3.0



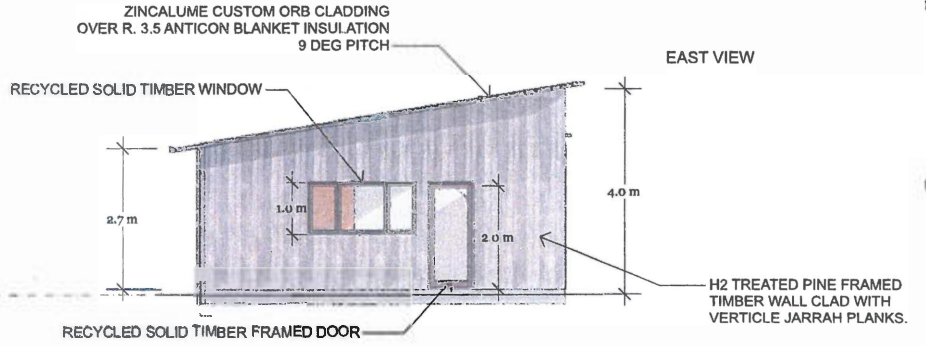
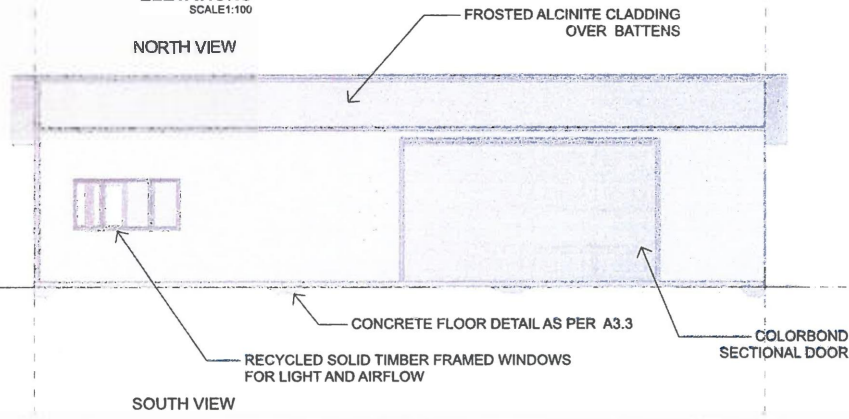


PERSPECTIVE
N.T.S



ELEVATIONS
SCALE 1:100

NORTH VIEW



METAL FRAMED SLIDING DOOR
CLAD WITH ZINCALUME
CUSTOM ORB PROFILE.

SHEARLINE 100MM GUTTER

ZINCALUME CUSTOM ORB CLADDING

Date:
 09/08/2017

Drawn by:
 Gary Dobbin

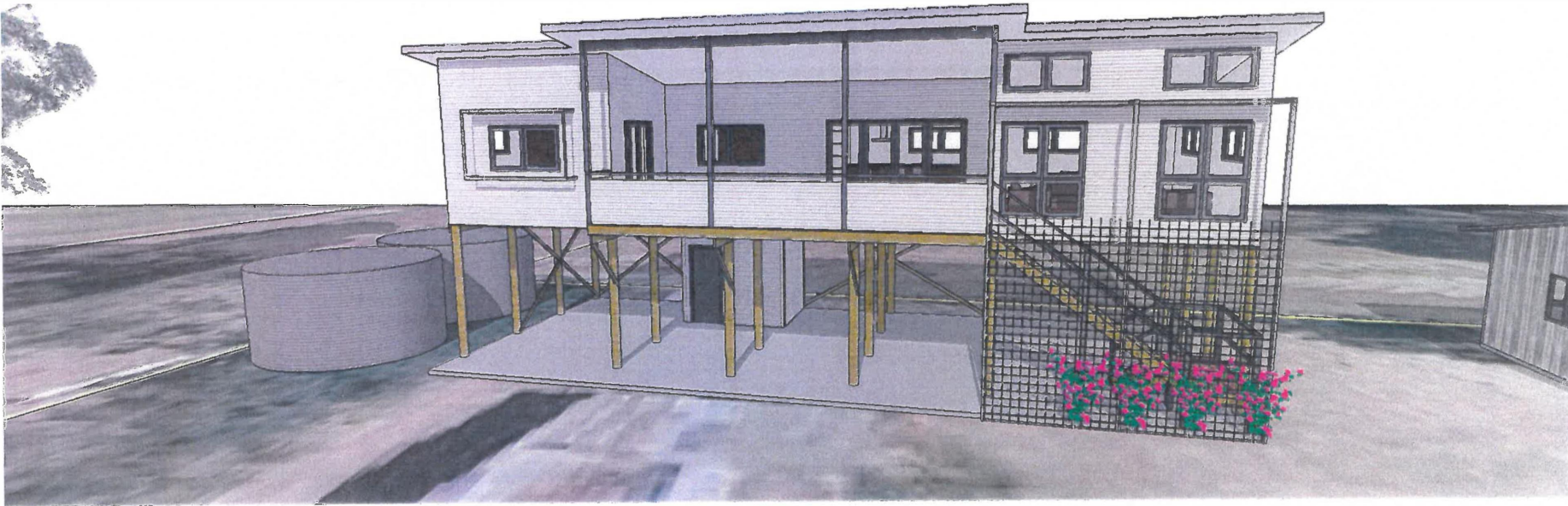
Client
 MARTY TINNEY
 30B WILSON ST
 NANNUP 6275 WA

PROJECT:
PROPOSED HOME for
MARTY TINNEY
30B WILSON ST, NANNUP

N



PERSPECTIVES



1 NORTH PERSPECTIVE
 0.0 N.T.S



2 WEST PERSPECTIVE
 0.0 N.T.S

A0.0

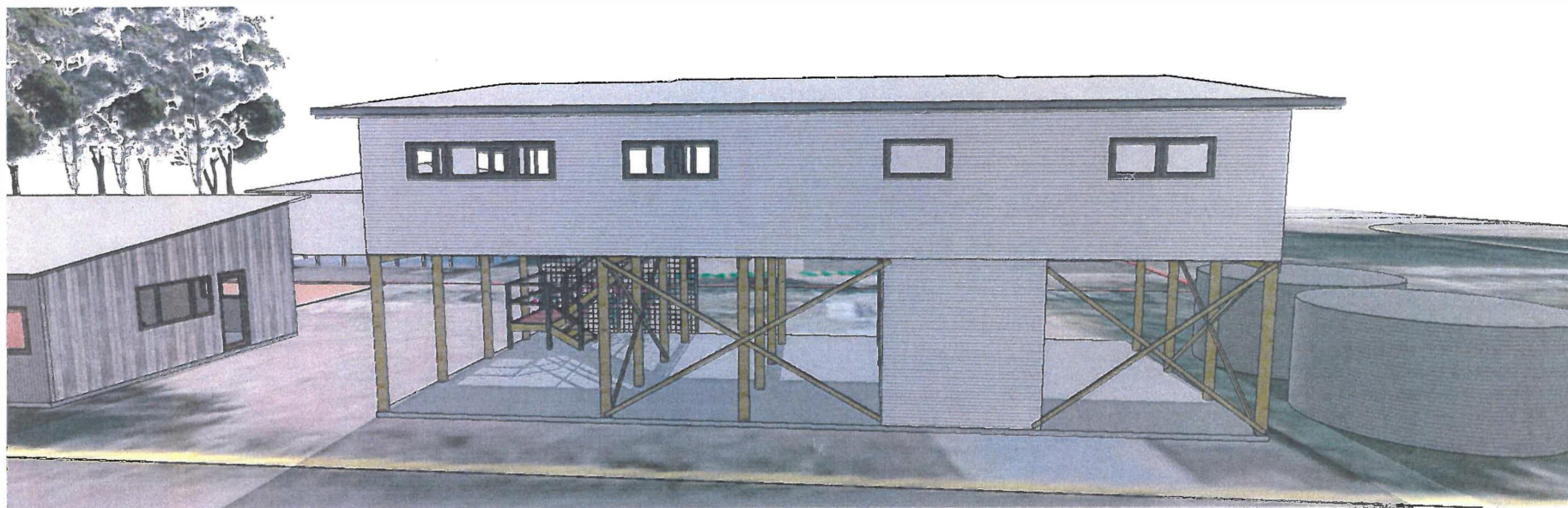
Date:
09/08/2017

Drawn by:
Gary Dobbin

Client
MARTY TINNEY
30B WILSON ST
NANNUP 6275 WA

PROJECT:

PROPOSED HOME for
MARTY TINNEY
30B WILSON ST, NANNUP



1 SOUTH PERSPECTIVE
0.1 N.T.S



2 EAST PERSPECTIVE
0.2 N.T.S



PERSPECTIVES

A0.1

Jane Buckland

From: Librarian
Sent: Tuesday, 12 December 2017 3:09 PM
To: Jane Buckland
Subject: FW: Single timber framed house in a flood prone area at 30B (Lot 93 on Plan 130080) Wilson Street, Nannup - A1580
Attachments: NANNUP-02-05.pdf

From: Daniel Wong [<mailto:daniel.wong@dwer.wa.gov.au>]
Sent: Tuesday, 12 December 2017 3:04 PM
To: ShireofNannup
Subject: Single timber framed house in a flood prone area at 30B (Lot 93 on Plan 130080) Wilson Street, Nannup - A1580

12th December 2017

Our Reference: PA 017661, DWERDT29397

Your Reference: A1580

To: Shire of Nannup

From: Department of Water and Environmental Regulation

Attention: Jane Buckland

RE: Single timber framed house in a flood prone area at 30B (Lot 93 on Plan 130080) Wilson Street, Nannup

Dear Jane,

Thank you for referring this proposal to the Department for our comment.

The Department of Water and Environmental Regulation provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage.

The Blackwood River Flood Study through Nannup shows that the lot is significantly affected by flooding during major river flows with the following flood levels expected (refer to attached plan):

1 in 25 AEP	65.6 m AHD
1 in 100 AEP	67.23 m AHD.

An observed flood level of 67.8 m AHD was recorded at Kearney Street (approximately 600 metres upstream) for an event in January 1982. This event is similar in magnitude to the expected 1 in 100 AEP flood event.

When development is proposed within the floodplain our department assesses each proposal based on its merits and the factors examined include depth of flooding, velocity of flow, its obstructive effects on flow, possible structural and potential flood damage, difficulty in evacuation during major floods and its regional benefit.

With regard to this proposal the following comments are provided:

- The general natural surface level of the Lot is below 65.0 m AHD.
- The entire Lot is subject to flooding of over 0.5 m deep during a 1 in 25 AEP event. This depth is considered hazardous to some vehicles and to children and the elderly. The distance to higher ground above the 1 in 25 AEP floodplain is relatively long (greater than 100 metres). Consequently, there would be some potential difficulty in evacuation during an event of this magnitude.
- Flood depths in 1 in 100 AEP event are expected to exceed 2.0 metres. This depth is considered hazardous to people, vehicles and buildings and would pose significant difficulties for evacuation and potential dangers to any people sheltering in the dwelling during an event.
- The proposed dwelling (combined with similar potential developments on the Lots between Kearney and Wilson Street) has the potential to be obstructive to major flows.

Based on the above discussion, we do not consider the proposed dwelling acceptable with regard to major flooding.

Please note that a failure to properly adhere to these recommendations will result in a greater exposure to risks of flood damage. It should be noted that this advice is related to major flooding only and other planning issues, such as environmental and ecological considerations, may also need to be addressed.

Thank you.

Yours faithfully,

Daniel Wong

Environmental Officer
Department of Water and Environmental Regulation
South West Region

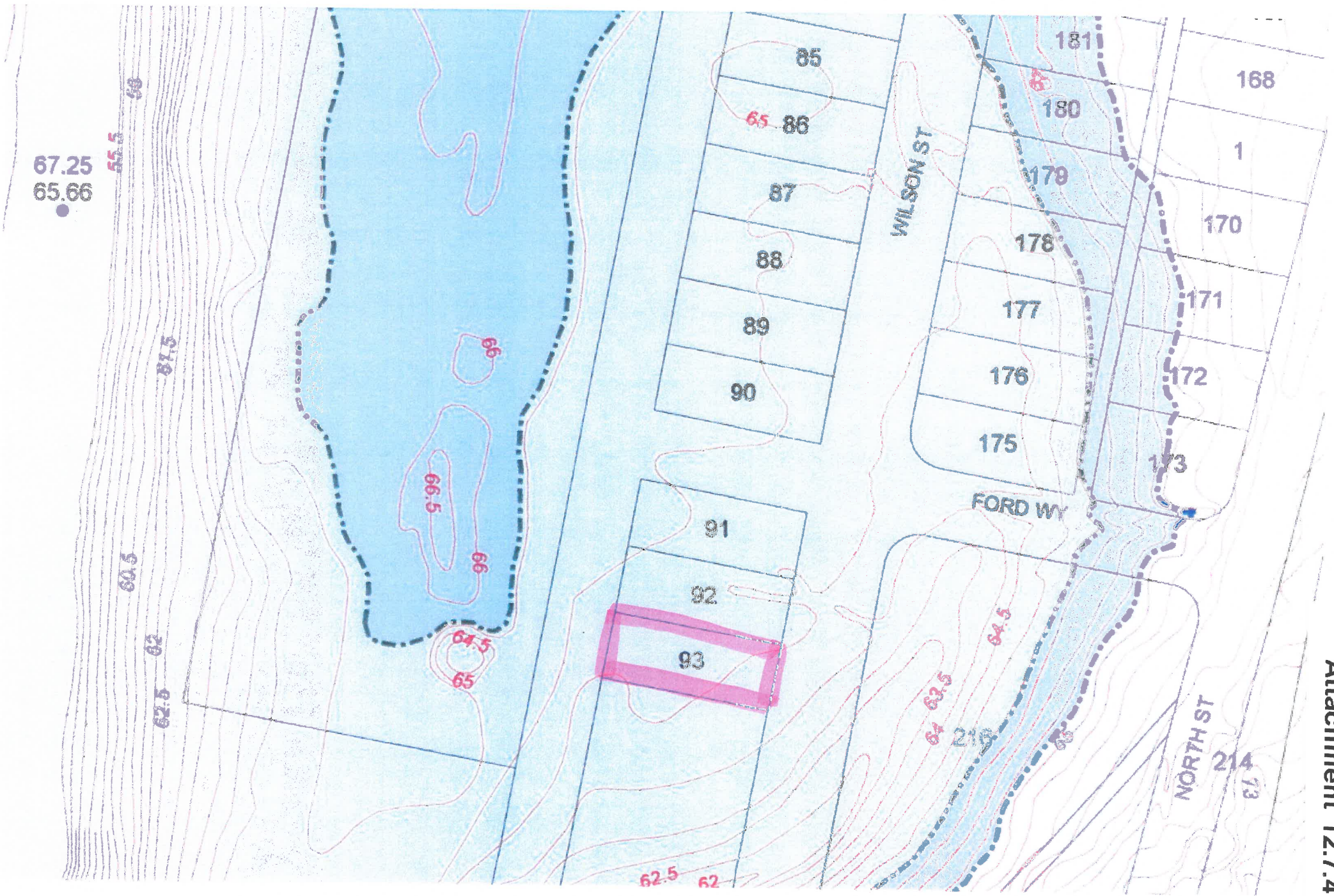
Email: daniel.wong@dwer.wa.gov.au
Phone: 08 9726 4113
Fax: 08 9726 4100
Postal: PO Box 261, Bunbury, WA 6231
Location: 35-39 McCombe Road, Bunbury, WA 6230

Water Resource Advice Only

The Department of Water has recently merged with the Department of Environment Regulation and Office of the Environmental Protection Authority to create the new agency Department of Water and Environmental Regulation.

The former agencies are in the process of amalgamating their functions. Until this fully occurs, please note that the advice in this correspondence pertains only to water resource matters previously dealt with by the Department of Water.

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.



PART 6 – SPECIAL CONTROL AREAS

6.1 OPERATION OF SPECIAL CONTROL AREAS

The following Special Control Areas are shown on the Scheme Maps:

- **Flood Risk Land** – relates to areas liable for flooding.
- **Landscape Values Area** – relates to the conservation and enhancement of significant natural and man made landscapes including the preservation of significant vegetation, prominent landforms and view corridors.
- **Special Rural Policy Area** – relates to areas considered suitable for further investigation for rural-residential development.
- **Heritage Area** – relates to the conservation and enhancement of heritage areas – Refer Clause 7.2.
- **Public Drinking Water Source Area** – relates to the protection of public drinking water supplies.

6.2 SPECIAL CONTROL AREA PROVISIONS

Special control areas are shown on the Scheme Map. The provisions of the special control area apply in addition to the provisions of the zone and any general provisions of the Scheme.

6.2.1 Flood Risk Land

6.2.1.1 Notwithstanding any other provision of the Scheme.

- (a) the local government shall not grant approval to the carrying out of any development on land (or portion(s) thereof) that is shown on the Scheme Map as being flood risk land or where land abuts the Blackwood River unless an assessment has been made of:
 - (i) the effect of the proposed development on the efficiency and capacity of the floodway to carry and discharge flood water;
 - (ii) the safety of the proposed development in time of flood; and
 - (iii) whether the proposed development involves any possible risk to life, human safety or private property in time of flood.
- (b) A person shall not carry out any development on land (or portion(s) thereof) identified as flood prone land on the Scheme Map or on other land which, in the opinion of the local government, may be liable to flooding, unless:
 - (i) the floor of any dwelling house or other habitable building is, or will be, raised a minimum of 500 millimetres (mm) above the 1 in 100 year flood level identified for the land;
 - (ii) the base of the septic tank/leach drain system is to be a minimum 300mm above the 1 in 100 year flood level identified for the land and fitted with appropriate devices to prevent back flow of effluent or ground water. This requirement may be removed if an approved alternative treatment unit was installed instead of a conventional septic tank/leach drain effluent disposal system;
 - (iii) where the proposed development is for residential purposes an engineering certification is to be submitted. This

- (iv) certification is to ensure that the dwelling has been designed taking into account the potential forces of flood waters; and where the proposed development is for residential purposes a licensed survey shall be submitted confirming the floor level height of the building compared to the identified flood level for the portion of the subject land. This survey is to be carried out and submitted for local government endorsement upon completion of the sand pad or stumping network of the proposed building. No further works on the proposed building are to be commenced until local government endorsement of the survey information has been given.

6.2.1.2 For land identified by the Blackwood River Flood Study 1983 as being within the 1 in 25 year flood level, residential development (new dwellings and extension to existing dwellings) should be connected to the reticulated sewerage network unless the applicant suitably demonstrates to the satisfaction of the local government that-

(a) On-site effluent disposal can be accommodated to address human health and environmental risk; and

(b) it is not feasible to connect to the reticulated sewerage network.
AMD 14 GG 13/06/14

6.2.1.3 Where proposals are received for the development of extensions or additions to existing residential development sited within a flood risk area, the requirements of sub-clause 6.2.1.1(b)(i) will be waived where such extensions/additions do not exceed 25 per cent of the floor area of the existing building. *AMD 7 gg 9/3/2010*

6.2.1.4 Proposals for the development of tourist or commercial uses within flood risk land will be assessed by the local government having regard to the type, size and scale of the proposed development and the comments of the Department of Water which are to be sought and obtained prior to any decision being made. *AMD 7 gg 9/3/2010*

6.2.1.5 For the purposes of sub-clause 6.2.1.1, the local government may consult with, and take into consideration, the advice of the Department of Water, in relation to the delineation of flood ways and flood prone land, the effect of the development on a floodway, and any other measures to offset the effects of flooding. *AMD 7 gg 9/3/2010*

6.2.1.6 Any decision made by the local government in pursuance of this clause is deemed to be a decision made in 'good faith' and the local government is hereby forever indemnified against any claim made by any person and relating to any loss whatsoever arising from such a decision.

6.2.1.7 Where land which is identified as being Flood Risk Land is proposed to be subdivided the local government, if resolving to support the application for subdivision, shall recommend to the Commission that memorials be placed on newly created titles to ensure prospective purchasers are aware that the land may be prone to flooding.

6.2.2 Landscape Values Area

6.2.2.1 The places identified on the Scheme Map as being within a Landscape Values Area are those areas considered by the local government to be of particular scientific, scenic or other value and should be retained in their present state, or restored to their original state or to a state acceptable to the local government.

RESIDENTIAL DESIGN CODES – SINGLE HOUSE ASSESSMENT

Assessment Number:	A1580
Date:	13/11/2017
Planning Officer:	Jane
Applicant:	Martin Tinney
Proposal:	Single House
Property Address:	30B Wilson St, Nannup
Zoning: Town Planning Scheme No 3:	Residential R15
Use Class:	Single House
Permissibility (i.e.P, D, A, X):	P
Lot Area:	1012m²

Residential Design Codes – Part 5 – Design Elements					
	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
5.1	Context				
5.1.1	Site Area				
C1.1	<u>Minimum Site Area</u> (Table 1)	Minimum / Average Site Area Required: Minimum / Average Site Area Provided:	N/A		
Table 1	<u>Battleaxe Lots</u>	Minimum Site Area Required: Site Area Provided:	N/A		
Table 1	<u>Minimum Frontage</u>	Minimum Frontage Required: Frontage Provided:	N/A		
5.1.2	Street Setback				
C2.1	<u>Primary Street Setback</u> (Table 1)	Minimum / Average Setback Required: 6m Minimum / Average Setback Provided: 6m	Yes		
C2.2	<u>Secondary Street Setback</u> (Table 1)	Minimum Setback Required: 1.5m Setback Provided: 5.5m	Yes		
C2.3	<u>Truncation</u> (As per Secondary Street)	Minimum Setback Required: Setback Provided:	N/A		
6.2.2	<u>Minor Incursions</u>	Maximum 1m if not more than 20% of frontage.	N/A		
5.1.3	Lot Boundary Setback				
C3.1	<u>Side Setbacks</u>	Minimum Side Setback Required (): 4.8m north & 4.2m south Setback Provided (): 9.1m north & 2.0m south	No	Yes	
C3.1	<u>Rear Setback</u>	Minimum Rear Setback Required: Setback Provided:	N/A		
C3.2	<u>Boundary Walls</u>	Maximum length / height permitted: Maximum length / height proposed:	N/A		
5.1.4	Open Space				
C4	<u>Open Space</u> (Table 1)	Open Space Required: 50% of site Open Space Provided: 70%	Yes		

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C6	<u>Building Height</u> (Table 3)	Maximum wall / roof height: Wall 6m/Roof 9m Wall height / roof provided: Wall 6.9m/Roof 7.3m	No	Yes	Average wall height for building is 6.32m. Walls are over-height due to requirement to raise FFL above 1 in 100 flood level and skillion roof design.
5.2	Context				
5.2.1	Garages and Carports				
C1.1	<u>Primary Street Garage Setback</u>	Setback Required: Setback Provided:	N/A		
C1.2	<u>Carport Setbacks</u>	Setback Required: 6m Setback provided: 6m	Yes		Single carport located under dwelling
C1.3	<u>Manoeuvring Space</u>	6m minimum required if garage or carport fronts a private street or right of way	N/A		
C1.4	<u>Secondary Street Garage Setback</u>	Setback Required: Setback Provided:	N/A		
C1.5	<u>Maximum Carport Width</u>	Maximum width permitted: Maximum width proposed:	N/A		
5.2.2	Garage Width				
C2	<u>Garage Width</u>	Where a garage is in front of or within 1m of the dwelling, facing the primary street, max 50% at the setback line. 60% where there is an upper level balcony and the dwelling entry is clearly visible.	N/A		
5.2.3	Street Surveillance				
C3.1	<u>Dwelling Entry</u>	Clearly definable entry point require, visible and accessed from the street.	Yes		
C3.2	<u>Major Openings</u>	At least one major opening from a habitable room faces the street or the pedestrian or vehicle approach.	Yes		
5.2.4	Street Walls and Fences				
C4	<u>Front Fences</u>	Front fences within the primary street setback area to be visually permeable above 1.2m of natural ground level.	N/A		

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
5.2.5	Sight Lines				
C5	<u>Sight Lines</u>	Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where structures adjoin vehicles access points.	N/A		
5.3	Site Planning and Design				
5.3.1	<u>Outdoor Living Areas</u>				
C1.1	<u>Outdoor Living Area</u> (Table 1)	Minimum area required: Minimum area provided: Behind the street setback area; Directly accessible from a habitable room; Min dimension of 4m; Min two-thirds without permanent roof cover.	N/A		No minimum requirement in R Codes
5.3.2	Landscaping				
C2	<u>Landscaping</u>	See provisions i. – x. in the R-Codes.	N/A		
5.3.3	Parking				
C3.1	<u>Resident Parking</u>	Number of spaces required: 2 Number of spaces provided: 2	Yes		One space under dwelling, one in garage.
5.3.4	Design of Parking Spaces				
C4.1	<u>AS2890.1</u>	Spaces and manoeuvring designed in accordance with AS2890.1	N/A		
5.3.5	Vehicular Access				
C5.1	<u>Access to On-Site Parking</u>	Where available from a ROW; Secondary street if no ROW; Primary street if no secondary street or ROW.	Yes		Access to second car parking space from secondary street.
C5.2	<u>Driveways</u>	4 dwellings or less, not narrower than 3m; None wider than 6m at the street boundary and 9m in aggregate.	Yes		Driveway 4.0m wide

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C5.3	<u>Driveway Location</u>	No closer than 0.5m to side boundary or street pole; No closer than 6m to a street corner; At right angles to the street; Avoid street trees or replace at applicant's cost.	Yes		2.0m between boundary and driveway
5.3.7	Site Works				
C7.1	<u>Excavation or Fill in Street Setback</u>	Not exceeding 0.5m between the street and building or within 3 m of street alignment whichever the greater.	N/A		
C7.2	<u>Excavation or Fill more than 1m from boundary</u>	Within site but more than 1m from boundary, must comply with building heights	N/A		
C7.3	<u>Excavation or Fill within 1m of side or rear boundary</u>	Behind street setback and within 1 m of common boundary – not more than 0.5 m.	N/A		
5.3.8	Retaining Walls				
C8.1	<u>Retaining more than 0.5m</u>	Setback from lot boundaries in accordance with Table 1.	N/A		
C8.2	<u>Retaining less than 0.5m</u>	Can be on or within 1m of lot boundaries.	N/A		
5.3.9	Stormwater				
C9	<u>Stormwater Retention</u>	Must be contained on site.	Yes		Standard condition.
5.4	Building Design				
5.4.1	Visual Privacy				
C1.1	<u>Setbacks for Visual Privacy</u>	R50 or lower; 4.5m for bedrooms and studies, 6m for other habitable rooms, 7.5m for outdoor active habitable spaces. R60 and above; 3m for bedrooms and studies, 4.5m for other habitable rooms, 6m for outdoor active habitable spaces.	No	Yes	Setbacks are sufficient for properties on all boundaries due to location of adjoining dwellings. Southern boundary ~100m to dwelling, northern boundary 9.1m to boundary.
5.4.2	Solar Access				

	Design Element	Deemed to Comply Requirements	Satisfies the 'Deemed to Comply' req's	Complies with the 'Design Principles'	Comments
C2.1	<u>Solar Access</u>	Shall not exceed 25% of adjoining site on R25 or lower, 35% for R30 and R40 and 50% for R50 and above.	Yes		Not calculated but will clearly be less than 25% of adjoining lot.
5.4.3	Outbuildings				
C3	<u>Outbuildings</u>	See provisions i. – viii of the R-codes.	Yes		Northern wall height of 4.0m is not consistent with LPP22 or the R Codes which specify a max height of 3.0m however if considered as the highest point of the roof (peak) the height is under the max of 5.0m.
5.4.4					
C4.3	<u>Other External Fixtures</u>	Not visible from primary street, designed to integrate with building and not visually obtrusive.	N/A		
C4.4	<u>Antennas and Satellite Dishes</u>	Not visible from primary and secondary streets.	N/A		
5.4.5	Utilities and Facilities				
C5.3	<u>Clothes Drying</u>	Screened from primary and secondary streets	N/A		



Outcomes of Consultation

Third Party Appeal Rights in Planning

Contents

1.0	In Brief	3
2.0	Background	3
3.0	Consultation	3
3.1	Voting and Preferred Model	6
4.0	Feedback Sought and Next Steps	7
5.0	Attachment 1: Third Party Appeals Workshops and Webinar collected comments	2

1.0 In Brief

At its September 2017 meeting, State Council noted that there is increased support for the introduction of some form of Third Party Appeal Rights in Planning in Western Australia. State Council requested that:

1. Further consultation with members be undertaken on the various concerns and suggestions which were raised in response to WALGA's *Third Party Appeal Rights in Planning Discussion Paper* ([link](#)); and
2. A review of the various forms of third party appeal rights which were proposed by members to develop a preferred model.

Two workshops were held on 1 November 2017, and a webinar held on 9 November 2017. This paper will discuss the outcomes of the consultation.

2.0 Background

In December 2016, WALGA State Council resolved to undertake research on third party appeals around Australia and further consult with members regarding the current policy position. The Association prepared a discussion paper which provided background on the development of WALGA's current policy position and a review of the arguments both for and against third party appeals which was circulated to the Local Government sector for comment and feedback.

The feedback received from members was presented to State Council at its 8 September 2017 meeting, where it was resolved that (92.9/2017) -

1. *State Council notes that there is increased support for the introduction of some form of Third Party Appeal rights.*
2. *WALGA undertakes further consultation with members on Third Party Appeal Rights, including Elected Member workshops, discuss the various concerns and suggestions raised in response to the discussion paper, the form and scope of any such appeal right should include the appropriate jurisdiction including JDAPS, SAT and WAPC to determine a preferred model.*
3. *The findings to be distributed for comment and the Item then be reconsidered by State Council.*
4. *WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.*

3.0 Consultation

The submissions received on the discussion paper were closely divided between support for some form of Third Party Appeals and opposition to their introduction. Further, amongst the submissions in favour of Third Party Appeals, the level of support varied from limiting its application to specific circumstances, such as DAP decisions, to broad appeal rights similar to the Victorian system. The range of options and ideas presented were incredibly varied, and there was no clear consensus on the form and/or scope any such rights should take.

This feedback was collated into four options which broadly capture the range of responses in support of Third Party Appeals. These four options were then used to guide workshop discussions. The options discussed, from narrowest to most broad, are as follows:

1. **Support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels:** Under this system, third party appeals would be broadly similar to the New South Wales system ([link](#)) whereby appeal rights are limited to uses such as major developments where the development is high impact and possibly of state significance. This would include the ability to appeal amendments to an existing approval.
2. **Support the introduction of Third Party Appeal Rights for decisions where discretion has been exercised under the R-Codes, Local Planning Policies and Local Planning Schemes:** Under this system, third party appeals would be broadly similar to the Tasmanian system ([link](#)) whereby third party appeals are limited to development applications where discretion has been exercised. This would include the ability to appeal an amendment to an existing approval.
3. **Support the introduction of Third Party Appeal Right against development approvals:** Including all development application approvals made by Local Governments, JDAPs and the Perth DAP, MRA or WAPC. This would include appeal rights for affected neighbours and community groups for applications and the ability to appeal amendments to an existing approval.
4. **Support the introduction of Third Party Appeal Rights against development approvals and/or the conditions or absence of conditions of an approval:** Under this system, third party appeals would be broadly similar to the Victorian system ([link](#)) whereby the provision of third party appeal rights cover most development applications and the use of, or lack of, any conditions being imposed. This would include the ability to appeal an amendment to an existing approval.
5. **Other** – as a range of options were provided by members, any alternate versions to the above, or combination of the above could be proposed, including maintaining WALGA's current policy position of not supporting Third Party Appeal Rights.

It should be noted that any form of Third Party Appeals which could be introduced into the Western Australian planning system would need to include criteria that:

- Ensures that appeals are only made on valid planning grounds and are not made for commercial or vexatious reasons.
- Limits Third Party Appeals Rights to those parties which previously made a submission on that development application during the advertising period.
- Require a short window in which to appeal (for example 14 days).

The exact details of such criteria would need to be established before any system of Third Party Appeals in Planning is implemented, however the focus of the workshops was to discuss the possible scope and form any such appeal rights should take in order to determine a preferred model.

The workshops followed a 'market place' format, whereby each of the options had its own table and facilitator to guide discussion. Workshop participants circulated between tables so that they could discuss the strengths and weaknesses of each option. There was also an opportunity for participants to provide a 'fifth option' if they had a preferred model which was not captured by the four options provided. Webinar participants were presented and provided an opportunity to discuss each option, and were given the opportunity to present their own preferred models.

During the workshops, there was a general consensus on the benefits that the introduction of Third Party Appeal Rights would provide. These included:

- Greater accountability of decision-makers, including Local Government, Development Assessment Panels and the State;
- Greater transparency in the planning decision-making process;
- Improved consultation by applicants;
- Increased community confidence in the planning system and planning decisions; and
- More equity between applicants and appellants.

There was also general agreement on areas of concern should some form of Third Party Appeals be introduced. These included:

- Increased costs, in terms of both staff resources and financial requirements;
- More time required for a development to receive a planning approval in order to allow for third party appeals;
- Introduction of Third Party Appeal Rights would be counter to current efforts to streamline the planning process;
- Introduction of Third Party Appeal Rights would create uncertainty for the development industry;
- Removal of decision making power from Local Government;
- Raises community expectations which may not be met in practice;
- Creates an adversarial/litigious environment around planning decisions; and
- Introduction of Third Party Appeals does not address most of the underlying concerns regarding the current planning system.

It was also clear from the discussions that any system of Third Party Appeals would need to be carefully constructed and provide clear guidance on several issues, including:

- When and how a third party can lodge an appeal, and the types of appeals that would be supported;
- Ensuring appeals are only lodged for proper planning grounds, and not for vexatious or competitive purposes;
- Whether 'deemed-to-comply' decisions would be appealable; and
- Would third party appellants be provided some form of 'legal aid' to assist in lodging appeals, to keep the process from being cost prohibitive?

A complete list of comments for each option, as well as possible modifications and suggested 'Fifth Options' is included in **Attachment 1**.

After reviewing all of the options and discussing the advantages and disadvantages of each, participants were asked to vote for their preferred model. Voting was via secret ballot for workshop attendees and via confidential messaging for webinar participants. Participants were also asked to indicate whether they were Elected Members or Officers, so that the results could be captured separately.

3.1 Voting and Preferred Model

In total, 30 votes were cast by participants, 27 by officers and three by Elected Members.

A breakdown of the votes are as follows:

- **Option 1** = 9 votes
- **Option 2** = 6 votes
- **Option 3** = 3 votes (includes 2 Elected Member votes)
- **Option 4** = 1 vote (includes 1 Elected Member vote)
- **Option 5** = 11 votes

It must be noted that although Option 5 received the most votes, this option allowed members to provide their own Third Party Appeal Rights model. Subsequently, of the 11 votes for Option 5, six of these votes were in support of no Third Party Appeal Rights of any kind, while the remaining five votes were each for differing versions of Third Party Appeal rights which those participants supported.

As such, the option which received the greatest level of clear support was Option 1 in support of the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels. A summary of the most common remarks, both for and against, is provided below (for a complete list see Attachment 1).

Option 1: Third Party Appeal Rights for decisions made by Development Assessment Panels

For	Against
Local Government would be able to appeal a DAP decision and defend the merits of their policies and enforceability of their conditions.	Will still require increased staff and resources.
Addresses community concerns that decisions are being made 'removed' from the local community, leading to improved community confidence in the system.	Possibility that the minister could remove Elected Members from DAPs if Local Government can appeal anyway. Possible conflict of interest for Elected Member panellists.
More transparent process with more accountable DAP members, in both decision making and condition setting.	Elected Members may be pressured to initiate an appeal, rather than the community initiating an appeal.
Could allow for appeal on conditions that may have been removed from a RAR.	Reduces certainty in the decision making process.
A good first stage approach for the introduction of Third Party Appeal Rights - could be expanded later.	Possibility for more than one person to want to appeal - how to manage multiple appeals/appellants, and determine degree of impact?
Limits appeal rights to larger, more complex applications and would filter out 'smaller' impact applications which could potentially overburden system.	Only applies to DAP determinations, does not include applications for \$2-\$10 million that are determined by Council. If applicant does not opt in to DAPs then they avoid Third Party Appeal Rights.

May rarely be used in rural areas, is almost the status quo.	Could undermine the reason for DAPs being set up originally.
Likely that more applications will be decided by Council.	Adds another layer to an already complex system.

As can be seen, Option 1 generated strong arguments both for and against the introduction of Third Party Appeal Rights, even in limited scope.

4.0 Feedback Sought and Next Steps

As noted, the purpose of the consultation was not to develop the full details and criteria by which any system of Third Party Appeal Rights in Planning would operate, but to determine a preferred model for any proposed rights.

As such, the Association is requesting that members consider the following as the preferred model for Third Party Appeal Rights in Planning in Western Australia:

Support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels

Members are requested to advise their support or otherwise of this model of Third Party Appeal Rights by Council Resolution, to be returned to the Association no later than **15 March 2018**.

Upon receipt of the resolutions, the outcome will be reported back to State Council.

Council resolutions can be sent to the Planning and Development Team via email at planning@walga.asn.au or by mail to WALGA directly at PO Box 1544, West Perth WA 6872, Attention Planning and Development Team.

Any questions or comments can be sent to the above email or call on 9213 2000 to discussion with a member of the Team.

5.0 Attachment 1: Third Party Appeals Workshops and Webinar collected comments

Workshops attendance: 40 Attendees, 35 Local Government Officers, and 5 Elected Members, from 25 Local Government areas including:

- City of Stirling
- City of Wanneroo
- City of Vincent
- City of Subiaco
- City of Fremantle
- City of Kalamunda
- City of Cockburn
- City of Belmont
- City of Bayswater
- City of South Perth
- City of Rockingham
- City of Mandurah
- City of Joondalup
- Town of Mosman Park
- Town of Cambridge
- Town of East Fremantle
- Town of Cottesloe
- Shire Wyndham East Kimberley
- Shire of Wongan
- Shire of Beverley
- Shire of Toodyay
- Shire of Serpentine Jarrahdale
- Shire of Peppermint Grove
- Shire of Albany
- Shire of Kalgoorlie-Boulder

Option 1 Comments

Pros

- Local Government would be able to appeal a JDAP decision + can defend the merits of their policies created (developed under construction) - and enforceability of the conditions.
- Could address community concerns that decisions are made 'removed' from the local community – more influence in the process.
- Confidence in the decision making process - reinstate community confidence in the decision making process - different at each Local Government depending on the make-up/location.
- More transparent process + more accountable JDAP members, in decision making + condition setting.
- Community members can appeal decisions.
- Form 2's included in the process - ability to appeal the amendment + the conditions setting.
- More applications will come back to council.
- Legal nexus between Local Government /State policies + decision making -> TPAR would give this.
- Spread the costs between the applicants/developers/appellants/third parties.
- Could appeal on conditions that may have been removed from a RAR - (i.e. cash-in-lieu conditions removed from RAR).
- Submissions of more compliant applications /outcomes of better developments -> possible costs and time savings for developers.
- 1st stage approach for TPAR - could be expanded later.
- Community satisfaction that JDAPs' can be appealable - feeling of loss of inclusion in the process.
- Community can appeal to JDAP to enable better transparency of decisions.

- Local Government can appeal a decision (particularly when RAR is overturned + conditions).
- JDAPs - can appeal any decisions that don't align with strategic vision.
- Being limited to those complex applications/complicated issues.
- Justify the argument against the development before an appeal can be lodged - direct impact needs to be shown.
- Direct impact needs to be shown.
- Good balance.
- Appellants would have to pay for their own costs.
- Takes out the decisions that are political.
- Applications could then just go to council in the \$2-\$10 range.
- Would filter out 'smaller' impact applications which could potentially overburden system.
- May be rarely used in rural areas - almost status quo – (is it even worth having?).
- Not supportive of Third Party Appeal Rights - BUT would reluctantly support this option.

Cons

- Only DAPs - not includes \$2-10 for council determinations.
- Political only fix.
- Form 2 process back into Local Government now - so decision could then be appealed? Even if Local Government originally didn't like it. Quantitative measure for whether it is then appealable.
- Resource hungry for all involved - particularly for Local Governments.
- Not all JDAP members would be brought to SAT - only Chair.
- If Local Government supports - but the item is appealed - Local Government would be dragged in.
- Lack of certainty in the decision making process.
- Possibility for more people to be attending an appeal - how to manage? Does it become a numbers game?
- Elected Members may be pressured to put in an appeal rather than the community initiating an Appeal.
- Possibility that the minister could remove Elected Members from JDAP if Local Government can appeal anyway.
- Conflict of interest for Elected Member who sits on the panel if the Local Government appeals it.
- Conditions - in or out?
- More applications will come back to council.
- Odd paradigm to be appeal a decision - Local Government appealing JDAP when they are making a decision on their behalf.
- Could undermine the whole reason for DAPs being set up in the beginning.
- Who would prepare the appeal? Independent? Or Local Government?
- What level of strategic oversight would be included - is it local or regional benefits.
- Multiple appeals? Degrees of appeal issues.
- State or regional policy provisions/what takes precedence?
- Connection to structure planning provisions within the system - 'due regard' less weight.
- Costs unknown.
- Uncertainty for development industry.

- Advertised applications only - would JDAP then have all applications as 'advertised'? Greenfield sites/deemed to comply.
- Resources of JDAP's - who submit the appeal and manages the process?
- Could undermine the purpose of DAPs.
- Could reduce the pool of quality DAP panel members.
- Another layer to add to the system.
- Don't get may DAP applications in smaller areas.
- If applicant does not opt in to DAPs then they avoid Third Party Appeal Rights.

Modifications

- Would have to review the \$ amount? - If they opt in then all should be considered for review.
- Change new Form 2 'amendment of conditions' changes to the Regulations would be needed.
- Clarify that it's back through SAT.
- All JDAP panellists would have to be part of the appeal.
- Removal of compulsory nature of all JDAP's.
- Clarify around 'petitions' versus 'individual' vs 'interest groups'.
- Modification to what JDAP actually looks at -> review of the criteria and \$ levels-> State/regional Significance.
- RAR's to council/RAR's to have a council input.
- RAR's to include departures from policy.
- Review of DAPS/Abolish DAPs.
- Structure planning regulations.
- Clarity around the levels/type of developments.
- Renew of JDAP \$\$ types -> what should be appealable.
- Criteria for the type of appellants & JDAP consideration of whether they can appeal – possible independent panel to review before it goes to an appeal.
- Joining of appeals (relates to above). Does it impact type of applicants?
- Only ones with discretion can be appealed, - this would need to be clarified/clearly defined. Is there a threshold of discretion significance?
- Danger of including optional thresholds would be a disincentive for applicants to go to DAPs.
- Possibly modify triggers for regional areas - either dollar value lowers or have size triggers such as XXX square metres.

Option 2

Pros

- Gives ability to challenge objectivity.
- Maximise compliant applications.
- May encourage early applicant engagement with neighbours.
- Limits number of appeals, compared to other models.
- Gives better understanding within council about their decisions.
- Holds councils accountable for their use of discretion.
- Reasonable balance between applicant cost and community involvement.
- Better discussion between neighbours.
- Improve the quality of decision making – accountability of decision makers.
- One step better than the Victorian system.
- Staged approach – 'dipping toe' in to Third Party Appeals.

- Improved criticisms/content of Policy.
- Provides the community with some assurance.
- If delegation is used less – people present to council – maybe reduce number of appeals.

Cons

- Lack of clarity on what is discretion.
- Does the nature of the planning system, with its broad discretion, make this model redundant?
- Poorly framed model - But could be improved if only utilised against discretion against state & local policy.
- It's undemocratic - lesser rights than an applicant.
- It's not the Victorian model.
- Doesn't foster orderly and proper planning.
- Resource intensive - cost, delays, certainty.
- Lack of clarity around what is a discretion.
- There is a large number of discretionary decisions.
- Resource issue for council/staff resources.
- Lack of clarity around who is an affected party.
- Undermines existing discretionary mechanisms.
- Doesn't allow for appeal against incorrect assessments – would still need to go to Supreme Court.
- Too open for abuse.
- Limit creativity – is deemed provisions always the best outcome?
- Flow-on effect to tighten up discretion, leading to more prescriptive outcomes.
- Not all discretionary decisions are advertised.
- Vexatious.
- Using a planning issue to hide the real reason for appeal – appeal for non-reason.
- Could lead to officers using their delegation less, give the responsibility back to council – 'unstreamlines' Planning/leads to more political bias.
- Doesn't apply to non-LG decision makers.
- Unless the application is advertised prior to the decision being made, it is unlikely that neighbours would even know to appeal.
- Local Governments use a lot of discretion - opens a lot of applications to Third Party Appeals.
- Discretion used to manage areas with difficult landscape (e.g. slope & overlooking) and areas such as beach from development - these are always contentious and TPAR will make them very difficult to deal with.
- Opens 'run of the mill' applications to Third Party Appeals, slows the process up.
- Cost of defending decisions to the Local Government will be large.

Modifications

- A clearer framework on where it applies (advertised, in policy, LDP).
- Excludes ability to appeal on amendment.
- Application of costs - to reduce vexatious appeals.
- Limited to applications that are advertised – appeals then limited to those who were advertised to.
- Appeal limited to people who are directly affected.

- Party lodging the appeal must demonstrate that they are adversely affected – decided by SAT.
- Applicant has to defend the proposal – council can opt out?
- Independent assessment body to determine if an appeal is valid.
- Defining what a significant variation is – this is a whole other topic of discussion.
- Categories? Thresholds?
- Scope needs to be constrained – SAT should only assess the matter of discretion.

Option 3

Pros

- MRA + WAPC inclusion -> (Local Government would have some involvement) in State planning decisions with some access to decision making process.
- Community opportunity to be involved with/on WAPC/State Gov decisions.
- Limits the number of vexatious issues (compared with Option 4).
- Encourage JDAPs to give greater consideration to community value/local planning policies.
- Foster orderly and proper planning.
- Faster compliant applications (reduce time for staff) and costs.
- Local Governments made more accountable.
- MRA + WAPC and JDAP - decision makers more accountable.
- Consistent approach to "accountability". -> Both State and Local.
- Clear to the community as to what can be appealed -> every decision made rather than limited value/size?
- Should improve quality of applications
- Should improve planning processes - consultation etc., - clear strategic direction, - education of community.

Cons

- Broad in scale and range. No understanding of what the impact may be.
- Resourcing the system.
- The inclusion of amendments makes the model more complicated.
- Would require robust assessment process for determining who has Third Party Appeal Rights. Who has rights (directly affected/adjacent to?) to make submission? [formal system to determine who has third party appeal rights]
- Wonder about costs? Could have a profound impact on Local Government -> additional costs on planning + development. All costs -> substantial!
- Overlap with Building Act?
- What is the point of appealing deemed to comply?
- Not Victorian model.
- Not 'equal rights' between applicants and 3rd parties, same access to the system.
- On 'planning grounds'.
- Development uncertainty.
- Everything could go to SAT.
- Costs of going to appeal for third party
- Equity of access.

Modifications

- Deemed to comply out.
- Clear criteria - applicable/clearly understood -> 'grounds and rights'.
- Clearer system for determining appeal rights (right to appeal decisions...).
- SAT -> would need someone to assess 'rights'/leave to appeal, - 3 member panel review?
- What about the costs? Who pays? Should you award cost against? Need to consider nature of Third party appellant.
- Education on what is 'valid planning grounds'.
- Advocacy 'legal aid'.
- Modest fee, 'to be determined'.
- Accessible/understandable/affordable - [shouldn't be free].
- Seek advice 'practitioner' [independent bureau to provide advice to appellant].
- Multiple third parties -> who takes precedence? -> how do you determine priority of appellants?
- Should be some criteria on what 'value' of development could be (rather than everything).

OPTION 4

Pros

- Gives community absolute + complete community engagement.
- *Will/Might' get better outcome if issues surface that weren't previously considered.
- *Will' (above) improve the whole process (more considered) - circumvent approvals that shouldn't be given.
- That may go beyond those who have already made a decision.
- Considers community values & 'buy-in' to ultimate decision.
- Enables community to engage with the planning system at a level they can relate to.
- Makes developer more accountable about what is presented.
- It will hold the decision makers accountable.
- Could address the disillusionment of the community - those that don't feel they have a 'say' – not aware of process until decision has been made.
- Allows community the option to engage where comfortable.
- Assessment process will improve.
- Didactic role with the community - (they) gain understanding of process and are involved.
- Brings the 'local' into the current JDAP system. Makes JDAP accountable to the community.
- Would be positive to have a system that allows appellant to be 'heard'.
- Councillors (EM) would become better informed - be a part of the planning process (proper justification).
- Acknowledge community involvement in planning and policy development.
- Only legal nexus available to the individual (third party).
- Disengaged in the development process.
- Makes the system accountable/transparent.
- Costs = initial spike for 2 years, then it flattens out so only 'early' costs - will get more and consistent compliant DA applications.
- Leave provisions would 'weed' out the vexatious claims. Third Party Appeal Rights allows there to be equally between applicants and appellants.
- Appeal is the tail end of the process - community should be at the start.

- Provides 'balance' as some approvals are made as can't resource going to SAT.
- No confusion about what can be appealed.
- Applicant will pay more attention to application.
- Makes developer more accountable at the start with community.
- Make a decision making body more careful of their process - i.e. not risk their reputation.
- Lawyers/expert witnesses will do well.
- Merit in someone appealing when new information comes forth.
- Benefits to the community - can appeal anything - currently seen as silent.
- Allowing the community to have their say on issues for the greater good even if not overly affected.
- Encourage planners, JDAPs etc., to be more transparent - i.e. an appellant would be more aware of what to appeal.
- Bringing it in as Victorian model gets through the pain of strain - however equitable.
- Should be able to appeal against amendments (e.g. form 2) - minor amendments.

Cons

- Resources required to appeal a decision particularly conditions - would require extra staff/people.
- Has potential to frustrate 'all' development.
- Has potential to delay decisions.
- Adds cost to development.
- Planning system is already guided by community.
- Potentially flawed as only those who have already had an opportunity to contribute can appeal.
- Becomes a neighbourhood dispute or forum for stakeholder to 'vent' and address 'other' issues rather than 'planning'.
- Conditions - becomes very subjective about what is a valid or invalid appeal (justification) e.g. amenity, e.g. not to do with the structure more about the use of the structure.
- So many conditions are 'standard'.
- No option for a 'deemed to comply' examples shouldn't be able to be appealed.
- No certainty for a developer.
- Could allow appellants more 'creative' in their appeals.
- Takes power away from Local Government.
- Decisions that are made in good faith are challenged.
- Could act as a 'policing' option - a pressure to act differently - don't always have the threat of appeal hanging over head.
- Admission that the current system is flawed - more people saying that they are voiceless. Does that mean policies currently developed don't reflect?
- Higher level planning is currently strong and represents communities views - have due regard to Community.
- Application against the DA.
- All decisions would be advertised.
- Why another level of appeal for decisions - timing/costs/etc.?
- Logistics of how community would engage in the DA process.
- Additional costs to SAT as well as LG + community - What are the resources going to be needed?
- Large developers lodging appeals to edge out smaller developers - availability to \$.

- Developers likely to pass on any potential costs to the end user/quality of products/unexpected Consequences.
- Generally goes against the whole streamlining of the planning process.
- Concerns around raising expectations of community that they can change something they can't.
- If you place this much pressure at the end, does it detract from the strategic planning at the start?
- Takes away the applicants rights in some instances.
- Creates a litigious environment.
- Community is represented by council - therefore decisions by councils should not be included.
- What about non-discretionary decisions? Goes against broader strategic aims.
- Considering non-planning issues to satisfy community.
- Implications of costs/efficiencies - massive cost to the system.
- Implications of third parties appealing after the fact who haven't objected already - do they actually have a valid reason for appeal?
- How long is the review period going to be? Longer?
- Loss of certainty for applicants - approval doesn't always mean approval with appeals.
- Inequitable - e.g. affluent areas may have more \$\$ ability to initiate appeals.
- May attract the attention of large community groups. (Community involvement vs. activism).
- Reactive to the 'short term' rather than taking a positive approach early in the strategic process.
- Unrealistically raising community expectations to fully change a decision.
- What about multiple third parties?
- Who is directly affect? Direct impact?
- The case by case nature of 'carte blanche' approach.
- Concern around third parties coming up with conditions - e.g. non-planning basis.
- Contradictory to moves towards streamlining planning processes.
- From nothing to fully appealable is a stretch - massive shift.
- Elongated process currently don't support satisfaction with outcomes, i.e. tokenistic.
- Not a problem with the system, it's the perception of the system.
- Developers 'may' put up 'best of' hoping something will slip through.
- Local Government becoming too conservative.
- End up with a lot of 'deemed to comply' - doesn't always result in good planning outcomes.
- To open to abuse.
- Could stifle innovation in design.
- Creates an atmosphere of distrust in decision makers.
- Puts into question the whole consultation process.

Modifications

- Winding back - e.g. not including conditions in the appealable rights - i.e. standard planning conditions that protect amenity e.g. 'stormwater condition'.
- Require a balance between cost & community's right to appeal - this option goes too far.
- Requires the ability to award cost.
- The paper base (document trail) would remain the key.

- Local Government gets to appeal against WAPC decisions on sub-divisions that affect the locality/finances/budget.
- Any third party appellant may do so in their own right (i.e. without lawyers).
- Perhaps a combination of experts & community/individual.
- More decisions to be published to keep community more informed & transparent.
- Third part appeal parameters as long as better planning outcomes.
- Where there is a decision made? Connect the appellant & applicant with the decision maker stepping back.
- Mediation rather than appeal.
- [Triangle diagram with decision maker/applicant/appellant as points] :-
 - When decision is made in the affirmative, do not defend the decision, the applicant has to defend.
 - If successful costs are borne by the decision maker.
 - Leads to correct decisions being made in the first instance (sound).
- Decision maker needs to be able to set the parameters.
- Should be able to appeal against amendments.
- Creates even greater uncertainty, especially at the strategic level.
- Don't know how people will use TPAR - the cost/time associated are unknown - So fear of unknown and broadening scope increases uncertainty.

OPTION 5

- No Third Party Appeals but improve the existing decision making process. E.g. (below):
 - Compulsory training for decision makers in planning;
 - Better policy basis - should be included;
 - scheme provisions consistency;
 - community education in planning;
 - transport planning at State level to establish planning framework;
 - upfront consultation or draft of scheme + LP Strategies -(scheme as a community document);
 - Scheme amendments - what will it look like - honest representation.
- New Options (below)
 - Option 2 + Conditions + all agencies (decision makers).
 - Option 2 + all other planning decisions including subdivision, rezoning, structure plans, LDPs WITH the following features (below):
 - 21 days to submit to SAT appeal;
 - SAT refers to decision making to applicant, decision maker and consultation agencies;
 - 21 days to respond;
 - appeal on the papers only;
 - total time is set as per original approval;
 - SAT fresh decision.
- Option- for decisions made under delegation by council. - SAT consider reconsider by council. - Also could apply to private certifiers' discussion in the future (not 1-4).
- Option 1 + SAT decisions - Minister (bodies not elevated by community).
- Option 2 - Discretion however third party needs to demonstrate that they directly impacted and how the use of discretion impacted on the appellant.
- Improved consultation will address a lot of community concerns.

- Status Quo OR Option 1 with modified triggers for country areas.
- Would Option 1 really matter for country areas?
- SAT members would require better training on planning matters.

Parked Items

- Give LSP the force and effect of the Scheme in Development zones.
- Planning Ombudsman -> for small scale objections.
- Review of the planning system (independent).
- More education of decision makers on their role in the planning decision making process.
- Define what 'due regard' is.
- Give reasons how an alternative achieves the policy outcomes.
- Link between strategic directions (objectives) and decisions.



Att 12.9.1

**MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 November 2017**

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Monthly Summary Information	2 - 3
Statement of Financial Activity by Program	4
Statement of Financial Activity By Nature or Type	5
Statement of Capital Acquisitions and Capital Funding	6
Note 1 Significant Accounting Policies	7 - 9
Note 2 Explanation of Material Variances	10
Note 3 Net Current Funding Position	11
Note 4 Cash and Investments	12
Note 5 Budget Amendments	13
Note 6 Receivables	14
Note 7 Cash Backed Reserves	15
Note 8 Capital Disposals	16
Note 9 Rating Information	17
Note 10 Information on Borrowings	18
Note 11 Grants and Contributions	19
Note 12 Trust	20
Note 13 Details of Capital Acquisitions	21

SHIRE OF NANNUP
Information Summary
For the Period Ended 30 November 2017

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 3 and shows a surplus as at 30 November 2017 of \$2,018,810.

Items of Significance

The material variance adopted by the Shire of Nannup for the 2017/18 year is \$30,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Capital Expenditure

	% Collected / Completed	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	40% -	\$ 921,296	-\$ 921,296	-\$ 369,833
Non-operating Grants, Subsidies and Contributions	28% -	\$ 1,394,950	-\$ 1,394,950	-\$ 397,141
	33% -	\$ 2,316,246	-\$ 2,316,246	-\$ 766,974
Rates Levied	101%	\$ 1,583,577	\$ 1,583,577	\$ 1,592,525

% Compares current ytd actuals to annual budget

		Prior Year 30 June 2017	Current Year 30 June 2018	Note
Financial Position				
Adjusted Net Current Assets	128%	\$ 1,801,417	\$ 2,311,273	3
Cash and Equivalent - Unrestricted	0%	\$ -	\$ -	3 & 4
Receivables - Rates	105%	\$ 402,255	\$ 420,667	3 & 6
Receivables - Other	56%	\$ 73,744	\$ 41,450	3 & 6
Payables	27%	\$ 41,750	\$ 11,370	3

% Compares current ytd actuals to prior year actuals at the same time

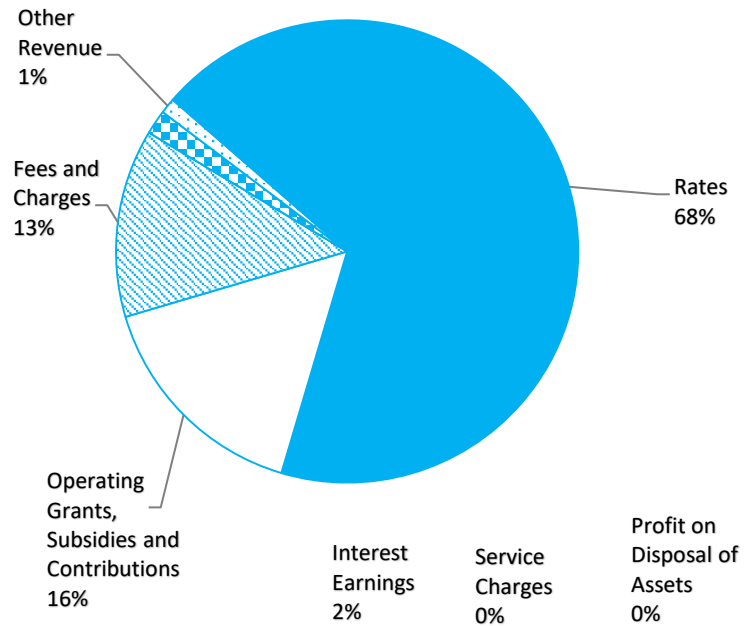
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

Preparation

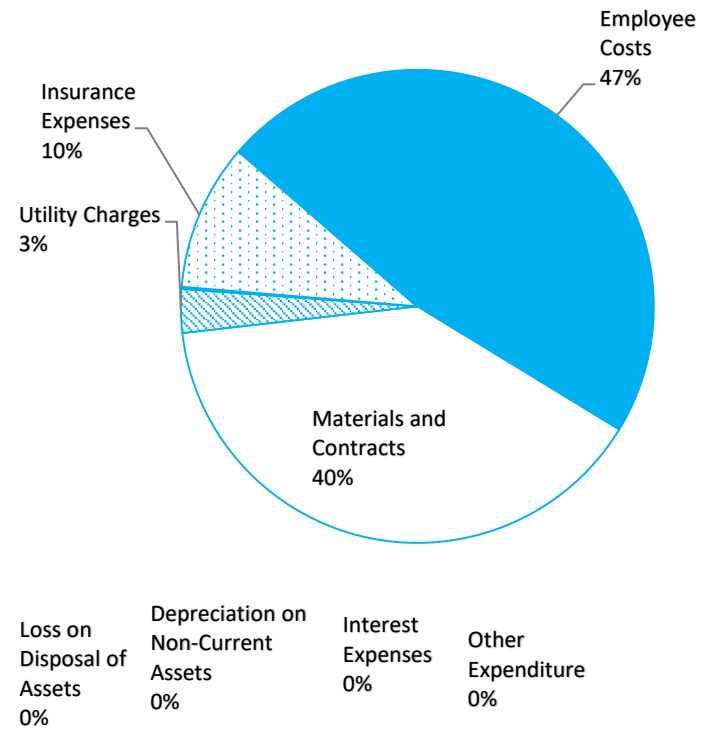
Prepared by: Robin Prime
Reviewed by: Tracie Bishop
Date prepared: 17/01/2018

SHIRE OF NANNUP
Information Summary
For the Period Ended 30 November 2017

Operating Revenue



Operating Expenditure



SHIRE OF NANNUP
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 November 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)		696,391	696,391	1,464,502	768,111	110%	
Revenue from operating activities							
Governance		0	0	0	0		
General Purpose Funding - Rates	9	1,583,577	1,583,577	1,592,525	8,948	1%	
General Purpose Funding - Other		722,922	301,217	379,046	77,828	26%	
Law, Order and Public Safety		199,226	83,011	68,370	(14,641)	(18%)	
Health		8,750	3,646	10,390	6,744	185%	
Education and Welfare		29,775	12,406	13,955	1,549	12%	
Housing		21,320	8,883	6,820	(2,063)	(23%)	
Community Amenities		214,467	89,361	220,081	130,719	146%	
Recreation and Culture		25,082	10,451	15,573	5,122	49%	
Transport		111,784	46,577	23	(46,554)	(100%)	
Economic Services		24,328	10,137	23,916	13,779	136%	
Other Property and Services		35,000	14,583	4,244	(10,339)	(71%)	
		2,976,230	2,163,849	2,334,943			
Expenditure from operating activities							
Governance		(851,494)	(354,789)	(401,264)	(46,475)	(13%)	
General Purpose Funding		(74,441)	(31,017)	(16,524)	14,493	47%	
Law, Order and Public Safety		(377,786)	(157,411)	(152,726)	4,685	3%	
Health		(60,575)	(25,240)	(23,723)	1,517	6%	
Education and Welfare		(110,107)	(45,878)	(59,787)	(13,909)	(30%)	
Housing		(17,753)	(7,397)	(4,939)	2,458	33%	
Community Amenities		(413,632)	(172,347)	(126,510)	45,837	27%	
Recreation and Culture		(282,283)	(117,618)	(95,644)	21,974	19%	
Transport		(1,597,933)	(665,805)	(177,948)	487,858	73%	
Economic Services		(154,193)	(64,247)	(53,142)	11,105	17%	
Other Property and Services		(1,022,238)	(425,933)	(290,434)	135,498	32%	
		(4,962,434)	(2,067,681)	(1,402,641)			
Financing Costs							
General Purpose		0	0	240	240		
Community Amenities		(3,661)	(1,525)	(2,119)	(594)	39%	
Transport		0	0	0	0		
		(3,661)	(1,525)	(1,879)			
Operating activities excluded from budget							
Add back Depreciation		1,535,198	639,666	0	(639,666)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	134,000	134,000	0	(134,000)	(100%)	▼
Adjust Provisions and Accruals		76,708	76,708	24,341	(52,367)	(68%)	▼
Amount attributable to operating activities		(243,959)	945,017	954,763			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	1,392,850	580,354	308,317	0 (272,038)	(47%)	▼
Proceeds from Disposal of Assets	8	94,000	39,167	0	(39,167)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(190,000)	(79,167)	(10,828)	68,339	86%	▲
Infrastructure Assets - Roads	13	(1,344,082)	(560,034)	(507,737)	52,297	9%	
Infrastructure Assets - Public Facilities	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	0	0	0	0		
Infrastructure Assets - Drainage	13	0	0	0	0		
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(386,000)	(160,833)	(156,400)	4,434	3%	
Furniture and Equipment	13	(20,500)	(8,542)	(7,729)	812	10%	
Amount attributable to investing activities		(453,732)	(189,055)	(374,378)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		16,415	6,840	6,720	(119)	(2%)	
Transfer from Reserves	7	371,941	154,975	0	(154,975)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(16,415)	(6,840)	(6,720)	119	2%	
Transfer to Reserves	7	(369,000)	(153,750)	(26,076)	127,674	83%	▲
Amount attributable to financing activities		2,941	1,225	(26,076)			
Closing Funding Surplus(Deficit)	3	1,641	1,453,578	2,018,810			

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

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NANNUP
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 November 2017

	Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)		696,391	696,391	1,464,502	768,111	110%	▲
Revenue from operating activities							
Rates	9	1,583,577	1,583,577	1,592,525	8,948	1%	
Operating Grants, Subsidies and Contributions	11	924,296	385,123	369,833	(15,290)	(4%)	
Fees and Charges		383,174	159,656	307,319	147,663	92%	▲
Service Charges		0	0	0	0		
Interest Earnings		45,761	19,067	39,838	20,771	109%	
Other Revenue		39,422	16,426	25,427	9,001	55%	
		2,976,230	2,163,849	2,334,941			
Expenditure from operating activities							
Employee Costs		(1,637,574)	(682,323)	(649,729)	32,593	5%	
Materials and Contracts		(1,514,453)	(631,022)	(541,959)	89,063	14%	
Contracts		0	0	(31,767)	(31,767)		
Utility Charges		(95,550)	(39,812)	(40,979)	(1,167)	(3%)	
Depreciation on Non-Current Assets		(1,535,198)	(639,666)	0	639,666	100%	▲
Interest Expenses		(3,661)	(1,525)	(1,878)	(353)	(23%)	
Insurance Expenses		(168,460)	(70,191)	(137,758)	(67,567)	(96%)	▼
Other Expenditure		(11,200)	(4,667)	(448)	4,219	90%	▲
		(4,966,095)	(2,069,206)	(1,404,520)			
Operating activities excluded from budget							
Add back Depreciation		1,535,198	639,666	0	(639,666)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	134,000	134,000	0	(134,000)	(100%)	▼
Adjust Provisions and Accruals		76,708	76,708	24,341	(52,367)	(68%)	▼
Amount attributable to operating activities		(243,959)	945,017	954,762			
Investing activities							
Grants, Subsidies and Contributions	11	1,392,850	580,354	308,317	(272,038)	(47%)	
Proceeds from Disposal of Assets	8	94,000	39,167	0	(39,167)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(190,000)	(79,167)	(10,828)	68,339	86%	▲
Infrastructure Assets - Roads	13	(1,344,082)	(560,034)	(507,737)	52,297	9%	
Infrastructure Assets - Public Facilities	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	0	0	0	0		
Infrastructure Assets - Drainage	13	0	0	0	0		
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(386,000)	(160,833)	(156,400)	4,434	3%	
Furniture and Equipment	13	(20,500)	(8,542)	(7,729)	812	10%	
Amount attributable to investing activities		(453,732)	(189,055)	(374,378)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		16,415	6,840	6,720	(119)	(2%)	
Transfer from Reserves	7	371,941	154,975	0	(154,975)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(16,415)	(6,840)	(6,720)	119	2%	
Transfer to Reserves	7	(369,000)	(153,750)	(26,076)	127,674	83%	▲
Amount attributable to financing activities		2,941	1,225	(26,076)			
Closing Funding Surplus (Deficit)	3	1,641	1,453,578	2,018,810	565,232	39%	▲

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

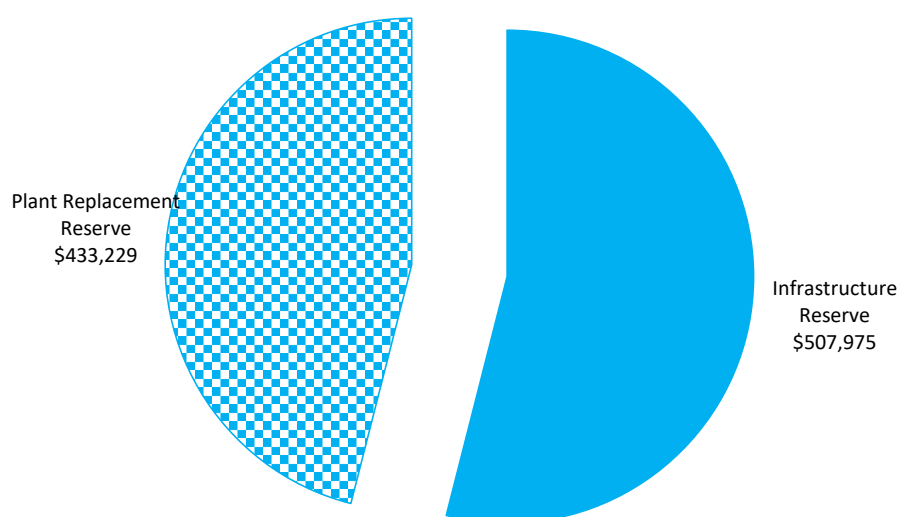
This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NANNUP
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 30 November 2017

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	Amended YTD Budget (d)	Amended Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	(10,828)	0	0	(190,000)	(10,828)	(10,828)
Infrastructure Assets - Roads	13	(507,737)	0	(1,344,082)	(1,344,082)	(507,737)	836,345
Infrastructure Assets - Public Facilities	13	0	0	0	0	0	0
Infrastructure Assets - Footpaths	13	0	0	0	0	0	0
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Heritage Assets	13	0	0	0	0	0	0
Plant and Equipment	13	(156,400)	0	(386,000)	(386,000)	(156,400)	229,600
Furniture and Equipment	13	(7,729)	0	0	(20,500)	(7,729)	(7,729)
Capital Expenditure Totals		(682,694)	0	(1,730,082)	(1,940,582)	(682,694)	1,047,388
Capital acquisitions funded by:							
Capital Grants and Contributions				(636,786)	(636,786)	(308,317)	
Borrowings				0	0	0	
Other (Disposals & C/Fwd)				39,167	94,000	0	
Council contribution - Cash Backed Reserves							
Infrastructure Reserve		0	0	\$507,975	19,500	0	(507,975)
Plant Replacement Reserve		0	0	\$433,229	(130,000)	0	(433,229)
Council contribution - operations				(2,073,666)	(1,287,296)	(374,378)	
Capital Funding Total				(1,730,082)	(1,940,582)	(682,694)	

Capital



SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 1: Significant Accounting Policies

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development,

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years	Method
Buildings	30 to 100 years	Straight Line
Furniture and Equipment	4 to 20 years	Straight Line
Plant and Equipment	5 to 20 years	Straight Line
Sealed Roads		
formation	not depreciated	
pavement	80 years	Straight Line
seal		
bituminous seals	34 years	Straight Line
asphalt surfaces	43 years	Straight Line
Gravel Roads		
formation	not depreciated	
pavement	80 years	Straight Line
Formed roads		
formation	not depreciated	
pavement	80 years	Straight Line
Footpaths - slab	50 years	Straight Line
Kerbs	100 years	Straight Line
Parks & Gardens	50 years	Straight Line
Water Supply Piping and Draing Systems	75 years	Straight Line

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated

(i) *Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)*

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the

(ii) *Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges,

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management)

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation,

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses,

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

(r) Program Classifications (Function/Activity)

Shire of Nannup operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE**Objective:**

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and

GENERAL PURPOSE FUNDING**Objective:**

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY**Objective:**

To provide services to help ensure a safer community.

Activities:

Supervision of various by-laws, fire prevention, emergency services and animal control.

HEALTH**Objective:**

To provide an operational framework for good community health.

Activities:

Food quality, building sanitation and sewage.

EDUCATION AND WELFARE**Objective:**

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Operation of pre-school, provision of youth support.

HOUSING**Objective:**

Help ensure adequate housing.

Activities:

Maintenance of staff and rental housing.

COMMUNITY AMENITIES**Objective:**

To provide services required by the community.

Activities:

Rubbish collection services, operation of tip, noise control, administration of the town planning scheme, maintenance of cemetery and maintenance of

RECREATION AND CULTURE**Objective:**

To establish and effectively manage infrastructure and resource which will help the social well being of the community.

Activities:

Maintenance of halls, recreation centre and various reserves; operation of library.

TRANSPORT**Objective:**

To provide effective and efficient transport services to the community.

Activities:

Construction and maintenance of streets, roads, bridges; cleaning of streets, depot maintenance.

ECONOMIC SERVICES**Objective:**

To help promote the shire and its economic wellbeing.

Activities:

Assistance to tourism, area promotion, building control, noxious weeds, vermin control.

OTHER PROPERTY AND SERVICES**Objective:**

To accurately allocate plant and labour costs across the various programs of Council.

Activities:

Private works operations, plant repairs and operations costs.

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2017/18 year is \$30,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$		
MRD DIRECT GRANTS	\$47,000		
	<u>\$47,000</u>		
Operating Expense			
LICENSES	-\$30,000		
	<u>-\$30,000.00</u>		
Capital Expenses			
	<u>\$0.00</u>		

Gross Deficit / (Surplus) Expected		2017/18
Revenue	\$	47,000.00
Expenditure	-\$	30,000.00
Capital	\$	-
Projected Deficit / (Surplus)	\$	17,000.00

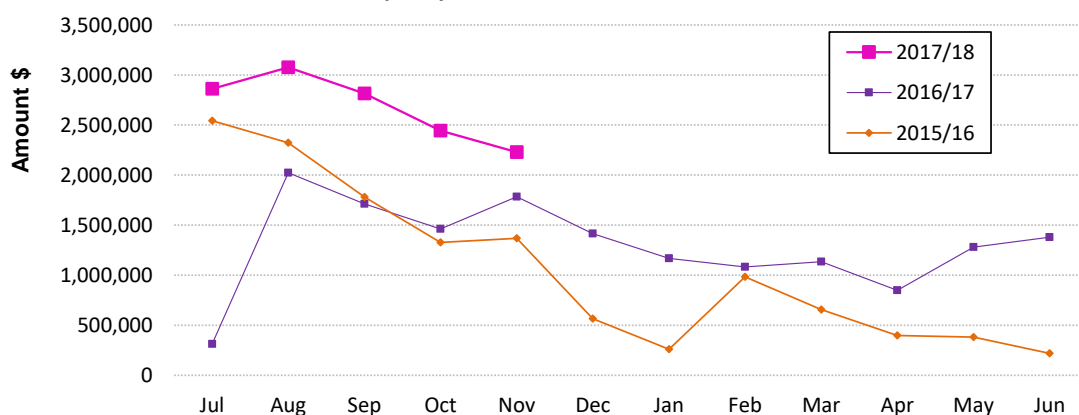
SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	30 Nov 2016	30 Nov 2017
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	2,549,725	1,589,313	2,128,399
Cash Restricted - Conditions over Grants	11	(872,435)	0	0
Cash Restricted	4	1,605,747	1,480,841	1,631,823
Receivables - Rates & Rubbish		105,781	402,255	420,667
Receivables - Other	6	38,053	73,744	41,450
Interest / ATO Receivable/ Trust	6	30,915	28,333	40,852
Inventories		6,240	6,240	6,240
		<u>3,464,026</u>	<u>3,580,727</u>	<u>4,269,431</u>
Less: Current Liabilities				
Payables		(41,750)	0	(11,370)
Provisions		(405,645)	(300,502)	(381,304)
		<u>(447,395)</u>	<u>(300,502)</u>	<u>(392,674)</u>
Less:				
Cash Reserves	7	(1,605,747)	(1,480,841)	(1,631,823)
Restricted Assets		(35,110)	(34,333)	(5,052)
YAC Committee		(16,250)	(16,250)	(16,250)
ATO Liability		(0)	(33,773)	(32,797)
Loans receivable - Clubs/Institutions		(30,919)	(15,460)	(15,460)
		<u>(1,688,027)</u>	<u>(1,580,657)</u>	<u>(1,701,381)</u>
Add:				
Cash Backed Long Service Leave		135,897	101,849	135,897
		<u>135,897</u>	<u>101,849</u>	<u>135,897</u>
		1,464,502	1,801,417	2,311,273

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	928,149			928,149	CBA	Tiered	At Call
Reserve Bank Account		631,823		631,823	CBA	Tiered	At Call
Trust Bank Account			(59,275)	(59,275)	CBA	Tiered	At Call
Cash On Hand	250			250	N/A	Nil	On Hand
(b) Term Deposits							
Municipal	1,200,000			1,200,000	WBC	2.40%	23-Mar-18
Reserves		1,000,000		1,000,000	WBC	2.46%	23-May-18
Total	2,128,399	1,631,823	(59,275)	3,700,947			

Comments/Notes - Investments

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 5: Budget Amendments

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus	\$	\$	\$	\$
	Permanent Changes						0
	Opening surplus adjustment						0
	<u>Capital Expenditure</u>						0
	<u>Transport</u>						0
	<u>Capital Income</u>						0
	<u>General Purpose</u>						0
	<u>Operating Income</u>						0
	<u>Operating Expenditure</u>						0
				0	0	0	0

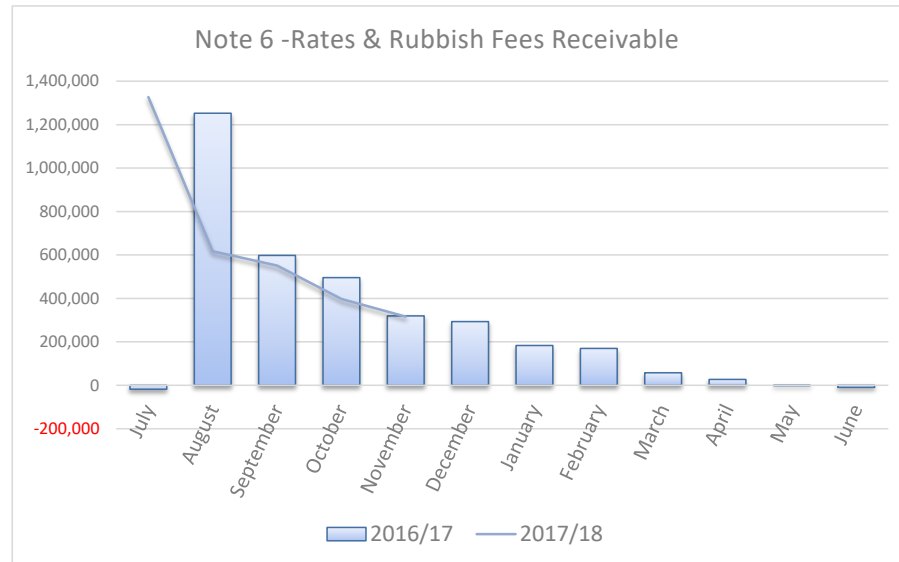
Classifications Pick List

Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Opening Surplus(Deficit)
Non Cash Item

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 6: Receivables

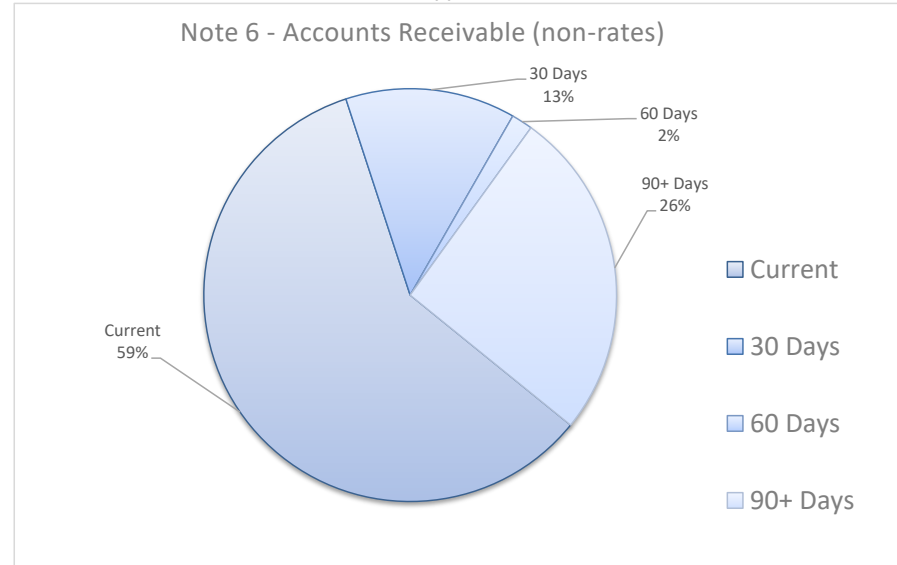
Receivables - Rates Receivable	30 Nov 2017	30 June 2017
	\$	\$
Opening Arrears Previous Years	68,506	78,115
Levied this year	1,592,525	1,534,244
<u>Less</u> Collections to date	(1,276,433)	(1,543,853)
Equals Current Outstanding	384,597	68,506
Net Rates Collectable	384,597	68,506
% Collected	80.15%	95.75%



Comments/Notes - Receivables Rates

Receivables - General	Current	30 Days	60 Days	90+ Days	90+Days
	\$	\$	\$	\$	\$
Receivables - General	24,508	5,524	693	10,726	41,450
Balance per Trial Balance					
Sundry Debtors					41,450
Receivables - Other					40,852
Total Receivables General Outstanding					82,302
				Error Check	0.00

Amounts shown above include GST (where applicable)

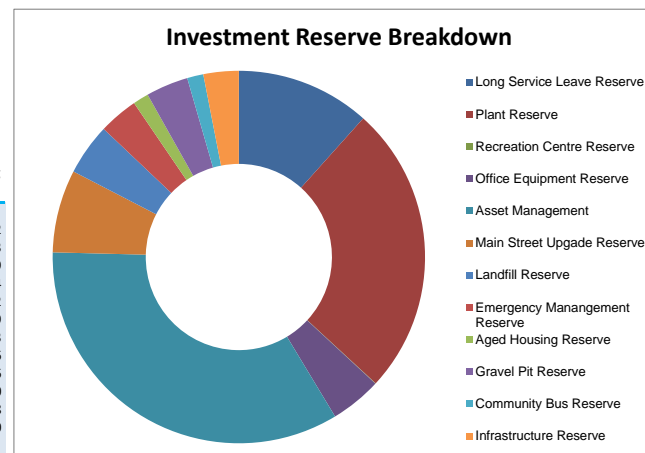


Comments/Notes - Receivables General

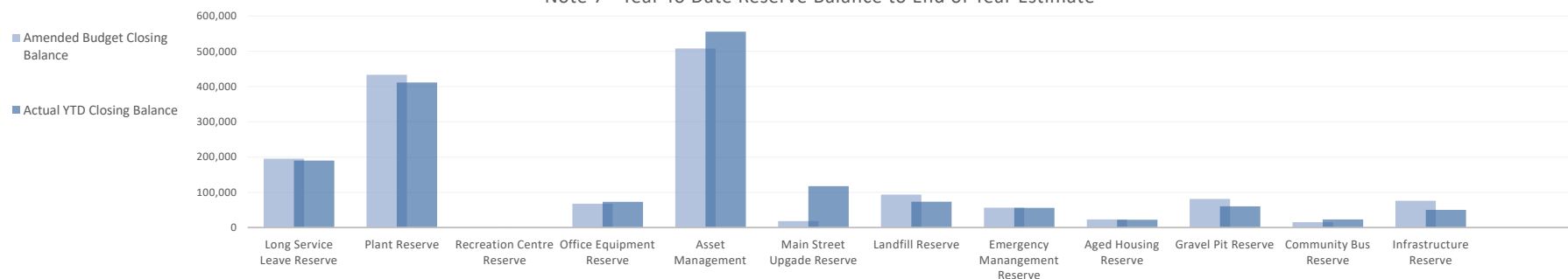
SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 7: Cash Backed Reserve

Name	Opening Balance 1/7/2017	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long Service Leave Reserve	188,371	1,500	1,561	25,000	0	(19,500)	0	195,371	189,932
Plant Reserve	408,229	5,000	3,384	150,000	0	(130,000)	0	433,229	411,613
Recreation Centre Reserve	535	0	4	0	0	0	0	535	539
Office Equipment Reserve	72,166	1,000	598	15,000	0	(20,500)	0	67,666	72,764
Asset Management	550,975	6,000	4,567	89,000	0	(138,000)	0	507,975	555,542
Main Street Upgrade Reserve	116,423	500	965	0	0	(98,590)	0	18,333	117,389
Landfill Reserve	72,452	1,000	601	20,000	0	0	0	93,452	73,053
Emergency Manangement Reserve	55,248	1,000	458	0	0	0	0	56,248	55,706
Aged Housing Reserve	22,103	1,000	183	0	0	0	0	23,103	22,286
Gravel Pit Reserve	60,000	1,000	0	20,000	0	0	0	81,000	60,000
Community Bus Reserve	9,244	1,000	77	5,000	13,677	0	0	15,244	22,998
Infrastructure Reserve	50,000	1,000	0	25,000	0	0	0	76,000	50,000
	1,605,746	20,000	12,399	349,000	13,677	(406,590)	0	1,568,156	1,631,822



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



SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
	Plant and Equipment	\$ 362,000	\$	\$	\$	\$ 362,000	\$ 228,000	\$	\$ (134,000)
		362,000	0	0	0	362,000	228,000	0	(134,000)

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 9: Rating Information

	Rate in	Number of Properties	Rateable Value	YTD Actual				Amended Budget			
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
RATE TYPE	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	8.1670	416	6,626,996	541,227	0	0	541,227	541,227			541,227
UV	0.4257	211	119,888,000	510,363	0	0	510,363	510,363			510,363
UV Pastoral				0	0	0	0		0	0	0
Sub-Totals		627	126,514,996	1,051,590	0	0	1,051,590	1,051,590	0	0	1,051,590
Minimum Payment	Minimum										
	\$										
GRV	870.00	310	1,945,952	269,700	0	0	269,700	269,700	0	0	269,700
UV	1,050.00	210	26,923,986	220,500	0	0	220,500	220,500	0	0	220,500
Sub-Totals		520	28,869,938	490,200	0	0	490,200	490,200	0	0	490,200
		1,147	155,384,934	1,541,790	0	0	1,541,790	1,541,790	0	0	1,541,790
Concession							0				0
Amount from General Rates							1,541,790				1,541,790
Ex-Gratia Rates							44,928				44,928
Specified Area Rates							0				0
Totals							1,586,718				1,586,718

Comments - Rating Information

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	01 Jul 2017	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
			\$	\$	\$	\$	\$	\$
Governance								
Loan 37 NCRC	67,975		6,720	6,720	61,255	61,255	2,119	2,119 *
							-	0
					-	0	-	0
	67,975	0	6,720	6,720	61,255	61,255	2,119	2,119

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

* Per SSL 2017_18

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 11: Grants and Contributions

	Grant Provider	Type	Opening Balance (a)	Amended Budget Operating	Capital	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue	(Expended) (c)	Unspent Grant (a)+(b)+(c)
				\$	\$	\$				\$	\$	\$
General Purpose Funding												
Old Railway Bridge	LotteryWest	Non-operating	(17,525)	0	0	0	0		0	0	0	(17,525)
Grants Commission - General Equalisation	WALGGC	operating - Tied	(476,923)	(401,964)	0	(401,964)	(401,964)		(401,964)	(195,246)	195,246	(476,923)
Grants Commission - Roads	WALGGC	operating - Tied	(255,634)	(204,122)	0	(204,122)	(204,122)		(204,122)	(107,414)	107,414	(255,634)
Law, Order and Public Safety												
FESA LEVY DFES	Dept. of Fire & Emergency Serv.	Operating	0	(87,000)	0	(87,000)	(87,000)		(87,000)	(29,185)	29,185	0
Bushfire Operating Grant 1617	Dept. of Fire & Emergency Serv.	operating - Tied	(16,689)	0	0	0			0		0	(16,689)
Grant FESA - SES	Dept. of Fire & Emergency Serv.	operating - Tied	(4,215)	(20,700)	0	(20,700)	(20,700)		(20,700)	(5,658)	5,658	(4,215)
CESM MOA Grant	Dept. of Fire & Emergency Serv.	Operating	0	(83,126)	0	(83,126)	(83,126)		(83,126)	(29,331)	29,331	0
Bushfire Management Plan	Dept. of Fire & Emergency Serv.	operating - Tied	(19,140)	0	0	0	0		0	0	0	(19,140)
DFES Capital Grant	Dept. of Fire & Emergency Serv.	Non-operating	(27)	0	0	0	0		0	0	0	(27)
Education and Welfare												
Grants - Community Bus	Contributions	Operating	0	(2,100)	0	(2,100)	(2,100)		(2,100)	0	0	0
Family Fun Day	Dept. Regional Development	Operating	0	0	0	0	0		0	0	0	0
Community Development Grants	Dept. Regional Development	Non-operating	0	0	0	0	0		0	0	0	0
Community Development Grants	Dept. Regional Development	Operating	0	(3,000)	0	(3,000)	(3,000)		(3,000)	(3,000)	3,000	0
Crime Prevention	WA Police	operating - Tied	(25,000)	0	0	0			0		0	(25,000)
Lotterywest	LotteryWest	operating - Tied	(26,000)	0	0	0			0		0	(26,000)
Y Culture	Country Arts WA	operating - Tied	(3,000)	0	0	0			0		0	(3,000)
Home Maintenance Grant	Department for Communities	operating - Tied	(17,486)	0	0	0			0		0	(17,486)
Kidsport	Dept. Regional Development	operating - Tied	(10,796)	(10,000)	0	(10,000)	(10,000)		(10,000)	0	0	(10,796)
Recreation and Culture												
Grants - Recreation and Culture	LotteryWest	Non-operating	0	0	(50,000)	(50,000)	(50,000)		(50,000)	0	0	0
Transport												
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	(444,000)	(444,000)	(444,000)		(444,000)	0	0	0
MRD Grants - Capital Projects	Regional Road Group	Operating	0	(109,284)	0	(109,284)	(109,284)	47,000	(62,284)	0	0	0
		Non-operating	0	0	(550,000)	(550,000)	(550,000)		(550,000)	(220,000)	220,000	0
Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	0	0	0		0	(64,291)	64,291	0
Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	(210,000)	(210,000)	(210,000)		(210,000)	(84,000)	84,000	0
Economic Services												
Main Road Heart of Nannup	Main Roads WA	Non-operating	0	0	(110,000)	(110,000)	(110,000)		(110,000)	0	0	0
FM Tower	South West Development Comm	Non-operating	0	0	(28,850)	(28,850)	(28,850)		(28,850)	(28,850)	28,850	0
			(872,435)	(921,296)	(1,394,950)	(2,316,246)	(2,316,246)	47,000	(2,269,246)	(766,974)	766,974	(872,435)
SUMMARY												
Operating	Operating Grants, Subsidies and Contributions		0	(284,510)	0	(284,510)	(284,510)	47,000	(237,510)	(61,516)	61,516	0
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		(854,883)	(636,786)	0	(636,786)	(636,786)	0	(636,786)	(308,317)	308,317	(854,883)
Non-operating	Non-operating Grants, Subsidies and Contributions		(17,552)	0	(1,394,950)	(1,394,950)	(1,394,950)	0	(1,394,950)	(397,141)	397,141	(17,552)
TOTALS			(872,435)	(921,296)	(1,394,950)	(2,316,246)	(2,316,246)	47,000	(2,269,246)	(766,974)	766,974	(872,435)

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

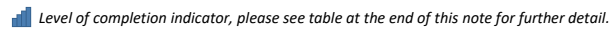
Note 12: Trust Fund

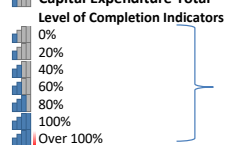
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2017	Amount Received	Amount Paid	Closing Balance 30 Nov 2017
	\$	\$	\$	\$
BCITF Levy	0	4,865	4,030	835
BRB Levy	0	5,622	4,742	880
Bonds	39,859	18,200	(500)	57,559
Nomination Deposit	0	560	(560)	0
Donation Rec Centre Deposit	0	0	0	0
Nannup Community Bus	0	0	0	0
	39,859	29,247	7,712	59,274.54
				59,275
			Error	0.00

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			egic Refer ence
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
								
Buildings								
Economic Services								
Caravan Park	4025	0	0	0	10,000	0	0	
Community Amenities Total		0	0	0	10,000	0	0	
Governance								
Administration Building	0564	1,818	0	1,818	10,000	0	1,818	
Governance Total		1,818	0	1,818	10,000	0	1,818	
Law, Order And Public Safety								
East Nannup Fire Shed	0751	0	0	0	0	0	0	
Buildings	0754	0	0	0	0	0	0	
Law, Order And Public Safety Total		0	0	0	0	0	0	
Recreation And Culture								
Capital Works Recreation Centre	2574	(3)	0	(3)	150,000	0	(3)	
Town Hall	2422	9,012	0	9,012	20,000	0	9,012	
Recreation And Culture Total		9,010	0	9,010	170,000	0	9,010	
Buildings Total		10,828	0	10,828	190,000	0	10,828	
Furniture & Office Equip.								
Governance								
Shire Office	0254	3,511	0	3,511	0	0	3,511	
Shire Offices	0584	4,218	0	4,218	20,500	0	4,218	
Governance Total		7,729	0	7,729	20,500	0	7,729	
Furniture & Office Equip. Total		7,729	0	7,729	20,500	0	7,729	
Plant , Equip. & Vehicles								
Governance								
Vehicle purchases - Office Staff	0544	0	0	0	0	0	0	
Governance Total		0	0	0	74,000	74,000	(74,000)	
Transport								
Purchase Of Plant	3564	156,400	0	156,400	312,000	312,000	(155,600)	
Loan Repayments L38	3604	0	0	0	0	0	0	
Transport Total		156,400	0	156,400	312,000	312,000	(155,600)	
Plant , Equip. & Vehicles Total		156,400	0	156,400	386,000	386,000	(229,600)	
Roads (Non Town)								
Transport								
Mowen Road	3130	0	0	0	0	0	0	
Local Road Construction	3170	507,559	0	507,559	1,109,126	1,109,126	(601,567)	
Footpath Program	3210	0	0	0	16,366	16,366	(16,366)	
Transport Total		507,559	0	507,559	1,125,492	1,125,492	(617,933)	
Roads (Non Town) Total		507,559	0	507,559	1,125,492	1,125,492	(617,933)	
Streetscapes								
Economic Services								
Mainstreet Upgrade	3264	178	0	178	218,590	218,590	(218,412)	
Economic Services Total		178	0	178	218,590	218,590	(218,412)	
Streetscapes Total		178	0	178	218,590	218,590	(218,412)	
Town Streets								
Town Streets Total		0	0	0	0	0	0	
Capital Expenditure Total		682,694	0	682,694	1,940,582	1,730,082	(1,047,388)	



Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

30/11/2017



Att 12.9.2

**MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 December 2017**

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Monthly Summary Information	2 - 3
Statement of Financial Activity by Program	4
Statement of Financial Activity By Nature or Type	5
Statement of Capital Acquisitions and Capital Funding	6
Note 1 Significant Accounting Policies	7 - 10
Note 2 Explanation of Material Variances	11 - 13
Note 3 Net Current Funding Position	14
Note 4 Cash and Investments	15
Note 5 Budget Amendments	16
Note 6 Receivables	17
Note 7 Cash Backed Reserves	18
Note 8 Capital Disposals	19
Note 9 Rating Information	20
Note 10 Information on Borrowings	21
Note 11 Grants and Contributions	22
Note 12 Trust	23
Note 13 Details of Capital Acquisitions	24

SHIRE OF NANNUP
Information Summary
For the Period Ended 31 December 2017

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 3 and shows a surplus as at 31 December 2017 of \$1,529,503.

Items of Significance

The material variance adopted by the Shire of Nannup for the 2017/18 year is \$30,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Capital Expenditure

	% Collected / Completed	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	0%	\$ -	-\$ 284,510	-\$ 66,426
Non-operating Grants, Subsidies and Contributions	22%	-\$ 1,394,950	-\$ 636,786	-\$ 308,317
	27%	-\$ 1,394,950	-\$ 921,296	-\$ 374,743
Rates Levied	100%	\$ 1,583,577	\$ 1,583,577	\$ 1,591,118

% Compares current ytd actuals to annual budget

		Prior Year 30 June 2017	Current Year 30 June 2018	Note
Financial Position				
Adjusted Net Current Assets	134%	\$ 1,431,527	\$ 1,917,083	3
Cash and Equivalent - Unrestricted	0%	\$ -	\$ -	3 & 4
Receivables - Rates	83%	\$ 399,501	\$ 332,414	3 & 6
Receivables - Other	23%	\$ 70,087	\$ 16,284	3 & 6
Payables	0%	\$ 41,750	\$ 0	3

% Compares current ytd actuals to prior year actuals at the same time

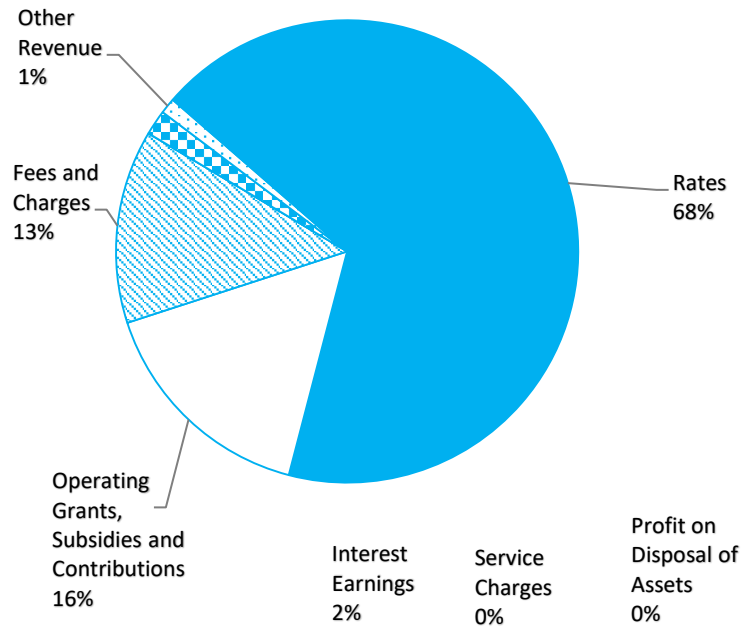
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

Preparation

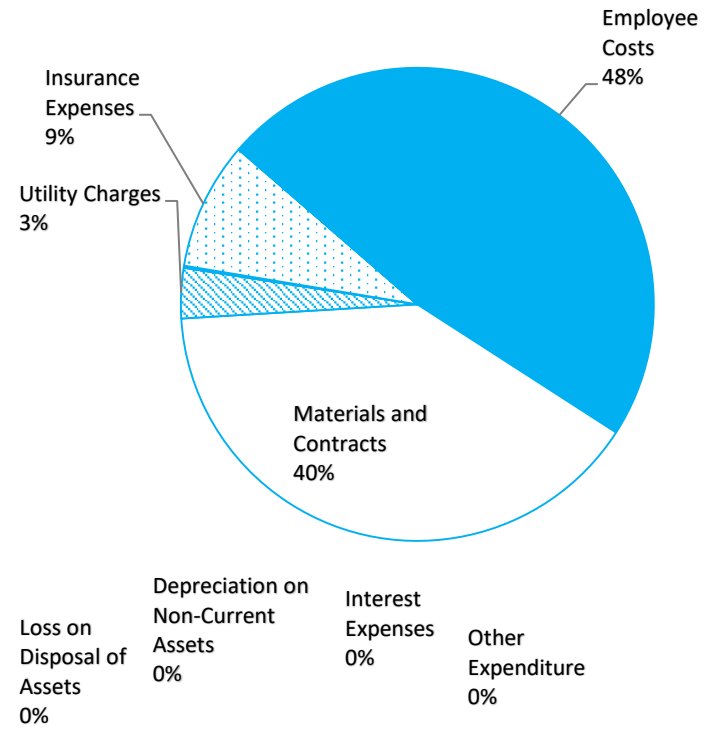
Prepared by: Robin Prime
Reviewed by: Tracie Bishop
Date prepared: 19/01/2018

SHIRE OF NANNUP
Information Summary
For the Period Ended 31 December 2017

Operating Revenue



Operating Expenditure



SHIRE OF NANNUP
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 December 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)		696,391	696,391	1,464,502	768,111	110%	
Revenue from operating activities							
Governance		0	0	0	0		
General Purpose Funding - Rates	9	1,583,577	1,583,577	1,591,118	7,541	0%	
General Purpose Funding - Other		722,922	361,461	384,096	22,636	6%	
Law, Order and Public Safety		199,226	99,613	68,532	(31,081)	(31%)	
Health		8,750	4,375	10,476	6,101	139%	
Education and Welfare		29,775	14,888	19,059	4,172	28%	
Housing		21,320	10,660	8,060	(2,600)	(24%)	
Community Amenities		214,467	107,233	222,524	115,291	108%	
Recreation and Culture		25,082	12,541	16,486	3,945	31%	
Transport		111,784	55,892	186	(55,706)	(100%)	
Economic Services		24,328	12,164	25,804	13,640	112%	
Other Property and Services		35,000	17,500	4,735	(12,765)	(73%)	
		2,976,230	2,279,904	2,351,078			
Expenditure from operating activities							
Governance		(851,494)	(425,747)	(459,891)	(34,144)	(8%)	
General Purpose Funding		(74,441)	(37,220)	(18,470)	18,751	50%	
Law, Order and Public Safety		(377,786)	(188,893)	(173,729)	15,164	8%	
Health		(60,575)	(30,288)	(28,308)	1,979	7%	
Education and Welfare		(110,107)	(55,053)	(67,322)	(12,269)	(22%)	
Housing		(17,753)	(8,877)	(6,159)	2,717	31%	
Community Amenities		(413,632)	(206,816)	(143,800)	63,016	30%	
Recreation and Culture		(282,283)	(141,141)	(118,569)	22,572	16%	
Transport		(1,597,933)	(798,967)	(191,586)	607,380	76%	
Economic Services		(154,193)	(77,096)	(94,320)	(17,224)	(22%)	
Other Property and Services		(1,022,238)	(511,119)	(342,573)	168,546	33%	
		(4,962,434)	(2,481,217)	(1,644,729)			
Financing Costs							
General Purpose		0	0	240	240		
Community Amenities		(3,661)	(1,831)	(2,420)	(590)	32%	
Transport		0	0	0	0		
		(3,661)	(1,831)	(2,180)			
Operating activities excluded from budget							
Add back Depreciation		1,535,198	767,599	0	(767,599)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	134,000	134,000	0	(134,000)	(100%)	▼
Adjust Provisions and Accruals		76,708	76,708	33,821	(42,887)	(56%)	▼
Amount attributable to operating activities		(243,959)	775,163	737,990			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	1,392,850	696,425	308,317	(388,109)	(56%)	▼
Proceeds from Disposal of Assets	8	94,000	47,000	0	(47,000)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(190,000)	(95,000)	(13,479)	81,521	86%	▲
Infrastructure Assets - Roads	13	(1,344,082)	(672,041)	(734,800)	(62,759)	(9%)	
Infrastructure Assets - Public Facilities	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	0	0	0	0		
Infrastructure Assets - Drainage	13	0	0	0	0		
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(386,000)	(193,000)	(197,961)	(4,961)	(3%)	
Furniture and Equipment	13	(20,500)	(10,250)	(8,817)	1,433	14%	▲
Amount attributable to investing activities		(453,732)	(226,866)	(646,740)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		16,415	8,208	8,084	(123)	(2%)	
Transfer from Reserves	7	371,941	185,971	0	(185,971)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(16,415)	(8,208)	(8,084)	123	2%	
Transfer to Reserves	7	(369,000)	(184,500)	(26,248)	158,252	86%	▲
Amount attributable to financing activities		2,941	1,471	(26,248)			
Closing Funding Surplus(Deficit)	3	1,641	1,246,158	1,529,503			

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

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NANNUP
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 December 2017

	Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)		696,391	696,391	1,464,502	768,111	110%	▲
Revenue from operating activities							
Rates	9	1,583,577	1,583,577	1,591,118	7,541	0%	
Operating Grants, Subsidies and Contributions	11	924,296	462,148	374,743	(87,405)	(19%)	▼
Fees and Charges		383,174	191,587	318,029	126,442	66%	▲
Service Charges		0	0	0	0		
Interest Earnings		45,761	22,881	41,354	18,474	81%	
Other Revenue		39,422	19,711	25,832	6,121	31%	
		2,976,230	2,279,904	2,351,077			
Expenditure from operating activities							
Employee Costs		(1,637,574)	(818,787)	(754,278)	64,509	8%	
Materials and Contracts		(1,514,453)	(757,226)	(631,163)	126,064	17%	
Contracts		0	0	(66,349)	(66,349)		
Utility Charges		(95,550)	(47,775)	(54,278)	(6,503)	(14%)	
Depreciation on Non-Current Assets		(1,535,198)	(767,599)	0	767,599	100%	▲
Interest Expenses		(3,661)	(1,831)	(2,180)	(350)	(19%)	
Insurance Expenses		(168,460)	(84,230)	(138,213)	(53,983)	(64%)	▼
Other Expenditure		(11,200)	(5,600)	(448)	5,152	92%	▲
		(4,966,095)	(2,483,048)	(1,646,909)			
Operating activities excluded from budget							
Add back Depreciation		1,535,198	767,599	0	(767,599)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	134,000	134,000	0	(134,000)	(100%)	▼
Adjust Provisions and Accruals		76,708	76,708	33,821	(42,887)	(56%)	▼
Amount attributable to operating activities		(243,959)	775,163	737,989			
Investing activities							
Grants, Subsidies and Contributions	11	1,392,850	696,425	308,317	(388,109)	(56%)	
Proceeds from Disposal of Assets	8	94,000	47,000	0	(47,000)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(190,000)	(95,000)	(13,479)	81,521	86%	▲
Infrastructure Assets - Roads	13	(1,344,082)	(672,041)	(734,800)	(62,759)	(9%)	
Infrastructure Assets - Public Facilities	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	0	0	0	0		
Infrastructure Assets - Drainage	13	0	0	0	0		
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(386,000)	(193,000)	(197,961)	(4,961)	(3%)	
Furniture and Equipment	13	(20,500)	(10,250)	(8,817)	1,433	14%	▲
Amount attributable to investing activities		(453,732)	(226,866)	(646,740)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		16,415	8,208	8,084	(123)	(2%)	
Transfer from Reserves	7	371,941	185,971	0	(185,971)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(16,415)	(8,208)	(8,084)	123	2%	
Transfer to Reserves	7	(369,000)	(184,500)	(26,248)	158,252	86%	▲
Amount attributable to financing activities		2,941	1,471	(26,248)			
Closing Funding Surplus (Deficit)	3	1,641	1,246,158	1,529,503	283,345	23%	▲

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

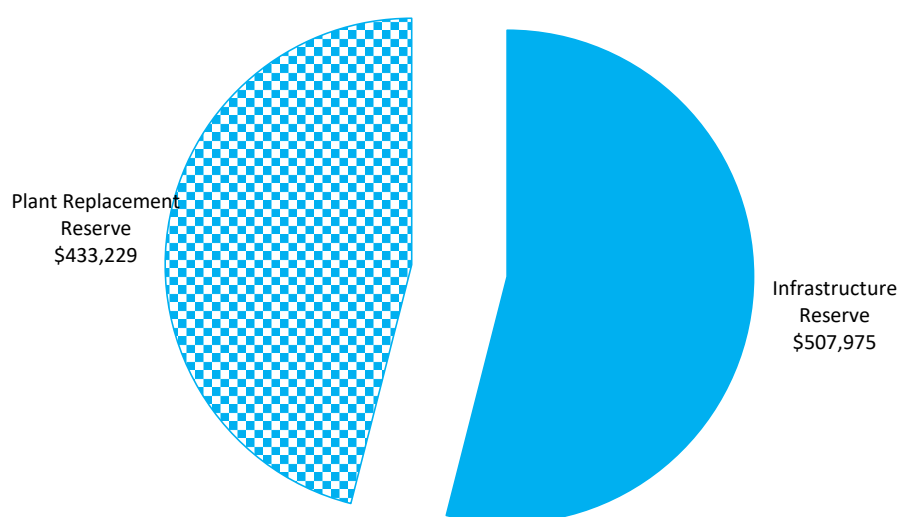
This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NANNUP
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 December 2017

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	Amended YTD Budget (d)	Amended Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	(13,479)	0	0	(190,000)	(13,479)	(13,479)
Infrastructure Assets - Roads	13	(734,800)	0	(1,344,082)	(1,344,082)	(734,800)	609,282
Infrastructure Assets - Public Facilities	13	0	0	0	0	0	0
Infrastructure Assets - Footpaths	13	0	0	0	0	0	0
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Heritage Assets	13	0	0	0	0	0	0
Plant and Equipment	13	(197,961)	0	(386,000)	(386,000)	(197,961)	188,039
Furniture and Equipment	13	(8,817)	0	0	(20,500)	(8,817)	(8,817)
Capital Expenditure Totals		(955,057)	0	(1,730,082)	(1,940,582)	(955,057)	775,025
Capital acquisitions funded by:							
Capital Grants and Contributions				(284,510)	(284,510)	(66,426)	
Borrowings				0	0	0	
Other (Disposals & C/Fwd)				47,000	94,000	0	
Council contribution - Cash Backed Reserves							
Infrastructure Reserve		0	0	\$507,975	19,500	0	(507,975)
Plant Replacement Reserve		0	0	\$433,229	(130,000)	0	(433,229)
Council contribution - operations				(2,433,776)	(1,639,572)	(888,630)	
Capital Funding Total				(1,730,082)	(1,940,582)	(955,057)	

Capital



SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 1: Significant Accounting Policies

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years	Method
Buildings	30 to 100 years	Straight Line
Furniture and Equipment	4 to 20 years	Straight Line
Plant and Equipment	5 to 20 years	Straight Line
Sealed Roads		
formation	not depreciated	
pavement	80 years	Straight Line
seal		
bituminous seals	34 years	Straight Line
asphalt surfaces	43 years	Straight Line
Gravel Roads		
formation	not depreciated	
pavement	80 years	Straight Line
Formed roads		
formation	not depreciated	
pavement	80 years	Straight Line
Footpaths - slab	50 years	Straight Line
Kerbs	100 years	Straight Line
Parks & Gardens	50 years	Straight Line
Water Supply Piping and Draing Systems	75 years	Straight Line

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

(p) Nature or Type Classifications**Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

(r) Program Classifications (Function/Activity)

Shire of Nannup operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE**Objective:**

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING**Objective:**

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY**Objective:**

To provide services to help ensure a safer community.

Activities:

Supervision of various by-laws, fire prevention, emergency services and animal control.

HEALTH**Objective:**

To provide an operational framework for good community health.

Activities:

Food quality, building sanitation and sewage.

EDUCATION AND WELFARE**Objective:**

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Operation of pre-school, provision of youth support.

HOUSING

Objective:

Help ensure adequate housing.

Activities:

Maintenance of staff and rental housing.

COMMUNITY AMENITIES

Objective:

To provide services required by the community.

Activities:

Rubbish collection services, operation of tip, noise control, administration of the town planning scheme, maintenance of cemetery and maintenance of

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resource which will help the social well being of the community.

Activities:

Maintenance of halls, recreation centre and various reserves; operation of library.

TRANSPORT

Objective:

To provide effective and efficient transport services to the community.

Activities:

Construction and maintenance of streets, roads, bridges; cleaning of streets, depot maintenance.

ECONOMIC SERVICES

Objective:

To help promote the shire and its economic wellbeing.

Activities:

Assistance to tourism, area promotion, building control, noxious weeds, vermin control.

OTHER PROPERTY AND SERVICES

Objective:

To accurately allocate plant and labour costs across the various programs of Council.

Activities:

Private works operations, plant repairs and operations costs.

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2017/18 year is \$30,000 or 10% whichever is the greater.

Reporting Program	Var. \$		Timing/ Permanent	Explanation of Variance
Operating Revenues	\$			
Administration Charges - Rates Instalments	\$300	0361	Permanent	Fewer take-ups of instalment option
Interest on Overdue Rates	-\$5,000	0061	Permanent	Based on current outstanding rates debtors balance
Instalment Interest	\$210	0261	Permanent	Fewer take-ups of instalment option, therefore instalment interest budget not met
Interest on Deferred Rates	\$1,149	0271	Permanent	This account is a result of Pensioners deferment in our ledger and the Interest Rate that Office of State Revenue use; therefore this item is hard to predict. 2017/18 already claimed therefore gap in budgeted v received confirmed.
Department of Transport Commission	-\$2,000	0523	Permanent	Anticipating more DoT transactions by End of Financial Year.
Interest Earnings in Municipal Account	-\$10,000	4873	Permanent	Municipal interest earnings higher than expected due to early receipt of FAG's monies
Interest Earnings in Reserve Account / Term Deposits	-\$10,000	5381	Permanent	Reserve interest earnings higher than expected also due to early receipt of FAG's monies, term deposits were able to be secured early in 2017/18
FESA Operating Grant 2017/18	-\$5,800	0703	Permanent	This increase in grant funding directly covers the unexpected increase in Brigade Vehicle Insurances due to a revaluation of the VBFB Fleet. See Expenses COA 0642
Health - Licence Fees	-\$2,639	1383	Permanent	Higher than anticipated Food Registration Business Licenses
School Holidays - Fees & Charges	-\$1,038	1153	Permanent	Local School Holiday Programs Attendance Rating higher than anticipated
Rent for Dunnet Road Property	\$1,430	1723	Permanent	New CEO negotiated rental contract, unexpected budgetary impact
Waste Bin Collection	-\$1,443	1803	Permanent	Increase in predicted bin collection revenue via Rates
Reycle Bin Collection	-\$1,733	1805	Permanent	Increase in predicted bin collection revenue via Rates
Waste Management Facility Fees	-\$9,471	1813	Permanent	Increase usage of the Waste Management Facility than anticipated
WARR Income	-\$1,067	1817	Permanent	WARR Income based on number of rateable properties, where a subdivision occurs a new fee is created
Town Planning Fees & Charges	-\$1,842	2253	Permanent	Increase in Town Planning Fees due to Scheme Amendment Request.
Hire of Centre - Recreation Centre	-\$1,953	7043	Permanent	More events held at the Recreation Centre than anticipated, ie Tour of Margaret River
Blackspot Funding	\$93,973	3391	Permanent	Under receipt of Operating Grant anticipated
Main Roads Direct Grant	\$44,993	3221	Permanent	Under receipt of Operating Grant anticipated
Sale of Materials	\$2,477	4263	Permanent	Sale of Materials over-estimated in Budget
Lease Charges	-\$292	3933	Permanent	Caravan Park Lease Charges - agreement of Lease Payable is based on profits for Financial Year - adjustment always required due to income estimated
Building Control Fees & Charges	-\$5,000	4153	Permanent	More Building permits anticipated to be issued than anticipated
Heritage Books	-\$14	7574	Permanent	Small increase in income
	<u>\$85,240</u>			
Operating Expense				
Election Expenditure Savings	-\$2,000	0112	Permanent	Actual expenses lower than anticipated
Subscriptions	\$2,500	0182	Permanent	Subscription Fees higher than anticipated
Conference Expenses	\$7,000	0192	Permanent	Staff Annual Conference Fees higher than anticipated
Legal Expenses	\$4,000	0482	Permanent	Council expects further legal expenses associated with current matters
Postage expenses	\$1,000	0412	Permanent	Postage Expenditure higher than anticipated
Recruitment Expenses	\$4,000	0812	Permanent	Costs associated with staff turnover higher than anticipated

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2017/18 year is \$30,000 or 10% whichever is the greater.

Reporting Program	Var. \$		Timing/ Permanent	Explanation of Variance
Interest & Debt Costs	-\$250	0080	Permanent	Write-Offs of interest on rates where interest not applicable
Utilities - VBFB	\$28	0862	Permanent	Small over-expenditure in utilities
Insurance - VBFB	\$5,800	0642	Permanent	VBFB Vehicles Fleet Insurance revalued - covered by increase in grant funding NIL Budget Impact see income 0703
Plant Operation Costs - Brigade Vehicles	\$2,615	0762	Permanent	Internal Recharge Overhead - no budget originally allocated
CESM Vehicle Running Costs	\$5,000	0632	Permanent	Over-budget due to costs associated with new vehicle
Maintenance of Brigade Vehicles	-\$234	0652	Permanent	Savings of this budgeted item
Rural Numbering	-\$3,000	0942	Permanent	Rural Numbering expenditure finished, savings identified
Insurance - SES	\$230	0922	Permanent	Increase in Insurance Costs
Kidsport - Expenditure	\$838	1063	Permanent	Over-spend anticipated, however where not all funds are spent, Grant funding will be returned
Youth Activities - Expenditure	\$13,070	1642	Permanent	Grant Funding in Youth Activities, including Pump Track costs Expenditure directly associated with this income item, therefore NIL budget impact. See 1642.
CDO Grants	-\$13,070	1122	Permanent	
Insurance - Staff Housing	\$516	1712	Permanent	Increase in Insurance Costs
Pest Control - Staff Housing	-\$1,984	1712	Permanent	Savings made on Pest Control of buildings
Utilities - Staff Housing	-\$29	1712	Permanent	Small savings identified
Insurance - Refuse	\$140	1772	Permanent	Increase in Insurance Costs
WMF Contract	-\$923	1772	Permanent	Small savings identified
Wages Overhead - Rubbish Site	\$77	1772	Permanent	Wages overhead where no budget existed
Insurance - Planning Dept	\$15	2253	Permanent	Increase in Insurance Costs
Insurance - Public Conveniences	\$343	2322	Permanent	Increase in Insurance Costs
Materials - Public Conveniences	\$1,723	2322	Permanent	Over-budget by this amount as at 31 Dec 2017
Insurance - Recreation Centre	\$937	2432	Permanent	Increase in Insurance Costs
Security Contract	-\$13,866	2432	Permanent	Error in original budget due to mis-reading of Chubb Contract
Insurance - Town Hall	\$497	2422	Permanent	Increase in Insurance Costs
Materials & Contracts - Town Hall	\$2,884	2422	Permanent	Expenditure nearly 100% at budget, however further works to Town Hall identified, estimated amount of further works shown
Fees & Charges - Hire of Town Hall	-\$1,492	7053	Permanent	Higher usage of the Town Hall than originally budgeted
Insurance - Community Room	\$743	2442	Permanent	Increase in Insurance Costs
Pest Control - Community Room	-\$500	2442	Permanent	Savings made on Pest Control of buildings
Insurance - Lesser Hall	\$196	2462	Permanent	Increase in Insurance Costs
Utilities - Old Roads Board	\$865	2472	Permanent	Over-spend anticipated
Insurance - Old Roads Board	\$146	2472	Permanent	Increase in Insurance Costs
Pest Control & Window Repair - Old Roads Board	-\$1,000	2472	Permanent	Savings made on Pest Control of buildings
Insurance - Bowling Club	\$599	2482	Permanent	Increase in Insurance Costs
Maintenance - Bowling Club	\$6,100	2482	Permanent	Carpentry Works to the Bowling Club identified, out of budget
Insurance - Cundinup Hall	\$95	2492	Permanent	Increase in Insurance Costs
Insurance - Carlotta Hall	\$84	2502	Permanent	Increase in Insurance Costs
Materials & Contracts - Carlotta Hall	-\$3,000	2502	Permanent	Removed expenditure for Carlotta Hall due to urgent works to Town Hall
Insurance - Community House	\$109	1732	Permanent	Increase in Insurance Costs
Utilities - Foreshore Park	\$37	7432	Permanent	Small over-expenditure in utilities
Materials - Parks & Gardens	-\$5,000	2642	Permanent	Parks and Gardens budget reduced to accommodate spending in other areas
Materials - Foreshore Park	-\$1,000	7432	Permanent	Foreshore park budget reduced to accommodate spending in other areas
Insurance - Foreshore Park	\$216	7432	Permanent	Increase in Insurance Costs
Materials - Local Road Construction	\$36,546	3170	Permanent	Materials costs under-estimated
Contractors - Local Road Construction	-\$110,735	3170	Permanent	Contractors - Savings made due to decrease of grant funding

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2017/18 year is \$30,000 or 10% whichever is the greater.

Reporting Program	Var. \$		Timing/ Permanent	Explanation of Variance
Materials - Local Road Maintenance	-\$5,793	3380	Permanent	Anticipated under expenditure
Materials - Other Maintenance Costs	-\$1,266	3410	Permanent	Savings in Tree Pruning & General maintenance
Wages Overhead - Caravan Park	\$60	3932	Permanent	Unexpected works to Caravan park - Costs associated with wages
Insurance - Caravan Park	\$402	3932	Permanent	Increase in Insurance Costs
Materials - Caravan Park	\$1,939	3912	Permanent	No budget for Materials in Caravan Park
Maintenance - Caravan Park	\$456	3932	Permanent	No budget for Maintenance in Caravan Park
Private Works Overheads - Caravan Park	\$56	3932	Permanent	Unexpected works to Caravan park - Costs associated with wages
Electric Car Recharges	\$16	3824	Permanent	Electric Car Recharges - Overspend anticipated
Insurance - Tourism	\$62	3862	Permanent	Increase in Insurance Costs
Insurance - Building Control	\$31	4092	Permanent	Increase in Insurance Costs
Insurance Plant Operating Costs	\$730	4492	Permanent	Increase in Insurance Costs
Fuel & Oil	-\$15,000	4982	Permanent	Savings identified in Fuel & Oil - monies saved expended in other areas
Tyres & Batteries	-\$5,000	4482	Permanent	Savings identified in Tyres & Batteries - monies saved expended in other areas
Parts & External Works	\$8,065	6802	Permanent	Parts & External Works - overspend anticipated
Administrative Expenses	-\$1,000	4532	Permanent	Administrative Expenses- this budget item not expended
Recruitment	\$1,106	7672	Permanent	Increased costs associated with Recruitment
Wages Overheads Adjustment	-\$5,018	7422	Permanent	Other Property & Services Programme bears costs of Overhead adjustments - Wages Overheads shown here as a savings Adjustment
Plant Overheads Adjustment	-\$5,797	4512	Permanent	Other Property & Services Programme bears costs of Overhead adjustments - Plant Overheads shown here as a savings Adjustment
	-\$85,085			
Capital Expenses				
Recreation Centre - Capital Revenue - Grant Funding Department of Sport and Recreation	\$50,000	2453	Permanent	Capital Grant Funding was not approved, therefore project abandoned in 2017/18
Recreation Centre - Change Rooms Expense	-\$150,000	2574	Permanent	Change Rooms - project abandoned in 2017/18 due to non-receipt of Grant Funding
Reserve Fund - Asset Management - Change Room Contribution	\$100,000	0515	Permanent	Change Rooms - Reserve Contribution no longer required
Transfer From Plant Reserve	-\$10,000	3685	Permanent	Shortage in Plant due to error in original budet combined with higher than anticipated trade-in values
Asset Sales	\$18,211	8393	Permanent	Trade-in value of plant higher than anticipated, however the Scania Truck and Pig Trailer were listed as being sold, however the plant schedule did not match, therefore the income of \$56K offset this, causing a capital deficit
Plant	-\$7,793	3564	Permanent	Savings made in New Plant Purchases
	\$418			

Gross Deficit / (Surplus) Expected	2017/18
Revenue	\$ 85,240.00
Expenditure	-\$ 85,085.00
Capital	\$ 418.00
Projected Deficit / (Surplus)	\$ 573.00

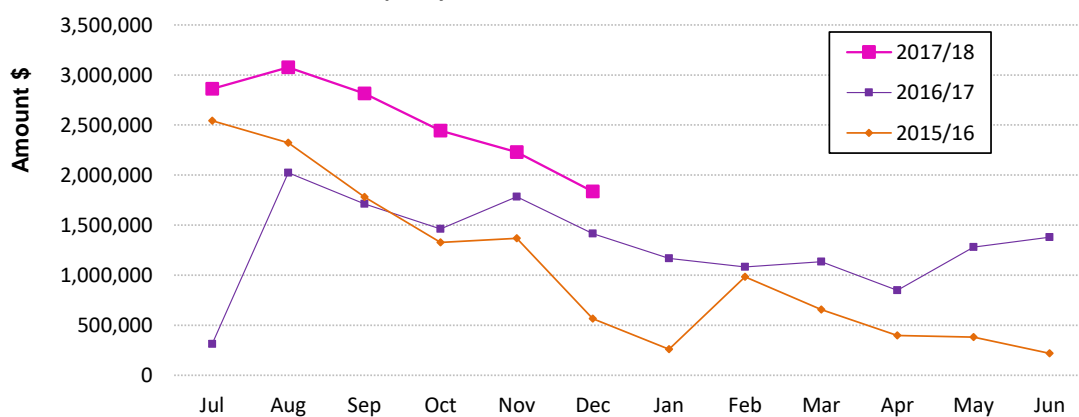
SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	31 Dec 2016	31 Dec 2017
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	1,677,290	1,217,092	1,825,169
Cash Restricted - Conditions over Grants	11	0	0	0
Cash Restricted	4	1,605,747	1,481,015	1,631,994
Receivables - Rates & Rubbish		105,781	399,501	332,414
Receivables - Other	6	38,053	70,087	16,284
Interest / ATO Receivable/ Trust	6	30,915	37,300	42,360
Inventories		6,240	6,240	6,240
		<u>3,464,026</u>	<u>3,211,235</u>	<u>3,854,462</u>
Less: Current Liabilities				
Payables		(41,750)	0	(0)
Provisions		(405,645)	(299,038)	(371,824)
		<u>(447,395)</u>	<u>(299,038)</u>	<u>(371,824)</u>
Less:				
Cash Reserves	7	(1,605,747)	(1,481,015)	(1,631,994)
Restricted Assets		(35,110)	(34,333)	(5,052)
YAC Committee		(16,250)	(16,250)	(16,250)
ATO Liability		(0)	(35,461)	(32,695)
Loans receivable - Clubs/Institutions		(30,919)	(15,460)	(15,460)
		<u>(1,688,027)</u>	<u>(1,582,519)</u>	<u>(1,701,451)</u>
Add:				
Cash Backed Long Service Leave		135,897	101,849	135,897
		<u>135,897</u>	<u>101,849</u>	<u>135,897</u>
		<u>1,464,502</u>	<u>1,431,527</u>	<u>1,917,083</u>

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	624,919			624,919	CBA	Tiered	At Call
Reserve Bank Account		631,994		631,994	CBA	Tiered	At Call
Trust Bank Account			(59,295)	(59,295)	CBA	Tiered	At Call
Cash On Hand	250			250	N/A	Nil	On Hand
(b) Term Deposits							
Municipal	1,200,000			1,200,000	WBC	2.40%	23-Mar-18
Reserves		1,000,000		1,000,000	WBC	2.46%	23-May-18
Total	1,825,169	1,631,994	(59,295)	3,397,868			

Comments/Notes - Investments

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 5: Budget Amendments

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus	\$	\$	\$	\$
	Permanent Changes						0
	Opening surplus adjustment						0
	<u>Capital Expenditure</u>						0
	<u>Transport</u>						0
	<u>Capital Income</u>						0
	<u>General Purpose</u>						0
	<u>Operating Income</u>						0
	<u>Operating Expenditure</u>						0
				0	0	0	0

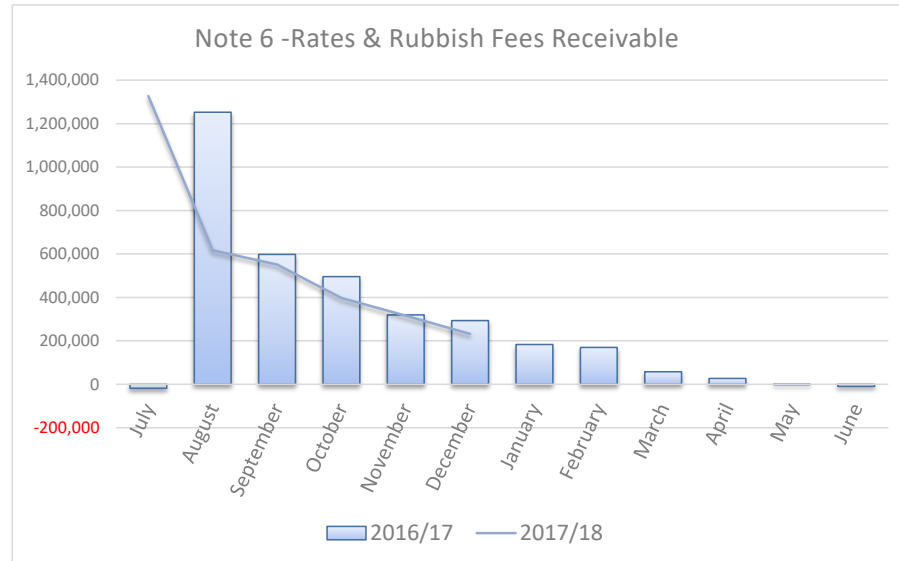
Classifications Pick List

Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Opening Surplus(Deficit)
Non Cash Item

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 6: Receivables

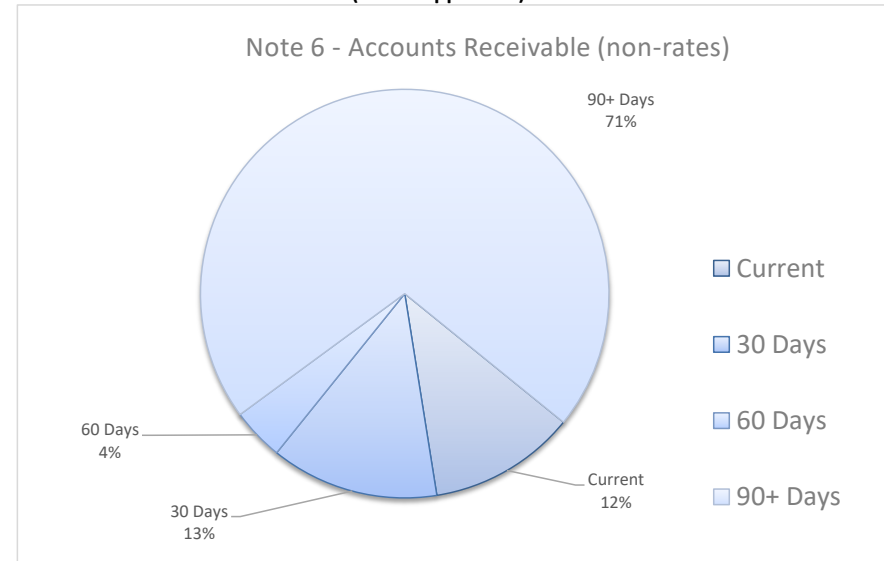
Receivables - Rates Receivable	31 Dec 2017	30 June 2017
	\$	\$
Opening Arrears Previous Years	68,506	78,115
Levied this year	1,591,118	1,534,244
<u>Less</u> Collections to date	(1,359,226)	(1,543,853)
Equals Current Outstanding	300,397	68,506
Net Rates Collectable	300,397	68,506
% Collected	85.43%	95.75%



Comments/Notes - Receivables Rates

Receivables - General	Current	30 Days	60 Days	90+ Days	90+Days
	\$	\$	\$	\$	\$
Receivables - General	1,897	2,166	674	11,547	16,284
Balance per Trial Balance					
Sundry Debtors					16,284
Receivables - Other					42,360
Total Receivables General Outstanding					58,644
				Error Check	0.00

Amounts shown above include GST (where applicable)

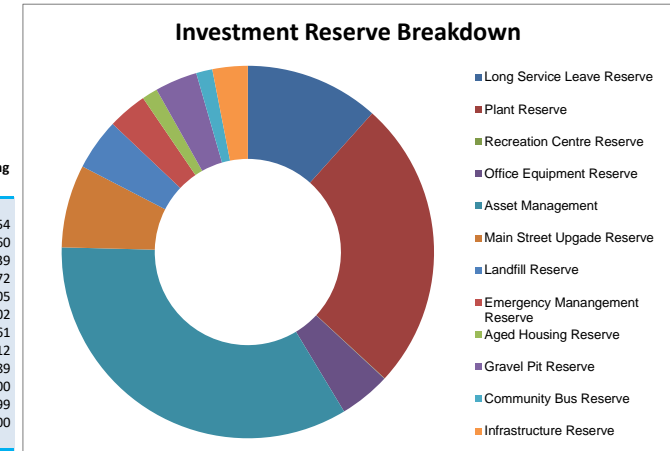


Comments/Notes - Receivables General

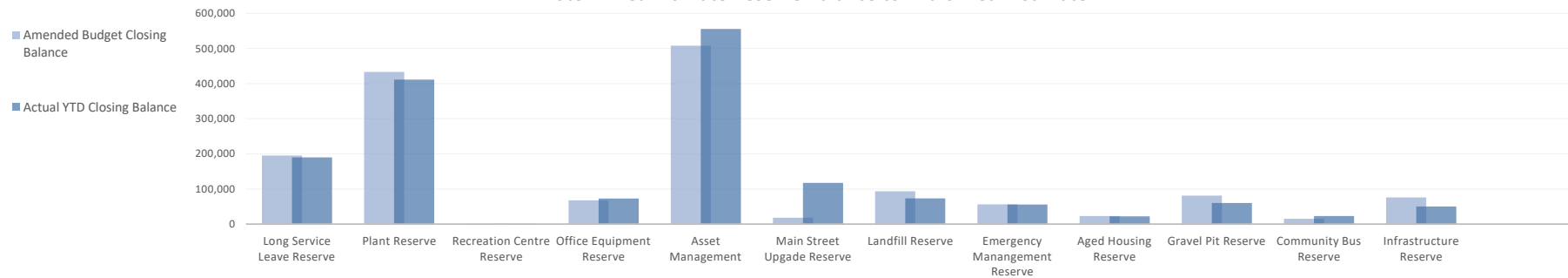
SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 7: Cash Backed Reserve

Name	Opening Balance 1/7/2017	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long Service Leave Reserve	188,371	1,500	1,583	25,000	0	(19,500)	0	195,371	189,954
Plant Reserve	408,229	5,000	3,431	150,000	0	(130,000)	0	433,229	411,660
Recreation Centre Reserve	535	0	4	0	0	0	0	535	539
Office Equipment Reserve	72,166	1,000	607	15,000	0	(20,500)	0	67,666	72,772
Asset Management	550,975	6,000	4,630	89,000	0	(138,000)	0	507,975	555,605
Main Street Upgrade Reserve	116,423	500	978	0	0	(98,590)	0	18,333	117,402
Landfill Reserve	72,452	1,000	609	20,000	0	0	0	93,452	73,061
Emergency Manangement Reserve	55,248	1,000	464	0	0	0	0	56,248	55,712
Aged Housing Reserve	22,103	1,000	186	0	0	0	0	23,103	22,289
Gravel Pit Reserve	60,000	1,000	0	20,000	0	0	0	81,000	60,000
Community Bus Reserve	9,244	1,000	78	5,000	13,677	0	0	15,244	22,999
Infrastructure Reserve	50,000	1,000	0	25,000	0	0	0	76,000	50,000
	1,605,746	20,000	12,570	349,000	13,677	(406,590)	0	1,568,156	1,631,994



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



Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and Equipment	362,000				362,000	228,000		(134,000)
		362,000	0	0	0	362,000	228,000	0	(134,000)

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 9: Rating Information

	Rate in	Number of Properties	Rateable Value	YTD Actual				Amended Budget			
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
RATE TYPE	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	8.1670	416	6,626,996	541,227	0	0	541,227	541,227			541,227
UV	0.4257	211	119,888,000	510,363	0	0	510,363	510,363			510,363
UV Pastoral				0	0	0	0		0	0	0
Sub-Totals		627	126,514,996	1,051,590	0	0	1,051,590	1,051,590	0	0	1,051,590
Minimum Payment	Minimum										
	\$										
GRV	870.00	310	1,945,952	269,700	0	0	269,700	269,700	0	0	269,700
UV	1,050.00	210	26,923,986	220,500	0	0	220,500	220,500	0	0	220,500
Sub-Totals		520	28,869,938	490,200	0	0	490,200	490,200	0	0	490,200
		1,147	155,384,934	1,541,790	0	0	1,541,790	1,541,790	0	0	1,541,790
Concession							0				0
Amount from General Rates							1,541,790				1,541,790
Ex-Gratia Rates							44,928				44,928
Specified Area Rates							0				0
Totals							1,586,718				1,586,718

Comments - Rating Information

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	01 Jul 2017	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
			\$	\$	\$	\$	\$	\$
Governance								
Loan 37 NCRC	67,975		8,084	8,084	59,891	59,891	2,420	2,420 *
							-	0
					-	0	-	0
	67,975	0	8,084	8,084	59,891	59,891	2,420	2,420

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

* Per SSL 2017_18

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 11: Grants and Contributions

	Grant Provider	Type	Opening Balance (a)	Amended Budget Operating	Capital	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue	(Expended) (c)	Unspent Grant (a)+(b)+(c)
				\$	\$	\$				\$	\$	\$
General Purpose Funding												
Old Railway Bridge	LotteryWest	Non-operating	(17,525)	0	0	0	0		0	0	0	(17,525)
Grants Commission - General Equalisation	WALGGC	operating - Tied	(476,923)	(401,964)	0	(401,964)	(401,964)		(401,964)	(195,246)	195,246	(476,923)
Grants Commission - Roads	WALGGC	operating - Tied	(255,634)	(204,122)	0	(204,122)	(204,122)		(204,122)	(107,414)	107,414	(255,634)
Law, Order and Public Safety												
FESA LEVY DFES	Dept. of Fire & Emergency Serv.	Operating	0	(87,000)	0	(87,000)	(87,000)		(87,000)	(29,185)	29,185	0
Bushfire Operating Grant 1617	Dept. of Fire & Emergency Serv.	operating - Tied	(16,689)	0	0	0			0		0	(16,689)
Grant FESA - SES	Dept. of Fire & Emergency Serv.	operating - Tied	(4,215)	(20,700)	0	(20,700)	(20,700)		(20,700)	(5,658)	5,658	(4,215)
CESM MOA Grant	Dept. of Fire & Emergency Serv.	Operating	0	(83,126)	0	(83,126)	(83,126)		(83,126)	(29,331)	29,331	0
Bushfire Management Plan	Dept. of Fire & Emergency Serv.	operating - Tied	(19,140)	0	0	0	0		0	0	0	(19,140)
DFES Capital Grant	Dept. of Fire & Emergency Serv.	Non-operating	(27)	0	0	0	0		0	0	0	(27)
Education and Welfare												
Grants - Community Bus	Contributions	Operating	0	(2,100)	0	(2,100)	(2,100)		(2,100)	0	0	0
Family Fun Day	Dept. Regional Development	Operating	0	0	0	0	0		0	0	0	0
Community Development Grants	Dept. Regional Development	Non-operating	0	0	0	0	0		0	0	0	0
Community Development Grants	Dept. Regional Development	Operating	0	(3,000)	0	(3,000)	(3,000)		(3,000)	(7,910)	7,910	0
Crime Prevention	WA Police	operating - Tied	(25,000)	0	0	0			0		0	(25,000)
Lotterywest	LotteryWest	operating - Tied	(26,000)	0	0	0			0		0	(26,000)
Y Culture	Country Arts WA	operating - Tied	(3,000)	0	0	0			0		0	(3,000)
Home Maintenance Grant	Department for Communities	operating - Tied	(17,486)	0	0	0			0		0	(17,486)
Kidsport	Dept. Regional Development	operating - Tied	(10,796)	(10,000)	0	(10,000)	(10,000)		(10,000)	0	0	(10,796)
Recreation and Culture												
Grants - Recreation and Culture	LotteryWest	Non-operating	0	0	(50,000)	(50,000)	(50,000)		(50,000)	0	0	0
Transport												
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	(444,000)	(444,000)	(444,000)		(444,000)	0	0	0
MRD Grants - Capital Projects	Regional Road Group	Operating	0	(109,284)	0	(109,284)	(109,284)	47,000	(62,284)	0	0	0
		Non-operating	0	0	(550,000)	(550,000)	(550,000)		(550,000)	(220,000)	220,000	0
Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	0	0	0		0	(64,291)	64,291	0
Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	(210,000)	(210,000)	(210,000)		(210,000)	(84,000)	84,000	0
Economic Services												
Main Road Heart of Nannup	Main Roads WA	Non-operating	0	0	(110,000)	(110,000)	(110,000)		(110,000)	0	0	0
FM Tower	South West Development Comm	Non-operating	0	0	(28,850)	(28,850)	(28,850)		(28,850)	(28,850)	28,850	0
			(872,435)	(921,296)	(1,394,950)	(2,316,246)	(2,316,246)	47,000	(2,269,246)	(771,884)	771,884	(872,435)
SUMMARY												
Operating	Operating Grants, Subsidies and Contributions		0	(284,510)	0	(284,510)	(284,510)	47,000	(237,510)	(66,426)	66,426	0
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		(854,883)	(636,786)	0	(636,786)	(636,786)	0	(636,786)	(308,317)	308,317	(854,883)
Non-operating	Non-operating Grants, Subsidies and Contributions		(17,552)	0	(1,394,950)	(1,394,950)	(1,394,950)	0	(1,394,950)	(397,141)	397,141	(17,552)
TOTALS			(872,435)	(921,296)	(1,394,950)	(2,316,246)	(2,316,246)	47,000	(2,269,246)	(771,884)	771,884	(872,435)

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017


Note 12: Trust Fund

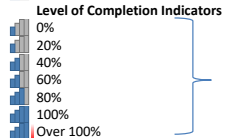
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2017	Amount Received	Amount Paid	Closing Balance 31 Dec 2017
	\$	\$	\$	\$
BCITF Levy	0	5,855	4,865	990
BRB Levy	0	6,568	5,622	945
Bonds	39,859	18,200	(700)	57,359
Nomination Deposit	0	560	(560)	0
Donation Rec Centre Deposit	0	0	0	0
Nannup Community Bus	0	0	0	0
	39,859	31,182	9,227	59,294.58
				59,295
			Error	0.00

SHIRE OF NANNUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2017

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			egic Refer ence
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
 Level of completion indicator, please see table at the end of this note for further detail.								
Buildings								
Economic Services								
Caravan Park	4025	0	0	0	10,000	0	0	
Community Amenities Total		0	0	0	10,000	0	0	
Governance								
Administration Building	0564	1,818	0	1,818	10,000	0	1,818	
Governance Total		1,818	0	1,818	10,000	0	1,818	
Law, Order And Public Safety								
East Nannup Fire Shed	0751	0	0	0	0	0	0	
Buildings	0754	0	0	0	0	0	0	
Law, Order And Public Safety Total		0	0	0	0	0	0	
Recreation And Culture								
Capital Works Recreation Centre	2574	(3)	0	(3)	150,000	0	(3)	
Town Hall	2422	11,663	0	11,663	20,000	0	11,663	
Recreation And Culture Total		11,661	0	11,661	170,000	0	11,661	
Buildings Total		13,479	0	13,479	190,000	0	13,479	
Furniture & Office Equip.								
Governance								
Shire Office	0254	4,599	0	4,599	0	0	4,599	
Shire Offices	0584	4,218	0	4,218	20,500	0	4,218	
Governance Total		8,817	0	8,817	20,500	0	8,817	
Furniture & Office Equip. Total		8,817	0	8,817	20,500	0	8,817	
Plant , Equip. & Vehicles								
Governance								
Vehicle purchases - Office Staff	0544	0	0	0	74,000	74,000	(74,000)	
Governance Total		0	0	0	74,000	74,000	(74,000)	
Transport								
Purchase Of Plant	3564	197,961	0	197,961	312,000	312,000	(114,039)	
Loan Repayments L38	3604	0	0	0	0	0	0	
Transport Total		197,961	0	197,961	312,000	312,000	(114,039)	
Plant , Equip. & Vehicles Total		197,961	0	197,961	386,000	386,000	(188,039)	
Roads (Non Town)								
Transport								
Mowen Road	3130	0	0	0	0	0	0	
Local Road Construction	3170	734,606	0	734,606	1,109,126	1,109,126	(374,520)	
Footpath Program	3210	0	0	0	16,366	16,366	(16,366)	
Transport Total		734,606	0	734,606	1,125,492	1,125,492	(390,886)	
Roads (Non Town) Total		734,606	0	734,606	1,125,492	1,125,492	(390,886)	
Streetscapes								
Economic Services								
Mainstreet Upgrade	3264	194	0	194	218,590	218,590	(218,396)	
Economic Services Total		194	0	194	218,590	218,590	(218,396)	
Streetscapes Total		194	0	194	218,590	218,590	(218,396)	
Town Streets								
Town Streets Total		0	0	0	0	0	0	
Capital Expenditure Total		955,057	0	955,057	1,940,582	1,730,082	(775,025)	



Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

31/12/2017

List of Accounts Due & Submitted to Committee ACCOUNTS FOR PAYMENT - NOVEMBER TO DECEMBER 2017				
EFT/ Cheque	Date	Name	Invoice Description	Amount
Shire of Nannup Municipal Fund				
EFT9951	02/11/2017	ROBERT LONGMORE	COUNCILLOR REIMBURSEMENT - IT ALLOWANCE AND TRAVEL	1694.50
EFT9952	02/11/2017	HITACHI CONSTRUCTION MACHINERY AUST P/L	1 X THERMOSTAT FOR GRADER AIR CONDITIONER	144.35
EFT9953	02/11/2017	LORRAINE LEARMOND	HOME AND GARDEN MAINTENANCE PROJECT OFFICER	644.00
EFT9954	02/11/2017	NORMAN STEER	COUNCILLOR REIMBURSEMENT - IT ALLOWANCE	1360.00
EFT9955	02/11/2017	BUSSELTON BEARING SERVICES	4 X TAPERED ROLLERS	88.00
EFT9956	02/11/2017	PICKLE & O	SPECIAL COUNCIL MEETING 23/10/2017 CATERING	250.00
EFT9957	02/11/2017	DOWN SOUTH AUTO ELECTRIX & AIR	LOCATE ELECTRICAL FAULTS AND SERVICE AC SYSTEM ON ISUZU WATER TRUCK	517.00
EFT9958	02/11/2017	CITY & REGIONAL FUELS	FUEL EXPENSES	5080.64
EFT9959	02/11/2017	CHUBB FIRE & SECURITY	NANNUP RECREATION CENTRE FIRE DETECTION SYSTEM FOR OCTOBER 2017	276.49
EFT9960	02/11/2017	AW ROADWORKS PTY LTD	3 MAN TRAFFIC MANAGEMENT	2468.95
EFT9961	02/11/2017	AVC AUSTRALIA PTY LTD	MSR300CA NOVRA SINGLE DVB-S2 RECEIVER WITH CA MSPCI SLOT 19 INCH RACK UNIT, AND FREIGHT.	2011.90
EFT9962	02/11/2017	AGILE BROADCAST PTY LTD	1 X RACKMOUNT PRO IP AUDIO DECODER	1785.41
EFT9963	02/11/2017	A.R.F.C. PTY LTD	FM TRANSMITTER EXPENSES	1194.03
EFT9964	02/11/2017	E-STATION PTY LTD	ELECTRIC CAR RE-CHARGING STATION MAINTENANCE - ANNUAL FEE 2016/2017.	550.00
EFT9965	02/11/2017	NANNUP ARTS COUNCIL INC.	HIRE OF GARAGE GALLERY	100.00
EFT9966	02/11/2017	METAL ARTWORK CREATIONS	COUNCIL PLAQUES AND STAFF NAME BADGES	211.48
EFT9967	02/11/2017	NANNUP HOTEL MOTEL	DINNER FOR COUNCIL	475.00
EFT9968	02/11/2017	NICHOLLS MACHINERY	1 X SPINDLE FOR PROCUT ROLLAMOWER	1155.00
EFT9969	02/11/2017	ST JOHN AMBULANCE	ST JOHN AMBULANCE FUND OCTOBER 2017 MEMBERSHIPS	143.00
EFT9970	07/11/2017	AUSRECORD	2 X ROLL FULL SIZE ALPHABET LABELS (A & C), 100 STANDARD 2D FILES AND 100 X TUBE CLIP SETS	178.20
EFT9971	07/11/2017	B & B STREET SWEEPING PTY LTD	STREET SWEEPING EXPENSES	1430.00
EFT9972	07/11/2017	EDGE PLANNING & PROPERTY	PLANNING SERVICES	908.60
EFT9973	07/11/2017	JAMES CRAIG PLUMBING & GAS PTY LTD	TEST RP2D AT RIVERBEND CARAVAN PARK	330.00
EFT9974	07/11/2017	ROB BOOTSMAN	REIMBURSEMENT OF EXPENSES	912.84
EFT9975	07/11/2017	OFFICEWORKS	76 X A1 BOND 80GSM PLAN PRINTING	308.92
EFT9976	07/11/2017	CLEANAWAY	DOMESTIC WASTE BINS COLLECTION	6915.21
EFT9977	07/11/2017	SARAH DEAN	DEPARTMENT OF TRANSPORT TRAINING REIMBURSEMENT - 100% RECOVERABLE.	1753.28
EFT9978	07/11/2017	ALEXANDER LORKIEWICZ	REIMBURSEMENT - PRACTICAL HR DRIVING ASSESSMENT FOR EAST NANNUP VBFB	73.70
EFT9979	07/11/2017	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENSES	74.10
EFT9980	07/11/2017	MANJIMUP TOYOTA	TOYOTA HILUX 4X2 2.4L (NEW CLEANERS UTE)	18618.57
EFT9981	07/11/2017	NANNUP NEWSAGENCY	POSTAGE AND STATIONERY EXPENSES	594.70
EFT9982	07/11/2017	LOUISE STOKES	CONFERENCE MEALS COST REIMBURSEMENT	128.89
EFT9983	07/11/2017	TRACIE BISHOP	REIMBURSEMENT OF PROFESSIONAL MEMBERSHIP FEES - CPA AUSTRALIA	379.00
EFT9984	17/11/2017	IGIS	MOTOR VEHICLE INSURANCE: FIRE BRIGADE VEHICLES	5806.99
EFT9985	17/11/2017	MJB INDUSTRIES	8 X 300MM HEAD WALLS, 10 X 300MM CLASS 2 PIPES	5841.00
EFT9986	17/11/2017	LORRAINE LEARMOND	PROJECT OFFICER LDAG	498.00
EFT9987	17/11/2017	ENVIRONMENTAL HEALTH AUSTRALIA (NEW SOUTH WALES) INC.	I'M ALERT FOOD SAFETY PROGRAM SUBSCRIPTION 2017/18	330.00
EFT9988	17/11/2017	BUSSELTON MULTI SERVICE	3 X ENGRAVED NAME PLATES FOR REST A WHILE GARDEN AT REC CENTRE	82.50
EFT9989	17/11/2017	DRACOM SERVICES	NANNUP TIGER INFORMATION ON EVERYTHING NANNUP WEBSITE	150.00
EFT9990	17/11/2017	PICKLE & O	MORNING TEA CATERING	125.00
EFT9991	17/11/2017	CITY & REGIONAL FUELS	FUEL EXPENSES	4229.39
EFT9992	17/11/2017	SCOPE BUSINESS IMAGING	PREVENTATIVE SERVICE PLAN	1673.80
EFT9993	17/11/2017	NANNUP DELI	FUEL EXPENSES	192.67
EFT9994	17/11/2017	NANNUP MOUNTAIN BIKE CLUB	PROGRESS PAYMENT PUMP TRACK PROJECT	3400.00
EFT9995	17/11/2017	NANNUP MEN'S SHED INC.	TRAINING HOME MAINTENANCE PROGRAM - 4 X VOLUNTEERS CHAINSAW OPERATOR COURSE	633.80
EFT9996	17/11/2017	ANNE-MARIE JEFFS	GROUPS MAINTENANCE AT SES SHED	40.00
EFT9997	17/11/2017	LEARMOND CARPENTRY	SHIRE OFFICE - COMPUTER CUPBOARD REPAIR	71.50
EFT9998	17/11/2017	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT	8419.40
EFT9999	17/11/2017	AUSTRALIAN TAXATION OFFICE	BAS OCTOBER 2017	6585.00
EFT10000	17/11/2017	ARROW BRONZE	CEMETERY FEES - PLAQUE EXPENSES	240.57
EFT10001	17/11/2017	BUNNINGS- BUSSELTON	MINOR EQUIPMENT PURCHASE	151.05
EFT10002	17/11/2017	BELL FIRE EQUIPMENT	1 X 6.5HP GX2000 HONDA ENGINE CARLOTTA VBFB	2106.50
EFT10003	17/11/2017	NANNUP ELECTRICAL SERVICES	SUPPLY AND INSTALL 1 X HANGING 15 AMP POWER POINT IN REC CENTRE FUNCTION CENTRE KITCHEN	310.00
EFT10004	17/11/2017	CID EQUIPMENT PTY. LTD.	2 X STARTER MOTOR	2182.44
EFT10005	17/11/2017	LANDGATE	GRV INTERIM VALS COUNTRY FULL VALUUE	98.52
EFT10006	17/11/2017	DO YOUR BLOCK CONTRACTING	8 HOURS BOB CAT WORK ON KING ROAD	990.00
EFT10007	17/11/2017	DOBBIIN DESIGN	RE-DO RIVERSIDE WALK PLANS, ENGINEERING CERTIFICATION AND QUANTITY ESTIMATES	4702.50
EFT10008	17/11/2017	NANNUP GARDEN VILLAGE COMMITTEE	CATERING LDAG	66.00
EFT10009	17/11/2017	JASON SIGNSMARKERS	300 X D4-6A SHEVRONS, 150 X GALVANISED POSTS, 150 X GALVANISED POST CAPS, 300 X BRACKETS	14289.88
EFT10010	17/11/2017	K & C HARPER	CHECK AND INSPECT GAS SUPPLY LINES AND APPLIANCES FOR LEAKAGE AT NANNUP TOWN HALL	165.00
EFT10011	17/11/2017	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS	182.95
EFT10012	17/11/2017	PRESTIGE PRODUCTS	CLEANING PRODUCTS	752.51
EFT10013	17/11/2017	STEWART & HEATON CLOTHING CO. PTY LTD	1 X JACK FR GOLD WABFB	271.07
EFT10014	17/11/2017	TRACIE BISHOP	REIMBURSEMENT FOR EXPENSES	1160.11
EFT10015	17/11/2017	WORTHY CONTRACTING	NANNUP WASTE MANAGEMENT FACILITY - SEPTEMBER 2017	10083.33
EFT10018	30/11/2017	MJB INDUSTRIES	4 X 300MM SINGLE PIPE HEADWALL, 4 X 375MM SINGLE PIPE HEADWALL	2508.00
EFT10019	30/11/2017	ROBERT LONGMORE	MEETING FEES	195.00
EFT10020	30/11/2017	METRO COUNT	6V WELDED BATTERY PACK	132.00
EFT10021	30/11/2017	NANNUP PHARMACY	2 X SHARPS COLLECTOR CONTAINERS	17.98
EFT10022	30/11/2017	ARBOR GUY	PRUNE STORM DAMAGED TREE - BALINGUP ROAD	1100.00
EFT10023	30/11/2017	A TASTE OF NANNUP	VISITOR SERVICES CONTRACT	6875.00
EFT10024	30/11/2017	LORRAINE LEARMOND	16 HOURS HOME AND GARDEN MAINTENANCE PROJECT OFFICER	448.00
EFT10025	30/11/2017	EDGE PLANNING & PROPERTY	PLANNING SERVICES	1200.65
EFT10026	30/11/2017	DEAN GUIA	ENVIRONMENT HEALTH OFFICER	3040.00
EFT10027	30/11/2017	BRANDINO PTY LTD	PUMP TRACK SIGNAGE	959.71
EFT10028	30/11/2017	DRACOM SERVICES	FIREBREAK INSPECTION EXPENSES	1920.24
EFT10029	30/11/2017	PICKLE & O	CATERING	174.00
EFT10030	30/11/2017	ALLGLOVE INDUSTRIES	50 X FIREPRO WILDFIRE GLOVES	1375.00
EFT10031	30/11/2017	CITY & REGIONAL FUELS	FUEL EXPENSES	4707.80
EFT10032	30/11/2017	BROOKS HIRE	HIRE OF BACKHOE FOR ONE WEEK FOR BALINGUP ROAD WORKS	1917.08
EFT10033	30/11/2017	OFFICEWORKS	STATIONERY EXPENSES	867.16
EFT10034	30/11/2017	JONATHAN JONES	REIMBURSEMENT FOR ACCOMMODATION - NATIONAL ROADS CONGRESS 2017	447.00
EFT10035	30/11/2017	CHUBB FIRE & SECURITY	CALL OUT FOR ALARM INSPECTION	771.49
EFT10036	30/11/2017	AW ROADWORKS PTY LTD	TRAFFIC CONTROL MANAGEMENT	27272.85
EFT10037	30/11/2017	SUNWISE ENERGY	COMMERCIAL SOLAR SYSTEM - SHIRE OFFICE BUILDING	2000.00
EFT10038	30/11/2017	CHRIS BUCKLAND	REIMBURSEMENT FOR ACCOMMODATION	293.77
EFT10039	30/11/2017	DIRECT DEMOLITION AND SALVAGE	6 X CONCRETE SLABS	39.00
EFT10040	30/11/2017	BUNNINGS- BUSSELTON	GARDEN MAINTENANCE EXPENSES	120.20
EFT10041	30/11/2017	CID EQUIPMENT PTY. LTD.	REPLACE RIGHT HAND INNER TIE ROD	654.83
EFT10042	30/11/2017	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2017/18 ESL QUARTER 2	26359.60
EFT10043	30/11/2017	JR & A HERSEY PTY LTD	VOLUNTEER BUSH FIRE BRIGADE - MINOR EQUIPMENT AND SUPPLIES	407.88
EFT10044	30/11/2017	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENSES	1108.51
EFT10045	30/11/2017	INSIGHT CCS PTY LTD	OVER CALL FEES FOR OCTOBER 2017	70.07
EFT10046	30/11/2017	K & C HARPER	INVESTIGATE AND REPAIR LEAKING CISTERN AT SHIRE OFFICE	383.57
EFT10047	30/11/2017	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	1 X CDN SPOTLIGHT FORUM WORKSHOP REGISTRATION	50.00
EFT10048	30/11/2017	NANNUP HARDWARE & AGENCIES	PROTECTIVE CLOTHING - CLEANER	125.00

List of Accounts Due & Submitted to Committee ACCOUNTS FOR PAYMENT - NOVEMBER TO DECEMBER 2017				
EFT/ Cheque	Date	Name	Invoice Description	Amount
EFT10049	30/11/2017	NANNUP COMMUNITY RESOURCE CENTRE	COMMUNITY BUS CONTRACT AUG 2017 - JUL 2018	3477.93
EFT10050	30/11/2017	FULTON HOGAN INDUSTRIES PTY LTD	CORRECTOR CUNDINUP SOUTH ROAD	85162.57
EFT10051	30/11/2017	THE PAPER COMPANY OF AUSTRALIA PTY LTD	PAPER EXPENSES	115.50
EFT10052	30/11/2017	SHIRE OF MANJIMUP	IT CONSULTANCY SERVICES	4012.10
EFT10053	30/11/2017	STEWART & HEATON CLOTHING CO. PTY LTD	GOLD FIREFIGHTING TROUSERS AND JACKETS FOR 8 X DEPOT STAFF	1969.19
EFT10054	30/11/2017	WORK CLOBBER	PROTECTIVE CLOTHING	191.00
EFT10060	05/12/2017	MARKETFORCE PTY LTD	RECRUITMENT EXPENSES - CEO	3416.05
EFT10061	05/12/2017	SOUTH WEST ISUZU	1 X ISUZU TRUCK STEP ASM AND 2 X ISUZU TRUCK PLATE STEP	938.31
EFT10062	05/12/2017	DRACOM SERVICES	FIRE BREAK INSPECTION EXPENSES	2430.00
EFT10063	05/12/2017	ROB BOOTSMA	REIMBURSEMENT FOR FIRE SHED EXPENSES	62.50
EFT10064	05/12/2017	OFFICEWORKS	STATIONERY EXPENSES	124.85
EFT10065	05/12/2017	REBECCA MCVICAR	SCHOOL HOLIDAY PROGRAM ACTIVITIES	405.00
EFT10066	05/12/2017	LEANNE WHITE	8 X RHYME TIME SESSIONS	400.00
EFT10067	05/12/2017	LOMAX MEDIA	50% DEPOSIT OF THE PRODUCTION OF 1 X 15 SECOND TVC FOR AUTUMN	508.75
EFT10068	05/12/2017	A.R.F.C. PTY LTD	FM TRANSMITTERS BALANCE PAYMENT (25% DEPOSIT ALREADY PAID 2/11/17)	4137.25
EFT10069	05/12/2017	NANNUP LIQUOR STORE	REFRESHMENTS	83.98
EFT10070	05/12/2017	EXPRESS PRINT GROUP	LIBRARY EXPENSES (CARDS)	302.50
EFT10071	05/12/2017	GEOFABRICS AUSTRALASIA PTY LTD	6 X 2M X 50 M FILTER WRAP	759.00
EFT10072	05/12/2017	JASON SIGNMAKERS	10 X CHEVRONS, 1 X WATER POINT SIGN, 1 X T JUNCTION SIGN, 1 X OFF SET ROAD SIGN, 1 X JALBARRAGUP ROAD	1188.12
EFT10073	05/12/2017	MANJIMUP TOYOTA	TOYOTA HILUX 4X4 2.8L	21717.26
EFT10074	05/12/2017	NANNUP NEWSAGENCY	POSTAGE AND STATIONERY EXPENSES	518.56
EFT10075	05/12/2017	FULTON HOGAN INDUSTRIES PTY LTD	PMB SEAL AND EXTRA OVER FOR PMB	28250.30
EFT10076	05/12/2017	ST JOHN AMBULANCE	ST JOHN AMBULANCE FUND MONTHLY NOVEMBER 2017	140.00
EFT10077	07/12/2017	CIVIC LEGAL	LEGAL EXPENSES	2087.25
EFT10078	07/12/2017	EDGE PLANNING & PROPERTY	PLANNING SERVICES	713.90
EFT10079	07/12/2017	SCOPE BUSINESS IMAGING	PREVENTATIVE SERVICE PLAN	1146.44
EFT10080	07/12/2017	OFFICEWORKS	STATIONERY EXPENSES	310.14
EFT10081	07/12/2017	AMD CHARTERED ACCOUNTANTS	AUDIT FEES	7846.30
EFT10082	07/12/2017	LANDGATE	GROSS RENTAL VALUATIONS	251.06
EFT10083	07/12/2017	NANNUP HARDWARE & AGENCIES	VOLUNTEER BUSH FIRE BRIGADE - MINOR EQUIPMENT AND SUPPLIES	1318.59
EFT10084	07/12/2017	SHIRE OF MANJIMUP	IT SERVICES FOR SHIRE DEPOT COMPUTERS	600.00
EFT10085	14/12/2017	BRIDGESTONE SELECT BUSSELTON	VEHICLE MAINTENANCE	350.00
EFT10086	14/12/2017	B & B STREET SWEEPING PTY LTD	STREET SWEEP IN PREP FOR HOT MIX ON DUNNET ROAD AND GENERAL SWEEP OF NANNUP TOWNSITE	4719.00
EFT10087	14/12/2017	P & F MARTIN	CARLOTTA VBFB TRUCK CHECK AND REPAIR PUMP	248.80
EFT10088	14/12/2017	LORRAINE LEARMOND	LDAG PROJECT OFFICER	448.00
EFT10089	14/12/2017	COVS PARTS	12 AMP BATTERY CHARGER	418.00
EFT10090	14/12/2017	ZURICH AUSTRALIAN INSURANCE LTD	EXCESS FOR CLAIM - EMU STRIKE 9 JANUARY 2017	500.00
EFT10091	14/12/2017	CITY & REGIONAL FUELS	FUEL EXPENSES	8655.90
EFT10092	14/12/2017	SEEK LIMITED	RECRUITMENT EXPENSES - CUSTOMER SERVICE/LIBRARY/RECORDS OFFICER	302.50
EFT10093	14/12/2017	OFFICEWORKS	COMPUTER EXPENSES	101.95
EFT10094	14/12/2017	CLEANAWAY	WASTE COLLECTION FEES	10025.47
EFT10095	14/12/2017	DUNSBOROUGH ASPHALT	SUPPLY AND LAY ASPHALT TO DUNNET ROAD AS REQUIRED	6692.00
EFT10096	14/12/2017	RYLAN PTY LTD	BALINGUP ROAD CONSTRUCTION COSTS	25311.00
EFT10097	14/12/2017	REDGATE LIME	SCREENED ROADBASE RUBBLE PLUS DELIVERY FEE	1047.80
EFT10098	14/12/2017	JOHN BROUGH	REIMBURSEMENT FOR UNIDEN CORDLESS PHONE PACK FOR SHIRE DEPOT	166.00
EFT10099	14/12/2017	ROADSIDE PRODUCTS PTY LTD	FLEXI POSTS	8365.50
EFT10100	14/12/2017	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT	5490.65
EFT10101	14/12/2017	AUSTRALIAN TAXATION OFFICE	BAS NOVEMBER 2017	7404.00
EFT10102	14/12/2017	ARROW BRONZE	CEMETERY FEES - PLAQUE EXPENSES	295.57
EFT10103	14/12/2017	GEOGRAPHE SAWS & MOWERS	2 X BRUSHCUTTER LEAD CAPS	48.00
EFT10104	14/12/2017	ASTRO RESOURCES NL	RATES REIMBURSEMENT - CEASED MINING TENEMENT	745.07
EFT10105	14/12/2017	DO YOUR BLOCK CONTRACTING	BOB CAT WORK	2596.00
EFT10106	14/12/2017	IR & A HERSEY PTY LTD	BARRIER MESH	242.00
EFT10107	14/12/2017	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENSES	321.86
EFT10108	14/12/2017	JASON SIGNMAKERS	12 X POWDER COATED RHS POSTS, 60 X BRACKETS AND 12 X YELLOW POST CAPS	1391.74
EFT10109	14/12/2017	KLEENHEAT GAS PTY. LTD.	STAFF HOUSING - YEARLY HIRE FEES FOR 45KG CYLINDER	75.90
EFT10110	14/12/2017	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS	291.86
EFT10111	14/12/2017	SW PRECISION PRINT	1500 BUSINESS CARD, DL WINDOW ENVELOPES AND BUILDING LICENSE ENVELOPES	846.00
EFT10113	14/12/2017	SOUTHWEST TYRE SERVICE	1 X ASS504 TRACTION	825.00
EFT10114	14/12/2017	TRACIE BISHOP	CPA PROGRAM FEE 2018 REIMBURSEMENT	1090.00
EFT10115	14/12/2017	WORTHY CONTRACTING	SUPPLY AND DELIVER 6 X TRUCK LOADS OF GRAVEL, SUPPLY AND DELIVERY 1 X TRUCK LOAD OF ROCK	3894.00
EFT10119	18/12/2017	NANNUP BRIDGE CAFE	DINNER FOR WARREN BLACKWOOD ALLIANCE OF COUNCILS TUESDAY 11 DECEMBER 2017	1220.00
EFT10120	18/12/2017	COVS PARTS	1 X LED LIGHT BOX	1107.83
EFT10121	18/12/2017	DRACOM SERVICES	FIREBREAK INSPECTIONS	2925.00
EFT10122	18/12/2017	PICKLE & O	AFTERNOON TEA	140.00
EFT10123	18/12/2017	ROB BOOTSMA	REIMBURSEMENT FOR ITEMS PURCHASED - VOLUNTEER BUSH FIRE BRIGADES EXPENSES	93.90
EFT10124	18/12/2017	NANNUP DELI	REFRESHMENTS	288.50
EFT10125	18/12/2017	BROOKS HIRE	BACKHOE HIRE	2272.60
EFT10126	18/12/2017	SUSAN CSKEY	REIMBURSEMENT FOR NORTH NANNUP VBFB EQUIPMENT - DEFIBRILLATOR PADS	290.00
EFT10127	18/12/2017	REBECCA MCVICAR	REIMBURSEMENT FOR MATERIALS SCHOOL HOLIDAY PROGRAM	864.61
EFT10128	18/12/2017	ID BRANDING PTY LTD	500 PLASTIC WRIST BANDS - FAMILY FUN DAY EXPENSES	126.50
EFT10129	18/12/2017	ELITE ROOF PLUMBING	TOWN HALL - FIRE RATED GUTTER GUARD TO BUILDING, INCLUDES FULL CLEAN AND RUBBISH REMOVAL.	8185.00
EFT10130	18/12/2017	PLANET SMART PTY LTD	DEEP GROOVE DECKING, BUMP RAILS AND FIXING SCREWS	26161.05
EFT10132	18/12/2017	XSCAPE AT THE CAPE	JANUARY SCHOOL HOLIDAY PROGRAM	350.00
EFT10133	18/12/2017	PRIME MEDIA GROUP	AIRTIME 5/3/18 - 7/4/18	1100.00
EFT10134	18/12/2017	BUSSELTON PEST & WEED CONTROL	ANNUAL PEST MANAGEMENT MAINTENANCE AT RECREATION CENTRE	1914.00
EFT10135	18/12/2017	D & J COMMUNICATIONS	INSTALL RADIOS TO NEW VEHICLES	1621.40
EFT10136	18/12/2017	CID EQUIPMENT PTY. LTD.	1 X BALLJOINT	228.65
EFT10137	18/12/2017	DO YOUR BLOCK CONTRACTING	RIVERSIDE WALK PROJECT MACHINE 86 HOURS	10406.00
EFT10138	18/12/2017	TOLL IPEC ROAD EXPRESS PTY LTD	JASON SIGNMAKERS	111.93
EFT10139	18/12/2017	JASON SIGNMAKERS	48 X ALUMINIUM SECURITY WASHER, 48 X BOLT CUPHEAD	89.76
EFT10140	18/12/2017	ROBIN MELLEMA	COUNCILLOR REIMBURSEMENT - IT ALLOWANCE AND TRAVEL + ORDINARY MEETINGS	4140.00
EFT10141	18/12/2017	ROD'S AUTO ELECTRICS	PLANT REPAIR - SCANIA TRUCK	30.53
EFT10142	18/12/2017	SOUTHWEST TYRE SERVICE	2 X PUNCTURE REPAIR KIT	132.00
EFT10143	22/12/2017	BUSSELTON TOYOTA	TOYOTA CAMRY SERVICE NP000	448.75
EFT10144	22/12/2017	LORRAINE LEARMOND	HOME AND GARDEN MAINTENANCE PROGRAM	448.00
EFT10145	22/12/2017	EDGE PLANNING & PROPERTY	PLANNING SERVICES	876.15
EFT10146	22/12/2017	DEAN GUIA	ENVIRONMENTAL HEALTH OFFICER	3388.00
EFT10147	22/12/2017	ROB BOOTSMA	REIMBURSEMENT FOR A4 DIARY 2018	22.00
EFT10148	22/12/2017	CITY & REGIONAL FUELS	FUEL EXPENSES	6919.44
EFT10149	22/12/2017	CHUBB FIRE & SECURITY	FIRE DETECTION SYSTEMS FOR RECREATION CENTRE	276.49
EFT10150	22/12/2017	MARTIN TINNEY	3 HOURS RIVERSIDE WALK CONSULTATION AND SITE INSPECTIONS	180.00
EFT10151	22/12/2017	BUNNINGS- BUSSELTON	1 X SECATEURS	94.95
EFT10152	22/12/2017	JASON SIGNMAKERS	6 X TRUCKS CROSSING SIGN, 6 X 40KM/H SIGNS	405.37
EFT10153	22/12/2017	K & C HARPER	SHIRE OFFICE MAINTENANCE	206.25
EFT10154	22/12/2017	FULTON HOGAN INDUSTRIES PTY LTD	10MM RESEAL VARIOUS ROADS	29475.08
EFT10155	22/12/2017	THE PAPER COMPANY OF AUSTRALIA PTY LTD	PAPER EXPENSES	224.07

Total EFT Payments for period: \$ 590,386.41

20236	07/11/2017	R BARTROP	REFUND DOG REGISTRATION - OWNER ADVISED DOG IS DECEASED.	60.00
20237	17/11/2017	CAMBRAY CHEESE	WA FOOD MONITORING PROGRAM #519 DAIRY - 5 X 200G CHEESE SAMPLES FROM CAMBRAY CHEESE	103.24
20238	17/11/2017	TELSTRA	NORTH NANNUP VBFB TELEPHONE EXPENSES	56.96
20239	30/11/2017	DEPARTMENT OF TRANSPORT	DARRADUP VBFB 12 MONTH REGO RENEWAL BOXTOP TRAILER MH78152	65.50
20240	30/11/2017	TELSTRA	DARRADUP VBFB TELEPHONE EXPENSES	52.33
20241	30/11/2017	VICKI HANSEN	TRAVEL EXPENSE FOR WALGA NEW COUNCILLOR SEMINAR IN PERTH	792.44
20242	14/12/2017	LORRAINE PEARCE	REFUND OF LOST BOOKS FEE - ITEMS FOUND AND RETURNED	42.58

List of Accounts Due & Submitted to Committee				
ACCOUNTS FOR PAYMENT - NOVEMBER TO DECEMBER 2017				
EFT/ Cheque	Date	Name	Invoice Description	Amount
20243	18/12/2017	TONY DEAN	ORDINARY COUNCIL AND COMMITTEE MEETINGS	495.00
20244	18/12/2017	MICHAEL VASEY	REFUND OF DOG REGISTRATION - DOG NOW STERILISED	75.00
20245	22/12/2017	CULLEN EXPLORATION PTY LTD C/ MCMAHON MINING TITLE SERVICES	MINING TENEMENT - RATES REFUND DUE TO MINING TENEMENT DEATH	466.59
Total Cheque Payments for period:				<u>\$ 2,209.64</u>
DD10000.1	30/11/2017	WATER CORPORATION	NANNUP TOWN HALL WATER 1 SEP TO 31 OCT	1527.28
DD10000.2	30/11/2017	WESTNET	WESTNET NOVEMBER 2017	234.79
DD10000.3	30/11/2017	SYNERGY	NANNUP BROOK SYNERGY NOVEMBER 2017	2925.55
DD10000.4	30/11/2017	TELSTRA	TELSTRA NOVEMBER 2017	1639.20
DD10000.5	30/11/2017	CALTEX AUSTRALIA	CALTEX NOVEMBER 2017	1005.74
DD10000.6	30/11/2017	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 37 NOVEMBER 2017	1666.06
DD10000.7	30/11/2017	SGFLEET	SGFLEET NOVEMBER 2017	3272.36
DD10000.8	30/11/2017	BP AUSTRALIA	BP AUSTRALIA NOVEMBER 2017	148.01
DD10000.9	30/11/2017	BOC LIMITED	BOC NOVEMBER 2017	68.12
DD10016.1	08/11/2017	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	9252.77
DD10016.2	08/11/2017	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	932.15
DD10016.3	08/11/2017	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	595.46
DD10016.4	08/11/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	462.32
DD10016.5	08/11/2017	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	133.91
DD10017.1	22/11/2017	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	9252.77
DD10017.2	22/11/2017	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	932.15
DD10017.3	22/11/2017	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	595.46
DD10017.4	22/11/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	462.31
DD10017.5	22/11/2017	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	126.80
DD10018.1	06/12/2017	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	9252.77
DD10018.2	06/12/2017	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	932.15
DD10018.3	06/12/2017	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	595.46
DD10018.4	06/12/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	462.31
DD10018.5	06/12/2017	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	111.40
DD10019.1	20/12/2017	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	8945.23
DD10019.2	20/12/2017	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	932.15
DD10019.3	20/12/2017	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	595.46
DD10019.4	20/12/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	462.32
DD10019.5	20/12/2017	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	119.69
DD10032.1	31/12/2017	SYNERGY	NORTH NANNUP SYNERGY DECEMBER 2017	6443.95
DD10032.2	31/12/2017	SGFLEET	SGFLEET DECEMBER 2017	1796.91
DD10032.3	31/12/2017	ALLEASING PTY LTD	ALLEASING 14 NOV TO 31 DECEMBER EQUIPMENT LEASE	1196.79
DD10032.4	31/12/2017	BOC LIMITED	BOC GAS EXPENDITURE DECEMBER 2017	65.93
DD10032.5	31/12/2017	BP AUSTRALIA	BP AUSTRALIAFUEL EXPENSES DECEMBER 2017	634.58
DD10032.6	31/12/2017	WATER CORPORATION	WATER CORPORATION DECEMBER 2017	5948.73
DD10032.7	31/12/2017	CORPORATE CREDIT CARD - SHIRE OF NANNUP	CORPORATE CREDIT CARD DECEMBER 2017	1962.64
DD10032.8	31/12/2017	WESTNET	WESTNET DECEMBER 2017	184.84
DD10032.9	31/12/2017	TELSTRA	TELSTRA DECEMBER 2017	1655.40
DD10000.10	30/11/2017	CORPORATE CREDIT CARD - SHIRE OF NANNUP	CORPORATE CREDIT CARD NOVEMBER 2017	3029.69
DD10032.10	31/12/2017	CALTEX AUSTRALIA	CALTEX DECEMBER 2017	1119.72
DD10032.11	31/12/2017	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN37 DECEMBER 2017	1666.06
Total Direct Debit Payments for period:				<u>\$ 83,347.39</u>
Shire of Nannup Trust Fund				
EFT10016	17/11/2017	BUILDING CONSTRUCTION INDUSTRY TRAINING FUND	BCITF LEVY OCTOBER SHIRE OF NANNUP	1697.23
EFT10017	17/11/2017	BUILDING COMMISSION	BUILDING SERVICES LEVY OCTOBER 2017	1809.66
EFT10055	30/11/2017	CATHERINE STEVENSON	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
EFT10056	30/11/2017	ANNE SLATER	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
EFT10057	30/11/2017	CHRIS BUCKLAND	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
EFT10058	30/11/2017	VICKI HANSEN	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
EFT10059	30/11/2017	ROBIN MELLEMA	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
EFT10116	14/12/2017	FIONA AMADULLA	REFUND OF BOND PAID FOR TOWN HALL HIRE	200.00
EFT10117	14/12/2017	BUILDING CONSTRUCTION INDUSTRY TRAINING FUND	BCITF NOVEMBER 2017 SHIRE OF NANNUP LEVY PAYMENT	818.52
EFT10118	14/12/2017	BUILDING COMMISSION	BUILDING SERVICES LEVY NOVEMBER 2017	850.24
22806	30/11/2017	IAN GIBB	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
22807	30/11/2017	KIMBERLEY HEITMAN	NOMINATION FEE REFUND - LOCAL GOVERNMENT ELECTIONS 2017	80.00
Total Trust Payments for period:				<u>\$ 5,935.65</u>
TOTAL MUNICIPAL PAYMENTS FOR PERIOD				\$ 675,943.44
TOTAL TRUST PAYMENTS FOR PERIOD				<u>\$ 5,935.65</u>
TOTAL PAYMENTS FOR PERIOD:				<u>\$ 681,879.09</u>

SHIRE OF NANNUP			
ACCOUNTS FOR PAYMENT - NOVEMBER TO DECEMBER 2017			
Date	Supplier	Description	Amount
31/10/2017	Vista Print	Home and Garden Maintenance Fridge Magnets	\$ 67.98
11/11/2017	Crown Towers Perth	CEO Accommodation, Parking & Meals LG Professionals Conf.	\$ 1,773.71
22/11/2017	Good Guys Busselton	Mobile Phone - Samsung Galaxy S8 MCS new mobile	\$ 988.00
24/11/2017	Myer Garden City	Giftcard	\$ 200.00
28/11/2017	Shire of Nannup	Vehicle Plate Change	\$ 34.60
28/11/2017	Busselton Hyundai	NPO Vehicle Service	\$ 301.54
1/12/2017	Shire of Nannup	Vehicle Registration + Stamp Duty	\$ 411.60
5/12/2017	Shire of Nannup	Vehicle Plate Change	\$ 33.80
5/12/2017	Bselect Busselton	Tyres for NPO	\$ 885.00
12/12/2017	NITRO PDF	PDF Viewer Subscription Renewal	\$ 250.00
13/12/2017	Robbshaw Pty Ltd	Blackwood Café - Refreshments	\$ 46.10
			\$ 4,992.33

Att 12.10.2



SHIRE OF NANNUP

REVIEW OF BUDGET REPORT

For the Period Ended 31st December 2017

**LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

TABLE OF CONTENTS

Statement of Financial Activity

Note 1 Significant Accounting Policies

Note 2 Graphical Representation

Note 3 Net Current Funding Position

Note 4 Predicted Variances

Note 5 Budget Amendments

Shire of Nannup
STATEMENT OF BUDGET REVIEW
(Statutory Reporting Program)
For the Period Ended 31st December 2017

FM Reg
33A

FM Reg
Sch 1

Operating Revenues

Governance
General Purpose Funding
Law, Order and Public Safety
Health
Education and Welfare
Housing
Community Amenities
Recreation and Culture
Transport
Economic Services
Other Property and Services

Operating Expense

Governance
General Purpose Funding
Law, Order and Public Safety
Health
Education and Welfare
Housing
Community Amenities
Recreation and Culture
Transport
Economic Services
Other Property and Services

Funding Balance Adjustment

Add Back Depreciation
Adjust (Profit)/Loss on Asset Disposal
Adjust Provisions and Accruals

Net Operating

Capital Revenues

Non-operating Grants, Subsidies and Contributions
Proceeds from Disposal of Assets
Proceeds from New Debentures
Proceeds from Sale of Investments
Proceeds from Advances
Self-Supporting Loan Principal
Transfer from Reserves

Capital Expenses

Land Held for Resale
Land and Buildings
Plant and Equipment
Furniture and Equipment
Infrastructure Assets - Roads
Infrastructure Assets - Other
Purchase of Investments
Repayment of Debentures
Advances to Community Groups
Transfer to Reserves

Net Capital

Net Operating + Capital

Opening Funding Surplus(Deficit)

Closing Funding Surplus(Deficit)

FM Reg 33A(2A)(a)

FM Reg 33A(2A)(c)

Note	Budget v Actual		Predicted		
	Revised Annual Budget \$ (a)	YTD Actual \$ (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End \$ (a)+(c)+(d)
	\$	\$	\$	\$	\$
	0	0	0		0
	2,306,499	1,975,214	25,341		2,331,840
	199,226	68,532	0		199,226
	8,750	10,476	2,639		11,389
	29,775	19,059	14,109		43,884
	21,320	8,060	(1,430)		19,890
	214,467	222,524	15,557		230,023
	25,082	16,486	3,459		28,541
	111,784	64,477	(47,470)		64,314
	24,328	25,804	5,292		29,620
	35,000	4,735	10,812		45,812
	2,976,230	2,415,367	28,308	0	3,004,538
	(851,494)	(224,475)	(16,500)		(867,994)
	(74,441)	(60,247)	250		(74,191)
	(372,786)	(204,512)	(4,639)		(377,424)
	(60,575)	(33,616)	0		(60,575)
	(110,107)	(77,476)	(13,908)		(124,015)
	(17,753)	(6,159)	1,497		(16,256)
	(417,293)	(182,402)	(1,376)		(418,669)
	(282,283)	(207,035)	10,859		(271,424)
	(1,597,933)	(449,028)	7,059		(1,590,874)
	(159,193)	(106,280)	(3,021)		(162,214)
	(1,022,238)	125,947	11,101		(1,011,138)
	(4,966,095)	(1,425,283)	(8,678)	0	(4,974,774)
	1,535,198	0			1,535,198
	134,000	0	(18,211)		115,789
	76,708	33,821			76,708
	(243,959)	1,023,905	1,419	0	(242,541)
	1,392,850	332,850	(143,973)		1,248,877
	94,000	0			94,000
	0	0			0
	0	0			0
	0	0			0
	16,415	8,084			16,415
9	371,941	0	(100,000)		271,941
	1,875,206	340,934	(243,973)	0	1,631,233
	0	0			0
	(190,000)	(13,479)	160,000		(30,000)
	(386,000)	(197,961)	7,793		(378,207)
	(20,500)	(8,817)			(20,500)
	(1,344,082)	(734,800)	74,189		(1,269,893)
	0	0			0
	0	0			0
10	(16,415)	(8,084)			(16,415)
	0	0			0
9	(369,000)	(26,248)			(369,000)
	(2,325,997)	(989,388)	241,982	0	(2,084,015)
	(450,791)	(648,454)	(1,991)	0	(452,782)
	(694,750)	375,451	(572)	0	(695,323)
	696,391	1,464,502			696,391
2	1,641	1,839,953	(572)	0	1,068

Shire of Nannup
STATEMENT OF BUDGET REVIEW
(Nature or Type)
For the Period Ended 31st December 2017

FM Reg 33A

FM Reg Sch 1

Operating Revenues

Rate Revenue
Grants, Subsidies and Contributions
Profit on Asset Disposal
Fees and Charges
Service Charges
Interest Earnings
Other Revenue
Internal Recharges

Operating Expense

Employee Costs
Materials and Contracts
Utilities Charges
Depreciation (Non-Current Assets)
Interest Expenses
Insurance Expenses
Loss on Asset Disposal
Other Expenditure
Internal Recharges

Funding Balance Adjustment

Add Back Depreciation
Adjust Profit/(Loss) on Asset Disposal
Adjust Provisions and Accruals

Net Operating

Capital Revenues

Grants, Subsidies and Contributions
Proceeds from Disposal of Assets
Proceeds from New Debentures
Proceeds from Sale of Investments
Proceeds from Advances
Self-Supporting Loan Principal
Transfer from Reserves

Capital Expenses

Land Held for Resale
Land and Buildings
Plant and Equipment
Furniture and Equipment
Infrastructure Assets - Roads
Infrastructure Assets - Other
Purchase of Investments
Repayment of Debentures
Advances to Community Groups
Transfer to Reserves

Net Capital

Net Operating + Capital

Opening Funding Surplus(Deficit)

Closing Funding Surplus(Deficit)

FM Reg 33A(2A)(a)

FM Reg 33A(2A)(c)

Note	Budget v Actual		Predicted			
	Annual Budget \$ (a)	YTD Actual \$ (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End \$ (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
	1,583,577	1,591,118			1,583,577	
	924,296	439,034	(31,923)		892,373	▼
4.1.1					0	
4.1.2	383,174	318,029	25,764		408,938	▲
	0	0			0	
4.1.7	45,761	41,354	23,641		69,402	▲
4.1.8	39,422	25,832	14		39,436	▲
			10,812		10,812	▲
	2,976,230	2,415,368	28,308	0	3,004,538	
4.2.1	(1,637,574)	(655,726)	(60)		(1,637,634)	▲
	(1,501,743)	(574,437)	14,750		(1,486,993)	▼
4.2.3	(108,260)	(54,278)	(917)		(109,177)	▲
	(1,535,198)	0	0		(1,535,198)	
	(3,661)	(2,180)	250		(3,411)	▼
	(168,460)	(138,213)	(11,889)		(180,349)	▲
4.2.6		0	0		0	▼
4.2.7	(11,200)	(448)	0		(11,200)	▼
			(10,812)		(10,812)	▲
	(4,966,095)	(1,425,282)	(8,678)	0	(4,974,774)	
	1,535,198	0			1,535,198	
4.4.3	134,000	0	(18,211)		115,789	▼
	76,708	33,821			76,708	
	(243,959)	1,023,906	1,419	0	(242,541)	
4.1.3	1,392,850	332,850	(143,973)		1,248,877	▼
	94,000	0	0		94,000	
	0	0			0	
	0				0	
	0				0	
	16,415	8,084			16,415	
9	371,941	0	(100,000)		271,941	▼
	1,875,206	340,934	(243,973)	0	1,631,233	
	0	0			0	
	(190,000)	(13,479)	160,000		(30,000)	▼
	(386,000)	(197,961)	7,793		(378,207)	▼
	(20,500)	(8,817)	0		(20,500)	
	(1,344,082)	(734,800)	74,189		(1,269,893)	▼
	0	0			0	
	0	0			0	
10	(16,415)	(8,084)			(16,415)	
	0	0			0	
9	(369,000)	(26,248)			(369,000)	
	(2,325,997)	(989,389)	241,982	0	(2,084,015)	
	(450,791)	(648,454)	(1,991)	0	(452,782)	
	(694,750)	375,452	(572)	0	(695,323)	
	696,391	1,464,502			696,391	
2	1,641	1,839,954	(572)	0	1,068	▼

SHIRE OF NANNUP
NOTES TO THE BUDGET REVIEW REPORT
For the Period Ended 31st December 2017

Note 1: Significant Accounting Policies

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years	Method
Buildings	30 to 100 years	Straight Line
Furniture and Equipment	4 to 20 years	Straight Line
Plant and Equipment	5 to 20 years	Straight Line
Sealed Roads		
formation	not depreciated	
pavement	80 years	Straight Line
seal		
bituminous seals	34 years	Straight Line
asphalt surfaces	43 years	Straight Line
Gravel Roads		
formation	not depreciated	
pavement	80 years	Straight Line
Formed roads		
formation	not depreciated	
pavement	80 years	Straight Line
Footpaths - slab	50 years	Straight Line
Kerbs	100 years	Straight Line
Parks & Gardens	50 years	Straight Line
Water Supply Piping and Draining Systems	75 years	Straight Line

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

(p) Nature or Type Classifications**Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

(r) Program Classifications (Function/Activity)

Shire of Nannup operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE**Objective:**

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING**Objective:**

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY**Objective:**

To provide services to help ensure a safer community.

Activities:

Supervision of various by-laws, fire prevention, emergency services and animal control.

HEALTH**Objective:**

To provide an operational framework for good community health.

Activities:

Food quality, building sanitation and sewage.

EDUCATION AND WELFARE**Objective:**

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Operation of pre-school, provision of youth support.

HOUSING**Objective:**

Help ensure adequate housing.

Activities:

Maintenance of staff and rental housing.

COMMUNITY AMENITIES**Objective:**

To provide services required by the community.

Activities:

and maintenance of public conveniences.

RECREATION AND CULTURE**Objective:**

To establish and effectively manage infrastructure and resource which will help the social well being of the community.

Activities:

Maintenance of halls, recreation centre and various reserves; operation of library.

TRANSPORT**Objective:**

To provide effective and efficient transport services to the community.

Activities:

Construction and maintenance of streets, roads, bridges; cleaning of streets, depot maintenance.

ECONOMIC SERVICES**Objective:**

To help promote the shire and its economic wellbeing.

Activities:

Assistance to tourism, area promotion, building control, noxious weeds, vermin control.

OTHER PROPERTY AND SERVICES**Objective:**

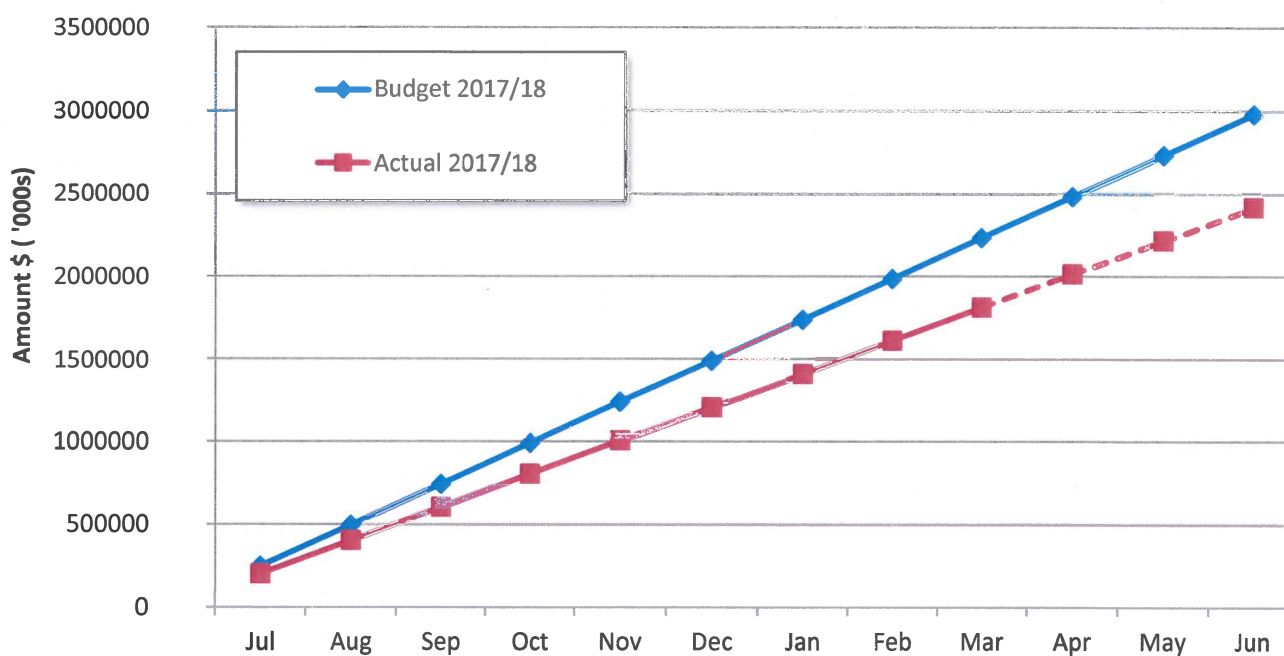
To accurately allocate plant and labour costs across the various programs of Council.

Activities:

Private works operations, plant repairs and operations costs.

SHIRE OF NANNUP
NOTES TO THE BUDGET REVIEW REPORT
For the Period Ended 31st December 2017

Budget Operating Revenues -v- Actual



Comments/Notes - Operating Revenues

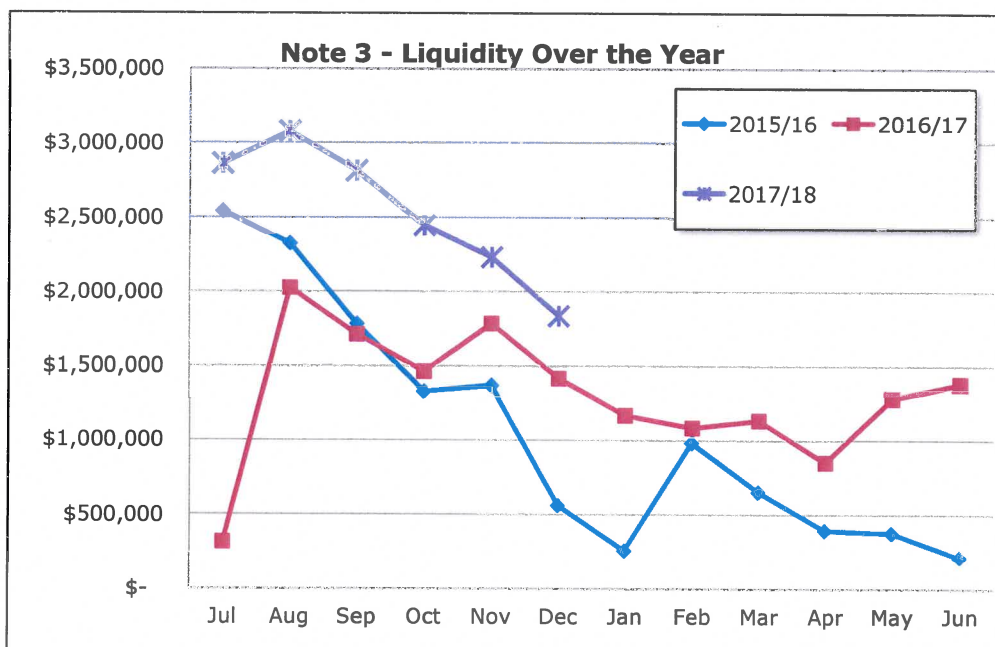
Operating revenues have reduced from original budget largely as a result of the reduction in grant funds received within the Transport schedule.

SHIRE OF NANNUP
NOTES TO THE BUDGET REVIEW REPORT
For the Period Ended 31st December 2017

Note 3: NET CURRENT FUNDING POSITION

FM Reg
33A
(2A)(c)

Positive=Surplus (Negative=Deficit) 2017-18		
Note	This Period	Same Period Last Year
	\$	\$
Current Assets		
Cash Unrestricted	1,825,169	1,217,092
Cash Restricted	1,631,994	1,481,015
Receivables - Rates and Rubbish	332,414	399,501
Receivables -Other	16,284	70,087
Interest/ATO Receivable/Trust	42,360	37,300
Inventories	6,240	6,240
	3,854,462	3,211,235
Less: Current Liabilities		
Payables	(0)	0
Provisions	(371,824)	(299,038)
	(371,824)	(299,038)
Less:		
Cash Reserves	(1,631,994)	(1,481,015)
Restricted Assets	(5,052)	(34,333)
Unspent Grand Funding		
YAC Committee	(16,250)	(16,250)
ATO Liability	(32,695)	(35,461)
Current Loan	(15,460)	(15,460)
	(1,701,451)	(1,582,519)
Add:		
Current Portion of Long Term Borrowing	(15,460)	(15,460)
Cash Backed Long Service Leave	135,897	101,849
	120,437	86,389
Net Current Funding Position	1,901,623	1,416,067



Comments/Notes - Net Current Funding Position

Council's opening liquidity for the 2017/18 financial year was higher than previous periods as a result of FAG's monies being received June 30, 2017.

Shire of Nannup
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
For the Period Ended 31st December 2017

Note 4: PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.1 OPERATING REVENUE (EXCLUDING RATES)		
4.1.1 PROFIT ON ASSET DISPOSAL Trade-Ins received from plant purchases overall higher than anticipated.	(18,211)	
4.1.2 FEES AND CHARGES Fees and charges from Health, Building and hire of facilities higher than anticipated	25,777	
4.1.3 GRANTS, SUBSIDIES AND CONTRIBUTIONS Grant funding from DFES for Bushfire operating expenditure increased by approx. \$6K, offset by funding cutbacks within Transport schedule from Blackspot funding, down \$93K and Direct Grants down \$45K.	(133,166)	
4.1.7 INTEREST EARNINGS Interest earnings on funds held higher than anticipated as result of receiving 50% FAGS early payment and investment of Reserve funds.	23,641	
4.1.8 OTHER REVENUE	0	
Predicted Variances Carried Forward	(101,959)	0
Predicted Variances Brought Forward	(101,959)	0
4.2 OPERATING EXPENSES		
4.2.1 EMPLOYEE COSTS Minor variations to employee overheads	(60)	
4.2.2 MATERIAL AND CONTRACTS As a result of cutbacks within operating grants, savings shown in materials and contracts.	96,209	
4.2.3 UTILITY CHARGES Minor variations shown on some accounts	(917)	
4.2.4 DEPRECIATION (NON CURRENT ASSETS)		
4.2.4 INTEREST EXPENSES Write-off of interest not anticipated	250	
4.2.5 INSURANCE EXPENSES Insurance expenses slightly higher over all areas. Will need to be built into upcoming budget.	(11,885)	
4.2.6 LOSS ON ASSET DISPOSAL	0	
4.2.7 OTHER EXPENDITURE	0	
Predicted Variances Carried Forward	(18,362)	0

Note 4: PREDICTED VARIANCES

Comments/Reason for Variance		Variance \$	
Predicted Variances Brought Forward		(18,362)	0
4.3 CAPITAL REVENUE			
4.3.1 GRANTS, SUBSIDIES AND CONTRIBUTIONS			
Grant for upgrade of change rooms not received. Has now resulted in this capital project not being included within capital works for 2017/18.		(50,000)	
4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS			
4.3.3 PROCEEDS FROM NEW DEBENTURES			
4.3.4 PROCEEDS FROM SALE OF INVESTMENT			
4.3.5 PROCEEDS FROM ADVANCES			
4.3.6 SELF-SUPPORTING LOAN PRINCIPAL			
4.3.7 TRANSFER FROM RESERVES (RESTRICTED ASSETS)			
Refer 4.3.1 above. Reserve contribution for Change room was based around receipt of capital grant funding. Additional contribution required for plant purchases as result of inclusion within original budget of sale of Scania truck and Pig trailer.		(100,000)	
Predicted Variances Carried Forward		(168,362)	0
Predicted Variances Brought Forward		(168,362)	0
4.4 CAPITAL EXPENSES			
4.4.1 LAND HELD FOR RESALE			
4.4.2 LAND AND BUILDINGS			
Refer 4.3.1 above. Capital expenditure was based around receipt of capital grant funding.		160,000	
4.4.3 PLANT AND EQUIPMENT			
Purchase cost of plant was less than within original budget.		7,793	
4.4.4 FURNITURE AND EQUIPMENT			
4.4.5 INFRASTRUCTURE ASSETS - ROADS			
4.4.6 INFRASTRUCTURE ASSETS - OTHER			
4.4.7 PURCHASES OF INVESTMENT			
4.4.8 REPAYMENT OF DEBENTURES			
4.4.9 ADVANCES TO COMMUNITY GROUPS			
Predicted Variances Carried Forward		(572)	0

Note 4: PREDICTED VARIANCES

Comments/Reason for Variance		Variance \$	
Predicted Variances Brought Forward		(572)	0
4.5 OTHER ITEMS			
4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)			
4.5.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)			
4.5.1 RATE REVENUE			
4.5.2 OPENING FUNDING SURPLUS(DEFICIT)			
4.5.3 NON-CASH WRITE BACK OF PROFIT (LOSS)			
Total Predicted Variances as per Annual Budget Review		(572)	0
Original Surplus within budget statements 2017/18		1,641	
		(572)	
Anticipated Budget closing position:		1,068	

SHIRE OF NANNUP
NOTES TO THE BUDGET REVIEW REPORT
For the Period Ended 31st December 2017

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change -(Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption	17215	Opening Surplus(Deficit)	\$ (696,391)	\$ (768,112)	\$	\$ (1,464,503)
	Original budget surplus anticipated						1,641
	Governance						0
0112	Election Expenditure savings		Operating Expenses		2,000	0	3,641
0182	Subscriptions		Operating Expenses		0	(2,500)	1,141
0192	Conference Expenses		Operating Expenses		0	(7,000)	(5,859)
0482	Legal Expenses higher than anticipated		Operating Expenses		0	(4,000)	(9,859)
	Postage expenses increased, budget adjustment required 18/19						
0412	Recruitment Expenses - CEO Recruitment not costed into budget		Operating Expenses		0	(1,000)	(10,859)
0812	Reserve Transfer From - Asset management to Cover Rec Centre Refurb.		Operating Expenses		0	(4,000)	(14,859)
0515			Capital Expenses		0	(100,000)	(114,859)
	General Purpose						
0080	Interest & Debt Costs		Operating Expenses		250	0	(114,609)
0361	Administration Charges - Rates Instalments		Operating Revenue		0	(300)	(114,909)
	Interest on overdue rates - based on current balance of outstanding debtors						
0061	Instalment Interest		Operating Revenue		5,000	0	(109,909)
0261	Interest on Deferred Rates		Operating Revenue		0	(210)	(110,119)
0271	Dept of Transport Commission		Operating Revenue		0	(1,149)	(111,268)
0523	Interest Earnings - Municipal Account		Operating Revenue		2,000	0	(109,268)
4873	Interest Earnings - Reserve Account		Operating Revenue		10,000	0	(99,268)
5381			Operating Revenue		10,000	0	(89,268)
	Law & Order						
0862	Utilities		Operating Expenses		0	(28)	(89,296)
0642	Insurance		Operating Expenses		0	(5,800)	(95,096)
0703	FESA Grant - Operating 17/18		Operating Revenue		5,800	0	(89,296)
0762	Plant Operating Costs - brigade vehicles		Operating Expenses		0	(2,615)	(91,911)
0632	CESM Vehicle Running Costs		Operating Expenses		0	(5,000)	(96,911)
	Maintenance Fire Brigades - materials & contracts						
0652	Rural Numbering		Operating Expenses		234	0	(96,677)
0942	SES Insurance		Operating Expenses		3,000	0	(93,677)
0922			Operating Expenses		0	(230)	(93,907)
	Health						
1383	Licence Fees		Operating Revenue		2,639	0	(91,268)
	Education & Welfare						
1063	Kidsport Expenditure - Underspend anticipated however nil impact on budget as surplus funds will be required to be returned to DSR		Operating Expenses		0	(838)	(92,106)
1642	Current overspend of approx 9,500. Will be offset by Pump Track funding. Nil impact overall		Operating Expenses		0	(12,663)	(104,769)
	LDAG Expenses - current overspend which will be reimbursed through course of year. Nil budget impact.						
1122	School holidays Fees & Charges		Operating Expenses		12,663	0	(92,106)
1153			Operating Revenue		1,038	0	(91,068)
	Housing						
1712	Insurance		Operating Expenses		0	(516)	(91,584)
1723	Rent for Dunnet Road Property		Operating Revenue		0	(1,430)	(93,014)
1712	Pest Control Savings		Operating Expenses		1,984	0	(91,030)
1712	Utilities		Operating Expenses		29	0	(91,001)
	Community Amenities						
1772	Insurance		Operating Expenses		0	(140)	(91,141)
1772	Tip Contract		Operating Expenses		923	0	(90,218)
1772	Wages Overheads Rubbish Site		Operating Expenses		0	(77)	(90,295)
1803	Waste Bin		Operating Revenue		1,443	0	(88,852)
1805	Recycling Bins		Operating Revenue		1,733	0	(87,119)
1813	Tip Fees		Operating Revenue		9,471	0	(77,648)
1817	WARR income		Operating Revenue		1,067	0	(76,581)
2142	Insurance		Operating Expenses		0	(15)	(76,596)
2253	Town Planning Fees & Charges		Operating Revenue		1,842	0	(74,754)
2322	Insurance - Public Conveniences		Operating Expenses		0	(343)	(75,097)
2322	Materials - Public Conveniences		Operating Expenses		0	(1,723)	(76,820)
	Recreation & Culture						
2432	Insurance Recreation Centre		Operating Expenses		0	(937)	(77,757)
	Materials & Contracts - Savings attributed to Chubb Contract Recreation Centre						
2432			Operating Expenses		13,866	0	(63,891)
2574	Changeroom Refurbishment Recreation Centre		Operating Expenses		150,000	0	86,109
7043	Hire of Centre Recreation Centre		Operating Revenue		1,953	0	88,062
	Grant - Department of Sport & Rec no Change Room Recreation Centre						
2453			Capital Revenue		0	(50,000)	38,062

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change -(Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
2422	Insurance Town Hall		Operating Expenses		0	(497)	37,565
2422	Materials & Contracts Town Hall		Operating Expenses		0	(2,884)	34,681
7053	Fees & Charges - Hire of centre Town Hall		Operating Expenses		1,492	0	36,173
2442	Insurance Community Room		Operating Expenses		0	(743)	35,430
2442	Materials - Pest Control		Operating Expenses		500	0	35,930
2462	Insurance Lesser Hall		Operating Expenses		0	(196)	35,734
2472	Water Old Roads		Operating Expenses		0	(865)	34,869
2472	Insurance Old Roads		Operating Expenses		0	(146)	34,723
2472	Materials Old Roads Pest Control & Window Repair		Operating Expenses		1,000	0	35,723
2482	Insurance Bowling Club		Operating Expenses		0	(599)	35,124
2482	Maintenance Bowling Club		Operating Expenses		0	(6,100)	29,024
2492	Insurance Cundinup Hall		Operating Expenses		0	(95)	28,929
2502	Insurance Carlotta Hall		Operating Expenses		0	(84)	28,845
2502	Materials & Contracts Maintenance		Operating Expenses		3,000	0	31,845
1732	Insurance Community House		Operating Expenses		0	(109)	31,736
7432	Utilities Foreshore Park		Operating Expenses		0	(37)	31,699
2642	Parks & Gardens Materials		Operating Expenses		5,000	0	36,699
7432	Foreshore Park Materials		Operating Expenses		1,000	0	37,699
7432	Foreshore Park Insurance		Operating Expenses		0	(216)	37,483
7574	Heritage Books		Operating Expenses		14	0	37,497
Transport							
3170	Local Road Construction - Materials		Operating Expenses			(36,546)	951
3170	Local Road Construction - Contractors		Operating Expenses		110,735	0	111,686
3391	Blackspot Funding - Under Receive Expected		Operating Revenue		0	(93,973)	17,713
3380	Local Road Maintenance - Materials		Operating Expenses		5,793	0	23,506
3221	Main Roads Direct Grants - Under Receive Expected		Operating Revenue		0	(44,993)	(21,487)
3410	Other Maintenance Costs - Materials		Operating Expenses		1,266	0	(20,221)
4263	Sale of Materials		Operating Revenue		0	(2,477)	(22,698)
3450	Traffic Counter Wages		Operating Expenses		0	0	(22,698)
3564	Plant Values at Trade in - more than expected		Operating Expenses		7,793	0	(14,905)
8393	Asset Sales		Operating Revenue		0	(18,211)	(33,116)
3685	Transfer from Reserve		Capital Revenue		10,000	0	(23,116)
Economic Services							
3932	Wages - Works Recharges Caravan Park		Operating Expenses		0	(60)	(23,176)
3932	Insurance Caravan Park		Operating Expenses		0	(402)	(23,578)
3912	Materials Caravan Park		Operating Expenses		0	(1,939)	(25,517)
3932	Maintenance Caravan Park		Operating Expenses		0	(456)	(25,973)
3932	Private Works Overheads - Caravan Park		Operating Expenses		0	(56)	(26,029)
3933	Lease Charges		Operating Revenue		292	0	(25,737)
3824	Electric Car Recharges		Operating Expenses		0	(16)	(25,753)
3862	Tourism - Insurance		Operating Expenses		0	(62)	(25,815)
4092	Building Control Insurance		Operating Expenses		0	(31)	(25,846)
4153	Building Control Fees & Charges		Operating Revenue		5,000	0	(20,846)
Other Property & Services							
4492	Plant Operating Costs Insurance		Operating Expenses		0	(730)	(21,576)
4982	Fuel & Oil		Operating Expenses		15,000	0	(6,576)
4482	Tyres & Batteries		Operating Expenses		5,000	0	(1,576)
6802	Parts & External works Overheads		Operating Expenses		0	(8,065)	(9,641)
4532	Administrative Expenses		Operating Expenses		1,000	0	(8,641)
7672	Recruitment		Operating Expenses		0	(1,106)	(9,747)
7422	Wages Overheads Adjustment		Operating Expenses		5,018	0	(4,729)
4512	Plant Overheads Adjustment		Operating Expenses		5,797	0	1,068
Amended Budget Cash Position as per Council Resolution				(696,391)	423,635	(424,208)	1,068

