

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Bridgetown-Greenbushes will be held on Thursday 25 January 2024 in Council Chambers, commencing at 5.30pm.

N Gibbs, CEO



Date:

19 January 2024

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AGENDA

For an Ordinary Meeting of Council to be held in Council Chambers on Thursday 25 January 2024, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford

Councillors - S Mahoney (Deputy)

- J Boyle

- M Christensen

- M Fletcher

- T Lansdell

- L Pearce

- A Pratico

- R Redman

Officers

- N Gibbs, Chief Executive Officer

- M Larkworthy, Director Corporate Services

- P St John, Director Development, Community, and Infrastructure

- L Taramoeroa, Executive Assistant

- N Thompson, Infrastructure Services Administration Officer

Attendance of Gallery

Responses to Previous Questions Taken on Notice

Public Question Time

Petitions/Deputations/Presentations

Comments on Agenda Items by Parties with an Interest

Applications for Leave of Absence

Confirmation of Minutes

C.01/0124 Ordinary Council Meeting held 14 December 2023

That the Minutes of the Ordinary Meeting of Council held 14 December 2023 be confirmed as a true and correct record.

Announcements by the Presiding Member Without Discussion

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Consideration of Motions of which Previous Notice has been Given

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.02/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future Update		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

Attachments 2 Dec 2023 Partnering for the Future 2023 Report

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the 'Dec 2023 Partnering for the Future 2023 Report'.

Summary/Purpose

For Council awareness to the status of the Partnering for the Future Project between Talison Mining Company (Talison) and the Shire of Bridgetown – Greenbushes (The Shire).

Background

In August 2023, a 'Partnering for the Future 2023' agreement was reached between the Shire and Talison, whereby Talison would fund several Community infrastructure

improvement projects in Greenbushes and Bridgetown to the value of \$1,804,504.90 which were to be delivered within the 2023 calendar year period.

In addition, in November 2023, the Shire put forward a series of projects to Talison for the Partnering for the Future 2024 period to the value of \$6,152,500.00,000 to be delivered within the 2024 calendar year period. Officers are still awaiting the outcome from Talison, at which point, the Shire will be advised.

Officer Comment

Commentary of the status of all 2023 projects is included in the attachment.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Item 2 - Good health and community wellbeing.

- Corporate Business Plan
Item 2.2 Provide quality sport, leisure and recreation services.

- Long Term Financial Plan
Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.

- Asset Management Plans
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.

- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.

- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications - No Impact

Whole of Life Accounting - No impact

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	03/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future – Budget Amendment		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

OFFICER RECOMMENDATION

That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.

Summary/Purpose

To request a budget amendment to the Talison Partnering for the Future 2023 Grant Moneys.

Background

In 2023, the Shire was granted \$1,804,504.90 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

Each of these projects was allocated a budget amount based on assumed costs, however, during the procurement and delivery phase, the true costs of these works has now been realised.

In late 2023, Talison provided written approval for the Shire's Project Management Team to 'pool' these moneys and reallocate any project surplus to projects with a deficit.

As these budgets were formalised and set within Shire budget papers, Officers now require a Budget Amendment to allow for the transfer of funds between these Talison funded projects.

Officer Comment

Officers seek a Council budget amendment to transfer Talison Projects funds as below:

AMOUNT (incl GST)	TRANSFER FROM	TRANSFER TO
\$14,300.00	25IN Bridgetown Sports Ground	23IN Sports Ground Water Supply Dam Construction
\$57,750.00	23IN Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,140.70	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$38,500.00	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$48630.86	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$546.70	TF05 Aquatic Blanket	TF04 Aquatic Inflatable

This budget amendment will allow for the full construction, HDPE lining and hydraulic works to the new Bridgetown Sports Ground dam, providing irrigation water security to this facility.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Outcome 2 - Good health and community wellbeing
- Corporate Business Plan
Outcome 2.2 Provide quality sport, leisure and recreation services
- Long Term Financial Plan
The budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications

Transfer of funds between Talison funded projects will have no negative impact on the 2023/24 budget.

Whole of Life Accounting - No impact

Risk Management – No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

ITEM NO.	C.04/0124	FILE REF.	LOCAL LAW 11
SUBJECT	Proposed New Local Law Relating to Fencing		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 3 Draft Fencing Local Law 2024

Attachment 4 Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Section 3.12(3)(a) of the Local Government Act 1995, give local public notice of its intent to:
 - (a) repeal the existing Shire of Bridgetown-Greenbushes Fencing Local Laws Relating to Fencing; and

- (b) *adopt the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 as presented in Attachment 3.*
2. *The purpose of the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 is to prescribe a sufficient fence and the standard for the construction of fences throughout the district and the effect is to establish the minimum requirements for fencing within the district.*
3. *Pursuant to Section 3.12(3)(b) of the Local Government Act 1995, give a copy of the proposed new local law and a copy of the notice to the Minister.*

Summary/Purpose

At its meeting on 29 June 2023 Council supported in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing Local Law based on WALGA's model.

This report presents a draft Fencing Local Law for Council's consideration.

Background

Council, at its meeting on 29 July 2021 meeting resolved in part (C.02/0721):

"That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:

- (i) Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law*
- (ii) Cats Local Law*
- (iii) Fencing Local Law*
- (iv) Health Local Law*
- (iv) Standing Orders Local Law"*

Council, at its meeting on 31 March 2022 meeting resolved (C.10/0322a):

"That Council amends its Fencing Local Law to introduce a requirement for electrification of fencing along road reserves being inside of the fence line."

Council, at its meeting on 27 October 2022 meeting resolved (C.02/1022):

"That Council give local public notice of its intention to make a Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 as contained in Attachment 1 and also give notice of this intention to the Minister responsible for Local Government. The purpose of the Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 is to introduce new requirements for licensing of an electrified fence on a commercial or industrial lot and the effect is that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence."

Council, at its meeting on 25 January 2023 resolved (C.06/0123):

"That Council approve the replacement of the previously endorsed Draft Amendment Local Law Relating to Fencing with the new Draft Amendment Local Law Relating to Fencing as per Attachment 4."

Council, at its meeting on 25 May 2023 resolved (C.07/0523a):

“A report be presented to the June ordinary meeting proposing the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and consideration of a new local law relating to fencing based on the current WALGA model.”

Council, at its meeting on 29 June 2023 resolved (C.11/0623):

“That Council:

- 1. Support in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing local Law based on the WALGA model.*
- 2. Note a further report be presented to Council providing a new draft Fencing Local Law for consideration.”*

Officer Comment

Resulting from Council’s previous resolution to provide a new draft Fencing Local Law for consideration, a draft has been developed and is attached to this report.

The proposed new local law is considerably different to the existing local law due to its contemporary nature and as such a tracked changed version has not been prepared. However, both versions have been provided for comparative purposes.

The major differences between the existing and the proposed local law (not including terminology and grammar) are detailed as follows with the clause references referring to the proposed local law:

Clause 1.2 - Commencement

Existing - No such provisions exist.

Proposed - The local law stipulates that it comes into operation 14 days after the date of its publication in the Government Gazette.

Clause 1.3 – Purpose and Effect

Existing - No such provisions exist.

Proposed – The purpose and effect are required to be included in the minutes of the meeting at which the local law is proposed. Contemporary practice now includes this in the local law itself as well as in the minutes of the meeting at which it is proposed.

Clause 1.6 - Definitions

This has been revised to reflect new terminology and requirements.

Clause 2.1(1) – Sufficient fences

Existing – The clause states - *“A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”*

Proposed – The clause states – *“A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.”*

Clauses 2.3 – Gates in fences, 2.4 – Depositing fencing material on public place, 2.5 – Fences on a rural lot, 2.7 – Fences across rights-of-way, public access ways or thoroughfares and 2.8 – General discretion of the local government

Existing – No such provisions exist.

Proposed – These clauses impose greater controls and enforcement provisions for the erection and maintenance of gates and fences.

Clause 2.11 – Electrified and razor wire fences

Proposed - Includes the amendment requested by Council in October 2022 to ensure that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.

Clauses 3.1 – Application for approval, 3.2 – Decision on application for approval, 3.3 – Compliance with approval, and 3.4 – Duration of approval

Existing – Various clauses within the local law refer to seeking approval.

Proposed – Approval clauses in the existing local law have been consolidated into this clause and strengthened to provide greater requirements when seeking approval.

Clause 4.1 – False or misleading statement

Existing – No such provisions exist.

Proposed - New clause that places the onus on a person not to make a false or misleading statement.

Clause 5.1(4) – Notice of breach

Existing – Requires any breaches to be remedied within 28 days of the giving of a notice.

Proposed – Deleted the 28-day time frame and included a requirement that it be remedied within the time given in the notice.

Clause 6.2 (2)(3) – Modified penalties

Existing – The current local law provides that all breaches incur a penalty of \$125.

Proposed – Rather than a single penalty rate for all breaches, a schedule of fines is proposed, which introduces higher penalties of between \$200 and \$250.

Clause 6.3(b) – Form of notices

Existing – Only stipulates the form of an infringement notice.

Proposed – The clause also stipulates the form for withdrawing and infringement notice.

Clause 7.1 – Objections and review

Existing - No such provisions exist.

Proposed – Part 9, Division 1 of the Local Government Act provides that whenever a local government makes a decision under a local law made under the Act, a person has a right of objection or review if they consider the decision to be unfavourable. This clause states that requirement.

Schedule 1 – Offences and modified penalties

Existing – No schedule of penalties applies as all breaches have been set at \$125.

Proposed – Includes a table that specifies each breach of the local law with a corresponding penalty. The penalties have increased from \$125 to a range of between \$200 and \$250.

Schedule 2 – Specifications for a sufficient fence on a residential lot

Proposed - Most of the dimensions are different. All categories of fence are the same except that the section on colour bond or zincalume sheeting has been deleted and incorporated in the corrugated fence section.

Schedule 3 – Specifications for a sufficient fence on a commercial lot or an industrial lot

Proposed – Includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Schedule 4 – Specifications for a sufficient fence on a rural lot or special rural lot

Proposed – There are some variations in dimensions. This also includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Making the local law

The Shire must carefully comply with s3.12 of the *Local Government Act 1995 (Act)* in order to repeal the existing local law and adopt a new local law. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance.

Once the Shire has resolved to give local public notice (not less than six (6) weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it. This process allows the Department to provide feedback to the Shire, and any requested amendments can be incorporated into the new Local Law.

Following the last day for submissions, the Shire is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed. This means if the Department has requested any simple grammatical amendments or the like, this would not be substantially different.

The Shire could also make substantial amendments following consideration of any submissions however in the event there are any substantial amendments, the process must be commenced again.

After making the local law, the Shire is required to publish the new Local Law in the Government Gazette and give a copy of it to the Minister. Local public notice is again required.

The Shire is to provide the new Local Law and relevant explanatory memorandum, with supporting documents to the Joint Standing Committee on Delegated Legislation (JSCDL). At this stage the JSCDL could:

- request amendments, requiring the Shire to make an undertaking; or
- disallow the local law should it not be supported, or the Shire has not substantially followed the prescribed process for making a local law under s.3.12 of the Act.

The process for making/amending a local law is a lengthy process and should everything progress smoothly will take approximately six (6) months, so if council were to endorse the attached draft local law now then it would be approximately mid 2024 before it would become operational.

Statutory Environment

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

Integrated Planning

- Strategic Community Plan
Outcome 14 - Effective governance and financial management
Objective 14.1 - Achieve excellence in organisational performance and service delivery
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

Council's 2023/24 budget contains an allocation for local law review advertising.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

If council did not adopt the draft local law it runs the risk of having legislation that is outdated and doesn't reflect contemporary practices, given that the existing local law has been in operation since 2004 and has had very little changed to it in that time.

The overall risk has been assessed as LOW (Minor/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring

Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.05/0124	FILE REF.	LEGALD136
SUBJECT	Assignment of Lease – P Holroyd (Bridgetown Timber Sales)		
PROPONENT	Mr Phillip Holroyd		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	30 November 2023		

Attachment 5 Existing Lease – Lot 55 Rose Street, Bridgetown

Attachment 6 Location plan of leased area.

OFFICER RECOMMENDATION

That Council:

1. *Approve the assignment of the lease for Lot 55 Rose Street, Bridgetown from Phillip John Holroyd to Arteulius Enterprises Pty Ltd trading as Bridgetown Timber & Hardware under the same terms and conditions of the original lease.*
2. *Agree that should there be any costs associated with the assignment of the lease they are to be the responsibility of the Lessee.*
3. *Authorise the CEO to exercise any rights and fulfill any obligations of the Shire of Bridgetown-Greenbushes under the lease for Lot 55 Rose Street, Bridgetown.*

Summary/Purpose

The Shire currently leases Lot 55 Rose St, Bridgetown to Mr Phillip Holroyd for the purpose of storage for his business Bridgetown Timber Sales which is located on the adjacent land.

Mr Holroyd as owner of the business has advised of a new ownership structure to take effect from 1 December 2023. As a result of this restructure Mr Holroyd has requested that the lease be assigned to reflect this new arrangement.

Background

Council at its meeting on 25 February 2021 resolved (C.04/0221):

1. *Note there were no submissions received on the proposed disposition (lease) of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd.*
2. *Determine that the use of Lot 55 Rose Street, Bridgetown as a storage yard for the adjacent business of 'Bridgetown Timber Sales' is appropriate for the land and therefore supports the leasing of the land for that purpose.*
3. *Enter into a lease of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd in accordance with the terms of the draft lease (Attachment 3) with the new lease to commence on 1 April 2021 and run to 30 June 2026.*
4. *Authorise the CEO to endorse the draft lease upon its endorsement by Mr Phillip John Holroyd.*

Officer Comment

The Lessee has advised that he is transferring the ownership of Bridgetown Timber Sales over to his son to take effect from 1 December 2023, however he will remain as one of the Directors of the business.

In so doing the Lessee has requested that the lease be transferred to the new business entity Arteulius Enterprises Pty Ltd, trading as Bridgetown Timber & Hardware.

The lease commenced 1 March 2021 and is due to expire 30 June 2026.

The current lease allows for several options to address this scenario, and these are now presented below.

Option 1 – Leave the lease in Mr Holroyd's name.

The current Lessee has been the sole owner of the business and responsibilities of the lease fell directly on him, which presented no issues. However, under the new structure he will not be the sole owner and as such he wishes that the responsibilities contained within the lease be placed in the business name.

The land is being utilised strictly for storage purposes only in association with the carrying out of the business on the adjacent land known as Bridgetown Timber Sales. Given that the business name has technically changed, and other legal documentation has been completed, there are some technical legal implications that may impact on the business should the lease remain in Mr Holroyd's name.

This option is not preferred.

Option 2 – Terminate the lease altogether.

Clause 3 of the lease states:

“This lease can be extinguished prior to its expiry date by either party subject to a minimum three months written notice being provided to the other party.”

At this point in time the Shire has no use for the land for the remaining two years of the lease and given the initial intent of Council was to support a 5-year lease it does not seem appropriate to terminate the lease. In addition, the Shire would forego the rental income of approx. \$3,500 per annum.

This is not preferred.

Option 3 – Terminate the lease and enter into a new lease.

As in option 2 there is the ability to terminate the lease prior to expiry which could be applied with the intent to enter into a new lease. Consultation would need to occur between relevant stakeholders to determine if the Shire had any use of the land prior to any new expiry date set. Should this be acceptable then section 3.58 of the *Local Government Act 1995* will need to be applied.

Section 3.58 states in part:

“(2) Except as stated in this section, a local government can only dispose of property to —

- (a) the highest bidder at public auction; or*
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.”*

Section 3.58(3) also states:

“A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and*
 - (ii) giving details of the proposed disposition; and*
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and**
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made..:*

This option will involve costs for advertising and obtaining a valuation, although these would be passed onto the Lessee. To ensure everything is done correctly proper legal documents would need to be prepared. This will prolong the process and would take approximately 3 - 4 months.

The Lessee has expressed his opinion that he did not wish to take up this option.

This is not preferred.

Option 4 – Assign the lease.

Clause 14 of the lease allows an assignment with the prior written consent of the Lessor which consent shall not be unreasonably or capriciously withheld.

This is by far the simplest resolution as it does not involve any cost other than employee time, and the documentation can be completed in house and is by far the most expeditious method.

Other advantages are that the shire does not have to undertake the processes as outlined under s.3.58 of the Local Government Act due to the fact that these were carried out as part of the decision-making process when the lease was first approved.

Given that there have been no complaints regarding this lease and the Lessee has complied with all requirements of the lease, it is considered appropriate that approval be given to assign the lease.

This is the preferred option and one which the Lessee has requested.

Statutory Environment

Local Government Act 1995

s.3.58 – Disposing of Property

- (1) In this section —
 - dispose* includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property* includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) The names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

- (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to -
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996

r.30 – Dispositions of property excluded from Act

r.31 – Anti-avoidance provision for Act

Integrated Planning

- Strategic Community Plan
Outcome 10 - A strong diverse and resilient economy
Objective 10.3 -Support local business to thrive
- Corporate Business Plan – Nil
- Long Term Financial Plan - Lease income is reflected in the LTFP
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance, Reputational (External) and Environment.

The Shire will retain access to the site for any maintenance or management of the adjoining creek or the culvert that is situated within the confines of Lot 55 and therefore retains oversight of this land.

The overall risk has been measured as Low.

Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.06/0124	FILE REF.	197.1
SUBJECT	Review of the <i>Cemeteries Act 1986</i> and <i>Cremation Act 1929</i> – Council Submission		
PROPONENT	Department of Local Government, Sport and Cultural Industries		
OFFICER	Manager Governance and Risk		
DATE OF REPORT	29 November 2023		

Attachment 7 Response to Discussion Paper on the Review of the Cemeteries Act 1986 and the Cremation Act 1929

Attachment 8 Department of Local Government, Sport and Cultural Industries Discussion Paper – Review of the Cemeteries Act 1986 and the Cremations Act 1929

OFFICER RECOMMENDATION

That Council adopt Attachment 7 as its submission to the Discussion Paper prepared by the Department of Local Government Sport and Cultural Industries into the review of the Cemeteries Act 1986 and the Cremations Act 1929.

Summary/Purpose

The Department of Local Government, Sport and Cultural Industries (DLGSC) is undertaking public consultation as part of a review of the *Cremation Act 1929* and the *Cemeteries Act 1986*.

The aim of the review is to consider the adequacy and effectiveness of both Acts and relevant subsidiary legislation, and obtain feedback from the public, community groups, local government and stakeholders to inform potential legislative reforms that aim to strengthen regulatory oversight of the funeral industry and reflect contemporary needs and expectations of both the community and industry.

The discussion paper identifies topics regarding the effectiveness of the current legislation and seeks responses to a number of questions.

This report presents responses to the Discussion Paper for Council's consideration.

Background

The then Minister for Health and the then Minister for Local Government announced the review of the two Acts in Parliament on 10 September 2020. The review is being undertaken by the DLGSC on behalf of the Minister for Local Government, in consultation with the community, the Department of Health, the MCB, regional cemetery Boards, local government and industry stakeholders.

Given the substantially unchanged legislation governing cemeteries and crematoria in Western Australia, it was identified by the then Minister for Local Government that the following topics should be addressed through the review process:

- adequacy and effectiveness of both Acts;
- relationship between crematoria and cemeteries in WA;
- powers of the Chief Health Officer, the Minister for Health and the Minister for Local Government in administering both Acts;
- current regulatory and occupational licensing regime of the broader cemetery, crematoria and funeral industry;
- governance structure of the industry including the effectiveness of Boards;
- management of burial grounds in Aboriginal communities;
- approach to the renewal of cemeteries; and
- relevant industry models in other jurisdictions.

To adequately address the breadth and complexity of these key issues, the DLGSC was informed by consultation with industry focus groups, relevant sector stakeholders, and the interagency Cemeteries and Cremation Act Review Working Group in the production of the Discussion Paper.

Extensive targeted stakeholder consultation was undertaken by the DLGSC to refine and guide the issues now presented for broader public consultation.

Stakeholders engaged with included members of the Western Australian funeral and monumental mason industries; medical referees; regional and metropolitan cemetery Boards; Aboriginal Community Controlled Organisations; Native Title Prescribed Body Corporates; the Western Australian Local Government Association; Local Government Professionals WA; and the AFDA.

This public consultation is being undertaken with the aim of obtaining feedback from the public and stakeholders to inform potential legislative reforms.

Officer Comment

The Shire currently operates two cemeteries (Bridgetown and Greenbushes), the operations of which are governed by the Cemeteries Act. Therefore, any changes to this legislation will impact on the Shire (to what extent is unknown at this stage).

The Cremations Act has little impact on the Shire as this relates to those authorities that operate crematoriums.

It is important that Council provide a submission in response to the Discussion Paper given that questions raised have a direct impact on the Shire and as such the attached is provided for Council's consideration.

Submissions close 5pm on Friday 16 February 2024.

Statutory Environment

Cemeteries Act 1986

Cremations Act 1929

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Depending on the outcomes of any changes to the legislation there may be a minor implication to the budget as income from licences may be reduced.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Financial, Compliance and Reputational (external).

With this being a submission in response to a discussion paper that does not contain any specific detail it is difficult to make an assessment.

However, on the basis that the legislation will be amended at the end of the process the overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.07/0124	FILE REF.	
SUBJECT	Repeal G13 - Meetings of Council – Guest Speakers Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 9 G13 – Meetings of Council – Guest Speakers

OFFICER RECOMMENDATION

That Council repeal the G13 – Meetings of Council – Guest Speakers Policy.

Summary/Purpose

Council currently has a policy entitled G13 - Meetings of Council - Guest Speakers, which directs the scheduling of guest speakers at Council Meetings. This paper proposes that Council repeal the policy on the basis that the content is not a policy document, the policy position is not necessary and Elected Members are capable of scheduling in the timing of a guest speaker according to local government regulations, meeting procedures, priority, purpose, importance, and availability.

Background

The G13 - Meetings of Council - Guest Speakers policy, is not a policy document as such. It is simply a few sentences directing the scheduling of guests at Council meetings. Elected Members can determine when it is appropriate to include guest speakers in meetings. Their expertise and understanding of the agenda items allow for a more responsive approach to scheduling guest speakers, based on established meeting procedures, content, priority, and availability.

The preferences for having guest speakers may vary based on the nature of the agenda items, emerging priorities, or the availability of relevant speakers. Repealing the policy would allow Elected Members the flexibility to adapt to changing circumstances without being bound by a rigid framework.

The current policy contributes to a cumbersome policy development, review, and amendment process. By repealing this specific policy, we can simplify the decision-making process, reduce administrative burden, and enable more agile responses to the evolving needs of the Council.

Officer Comment

Elected Members have been chosen by the community to represent their interests, and are well-equipped to make informed decisions regarding the inclusion of guest speakers in Council meetings.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Performance
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications Nil

Budget Implications Nil

Whole of Life Accounting Nil

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

ITEM NO.	C.08/0124	FILE REF.	
SUBJECT	Repeal G 18 – Taking of Photographs in the Council Chambers		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 10 G 18 – Taking of Photographs in the Council Chambers

OFFICER RECOMMENDATION

That Council repeal the G 18 – Taking of Photographs in the Council Chambers Policy.

Summary/Purpose

The G 18 – Taking of Photographs in the Council Chambers Policy is unnecessary to prohibit people from taking photographs or filming in Council Chambers. Simple signage will suffice.

Background

The G 18 – Taking of Photographs in the Council Chambers Policy, as it currently stands, prohibits individuals from taking photographs or filming inside the Council Chambers without prior permission. While we understand the need for decorum and order during Council meetings, we believe that this policy is unnecessarily restrictive and outdated.

In place of this policy, we propose a more inclusive and visitor-friendly approach. We have already taken steps to address the concerns that led to the creation of this

policy by purchasing appropriate signage to inform visitors of the regulations regarding photography and filming within the Council Chambers. These signs will clearly communicate the rules and regulations in a manner that is easily understandable to all visitors.

Our rationale for this proposal is based on several key considerations:

- There is no legal requirement for the policy.
- Photographs and filming can be prohibited without the need for a policy.
- In an era where transparency and public engagement are vital components of effective governance, it is important to encourage citizens to participate in the democratic process. Allowing photographs and filming in the Council Chambers can help to foster a sense of transparency and inclusivity, as it allows citizens to document and share their interactions with their elected representatives.
- The advent of smartphones and digital cameras has made it easier than ever for individuals to capture important moments and events. Restricting the use of these devices inside the Council Chambers may be seen as out of touch with current technological norms.
- By using signage to inform visitors about the existing rules and regulations regarding photography and filming, we can strike a balance between maintaining decorum during Council meetings and allowing citizens to exercise their rights to capture and share the proceedings.

Officer Comment

We understand the need to maintain order and respect for the proceedings in the Council Chambers. However, we believe that the proposed signage, coupled with the goodwill and understanding of the public, can effectively address these concerns without the need for a restrictive policy.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.09/0124	FILE REF.	
SUBJECT	Repeal PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy		
OFFICER	Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 11 PES 2 – Private Works Plant and Equipment Accessed by Shire Staff

OFFICER RECOMMENDATION

That Council repeal the PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy.

Summary/Purpose

The Private Works and Equipment Accessed by Shire Staff Policy has been in place for over 20 years. This policy was initially created to address concerns related to the use of private works and equipment by our Shire staff. However, since its implementation, our organisation has made significant progress in enhancing our governance and policy framework.

Background

Officers consider the Private Works and Equipment Accessed by Shire Staff Policy is no longer necessary for the following reasons:

1. **Redundancy:** Council currently has several policies in place that govern employee conduct, including the Code of Conduct, Misconduct and Termination Policy, Grievance Resolution Policy, and Complaints Policy. These policies collectively address a wide range of employee behaviours, including issues related to the use of private works and equipment. Employees are well aware that taking or using Shire equipment for personal gain is illegal. This type of theft could occur anywhere across the organisation and is not limited to the depot. Disciplinary action would always be the consequence.
2. **Overkill:** The Private Works and Equipment Accessed by Shire Staff Policy is duplicative in nature and adds unnecessary complexity to our existing policy framework. It places an additional administrative burden on our staff without providing any substantial benefits in return.
3. **Trust and Confidence:** The existence of the Private Works and Equipment Accessed by Shire Staff Policy may inadvertently convey mistrust towards our outside employees. Officers believe that our employees should be trusted to adhere to our existing policies and guidelines without the need for an additional policy specifically targeting this issue.
4. **Police Clearances:** It is important to note that all our staff are subject to police clearances, which ensures that we maintain a high level of trust and confidence in our workforce.
5. **Asset Management Plan:** The Shire will now be operating under an Asset Management Plan, 'Roads Hierarchy' tool, and 'Roads Schedule.' This shift in focus towards asset management may leave very little time for private works by staff, further reducing the relevance of the Private Works and Equipment Accessed by Shire Staff Policy.

Officer Comment

Officers propose that the Council consider repealing the Private Works and Equipment Accessed by Shire Staff Policy to streamline our policy framework, eliminate redundancy, and foster a culture of trust and confidence among our employees. With the added assurance of police clearances and the organisation's focus on an Asset Management Plan, the need for this policy is diminished.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government's policies

s.6.16(2)(b) - Imposition of fees and charges

Integrated Planning

➤ Strategic Community Plan

Outcome 14 - Effective governance and financial management.

Objective 14.1 - Achieve excellence in organisational performance and service delivery.

Outcome 16 - An engaged and effective workforce

Objective 16.1 - Attract, train, develop and retain an effective workforce.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

PES 3 – Private Works by Council

PES 2 – Private Works Plan and Equipment Accessed by Shire Staff be repealed.

Council currently has several policies in place that govern employee conduct.

Budget Implications Not applicable

Whole of Life Accounting Not applicable

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

ITEM NO.	C.10/0124	FILE REF.	
SUBJECT	Repeal CP 6 – Vandalism Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

OFFICER RECOMMENDATION

That Council repeal the CP 6 - Vandalism Policy and focus on contemporary graffiti (and other vandalism) prevention strategies.

Summary/Purpose

The Shire of Bridgetown-Greenbushes currently maintains a CP 6 - Vandalism Policy, offering a \$500 reward for information leading to the successful conviction of any person involved in vandalism of Shire property. This agenda paper proposes repealing this reward policy and redirecting focus on innovative and contemporary graffiti prevention strategies. The current reward system may not effectively address the root causes of graffiti, and we believe that investing in prevention and enhancement measures can create a more sustainable solution to this issue.

The current policy indirectly encourages the community to report criminal matters to the Shire rather than to the WA Police and compels staff to decide on whether a report might be vexatious or not. Vandalism falls under the remit of the WA Police.

Background

Council adopted the Vandalism Policy (CP 6) in 1998. While the Policy was obviously considered necessary 15 years ago, our society has become more litigious since that time. There are liability issues attached to Shire Officers becoming involved in criminal matters. Offering a \$500 reward for reports of vandalism that lead to prosecution:

- Holds negative connotations with regard to our approach to educating the community on asset pride and intentional asset damage.
- May appear to be now outdated in terms of approach.
- May not address (or attempt to address) the causes of the poor behaviour.
- Is lacking in prevention and enhancement strategies.

It is essential to implement sustainable solutions that go beyond mere incentives for reporting incidents. An example may be:

Introduction of Vinyl Wrapping: Vinyl wrapping offers several advantages in combating graffiti effectively:

- a) Surface Protection: Vinyl wrapping acts as a protective barrier against graffiti, making it a less attractive target for vandals and simplifying graffiti removal.
- b) Aesthetic Improvement: Vinyl wrapping enhances the visual appeal of public spaces, making them less likely to attract vandals. It contributes to the beautification of our community.
- c) Customizable Designs: Vinyl wrapping allows for community engagement through artwork and designs, fostering a sense of ownership among residents.
- d) Ease of Maintenance: Graffiti on vinyl-wrapped surfaces is easier to clean, reducing maintenance costs and efforts.
- e) Environmental Considerations: Using eco-friendly vinyl materials minimizes the environmental impact while providing long-lasting protection.

In addition to vinyl wrapping, officers propose the following contemporary approaches to combat graffiti:

- a) Smart Surveillance Systems: Implement high-tech surveillance cameras with artificial intelligence to monitor public spaces in real-time, detect suspicious behaviour, and alert authorities. Despite the Vandalism Policy being active at the time of the graffiti incident before the Blues Festival, no-one was reported nor claimed the \$500 because there was no CCTV directed towards Shire buildings.
- b) Community Murals and Art Projects: Engage the community in creating murals and art installations, fostering a sense of pride and ownership.
- c) Educational Programs: Support or facilitate the development of anti-graffiti education programs in schools and community centers to raise awareness about the negative impacts of vandalism.
- d) Green Spaces and Urban Design: Invest in urban renewal projects that prioritize green spaces and aesthetically pleasing public areas.

Officer Comment

Benefits of the proposed approach:

- Long-Term Sustainability: Shifting our focus from punitive measures to innovative and preventive strategies creates lasting solutions that deter vandalism.
- Community Engagement: Strategies like vinyl wrapping, community murals, and educational programs actively engage residents in preserving public spaces.
- Cost-Efficiency: Innovative prevention methods like vinyl wrapping and smart surveillance systems reduce maintenance costs over time.
- Environmental Responsibility: Using eco-friendly materials for vinyl wrapping aligns with our commitment to sustainability.
- Cultural Enrichment: Community-driven art projects and thoughtful urban design enhance the cultural richness of public spaces.

Statutory Environment

s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government's policies Local Government Property Local Law

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
 - Outcome 3 – A safe community for people and animals
 - Outcome 3.1 – Maintain high levels of community safety.
 - Outcome 3.1.3 – Provide a reserve fund to implement the CCTV Plan.
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - CP 2 – Closed Circuit Television

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.11/0124	FILE REF.	
SUBJECT	Repeal CR 7 – Australia Day Events Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	11 January 2024		

Attachment 13 CR 7 – Australia Day Events Policy

OFFICER RECOMMENDATION

That Council repeal the CR 7 - Australia Day Events Policy.

Summary/Purpose

The purpose of this agenda paper is to propose the repeal of the Australia Day Events Policy. The policy is not required to maintain the current format or arrangements. The repeal of the policy will mean the arrangements can be modified or made more flexible at the community's request or Council's initiative. For instance, Council may decide to alternate attending breakfast celebrations between Bridgetown and Greenbushes each year, or the community may decide that they would like a completely different event to celebrate Australia Day. The current policy is restrictive in this sense.

Background

The Australia Day Events Policy, currently in place, outlines arrangements for Australia Day events. However, the policy only includes minimal provisions such as hosting a breakfast function in Bridgetown, determining an annual budget for a breakfast in Bridgetown and Greenbushes and discontinuing the bus service from Greenbushes to Bridgetown on Australia Day. Council and officers do not require a policy to determine or provide for these provisions. It is simple core business.

Officer Comment

The benefits of repealing the policy are:

1. Provide for more flexible arrangements for the community and Council regarding the format and funding of the Australia Day event hosted by the Shire. The community will continue to grow and evolve and, as it does, may suggest contemporary and valuable modifications to the event.
2. Remove the onerous administrative burden of maintaining a policy that is not useful and is not required.

The consequence of not repealing the policy may be:

1. Lack of community engagement in the planning and decision-making processes for Australia Day events (assuming that everyone is comfortable with the status quo).
2. Potential missed opportunities to celebrate our diverse culture, heritage, and achievements.
3. Failure to determine a means in which to bring the entirety of the Shire together on Australia Day.
4. A lack of cultural and educational elements in Australia Day events, missing an opportunity for reflection and education on Indigenous culture.
5. The onerous burden of maintaining the policy detracting officers from meaningful work.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.12/0124	FILE REF.	203
SUBJECT	Review of Policy IM 2 – Records Management		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	4 January 2024		

Attachment 14 Draft amended Policy IM 2 – Records Management

Attachment 15 Current Policy IM 2 – Records Management.

OFFICER RECOMMENDATION

That Council adopt amended Policy IM 2 Records Management, as shown in Attachment 14.

Summary/Purpose

A review of Policy IM 2 Records Management has been undertaken as part of the ongoing review of all policies.

The amended policy is presented to Council for consideration.

Background

All Council policies have previously been reviewed on an annual basis with the review in 2021/22 being carried out section by section rather than undertaking a singular annual review of the whole of the policy manual contents.

In September of 2023 a report was presented to Council seeking to amend Policy G 1 Policy Manual to provide that policies be reviewed every 3 years after the date of adoption, or more frequently when determined by the CEO or Council, or as legislatively required.

The policy IM 2 Records Management was last reviewed in April 2022 and is now due for review.

Officer Comment

Under the section 19 of the *State Records Act 2020* every government organisation is to have a Record Keeping Plan (RKP).

The RKP must provide comprehensive responses to indicate whether the organisation is compliant to Standard 2 Principles 1 to 6.

The *State Records Standard 2 Recordkeeping Plans: Principle 2 -Policies and Procedures* requires that:

- Record keeping policies and procedures have been established;
- The roles and responsibilities for all employees are defined;
- The organisational scope of the policies and procedures has been addressed e.g. their applicability to regional branches or outsourced contractors; and
- The policies and procedures have been authorised at an appropriate senior level and are available to all employees.

To meet the minimum compliance requirements of Principle 2, the amended record keeping policy should include references to:

- Custodianship of Records;
- Access to Records;
- Creation of Records;
- Capture and Control of Records;
- Security and Protection of Records;
- Appraisal, Retention and Disposal of Records; and
- Awareness of record keeping responsibilities including those of Elected Members.

Upon review the policy has been substantially amended to:

- (a) Provide a better structure;
- (b) Better reflect current practices; and
- (c) Ensure that it meets the requirements under Principle 2.

As such a 'track changed' version has not been prepared, as this may cause some confusion.

To assist in understanding the differences between the existing and proposed policy, details of the major changes are as follows. Clauses mentioned refer to the draft amended policy.

Objectives (Clause 1)

Removed unnecessary content which is already encapsulated in legislation.

Definitions (Clause 3)

- Added in a new definition for:
 - Worker.
 - Electronic Records
 - Personal Records
- Removed the definition of Government Records (or Public Records)
- Amended the following definitions to reflect more contemporary practices:
 - Significant Records
 - Vital Records
 - Records Disposal

Statement (Clause 4.1)

Deleted reference to the records being a corporate asset as it is covered under clause 4.3 Custodianship.

Roles and Responsibilities (Clause 4.2)

- Added in Councillor roles and responsibilities
- Changed position titles
- Amended Staff responsibilities to better reflect modern practice
- Added in responsibilities for Records Staff

Creation of Records (Clause 4.4)

New requirement to meet the Principle 2 requirements.

Capture and Control (Clause 4.5)

New requirement to meet the Principle 2 requirements.

Security and Protection of Records (Clause 4.6)

New requirement to meet the Principle 2 requirements.

Appraisal, Retention and Disposal of Records

New requirement to meet the Principle 2 requirements.

Statutory Environment

Local Government Act 1995

s 2.7(2)(b)

“Without limiting subsection (1), the council is to —
(b) determine the local government’s policies.”

s 5.41(h)

“The CEO’s functions are to ensure that records and documents of the ;local government are properly kept for the purposes of this Act and any other written law.”

Integrated Planning

- Strategic Community Plan
 - Outcome 13 – Proactive, visionary leaders who respond to community needs
 - Objective 13.2 – Embrace innovation and a ‘can do’ culture
 - Outcome 14 – Effective governance and financial management

Objective 14.1 – Achieve excellence in organisational performance and service delivery

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance and Reputational.

It is Council's role under the Local Government Act to determine the policies of the local government and is obligated under policy G 1 – Policy Manual, to review policies.

Careful consideration is to be given by Council in potentially not agreeing to certain amendments as the risk of doing so may impact on the effectiveness and efficiency of undertaking various operational tasks or being in contravention of legislative requirements.

The overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme

Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.13/0124	FILE REF.	
SUBJECT	Adopt amended FM 7 - Use of Corporate Credit Card Policy to FM 7 - Corporate Credit Cards Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	5 January 2024		

Attachment 16 FM 7 – Use of Corporate Credit Cards Policy (Old)

Attachment 17 FM 7 – Corporate Credit Cards Policy (New)

OFFICER RECOMMENDATION

That Council adopt amended FM 7 – Use of Corporate Credit Cards Policy to FM 7 – Corporate Credit Cards Policy.

Summary/Purpose

The purpose of this agenda item is to seek Council's approval for the adoption of the revised Credit Card Policy. The primary modification to the existing policy pertains to the inclusion of modern purchasing methods (e.g. online transactions with both national and international companies).

Background

The current Credit Card Policy in place has served the Council effectively, ensuring fiscal responsibility and accountability in the use of credit cards for official business purposes. However, with the ever-evolving landscape of financial transactions and the increasing prevalence of online purchasing, it has become essential to modernise our policy to align with these contemporary methods.

The primary change proposed in the reviewed policy is the allowance for the use of credit cards for online purchases from national and international vendors. This adjustment recognises the evolving nature of commerce and the convenience and efficiency that online transactions offer. By permitting such transactions, Council aims to streamline procurement processes, increase flexibility, and facilitate the acquisition of goods and services from a broader range of suppliers.

The reviewed Credit Card Policy retains its commitment to fiscal responsibility and accountability by outlining clear guidelines and restrictions regarding credit card usage, spending limits, documentation requirements, and reporting procedures. The policy also reinforces the necessity for thorough record-keeping and compliance with all relevant regulations and laws.

Officer Comment

Adopting this updated Credit Card Policy will enable Council to adapt to the changing business landscape while maintaining the highest standards of financial stewardship and transparency. It will empower our staff to make timely and efficient purchases while ensuring that proper controls and safeguards remain in place to protect the organisation's financial interests.

Statutory Environment

Local Government Act

s.2.7(2)(b) – The council is to determine the local government’s policies

Local Government (Financial Management) Regulations 1996

r.11 – Payments, procedures for making etc.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 – Effective governance and financial management
 - Objective 14.1 – Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

FM 7 – Use of Corporate Credit Cards Policy to be amended and renamed to

FM 7 – Corporate Credit Cards Policy (New)

FM 4 – Purchasing Policy

Budget Implications – Not applicable

Whole of Life Accounting – Not applicable

Risk Management – Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

ITEM NO.	C.14/0124	FILE REF.	
SUBJECT	Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy (previously referred to as PR 1 – Events in or on Shire Property Policy)		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

Attachment 18 PR 1 – Functions in Shire Reserves or Parks Policy (Old)

Attachment 19 PR 1 – Events in or on Shire Property (New)

OFFICER RECOMMENDATION

That Council adopt the amended Events in or on Shire Property Policy.

Summary/Purpose

Officers propose amendments to the existing policy governing the usage of non-enclosed reserves within our community - Functions in Shire Reserves or Parks Policy (PR1). The policy is due for review and the timing of the review is aligned with the timing of significant asset improvements across the Shire. This policy proposes that officers become more proactive in their approach to advertise and rent out Shire venues for the dual purpose of:

- Generating significantly more revenue for venues from non-local people; and
- Providing more cost-effective venues for local people.

If Council adopts this new version of the Policy, the Schedule of Fees and Charges can be altered in time for the new budget cycle (and the opening of the Town Hall).

Background

The proposed amendments to the (now titled) Events in or on Shire Property seek to address the need for flexibility in fee structure, particularly concerning non-local individuals or groups that wish to use these public spaces for private events, such as weddings. This amendment aims to strike a balance between revenue generation and accommodating non-local residents, as well as ensuring local residents are not disadvantaged.

The existing policy governing the usage of non-enclosed reserves has proven effective in promoting responsible and inclusive use of public spaces. However, a recent issue has arisen where the current fee structure does not allow for the Council

to adjust fees for non-local individuals or groups, even when they may be prepared to pay a higher rate for our public spaces for their events.

The Council may, at its discretion, charge a different fee for non-local residents or groups that wish to use these public spaces for events such as weddings, ceremonies, or other private functions.

The advantages of adopting the amended Policy are relatively simple. It will provide for:

- Revenue to reinvest back into the maintenance of the buildings and open spaces. Currently, the hire fees do not even cover staff wages.
- Flexibility in fee structure whereby non-local individuals or groups subsidise the local use of the venues by paying more.
- More effective use of marketing, encouraging non-local residents to utilise our venues for events.
- Enhances the attractiveness of our community as a venue for various events because there is more income to generate back into the venues.

The disadvantages in not adopting the reviewed Policy are (potentially):

- No obvious revenue source for maintaining some significant infrastructure across the Shire.
- Venue hire will continue to cost the Shire more to maintain and operate than the income paid by the people using the resource

To illustrate this issue, the City of Fremantle, charges up to \$150 per hour or up to \$1,200 per day for the use of its Town Hall for private events, including weddings. In contrast, our current policy charges a flat fee of \$287.15 per day, regardless of the event type, size, or whether the organisers are local or non-local residents.

Officer Comment

Officers propose a fee structure for the use of Shire buildings and non-enclosed reserves, taking into consideration whether the event is organised by local or non-local residents or groups.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government's policies

Local Government Property Local Law

Integrated Planning

- Strategic Community Plan
 - Outcome 2 – Good health and community wellbeing.
 - Outcome 2.3 – Become a hub of excellence in art, culture and community events.
 - Outcome 12 – Bridgetown-Greenbushes is regarded to be a major tourist destination.
 - Outcome 12.3 – Develop and promote festivals, events and trails that showcase the area's natural assets and core competencies.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil

- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning
 - PH 3 – Blues Festival Trading
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

Corporate Services

ITEM NO.	C.15/0124	FILE REF.	131
SUBJECT	November and December Financial Activity Statements and List of Accounts Paid in December 2023		
OFFICER	Manager Finance		
DATE OF REPORT	10 January 2024		

Attachment 21 December 2023 Financial Activity Statements

Attachment 22 List of Accounts Paid in December 2023

OFFICER RECOMMENDATION

That council receive the:

1. *That Council receives the November 2023 Financial Activity Statements as presented in Attachment 20.*
2. *That Council receives the December 2023 Financial Activity Statements as presented in Attachment 21.*
3. *That Council receives the List of Accounts Paid in December 2023 as presented in Attachment 22.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Officer Comment

At the time of agenda preparation for the December 2023 Council meeting, month end finance processes were ongoing, as such the monthly statement of Financial Activity for November 2023 will be presented to the January 2024 Council meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

"C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil

- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in December 2023 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Development, Community and Infrastructure

ITEM NO.	C.16/0124	FILE REF.	
SUBJECT	Budget Amendment – Grader Purchase		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	15 th January 2024		

OFFICER RECOMMENDATION

That Council:

1. *Amends the 2023/24 budget by allocating funds of \$450,000 for the changeover cost to purchase a new grader.*
2. *Funds the purchase by:*
 - (i) *\$125,00 transfer from the Plant Reserve.*
 - (ii) *\$220,00 by deferring replacement of the Bomag Waste Compactor.*
 - (iii) *\$105,00 by deferring replacement of the Skid-steer Loader.*
 - (iv) *Sale of the Shires 2013 Volvo G930 grader.*

Summary/Purpose

Changes to the plant program in the 2023/24 budget are required to enable the procurement process for replacement of the Shires 2013 Volvo G930 grader to begin as a priority.

Background

An internal review has identified that replacement of the Shire's 2013 Volvo G930 grader is a high priority and that due to potentially long lead times, the procurement process for a new grader should begin in the current financial year. Replacement was scheduled in the Plant Replacement Program for the 2025/26 year so changes to the program will be required.

The estimated changeover cost for a new grader, after sale of the current machine, is \$450,000. The 2023/24 budget includes funding for replacement of the 2000 JCB Skid Steer Loader and replacement of the 2009 Bomag Waste Compactor. The combined budgeted changeover cost for these machines is \$325,000, funded from the Plant Reserve. The shortfall of \$125,000 is proposed to be funded by additional transfer from the Plant Reserve. Funding for the grader purchase is therefore proposed as follows:

- \$220,00 by deferring replacement of the Bomag Waste Compactor.
- \$105,00 by deferring replacement of the Skid-steer Loader.
- \$125,00 unbudgeted transfer from the Plant Reserve.
- Sale of the Shires 2013 Volvo G930 grader.

The transfer of an additional \$125,000 from the Plant Reserve will result in an estimated reserve closing balance of \$29,333 at 30 June 2024.

Officer Comment

In order to continue provision of service levels to the community, replacement of the Volvo grader is the current highest priority in the program. Uncertainty with supply chains means that the procurement process could be very lengthy. Beginning the process as a matter of urgency will ensure the best outcome for management of the Shires road network and level of service to the community. Considering the likelihood of a long lead-time it is expected that the purchase will not be finalised in the 2023/24 year.

In recent months, the Skid-Steer loader and Waste Compactor have both required unplanned repairs that have resulted in a modest extension of their operation lives. The risk in deferring the replacement of these machines is therefore considered acceptable.

Statutory Environment - Not applicable

Integrated Planning

- Strategic Community Plan
 - Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
 - Objective 9.1 Improve road safety and connectivity..
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.

- Corporate Business Plan

- Long Term Financial Plan

- Asset Management Plans

- Workforce Plan

- Other Integrated Planning

Policy/Strategic Implications - Not applicable

Budget Implications

The shortfall of \$125,000 is proposed to be funded from the plant reserve and will not impact the 2023/24 budget.

Whole of Life Accounting - Not applicable

Risk Management

Risk areas identified according to the Shires risk management policy, should replacement of the existing 2013 Volvo G930 grader not be brought forward in the Plant Replacement Program, are Financial Impact, Service Interruption, and Reputational Internal.

Financial Impact:

Due to the increased maintenance costs to operate the existing machine, the financial impact is considered Moderate (\$5001 - \$50,000) with a likelihood measure being likely, giving an overall risk rating of High.

Service Interruption:

Due to downtime of the existing machine, service interruption is considered Major (Prolonged interruption of services – additional resources; performance affected < 1 Month) with a likelihood measure being likely, giving an overall risk rating of High.

Reputational Internal:

Due to the decline in suitability of the existing machine for its intended purpose and related growing frustration amongst staff, Reputational Internal is considered Moderate (Decline in staff confidence/morale, or unauthorised absences) with a likelihood measure being Almost Certain, giving an overall risk rating of High.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Absolute Majority

ITEM NO.	C.17/0124	FILE REF.	
SUBJECT	Capital Projects Update		
OFFICER	Project Officer		
DATE OF REPORT	18 January 2024		

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in this report.

Summary/Purpose

This report is to update the councillors on the progress and activity relating to the following capital projects:-

1. Bridgetown Town Hall Conservation and Adaption
2. Relocation and Renewal of the Greenbushes Railway Station
3. Replacement of Shire Depot Facilities
4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Background

1. Bridgetown Town Hall Conservation and Adaption

Council approved the tender award to BRC Construction for the Town Hall project in November 2022, with the contract signed in February 2023. The Contractor commenced work in site in March 2023, making good progress. Due to several unavoidable structural issues, and unexpected A/C and maintenance factors, the progress was delayed, with first-fix services completed though the latter part of 2023.

2. Relocation and Renewal of the Greenbushes Railway Station

Council approved the tender to relocate and renew the Greenbushes Railway station from Nyland House Transporters at the Ordinary Council Meeting held in June 2023.

The preparation works for the relocation of the existing heritage station was completed during December 2023.

3. Replacement of Shire Depot Facilities.

At its meeting held on 14 December 2023 Council approved the draft Concept Plan for the Bridgetown Shire Depot subject to any further minor changes and accepted the quote from Willcox and Associates for Detailed Design and Documentation for the Shire Depot Facilities Rebuild.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project.

The recently completed restoration of the Bridgetown Train Station building is a significant project for the Shire and will accommodate the Bridgetown Visitor Centre upon completion of the building fit-out. Due to insufficient funds in the project budget, the fit out of the building was not included as part of the initial contract for restoration of the building itself. Additional funds were allocated in the Shire's 2023-24 Budget and Stephen Carrick Architects was engaged to prepare a technical specification for the fit out.

Officer Comment

1. Bridgetown Town Hall Conservation and Adaption

Construction work has re-commenced with specialist carpentry work on site. The upgraded structural steel trusses for the AV equipment will be installed by end January 2024.

Construction completion is anticipated at end-July 2024.

2. Relocation and Renewal of the Greenbushes Railway Station

Talison have engaged an earthworks contractor to prepare the site. The relocation of the heritage station is programmed in the last week of February 2024. Building works will be effected immediately thereafter. Shire involvement should be complete by mid-May 2024.

3. Replacement of Shire Depot Facilities.

Work has commenced on the Detailed Design and Documentation, scheduled for completion by mid-April 2024. A further report will be presented to the Council with funding and staging options at that stage.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Following a Request for Quotation process, a contractor has been appointed and work has commenced. The works are scheduled for completion by end-March 2024, followed by the relocation of the Visitor Centre staff.

The anticipated official opening date and commencement of operation of the Visitor Centre in the restored building is mid-April 2024.

Statutory Environment - N/A

Integrated Planning - N/A

Budget Implications - N/A

Whole of Life Accounting - N/A

Risk Management -N/A

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.18/0124	FILE REF.	123
SUBJECT	Greenbushes Sportsground BBQ Facility – Unbudgeted Funding		
OFFICER	Manager Community Services		
DATE OF REPORT	January 2024		

Attachment 23 Greenbushes Sportsground Precinct Map

OFFICER RECOMMENDATION

That Council accepts the unbudgeted grant income of \$66,093.50 from the Department of Jobs Science Tourism and Innovation (JSTI) through the Native Forest Transitions Small Grants funding round, and associated expenditure to construct a BBQ, shelter, picnic tables and bench seating at the Greenbushes Sportsground.

Summary/Purpose

This recommendation seeks formal receipt of unbudgeted income from JSTI and endorsement of related expenditure to cover the costs associated with the constructing a BBQ, shelter, picnic table and bench chairs at the Greenbushes Sportsground.

Background

When the Native Forest Transitions Small Grant round became available and was going to cover 100% of a project cost up to the value of \$100,000, the BBQ facility at the Greenbushes Sportsground and Recreation Precinct was identified as a project to include in Councils applications. The project was chosen because it fulfilled the grant guidelines criteria and was a self-contained project under the maximum funding limit. The completion of this project will encourage social and community connectedness, improved facilities for sporting competitions, increase the number of spectators and improve tourism.

Officer Comment

The BBQ area, in the form of a shelter, BBQ and picnic tables and benches, will add value to the Greenbushes Sportsground and Recreation Precinct redevelopment, identified as a potential Talison funded project to be completed in year 2 including installing irrigation and resurfacing both ovals, resurfacing hardcourts and line marking tennis and basketball. This facility will offer local residents a chance to enjoy the BBQ facility whilst watching sport or picnicking and offer campers the option to cook their food and sit in the undercover area.

Greenbushes is now a RV friendly town. Becoming a RV friendly town attracts tourists due to the increase in marketing through the Camper and Caravan association. Having the facilities to provide for the campers will encourage return visits, improve camping ground ratings and provide another reason to stay and spend in the town, benefiting the local economy.

The proposed location of the BBQ facility is opposite the ablution block and adjacent to the Soccer Pitch back oval. This location ensures the versatility of the facility to

meet the needs of campers, local residents, sporting groups and tourist in a nature-based environment.

If council support the officer recommendation the construction cost of the BBQ facility should be covered entirely by the grant funding and require little or no contribution from Council.

Statutory Environment

The Caravan Parks and Camping Grounds Regulations 1997.

Integrated Planning

- Strategic Community Plan
Outcome 2 – Good Health and community wellbeing.
Objective 2.2 – Provide quality sport, leisure and recreation services.
- Corporate Business Plan
Strategy 2.2.3 – Provide the implementation of the Greenbushes Sportsground and Recreation Precinct Redevelopment Project.
- Long Term Financial Plan - Nil
- Asset Management Plans
New and upgraded infrastructure will be included as Shire assets in Council's Property Infrastructure Asset Management Plan once the development is complete.
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Should Council endorse the officer recommendation the 2023/24 budget will reflect the income of \$66,093.50 and the expenditure associated with the construction of the Greenbushes Sportsground BBQ facility.

Whole of Life Accounting

Whole of life accounting principles are met by completing detailed planning processes for infrastructure developments including the consideration of capital outlay and ongoing maintenance costs that should be identified during planning and factored into the choice of infrastructure and the organisations ongoing operational costs. The Grillex infrastructure was chosen with whole of life accounting principles considered.

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk, if Council do not support the recommendation is Moderate given the likelihood that community become aware of the loss of funds or the absence of a facility that does not currently exist is Possible

and the damage to External Reputational associated with that awareness would likely be Minor.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

ITEM NO.	C.19/0124	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Attachment 24 Rolling Action Sheet

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the Rolling Action Sheet as shown in Attachment 24.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the status of previous resolutions/decisions that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an attachment to this agenda.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans- Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

There are no risk areas identified in accordance with Council Policy RM 1 – Risk Management as the report is for Council’s information only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Receipt of Minutes from Management Committees

Audit Committee Meeting Minutes

Urgent Business Approved by Decision

Responses to Elected Member Questions Taken on Notice

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.20/0124 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

- (b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.20/0124	FILE REF.	
SUBJECT	Advisory Committees		
OFFICER	Executive Assistant		
DATE OF REPORT	09 January 2024		

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.21/0124 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

- (b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.21/0124	FILE REF.	
SUBJECT	Proposed Organisational Restructure		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Closure

The Presiding Member to close the meeting.

List of Attachments

Attachment	Item No.	Details
1	C.01/0124	Ordinary Council Minutes 14 December 2023
2	C.02/0124	Dec 2023 Talison Grant Report
3	C.04/0124	Draft Fencing Local Law 2024
4	C.04/0124	Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing
5	C.05/0124	Existing Lease – Lot 55 Rose Street, Bridgetown
6	C.05/0124	Location plan of leased area
7	C.06/0124	Response to Discussion Paper on the Review of Cemeteries Act 1986 and the Cremation Act 1929
8	C.06/0124	Department of Local Government, Sport and Cultural Industries Discussion Paper - Review of the Cemeteries Act 1986 and the Cremation Act 1929
9	C.07/0124	G 13 - Meetings of Council - Guest Speakers
10	C.08/0124	G 18 - Taking of Photographs in the Council Chambers
11	C.09/0124	PES 2 - Private Works Plant & Equipment Accessed by Shire Staff Policy
12	C.10/0124	CP 6 - Vandalism Policy
13	C.11/0124	CR 7 - Australia Day Events
14	C.12/0124	Draft amended Policy IM 2 - Records Management
15	C.12/0124	Current Policy IM 2 - Records Management
16	C.13/0124	FM 7 - Use of Corporate Credit Cards (Old)
17	C.13/0124	FM 7 - Corporate Credit Cards (New)
18	C.14/0124	PR 1 - Functions in Shire Reserves or Parks Policy (Old)
19	C.14/0124	PR 1 - Events in or on Shire Property (New)
20	C.15/0124	November 2023 Financial Activity Statements
21	C.15/0124	December 2023 Financial Activity Statements
22	C.15/0124	List of Accounts Paid in December 2023
23	C.18/0124	Greenbushes Sportsground BBQ Shelter Site Plan
24	C.19/0124	Rolling Action Sheet

Agenda Papers prepared and
recommended by L Taramoeroa,
Executive Assistant



DATE 19/01/24

Agenda Papers authorised by
N Gibbs, CEO



DATE 19/01/24



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MINUTES

For an Ordinary Meeting of Council to be held in Council Chambers on 14 December 2023, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land on which we gather. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford

Councillors - S Mahoney (Deputy)
- J Boyle
- M Christensen
- M Fletcher
- T Lansdell
- L Pearce
- A Pratico

Officers - N Gibbs, Chief Executive Officer
- M Larkworthy, Director Corporate Services
- P St John, Director Development, Community, and Infrastructure
- N Thompson, Infrastructure Services Administration Officer
- M Gillham – Principal Project Manager
- P Quinlivan – Projects Officer
- S Alexander, Manager Infrastructure & Works

Apologies - Cr R Redman
- M Richards, Manager Community Services

Attendance of Gallery

D Hocking, B Bebbington

Responses to Previous Questions Taken on Notice

B Longbottom

Question

Where is the evidence of reversing onto Stanifer Road dangerous?

Response - The evidence is contained in the October 2023 agenda item which referenced all the relevant Australian standards.

Question

Is that a decision that's been passed by the Council? What procedure do we have to go through to get this decision reversed?

Response - In order to do that, there are specific requirements set out in the local Government Administration Regulations 1996 that deal with the revocation, the revocation or change of a previous decision of the Council. Notice must be given of a motion to revoke or change a decision, and this must be signed by at least a third of the number by members of the Council inclusive of the Mover.

Question

What has happened with the speed limit on the road that was supposed to be brought down by main roads? It got changed in Bridgetown quickly why doesn't it get done in Greenbushes? This is in relation to the speed limit on Stanifer Street?

Response - We are still awaiting a formal response from Main Roads. Unfortunately, the Main Roads process is not expedient because they have many of these requests and there is a back log. If the response is negative, we will approach the Minister for Transport and ask for intervention.

Question

What about a school crossing? Has some consideration been given to that on Stanifer Street?

Response - The school is responsible for applying to the Education Department for a school crossing. The Shire is not permitted to do this. The school has submitted an application for a crossing and the Shire has now signed the school's application, confirming that we have no objection to the installation of the school crossing.

M Flemming

Question

The road behind the IGA and the creek is very badly broken at the edges and very dangerous. Is there any chance of that being done soon?

Response - Most of the land is private property. It's not a Shire-managed road.

Question

Does that mean that nobody is going to fix it because it's private property?

Response - We have sought professional advice on the power, if any, that local government has, over private car park and road space. We are still awaiting a response. In the new financial year, a thorough review of all the Bridgetown Greenbushes roads and car parks will be enforced.

P Crossan

Question

We've been told previously that they can't do anything about the pressure in the town water system. This is in Greenbushes. We brought up there is a 550-thousand-litre water tank there that could be flow fed from the fire hydrant line and have a standalone pump inside the station. So they pump from tank into truck.

Response - Water Corporation has advised that there is very little they can do with regards to the town pressure. At the completion of the new Greenbushes fire station, the old station will remain as a Shire asset with DFES utilising this station for State-managed response capabilities such as high season fires. This has operational benefit to the Shire and greater community, including neighbouring Shires. As for the tank, this will remain in situ and be plumbed to both stations to assist in filling fire units, with anticipation to have partial completion in the coming months and connected to town water to top up during the hot months.

Public Question Time

B Bebbington

Question

In relation to Town Planning Scheme Amendment 73, re advertising item. It has been confirmed this afternoon that it will be appearing, if it's approved, will be appearing on public notices and community consultation for the 42-day period. Will there be any changes to the document that was distributed to people previously or to that which appears on the website other than the amendment to the map?

Director Development, Community, and Infrastructure - I'm not anticipating any changes other than the changes to the map Councillors, but if there's another change that community members consider necessary, I'm happy to look at that, but at the moment we just anticipate changing the map.

Question

In relation to that, the main issue that I have is in relation to the statement that it only applies to the fringes of the central business district or the fringes of the Bridgetown town, when clearly commercial area impacted is the entire commercial sector of the town. I would like that to be amended in any future documentation to ensure that there can be no misconstruing by anyone.

Director Development, Community, and Infrastructure - The Shire will review the wording of the documentation when the amendment is further advertised to make it clear that it applies to the whole of the Commercial zone under Town Planning Scheme No 3.

Question

Could we also change reference to Hampton Road to Hampton Street? Could we, if there are changes being done, include a better description of the area that the other streets, because the commercial area does go right past Miter Ten. There are some

streets in Roe Street which possibly, again, nobody can say what people think when they see a document. But I would like to make sure that the Shire gives every possible opportunity for everyone to be fully informed. Would that be okay?

Director Development, Community, and Infrastructure - The Shire will review the description of the roads when the amendment is further advertised.

Petitions/Deputations/Presentations

Pat Quinlivan, Project Management Officer, provided a PowerPoint presentation on the concept plans for the new depot. The key points/slides included:

- Acknowledgement of Steele Alexander (Manager, Infrastructure) and his outside crew who provided a lot of input and contribution to the development of the concept plans.
- The first plan is the contour map, which is important for any building. The red area shows the fire zone, the highest risk area.
- The pink outline to the left is the old depot site.
- The proposed site plan shows the location of a new office building at the main entrance. Previously, the office was right down the back end of the site. When the fire came through and destroyed those buildings, it provided the opportunity to look at a more suitable site for the office building and the obvious location was somewhere close to the main entrance so that there could be visual surveillance of any vehicles entering and exiting the site.
- One of the issues with the current location of the main gate was that there were not clear sight lines to the left of vehicles sort of coming down this way. So, the concept plan proposes that we relocate the main gate from around about here, approximately 30 to 40 odd meters further up, where there are clear sight lines and a safer entry and exit to the site.
- We have a 20-bay staff car park adjacent to the proposed office building. That would provide a safe and secure parking arrangement for outside staff who will come to the depot in the morning and park their cars and then head off for their duties.
- There is an access roadway between the office and the replacement workshop building.
- The workshop building is designed to be a one-way sort of traffic flow. When there's servicing of vehicles, they will come in the front door and be able to drive out onto the ring access road. That is one of the features of the plan for improved safety, that it will be a one-way traffic flow around that central area.
- We have proposed a new water storage tank which would capture the water from the roofs of the new office building and the workshop and be available in the event of another fire, to access that water.
- There is a proposed realignment of the perimeter fencing along.

- At some point in the future there may be a need for additional storage/sheds.
- There are two sheds that are proposed on the western boundary for storage of heavy light vehicles (future development).
- A proposed new arrangement for the bulk materials (gravel and blue metal).
- The proposed floor plan for the office building is probably the highest priority of any of the works. The current situation where the outside workforce staff are operating from residential housing is inappropriate.
- A modest but functional office facility is proposed.
- A plan showing the footprint of the workshop building is provided.
- There will be a hoist located in the light vehicle area for servicing.
- The elevations show what the buildings will look like from the south, west and north elevations.

Questions

Shire President – I am assuming that this is going to be sufficient capacity for foreseeable future and is there capacity for further extensions if need to be, well into the future?

Response - In terms of the office space area, it has been designed to accommodate future growth. We think what is ahead now will probably last the Shire a very long time in terms of its design and capacity, but there is certainly the opportunity to look at expansion in the future if that was required. My thought is that it is probably a long way down the track before that would be required and this is a long-term investment for Council to get some fit for purpose facilities for the outside staff. It is a very important project for the Shire of Bridgetown - Greenbushes.

Cr Pratico - You mentioned the workshop, will that be high enough for them to have an eight-wheeler truck with the hoist up?

Response - The intention is to allow enough height that if we needed to get a heavy vehicle hoist, we could do that. Although in the short term we are not planning on doing that, we will have the capacity.

Cr Fletcher - I noticed on the plan public access will take them outside the fencing, is that right?

Response - Correct.

Cr Fletcher - You mentioned only one way, but I noticed the car park, once the people in the office come out of the car park, they can turn right. They don't have to go right around the facility.

Response - Formalising that traffic flow probably did happen as part of the detailed design. But the access there is really just for the outside staff to come in the morning, park and leave in the afternoon. There shouldn't be any real

conflict because of the almost non-existent traffic movement from behind there. There probably does need to be some consideration on how to manage that properly, however there is plenty of space there to handle that.

Cr Fletcher - Has it been designed so PV panels can be added at some point?

Response - The cost estimate will include provision for the PV panels and capacity for battery storage. We would like to think this building could run almost off-grid. Plus, there is plenty of roof space on top of the workshop building as well, to put additional panels if that should be required. We are certainly very keen to get the panels these days, they are quite reasonably priced in terms of the overall scheme of things, for example, \$20,000 would get you a ten-kilowatt system, which would be more than enough to run that office building. Very keen to include that as part of the design and I think it would be great if our depot was the first one in W.A that was off the grid.

Cr Mahoney - At what stage will there be consideration as to what materials are used so that the maintenance costs of the buildings are low long-term?

Response – We are looking at a steel or timber frame and; is it fibre cement panels on the external area?

Response – It will be corrugated tin on the outside of the office building.

Cr Mahoney – An orange office building?

Response – It will be Colourbond in some format or another.

Cr Mahoney - If it is under consideration, at some point, that doesn't look like that looks like large maintenance, ongoing maintenance of that building, but if it's going to be corrugated tin?

Response - Thank you for the question and we will check that out and provide all Councillors with a response to that.

Cr Pearce - We are always looking for a bit of space when we are having the ISG meetings. There is no space in the ICC to either push out to a level three ICC or to hold ISG's, which we need to when we get level two, level three fires.

Could consideration be given to things like cabling, generator back on etc.?

I don't want to steal the depot space, but just when we have the fires, we quite often need a facility. Last time we came down to the SES building, that was not appropriate at all. Having a facility like that would be quite handy, being so close as well.

Response – We can consider this.

There is a lot of similarities between the ICC building layout and the layout of the proposed depot, with the centralised open plan area, that's got the surrounding offices as well as that lunchroom area as well. Both of those

spaces can certainly function as one in the open area, with a very similar layout.

Cr Christensen - I just wanted to make a quick comment to mention when you were thinking of putting on batteries and solar panels. The roof as it stands, is actually tipped to the south, which is not going to be very useful for solar panels.

You'd have to rethink that if you want to do that. I know it's tipped up, so you get sunlight in, in winter, so not very compatible.

Response – To use the roof alignment for solar gain in the winter, pv panels can be uplifted and repositioned with support structures.

Response - We'll certainly have some discussion with the architect because it's a good point.

Cr Boyle - You said there were going to be water tanks and are they just to bring up mains water or are we also going to collect the roof? We don't see pipes to collect water.

Response - The idea was we will create quite a bit of additional roof space to collect water and if we can put that water into a storage tank, it could be used for different things, even if it's just only used to water the shrubs and things sort of around the building or whatever, but it certainly would be handy to have a full tank there if it was needed during fire season.

How that all might work is still to be worked through at the detailed design phase.

CEO Response - They are very much concept drawings. If you do think of anything else along those lines, feel free to email me for further exploration, but that's the technical detail that we would move into.

Cr Lansdell - But I think overall water efficiency, energy efficiency, load maintenance are the priorities.

Comments on Agenda Items by Parties with an Interest

B Bebbington - C.17/1223 - Amendment 73 to Local Planning Scheme No 3

B Bebbington claims:

- The process used for the Town Plan Scheme amendment.
- There are specific provisions in the Act that dictate process.
- The Minister may seek orders from the Council if they have not complied with the Act. Mr Bebbington has gone to the Minister with this issue.
- Council wasn't given the correct map. The map presented said the impact was restricted to the fringes of Bridgetown. That is not correct.
- The EPA was not provided with the correct map. This needs to happen before you can go to advertising.

- The advertising must be done for 42 days, and the documents must be available for the entire period.
- The current intention that the updated information is only going to be sent to the two landholders and not other affected landowners.
- Mr Bebbington's full submission was not included in the agenda.
- Mr Bebbington has repeatedly raised these issues but the organisation has not reacted to his advice.

Applications for Leave of Absence

Confirmation of Minutes

C.01/1223 Ordinary Council Meeting held 2 November 2023

That the Minutes of the Ordinary Meeting of Council held 2 November 2023 be confirmed as a true and correct record.

**Council Decision Moved Cr Lansdell, Seconded Cr Christensen
C.01/1223 That the Minutes of the Ordinary Meeting of Council held 2 November 2023 be confirmed as a true and correct record.**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

C.02/1223 Ordinary Council Meeting held 30 November 2023

That the Minutes of the Ordinary Meeting of Council held 30 November 2023 be confirmed as a true and correct record.

**Council Decision Moved Cr Pratico, Seconded Cr Boyle
C.02/1223 That the Minutes of the Ordinary Meeting of Council held 30 November 2023 be confirmed as a true and correct record.**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Announcements by the Presiding Member Without Discussion

As we commence our final Council meeting for the year tonight, I'm reflecting on the last twelve months with mixed feelings.

For many in our community there have been real challenges this year. Loss of loved ones, illness, home insecurity and financial pressures.

Global conflict concerns all of us. It's been a volatile year for the Shire and Council, with many difficult decisions to be made in the last twelve months.

A changing world brings such things and managing that change forms a large part of what we do as Council. The farewelling of a longstanding CEO and the recruiting of

a new one naturally has created upheaval and some uncertainty. A new regime brings a new approach and that needs to be navigated and given time to prove itself.

Council understands that change is difficult, but also that it's necessary. The organisation is being encouraged to evolve, become more contemporary, and provide increased levels of service to the community.

It cannot be instant, but I'm confident over the coming twelve months, you'll see more and more positive outcomes. We understand the community concerns around the encroachment of mining in our region, worries about the environment, fear of losing what is precious to us.

We know there are traffic and parking issues, road maintenance and footpath problems. We listen and understand and have been working towards solutions to many of these over the past year and beyond behind the scenes.

I look forward to being able to announce real initiatives to deal with these over the coming months - action because of informed planning. We'll also be seeking more clarity around the broad mining environment in the whole region so we can determine how to advocate for our unique needs and desires in our own Shire.

It can be hard to rise above the challenges of difficult times, but it's also an opportunity to clarify what we want and how we can create it. There'll be some great opportunities for consultation with the community around our future planning next year, and I hope you'll all embrace that chance to submit your views.

I've enjoyed all my chats on the bench with so many of you. The meetings, phone calls and emails, all coming from a place of caring about where we live. Thanks to my fellow Councillors for your support and for the professionalism you've brought to the task.

Thank you to the Shire staff who ably support us, and to our CEO, past and present.

I wish everyone a joyful Christmas season and an expansive and enriching 2024.

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Cr Mahoney

Question

In relation to C.13/1223 Standardised Acknowledgement of Country the agenda states the proponent, is the Cultural Awareness Advisory Committee. I can't find in the report any mention that any of those people had any contact with that

Committee. Can I ask whether that Committee is the proponent and is recommending it?

CEO Response - Unfortunately, Megan Richards is not with us today. However, my understanding is that because the advisory group did not meet over that period, she spoke individually to Aboriginal members of that group.

I think you're correct, Cr Mahoney. I don't think the proponent should be the Advisory Council, it should perhaps be Megan Regards.

Question

Is there any record of those meetings between Megan Richards and the Aboriginal members of the Committee? And secondly, did Megan Richards contact any other member from that Committee?

CEO Response - I would assume so given they were important meetings. But given I haven't seen that documentation myself, I'm hesitant to confirm without conferring with Megan.

Cr Lansdell

Question

Mr Bebbington sent an email out saying that his submission had been summarized or it wasn't completely full. I would like to know if that was the intention, why it was actually not the full submission in the agenda. Is that normal practice? And why?

Director Development, Community, and Infrastructure - What we did is because we were recommending a further advertising period, my judgment was, which is explained in the report, is that we would deal with procedural matters raised in the submissions and then the planning matters in the other.

There were several planning matters raised in Mr Bebbington's submission that we will report on when this comes back to Council to consider any other submissions received and any others which also raised planning considerations.

I thought considering the planning considerations in two chunks would have been helpful – it can be a bit confusing, so we dealt with procedural matters first.

Consideration of Motions of which Previous Notice has been Given

ITEM NO.	C.03/1223	FILE REF.	
SUBJECT	Appointment of Fire Control Officer		
ELECTED MEMBER	Cr Mike Fletcher		
DATE OF REPORT	1 December 2023		

ELECTED MEMBER RECOMMENDATION

Council approves the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade as approved by the BFAC on 15th November 2023.

Voting Requirements – Simple majority

Moved Cr Mountford, Seconded Cr Pratico
C.03/1223 Appointment of Fire Control Officer.

That Council approve the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade, as approved by the BFAC on 15th November 2023.

Amendment Moved Cr Pearce, Seconded Cr Fletcher
C.03/1223 That the words ‘approved by the BFAC’ be deleted and be replaced by ‘recommended by the BFAC.’

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

The amendment was incorporated into the substantive motion and was put.

**Council Decision Moved Cr Mountford, Seconded Cr Pratico
C.03/1223a Appointment of Fire Control Officer.**

That Council approves the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade as recommended by the BFAC on 15th November 2023.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil.

ITEM NO.	C.04/1223	FILE REF.	
SUBJECT	Greenbushes Laneway Naming Project		
ELECTED MEMBER	Jenny Mountford		
DATE OF REPORT	23/11/23		

ELECTED MEMBER RECOMMENDATION

That Council:

- 1. Approve the new naming of laneways in Greenbushes honouring previous residents of the town.*
- 2. That local residents be given the opportunity to nominate names.*

3. *That volunteers of the Greenbushes Discovery Centre be delegated the task of gathering the nominations and completing the relevant research on names submitted.*
4. *That the Greenbushes Discovery Centre then provide Council with a laneway map showing the selected names for approval.*
5. *That Council budget for the laneway network to be rehabilitated as part of the project in the 2023/24 budget.*

Summary/Purpose

In our region, neighbouring Shires have implemented policies that involve naming laneways to pay tribute to past residents, with the public actively participating by providing nominations and suggestions. A volunteer from the Greenbushes Discovery Centre has identified an opportunity for this to be an affordable yet significant project for Greenbushes. This would add to the re-telling of the town's history whilst also creating another interesting walk trail as a tourist attraction.

Background

In the town of Greenbushes, the streets predominantly bear names associated with minerals such as Tourmaline, Telluride, and Galena, or are place-oriented like Spring Gully and Blackwood. Some streets do pay homage to early settlers and royalty, exemplified by names like Jephson and George.

It is important to recognize that Greenbushes, encompassing both the townsite and North and South Greenbushes, has been home to numerous significant families whose profound contributions have shaped the fabric of the town.

There is an existing laneway network of some 15 lanes in the town centre. One of the volunteers at the Greenbushes Discovery Centre - who has a keen interest in the town's history – has very kindly volunteered to manage the project of naming these laneways.

Once complete, the new walking "trail" could be promoted through the Greenbushes Discovery Centre and provide another activity for tourists to enjoy while they are visiting.

In recent years the laneway network in Greenbushes has become considerably overgrown and unkempt. As part of the project, these laneways could be rehabilitated and made clear for easy access providing benefit to locals as well as visitors.

Subject to an assessment of the work required to restore the laneways to good condition, the project could be completed in stages if necessary.

Officer Comment

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Mountford, Seconded Cr Lansdell C.04/1223 Greenbushes Laneway Naming Project.

That Council:

- 1. Approve the new naming of laneways in Greenbushes honouring previous residents of the town.**

2. ***That local residents be given the opportunity to nominate names.***
3. ***That volunteers of the Greenbushes Discovery Centre be delegated the task of gathering the nominations and completing the relevant research on names submitted.***
4. ***That the Greenbushes Discovery Centre then provide Council with a laneway map showing the selected names for approval.***
5. ***That Council budget for the laneway network to be rehabilitated as part of the project in the 2023/24 budget.***

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Lansdell

Question

Just to clarify the wording of rehabilitated for the laneway network, can you clarify what rehabilitated would be?

Shire President - At the moment the laneways are fairly overgrown so I'm not suggesting that we seal them or anything like that. I think it's just a matter of being walkable, it's more of a maintenance issue.

ITEM NO.	C.05/1223	FILE REF.	
SUBJECT	Renewing of Greenbushes Cemetery Markers		
ELECTED MEMBER	Cr Jenny Mountford		
DATE OF REPORT	27/11/23		

ELECTED MEMBER RECOMMENDATION

That Council:

1. *That new metal grave markers for the Greenbushes Cemetery be designed and manufactured incorporating numbers which will be durable and unfading over a long period of time.*
2. *That once costing has been completed, the project be incorporated into the 2023/24 budget.*
3. *That all existing grave markers be removed, and the new markers be installed in accordance with the map located on the boards at the Cemetery entrance.*

Summary/Purpose

With current grave markers being in a very poor or in some cases illegible condition, new more durable markers be produced and installed in their place.

Background

In relatively recent years, new signs were installed at the entrance to the Greenbushes Cemetery, These attractive signs clearly map out all the numbers of the graves by section.

Unfortunately, the old wooden grave markers have not been renewed for a very long time. These markers are wooden stakes painted white and the numbers then hand-painted in black. A great number of these markers have faded very badly to the point where the numbers are barely visible, others have no paint left on them at all making the number of the plot unknown.

In order to make the markers durable and suitable for the long term it would be sensible to have new ones made of a non-corrosive metal and marked with non-fading numbers. Once completed, these markers would be low to no maintenance and renewal would not need to be re-visited for many decades.

The Bridgetown Cemetery is maintained in generally good order and resources are obviously put to it in the annual maintenance schedule. Whilst the character of the Greenbushes Cemetery is different, being more of a bush cemetery with it's own rustic charm, it is still important for the facility to be maintained with it's important infrastructure kept in good order.

Officer Comment

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Mountford, Seconded Cr Boyle
C.05/1223 Renewing of Greenbushes Cemetery Markers.**

That Council:

- 1. That new metal grave markers for the Greenbushes Cemetery be designed and manufactured incorporating numbers which will be durable and unfading over a long period of time.***
- 2. That once costing has been completed, the project be incorporated into the 2023/24 budget.***
- 3. That all existing grave markers be removed and the new markers be installed in accordance with the map located on the boards at the Cemetery entrance.***

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.06/1223	FILE REF.	LOCAL LAW 11
SUBJECT	Proposed New Local Law Relating to Fencing		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	3 November 2023		

Attachment 3 Draft Fencing Local Law 2023

Attachment 4 Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing

OFFICER RECOMMENDATION

That Council:

- 1. Pursuant to Section 3.12(3)(a) of the Local Government Act 1995, give local public notice of its intent to:
 - (a) repeal the existing Shire of Bridgetown-Greenbushes Fencing Local Laws Relating to Fencing; and*
 - (b) adopt the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 as presented in Attachment 3.**
- 2. The purpose of the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 is to prescribe a sufficient fence and the standard for the construction of fences throughout the district and the effect is to establish the minimum requirements for fencing within the district.*
- 3. Pursuant to Section 3.12(3)(b) of the Local Government Act 1995, give a copy of the proposed new local law and a copy of the notice to the Minister.*

Late Officer Recommendation: That Council defer the motion, subject to internal investigation into technical aspects of the report. The Item is so deferred.

Summary/Purpose

At its meeting on 29 June 2023 Council supported in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing Local Law based on WALGA's model.

This report presents a draft Fencing Local Law for Council's consideration.

Background

Council, at its meeting on 29 July 2021 meeting resolved in part (C.02/0721):

“That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:

- (i) Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law*
- (ii) Cats Local Law*
- (iii) Fencing Local Law*
- (iv) Health Local Law*
- (iv) Standing Orders Local Law”*

Council, at its meeting on 31 March 2022 meeting resolved (C.10/0322a):

“That Council amends its Fencing Local Law to introduce a requirement for electrification of fencing along road reserves being inside of the fence line.”

Council, at its meeting on 27 October 2022 meeting resolved (C.02/1022):

“That Council give local public notice of its intention to make a Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 as contained in Attachment 1 and give notice of this intention to the Minister responsible for Local Government. The purpose of the Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 is to introduce new requirements for licensing of an electrified fence on a commercial or industrial lot and the effect is that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.”

Council, at its meeting on 25 January 2023 resolved (C.06/0123):

“That Council approve the replacement of the previously endorsed Draft Amendment Local Law Relating to Fencing with the new Draft Amendment Local Law Relating to Fencing as per Attachment 4.”

Council, at its meeting on 25 May 2023 resolved (C.07/0523a):

“A report be presented to the June ordinary meeting proposing the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and consideration of a new local law relating to fencing based on the current WALGA model.”

Council, at its meeting on 29 June 2023 resolved (C.11/0623):

“That Council:

- 1. Support in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing local Law based on the WALGA model.*
- 2. Note a further report be presented to Council providing a new draft Fencing Local Law for consideration.”*

Officer Comment

Resulting from Council's previous resolution to provide a new draft Fencing Local Law for consideration, a draft has been developed and is attached to this report.

The proposed new local law is considerably different to the existing local law due to its contemporary nature and as such a tracked changed version has not been prepared. However, both versions have been provided for comparative purposes.

The major differences between the existing and the proposed local law (not including terminology and grammar) are detailed as follows with the clause references referring to the proposed local law:

Clause 1.2 - Commencement

Existing - No such provisions exist.

Proposed - The local law stipulates that it comes into operation 14 days after the date of its publication in the Government Gazette.

Clause 1.3 – Purpose and Effect

Existing - No such provisions exist.

Proposed – The purpose and effect are required to be included in the minutes of the meeting at which the local law is proposed. Contemporary practice now includes this in the local law itself as well as in the minutes of the meeting at which it is proposed.

Clause 1.6 - Definitions

This has been revised to reflect new terminology and requirements.

Clause 2.1(1) – Sufficient fences

Existing – The clause states - “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”

Proposed – The clause states – “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.”

Clauses 2.3 – Gates in fences, 2.4 – Depositing fencing material on public place, 2.5 – Fences on a rural lot, 2.7 – Fences across rights-of-way, public access ways or thoroughfares and 2.8 – General discretion of the local government

Existing – No such provisions exist.

Proposed – These clauses impose greater controls and enforcement provisions for the erection and maintenance of gates and fences.

Clause 2.11 – Electrified and razor wire fences

Proposed - Includes the amendment requested by Council in October 2022 to ensure that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.

Clauses 3.1 – Application for approval, 3.2 – Decision on application for approval, 3.3 – Compliance with approval, and 3.4 – Duration of approval

Existing – Various clauses within the local law refer to seeking approval.

Proposed – Approval clauses in the existing local law have been consolidated into this clause and strengthened to provide greater requirements when seeking approval.

Clause 4.1 – False or misleading statement

Existing – No such provisions exist.

Proposed - New clause that places the onus on a person not to make a false or misleading statement.

Clause 5.1(4) – Notice of breach

Existing – Requires any breaches to be remedied within 28 days of the giving of a notice.

Proposed – Deleted the 28-day time frame and included a requirement that it be remedied within the time given in the notice.

Clause 6.2 (2)(3) – Modified penalties

Existing – The current local law provides that all breaches incur a penalty of \$125.

Proposed – Rather than a single penalty rate for all breaches, a schedule of fines is proposed, which introduces higher penalties of between \$200 and \$250.

Clause 6.3(b) – Form of notices

Existing – Only stipulates the form of an infringement notice.

Proposed –The clause also stipulates the form for withdrawing and infringement notice.

Clause 7.1 – Objections and review

Existing - No such provisions exist.

Proposed – Part 9, Division 1 of the Local Government Act provides that whenever a local government makes a decision under a local law made under the Act, a person has a right of objection or review if they consider the decision to be unfavourable. This clause states that requirement.

Schedule 1 – Offences and modified penalties

Existing – No schedule of penalties applies as all breaches have been set at \$125.

Proposed – Includes a table that specifies each breach of the local law with a corresponding penalty. The penalties have increased from \$125 to a range of between \$200 and \$250.

Schedule 2 – Specifications for a sufficient fence on a residential lot

Proposed - Most of the dimensions are different. All categories of fence are the same except that the section on colour bond or zincalume sheeting has been deleted and incorporated in the corrugated fence section.

Schedule 3 – Specifications for a sufficient fence on a commercial lot or an industrial lot

Proposed – Includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Schedule 4 – Specifications for a sufficient fence on a rural lot or special rural lot

Proposed – There are some variations in dimensions. This also includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Making the local law

The Shire must carefully comply with s3.12 of the *Local Government Act 1995* (Act) in order to repeal the existing local law and adopt a new local law. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance.

Once the Shire has resolved to give local public notice (not less than six (6) weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it. This process allows the Department to provide feedback to the Shire, and any requested amendments can be incorporated into the new Local Law.

Following the last day for submissions, the Shire is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed. This means if the Department has requested any simple grammatical amendments or the like, this would not be substantially different.

The Shire could also make substantial amendments following consideration of any submissions however in the event there are any substantial amendments, the process must be commenced again.

After making the local law, the Shire is required to publish the new Local Law in the Government Gazette and give a copy of it to the Minister. Local public notice is again required.

The Shire is to provide the new Local Law and relevant explanatory memorandum, with supporting documents to the Joint Standing Committee on Delegated Legislation (JSCDL). At this stage the JSCDL could:

- request amendments, requiring the Shire to make an undertaking; or
- disallow the local law should it not be supported, or the Shire has not substantially followed the prescribed process for making a local law under s.3.12 of the Act.

The process for making/amending a local law is a lengthy process and should everything progress smoothly will take approximately six (6) months, so if council were to endorse the attached draft local law now then it would be approximately mid 2024 before it would become operational.

Statutory Environment

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

Council's 2023/24 budget contains an allocation for local law review advertising.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

If council did not adopt the draft local law it runs the risk of having legislation that is outdated and doesn't reflect contemporary practices, given that the existing local law has been in operation since 2004 and has had very little changed to it in that time.

The overall risk has been assessed as LOW (Minor/Unlikely).

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Voting Requirements – Simple Majority

The CEO advised that this item has been withdrawn from the Agenda for further Officer research.

ITEM NO.	C.07/1223	FILE REF.	203
SUBJECT	Review of Policy FM 4 – Purchasing		
OFFICER	Manager Governance & Risk/Chief Executive Officer		
DATE OF REPORT	2 November 2023		

Attachment 5 Draft amended Policy FM 4 – Purchasing

Attachment 6 Current FM 4 – Purchasing Policy

Attachment 7 Supporting documents – Combined FM 3 – Regional Price Preference, FM 6 – Buy Local Purchasing and FM 13 – Budget Management Policy

OFFICER RECOMMENDATION

That Council:

1. *Adopt amended Policy FM 4 Purchasing Policy, as presented in Attachment 5.*
2. *Repeal the following policies:*
 - (a) *FM 3 – Regional Price Preference*
 - (b) *FM 6 – Buy Local Purchasing*
 - (c) *FM 13 – Budget Management Policy*

Summary/Purpose

The FM 3 – Regional Price Preference Policy, FM 4 – Purchasing Policy, FM6 Buy Local Policy and FM 13 – Budget Management Policy have been reviewed, amended and combined into the one Purchasing Policy to:

- Reduce the risk to Council of delays on:
 - The delivery of projects and programs;

- The potential inability to deliver on projects and programs;
- Potential inadequate services and/or service delivery;
- Increased costs in administration staff; and
- The consequential increased pressure and workload on staff.
- Reduce the risk of non-compliance with legislation assigning us with the responsibility of delivery on specific projects, programs and services.
- Reduce the risk of non-compliance with funding body requirements and the potential loss of grant funding for non-compliance with these requirements.
- Align the policy content with contemporary legislation and practice reflected across the sector (including providing for the mental health well-being of staff under Work Health & Safety legislation); and
- Align the policy content and practice with various advice provided from Bob Waddell (Bob Waddell & Associates), James McGovern (Governance Team, WALGA) and Allister Butcher (Rural Infrastructure Services).
- Align purchasing thresholds with the recommendation of our own auditors, who consider them to be very low. This is a highly unusual position for a financial auditor to take, which indicates our thresholds are significantly low.

The amended policy is now presented to Council for consideration.

Background

Council at its meeting on 30 June 2022 resolved in part (C.09/0622):
“That with respect to Section 3 (Finance) of the Policy Manual Council:

...4. Note that a separate review of Policy F.6 (Purchasing Policy) and Policy F.14 (Buy Local Policy) is to occur with both policies being incorporated into a new single policy...”

The Audit Committee at its meeting on 21 September 2023 recommended (AC.03/0923):

“That the Audit Committee approve the following broad local purchasing principles to be incorporated into a new draft Purchasing Policy for further consideration by Council:

- 1. Incorporate the existing Buy Local Purchasing, Regional Price Preference’ and Purchasing policies into one simplified document.*
- 2. Remove the terms ‘buy local’ and ‘regional price preference’ and replace with the term ‘local purchases’*
- 3. Definition of ‘local’ means business owned and/or physically operating within the Shire (this includes businesses which might be national companies but have physical premises that trade within the Shire e.g. Ampol or BP).*
- 4. Removal of policy provisions allowing for any regional price preference outside of the boundaries of the Shire of Bridgetown-Greenbushes.*
- 5. Remove mandated local purchasing requirements where the purchasing policy provides for direct procurement at purchaser’s discretion (i.e. purchase that do require the seeking of quotes in the procurement policy generally).*
- 6. For tender purchases above \$250,000 (currently dealt with under Regional Price Preference policy) include a 5% (to a maximum of \$50,000) price preference for local suppliers.*

7. For procurement where it incorporates the requirement to seek quotes or for tenders below \$250,000:
- Policy to require at least one quote from a local supplier and one other (to provide broad market comparison) where local supplier can supply the good or service as part of normal business (i.e. excluding suppliers who might be able to 'get the product in').
 - Maintain existing price preference thresholds as contained in Councils current Buy Local policy, being:
 - 10% on Shire purchases of a value up to \$5,000.
 - An amount of \$500 or 5% (whichever is the greater) on Shire purchases of a value between \$5,001 and \$25,000.
 - An amount of \$1,250 or 2.5% (whichever is the greater) on Shire purchases of a value between \$25,001 and \$249,999."

Council at its meeting on 29 June 2023 resolved (C.09/0623c):

- ‘1. That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented at Attachment 10.
2. The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5, 12, 16, 18, 22-30 and 44-46 including any other improvements considered to be apriority by the CEO.”

The quarterly risk report presented to Council identifies various risks to the Shire and provides treatments (Actions) to mitigate those risks.

The report identifies some of these treatments as follows:

1. Develop and Implement Contract Performance Review Methodology.
2. Develop a Contractor Management Framework and associated processes (including site inductions).
3. Implement a Contractor Management Process (including site inductions).
4. Develop a procedure for assessment of any proposed contract renewals including a documented assessment of current contractor performance which is to determine whether a contract renewal should be considered.
5. Develop a procedure providing guidance on what constitutes a contract variation and when a separate procurement process is required.
6. Develop checklist for new contracts to ensure the Shire's rights, obligations and risks are protected within the contract.

Budget Management Policy

On receipt of concerns from some managers that the Budget Management Policy may hinder some of their ability to perform work expediently on the Talison-funded projects, the CEO sought clarity on the purpose of the Policy from:

- Michelle Larkworthy (Director, Corporate Services, Shire of Bridgetown-Greenbushes);
- Bob Waddell (Bob Waddell and Associates);
- Allister Butcher (Rural Infrastructure Services); and
- James McGovern (Manager, Governance, WALGA).

Ms Larkworthy advised that it was unusual for such a policy document to exist and that she was comfortable for it to be repealed so far as other formal checks and balances were put in place in the new Purchasing Policy. Ms Larkworthy and the CEO conferred on the new Purchasing Policy until agreement was reached on the content.

Both Mr Waddell and Mr McGovern advised that no other local governments (that they were aware of) had such a policy in place and questioned why our Shire was not simply using 10% Variance on Budget. This 10% Variance Rule has now been incorporated into the new Purchasing Policy.

Both also advised that the reason other local governments did not have such a policy in place was because provisions within the *Local Government (Financial Management) Regulations 1996* govern the practice provided for in the Policy.

Mr Butcher was concerned that the Budget Management Policy was too restrictive and created an unnecessary risk to operations, in terms of having to cease work, reduce budget or reduce the scope of work subject to Council convening a Special Ordinary Council Meeting. Mr Butcher considered the Policy to be unworkable in the Infrastructure area. This is a particularly high risk at the moment because it is difficult to engage contractors and, if you send them home, pending the outcome of a Special Council Meeting, they may not return for 8 – 10 months.

The advice from WALGA is to have budget variance reported to Council through the monthly financial reports (as is currently the case in Bridgetown – Greenbushes). A budget amendment will not be required and to have budget amendments provided for through the six-month budget review process.

To be clear:

- If Council has adopted the budget;
- If Council has approved the project, program or service; and
- If there is a genuine underspend in one approved project, program or service,

Managers will be able to use the 10% Variance Rule to use that underspend to fund another approved project, program or service.

Managers are to be accountable for non-compliance with the new Policy and will face disciplinary action if they breach the new Policy.

Officer Comment

Currently Council has four policies relating to procurement, these being:

- FM3 – Regional Price Preference
- FM4 – Purchasing Policy
- FM6 – Buy Local Purchasing
- FM13 – Budget Management

Given that all four policies relate to purchasing it is more practical and efficient to incorporate them into one policy. Therefore, a single procurement policy has been developed to facilitate efficient and effective implementation of these four policies.

The existing purchasing Policy FM4 has been completely reviewed using the WALGA model purchasing policy as a guideline. Substantial changes are being recommended and as such a 'track changed' version has not been prepared as this may cause some confusion.

Supporting documents have been developed to enable this policy.

To assist in understanding the differences between the existing and proposed policies, details of the major changes are as follows. Clauses mentioned refer to the draft policy.

Objectives (Clause 1)

All new objectives have been included to better reflect contemporary practices.

Scope (Clause 2)

A scope has been added to the policy to apply to all workers involved in procurement.

Definitions (Clause 3)

Definitions have been included for clarity purposes.

Ethics and Integrity (Clause 5)

The previous content has been deleted and now just refers to the Code of Conduct.

Value for Money (Clause 6)

Further considerations have been included when assessing value for money.

Supplier Order of Priority (Clause 7.1)

A Supplier Order of Priority has been introduced to provide guidance on who to approach (where practicable) when purchasing goods or services.

Purchasing Thresholds (Clause 7.2)

The purchasing values have been amended to reflect a more practical purchasing arrangement that meets operational needs.

This section now includes exempt provisions from the purchasing threshold requirements for emergency purchases and insurances from LGIS.

The commentary for each threshold limit in the old policy has been deleted.

Purchase Orders (Clause 7.3)

This is a new provision and provides that purchase orders must be raised for all goods and services except under certain specific circumstances.

Emergency Purchases (Clause 7.4)

This is a new provision which provides clarity on what an emergency purchase is.

Other Purchasing Exemptions (Clause 7.6)

Certain circumstances may arise where it is not reasonably practicable to adhere to the purchasing thresholds therefore to provide clarity as to what these circumstances may be, they have now been listed.

Sole Source of Supplier (Clause 7.7)

More stringent requirements have been added to this section to provide greater accountability when seeking exemption for this purpose.

Contract Renewals, Extensions and Variations (Clause 7.9)

The draft policy now provides greater clarity in respect of the legislative requirements regarding variations and extensions both before and after a contract has been entered into.

Expressions of Interest (EOI) (Clause 7.10)

This is a new provision and although not extensively used provides clarity in relation to the EOI process.

Local Economic Benefit (Clause 8.1)

A new addition that promotes economic development through the encouragement of competitive participation in the delivery of goods and services firstly by local suppliers permanently located within the Shire, and secondly, those permanently located within the broader region.

Buy Local (Clause 8.2)

Encompasses the previous two policies of Buy Local Purchasing and Regional Price Preference. The following highlights the changes from these two policies:

Buy Local

1. Included a definition of 'Buy Local'.
2. Retained the existing price preferences.
3. Removed all other content.

Regional Price Preference

Removed all policy provisions including price preference and included a broad reference under Local Economic Benefit (clause 8.1).

Regulatory Compliance (Existing Policy)

The draft policy has removed clause 2.6 from the existing policy as these were matters that are already specified in legislation.

Purchasing From Environmentally and Socially Sustainable Businesses (Clause 8.3)

This is a new provision and commits the shire to sustainable procurement and must consider minimisation of environmental and negative social impacts as part of the selection process.

Purchasing Non-Compliance (Clause 10)

This is a new provision. It outlines the repercussions of failing to comply with legislative requirements and the Shire's policies and procedures.

Variance Provision (Clause 7.3)

A 10% Variance Provision has been inserted into the Policy.

Statutory Environment

Local Government Act 1995

s.3.57 – Tenders for providing goods or services

s.2.7(2)(b) – Role of Council – determine the local government’s policies.

Local Government (Functions and General) Regulations 1996

Part 4 – Provision of goods and services

Regulation 11A(1)

- (1) *A local government is to prepare or adopt, and is to implement, a 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, \$250 000 or less or worth \$250 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
 - (a) *the form of quotations acceptable; and*
 - (ba) *the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) *the recording and retention of written information, or documents, in respect of —*
 - (i) *all quotations received; and*
 - (ii) *all purchases made.*

Part 4A – Regional price preference

Integrated Planning

- Strategic Community Plan
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery

- Corporate Business Plan
 - Objective 10.3 Support local business to thrive
 - Action 10.3.1 Provide an audit of Shire buy local purchasing

- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

If Council adopt the amended policy FM 4 – Purchasing, then the following policies will need to be revoked:

- FM 3 – Regional Price Preference
- FM 6 – Buy Local Purchasing
- FM 13 – Budget Management Policy

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impacts, Compliance, Service Interruptions, Reputational (External) and Property.

The amended policy provides greater mitigation of fraud and corruption and also strengthens the procurement processes to ensure compliance with legislation and the Shire’s policies and procedures.

The overall risk has been measured as High.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Morgan Gillham, Principal Project Manager, spoke of the need for this Motion to be passed to enable successful execution of Talison co-funded or funded projects on time.

**Council Decision Moved Cr Boyle, Seconded Cr Christensen
C.07/1223 Review of Policy FM 4 – Purchasing.**

That Council:

1. **Adopt amended Policy FM 4 Purchasing Policy, as presented in Attachment 5.**
2. **Repeal the following policies:**
 - a) **FM 3 – Regional Price Preference**
 - b) **FM 6 – Buy Local Purchasing**
 - c) **FM 13 – Budget Management Policy**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Christensen

Question

As far as I could tell, there's only an indirect definition of the term local supplier and no definition of what a regional supplier is. I would really like to see that included.

The CEO committed to inserting both respective definitions.

Cr Pearce

Question

Does this policy provide provision for, I couldn't find any references to it for corporate card?

CEO Response – There is a separate Corporate Card Policy.

ITEM NO.	C.08/1223	FILE REF.	440
SUBJECT	Replacement of Shire Depot Facilities		
OFFICER	Project Officer		
DATE OF REPORT	28 November 2023		

Attachment 8 Bridgetown Shire Depot Draft Concept Plan

OFFICER RECOMMENDATION

That Council:

1. *Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.*
2. *Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and*

authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.

- 3. Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.*

Summary/Purpose

This report recommends that Council approve the draft concept plan for the Bridgetown Shire Depot subject to any further minor changes and accept the quote of \$149,140 from Willcox and Associates for detailed design and documentation of the Shire Depot facilities rebuild.

Background

In February 2022 a major bush fire destroyed the office building and various sheds at the Shire Depot. In the period since the fire, the Shire's outside workforce has been based at a Shire owned residential property in Gifford Road which is unsatisfactory and not fit for purpose.

Following consideration of a report to the Council Meeting held on 2 November 2023 it was resolved (C10/1123) as follows:

That Council:

- 1. Approve the design brief contained within the Request for Quotation document (Attachment 1) for Design and Documentation of Shire Depot Facilities Rebuild.*
- 2. Authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and the successful quoter for Design and Documentation of the Shire Depot Facilities Rebuild.*
- 3. Receive a further report on completion of the draft concept plan for the Shire Depot Facilities Rebuild.*

Quotations for Design and Documentation for the Shire Depot Facilities Rebuild were invited from six consultants and four quotations were received by the closing date of 10 November 2023.

The Request for Quotation (RFQ) document required the consultants to submit separate prices for the two stages of the design process i.e.

Stage 1 – Concept Plan and cost estimate

Stage 2 – Detailed Design and Documentation

A panel comprising the following members was formed to assess the quotations and recommend the most advantageous quote.

- Director Development, Community and Infrastructure
- Manager Infrastructure and Works
- Project Officer

Following the assessment process, the quote of \$13,900 (plus GST) for Stage 1 submitted by Willcox and Associates was accepted. Willcox and Associates is a well-established and experienced architectural practice that is based in Margaret River and has designed many Local Government facilities including the Bridgetown Library.

A start-up meeting was held with the Architect on 20 November 2023 and 'first draft' sketch plans were received on 24 November 2023. Following a thorough review of the draft plans, the revised concept plans are presented for Council's consideration and approval (refer *Attachment 8*).

Officer Comment

The draft concept plan includes the following components:

- Floorplans and elevations for the proposed replacement office building and sheds.
- Perspective drawings of proposed buildings and structures.
- A Master Plan for the site which identifies current and future requirements and will help ensure that any future development of the site occurs in a planned and coordinated way; and
- Itemised cost estimates for proposed works.

A summary of the main features of the draft concept plan is provided below:

Relocation of the Main Entry

- The main entrance/exit is proposed to be relocated approximately 30 metres to the Northeast of the current position to provide clear sightlines and improved safety for vehicles exiting the site.

Replacement of Office Building

- A replacement office building is located adjacent to the main entry/exit to enable visual surveillance of vehicles entering and exiting the site.
- The new building provides a modest and functional office facility that meets modern standards, is fit for purpose and will adequately cater for the Shire's outside workforce for the expected 50-60-year lifespan of the building.
- The design provides sufficient office space to allow the Shire's Technical Services staff to relocate to the new Depot Office plus some additional office space to accommodate future growth. This would also benefit the Shire by freeing up space in the Shire's Administration building to accommodate future staffing requirements.

Replacement Workshop Shed

- A replacement workshop shed is proposed to be located adjacent to the Office building with a connecting walkway between the two buildings.
- The workshop shed will provide facilities for servicing Shire vehicles and heavy machinery, a hot works area and storeroom. These activities are currently outsourced to private operators at a significant cost to the Shire.

Car Parks

- A sealed staff car park with 20 bays is proposed on the western side of the Office building which would provide easy access to the Office from the car park and a secure parking facility for staff.
- A small Visitors car park (3 bays plus disabled access bay) is proposed outside the main entry with access to the Office via a pedestrian gate and walkway.

Storage Sheds

- A new heavy and light vehicle storage shed on the western side of the site is proposed to replace one of the sheds lost in the fire.
- An extension to the heavy machinery shed in the central area of the site is proposed as a future stage of the redevelopment of the site to provide secure storage for current and future heavy machinery.

Relocation of existing Sheds and Facilities

- The draft Master Plan proposes the relocation of a number of sheds and facilities currently located within the Fire Zone (BAL FZ) to low risk areas of the site.
- The Parks and Gardens area is proposed to be consolidated in the North-East area of the site along with the relocated chemical storage shed.

Site Planning for Vehicle Movement

- To improve the safety of vehicle movement within the site, the Master Plan proposes a one-way system of traffic flow into and out of the site.

Fencing

- The existing perimeter fence is in poor condition and needs to be replaced. The Master Plan proposes a realignment of fencing in the Northern area of the site and replacement of the existing fence with a Garrison style fence or similar, to provide good security for the site.

Cost Estimates

Itemised cost estimates for the proposed works have unfortunately been delayed and will be circulated to Councillors as soon as they become available.

Detailed Design and Documentation

Once the concept plan is approved by Council, the next stage of the planning process is detailed design and preparation of tender documents. Subject to Council being supportive of the concept plan, it is recommended that Council accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.

Funding and Staging Options

As advised in the previous report to the Council Meeting on 2 November 2023, the insurance payment of \$633,176 is included in the Shire's 2023-24 Budget for the Depot Facilities rebuild. Given the need to replace the old sub-standard office with a new office building that meets modern work health and safety standards, it was identified that there was likely to be a shortfall in funding for the project.

A separate report to the Special Council Meeting held on 13 November 2023 identified the Shire Depot facilities rebuild as one of Council's priority projects for the 2024 Talison Community Investment Program with a requested contribution of \$1.2 million. The outcome of this submission is likely to be advised mid to late December following the Talison Board Meeting.

Given that the outcome of the Talison funding request won't be known until after the December Council Meeting, it is proposed that a further report be presented to the January Council Meeting that identifies funding and staging options for delivery of the project.

Conclusion

In conclusion, the draft concept plan addresses all known current and future requirements for the Shire Depot site and subject to any further minor changes, it is recommended that Council approves the concept plan and the plan be used to guide the rebuild of facilities and redevelopment of the site.

Statutory Environment

The concept design for the replacement Shire Depot office building and sheds must comply with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply for facilities of this nature.

Integrated Planning

- Strategic Community Plan

Outcome 16 An engaged and effective workforce
Objective 16.1 Attract, train, develop and retain an effective workforce.

- Corporate Business Plan
Outcome 16 An engaged and effective workforce

- Long Term Financial Plan
Other than the funds allocated in the Shire's 2023-24 Budget from the insurance payout, there are no other additional funds allocated for the replacement of the Depot facilities lost in the fire.
- Asset Management Plans
The replacement office building and sheds will need to be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.

- Workforce Plan
Although not specifically included in the Shire's Workforce Plan 2018-2022, the replacement office building at the Depot will provide suitable long-term accommodation for the Shire's outside workforce.

- Other Integrated Planning - Nil

Policy/Strategic Implications

The Shire's Purchasing Policy FM4 requires at least three written quotations to be obtained for purchase of goods and services between \$5,001 and \$249,999. Six consultants were invited to quote, and four quotations were received.

Budget Implications

A capital budget allocation of \$633,176 has been provided in the Shire's 2023-24 Budget for the replacement of Depot facilities destroyed in the fire. This report recommends that a quote of \$143,190 be accepted for detailed design and documentation for the proposed replacement facilities and a further report be presented to the January 2024 Council Meeting that identifies funding and staging options.

Whole of Life Accounting

The replacement buildings and structures that are proposed in this report for the Shire Depot will be included on the Shire's Asset Register and funds included in the Shire's Long Term Financial Plans for routine and programmed maintenance and depreciation.

Risk Management

The main Risk identified in relation to this item is **Work Health and Safety**. The Consequence could be Reputational and/or Financial if a Work Health and Safety claim was made against the Shire for failing to provide a suitable workplace. The Risk Consequence is Major and the Likelihood Possible resulting in a High Level of Risk. The Risk is mitigated by adopting the recommendation contained in this report which

will lead to provision of a suitable and safe working environment for the Shire’s outside workforce staff.

In addition, as a legislative requirement, the Architect will produce a ‘Safety in Design’ report that will mitigate both construction risk and user risks during operation.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.08/1223 Replacement of Shire Depot Facilities.**

That Council:

- 1. Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.**
- 2. Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.**
- 3. Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.09/1223	FILE REF.	
SUBJECT	Construction of Wandillup and Greenbushes Bush Fire Stations		
OFFICER	Project Officer		
DATE OF REPORT	4 December 2023		

OFFICER RECOMMENDATION

That Council;

- 1. Receives the information contained in the report on the status of the new Wandillup and Greenbushes Fire Stations.*
- 2. Requests the Chief Executive Officer, in consultation with the Shire President, the Brigade Captains and the Department of Fire and Emergency Services, to arrange suitable promotion of the additional funding for the new Wandillup and Greenbushes Bush Fire Stations.*

Summary/Purpose

This report provides an update on the status of the new Wandillup and Greenbushes Fire Stations and recommends that staff arrange for suitable promotion of the additional funding approved by the Department of Fire and Emergency (DFES) Services for the new facilities.

Background

At the Council Meeting held on 2 November 2023 tenders for the construction of the Wandillup and Greenbushes fire stations were awarded to BRC Building Solutions Pty. Ltd.

Although the tenders closed on 20 June 2023, the delay in awarding the tenders was due to insufficient funding being available. As advised in the earlier report, the following grants for the construction of two new Fire Station buildings at Greenbushes and Wandillup were approved by DFES in June 2021.

\$242,600 (ex GST)	Construction of Greenbushes Fire Station
\$271,100 (ex GST)	Construction of Wandillup Fire Station

To address the shortfall in funding for both the Wandillup and Greenbushes Fire Station buildings, staff contacted DFES and forwarded a copy of the preferred tenders for their assessment. A formal request was then made to DFES on 13 October 2023 seeking additional funding to make up the shortfall. On 19 October 2023 the Shire received email correspondence confirming that additional funding of \$686,678 had been approved for both the Wandillup and Greenbushes Fire Stations.

The required Shire contributions for siteworks have been included in Council's 2023-24 Budget which together with the additional DFES grants provide sufficient funds for both projects to proceed.

Officer Comment

A start up meeting was held with the builder on 8 November 2023 and project schedules for both buildings are currently being prepared. Siteworks are likely to commence mid-late January 2024 and construction completed by September 2024, prior to the start of the 2024-25 bush fire season.

A meeting with the Bush Fire Brigade Captains was held to exchange information and establish communication channels between the builder and the brigades. This will help to ensure that there is minimal disruption to normal Bush Fire Brigade operations during the current fire season.

In consultation with the Shire President, DFES and the two Brigades, it is also proposed to arrange for some media coverage and promotion of the additional DFES funding that will allow the new facilities to be built and generally promote the vital role played by the brigades in protecting our communities.

Statutory Environment

The new Wandillup and Greenbushes Bush Fire Stations must comply with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply for facilities of this nature.

Integrated Planning

- Strategic Community Plan
Objective 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Corporate Business Plan
Objective 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Long Term Financial Plan - Nil
- Asset Management Plans
The new Bush Fire Stations will be constructed on Shire managed land and therefore will be included in the Shire's Asset Management and Building Maintenance Plans.
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The new Wandillup and Greenbushes Fire Stations will provide good standard facilities for the two brigades and help attract new members and increased capacity to respond to bush fires in their respective communities.

Budget Implications - Nil

Whole of Life Accounting

The design stages of project planning included an assessment of the maintenance requirements to identify the whole life cycle costings associated with infrastructure maintenance and the required workforce implications.

Risk Management

The main Risks identified in relation to this item are cost overruns and delays with construction. The Consequence could be Reputational and/or Financial if cost overruns and/or delays with construction were to eventuate. The Risk Consequence is considered to be Moderate and the Likelihood Possible resulting in a Moderate Level of Risk. The Risk of cost overruns is mitigated by a small contingency allowance being included in the budgets for both projects and DFES agreeing to fund unforeseen variations. The Risk of delays with construction is mitigated by establishing a Project Control Group to manage and monitor the project and avoid delays wherever possible.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

**C.09/1223 Construction of Wandillup and Greenbushes Bush Fire Stations
That Council:**

- 1. Receives the information contained in the report on the status of the new Wandillup and Greenbushes Fire Stations.**
- 2. Requests the Chief Executive Officer, in consultation with the Shire President, the Brigade Captains and the Department of Fire and Emergency Services, to arrange suitable promotion of the additional funding for the new Wandillup and Greenbushes Bush Fire Stations.**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.10/1223	FILE REF.	
SUBJECT	Repeal 'Well Wishes from Council 'Policy		
OFFICER	Executive Assistant		
DATE OF REPORT	7 December 2023		

Attachment 9 G 12 – Well Wishes From Council Policy

OFFICER RECOMMENDATION

That Council repeal G 12 – Well Wishes From Council Policy as listed in Attachment 9.

Summary/Purpose

This Agenda Item proposes the repeal of the "Well Wishes from Council" policy, which allows for the acknowledgment of personal events in the lives of staff, Councillors, and affiliates through the sending of flowers, cards, small gifts, and notices in the local paper.

Background

This Agenda Item proposes the repeal of the "Well Wishes from Council" policy, allowing Council and Executive the discretion to determine the appropriateness of recognising personal events through flowers, small gifts, or acknowledgments in the local paper.

In place of the "Well Wishes from Council Policy," the decision-making process for gifts and newspaper advertisements will be guided by the CEO's delegated authority, the Purchasing Policy, the Conflict-of-Interest Policy, the Code of Conduct and the reasoned judgement of Elected Members. This will ensure that ethical standards are maintained in every recognition gesture.

The current "Well Wishes from Council" policy was implemented to express goodwill and recognition for personal events among Council members, staff, and affiliates. Recognising the need for flexibility in such matters, this proposal seeks to empower

Council and Executive with the authority to decide the appropriateness of acknowledging personal events.

Council and Executive are best positioned to assess the appropriateness of recognising personal events within the organisation. Repealing the policy enables a more flexible approach, allowing decisions to be made on a case-by-case basis.

The amounts associated with the policy fall within the CEO's delegated authority. Granting discretion to Council and Executive aligns with established governance structures and ensures efficient decision-making.

Officer Comment

Council is asked to consider the repeal of the "Well Wishes from Council" policy, granting Council and Executive the discretion to determine the appropriateness of recognising personal events through flowers, small gifts, or acknowledgments in the local paper.

Officers have been unsuccessful in finding another local government in Australia that retains such a policy.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management – Low.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Mahoney, Seconded Cr Pratico
C.10/1223 Repeal ‘Well Wishes from Council’ policy.**

That Council repeal G 12 – Well Wishes From Council Policy as listed in Attachment 9

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

ITEM NO.	C.11/1223	FILE REF.	230
SUBJECT	Proposed Ordinary Council Meeting dates for 2024		
OFFICER	Executive Assistant		
DATE OF REPORT	6 December 2023		

OFFICER RECOMMENDATION

That Council approve the following schedule of ordinary council meetings for 2024, to take place at 5.30pm in the Council Chambers, excepting the month of May and November, where the meetings are to be held at the Greenbushes Community Resource Centre;

Thursday 25 January 2024
 Thursday 29 February 2024
 Thursday 28 March 2024
 Thursday 25 April 2024
 Thursday 30 May 2024
 Thursday 27 June 2024
 Thursday 25 July 2024
 Thursday 29 August 2024
 Thursday 26 September 2024
 Thursday 31 October 2024
 Thursday 28 November 2024
 No Ordinary Council Meeting in December 2024

Summary/Purpose

The *Local Government (Administration) Regulations 1996*, s.12(2) require the CEO to publish the date, time and location of ordinary council meetings on the Shire's website prior to the commencement of the year in which the meetings are to be held.

Officer Comment

The proposed meeting structure is in accordance with Council Policy G 4 - Meetings of Council, where meetings are to be held on the last Thursday of each month commencing at 5.30pm (excepting December). The December meeting is to be held on the second Thursday of December, as is normal practice to hold the meeting earlier in the month.

Statutory Environment

Local Government (Administration) Regulations 1996, s.12(2)

- (1) In this regulation —
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - (a) ordinary council meetings;

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs
 - Outcome 14 Effective governance and financial management
 - Objective 15.1 Engage the community in a meaningful and timely way using appropriate communication and consultation channels

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning – Nil

Policy/Strategic Implications

G 4 - Meetings of Council

Ordinary Meetings of the Council will be held on the last Thursday of each month (excepting the month of December), commencing at 5.30pm. If Australia Day or Anzac Day falls on a normal Council Meeting Thursday, then the meeting be held on the Wednesday beforehand.

Budget Implications

Elected Members are paid council meeting attendance fees in accordance with Section 5.98(1)(b) of the *Local Government Act 1995* and Council Policy G 3 – *Members Allowances/Expenses*.

Room hire fees for the May and November ordinary meetings taking place at the Greenbushes Community Resource Centre is included in the annual budget.

Whole of Life Accounting - Nil

Risk Management

Failure to set and advertise Council meeting dates will contravene legislative requirements.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Moved Cr Christensen, Seconded Cr Pratico
C.11/1223 Proposed Ordinary Council Meeting dates for 2024.

Amendment Moved Cr Christen, Seconded Cr Pratico
C.11/1223 That

1. the April 2024 date be changed from Anzac Day Thursday 25 April 2024 to Thursday 18 April 2024.
2. the words from the Officer Comment 'The December meeting is to be held on the second Thursday of December, as is normal practice to hold the meeting earlier in the month'.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

The amendment was incorporated into the substantive motion and was put.

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.11/1223a Proposed Ordinary Council Meeting dates for 2024.**

That Council approve the following schedule of ordinary council meetings for 2024, to take place at 5.30pm in the Council Chambers, excepting the month of May and November, where the meetings are to be held at the Greenbushes Community Resource Centre;

**Thursday 25 January 2024
Thursday 29 February 2024
Thursday 28 March 2024
Thursday 18 April 2024
Thursday 30 May 2024
Thursday 27 June 2024
Thursday 25 July 2024
Thursday 29 August 2024
Thursday 26 September 2024
Thursday 31 October 2024
Thursday 28 November 2024
No Ordinary Council Meeting in December 2024**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.12/1223	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	23 November 2023		

Attachment 10 Rolling Action Sheet

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the Rolling Action Sheet as shown in Attachment 10.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the status of previous resolutions/decisions that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an attachment to this agenda.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans- Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

There are no risk areas identified in accordance with Council Policy RM 1 – Risk Management as the report is for Council’s information only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Lansdell, Seconded Cr Fletcher
C.12/1223 Rolling Action Sheet.**

That Council acknowledges receipt of information contained in the Rolling Action Sheet as shown in Attachment 10.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Lansdell

Question

On the rolling action sheet for C.03/0623 - Which is the initials on the wall, it states that if all parties are happy with it for it to go ahead, are we part of that party?

CEO Response - Yes

Question

And if we're not happy with it, then what?

CEO Response - Council adopted a motion that it would be put back in a replica manner. That's our intention so unless that Motion is rescinded, hopefully Council will be comfortable.

Question

I think I'm just concerned with the chalk and how it's been done. I think it's too large.

CEO Response - we have a photograph of the original sketch and that's what's going to be done. My understanding was that the agreement was that the original initials would be inserted in the same manner and place they were previously.

Shire President - I believe Mr. Moyes has been involved in the location of it, helping with making sure that the location is correct, and the presentation is correct.

CEO Response - There's two up on the wall now, one in blue chalk and one in white. I don't know if it's bigger because I don't know if the chalk-up is reflective of the size of the point work. But I will double check.

ITEM NO.	C.13/1223	FILE REF.	860
SUBJECT	Standardised Acknowledgement of Country		
PROPONENT	Manager Community Services		
OFFICER	Manager Community Services		
DATE OF REPORT	December 2023		

Attachment 11 Tindale's Map of the South West
Attachment 12 Tindale's Map of Australia

OFFICER RECOMMENDATION:
That Council;

1. *Adopt the revised Acknowledgement of Country, which removes the socio-linguistic names Wadandi and Pibbulmun and replaces them with the Bibbulmun Nation. This refers to the Aboriginal name by which the Indigenous people of the Southwest recognised themselves, their language and their culture prior to European Settlement.*
2. *The revised Acknowledgement of Country is to replace the current Acknowledgement of Country and be used by shire staff as an email signature, at formal meetings and functions and offered for use to community groups, private residents and the business community for functions and formal occasions as written below:*

Acknowledgement of Country – Meetings and formal events/functions

'We acknowledge the cultural custodians of the land on which we gather, the Bibbulmun Nation. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Acknowledgement of Country – Emails and Communications

'We acknowledge the cultural custodians of the land, the Bibbulmun Nation. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

3. *Install the revised Acknowledgement of Country as a visual acknowledgement to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library and the glass door of the customer support area of the administration building, reporting back to Council for design and installation method approval.*

Summary/Purpose

These recommendations seek to correct Council's Acknowledgement of Country and ensure Council is as technically correct as possible, negating issues associated with identifying specific socio-linguistic groups.

Background

In November 2021 (C.17/1121) Council establish a Bridgetown-Greenbushes Cultural Inclusion Advisory Committee for the two-year term expiring 21 October 2023, and endorsed the Instrument of Appointment & Delegation for the Bridgetown-Greenbushes Cultural Inclusion Advisory Committee.

In March 2022 (C20/0322) Council;

1. *Endorse the change of name of this committee from the Cultural Awareness Committee to the Cultural Inclusion Committee.*

2. *Endorse the appointment of Jaye Herring as a representatives on the Cultural Awareness Advisory Committee to fill the position of a person that identifies as an Aboriginal and/or Torres Strait islander.*
3. *Endorse an annual budget allocation of \$10,000 to be used by the committee as seed funding for grants, projects, programs and events including Harmony Week and NAIDOC Week.*
4. *Direct the CEO to investigate the process and cost associated with dual naming of the Blackwood River (Goorbilyup) and report the findings back to Council at the April Council Meeting.*
5. *That the Shire provide a standard Acknowledgement of Country to be offered for use within the shire by community groups, private and business functions with Local Aboriginal Elder Sandra Hill and report back to Council.*

In September 2022 Council (c.13/0922) decided in part to:

1. Revoke Policy M.37 Acknowledgment of Country
2. Adopt the Acknowledgement of Country as recommended by the Cultural Inclusion Advisory Committee to be used by the Shire as an email signature, at formal meetings and functions and offered for use to community groups, private residents and the business community for functions and formal occasions as written below:
 - a. Acknowledgement of Country – Meetings and formal events/functions
‘We acknowledge the cultural custodians of the land on which we gather, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps’
 - b. Acknowledgement of Country – Emails and Communications
‘We acknowledge the cultural custodians of the land, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps’

In late November 2023 the CEO was contacted by an officer from the South West Land and Sea Council to inform the shire they were including incorrect language groups in our Acknowledgement of Country. Specifically, the Wadandi language group should not be included and the Kaneang group should be included. Officers then contacted Brad Goode, an Anthropologist that undertakes anthropological and archaeological Aboriginal Heritage Surveys throughout the South West to discuss the best way to navigate the issue without offending any specific socio-linguistic group or creating disagreement between elders of each language group.

Officer Comment

“Anthropological research suggests that prior to European settlement the South West and Western Australia was considered to form a distinct cultural bloc that was defined by the distribution of Noongar language groups. The work “Noongar” is a generic term used today to define those people of Indigenous descent whose ancestors originally occupied the whole of the Southwest (Bates 1985: 47; Collard 1994: 23). Before the word Noongar was used to denote a social-linguistic group, the Indigenous people of the Southwest recognised themselves, their language and culture as Bibbulmun (Bates 1985: 46).

Ethnologist Norman Tindale (1974) who built upon the work of Bates identified 13 ‘tribal groups’ based on socio-linguistic boundaries and minor dialect differences who inhabited an area to the west of a line drawn roughly from Jurien Bay in the north to Esperance in the Southeast. Tindale’s (1974) research identified three language groups occupying the upper Blackwood Area at Bridgetown. One of these groups were Kaneang, who reported to occupy the upper Blackwood area and east to a line joining Katanning, Cranbrook, and Tenterden; at Kojonup, Collie, Qualeup, Donnybrook, Greenbushes, Bridgetown. The group south of the Blackwood River were identified as Pibelmen and occupied an area on the Lower Blackwood River; chiefly between the hills in country between the Blackwood and Warren Rivers; East of the Gardener River and Brooke Inlet; along Scott River inland to Manjimup and Bridgetown Tindale 1974; 255). The third group north of the blackwood River towards the coast to the west was identified as Wadandi. Tindale (1974:259). Tindale describes the Wadandi territory as “From Bunbury to Cape Leeuwin, chiefly along the coast at Geographe Bay in the vicinity of Nannup and Busselton.” *Report of an Aboriginal Heritage Survey for the Proposed Blackwood River Foreshore, Development in Bridgetown, Western Australia* B Goode, Louise Huxtable, S Johnston December 2017.

SWALC provided a map to the CEO suggesting Wadandi territory came very close by not quite to the Bridgetown-Greenbushes shire boundary, however, these language based boundaries were not as precise as a shire boundary placed on a map today. This can be seen in attachment XX Tindale’s map of the Southwest of Western Australia. For these reasons the officer recommendation suggests Council err on the side of caution and acknowledge the Bibbulmun Nation rather than specific socio-linguistic groups.

Shire officers have recently been in contact with 3 Kaneang Elders interested in the Dual Naming of the Blackwood River project and other activities undertaken by Council relating to cultural inclusion. Mark Smith, Denise Smith-Ali and Beverly Rebbeck have offered their ongoing assistance. All three elders reside in Perth but are willing to review projects developed through the Cultural Inclusion Advisory Committee and provide feedback to Council. It is hoped that with the continued input of local Elder Sandra Hill (Pibelmen-Wadandi) and the support and possible inclusion of the Kaneang Elders into the cultural Inclusion Advisory committee, a balanced assessment of future cultural projects will be available to Council.

Statutory Environment

- Equal Opportunity

Integrated Planning

- Strategic Community Plan
 - Outcome 1 A growing community that is diverse, welcoming and inclusive
 - Objective 1.4 Grow recognition and respect for all cultures
 - Outcome 8 Local history, heritage and character is valued and preserved
 - Objective 8.1 Identify, preserve and showcase significant local history and heritage

- Corporate Business Plan
 - Action 1.4.1 provide a reconciliation action plan
 - Action 1.4.2 facilitate the collection and sharing of information and stories about local culture and history including NAIDOC Week and Harmony Week

 - Action 8.1.4 partner with the Historical Society to improve promotion of local history and heritage

- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk is high and is relevant to all three recommendations given the likelihood that community and other members of the socio-linguistic groups located in the Southwest have already or will gain knowledge of the mistake and continued use of Council’s current Acknowledgement to Country.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements –Simple Majority

Moved Cr Pratico, Seconded Cr Boyle
C.13/1223 Standardised Acknowledgement of Country.

Council Decision *Moved Cr Boyle, Seconded Cr Pratico*
C.13/1223a *Standardised Acknowledgement of Country.*

That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.13/1223 – Standardised Acknowledgement of Country be adjourned to a future ordinary meeting of Council to allow for further information to be obtained.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Fletcher

Question

Just in reference to where the actual acknowledgment will be placed. It's only a very minor one. It's just not going to mention that it would appear on the Shire website. It's going to be on all other correspondence, to the signatures, but not the Shire website. So please make sure it goes on there.

CEO Response - We'll make sure it does.

Cr Lansdell

Question

I am just concerned that the proponent is the Cultural Awareness Advisory Committee, which is the wrong title. We haven't met. I'm part of that committee. I wasn't part of these discussions. I just don't think the proponent should actually be that Committee. That's misleading.

CEO Response - I would agree. I didn't realise the Committee hadn't met. It may have just been an oversight.

Council could defer the Motion. Cr Mahoney has already queried whether we have in writing the meetings that we had with the Aboriginal representatives. Unfortunately I'm not able to confirm this because Megan Richard's not here. If Council would prefer to defer the Motion until Megan is able to attend the meeting, we are comfortable to do that.

ITEM NO.	C.14/1223	FILE REF.	
SUBJECT	Establishment of Work Health and Safety Officer		
OFFICER	Chief Executive Officer		
DATE OF REPORT	8 December 2023		

Attachment 13 Position Description – Work Health and Safety Officer

OFFICER RECOMMENDATION

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Summary/Purpose

The Shire of Bridgetown-Greenbushes, in conjunction with the Boyup Brook Local Government, recognises the paramount importance of ensuring the health and safety of its employees, residents, and visitors. As part of our commitment to fostering a safe and compliant working environment, we propose the establishment of a shared Work Health & Safety Officer position.

Background

Officers propose the creation of a shared Work Health & Safety Officer position, which will be jointly funded and shared between the Shire of Bridgetown-Greenbushes and the Boyup Brook Local Government. This position will be responsible for overseeing and implementing safety measures, promoting a culture of safety, and ensuring compliance with relevant regulations.

The primary purpose of this position is to enhance safety within our organisations, reducing the risk of workplace incidents, injuries, and accidents. A dedicated Work Health & Safety Officer will help ensure strict compliance with all relevant laws, regulations, and standards, reducing the potential for non-compliance fines and penalties. By sharing the position with Boyup Brook, we can pool resources, share expertise, and reduce costs, making it more financially feasible for both organisations. Having a dedicated officer will streamline safety-related tasks, making the workplace safer and more efficient, ultimately saving time and resources. The Officer will identify potential hazards, conduct risk assessments, and develop mitigation strategies, reducing the likelihood of costly incidents.

Employee safety and wellbeing are paramount. A dedicated Officer will provide support and resources to promote physical and mental health in the workplace. The initial funding for this shared position will be sourced from the Shire of Bridgetown-Greenbushes' underspend funds, resulting from vacancies in the first six months. This will cover the cost for the first six months of the shared position. After this initial period, we intend to embed the Work Health & Safety Officer position into our organisational structure and fund it through the established budget process for the

new year. This approach aligns with our long-term commitment to safety and sustainability.

Officer Comment

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Mahoney
C.14/1223 Establishment of Work Health and Safety Officer.**

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Fletcher

Questions

I have a couple of questions and one is obviously, what is the portion FTE that we are going to be sharing with Boyup Brook Shire and how much in Bridgetown, how much that person is there.

The second one, I'm just questioning why we might need a permanent position. Why can't it be a shorter term than that?

Number three, what is the cost to Shire? I know the first six months are covered by savings that have been made in reallocated funds, so I'd love to know that. Could the position be incorporated with existing part time employee that's already at the Shire.

CEO Response – We've had a couple of resignations on very good terms. Someone's husband has obtained a job up north and someone became very unwell and didn't want to resign but had to. This provides us with opportunity to repurpose positions.

Most organizations have a full-time Work Health and Safety Officer, due to high-level risk with the outside crew, and everything that we have to do in that regulatory space.

In a dream world, we'd have one five days a week, but unfortunately, we're not that financial, so we believe we can be on top of it three days a week.

I can confirm that we desperately need this position and that three days a week, they're going to have a lot of work to do in that time.

It would be difficult to entice anyone to that role if it's only temporary. We're in an employee's market and people aren't champing at the bit to take part time jobs for the local government when we can't offer housing. So we're already restricted to people that live in the immediate vicinity.

Question

I should of used the term fixed-term as well. Whether it'll be three years, if we've got a software package that's to go to do a lot of the work and every employee has an obligation under OHS. I was wondering whether we found also if we are struggling to get people to the position and we put someone in a permanent position that finds it difficult to function two years down the track or whatever. We now have a permanent position, could we be struggling as a Shire?

CEO Response - I like to provide the best terms and conditions for employees that I possibly can. I like to try and build a culture of mutual respect and if people are worried about contract length, they will resign.

Cr Pearce

Question

Just with the position description - I've noticed that it reports to Steele. Just confirming that the position is across the whole organisation. It reports to Steele, but it's obviously dealing with work health and safety across the whole organization.

CEO Response - The longer-term intention is that the Work Health and Safety Officer will be located at the depot because that's where our highest risk is, but the officer will operate across the whole organisation.

Cr Lansdell

Question

I noticed in the write-up that there was nothing under budget implications. Am I assuming that's because of their requirements?

CEO Response - With apologies, we should have put in the exact budget implications. We'll get better at that. At this point, there are none because I'm able to repurpose components of other positions and pull them together to be able to pay for three days a week for this year.

ITEM NO.	C15/1223	FILE REF.	
SUBJECT	Work Health and Safety Act 2020 – Obligations		
OFFICER	Chief Executive Officer		
DATE OF REPORT	December 2023		

OFFICER RECOMMENDATON

That Council acknowledge receipt of information contained in this report.

Summary/Purpose

To inform any Elected Members, who are not already aware, of their significant obligations under the *Work Health & Safety Act 2020* (the WHS Act). The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers are largely expected to “hit the ground running” in compliance with the new laws. This Item highlights features of the new legislation with the potential to impact Council and the Shire in general.

Background

The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers were expected to immediately comply with the new laws.

THE MOST SIGNIFICANT CHANGES

1. The WHS Act introduces the concept of a 'Person Conducting a Business or Undertaking' (PCBU), replacing the outdated concept of an 'employer' as the person with primary health and safety duties. A PCBU can be a sole trader, each partner within a partnership, a joint venture, a company, an unincorporated association, a not-for-profit organisation, a government department or a public authority (including a local government) whether or not they are operating for profit or gain.
2. There is now the inclusion of the new offence of 'Industrial Manslaughter.' Under the new laws, individuals can be charged with Class One or Class Two Industrial Manslaughter offences in the event of a workplace death. Class One Industrial Manslaughter covers conduct that is engaged in, with knowing disregard, that it is likely to cause death and carries a maximum jail term of 20 years. Class Two Industrial Manslaughter covers conduct that is a negligent breach of a duty owed by a PCBU that results in death and carries a maximum jail term of 10 years.
3. The concepts of Worker and Workplace have been expanded. Workers now include employees, contractors, sub-contractors, employees of contractors, employees of labour hire companies, apprentices, trainees, work experience students and, in certain situations, volunteers. Workplace is defined as a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. The term place includes vehicles, vessels, aircrafts or other mobile structures and extends to any waters and installation on land, including roads.
4. There has been a change to primary duty. The new laws require all PCBUs to ensure, so far as is reasonably practicable, while workers are at work in the PCBU, the health and safety of:
 - Workers engaged, or caused to be engaged by the person; and
 - Workers whose activities in carrying out the work are influenced or directed by the person.

This change drives a need to focus on the risks a hazard may pose and to manage those risks to a practicable level. The duty to ensure health includes a duty with respect to taking positive practicable steps to ensure the mental health of workers.

5. Penalties for WHS breaches are no longer insurable. Duty holders are no longer able to obtain insurance for a penalty imposed following a WHS prosecution. Individuals who breach this are liable for penalties of up to \$51,000 and body corporates are liable for penalties up to \$250,000. This change means that businesses need to ensure they are taking proactive steps

to develop procedures designed to meet their legal obligations and to ensure compliance with those procedures by their workforce. Duty holders should be aware that duties are not transferrable and cannot be contracted out of.

6. There is now a duty to consult with other duty holders and workers and their representatives. The new laws require duty holders with shared responsibilities to work together to make sure someone does what is needed. This requires consultation, co-operation and co-ordination between duty holders such as partners, joint venture partners, and principals and contractors. PCBUs are now also required, so far as is reasonably practicable, to consult with workers and health and safety representatives about matters that directly affect them. This duty extends to consulting with all kinds of workers, not just the PCBU's own employees. Meeting these consultation duties requires some planning as to how and when consultation will be undertaken.
7. There is now provision for officer due diligence. Officers of PCBUs now have personal obligations to demonstrate a proactive approach to workplace health and safety matters. Officer has the same meaning as defined in the *Corporations Act 2001* (Cth) and includes directors and/or any person who makes or participate in making decisions that affect the whole, or a substantial part, of the PCBU. Officers must now exercise due diligence to make sure the business meets its duties to protect workers and other people against harm to health and safety. All officers now need to be trained to ensure they fully understand these obligations and are taking all necessary steps to comply with them. There is an obligation on an officer to refuse work if it cannot be done safely.
8. **CODE OF PRACTICE – WORKPLACE BEHAVIOUR**

This Code aims to prevent and manage inappropriate or unreasonable behaviour that may occur in the workplace, encompassing all types of workplace behaviour that may create a risk to the personal health and safety of workers. Whilst the Code captures physical behaviours, it also extends to psychological and social conditions which may negatively impacts workers. It is the responsibility of PCBUs to ensure, so far as reasonably practicable, that workers and other people in a workplace are not exposed to psychological health and safety risks.

Inappropriate or unreasonable behaviour includes, but is not limited to:

- Bullying;
- Harassment;
- Sexual harassment;
- Racial harassment;
- Violence and aggression;
- Discrimination;

- Misconduct; and
- Escalated or unreasonable conflicts.

9. CODE OF PRACTICE – PSYCHOSOCIAL HAZARDS IN THE WORKPLACE

There is now provision for psychosocial hazards in the workplace. Penalties for contributing to mental health harm are now as severe as penalties for contributing to physical harm.

This Code captures hazards and conditions in workplaces that pose psychological and social risks to workers (as opposed to just physical risks). These include the obvious factors of bullying, harassment, violence and aggression, but also the less obvious issues of fatigue, stress and burnout that can compromise a worker's psychosocial wellbeing. Under this Code, it is the responsibility of PCBUs to facilitate a systematic approach to managing psychosocial hazards in order to meet their responsibilities under the WHS Act and to create a safe and healthy work environment for employees.

10. CODE OF PRACTICE – VIOLENCE AND AGGRESSION IN THE WORKPLACE

This Code captures any incident where a person is harassed, threatened, attacked or physically assaulted within a workplace, and includes any form of physical assault, sexual assault, verbal abuse, threats, intimidation and harassment (including sexual harassment).

Under this Code, PCBUs must consider violence and aggression risk management as part of an overall prevention plan. There are three key areas employers should focus on when implementing this plan, including managing violence and aggression in the workplace, responding to any type of abuse in the workplace and ensuring post-incident support services are available such as counselling or legal support should they arise.

Code of Practice compliance centres around the implementation of a Risk Management Approach.

To comply with the above Codes, PCBUs must adopt a proactive risk management approach to prevent and reduce psychosocial risk in the workplace by:

- Identifying the hazards and risk factors;
- Assessing the risks;
- Controlling the risks by making the changes necessary to eliminate the hazards or risk factors, and if this is not practicable, then minimising the risk of harm; and
- Monitoring and reviewing the effectiveness of controls and adapt or improve the controls where necessary.

11. THE APPROACH THE REGULATOR TAKE TOWARD BREACHES

WorkSafe WA and Resources Safety have been consolidated into the Safety Regulation Group under the independent WorkSafe WA Commissioner. PCBU's may expect to be prosecuted in accordance with the WorkSafe WA Prosecution Policy.

The WHS Act will allow WorkSafe WA inspectors to issue PCBU's with consequences dependent on the circumstances and by applying a consistent approach to similar fact circumstances to achieve greater certainty and protection in the workplace. Where a breach has occurred, in addition to recommending prosecution, a WorkSafe inspector may issue PCBU's with:

- Advice on compliance;
- Assistance to mediate and resolve workplace disputes;
- Issuance of improvement notices;
- Issuance of prohibition notices;
- Revoking, suspending or cancelling authorisations;
- Enforcing criminal prosecutions; and
- Publishing enforcement actions and outcomes.

WorkSafe WA inspectors may conduct site visits either in response to an incident or a complaint or as part of a targeted compliance program. This means that inspectors may require the employer or persons involved to produce documents relevant to WHS and conduct interviews requiring these persons to answer. This may result in the inspector seizing information to use against the employer as evidence of an offence and may issue a notice of improvement or prohibition notice.

12. WHAT ELSE MAY LEAD TO A PROSECUTION?

- Failure to consult between multiple PCBU's where the risk is obvious;
- Failure to carry out due diligence;
- Labour hire employees working outside of their skill or scope;
- Taking on work contracts which ultimately lead to risks and safety issues;
- Contractors failing to be responsible for not only employees, but also the plant and equipment of the client; and
- Failure to audit to ensure safety procedures and systems are being complied with.

13. WHAT DO WE NEED TO DO NOW?

PCBUs and their officers were directed to take urgent steps to ensure they were compliant with the WHS Act from 31 March 2022. The Shire of Bridgetown was expected to:

- Understand how the WHS Act impacts on the Shire;
- Review and update systems and processes to ensure compliance with the WHS Act;
- Provide training to officers about the new obligations and what Courts and regulators are likely to consider is required for compliance;
- Develop evidence of daily compliance with the obligations under the WHS Act; and
- Implement audits to ensure ongoing compliance with the WHS Act.

Immediate action has been taken over the past month to ensure rapid implementation of initiatives intended to ensure compliance with the above.

14. APPLICABILITY TO LOCAL GOVERNMENT

The Shire of Bridgetown itself is a PCUB as a local government entity. However, the WHS Act and regulations identify specific organisations that are not considered to be a PCBU for the purposes of the WHS Act. These include (but are not limited to):

- Individuals engaged solely as a worker (such as an employee) and an officer (such as an executive manager) acting in that capacity alone.
- Local government members, who are acting in that capacity.

However, local government employees, executive managers and Elected Members, while exempt from being a PCUB, are not exempt from the WHS Act and their respective obligations under this Act. Worksafe is clear that failing to perform these obligations will potentially lead to prosecution.

Specifically, local government employees, executive managers and Elected Members are defined as 'Others.' Section 29 of the WHS Act refers to 'Duties of other persons at the workplace' and outlines the following obligations:

29. Duties of other persons at the workplace

A person at a workplace (whether or not the person has another duty under this Part) must —

- (a) take reasonable care for the person's own health and safety;*
and
- (b) take reasonable care that the person's acts or omissions do not adversely affect the health and safety of other persons; and*

- (c) *comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.*

In addition, Section 31(2) states:

31. Failure to comply with health and safety duty — Category 1

- (2) *A person commits an offence (a Category 1 offence) if —*
 - (a) *the person has a health and safety duty otherwise than as a person conducting a business or undertaking; and*
 - (b) *the person fails to comply with that duty; and*
 - (c) *the failure causes the death of, or serious harm to, an individual.*

Penalty for this subsection:

- (a) *for an individual, if the offence is committed by the individual as an officer of a person conducting a business or undertaking, imprisonment for 5 years and a fine of \$680 000;*
 - (b) *for an individual, if paragraph (a) does not apply, imprisonment for 5 years and a fine of \$340 000;*
 - (c) *for a body corporate, a fine of \$3 500 000.*
- (3) *For the purposes of subsections (1)(c) and (2)(c), the failure causes serious harm to an individual if it causes an injury or illness to the individual that —*
 - (a) *endangers, or is likely to endanger, the individual's life; or*
 - (b) *results in, or is likely to result in, permanent injury or harm to the individual's health.*
 - (4) *A person charged with a Category 1 offence may be convicted of a Category 2 offence or a Category 3 offence.*

15. PENALTIES

The WHS Act provides for three main categories of WHS offences (each with different 'fault elements'), along with a new offence of industrial manslaughter. A high-level overview of the maximum penalties for these offences for both PCBUs and officers is set out in the table further below.

A PCBU commits industrial manslaughter if it, in breach of its duties, engages in conduct that causes the death of an individual, knowing that the conduct is likely to cause the death of, or serious harm to, an individual, and in disregard of that likelihood.

An officer of a PCBU commits industrial manslaughter if a PCBU, in breach of its duties, engages in conduct that causes the death of an individual, and the

PCBU's conduct is attributable to any neglect on the part of the officer, or is engaged in with the officer's consent or connivance.

WHS offences and maximum penalties

Offence	Maximum Penalty – PCBU	Maximum Penalty – officer
Industrial manslaughter	<ul style="list-style-type: none">Individual: 20 years imprisonment and a fine of \$5,000,000.Body corporate: \$10,000,000	<ul style="list-style-type: none">20 years imprisonment and a fine of \$5,000,000.
Category 1 Offence	<ul style="list-style-type: none">Individual: 5 years imprisonment and a fine of \$680,000.Body corporate: \$3,500,000	<ul style="list-style-type: none">5 years imprisonment and a fine of \$680,000.
Category 2 Offence	<ul style="list-style-type: none">Individual: \$350,000.Body corporate: \$1,800,000.	<ul style="list-style-type: none">\$350,000.
Category 3 Offence	<ul style="list-style-type: none">Individual: \$120,000.Body corporate: \$570,000.	<ul style="list-style-type: none">\$120,000.

16. INSURANCE AND INDEMNITY ARRANGEMENTS

The new laws prohibit entering and receiving the benefit of insurance and other indemnity arrangements which cover WHS fines/penalties.

The prohibitions make it unlawful (for example) for a person to enter into an insurance policy that purports to indemnify a person for their liability to pay a fine for an offence under the WHS Act; or be indemnified, or agree to be indemnified, by another person for liability to pay a fine for an offence under the WHS Act.

Consequently, companies are no longer able to indemnify directors by paying fines on their behalf.

Officer Comment

Councillors requested that the CEO have confirmed that they could be prosecuted for negligence, as individuals, under the *Work Health and Safety Act 2020*.

In November 2023, the CEO confirmed that a WorkSafe Inspector had deemed the above information to be correct.

The CEO has now had confirmed by Taylor Smart Lawyers that the above information is correct. The legal advice arrived only hours before the November 2023 Ordinary Council Meeting, so the meeting was deferred to ensure proper consideration of the advice.

On advice from Cr Pearce that the WorkSafe Inspector had provided him with alternate information to the advice he had provided to the CEO with regard to Industrial Manslaughter, the CEO re-contacted WorkSafe for clarification this month and was told WorkSafe could not provide us with the clarification because this would be leaning towards 'legal advice.'

Regardless, the legal advice from Taylor Smart Lawyers confirmed that individual Councillors would not be prosecuted specifically under the Industrial Manslaughter provision.

To be clear, according to the external advice received:

- Elected Members and Executive Managers are not precluded from the WHS Act and can be prosecuted under the Act. However, they are not classified as a PCUB and so will not be prosecuted under the Industrial Manslaughter provisions.
- The Shire of Bridgetown-Greenbushes and the CEO are PCUBs and may be prosecuted under multiple provisions within the Act, including the Industrial Manslaughter provisions.
- It is the high-level responsibility of Elected Members and the Executive Team to ensure that the Shire is never subject to a successful Industrial Manslaughter charge, which would potentially prove catastrophic to the Shire's long-term viability.
- It is not the role of the CEO to interpret, rephrase, debate or defend external advice with Council, but to simply provide the advice to Council to assist with deliberations and decision-making.

Statutory Environment – Work Health & Safety Act 2020

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans

- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not applicable

Budget Implications

Potentially catastrophic if subject to prosecution for negligence as a PCUB (the organisation itself).

Whole of Life Accounting

Not applicable

Risk Management

Risk areas identified according to the Shires risk management policy, are Health, Financial Impact, and Reputational External.

Health:

Catastrophic (fatality, permanent disability) with a likelihood measure being unlikely, giving an overall risk rating of High.

Financial Impact:

Catastrophic (more than \$500,000) with a likelihood measure being unlikely, giving an overall risk rating of High.

Reputational External:

Dependent on the event. If one or more people die, the reputational damage could be Catastrophic.

Due to the current dissatisfaction amongst affected members of the public there is a risk the issue will be escalated and therefore Reputational External is considered Moderate (substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g. State News story) with a likelihood measure being Likely, giving an overall risk rating of High.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic

Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Pratico
C.15/1223 Work Health and Safety Act 2020 – Obligations.**

That Council acknowledge receipt of information contained in this report.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

CEO Response - If you look at section 15 of that agenda item, it talks about the penalties and provides you with a table.

Cr Fletcher

Question

The question was from that table, what is Category One, Two and Three offense?
What is the definition?

Cr Mahoney stated:

- *A Category One offense causes the death of or serious harm to an individual.*
- *A Category Two offense exposes an individual to a risk of death or of injury or harm.*
- *A Category Three offence is where a person fails to comply with a duty if they have a health and safety duty.*

Corporate Services

ITEM NO.	C.16/1223	FILE REF.	131
SUBJECT	List of Accounts Paid in November 2023		
OFFICER	Manager Finance		
DATE OF REPORT	05 December 2023		

Attachment 14 – List of Accounts Paid in November 2023

OFFICER RECOMMENDATION

That council receive the List of Accounts Paid in November 2023 as presented in Attachment 14.

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- (a) annual budget estimates, considering any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and

- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Officer Comment

At the time of agenda preparation for the December 2023 Council meeting, month end finance processes were ongoing, as such the monthly statement of Financial Activity for November 2023 will be presented to the January 2024 Council meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

“C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.”

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in November 2023 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
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Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Boyle, Seconded Cr Fletcher
C.16/1223 List of Account paid in November 2023.**

That council receive the List of Accounts Paid in November 2023 as presented in Attachment 14.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Christensen

Question

Yes, I do because I'm on the committee together with Tracy, I had a question as to an amount paid \$52,000 to WBAC. I was just wondering what that breakdown is - what that is exactly for?

Director Corporate Services – Please see table below.

WARREN BLACKWOOD ALLIANCE OF COUNCILS (WBAC)	
Description	Amount
Annual Membership Fee	\$ 14,674
Climate Change Impact Group Contribution	\$ 2,640
Trails Development/Website Contribution	\$ 1,100
Regional Tourism Marketing Contribution	\$ 34,155
Total Paid EFT37975	\$ 52,569

Development, Community and Infrastructure

ITEM NO.	C.17/1223	FILE REF.	
SUBJECT	Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development in the Commercial zone		
OFFICER	Director Development, Community and Infrastructure		
DATE OF REPORT	1 December 2023		

Attachment 15 Copies of submissions received

Attachment 16 Map of Bridgetown townsite Commercial zoned land

OFFICER RECOMMENDATION

That Council advertise Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 for an additional 42 days to commence on Friday 22 December 2023, by;

- 1. Including a notice on the Shire website advising of the further opportunity to make submissions and including explanatory mapping showing all the land zoned 'Commercial' and subject to the amendment,*
- 2. Writing to the owners of Lot 601 (No 183) and Lot 2 (No 179) Hampton Street*
- 3. Considering any further submissions received, and the submissions already received on Amendment No. 73, after the completion of the further advertising period.*

Summary/Purpose

The purpose of this report is to enable the Council to consider the submissions received on amendment No 73 to the Shire of Bridgetown-Greenbushes Town Planning Scheme No. 3. The purpose of this amendment to allow for increased residential density within the Commercial zone, by enabling the approval of development of residential density of R35 as opposed to R12.5/R20 which currently applies in the scheme area.

Background

On 29 June 2023 (refer item C.15/0623) Council resolved to adopt, for the purposes of public advertising, Amendment No. 73 to the Scheme No. 3. The amendment proposes to add text to the Scheme to as follows;

4.3.3. Notwithstanding clause 4.3.3 (d) Council may permit development for residential use which complies with the provisions of the Residential Design Codes as they apply to areas coded R35, within the Commercial zone, where:

- i. it is satisfied that the development is consistent with the amenity of the locality, and*
- ii. in the case of a development located on or adjoining a site listed in Schedule 4 of the Scheme, it is satisfied that the development enables the place, building or object listed in Schedule 4 is conserved and preserved, and*
- iii. the development can be connected to the reticulated sewerage system.*

Submissions received:

Seven (7) submissions (three (3) from state government agencies and four (4) from community members) have been received on the amendment, shown in Attachment 15.

One of the submissions received has raised a number of concerns about the compliance of the public advertising of the amendment with the relevant Regulations.

As this report recommends that a period of further advertising occur as a response to one of the issues raised in this submission, the planning issues raised in the submissions will be addressed in the officer report presented to Council following the additional advertising period recommended.

Officer Comment

Summary of the advertising related issues raised in public submissions.

1. Process of advertising of the amendment

Summary: The submission claims that the amendment has not been properly advertised on the basis that the amendment documents have not been made available as required by Regulation 76A of the Planning and Development (Local Planning Schemes) Regulations 2015.

Comment: The notifications on the website of the amendment were as follows;

- On 4 October 2023 a notice of the amendment was published under the 'public notices' section of the website. Notice of the amendment was also included under the 'Community Consultation' section of the website, which included a link that took the user to the 'public notices' section. This link took the user to the top of the Public notices page rather than to the specific notice for the scheme. The full notice was on this page, the user just had to scroll down the page to see it.
- On 30 October this notice was mistakenly moved to 'past public notices' section of the website and was put back in current public notices on 3rd November.
- On 2nd November following a letter from a member of the public, the notice on the Community Consultation page of the website was altered to replicate the post of the public notice page rather the user having click a link to see the full notice. Both posts included links that took the users directly to the details of the amendment documentation.

Although it would have been preferable and clearer if notice of the amendment had been confined to one part of the website, the core requirements of Reg 76A are considered to be satisfied, in that the amendment documents were available on the website, albeit in some times with some scrolling required to find the details of the amendment.

2. Inaccurate description of the land involved in the amendment in the June 2022 (sic) report

The submission claims that the land involved in the amendment in in the original officer report is inaccurate in that it refers to 'Hampton Road' as opposed to 'Hampton Street' and that it refers to Commercial zoned lots fronting Hampton Street and Steere Street without reference to those lots fronting other streets such as Roe or Rose Street.

Comment: It is correct that the officer report to Council of June 2023 inaccurately referred to 'Hampton Road' as opposed to 'Hampton Street' and did not refer by name to the Commercial zoned lots fronting other streets such as Roe or Rose Street. These errors / omissions are not considered to have a significant material impact on the advertising of the amendment.

3. Inaccurate map attached to the amendment documents.

The submission claims that the explanatory map attached to the amendment fails to include two lots which are zoned Commercial.

Comment: It is correct that the map attached to officer report to Council of June 2023 and subsequently included in the explanatory material advertised as part of the amendment did not include 2 two lots which are zoned Commercial. These 2 lots,

Lot 601 (No 183) and Lot 2 (No 179) Hampton Street should have been included in the map but were not included owing to a drafting error.

Although a relatively minor error and not having any material impacts on the content of the scheme amendment, it is considered possible that the omission of these lots from the plan could have had a material impact on the advertising. The reason for this is that interested persons may have viewed the plan and may have reasonably assumed that the amendment did not apply to these lots, when in fact it does.

On this basis, further advertising of the amendment, with a corrected version of the plan, is recommended.

Statutory Environment

Regulation 50 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 states as follows;

Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution -

- (a) to support the amendment without modification; or***
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or***
- (c) not to support the amendment.***

A later date for compliance with the requirements of Regulation 50 (3) of 29th February 2024 has been approved by the WA Planning Commission.

Integrated Planning

- Strategic Community Plan
 - Outcome 7 Responsible and attractive growth and development.
 - Objective 7.1 Plan for a diverse range of land, housing and development opportunities to meet current and future needs.

- Corporate Business Plan
 - Objective 7.1 Plan for a diverse range of land, housing and development opportunities to meet current and future needs.
 - Action 7.1.1 Provide a Local Planning Strategy, in consultation with the community, to plan thoughtfully, creatively and sustainably for population growth, affordable housing and protection of environmental values.

- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The proposed amendment, if ultimately approved by the Minister for Planning, could assist in facilitating development that could contribute positively towards meeting Objective 7.1 of the Strategic Community Plan.

Budget Implications

There will be a cost of publishing the approved amendment in the Government Gazette, however this is not significant from a budget perspective.

Whole of Life Accounting - Nil

Risk Management

A risk assessment has been undertaken in accordance with Council Policy RM 1 (Risk Management). Possible risks include external reputation and compliance. Both these risks have been assessed as Low / Moderate.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Pratico
C.17/1223 Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development in the Commercial zone.**

That Council advertise Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 for an additional 42 days to commence on Friday 22 December 2023, by;

- 1. Including a notice on the Shire website advising of the further opportunity to make submissions and including explanatory mapping showing all the land zoned ‘Commercial’ and subject to the amendment,***

2. **Writing to the owners of Lot 601 (No 183) and Lot 2 (No 179) Hampton Street**
3. **Considering any further submissions received, and the submissions already received on Amendment No. 73, after the completion of the further advertising period.**

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Shire President

Question

I'm assuming given Mr. Bebbington's point about the days that are to be removed from those 42 days, I assume we're going to do that?

Director Development, Community, and Infrastructure - I'm sure we'll check that and we'll advertise this for the required period of time.

ITEM NO.	C.18/1223	FILE REF.	
SUBJECT	Process and timing for the preparation of the Local Planning Strategy		
OFFICER	Director Development, Community and Infrastructure		
DATE OF REPORT	7 December 2023		

Attachment 17 WA Planning Commission Local Planning Strategy Guidelines
(not including appendices)

OFFICER RECOMMENDATION

That Council adopt the process and timing for the preparation of the Local Planning Strategy (Stage 2 of the Scheme review) as included in this report.

Summary/Purpose

The purpose of this report is to determine the high-level process and anticipated timing to prepare the new Shire of Bridgetown Greenbushes Local Planning Strategy. This Strategy is required to be prepared as part of the review of Town Planning Schemes 3 and 4 and is comprises stage 2 of the process as determined by Council in July 2022.

Background

The Councils Town Planning Schemes set out the future direction of growth for Shire, through zoning land for various purposes and providing for standards and requirements for the development and subdivision of land. The current two (2)

Planning Schemes have been in operation since the late 1980's and are outdated and long overdue for review.

In July 2022, the Council decided on an approach to the review that involves 3 stages.

- Stage 1 – Preparation of a new Local Planning Scheme No 6 text and maps as a simplification and administrative update of the current Schemes, with a focus on combining the two operational Schemes to provide for simplicity, clarity, and compliance with contemporary requirements of the State Government. This scope would not include any strategic or visionary changes.
- Stage 2 – Preparation of the Local Planning Strategy, this being a strategic planning document that captures the Councils aspirations for future long-term development of the Shire. The purpose of the Local Planning Strategy is to provide the strategic planning direction for the growth and development of the Shire.
- Stage 3 – Preparation of a series of logically grouped planning amendments to Local Planning Scheme 6 to enable the implementation of the Local Planning Strategy.

Stage 1 of the new Local Planning Scheme No 6 was adopted by the Council in March 2023. This is expected to be advertised for public comment in early to mid 2024.

This report deals with the process and anticipated timing of Stage 2 of the Scheme review process, namely the preparation of the Local Planning Strategy.

Officer Comment

Local Planning Strategy content

Before deciding on the detail process for stage 2 of the scheme review (the Local Planning Strategy) it is worth considering the role of Council and the WA Planning Commission / Minister for Planning in the process of Strategy and Scheme preparation and understanding the limitations on their content.

Regulation 11(2) of the Planning and Development (Local Planning Schemes Regulations 2015) requires that the Local Planning Strategy be approved by the WA Planning Commission, and that it must.

- (a) be prepared in a manner and form approved by the Commission.
- (b) set out the long-term planning directions for the local government.
- (c) apply any State or regional planning policy that is relevant to the strategy.
- (d) provide the rationale for any zoning or classification of land under the local planning scheme.

Furthermore, Regulation 12 provides the Commission with the power to require a local government to change its draft Local Planning Strategy in the event that it does not meet the requirements of 11 (2) above.

The WA Planning Commission published the Local Planning Strategy Guidelines in March 2023. These set out in detailed the process of preparation of and the content of a Local Planning Strategy. The Guidelines (not including appendices) are shown in Attachment 17.

The Scheme Text, which is the mechanism through which the strategy is implemented, is also subject to the approval of the Planning Commission and the Minister for Planning. Significant sections of Scheme content are prescribed via the Deemed Provisions (included in the 2015 Regulations and which are required to be read as part of the Scheme) and the Model Provisions (required to be included in the Scheme unless approval is granted by the Commission / Minister). Major state planning policies, most notably SPP 2.5 (Rural Planning), SPP 3.7 (Planning for Bushfire Prone Areas) and SPP 7.3 (Residential Design Codes) will all significantly impact on the content of the planning strategy and scheme text and will be required to be referenced in the scheme and strategy.

In essence, this means that a considerable amount of the content of the new scheme and strategy is prescribed by state planning requirements and falls outside of the Councils ability to control. The planning system in WA is somewhat centralised and the scope of the Council to include scheme content which is inconsistent with the policy requirements of the State is limited. This means that, to some extent, the Local Planning Strategy process needs to be tempered with pragmatism and management of expectations of the Councils capacity to include Scheme content which may not accord with the government requirements.

Community engagement on the Local Planning Strategy

Given the factors above, the Council faces a balanced decision on the extent of community engagement that should be undertaken as part of the Local Planning Strategy. Although, on the face of it, there is an argument that more engagement is always better and a strong and robust 'bottom up' engagement might at first seem a desirable process, the Council needs to be mindful of the resources involved and the capacity to create expectations within the community which cannot be fulfilled in the scheme. It is quite possible that a number of the issues that might be raised in the community engagement will be subjects on which the Council cannot have any meaningful response in a statutory planning sense.

This is not to say that such input would be without value, and Council could adopt some community feedback as advocacy positions if these cannot be included in the statutory planning regime.

A level of engagement that is commensurate with the level of influence and the issues involved is considered the preferred way to approach this issue, whilst being highly transparent with the community about the process of preparation of the Local Planning Strategy and the Scheme.

Concurrent Stage 1 process

It should be noted that the Stage 1 of the Scheme review process (the new Local Planning Scheme No 6 text and maps) is expected to be advertised for public comment

during the February – April 2024. The anticipated timing of this advertising works quite well with the timing of this Stage 2 of the Scheme review. Noting that the Stage 1 process is limited to legal, administrative, and state government required changes only, it is likely that some of the community responses received as part of the advertising of the Scheme Text during February – April will not be able to be accommodated in the scheme as part of that process. These responses could, however, be incorporated into the Local Planning Strategy community engagement process for consideration of more strategic changes to the planning regime as part of stage 2 of the review.

The recommended process for the preparation, community engagement and timing for Stage 2 of the Scheme review (Local Planning Strategy)

- 1) Research phase dealing with issues such as demographics, collation and mapping of land use and environmental data, growth and development trends, fire risk analysis, physical servicing issues, liaison with state agencies and examination of relevant key government policy positions. Development of brief discussion papers on key issues (Jan - June 2024)
- 2) Council high level vision and goal setting and development of preliminary positions on the key issues (July – Sept 2024)
- 3) Community engagement on the initial research results and key issues after the research phase by;
 - Incorporating community comments as part of the statutory advertising of the draft scheme text
 - Set up community steering group (Terms of reference and membership to be determined by the Council)
 - Holding open community information sessions with public displays and survey, informal discussions
 - On line survey on key policy questions
 - Briefing of key community groups (Sept – Oct 2024)
- 4) Development of Council position on key components of the Local Planning Strategy following community engagement (Nov / Dec 2024)
- 5) Preparation of draft Local Planning Strategy in accordance with the WAPC guidelines (Jan / April 2025)
- 6) Adoption of draft Local Planning Strategy by Council and submission to WAPC for advertising consent (May 2025)
- 7) Statutory advertising of draft Local Planning Strategy (July / August 2025) – methodology for this phase of the project to be developed at that time.
- 8) Final adoption by Council (October 2025)
- 9) Final approval by the WA Planning Commission (Dec 2025)

Risks and uncertainties

The primary unknown factor which might influence the timeline above is the extent to which the Local Planning Strategy might include content that is inconsistent with the requirements of the WA Planning Commission or other state agencies. Should this occur, the suggested timelines for approval by state agencies (which are out of the Councils control in any event) can change considerably.

A preliminary list of planning issues to be addressed is shown below. This list is not definitive, and other issues may arise as a result of the community engagement or research phases of this project.

1. Housing affordability

- Whether the scheme should allow for tiny houses and transportable buildings and if so how and where?
- Whether higher density and infill development be permissible, and if so, in which locations and under what circumstances?
- Whether unserviced 'rural clusters' be permissible within rural areas?

2. Lifestyle rural lots

- Whether existing estates should expand, whether new estates should be permitted and whether agricultural land should be lost for this purpose?

3. Bridgetown Main Street

- Whether the commercial areas should grow or consolidate ?
- Whether sufficient parking and amenities exist ?

4. Greenbushes and North Greenbushes townsites

- Whether and how these town sites can expand?

5. Tourism

- Whether agricultural land should be lost for this purpose and how potential land use conflict with more 'traditional' uses might be managed.
- Regulation of short-term rental accommodation under the new state government requirements.

6. New mixed business / Light industrial zone

- Where this might be located and serviced, and the range of land uses that might be permissible there?
- Consideration of risk that this might undermine the primacy of the Town Centre

Statutory Environment

Regulation 11(2) of the Planning and Development (Local Planning Schemes Regulations 2015) requires sets out the requirements for the content of the Local Planning Strategy, namely that it must;

1. be prepared in a manner and form approved by the Commission;
2. set out the long-term planning directions for the local government
3. apply any State or regional planning policy that is relevant to the strategy

4. provide the rationale for any zoning or classification of land under the local planning scheme.

Integrated Planning

- Strategic Community Plan
 - Outcome 7 Responsible and attractive growth and development
 - Objective 7.1 Plan for a diverse range of land, housing, and development opportunities to meet current and future needs
- Corporate Business Plan
 - Action 7.1.1 Provide a Local Planning Strategy, in consultation with the community, to plan thoughtfully, creatively, and sustainably for population growth, affordable housing and protection of environmental values
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The preparation and adoption of the Local Planning Strategy is a major policy development exercise by the Shire. The Strategy will provide a strategic plan for the future growth of the Shire over the next 10 years and will be used as the basis for the preparation of major amendments to the Scheme in accordance with the Council decision of July 2022.

Budget Implications

An amount of \$25,836 is included in the 2022-2023 budget for this project. This figure is based on an estimate from a few years ago that was carried forward into this year's budget. Once the scope of this project has been adopted by the Council, the anticipated consultant costs will be refined and an appropriate budget amendment report brought before Council, should this be necessary.

Whole of Life Accounting

Nil

Risk Management

A risk assessment has been undertaken in accordance with Council Policy RM 1 (Risk Management). Possible risks include external reputation and compliance. Both these risks have been assessed as Low / Moderate.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple majority

***Council Decision Moved Cr Boyle, Seconded Cr Lansdell
C.18/1223 Process and timing for the preparation of the Local Planning Strategy.***

That Council adopt the process and timing for the preparation of the Local Planning Strategy (Stage 2 of the Scheme review) as included in this report.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Fletcher

Question

I would hope that these processes take a long time and that we can actually have some form of updating people on our website as to what stage we are at through this process. So it's just like a monthly update to see where we're at, I believe, people like to know how much progress is being made.

CEO Response – We can do that.

ITEM NO.	C.19/1223	FILE REF.	280
SUBJECT	New Policy - Community Grants, Contributions and Donations		
OFFICER	Manager Community Services		
DATE OF REPORT	December 2023		

Attachment 18 Policy CS 6 - Service Agreements for Community Services Providers

Attachment 19 Policy FM 1 - Community Grants, Service Agreements, Donations and Contributions

Attachment 20 Proposed Policy CS 9 - Community Grants, Contributions and Donations

OFFICER RECOMMENDATION

That Council;

- 1. Repeal Policy CS 6 - Service Agreements for Community Services Providers.*
- 2. Repeal Policy FM 1 - Shire Community Grants, Service Agreements, Donations and Contributions.*
- 3. Adopt Policy CS 9 - Community Grants, Contributions and Donations.*
- 4. Adopt the amended delegation FM 4 to allow the CEO to waive fees and charges.*

Summary/Purpose

These recommendations seek to repeal two existing policies and combine into one policy. This will streamline the annual Community Grants, Contributions and Donations program including the introduction of funding limits to provide a framework for Council and offer potential community groups clarity regarding funding amounts available under the community grants program.

Background

Policy FM 1 was adopted in September 1999 to offer financial support to local community groups and not-for-profits to provide activities, events and services to the community. There have been several iterations over the many years since this policy has been first adopted, most notably to include service agreements (3-year grants), to change categories and to better meet the needs of the community.

Policy FM 1 was last reviewed in June 2022.

Policy CS 6 Service Agreements for Community Service Providers was adopted in November 2003. The objective of this policy is to provide Service Agreements (3 year grants) to community groups to cover the same operational costs over 3 consecutive

years to provide financial security for community groups, support their ability to plan for the future and continue to operate.

Policy CS 6 was last reviewed in November 2020.

During the Community Grants, Service Agreements, Contributions and Donations held in April 2023 attending Councilors expressed concern with the amounts being requested in the applications, which were often well above the amounts available. A maximum limit was suggested to provide guidance to community groups and enable to equitable provision of funds across a greater number of applicants.

In May 2023(C14/0523) Council agreed to allocated \$130,000 in the 2023-2024 budget for Community Grants, Service Agreements, Contributions and Donations:

- \$6,330 New service agreements
- \$15,852 Existing service agreements to be carried forward
- \$22,900 New community group grants
- \$2,835 New non-contestable annual community contributions
- \$25,580 Existing non-contestable annual community contributions
- \$1,500 Chief Executive Officer donations
- \$3,500 Chief Executive Officer hall hire donations
- \$680 Rubbish and recycling collection for community events
- \$200 Rubbish and recycling collection for Shire leased facilities
- \$45,508 Landcare Officer
- \$500 South West Academy of Sport Sponsorship
- \$250 Agricultural Society School Art Prize Sponsorship
- \$1,000 Manjimup Airfield Contribution
- \$2,000 Regional Airport Marketing (Busselton)
- \$1,000 Greenbushes' Australia Day Breakfast Event
- \$365 School Awards

The Community Grants and Service Agreements application process for 2023/24 was competitive with new applications received to the value of \$87,809, to be distributed from \$29,230 available funds, once the costs of ongoing funding including Non-Contestable funding, existing Service Agreements, Contributions and Donations were considered and taken into account.

Officer Comment

The main points of difference between Policy FM 1 Shire Community Grants, Service Agreements, Donations and Contributions, Policy CS 6 service agreements for Community Service Providers and proposed Policy CS 9 Community Grants Contributions and Donations include the following:

- Removal of CEO donations category (\$1,500)
- Changing the term Service Agreement to 3-year Community Grant
- Combining Contributions, Donations and Non-Contestable Funding into one category called Annual Contributions and Donations to be reviewed as part of the Community Grants approval process.
- Providing a \$5,000 maximum limit on 1- year grants

- Providing a \$5,000 per year maximum limit on 3-year grants (total \$15,000 over 3 years)
- That a request to the CEO to waive fees and charges or provide rubbish services will be made through an application process 12 weeks prior to the event or activity.
- The removal on businesses, commercial organisations from being eligible to apply for funding.

The ability for community to apply for 1- and 3-year grants and in-kind support from the shire will not change under the new policy. The ability for community to apply for in-kind support from the shire will also remain unchanged, however there will be a process by which this will happen.

Policy CS 9 will provide a way of streamlining and simplifying the process for community. The new Policy also provides transparency to Council and accountability and security for the CEO regarding CEO donations and in-kind support by instating a structured application process that will be reported to Council and removing the cash donation category from possible donations.

The inclusion of a structured process including time frame for venue hire fee waiving and rubbish collection will also provide officers that work in areas that are impacted by events, the time to plan for the preparation of shire facilities and the inclusion of extra officer time for cleaning or rubbish pickup. This will improve service provision to the community.

The removal of CEO cash donations protects the CEO from perceived nepotism, offering a transparent and Council determined grant funding structure. The removal of this category also supports CEO accountability in terms of spending public funds due to the lack of formal processes or reporting. If the recommendations in this report are supported the \$1,500 currently allocated to CEO donations can be included into the other categories in the Community Grants, Contributions and Donations allocations and provided to community within a framework with clear and established reporting requirements.

Statutory Environment - Nil

Integrated Planning

➤ Strategic Community Plan

Outcome 2 Good Health and community wellbeing

Objective 2.4 Building community capacity by supporting community organisations and volunteers

Outcome 13 Proactive, visionary leaders who respond to community needs

Objective 13.2 Embrace innovation and a 'can do' attitude

Outcome 14 Effective governance and financial management

Objective 14.1 Achieve excellence in organizational performance and service delivery.

➤ Corporate Business Plan

Action 2.4.1 Fund community grants, service agreements and donations.

Action 13.2.1 Provide a review of policies, systems and processes to introduce innovations to improve business efficiencies and the customer experience.

- Long Term Financial Plan-Nil
- Asset Management Plans -Nil
- Workforce Plan – Nil
- Other Integrated Planning -Nil

Policy/Strategic Implications

Council Policy FM 1 Community Grants/Donations, Donations and Contributions is recommended to be repealed.

Council Policy CS 6 Service Agreements for Community Services is recommended to be repealed.

Proposed Policy CS 9 Community Grants, Contributions and Donations is recommended to be adopted.

Budget Implications

Council allocates funding annually as part of the community grants and budgetary processes. If the recommendations are supported, Council may choose to include the \$1,500 no longer available under the CEO cash donations to another category within the Community Grants, Contributions and Donations program when the allocations are decided.

Whole of Life Accounting - Nil

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Compliance, Reputational (External).

Compliance – the compliance risk is high and relevant to recommendation 3 and 4 as both of these recommendations include the adoption of the delegations required to waive fees and charges or approve/reject variations in grant funds.

Compliance – the compliance risk is moderate and relevant to recommendation 2 given the potential lack of transparency and reporting requirements associated with the CEO donations category.

Reputational Risk (External)– the reputational risk is extreme and relevant to recommendation 2 given the potential of perceived nepotism by providing the CEO an allocation of cash funding to provide to individuals or groups without a clear procedure to guide the decision-making process or the inclusion of a formal reporting requirement to Council.

Reputations Risk (External) – the reputational risk is high and relevant to recommendation 2 given the lack of clarity associated with the amount of funding available to each applicant. The inclusion of a maximum limit of funding per category and per organisation provides community groups with an understanding of the potential value of their funding from Council allowing expectations to be managed and applicants to undertake financial planning.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

Moved Cr Pratico, Seconded Cr Fletcher
C.19/1223 New Policy - Community Grants, Contributions and Donations.

Council Decision ***Moved Cr Christensen, Seconded Cr Lansdell***
C.19/1223a New Policy - Community Grants, Contributions and Donations.

That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.19/1223 – New Policy - Community Grants, Contributions and Donations be adjourned to a future ordinary meeting of Council to allow for further information to be obtained.

Carried 8/0

For: Crs Boyle, Browne, Christensen, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Pratico - I think the service agreements really needs an overhaul. It's nearly got to the point now that community groups are hesitant in applying because they're so rarely approved.

Cr Fletcher - Yes. Looking at the new policy, I would like to agree with Cr Pratico in relation to the transparency of contestable and non-contestable grants. I for one are very unsure of who has the non-contestable grants in Bridgetown and how long they've had them for. I know the purpose, but I think we need to be very

public and transparent about making sure everyone knows who gets the grants, how much they're for on an annual basis, how long those groups have had them.

One of my concerns is that if we are giving grants to community organizations or groups or that somehow those organizations actual activities should become sustainable so that they can go on and what we're doing is helping them in the first place.

I know the contestable grants do that. With the new changes, with the \$5,000 limit for one year or up to three years. What I would seriously like to see is that made public that the organizations become sustainable. I know when you apply for a grant from Talison, they will not pay wages, whereas we as a Shire do, through the contestable and non-contestable grant stream, pay wages of employees in organisations which we fund.

CEO Response - We left in there that we pay the staff wages, but I was quite surprised myself to find that we do. I've never come across a grant anywhere that doesn't exclude staff wages. However, we didn't want to pull the rug out from underneath everyone for a long-standing arrangement until we really look a bit further into it.

We did leave that in there for that reason, because it is established. There are community groups that depend on it at the moment. I agree with you completely about the transparency. We're talking to Jen about how to do better in that space.

You will notice I took out the CEO discretion fund because I was very uncomfortable with that. It had no eligibility criteria, had three groups come in and ask me for money on my second day here, and I actually had no grounds to say no because there was no eligibility criteria and I don't necessarily support the applications, but I had no means of turning them down. So that's why we removed that CEO discretion fund.

Cr Christensen - I actually totally agree with both Cr Fletcher and Cr Pratico on this one because there are some quite large amounts in the non-contestable allocations and other contributions in allocation sections granted. \$8,000, \$12,000, \$45,000, which is salaries and wages. There are good reasons for that. This really worries me that if we've not included some kind of grants policy, that people will be, there will be a lot of confusion in the community.

What I'd really like to propose is actually to defer this item to a concept forum where the Council discuss this with the Officers and really go into this in a bit more detail and make those recommendations as to how we would like to see this whole grants process going forward. I am really uncomfortable with this item as it stands.

Cr Pratico - I think it's very difficult to support deferring it when we've already opened the round of applications. I'm all in favour of having a concept forum item, but it's just about impossible to do it in this year.

CEO Response - It's a very good point Cr Pratico. However, just reminding Councillors that the original policy stays in place. This is the amended policy, so you can defer the amended policy and we still keep operating under the old policy, which will support this year's round if you like.

Cr Lansdell – The feel in the room is that I actually just don't think that there's enough communication to the community about this. I've been on only two of these now, and I don't recall actually the conversation in the last one was that we were saying that there needs to be a limit to what they can actually apply for. The conversation was what needs to be put out to community is that this is the amount, this is the contestable. So that there were realistic expectations of if one grant is for \$30,000 and there's only \$24,000 contestable, then that community group understanding that they are actually asking for more than what's available. So it's more about the communication to the community about these.

Cr Fletcher - Yes, I agree with Cr Lansdell on that. Going under the current arrangements, there's only about 30% of that 130,000 that's a bit over. That's available for contestable grants, which really, the new policy is trying to put some top limits on it. For each group, it's about up to 5,000. That means four groups will get a grant under the contestable scheme and the non-contestable grant groups.

Receival of Minutes from Management Committees

Nil

Responses to Elected Member Questions Taken on Notice

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

Council Decision *Moved Cr Boyle, Seconded Cr Mahoney*
C.20/1223 *That Council go behind closed doors to consider Item C.20/1223*
at 7.23pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.20/1223	FILE REF.	244
SUBJECT	2024 Community Citizen of the Year Awards		
OFFICER	Executive Assistant		
DATE OF REPORT	30 November 2023		

Attachment 21 2024 Community Citizen of the Year Awards report (Confidential)

A confidential report will be circulated to Elected Members under separate cover.

OFFICER RECOMMENDATION

That Council consider all nominations received and select a successful candidate for the following award categories;

- *Community Citizen of the Year*
- *Senior Community Citizen of the Year*
- *Young Community Citizen of the Year*
- *Active Community Citizen Award*

Council Decision Moved Cr Pratico, Seconded Cr Lansdell

C.20/1223a That Council invoke clause 18.1 of the Standing Orders at 7.25pm to allow for informal discussion.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Pratico, Seconded Cr Lansdell

C.20/1223b That application of clause 18.1 of the Standing Orders cease at 7.31pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.20/1223c That Council come out from behind closed doors at 7.33pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.20/1223d That Council nominate;

- ***Lyn and Barry Perks - Community Citizen of the Year***
- ***Glen Norris - Senior Community Citizen of the Year***
- ***Adia Leary - Young Community Citizen of the Year***

- ***Irma Lachmund - Active Community Citizenship Award subject to the nominator accepting shifting them to Active Community Citizenship Award***

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Urgent Business Approved by Decision

**Council Decision Moved Cr Mahoney, Seconded Cr Pratico
That Item C.21/1223 be accepted as urgent business.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.21/1223	FILE REF.	208
SUBJECT	Annual Report & Annual Financial Report 2022/23		
OFFICER	Chief Executive Officer		
DATE OF REPORT	11 December 2023		

Attachment 21 Annual Report 2022/23

Reason for Urgent Business: Council's audit report was received 8 December 2023. In accordance with Section 5.54 of the *Local Government Act 1995* a local government is required to accept the Annual Report by 31 December with an exception being if the audit report is not available in time for that date to be met.

OFFICER RECOMMENDATION

That Item C.21/1223 be accepted as urgent business.

OFFICER RECOMMENDATION

That Council:

- 1. Accepts the Annual Report including the Annual Financial Report and Audit Report for the 2022/23 financial year and gives local public notice of its availability.***
- 2. Schedules the Annual General Meeting of Electors to be held on Thursday, 1 February 2024 in the Council Chambers, commencing at 5:30pm.***

Summary/Purpose

Following receipt of the Independent Audit Report from the Office of the Auditor General, the Annual Report including the Annual Financial Statements has been prepared in accordance with Section 5.53 of the *Local Government Act 1995* (the Act).

Council's Audit Committee has met with the Auditor and considered the annual financial statements.

Council is requested to receive the Annual Report for the 2022/23 financial year and set a date for the Annual General Meeting of Electors.

Background/Officer Comment

The Act requires a local government to prepare each financial year an Annual Report that includes the Annual Financial Statements.

Council's Audit Committee met with the Auditor and considered the 2022/23 Annual Financial Statements at its meeting held 7 December 2023. The final Audit Report was received on 8 December 2023. Section 5.54 of the Act requires a local government to accept the Auditor's report by 31 December with the exception being if the report is not available in time for that date to be met, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Once Council accepts the Auditor's Report and Annual Report it needs to determine a date for the Annual General Meeting of Electors. The CEO is required to provide sufficient public notice of the availability of the Auditor's Report and Annual Report, and the date of the Annual General Meeting of Electors.

Section 5.27 of the Act requires a general meeting to be held on a day selected by the local government not more than 56 days after the local government accepts the annual report for the previous financial year. Assuming Council accepts the annual report at its December meeting the latest date for the Annual General Meeting of Electors would be Thursday, 8 February 2024.

Considering the above it is recommended that the Annual General Meeting of Electors be held at 5:30pm on Thursday, 1 February 2024.

2022/23 Financial Statements

The audit of the Shire's 2022/23 Financial Statements has been conducted in accordance with Australian Auditing Standards and the Auditor has determined that:

"In my opinion, the financial report is:

- *based on proper accounts and records*
- *presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2023 and its financial position at the end of that period*
- *in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards."*

The audit report does not identify any matters or issues that are to be raised in relation to significant audit and accounting issues, audit adjustments or other key matters.

The Audit Committee, following discussions with Mr Louis De Robillard, Assistant Director, from the Office of the Auditor General WA, Mr Greg Godwin, Audit Partner from Moore Australia and Mr Rohan Nagaich, Senior Manager from Moore Australia passed the following recommendation:

“AC.02/1223 That the Audit Committee:

1. Note the Audit Concluding Memorandum and Draft Independent Auditor’s Report for the 2022/23 financial year.

2. Recommend that Council accept the 2022/23 Annual Financial Statements (that will include the Independent Audit Report).”

Statutory Environment

Section 5.27(2) for calling of Annual General Meeting of Electors

Section 5.53 for contents of Annual Report

Section 5.54 for acceptance of Annual Report

Section 5.55 and 5.55A for notice and publication of Annual Report

Integrated Planning

Strategic Community Plan

- Outcome 14 – Effective governance and financial management
Objective 14.1 – Achieve excellence in organisational performance and service delivery

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy

Council’s ‘Advertising of Annual General Meeting of Electors’ Policy sets out the advertising requirements for the Annual General Meeting of Electors.

Budget Implications

Funds are included in the current general advertising account for the purpose of advertising the Annual General Meeting of Electors.

Whole of Life Accounting – Not Applicable

Risk Management

It is a statutory requirement for Council to accept the Annual Report and set a date for the holding of the Annual General Meeting in accordance with the timelines outlined in the legislation. Should Council fail to adopt the annual report and hold the Annual General Meeting of Electors in accordance with the statutory timeframes the following risks areas have been identified in accordance with Policy RM 1 – Risk Management:

Compliance Risk – assessed as a moderate risk i.e. temporary non-compliance is almost certain.

Reputational Risk (external) – assessed as a moderate risk i.e. there is a possibility of local news and social media attention.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority to accept the Annual Report

**Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.21/1223a Annual Report & Annual Financial Report 2022/23**

That Council:

- 1. Accepts the Annual Report including the Annual Financial Report and Audit Report for the 2022/23 financial year and gives local public notice of its availability.**
- 2. Schedules the Annual General Meeting of Electors to be held on Thursday, 1 February 2024 in the Council Chambers, commencing at 5:30pm.**

Carried by Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Shire President - I must commend staff because it was put together in a very short space of time, to come up with a terrific report like that.

CEO Response - Can I particularly thank Jen Birkhead, who put an annual report together in five days. She did an amazing job.

**Council Decision Moved Cr Mahoney, Seconded Cr Christensen
C.22/1223 That Council go behind closed doors to consider Item C.22/1223
at 7.36pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.22/1223 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.22/1223	FILE REF.	
SUBJECT	Committee Nomination – Access and Inclusion Advisory Committee		
OFFICER	Executive Assistant		
DATE OF REPORT	12 December 2023		

Attachment 22 Nomination form for Access and Inclusion Advisory Committee

Attachment 23 Access and Inclusion Advisory Committee - IoA

OFFICER RECOMMENDATION 1

That Council appoint Jillian Neave as community representative on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 23.

**Council Decision Moved Cr Mahoney, Seconded Cr Christensen
C.22/1223a That Council appoint Jillian Neave as community representative
on the Access and Inclusion Advisory Committee, in accordance
with the Instrument of Appointment presented in Attachment 23.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

OFFICER RECOMMENDATION 2

That Council appoint Martin Cable as community representative on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 23.

**Council Decision Moved Cr Mountford, Seconded Cr Christensen
C.22/1223b That Council appoint Martin Cable as community representative
on the Access and Inclusion Advisory Committee, in accordance
with the Instrument of Appointment presented in Attachment 23.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

**Council Decision Moved Cr Mahoney, Seconded Cr Lansdell
C.22/1223c That Council come out from behind closed doors at 7.38pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Responses to Elected Member Questions Taken on Notice

Cr Lansdell - Greenbushes depot - in Rolling Sheet – what happened with petition and outcome? Wasn't enough maintenance being done. What communication will now go out to the original person who put the petition forward - CEO will communicate this to the original petitioner.

Nicole has actioned and notified the petition accordingly.

Cr Lansdell - Acquisition of Dumpling Gully Precinct - Community concern of Talison pumping from Dumpling gully water – do we need to be more proactive? Greenbushes need to have that water not pumped out. Was a plan being developed?

CEO Response – I will take the question on notice because I have not spoken to Talison on this matter.

NOTE AFTER SPEAKING WITH TALISON: Talison is not pumping water out of Dumpling Gully Precinct for its own purposes, it is doing so at its own cost to water the golf course.

Closure

The Presiding Member closed the meeting at 7.42pm.

List of Attachments

Attachment	Item No.	Details
1	C.01/1223	Ordinary Council Meeting held 2 November 2023
2	C.02/1223	Ordinary Council Meeting held 30 November 2023

3	C.06/1223	Draft Fencing Local Law 2023
4	C.06/1223	Fencing Local Laws – Current 2023
5	C.07/1223	FM 4 - Draft Amended Purchasing Policy
6	C.07/1223	Current FM 4-Purchasing-Policy
7	C.07/1223	Supporting documents - Combined FM 3 - Regional Price Preference, FM 6 - Buy Local Purchasing and FM 13 - Budget Management Policy
8	C.08/1223	Bridgetown Shire Depot Draft Concept Plan
9	C.10/1223	G 12 – Well Wishes From Council Policy
10	C.12/1223	Rolling Action Sheet
11	C.13/1223	Tindale’s Map of the South West
12	C.13/1223	Tindale’s Map of Australia
13	C.14/1223	Position Description - Work Health and Safety Officer
14	C.16/1223	List of Accounts Paid in November 2023
15	C.17/1223	Copies of submissions received
16	C.17/1223	Map of Bridgetown townsite Commercial zoned land
17	C.18/1223	A Planning Commission Local Planning Strategy Guidelines (not including appendices)
18	C.19/1223	Policy CS 6 - Service Agreements for Community Service providers
19	C.19/1223	Policy FM 1 - Shire Community Grants Service Agreements Donations and Contributions
20	C.19/1223	Proposed Policy CS9 - Community Grants Policy

Minutes Papers prepared and recommended by L Taramoeroa, Executive Assistant

20 December 2023

Minutes Papers authorised by N Gibbs, CEO

20 December 2023

PARTNERING FOR THE FUTURE 2023 PROJECT MONTHLY REPORTING

Project Progress December 2023

Greenbushes Transformation Project

Project Title	Greenbushes Footpath Upgrade and Root Management Plan				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Survey and Masterplan RFQ's issued. Surveyor engaged Survey of all Greenbushes local roads has been completed 				
Planned action for January	<ul style="list-style-type: none"> Landscape Architect engagement Draft footpath masterplan 				
Risks	<ul style="list-style-type: none"> Nil 				
Completion	<ul style="list-style-type: none"> End February 2024 				

Project Title	Greenbushes Asphalt Overlay Works				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Primary contract awarded. Collins Street road repairs completed. 				
Planned action for January	<ul style="list-style-type: none"> Telluride Street drainage repairs Asphalt overlay 				
Risks	<ul style="list-style-type: none"> Possibility of contractor delays due to unforeseen weather events 				
Completion	<ul style="list-style-type: none"> February 2024 				

Project Title	Greenbushes Hard Court Lighting				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Contract awarded. Lighting infrastructure ordered. Footings and rag bolts installed. Conduits and wiring installed. 				
Planned action for January	<ul style="list-style-type: none"> Standing of light poles. Commission and handover. 				
Risks	<ul style="list-style-type: none"> Light poles are in transit however awaiting delivery. 				
Completion	<ul style="list-style-type: none"> End January 2024 				

Bridgetown Sports Ground Project

Project Title	Bridgetown Sports Ground Upgrade				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Subsoil drainage installation • Electrical infrastructure for lights • Footing excavation and cage installation • Concrete pour for light pole foundation • Main oval irrigation • Pump and headworks installation 				
Planned action for January	<ul style="list-style-type: none"> • Junior oval Irrigation installation. • New dam construction 				
Risks	<ul style="list-style-type: none"> • Light poles are in transit however awaiting delivery. • Total fire ban and harvest bans will require 'stop work' action 				
Completion	<ul style="list-style-type: none"> • Irrigation end January 2024 • Commissioning of the new dam and connections will occur once the new dam works are complete in March 2024 noting this will not impact irrigation commissioning. 				

Bridgetown Leisure Centre Activation Project

Project Title	Bridgetown Leisure Centre Pool Blankets				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Contract awarded. • Infrastructure ordered. 				
Planned action for January	<ul style="list-style-type: none"> • Awaiting delivery & Installation 				
Risks	<ul style="list-style-type: none"> • Awaiting pool blanket delivery 				
Completion	<ul style="list-style-type: none"> • End January 2024 				

Project Title	Bridgetown Leisure Centre Fans				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Fans have been delivered to Bridgetown Leisure Centre 				
Planned action for January	<ul style="list-style-type: none"> • Fans installation • Completion 				
Risks	<ul style="list-style-type: none"> • Nil 				
Completion	<ul style="list-style-type: none"> • January 2024 				

Project Title	Bridgetown Leisure Centre Pool Inflatables				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Inflatables have been procured and delivered to Bridgetown leisure Centre. Inflate for community use. Completion 				
Planned action for January	NIL				
Risks	<ul style="list-style-type: none"> Nil 				
Completion	<ul style="list-style-type: none"> Complete 				

Bridgetown Energy Sustainability Project (Planning)

Project Title	Stage 1 Bridgetown Energy Sustainability Project - Planning				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> 3 solar installers have provided designs for both grid feed back and battery/grid for Library, Civic Centre and Bridgetown Leisure Centre. Cost estimates received. Internal evaluation of design proposals Completion 				
Planned action for January	NIL				
Risks	<ul style="list-style-type: none"> Nil 				
Completion	<ul style="list-style-type: none"> Complete 				



FENCING LOCAL LAW 2024

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT ACT 1995

Shire of Bridgetown-Greenbushes

FENCING LOCAL LAW 2023

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DRAFT

LOCAL GOVERNMENT ACT 1995

Shire of Bridgetown-Greenbushes

FENCING LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Shire of Bridgetown-Greenbushes resolved on *[insert date]* to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law is cited as the *Shire of Bridgetown-Greenbushes Fencing Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

- (1) The purpose of this local law is to prescribe a sufficient fence and the standard for the construction of fences throughout the district.
- (2) The effect of this local law is to establish the minimum requirements for fencing within the district.

1.4 Application

This local law applies throughout the district.

1.5 Repeal

The *Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing* published in the *Government Gazette* on 31 August 2004 and amended in the *Government Gazette* on 23 February 2007 is repealed.

1.6 Definitions

In this local law —

Act means the *Dividing Fences Act 1961*;

Applicant means a person who makes an application for approval under this local law;

AS or AS/NZS means an Australian or Australian/New Zealand Standard as published by Standards Australia and as amended from time to time.

Barbed wire fence means a wire or strand of wires having small pieces of sharply pointed wire twisted around it at short intervals;

Boundary fence has the meaning given to it by the Act;

Building Surveyor means a Building Surveyor of the local government;

CEO means the Chief Executive Officer of the local government;

Commercial Lot means a lot where a commercial use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Dangerous in relation to any fence means—

- (a) an electrified fence other than a fence approved by the local government under this local law;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

District means the district of the local government;

District planning scheme means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

Dividing fence has the meaning given to it by the Act;

Electrified fence means a fence carrying or designed to carry an electric charge;

Fence means any structure, not including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate;

Front boundary means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare, the boundary line between the lot and the primary thoroughfare;

Front fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

Front setback area means the area between the building line of a lot and the front boundary of that lot;

Height in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

Industrial Lot means a lot where an industrial use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Licence means an electrified fence licence or a razor wire fence licence;

Local government means the *Shire of Bridgetown-Greenbushes*;

Local government property means anything except a thoroughfare—

- (a) which belongs to the local government;

- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the *Local Government Act 1995*;

Lot has the meaning given to it in the *Planning and Development Act 2005*;

Notice of breach means a notice referred to in clause 5.1;

Occupier has the meaning given to it in the *Local Government Act 1995*;

Owner has the meaning given to it in the *Local Government Act 1995*;

Razor wire fence means a coiled strong wire with pieces of sharp cutting edges set across it at close intervals;

Residential Lot means a lot where a residential use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Retaining wall means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

Rural Lot means a lot where a rural use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Schedule means a Schedule to this local law;

Special Rural Lot means a lot where a special rural use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Sufficient fence means a fence described in clause 2.1; and

Thoroughfare has the meaning given to it by the *Local Government Act 1995*, but does not include a private thoroughfare which is not under the management or control of the local government.

1.7 Licence fees and charges

All licence fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.

PART 2—FENCES

Division 1—Sufficient fences

2.1 Sufficient fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.

- (2) Subject to subclauses (3) and (4), a sufficient fence—
 - (a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) on a Commercial Lot or an Industrial Lot is a dividing fence, or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3; and
 - (c) on a Rural Lot or a Special Rural Lot is a dividing fence, or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (3) Where a fence is erected on or near the boundary between—
 - (a) a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) a Residential Lot and a Commercial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 3;
 - (c) a Residential Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4;
 - (d) a Residential Lot and a Special Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4; and
 - (e) a Special Rural Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.
- (5) Unless an authorised person determines otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of Schedule 2.
- (6) Notwithstanding any other provision in this local law, a dividing fence or boundary fence constructed of masonry, stone or concrete shall be a sufficient fence only if it is designed by a suitably qualified structural engineer and constructed in accordance with that design where—
 - (a) it is greater than 1800 millimetres in height; or
 - (b) the Building Surveyor requires.

- (7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800 millimetres in height unless the approval of the local government has been obtained for such a fence.

Division 2—General

2.2 Fences within front setback areas

- (1) A person shall not, without the written consent of the Building Surveyor, erect a free-standing fence greater than 1200 millimetres in height, within the front set-back area of a Residential Lot within the district.
- (2) The Building Surveyor may approve the erection of a fence of a height greater than 1200 millimetres in the front setback area of a Residential Lot only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500 millimetres along the frontage to a distance of not less than 1500 millimetres from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (3) The provision of subclause (2) shall not apply to a fence—
- (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a footpath.

2.3 Gates in fences

- (1) A person shall not erect a gate in a fence which does not—
- (a) open into the lot; or
 - (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property unless the approval of the local government has been obtained.

2.5 Fences on a Rural Lot

A person shall not, without the written consent of the Building Surveyor, erect a fence on a Rural Lot of a height exceeding 1500 millimetres.

2.6 Maintenance of fences

An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, or unsightly to the amenity of the locality.

2.7 Fences across rights-of-way, public access ways or thoroughfares

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.8 General discretion of the local government

- (1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.
- (2) In determining whether to grant its approval under subclause (1), the local government may consider whether the erection or retention of the fence would have an adverse effect on—
 - (a) the safe or convenient use of any land;
 - (b) the safety or convenience of any person; or
 - (c) the visual amenity of the locality.

Division 3—Fencing materials

Where required by the Building Surveyor, fencing designs are to be certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions - General principles.

2.9 Pre-used fencing materials

- (1) Notwithstanding clause 2.1, a person shall not construct a fence on a Residential Lot, a Commercial Lot or an Industrial Lot from pre-used materials without the approval of the local government.
- (2) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1), that approval shall be conditional on the applicant painting or treating the pre-used material as directed by the Building Surveyor.

2.10 Barbed wire fences and spiked or jagged materials

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a Residential Lot or a Commercial Lot shall not erect, affix or allow to remain on any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the local government has been obtained.
- (3) An owner or occupier of an Industrial Lot shall not erect, affix or allow to remain on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the wire or other materials are carried on posts at an angle of 45 degrees, and unless the bottom row of wire or other materials is setback 150mm from the face of the fence and is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.

- (5) An owner or occupier of a lot shall not erect, affix or allow to remain as part of any fence or wall, whether internal or external on that lot, any broken glass.
- (6) An owner or occupier of a Rural Lot shall not erect, affix or allow to remain any barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

2.11 Electrified and razor wire fences

- (1) An owner or occupier of a lot shall not—
 - (a) construct or use an electrified fence on that lot without obtaining the approval of the local government in the form prescribed in Schedule 5; or
 - (b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government in the form prescribed in Schedule 6.
- (2) The local government shall not approve an application for the purpose of subclause (1)(a)—
 - (a) in respect of a lot which is or which abuts a Residential Lot;
 - (b) unless the prohibited fence complies with AS/NZS 3016:2002 Electrical installations—Electric security fences;
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected; and
 - (d) on a commercial or industrial lot, any electrified part of the fence must be located on the property side of the fence, and behind a sufficient fence.
- (3) The local government shall not approve an application for the purpose of subclause (1)(b)—
 - (a) if the fence is within 3000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2000 millimetres or more than 2400 millimetres above the ground level.
- (4) An application for approval for the purpose of subclauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

2.12 Prohibited fencing materials

A person shall not affix or use broken glass in the construction of any fence.

PART 3—APPROVALS

3.1 Application for approval

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).
- (2) An application for approval under this local law shall—
 - (a) be in the form determined by the local government;

- (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

3.2 Decision on application for approval

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

3.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

3.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law—

- (a) runs with the lot to which it relates;
- (b) may be relied upon by any subsequent occupier or owner of the lot; and
- (c) may be enforced by the local government against a subsequent occupier or owner of the lot.

PART 4—MISCELLANEOUS

4.1 False or misleading statement

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

PART 5—NOTICES OF BREACH

5.1 Notices of breach

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner of that lot.
- (2) A notice of breach shall—
 - (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state that the owner is required to remedy the breach within the time specified in the notice.
- (3) Should an owner fail to comply with a notice of breach, the local government may, by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach and may recover the expenses of so doing from the owner of the lot in a court of competent jurisdiction.
- (4) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry on to land will be in accordance with Part 3, Division 3 of that Act.

PART 6—OFFENCES

6.1 Offences and penalties

- (1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

6.2 Modified penalties

- (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.
- (3) Before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that—
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

6.3 Form of notices

For the purposes of this local law—

- (a) the form of the infringement notice referred to in sections 9.16 and 9.17 of the *Local Government Act 1995* is to be in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the withdrawal of infringement notice referred to in section 9.20 of the *Local Government Act 1995* is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7—OBJECTIONS AND REVIEW

7.1 Objections and review

When the local government makes a decision under clause 3.2, the provisions of Part 9 Division 1 of the *Local Government Act 1995*, and regulation 33 of the *Local Government (Functions and General) Regulations 1996*, apply to that decision.

SCHEDULE 1 - OFFENCES AND MODIFIED PENALTIES

[clause 6.2(2)]

Item No	Clause No.	Nature of offence	Modified penalties \$
1	2.1(1)	Erect a fence which is not a sufficient fence	250
2	2.2	Erect a fence greater than 1 200mm in height within a front setback area of a residential lot without the written consent of the Building Surveyor	250
3	2.3(a)	Erect a gate in a fence not opening into the lot	200
4	2.3(b)	Erect a gate in a fence not sliding parallel and inside a fence	200
5	2.6	Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly	250
6	2.7	Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval	250
7	2.9(1)	Construct a fence on a Residential, Commercial or Industrial Lot from pre-used materials without written approval	250
8	2.10(2)	Erect a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval	250
9	2.11(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	250
10	2.12	Affix, or use, any broken glass in a fence	250
11	3.3	Failure to comply with terms or conditions of approval	250
12	6.1	Failure to comply with notice of breach	250

SCHEDULE 2 - SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a Residential Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions - General principles.

Timber fence

- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
- (b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
- (c) intermediate posts to be doubled yankee strutted with 150mm x 25mm x 450mm struts;
- (d) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
- (e) rails to be 75mm x 50mm with each rail spanning 2 bays of fencing double railed or bolted to each post with joints staggered;
- (f) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
- (g) the height of the fence to be 1600mm to 1800mm except with respect to the front set back area for which there is no minimum height, but which is subject to clause 2.2.

Corrugated or non-corrugated fence

A fence constructed of corrugated or non-corrugated fibre reinforced pressed cement, aluminium, PVC or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications—

- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case, shall have a minimum in-ground depth of 600mm;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
- (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
- (d) the height of the fence to be 1600mm to 1800mm except with respect to the front set back area for which there is no minimum height, but which is subject to clause 2.2.

Brick, stone or concrete fence

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications—

- (a) a site classification is to be provided by a professional engineer in accordance with AS 2870-2011 Residential slabs and footings as amended;
- (b) the footing is to be designed in accordance with AS 2870-2011 Residential slabs and footings as amended;

- (c) footings of minimum 225mm x 150mm concrete 15MPa or 300mm x 175mm brick laid in cement mortar;
- (d) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
- (e) expansion joints in accordance with the manufacturer's written instructions; and
- (f) the height of the fence to be 1600mm to 1800mm except with respect to the front set back area for which there is no minimum height, but which is subject to clause 2.2.

Composite fence

A composite fence which satisfies the following specifications for the brick construction—

- (1)
 - (a) brick piers of minimum 345mm x 345mm at 1600mm to 1800mm centres bonded to a minimum height base wall of 514mm;
 - (b) each pier shall be reinforced with one R10 galvanised starting rod 1500mm high with a 250mm horizontal leg bedded into a 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
 - (c) the minimum ultimate strength of brickwork shall be 20MPa. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
 - (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
 - (e) control joints in brickwork shall be provided with double piers at a maximum of 6-metre centres;

or

- (2)
 - (a) brick piers of a minimum 345mm x 345mm x 2700mm centres bonded to the base wall; and
 - (b) each pier shall be reinforced with two R10 galvanised starting rods as previously specified.

SCHEDULE 3 SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT OR AN INDUSTRIAL LOT
[clause 2.1(2)(b)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on a Commercial Lot or an Industrial Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions - General principles.

Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh which satisfies the following specifications—

- (a) corner posts to be minimum 50mm nominal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
- (b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3.5m centres and with footings of a 225mm diameter x 600mm;
- (c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and 2 at each corner post and with footings 225mm x 600mm;
- (d) cables to be affixed to the top, centre and bottom of all posts and to consist of 2 or more 3.15mm wires twisted together or single 4mm wire;
- (e) non-rail link, chain or steel mesh is to be to a height of 2000mm on top of which are to be 3 strands of barbed wire carrying the fence to a height of 2400mm in accordance with the requirements and standards of the local planning schemes; and
- (f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with 1 horizontal and 1 vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

Other fences

- (a) a fence of cement sheet or steel sheeting constructed to the minimum specifications referred to in Schedule 2;
- (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm; or
- (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2.

**SCHEDULE 4 - SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT - OR SPECIAL
RURAL LOT**

[clause 2.1(2)(c)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated is a sufficient fence on a Rural Lot or a Special Rural Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions - General principles.

Non-electrified fence

- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of 5 wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through and connected to posts in all cases.
- (b) posts shall be of indigenous timber or other suitable material including—
 - (i) timber impregnated with a termite and fungicidal preservative;
 - (ii) standard iron star pickets; or
 - (iii) concrete;
- (c) posts shall be cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn timber.
- (d) posts to be set minimum 600mm in the ground and 1 200mm above the ground; and
- (e) strainer posts shall be not less than 2250mm long and 150mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.

Electrified fence

An electrified fence having 4 wires is a sufficient fence if constructed generally in accordance with a non-electrified fence.

SCHEDULE 5 - LICENCE FOR APPROVED ELECTRIFIED FENCE

[clause 2.11(1)(a)]

This is to certify that

(1) _____

of (2)

is licensed , subject to the conditions set out below, to have and use an electrified fence on

(address)

from _____ 20 _____ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20 _____

Chief Executive Officer,
Shire of Bridgetown-Greenbushes.

Conditions of Licence—

The holder of the licence must—

- (a) display the licence in a prominent position on the land or premises on which the electrified fence has been erected;
- (b) upon the request of a Building Surveyor produce to him or her the licence;
- (c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes;
- (d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence; and
- (e) comply with AS/NZS 3016:2002 Electrical installations - Electric security fences.

Transfer by Endorsement

This licence is transferred to (3)

of (4)

from and including the date of this endorsement.

Dated this _____ day of _____ 20 _____

Chief Executive Officer,
Shire of Bridgetown-Greenbushes.

-
- (1) Name
 - (2) Address
 - (3) Name
 - (4) Address
-

DRAFT

SCHEDULE 6 - LICENCE FOR APPROVED RAZOR WIRE FENCE

[clause 2.11(1)(b)]

This is to certify that (1)

_____ of (2)

_____ is licensed, subject to the conditions set out below, to have a fence constructed wholly or partially of razor wire at

_____ (address)

From _____ 20____ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20____

Chief Executive Officer,
Shire of Bridgetown-Greenbushes.

Conditions of licence—

- (a) display the licence in a prominent position on the land or premises on which the fence has been erected;
- (b) upon the request of a Building Surveyor produce to him or her the licence;
- (c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes; and
- (d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the fence.

Transfer by Endorsement

This licence is transferred to (3)

_____ of (4)

_____ from and including the date of this endorsement.

Dated this _____ day of _____ 20____

Chief Executive Officer,
Shire of Bridgetown-Greenbushes.

- (1) Name
- (2) Address
- (3) Name
- (4) Address

Dated: *[insert date]*

The Common Seal of the *Shire of Bridgetown-Greenbushes* was affixed by authority of a resolution of the Council in the presence of —

CR JENNY MOUNTFORD President

NICOLE GIBBS, Chief Executive Officer

DRAFT



LOCAL LAWS RELATING TO FENCING

Adopted by Council on 26th August 2004

Gazetted on 31st August 2004

Amended by Council on 25th January 2007

Gazetted on 23rd February 2007

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FIRST SCHEDULE

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THIRD SCHEDULE

LOCAL GOVERNMENT ACT 1995

Shire of Bridgetown-Greenbushes

LOCAL LAWS RELATING TO FENCING

Under the powers conferred by the *Local Government Act 1995* and by all other powers the Council of the *Shire of Bridgetown-Greenbushes* resolved to make the following local laws on the 26th day of August 2004

PART 1 - PRELIMINARY

1. Citation

These Local Laws may be cited as the *Shire of Bridgetown-Greenbushes* Local Laws Relating to Fencing.

2. Repeal

The *Municipality of the Shire of Bridgetown-Greenbushes Fencing Local Law* as published in the Government Gazette on 8 April 1988 is repealed.

3. Application of Local Laws

These Local Laws apply throughout the district.

4. Interpretation

In these Local Laws, unless the context requires otherwise:

“Act” means the *Dividing Fences Act 1961*;

“AS” means an Australian Standard published by the Standards Association of Australia;

“boundary fence” has the meaning given to it for the purposes of the Act;

“Building Surveyor” means a Building Surveyor of the local government;

“CEO” means the Chief Executive Officer of the local government;

“Commercial Lot” means a lot where a commercial use -

(a) is or may be permitted under the town planning scheme; and

(b) is or will be the predominant use of the lot;

“council” means the Council for the Shire of Bridgetown-Greenbushes

“dangerous” in relation to any fence means:

(a) an electrified fence other than a fence in respect of which a licence under Part 5 of these Local Laws has been issued and is current;

(b) a fence containing barbed wire other than a fence erected and maintained in accordance with these Local Laws;

(c) a fence containing any harmful projection or material including broken glass, asbestos fibre or razor wire; or

(d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

“district” means the district of the local government;

“dividing fence” has the meaning given to it in and for the purposes of the Act;

“electrified fence” means a fence carrying or designed to carry an electric charge;

“fence” means any structure, including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate;

“frontage” means the boundary line between a lot and the thoroughfare upon which that lot abuts;

“height” in relation to a fence means the vertical distance between:

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

“Industrial Lot” means a lot where an industrial use -

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot;

“local government” means the *Shire of Bridgetown-Greenbushes*;

“lot” has the meaning given to it in and for the purposes of the *Town Planning and Development Act 1928*;

“notice of breach” means a notice referred to in clause 15(1);

“Residential Lot” means a lot a lot within the Residential Zone of a Town Planning Scheme;

“retaining wall” means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

“Rural Lot” means a lot within a Rural or Special Rural Zone of a Town Planning Scheme’

“Schedule” means a Schedule to these Local Laws;

“setback area” has the meaning given to it for the purposes of the town planning scheme;

“sufficient fence” means a fence described in clause 6; and

“town planning scheme” means a town planning scheme of the local government made under the *Town Planning and Development Act 1928*.

5. Licence Fees & Charges

All licence fees and charges applicable under these Local Laws shall be as determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.

PART 2 – SUFFICIENT FENCES

6. Sufficient Fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.
- (2) Subject to subclauses (3) and (4), a sufficient fence:
 - (a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the First Schedule.
 - (b) on a Commercial Lot and on an Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule.
 - (c) on a Rural Lot and on a special Rural Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Third Schedule.
- (3) Where a fence is erected on or near the boundary between:
 - (a) a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the First Schedule.
 - (b) a Residential Lot and a Commercial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule;
 - (c) a Residential Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Third Schedule.
 - (d) a Residential Lot and a Special Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the First Schedule; and
 - (e) a Special Rural Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Third Schedule.
- (4) Unless the Council specifies otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of the Second Schedule.
- (5) Notwithstanding any other provisions in these Local Laws, a fence constructed of stone or concrete shall be a sufficient fence only if it is designed by a structural engineer where:
 - (a) it is greater than 1800mm in height; or
 - (b) the Building Surveyor so requires.

PART 3 – GENERAL

7. Fences Within Front Setback Areas

- (1) A person shall not, without the written consent of the Building Surveyor, erect a free-standing fence greater than 1200mm in height, within the front set-back area of a Residential Lot within the district.
- (2) The Building Surveyor may approve the erection of a fence of a height greater than 1200mm in the front setback area of a Residential Lot only if the fence on each side of the driveway into the Lot across the front boundary is to be angled into the Lot for a distance of not less than 1500mm along the frontage to a distance of not less than 1500mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (3) The provision of subclause (2) shall not apply to a fence:
 - (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a footpath.

8. Maintenance of Fences

An owner or occupier of a lot on which a fence is erected shall maintain the fence in good condition and so as to prevent it from becoming dangerous, dilapidated, or unsightly.

9. General Discretion of the Local Government

- (1) Notwithstanding clause 6, the local government may consent to the erection or repair of a fence which does not comply with the requirements of these Local Laws.
- (2) In determining whether to grant its consent to the erection or repair of any fence, the local government may consider, in addition to any other matter that it is authorised to consider, whether the erection or retention of the fence would have an adverse effect on:
 - (a) the safe or convenient use of any land; or
 - (b) the safety or convenience of any person.

PART 4 – FENCING MATERIALS

10. Fencing Materials

- (1) A person shall construct any fence on a Residential Lot, a Commercial Lot or an Industrial Lot from only those materials specified for a sufficient fence in respect of such lot in the First or Second Schedule or some other material approved by the Building Surveyor.
- (2) Where the Council approves the use of pre-used materials in the construction of a fence under subclause (1), that approval shall be conditional on the applicant for approval painting or treating the pre-used material as directed by the Building Surveyor.

11. Barbed Wire and Broken Glass Fences

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a Residential Lot or a Commercial Lot shall not erect or affix to any fence on such a lot any barbed wire or other material with spiked or jagged

projections, unless the prior written approval of the Building Surveyor has been obtained.

- (3) An owner or occupier of an Industrial Lot shall not erect or affix on any fence bounding that Lot any barbed wire or other materials with spiked or jagged projections unless the wire or materials are carried on posits at an angle of 45 degrees, and unless the bottom row of wire or other materials is set back 150mm from the face of the fence and is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.
- (5) An owner or occupier of a lot shall not affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass.
- (6) An owner or occupier of a Rural Lot shall not place or affix barbed wire upon a fence on that Lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

PART 5 – ELECTRIFIED AND RAZOR WIRE FENCES

12. Requirements for a Licence

- (1) An owner or occupier of a lot, other than a Rural Lot, shall not:
 - (a) have and use an electrified fence on that lot without first obtaining a licence under subclause (2); or
 - (b) construct a fence wholly or partly of razor wire on that lot without first obtaining a licence under subclause (3).
- (2) A licence to have and use an electrified fence shall not be issued:
 - (a) in respect of a lot which is or which abuts a Residential Lot;
 - (b) unless the fence complies with AS/NZS 3016:2002; and
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.
- (3) A licence to have a fence constructed wholly or partly of razor wire shall not be issued:
 - (a) if the fence is within 3m of the boundary of the lot;
 - (b) where any razor wire used in the construction of the fence is less than 2000mm or more than 2400 above the ground level.
- (4) An application for a licence referred to in subclauses (2) or (3) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.
- (5) An application for a licence referred to in subclauses (2) or (3) may be:
 - (a) approved by the local government;
 - (b) approved by the local government subject to such conditions as it thinks fit; or
 - (c) refused by the local government.

13. Transfer of a Licence

A licence referred to in clause 13 shall transfer with the land to any new occupier or owner of the lot.

14. Cancellation of a Licence

Subject to Division 1 Part 9 of the *Local Government Act 1995*, the local government may cancel a licence issued under this Part if –

- (a) the fence no longer satisfies the requirements specified in clause 13(2) or 13(3) as the case may be; or
- (b) the licence holder breaches any condition upon which the licence has been issued.

PART 6 – NOTICES OF BREACH

15. Notices of Breach

- (1) Where a breach of any provision of these Local Laws has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner or occupier of that lot ('notice of breach').
- (2) A notice of breach shall:
 - (a) specify the provision of these Local Laws which has been breached.
 - (b) specify the particulars of the breach; and
 - (c) state that the owner or occupier of the lot is required to remedy the breach within 28 days from the giving of the notice.
- (3) Should an owner or occupier fail to comply with a notice of breach, the local government may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner or occupier of the lot, as the case may be, in a court of competent jurisdiction.

PART 7 – OFFENCES

16. Offences and Penalties

- (1) An owner or occupier who fails to comply with a notice of breach commits an offence and is liable under conviction to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of these Local Laws commits an offence and is liable to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$5000.

17. Modified Penalties

- (1) An offence against any provision of these Local Laws is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) Unless otherwise specified, the amount of the modified penalty for an offence against any provision of these Local Laws is \$125.

18. Form of Notices

For the purpose of these Local Laws –

- (1) the form of the infringement notice referred to in section 9.17 of the *Local Government Act 1995* is to be in or substantially in the form of Form 2 of Schedule 1 of the Local Government (Functions and General) Regulations 1996.

FIRST SCHEDULE
SPECIFICATIONS FOR A SUFFICIENT FENCE
ON A RESIDENTIAL LOT

Each of the following is a “sufficient fence” on a Residential Lot:

- A. A picket timber fence which satisfies the following specifications:
- (a) corner posts to be not less than 100mm x 100mm x 2400mm and intermediate posts to be not less than 100mm x 75mm x 2400mm spaced at 2400mm centres;
 - (b) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
 - (c) rails to be a minimum of 75mm x 50mm with each rail spanning two bays of fencing double railed or bolted to each post with joints staggered;
 - (d) the fence to be covered with a minimum 75mm x 20mm sawn pickets, 1800mm in height placed a maximum 75mm apart and affixed securely to each rail; and
 - (e) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.
- B. A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting which satisfies the following specifications:
- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
 - (c) the sheets to be lapped and capped with extruded “snap-fit” type capping in accordance with the manufacturers written instructions; and
 - (d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.
- C. A fence constructed of brick, stone or concrete, which satisfies the following specifications:
- (a) footings of minimum 225mm x 150mm concrete 15MPA or 300mm x 175mm brick laid in cement mortar;
 - (b) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
 - (c) expansion joints in accordance with the manufacturer’s written instructions; and
 - (d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.

- D. A composite fence having a minimum overall height of 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 7, which satisfies the following specifications for the brick construction:
- (1)
 - (a) brick piers of minimum 345mm x 345mm at 1800mm centres bonded to a minimum height base wall of 514mm;
 - (b) each pier shall be reinforced with one R10 galvanised starting rod 1500mm high with a 250mm horizontal leg bedded into a 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
 - (c) the minimum ultimate strength of brickwork shall be 20MPA. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
 - (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
 - (e) control joints in brickwork shall be provided with double piers at a maximum of 6 metre centres; or
 - (2)
 - (a) brick piers of a minimum 345mm x 345mm x 2700mm centres bonded to the base all; and
 - (b) each pier shall be reinforced with two R10 galvanised starting rods as previously specified;
- E. A fence constructed of colour bond or zincalume sheeting which satisfies the following specifications:
- (a) corner posts of timber to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres or in accordance with the modular steel fencing manufacturers written instructions;
 - (b) corner posts of timber to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts centres or in accordance with the modular steel fencing manufacturers written instructions;
 - (c) all timber posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
 - (d) the total height and depth of the fence to consist of a single continuous colour bond or zincalume sheet;
 - (e) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
 - (f) the height of the fence to be a minimum of 1800mm.

SECOND SCHEDULE
SPECIFICATIONS FOR A SUFFICIENT FENCE ON A
COMMERCIAL LOT AND AN INDUSTRIAL LOT

Each of the following is a “sufficient fence” on a Commercial Lot and an Industrial Lot:

- A. A fence constructed of galvanised or PVC coated rail-less link mesh, chain mesh or steel mesh which satisfies the following specifications:
 - (a) corner posts to be minimum 50mm normal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
 - (b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3.5m centres and with footings of a 225mm diameter x 600mm;
 - (c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and two at each corner post and with footings 225mm x 600mm;
 - (d) cables to be affixed to the top, centre and bottom of all posts and to consist of two or more 3.15mm wires twisted together or single 4mm wire;
 - (e) rail-less link, chain or steel mesh is to be to a height of 2000mm on top of which are to be three strands of barbed wire carrying the fence to a height of 2400mm in accordance with clause 12(3) of these Local Laws; and
 - (f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with one horizontal and one vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.
- B. A fence of fibre reinforced cement sheet or steel sheeting constructed to the minimum specifications referred to in Item B of the First Schedule.
- C. A fence constructed of painted or galvanised steel or aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm.
- D. Fences of timber, brick, stone or concrete constructed to the minimum specifications referred to in the First Schedule.

THIRD SCHEDULE
SPECIFICATIONS FOR A SUFFICIENT FENCE
ON A RURAL LOT

- (1) In the case of a non-electrified fence, a sufficient fence on a Rural Lot is a fence of posts and wire construction, the minimum specifications for which are:
- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of five wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.
 - (b) posts shall be of indigenous timber or other suitable material including -
 - ▶ timber impregnated with a termite and fungicidal preservative;
 - ▶ standard iron star pickets; or
 - ▶ concrete;
 - (c) if timber posts are used, posts are to be cut not less than 1800mm long x not less than 75mm diameter at small end if round or 125mm x 60mm if split or sawn. Posts to be set minimum 600mm in the ground and 1200mm above the ground; and
 - (d) strainer posts shall be not less than 2250mm long and not less than 125mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.
- (2) An electrified fence having four wires only is a sufficient fence if constructed generally in accordance with (1).

SHIRE OF BRIDGETOWN-GREENBUSHES

LICENCE TO HAVE AND USE AN ELECTRIFIED FENCE
IN ACCORDANCE WITH AS/NZS 3016:2002

This is to certify that

of

is licensed , subject to the conditions set out below, to have and use an electrified fence on

.....

.....

(address)

from 20..... and until this licence is transferred or cancelled.

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

.....

Chief Executive Officer

Shire of Bridgetown-Greenbushes

This licence is issued upon and subject to the following conditions, namely that the holder of the licence shall:

Display the licence in a prominent position on the land or premises on which the electrified fence has been erected.

Upon the request of a Building Surveyor produce to him or her the licence.

Within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes.

Obtain the written consent of the Local Government prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence.

Comply with AS/NZS 3016:2002.

Following erection of the fence, lodge with Western Power a certificate of installation from a qualified electrician and comply with any requirements of Western Power regarding the erection of the fence.

.....

.....

Transfer by Endorsement

This licence is transferred to

.....

of

.....
from and including the date of this endorsement.

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

.....
Chief Executive Officer
Shire of Bridgetown-Greenbushes

SHIRE OF BRIDGETOWN-GREENBUSHES
LICENCE TO HAVE A FENCE CONSTRUCTED WHOLLY
OR PARTIALLY OF RAZOR WIRE

This is to certify that

of

is licensed , subject to the conditions set out below, to have a fence constructed wholly or partially of razor wire on.....

.....
.....

(address)

from 20..... and until this licence is transferred or cancelled.

Dated this..... day of 20.

.....

Chief Executive Officer

Shire of Bridgetown-Greenbushes

This licence is issued upon and subject to the following conditions, namely that the holder of the licence shall:

Display the licence in a prominent position on the land or premises on which the fence has been erected.

Upon the request of a Building Surveyor produce to him or her the licence.

Within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes.

Obtain the written consent of the Local Government prior to the commencement of any alteration, addition or other work relating to or affecting the fence.

.....

.....

Transfer by Endorsement

This licence is transferred to

.....

of

.....

from and including the date of this endorsement.

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

.....

Chief Executive Officer
Shire of Bridgetown-Greenbushes

LEASE AGREEMENT

**LOT 55 ROSE STREET,
BRIDGETOWN**

**SHIRE OF BRIDGETOWN-
GREENBUSHES**

AND

PHILLIP JOHN HOLROYD

THE LEASE is made the 22nd day of March 2021.

BETWEEN:

THE SHIRE OF BRIDGETOWN-GREENBUSHES (hereinafter called "the Lessor")

AND:

PHILLIP JOHN HOLROYD (hereinafter called "the Lessee").

WHEREAS:

1. The parties hereto have agreed that the Lessor shall lease to the Lessee Lot 55 Rose Street, Bridgetown (which is hereinafter referred to as "the demised premises").

NOW THEREFORE THIS AGREEMENT WITNESSETH AS FOLLOWS:

2. The Lessor leases unto the Lessee all the demised area to hold the same unto the Lessee for a term commencing on the 1st day of March 2021 and concluding on the 30th day of June 2026, yielding and paying therefore a nett GST exclusive monthly rental of three hundred and twenty dollars and eighty three cents (\$320.83) payable monthly in advance on the first day of each month during the term hereby created, the first of which payments shall be paid on the date of the commencement of the term hereby created and subject however to the covenants terms, provisions, stipulations and provisos hereinafter contained.
3. This lease can be extinguished prior to its expiry date by either party subject to a minimum three months written notice being provided to the other party.
4. The Lessee is to only use the demised premises for storage purposes only in association with the carrying out of the business on the adjacent land known as "Bridgetown Timber Sales". No development of buildings or other permanent structures requiring a building licence from the Shire of Bridgetown-Greenbushes is permitted.
5. Maintenance and Repair
Without affecting the generality of the foregoing at the Lessee's cost:

5.1 Keep the whole of the demised premises in good and substantial repair, order and condition having regard to its condition at the commencement of this Lease. However the Lessee shall not be liable for any damage by fire, flood, lightning, earthquake, storm, tempest, fair wear and tear, Act of God and war damage only excepted; and

5.2 Comply with all statues, acts, ordinances, by-laws, proclamations, orders or regulations present or future affecting or relating to the demised premises and the lessee's use thereof and with all requirements which may be made or notices or orders which may be given in respect of the use of the demised premises and to keep the Lessor indemnified in respect of all such matters as are in this paragraph set forth.

6. Garbage and Waste

To store and keep all waste materials and garbage in proper receptacles therefore and to arrange at its cost and expense in all things for the regular removal thereof from the demised premises.

7. Vermin

To take all responsible precautions to keep the demised premises free of rodents, vermin, insects, pests, birds and animals and if reasonably required by the Lessor but at the cost of the Lessee to employ from time to time pest exterminators approved by the Lessor which approval shall not be unreasonably withheld.

8. Disease

In the event of any infectious illness occurring in the demised premises to give notice thereof to the Lessor and to the proper public authorities and disinfect the demised premises to the reasonable satisfaction of the Lessor and such public authorities and otherwise comply with their reasonable and lawful requirements in regard to the same.

9. Fire Precautions

To take such precautions against fire on and in respect of the demised premises as are or may from time to tome be required under or in pursuance

of any statute, act, by-law, order, proclamation or regulation now or hereafter in force or which may be required by any authority (whether governmental, municipal, civic or other authority) having jurisdiction in relation thereto and at the Lessee's own cost and expense in all things to do such other acts, matters and things in relation to fire safety as are or may from time to time be directed or required to be done or executed (whether by the owner or occupier of the demised premises) by any authority (whether governmental, municipal, civic or other authority) having jurisdiction in relation thereto PROVIDED THAT this covenant shall not impose upon the Lessee any obligation in respect of any structural maintenance or works except where the same is rendered necessary as a consequence of any act or omission on the part of the Lessee or any servant, agent, contractor or sub-tenant of the Lessee or any person on the demised premises by lawful license of the Lessee.

10. Lessor's Access

To permit the Lessor and the Lessor's agents at all reasonable times and so often as shall reasonably be required upon giving to the Lessee forty eight (48) hours prior notice (except in the case of inspection of the drainage within the demised premises or in the case of emergency when no notice shall be required) to enter upon the demised premises and view the state of repair thereof and the Lessor may thereupon serve upon the Lessee a notice in writing of any defect the repair of which is within the Lessee's obligations hereunder requiring the Lessee forthwith to repair the same within a reasonable time and in default of the Lessee so doing it shall be lawful for the Lessor (without any obligation on the part of the Lessor so to do) for the time being to enter and execute the required repairs and for that purpose the Lessor, the Lessor's architects, contractors, workmen and agents may enter upon the whole or any part of the demised premises and there remain for the purpose of doing, erecting or affecting any such thing and any reasonable expenses and costs of carrying out such work shall forthwith on demand be payable by the Lessee to the Lessor PROVIDED THAT in executing any such works and/or repairs the Lessor shall cause as little disturbance to the Lessee as practicable and in that regard shall comply with the reasonable requests of the Lessee as to the programming and manner of execution of such repairs and works.

11. Public Liability Insurance

Forthwith to effect and keep current at all times with an Insurance company reasonably approved by the Lessor:

11.1 A public risk policy for an amount of not less than FIVE MILLION DOLLARS (\$5,000,000);

and on demand to deliver to the Lessor such policy and/or policies and/or the certificate of currently in respect thereof and/or the receipt in respect of the current premium therefore.

12. Not to Commit any Offence

Not to do or commit or cause permit or suffer to be done or committed on or about the demised premises any act, matter or thing whatsoever which is or may in the reasonable opinion of the Lessor be or become an offence under any Act of the State of Western Australia or the Commonwealth of Australia or regulation or by-law thereunder for the time being in force.

13. Security

To keep all doors and other means of access to the demised premises securely fastened on all occasions when the demised premises are left unoccupied.

14. Assignment and Sub-letting

Not to assign, transfer, demise, sub-let, mortgage or otherwise part with possession of the demised premises or any part thereof or by any act or deed procure the demised premises or any part thereof to be assigned, transferred, sub-let, mortgaged or put into possession of any person or persons nor to vacate the demised premises nor permit the same to be vacated during the term hereof without the prior consent in writing of the Lessor which consent shall not be unreasonable or capriciously withheld.

15. The Lessee to Pay:

15.1 All reasonable legal costs, charges and expenses incurred by the Lessor as a result of or attributable to any default or alleged default by the Lessee in observing without limitation all costs, charges, expenses and fees relating to the preparation and service of a notice under Section 81 of the Property Law Act 1969 requiring the Lessee to remedy any breach of any of the Lessee's covenants notwithstanding that forfeiture for the breach shall be avoided otherwise than by relief granted by the Court; and

15.2 Interest at the Prescribed Rate on all rent and other moneys payable by the Lessee to the Lessor under this Lease but unpaid for more than seven (7) days from the respective due date computed on a daily basis on the amount from the time remaining owing from and including the due date until the date of payment.

16. Cleaning

The Lessee shall at the Lessee's expense keep the demised premises and its entrances and surrounds in a thorough state of cleanliness and not allow to accumulate or remain therein or thereabouts any discarded rubbish, papers, cartons, boxes, containers or other waste products and shall leave rubbish containers outside the demised premises only in those areas and at those times and for those periods from time to time prescribed for that purpose by the Lessor.

17. MUTUAL COVENANTS

It is hereby expressly covenanted agreed and declared by and between the Lessor and the Lessee as follows:

17.1 Re-entry (Default)

That if the rental hereby reserved or any part thereof shall be in arrears and unpaid for the space of fourteen (14) days next after any or either of the days hereinbefore appointed for payment thereof and the Lessor shall have given the Lessee notice thereof requiring the payment of such moneys within forty eight (48) hours which notice shall not have

been complied with or if the Lessee shall be in breach or default of any of the covenants, conditions, agreement and restrictions herein contained and on the part of the Lessee to be observed performed and kept and such breach or default shall not have been remedied within fourteen (14) days of written notice of same being provided by the Lessor to the Lessee or if the Lessee or other person in whom for the time being the term hereby created shall be vested shall being a corporation go into liquidation or be wound up or be dissolved (or than for the purpose of reconstruction or amalgamation) or enter into a scheme of arrangement for creditors or any class thereof or be placed under official management or a receiver or manager or receiver and manager of any of its assets be appointed or execution be levied against any of its assets, or being a natural person shall become insolvent under administration as defined in the Bankruptcy Act 1966 as amended or shall become insolvent either on his own petition or on the petition of any one or more of his creditors or shall permit or suffer any warrant of execution to be levied against goods of the Lessee or permit any person or persons holding a Bill of sale or other security over goods of the Lessee to repossess the same for non-payment of any sum or sums of money due thereon or for any other reason whatsoever than and in any or either of cases it shall be lawful for the Lessor upon provision to the Lessee of forty eight (48) hours notice to re-enter into and upon the demised premises of any part thereof in the name of the whole and to have again repossess and enjoy the same as of the Lessor's former estate and upon such re-entry the term hereby granted and this tenancy shall cease and determine but without prejudice to any right of action or remedy of the Lessor in respect of any antecedent breach of any of the covenants by the Lessee herein contained or hereby implied.

17.2 Removal of Lessee's Fittings and Fixtures

That prior to the expiration or sooner determination of the term hereby granted the Lessee shall remove all fixtures, fittings, plant, machinery and other materials and articles brought onto the demised premises by the Lessee which shall be in the nature of trade or Lessee's fittings AND the Lessee shall not in so doing damage or deface the demised

premises or the said land or any part thereof and shall forthwith make good any such damage PROVIDED THAT should the Lessee fail to remove such fixtures, fittings, plant and machinery as aforesaid (or within such further time as may be agreed in writing) the same shall be deemed to have been abandoned and shall become the absolute property of the Lessor.

17.3 Service of Notices

Any notice demands or requests required to be made or given pursuant to this Lease shall be in writing signed by the party giving the notice or its agent or Solicitors and may be served personally or may be served by being delivered or by being sent by prepaid certified post:

17.3.1 to the address specified herein of the party unless that party has given notice of an address; or

17.3.2 in the case of a person to the usual place of abode or business of the person; or

17.3.3 in the case of a corporation to its registered office principal place of business or principal office;

and shall be deemed to have been served:

17.3.4 on the day of delivery if delivered before 5.00pm on a business day, and otherwise on the business day next following; or

17.3.5 on the business day next following the day of posting.

17.4 Liability of Parties


Where any party hereto is comprised of two or more persons the liability of those persons for the performance and observation of the terms covenants agreements and restrictions herein contained on that party's part to be observed and performed shall be joint and several.

17.5 Goods and Services Tax (GST)

The rental amount does not include GST. The applicable GST rate will be added to the abovementioned rental rate.

IN WITNESS whereof the parties hereto have executed this agreement on the day and year hereinbefore written.


THE COMMON SEAL of the SHIRE OF)
BRIDGETOWN-GREENBUSHES was hereunto)
Affixed in the presence of:)




Shire President



Chief Executive Officer

SIGNED


Phillip John Holroyd

SIGNED


Witness
DEBRA FEENIKS

Witness Name

Attachment 6 - Location plan of leased area

LEASED AREA – LOT 55 ROSE STREET BRIDGETOWN

Property Map Enquiry - A30326 19 ROSE STREET BRIDGETOWN 6255 X

Search	PickList	Property	Financial	Summary	Ownership	Parcel	Memos
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Legal flag Non-current

Assess No. A30326 Old No.

Owner SHIRE OF BRIDGETOWN-GREE

Property Address **19 ROSE STREET BRIDGETOWN 6255**

House 19 Lot 55

Street ROSE

Type STREET

Suburb BRIDGETOWN 6255

Ward 03 BRIDGETOWN-

Area

Locality

Zoning A52 TPS 3 SERVICE

Land use

VEN Number 675678

Pens No

Valuation Details

Gross Rental Value	Unimproved Value
0.00	0.00



Shire of Bridgetown-Greenbushes Response to the Review of the *Cemeteries Act 1986* and *Cremation Act 1929*

Issue	Reform Options	Guiding Questions	Comments
Legislation			
<p>Issue 1: There are currently two separate Acts dealing with cemeteries and cremations.</p>	<p>Option 1: Retain status quo. <u>Pros:</u> Ministers and State agencies retain legislative schemes (no change). <u>Cons:</u> Current arrangement may be viewed as inefficient and places an unnecessary administrative burden on the funeral industry and general public.</p> <p>Option 2: Combine the content of both Acts into a single Act. <u>Pros:</u> Single Ministerial portfolio may result in greater administrative efficiencies. <u>Cons:</u> Minister and State agency responsible for administering the legislation would need to be determined and appropriately resourced.</p>	<p>1. To what extent do you agree that the content of the Cemeteries Act and the Cremation Act should be combined into a single Act?</p> <p>2. If you think that the content of the Cemeteries Act and the Cremation Act should be combined into a single Act, which State Government portfolio should be responsible for administering the Act? (a) Local government (b) Health (c) Other (please specify)</p>	<p>Strongly supports the introduction of a single Act as this will simplify enforcement and provide greater administrative efficiencies.</p> <p>Administration should be undertaken by the Health department as it is considered to be a public health matter.</p>
Alternative methods for the disposal of human remains			
<p>Issue 2A.1: The Cemeteries Act does not provide definitions for types of burials.</p>	<p>Option 1: Retain status quo <u>Pros:</u> Cemetery authorities have the flexibility to determine what type of burial services they provide and how these are to be performed. <u>Cons:</u> Uncertainty as to what types of burials are regulated under the Cemeteries Act and what types of burials cemetery authorities can provide.</p> <p>Option 2: Legislation to provide for alternative methods of burial, refer to other types of burials and include a definition recognising traditional burials and alternative burials such as:</p> <ul style="list-style-type: none"> • Traditional burial entombment or burial in a vault • Aboriginal customary burials • Natural burial • Vertical burial • Burials of other faiths <p>Regulations to provide standards as to how certain types of burials should be undertaken. Definition “burial means: (a) the burial of human remains or cremated human remains in the ground; (b) the placement of human remains or cremated human remains in a mausoleum, vault, columbarium or other structure; (c) Aboriginal customary burials; (d) the burial or placement of human remains or cremated human remains, as prescribed by the regulations.”</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • May provide greater certainty and clarity as to forms of burials that cemetery authorities can provide. • New alternative methods of burials will be recognised in the legislation. 	<p>1. To what extent do you agree that the legislation should expressly provide for alternative burials in addition to traditional burials?</p> <p>2. To what extent do you agree that the legislation should provide for how certain types of burials are undertaken, for example, standards relating to how a body is prepared, etc?</p> <p>3. If you support that the legislation should provide for alternative burials, do you agree with the proposed definition?</p>	<p>Agree as it would provide greater clarity and recognise new technologies.</p> <p>Do not agree as this should be left to the cemetery authority.</p> <p>Yes</p>

<p>Issue 2A.2: Current legislation does not set out requirements for coffins, caskets, shrouds, etc.</p>	<p>Option 1: Retain status quo. <u>Pros:</u> Cemetery authorities are able to determine their own requirements for coffins, caskets, shrouds, etc. <u>Cons:</u> Requirements may vary between cemeteries. Costs: Nil</p> <p>Option 2: Legislation to provide for requirements e.g., material, name plate, etc. <u>Pros:</u> Standardised requirements between cemeteries. <u>Cons:</u></p> <ul style="list-style-type: none"> • May result in cemetery authorities having less autonomy in determining their own operational requirements. • May result in increased costs to cemetery authorities to ensure they comply with any new requirements under the legislation. 	<p>1. To what extent do you agree that the legislation should set out requirements for coffins, caskets, shrouds, etc. instead of cemetery authorities determining their own requirements?</p>	<p>Agree as this will bring consistency across the local governments and the industry.</p>
<p>Issue 2B.1: The Cremation Act does not provide definitions for types of cremation.</p>	<p>Option 1: Retain status quo. <u>Cons:</u></p> <ul style="list-style-type: none"> • Uncertainty as to what constitutes a cremation. • Uncertainty as to whether alternative methods of cremation can be undertaken by cemetery authorities. <p>Option 2: Legislation to provide a definition for cremation. Alternative methods of cremation to be prescribed in regulations. Definition: “cremation means a process for the reduction of human remains by fire or heat, or by any other means prescribed by the regulations.” <u>Pros:</u></p> <ul style="list-style-type: none"> • Greater certainty as to what constitutes a ‘cremation’. • May allow for emerging alternative methods of cremations to be recognised in the legislation. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • If it is intended that the legislation recognises new alternative methods of cremation, the new definition(s) should be sufficiently broad. • Regulations will need to be updated if new methods of cremation are added in the future. 	<p>1. To what extent do you agree that the legislation should include a definition of cremation?</p>	<p>Agree as it eliminates any misunderstanding as to its interpretation.</p>
		<p>2. To what extent do you agree that the legislation should expressly provide for alternative methods of cremation?</p>	<p>Agree as it would provide greater clarity in what is permissible.</p>
		<p>3. If you agree that the legislation should provide a definition of cremation, do you agree with the proposed definition?</p>	<p>Yes</p>
<p>Issue 2B.2: There are no legislative provisions in the Cremation Act for the disposal of ashes where they remain unclaimed from a crematorium.</p>	<p>Option 1: Retain status quo. <u>Pros:</u> If the crematorium is located within a public cemetery, cemetery authorities have the flexibility to determine how unclaimed ashes are dealt with at that crematorium and cemetery. <u>Cons:</u></p> <ul style="list-style-type: none"> • Uncertainty as to how unclaimed ashes are to be dealt with if not provided for in legislation. • Possible inconsistencies between crematoria as to how unclaimed ashes are dealt with. 	<p>1. To what extent do you agree that the legislation should provide for how unclaimed ashes are to be dealt with?</p>	<p>Strongly agree as this will provide consistency between cemetery authorities and would bring it in line with other legislation that deals with unclaimed goods.</p>
		<p>2. If you agree that the legislation provides for the disposal of unclaimed ashes, how long should a crematorium be required to hold onto the ashes before it is able to dispose of the ashes after the crematorium has notified the cremation permit</p>	<p>6 months</p>

	<p>Option 2: The legislation should regulate how a crematorium should dispose of unclaimed ashes after a certain period of time where the ashes remain unclaimed and notice requirements have been met.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Clarity as to how unclaimed ashes are to be dealt with. Consistency between crematoria. <p><u>Cons:</u></p> <ul style="list-style-type: none"> New requirements placed on the crematorium to deal with unclaimed ashes. Crematoriums may incur costs in disposing of unclaimed ashes. 	holder of its intention to dispose of the ashes due to being unclaimed? (a) 6 months (b) 12 months (c) Other	
Issue 2B.3: The Cremation Act does not provide for dual or multiple cremations, i.e. cremating two or more bodies together.	<p>Option 1: Retain status quo</p> <p>Option 2: Legislation to allow crematoriums to provide dual or multiple cremations and provide a definition of multiple cremations.</p> <p>Definition: “<i>multiple cremations</i> means the cremation of two or more dead bodies together.”</p> <p><u>Pros:</u> Clarity that dual or multiple cremations can be undertaken.</p>	1. To what extent do you agree that the legislation should provide for dual or multiple cremations i.e. cremating two or more bodies together?	Agree but subject to specific authorisation by all party/s concerned.
		2. If you think that the legislation should allow multiple cremations, do you agree with the proposed definition?	Yes
Cemetery Redevelopment			
Issue 3A.1: The Cemeteries Act allows a cemetery authority to implement a cemetery redevelopment scheme provided that Ministerial approval is obtained following the completion of community consultation requirements.	<p>Option 1: Retain current Ministerial approval process in legislation and make amendments to strengthen the effectiveness of public consultation requirements where needed.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Cemetery authorities can determine their own redevelopment strategies subject to Ministerial approval. Cemetery redevelopment schemes contribute to preserving their financial viability, allowing them to remain open for new burials and memorials. The requirement for community consultation is retained. 	1. To what extent do you agree that the current provisions, including public consultation, in the Division 4 of Part V Cemeteries Act regarding cemetery redevelopment schemes are effective?	Agree with the status quo.
		2. Are you aware of other approaches that could be adopted to deal with space constraints in WA cemeteries?	No
Issue 3B.1: At Karrakatta Cemetery, cemetery renewal involves redeveloping existing cemetery burial areas to accommodate new gravesites, memorial locations and mausoleum crypts. No existing remains are disturbed.	<p>Option 1: Retain status quo</p> <p><u>Pros:</u> Karrakatta Cemetery will remain open to new burials. The safety of older monuments and headstones can be maintained, and the aesthetic value and functionality of the cemetery can continue to be improved. The government land would remain set aside for cemetery purposes in perpetuity.</p> <p>Option 2: Modify or enhance existing Karrakatta Cemetery redevelopment policies where feasible to address any community concerns identified through this consultation.</p> <p><u>Pros:</u> Identified community concerns may be addressed resulting in greater support for the redevelopment scheme.</p> <p><u>Cons:</u> There may be additional costs related to new requirements which would likely be passed onto the consumer in the form of increased fees and charges.</p>	1. To what extent do you agree that Karrakatta Cemetery should remain open for new burials?	No comment
		2. Do you have any concerns regarding the Karrakatta Cemetery redevelopment scheme, such as the strategy of cemetery renewal?	No comment
		3. If you have any concerns regarding the Karrakatta Cemetery redevelopment scheme, please outline potential solutions that could be implemented to address these concerns.	No comment

Burials outside of proclaimed cemeteries			
<p>Issue 4A.1: When the DLGSC considers applications for burials in places other than proclaimed cemeteries, it may experience difficulties in identifying existing burials relevant to the application which may cause delays in the approval process.</p> <p>There is a lack of a central register of names and locations of burials that can be used to search for burial sites and details of persons buried.</p>	<p>Option 1: Retain status quo.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> Delays may occur with processing a burial application where information about existing burials is unknown or difficult to access. May result in continued community concern and frustration regarding the application process and approval timeline. Genealogists and Aboriginal families may have difficulty in locating burial sites of families/ancestors. <p>Option 2: Introduce legislative and/or policy reforms to consolidate information about burials outside of proclaimed cemeteries into one register to be held and maintained by a suitable State agency e.g. DLGSC or MCB.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> More efficient access to burial information which may facilitate burial approval processes. Cultural benefits by ensuring improved access to genealogical information. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Information regarding burials will need to be gathered from a variety of stakeholders such as Aboriginal communities, relevant funeral directors, DPLH and DLGSC, and Existing internal systems may need to be adjusted to ensure that it has the functionality to meet new record keeping requirements. Processes and criteria regarding who will have access to the system will need to be determined. Costs will be incurred in moving records/information from the existing system into a new register. 	1. To what extent do you agree that information about burials outside of proclaimed cemeteries should be consolidated into one centralised register?	Agree as this will provide easier access to records by ensuring all records are centrally located.
		2. If burial information for burials outside of proclaimed cemeteries are consolidated into a centralised register, who should have access to the burial information?	All people that currently have access to information relating to proclaimed cemeteries.
		3. Do you foresee any obstacles in having a centralised register for burials outside of proclaimed cemeteries? If so, please outline these obstacles and how they might be addressed, including other options.	Ensuring all information is obtained from all stakeholders which may impact on whether the register is up to date or not.
<p>Issue 4A.2 – There is no requirement under the Cemeteries Act for burials outside of proclaimed cemeteries to be recorded on the corresponding Certificate of Title.</p> <p>Currently, the Minister for Local Government may require an applicant to ensure that the approved burial is recorded on the relevant Certificate of Title as a condition of approval of the burial.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <p>Minister for Local Government may already require an applicant to ensure that the burial is recorded on the relevant Certificate of Title in some instances</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> No consistent approach to the recording of burials on land titles, e.g. burials are not recorded on titles for Crown land. The lack of burial details on land titles may cause issues with current or future interest holders or applicants with rights to access the land, such as mining companies, infrastructure or service providers, pastoral landholders, etc. <p>Option 2: Introduce a policy to require burials outside of proclaimed cemeteries to be recorded on the Certificate of Title, and update forms and guidelines as necessary.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> A policy can be easily amended as the need arises. Consistent approach to the recording of burial details on the land title. Current and prospective landholders and those with an interest in the land are aware of the burial. <p><u>Cons:</u></p> <ul style="list-style-type: none"> A requirement under a policy does not have the same force, effect and standing as a requirement under legislation. 	1. If a burial outside of a proclaimed cemetery is required to be recorded on the Certificate of Title, what type of land should this requirement apply to? (a) Freehold land e.g. residential land (b) Crown land (c) Aboriginal burial ground i.e. a cemetery in an Aboriginal community that is not a proclaimed cemetery under the Cemeteries Act (d) Other	It should apply to all land.
		2. If a burial outside of a proclaimed cemetery is required to be recorded on the Certificate of Title, what instrument should this requirement fall under? (a) Policy (b) Legislation	Legislation as this provides the mechanisms to ensure compliance.

	<ul style="list-style-type: none"> Costs associated with lodging a notification of a burial with the Registrar of Titles. <p>Option 3: Introduce a legislative requirement for a burial outside of a proclaimed cemetery to be recorded on the land title. Legislation may refer to the notification provision in the TLA.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Consistent approach to the recording of burial details on the land title. Current and prospective landholders and those with an interest in the land are aware of the burial. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Person responsible for notifying the Registrar of Titles would need to be determined. Person responsible for the cost of lodging a notification of a burial with the Registrar of Titles would need to be determined. Costs associated with lodging a notification of a burial with the Registrar of Titles. 		
<p>Issue 4B.1: Under the Cemeteries Act, the Minister for Local Government or his/her delegate may authorise the burial of a dead body in a place other than a cemetery where:</p> <ul style="list-style-type: none"> the burial is to take place on Crown land that is not a cemetery, where there is no conflict with the current land use, interests in the land or the allocated purpose; and the Minister is satisfied that the burial is to take place in an area that is visibly set apart for and distinguishable as a burial place. 	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u> The Minister or his/her delegate have oversight of the approvals for such burials. Steps are taken to ensure that consent to the burial is obtained from the deceased person's next of kin and from all parties that may have an interest in the land.</p> <p><u>Cons:</u> Approval by the Minister or delegate may increase duration of approval process.</p> <p>Option 2: A senior officer at the DLGSC to be responsible for approving burials outside of proclaimed cemeteries, with a right of review/appeal to the Minister.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> The DLGSC can continue to ensure that consent to the burial is obtained from the deceased person's next of kin and from all parties that may have an interest in the land. The Minister is still involved in the process and has the power to review and uphold or overturn a decision made by the DLGSC. Approval by the DLGSC may result in the approval process being more efficient. <p>Option 3: The relevant local government to be responsible for approving burials outside of proclaimed cemeteries in their district.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> A local government can ensure that consent to the burial is obtained from the deceased person's next of kin and from all parties that may have an interest in the land. A local government is familiar with the land the subject of the burial application as it is located in their district. Approval by a local government may result in the approval process being more efficient. <p><u>Cons:</u></p> <ul style="list-style-type: none"> There may be inconsistencies in the approval approach by different local governments. Some local governments may not have the resources to undertake this approval process. 	<ol style="list-style-type: none"> To what extent do you agree that the Minister should be responsible for approving burials outside of proclaimed cemeteries? To what extent do you agree that a senior officer at the DLGSC should be responsible for approving burials outside of proclaimed cemeteries with a right of review/appeal to the Minister? To what extent do you agree that local governments should be responsible for approving burials outside of proclaimed cemeteries? Should the DLGSC policy for burials outside of proclaimed cemeteries be amended, and if so, in what way? 	<p>Agree given that Council does not support local governments being responsible for burials outside of proclaimed cemeteries.</p> <p>Strongly agree as this would provide a speedier approval process.</p> <p>Strongly disagree as local governments are struggling to maintain resources to meet its current obligations.</p> <p>The existing policy is sufficient.</p>

Licensing of funeral directors and monumental masons

<p>Issue 5A.1: The Cemeteries Act requires all funeral directors to be licensed by way of:</p> <p>(a) a funeral director’s licence in relation to a particular cemetery, or</p> <p>(b) a single funeral permit to hold a particular funeral.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u> Cemetery authorities have autonomy over the licence application process and the licence conditions they wish to impose.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> Funeral directors who wish to conduct funerals at multiple regional cemeteries must apply for more than one licence. This may be an administrative burden. Possible inconsistencies in standards and requirements regarding the provision of funeral services. An annual funeral director’s licence for regional cemeteries ranges between \$100 to \$350 per cemetery. The cost of an annual licence (2021/2022) from the MCB is \$1,446. Some funeral directors operating in regional cemeteries also hold a licence with the MCB. Holding multiple licences may be viewed as a costly expense. 	<p>1. To what extent do you agree that the current licensing regime for funeral directors in WA should be retained?</p>	<p>Strongly agree. Revenue raising capacity for local government is limited therefore the removal of these fees will have budgetary implications.</p>
	<p>Option 2: Replace the current licensing arrangement with a single licensing system that includes a centralised register which would allow funeral directors to work at all cemeteries in WA. Licences would be issued by a central licensing authority. A condition of the licence would be compliance with a mandatory code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Reduces administrative burden for funeral directors and cemetery authorities. Greater consistency and clarity throughout WA in relation to the licence application process and requirements and standards. Members of the public would have access to a list of licensed funeral directors. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Cemetery authorities across WA may need to amend their relevant by-laws and local laws to account for the change. Costs associated with the establishment of a central licensing authority. Potential loss of revenue for cemetery authorities who receive revenue from granting licences. 	<p>2. To what extent do you agree that funeral directors should be able to apply for a single licence which allows them to work at all cemeteries in WA?</p>	<p>Strongly disagree as this has budgetary implications for local governments.</p>
	<p>Option 3 – Replace the current licensing arrangement with a registration system whereby funeral directors register their business details with a central authority. Funeral directors could adopt a voluntary code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Removes the need for funeral directors to obtain licences. This reduces the regulatory and administrative burden on funeral directors and cemetery authorities. Members of the public could access a list of all funeral directors in WA. A code of conduct which covers best practice would support consumer protection and confidence in the industry. Central point of management reduces administrative burden. Lower costs and greater consistency. Industry code is flexible and could be amended easily to meet the needs of the industry and community. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Funeral directors are not assessed for fitness to provide funeral goods and services prior to being registered. 	<p>3. To what extent do you agree that the proposal in Option 2 for a single licence allowing funeral directors to work at all cemeteries in WA on compliance with the Code of Conduct?</p>	<p>Refer comments above.</p>
		<p>4. To what extent do you agree with retaining the ability for a person who does not hold a funeral director’s licence to apply for a single funeral permit?</p>	<p>Disagree as all funerals should be conducted by a licenced funeral director.</p>
		<p>5. To what extent do you agree that funeral directors should be required to undertake continuing professional development?</p>	<p>Agree to ensure they keep up with contemporary practices.</p>
		<p>6. What criteria should an applicant satisfy before being issued with a funeral director’s licence?</p>	<p>Membership of a professional organisation Suitable facilities and equipment for handling and storing deceased persons Qualifications or suitable experience in conducting funerals National police clearance Maintaining relevant insurances</p>
		<p>7. For how long should a funeral director’s licence be valid? (a) One year (b) Two years (c) Three years (d) Other (please specify).</p>	<p>One year</p>
		<p>7. Should funeral director licences be issued to individual persons only or individual persons and companies i.e. one licence per company which covers all funeral directors employed by that company?</p>	<p>Individual persons and companies.</p>
	<p>8. Are you aware of other licensing approaches that could be adopted for WA funeral directors?</p>	<p>No</p>	

	<ul style="list-style-type: none"> Limited complaint and enforcement options available should a funeral director breach the voluntary code of conduct. Potential loss of revenue for cemetery authorities who receive revenue from granting licences. 		
<p>Issue 5B.1: The Cemeteries Act does not require monumental masons to be licensed. The requirement for a monumental mason to be licensed is currently provided for in cemetery Board bylaws and local government local laws. A cemetery authority may also issue a permit authorising a person to carry out monumental work on a particular grave in that cemetery.</p>	<p>Option 1: Retain status quo.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> Monumental masons who wish to carry out work at multiple cemeteries must apply for more than one licence. This is an administrative burden. Possible inconsistencies in standards and requirements regarding the provision of masonry work. An annual monumental mason's licence for regional cemeteries is approximately \$200 per cemetery. The MCB's annual licence fee (2021/2022) is \$1,289. Holding multiple licences may be viewed as a costly expense. <p>Option 2: Replace current licensing arrangements with a single licensing system for monumental masons which would allow monumental masons to work at all cemeteries in WA. Licences would be issued by a central licensing authority. A condition of the licence would be compliance with a code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Reduces administrative burden for monumental masons and cemetery authorities. Greater consistency and clarity throughout WA in relation to the licence application process and requirements and standards. Members of the public would have access to a list of licensed monumental masons. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Cemetery authorities across WA may need to amend their relevant by-laws and local laws to account for the change. Costs associated with establishment of a central licensing authority. Potential loss of revenue for cemetery authorities who receive revenue from granting licences. <p>Option 3: Replace the current licensing arrangements with a registration system whereby monumental masons register their business details with a central registration authority. Monumental masons can adopt a voluntary code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Reduces the regulatory and administrative burden on monumental masons and cemetery authorities. Members of the public could access a list of all monumental masons in WA. A code of conduct which covers best practice would supports consumer protection and confidence in the industry. Industry code is flexible and can be amended easily to meet the needs of the industry and community. <p><u>Cons:</u></p> <p>Monumental masons are not assessed for fitness to provide funeral goods and services prior to being registered.</p>	1. To what extent do you agree with the current licensing arrangements for monumental masons in WA?	Strongly agree. Removing current arrangements may have budgetary implications.
		2. To what extent do you agree that monumental masons should be licenced?	Strongly agree as this allows local governments to determine the suitability of a monumental mason
		3. To what extent do you agree that monumental masons should be able to apply for a single licence which allows them to work at all cemeteries in WA?	Strongly disagree. Removing current arrangements may have budgetary implications.
		4. To what extent do you agree that a monumental mason's licence should carry a requirement to comply with a code of conduct i.e. being a fit and proper person, etc?	Strongly agree as this provides some mechanism for accountability.
		5. To what extent do you agree that the ability to apply for a single monumental works permit should be retained?	Agree as regional local governments may only have one or two or in some cases no burials in a year.
		6. If monumental masons were required to be licensed, should licences be issued to individual persons only or individual persons and companies i.e., one licence per company which covers all monumental masons employed by that company? Please provide reasons for your response.	Individual persons and companies.
		7. If monumental masons were required to be licensed, what criteria should an applicant satisfy before being issued with a licence?	National police clearance Maintaining relevant insurances Qualifications
		8. For how long should a monumental mason's licence be valid? (a) One year (b) Two years (c) Three years (d) Other (please specify).	One year
		9. Are you aware of other licensing approaches that could be adopted for WA monumental masons?	No
Cremation Services in WA			
Issue 6.1 The State Government will continue	Option: Cremations will continue to be operated by publicly owned crematoria under public ownership through the State Government and administered by Cemetery Boards.	1. What further improvements could be considered to publicly owned crematoria services in WA?	No comment

to operate cremations under section 4(1)(a) of the Cremations Act 1929.	<p><u>Pros:</u></p> <ul style="list-style-type: none"> Cemetery authorities can remain financially viable under their current operating model. Cemetery authorities utilise funds from cremations and other revenue-generating services to meet the community's burial and memorial needs, and the maintenance, operation and administrative costs of cemeteries. Consistent regulatory oversight that allows for the creation, monitoring, and enforcement of industry standards. <p><u>Cons:</u></p> <p>Lack of services available north of Geraldton.</p>		
Consistency of forms and fees			
<p>Issue 7A.1: The Cemeteries Act does not provide any prescribed forms. Cemetery authorities currently prescribe their own forms in their bylaws or local laws.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> No legislative amendment. Cemetery authorities have the autonomy to create their own forms. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Inconsistency of forms across cemetery authorities. Administrative burden particularly for funeral directors in regional areas who operate across several local government areas. <p>Option 2: Introduce prescribed forms in legislation.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Forms consistent between cemetery authorities. Reduces administrative burden. <p><u>Cons:</u></p> <ul style="list-style-type: none"> Cemetery authorities will not have the autonomy to create their own forms to meet the specific operational needs of their own region. May be costs associated with the administration and enforcement of the new requirements. 	<p>1. To what extent do you support the current position whereby cemetery authorities provide their own forms?</p>	<p>Strongly agree as it provides flexibility for each local government to develop forms to suit their individual circumstances.</p>
		<p>2. Do you think that forms used in the administration of the Cemeteries Act should be standardised across the State?</p>	<p>No as this would not provide the flexibility needed to meet each local government's requirements.</p>
<p>Issue 7B.1: There are prescribed forms set out in the Cremation Regulations.</p>	<p>Option 1: Retain status quo and amend current forms if appropriate.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Consistency and clarity. Any form(s) which are outdated or require amendment can be amended. 	<p>1. Are there any prescribed forms under the current Cremation Act that you think should be amended and/or combined, or removed?</p>	<p>No comment</p>
<p>Issue 7C.1: Fees charged by cemetery authorities vary.</p>	<p>Option 1: Retain status quo.</p> <p><u>Benefit:</u></p> <p>Cemetery authorities have the autonomy to determine their own fees.</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> Inconsistent fees. Administrative burden particularly for funeral directors in regional areas who operate across several local government areas. <p>Costs: Nil.</p> <p>Option 2: Standardise certain fees and charges in legislation if considered appropriate.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Consistency in fees. Reduces administrative burden and confusion. <p><u>Cons:</u></p> <p>May reduce flexibility of cemetery authorities to determine certain fees and charges.</p>	<p>1. Are there any cemetery and cremation fees or charges that you think should be standardised in legislation?</p>	<p>The following would seem appropriate however this is subject to a mechanism being established to ensure that these fees and charges are increased on a regular basis.</p> <p>Grant of Right of Burial Renewal of Grant of Burial Transfer of Grant of Burial</p>



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

Review of the *Cemeteries Act 1986* and *Cremation Act 1929*

Discussion Paper

Consultation Regulatory Impact Statement



Please note: This document contains information that may cause readers to experience emotions such as grief and anxiety. If you feel you would like to speak to someone, please contact: Lifeline WA: 13 11 14 or 13YARN—24/7 (national crisis line support for Indigenous Australians)

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Ministers' Foreword

The Cook Government recognises the importance to the Western Australian community of good governance regarding burial and cremation services. It is committed to ensuring that the legislation regulating the interment industry is responsive to community expectations and industry needs.

The *Cemeteries Act 1986* and the *Cremation Act 1929* may need to be modernised as they have not been substantially reviewed or amended since their introduction.

We are seeking your feedback on the adequacy and effectiveness of these Acts, in particular, on the following topics:

- potential consolidation of existing legislation into a single Act of Parliament
- alternative methods for the disposal of human remains
- cemetery redevelopment
- burials outside of proclaimed cemeteries
- licensing of funeral directors and monumental masons
- cremation services
- consistency of forms and fees.

Your views are important in ensuring that legislation in this area provides effective regulatory oversight of the interment sector so that all Western Australians can continue to access high-quality and dignified interment services in times of bereavement.



A handwritten signature in blue ink that reads "David Michael".

Hon David Michael MLA
Minister for Local Government



A handwritten signature in blue ink that reads "Amber-Jade Sanderson".

Hon Amber-Jade Sanderson MLA
Minister for Health

Invitation to make a submission

The Department of Local Government, Sport and Cultural Industries (DLGSC) is undertaking a public consultation as part of a review (the Review) of the *Cremation Act 1929* (Cremation Act) and the *Cemeteries Act 1986* (Cemeteries Act). The aim of the Review is to consider the adequacy and effectiveness of both Acts and relevant subsidiary legislation, and obtain feedback from the public, community groups, local government and stakeholders to inform potential legislative reforms that aim to strengthen regulatory oversight of the funeral industry and reflect contemporary needs and expectations of both the community and industry.

This Consultation Regulatory Impact Statement is presented as a discussion paper that identifies topics regarding the effectiveness of the current legislation. Feedback on the review can be provided via:

- online surveys for each of the seven topics and/or
- a written submission.

Online surveys

Online surveys on the key issues are available at dlgsc.wa.gov.au/cemeteries-and-cremation-review to assist you in providing a response:

- Topic 1: Legislation
- Topic 2: Alternative methods for the disposal of human remains
- Topic 3: Cemetery redevelopment
- Topic 4: Burials outside of proclaimed cemeteries
- Topic 5: Licensing of funeral directors and monumental masons
- Topic 6: Cremation Services in WA
- Topic 7: Consistency of forms and fees

You may choose to complete any or all of the surveys, which will be used to gather and analyse feedback provided in addition to written submissions.

Written submission

When providing a written submission, you may wish to:

- make comment on all topics raised or focus on topics and/or questions that are relevant to your areas of knowledge, experience or interest
- raise additional topics and options for reform where topics of concern to you have not been identified.

In providing your response, please explain the reasons behind your comments and where possible, provide evidence to support your views. This may be in the form of statistics, publications or other illustrative examples.

Submissions can be emailed to ccar@dlgsc.wa.gov.au or posted to:

Cemeteries and Cremation Acts Review
PO Box 8349
PERTH BUSINESS CENTRE WA 6849

The consultation period is open for comment for three months, with submissions closing at 5pm on Friday 16 February 2024.

Feedback

Privacy statement

Submissions will be treated as public documents unless explicitly requested otherwise. A summary of feedback will be released publicly after the consultation period has closed.

If you do not consent to your submission being treated as a public document, you should mark it as confidential, or specifically identify the confidential information, and include an explanation.

Please note, even if your submission is treated as confidential by DLGSC, it may still be disclosed in accordance with the requirements of the *Freedom of Information Act 1992 (WA)*, or any other applicable written law.

DLGSC reserves the right to redact any content that could be regarded as racially vilifying, derogatory or defamatory to an individual or an organisation.

Glossary of Key Terms

Acronyms

AFDA	Australian Funeral Directors Association
ALT	Aboriginal Lands Trust
DLGSC	Department of Local Government, Sport and Cultural Industries
DPLH	Department of Planning, Lands and Heritage
DMIRS	Department of Mines, Industry Regulation and Safety
DRIS	Decision Regulatory Impact Statement
MCB	Metropolitan Cemeteries Board

Definitions

Ashes	The remains of a human body after cremation.
Aquamation	The process for the reduction of human remains using water and an alkaline solution. Also referred to as alkaline hydrolysis or water cremation.
Burial	The placement of a dead body into a grave in the ground or other structure such as a mausoleum or vault.
Casket	A tapered hexagonal or octagonal shaped box used for keeping a dead body for burial or cremation.
Cemetery authority	A cemetery Board or local government responsible for the care, control and management of a cemetery.
Coffin	A rectangular box used for keeping a dead body for burial or cremation.
Cremation	The process for the reduction of human remains by fire or heat.

Crematorium	A facility with a cremator used for the cremation of human remains.
Crown land	Public land including land set aside for nature conservation and various government or public purposes, as well as vacant land.
Dual or multiple cremations	The cremation of two or more dead bodies at the same time.
Funeral director	A person who provides funeral services including preparing human remains for burial or cremation and arranging the funeral ceremony.
Local law or by-law	Law made by a local government or cemetery Board for a particular cemetery or district.
Memorial	Includes headstone, plaque, tombstone, monumental work, inscription, kerbing, enclosure and any other fixture commemorating a grave or the placement of ashes.
Monumental mason	A person who provides services including the creation, installation and repairs of headstones and memorials.
Natural burial	The process of burying a dead body that allows the body to decompose naturally. Embalming fluid is not used and the body may be placed in a biodegradable coffin or shroud.
Proclaimed cemetery	Land declared to be a cemetery under the <i>Cemeteries Act 1986</i> (WA).
Shroud	Cloth or material that may be wrapped around a dead body for burial or cremation.
Vertical burial	The burial of a dead body in the ground in an upright position.

Background

The then Minister for Health and the then Minister for Local Government announced the Review in Parliament on 10 September 2020. The Review is being undertaken by the DLGSC on behalf of the Minister for Local Government, in consultation with the community, the Department of Health, the MCB, regional cemetery Boards, local government and industry stakeholders.

Given the substantially unchanged legislation governing cemeteries and crematoria in Western Australia (WA), it was identified by the then Minister for Local Government that the following topics should be addressed through the review process:

- adequacy and effectiveness of both Acts;
- relationship between crematoria and cemeteries in WA;
- powers of the Chief Health Officer, the Minister for Health and the Minister for Local Government in administering both Acts;
- current regulatory and occupational licensing regime of the broader cemetery, crematoria and funeral industry;
- governance structure of the industry including the effectiveness of Boards;
- management of burial grounds in Aboriginal communities;
- approach to the renewal of cemeteries; and
- relevant industry models in other jurisdictions.

To adequately address the breadth and complexity of these key issues, the DLGSC has been informed by consultation with industry focus groups, relevant sector stakeholders, and the interagency Cemeteries and Cremation Act Review Working Group in the production of this paper and the online surveys.

Extensive early targeted stakeholder consultation was undertaken by the DLGSC to refine and guide the issues now presented for broader public consultation. Methods of consultation were tailored to best suit the needs and requirements of each stakeholder group and included electronic and hard copy surveys; in-person workshops; meetings; correspondence via email; correspondence via telephone; and webinars.

Stakeholders engaged with included members of the Western Australian funeral and monumental mason industries; medical referees; regional and metropolitan cemetery Boards; Aboriginal Community Controlled Organisations; Native Title Prescribed Body Corporates; the Western Australian Local Government Association; Local Government Professionals WA; and the AFDA.

This public consultation is being undertaken with the aim of obtaining feedback from the public and stakeholders to inform potential legislative reforms to provide Western Australians with legislation that is responsive to community expectations and industry needs; and provides contemporary regulatory oversight of the funeral industry.

Executive Summary

The key focus of this Review is to obtain stakeholder feedback on a range of issues identified within the WA cemetery and cremation industry. Analysis of various reform options for managing these issues is provided, including potential advantages and disadvantages for industry, consumers and government. All feedback received from this consultation will be considered and will assist in informing potential legislative reforms.

The Cemeteries Act has not been substantially updated since its commencement, and although the Cremation Act has had various amendments, most minor, neither Act reflects contemporary practices and current legislative drafting standards. Public attitudes towards cremation and burial have shifted, and significant changes in technology have naturally occurred. These changes may need to be better reflected in the legislation.

Policy issues

Need for contemporary legislation

The current legislative framework only provides for the disposal of human remains by burial and cremation by fire and does not regulate alternative methods for the disposal of human remains. Issues of sustainability and environmental consciousness continue to evolve and grow, new and alternative methods of disposal for human remains have emerged in Australia and overseas, for example, natural burials. Currently, the Cemeteries Act enables relevant local governments and cemetery Boards to make their own local laws and by-laws respectively regarding how burials are to take place and the specifications and materials for burials. This has led to inconsistencies between the approaches of local governments and cemetery Boards regarding what services they provide and the way these services are performed.

Redevelopment and sustainability of cemeteries

Under Part V, Division 4 of the Cemeteries Act, a local government or cemetery Board can apply for Ministerial approval to implement a scheme to redevelop existing cemetery burial areas to accommodate new gravesites and memorial locations. This enables cemetery Boards and local governments to meet the burial needs of the community through the development of new burial land. The cemetery redevelopment and renewal program at Karrakatta Cemetery is a community issue that highlights the complexities of cemetery sustainability.

Licensing and administrative inefficiencies

The Cemeteries Act requires funeral directors to be licensed but does not require monumental masons to be licensed. However, cemetery Boards and local governments may, under their cemetery by-laws or local laws, require monumental masons to apply for a licence to carry out monumental works within the cemetery.

The current licensing system for funeral directors requires a service provider to apply for a separate licence for each cemetery that they wish to operate in. Accordingly, licensing requirements for funeral directors and monumental masons vary across cemetery Boards and local governments which may place an administrative burden on applicants who need to apply for multiple licences across different cemeteries.

Additionally, the Cemeteries Act does not prescribe any forms that cemetery Boards and local governments can use in administering the Act. The form of applications, licences and notices are determined by each cemetery Board and local government. Accordingly, form requirements can vary between cemetery Boards and local governments which can also result in an administrative burden on funeral directors, monumental masons and the public.

Existing regulatory arrangements

Legislation

The disposal of deceased persons in WA is provided for in the Cemeteries Act, the Cremation Act and the *Cremation Regulations 1954* (Cremation Regulations).

Cemeteries Act

The Cemeteries Act is administered by the Minister for Local Government and deals with the:

- declaration and management of cemeteries;
- establishment, constitution and functions of cemetery Boards;
- licensing of funeral directors and conduct of funerals; and
- regulation of burials.

The Cemeteries Act replaced the repealed *Cemeteries Act 1897* and has not been substantively amended since 1 July 1987. There are no Regulations under the *Cemeteries Act 1986*.

Cremation Act

The Cremation Act is administered by the Minister for Health and deals with the:

- licensing of crematoria;
- disposal of ashes of human bodies;
- regulation of the cremation of bodies (following death).

The Cremation Act was last substantially amended in 1953.

The content of the Cremation Regulations which are also administered by the Minister for Health, were last amended in 2012.

Local laws

The Cemeteries Act enables cemetery Boards and local governments that manage cemeteries to make by-laws and local laws respectively, on matters detailed in section 55(1) of the Cemeteries Act. These local laws and by-laws generally regulate such matters including, but not limited to:

- applications for funerals, burials and cremations in a cemetery;
- licensing of funeral directors;
- specifications of burial, cremation, and the placement of ashes in the cemetery;
- applications for memorials and monumental work in the cemetery; and
- specifications for memorials and monumental work undertaken in the cemetery.

Local laws and by-laws are reviewed and amended periodically by relevant cemetery Boards and local governments.

Governance of cemeteries and crematoria

The operation and administration of cemeteries and crematoria in WA is managed on a day-to-day basis by local governments and metropolitan or regional cemetery Boards (cemetery authorities) that are State Government bodies. WA has over 200 cemeteries, both open and closed, and eight publicly owned crematoria which are situated within metropolitan and regional cemeteries.

Metropolitan Cemeteries Board

The MCB is a statutory authority and a body corporate with perpetual succession, responsible to the Minister for Local Government, and with responsibilities as provided for by the Cemeteries Act and the Cremation Act. The MCB is a key provider of burial, cremation and memorialisation facilities, services and records in WA, and is responsible for managing the following public cemeteries:

- Fremantle Cemetery
- Guildford Cemetery
- Karrakatta Cemetery
- Midland Cemetery
- Pinnaroo Valley Memorial Park
- Rockingham Regional Memorial Park
- Gnangara Aboriginal Cemetery

Fremantle Cemetery, Karrakatta Cemetery, Pinnaroo Valley Memorial Park and Rockingham Regional Memorial Park all operate public crematoria onsite.

Regional Cemetery Boards

WA has several regional cemetery Boards that operate as body corporates in perpetual succession under the *Cemeteries Act 1986*. These include:

- Albany Cemetery Board
- Bunbury Cemetery Board
- Chowerup Cemetery Board
- Dwellingup Cemetery Board
- Geraldton Cemetery Board
- Kalgoorlie-Boulder Cemetery Board

Albany Cemetery Board, Bunbury Cemetery Board, Geraldton Cemetery Board, and Kalgoorlie-Boulder Cemetery Board all operate crematoria onsite.

Local Governments

Western Australian legislation currently covers 139 local government areas, including Christmas Island and Cocos (Keeling) Islands.

There are currently 108 local government with responsibility for cemeteries, administering and/or maintaining around 200 cemeteries, both open and closed. Although some local governments are not directly responsible for the management of cemeteries, any cemetery being operated in their local government area is subject to relevant local government planning requirements.

Topics

Topic 1: Legislation

Background

Given the legislation relating to cemeteries and crematoria currently falls across the State Government portfolios of Health and Local Government, it may be argued that treating burials and cremations under two different legislative schemes is inefficient and creates an unnecessary administrative burden on members of the funeral industry and the general public. As such, Topic 1 proposes an option to combine the content of both Acts into a single Act.

In determining whether the Cemeteries Act and the Cremation Act should be combined, other considerations include the nature and quantity of amendments to be made to the legislation, current legislative drafting standards and practices, and which Minister and State agency would be responsible for administering the legislation.

Other jurisdictions

In most other jurisdictions, the management of cemeteries, burials and cremations are dealt with by a single Act. For example, in South Australia, burials and cremations are regulated by the *Burial and Cremation Act 2013* (SA Act) and is administered by the South Australian Attorney General's Department, which falls under the portfolio responsibilities of the Minister for Planning and Local Government. Alternatively in New South Wales, the *Cemeteries and Crematoria Act 2013* (NSW Act) is administered by the Minister for Lands and Water.

In Queensland, while cremations are governed by the *Cremations Act 2003* (QLD Cremations Act), other methods of disposal are not regulated by statute. Burials and cremations in Queensland are generally regulated by local government authorities under local laws and may be further regulated by State policy in relation to health or environmental impacts. Under the *Burials Assistance Act 1965* (QLD Burials Act), the Department of Justice and Attorney-General is authorised to make funeral arrangements for persons who have died in Queensland with no known next of kin who are willing or able to meet the cost of a funeral service. The QLD Cremations Act and the QLD Burials Act are both administered by the Queensland Department of Justice and Attorney-General.

Issues and reform options for Topic 1

TOPIC 1 - LEGISLATION	
ISSUE	REFORM OPTIONS
<p>Issue 1: There are currently two separate Acts dealing with cemeteries and cremations.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none">• Ministers and State agencies retain legislative schemes (no change). <p><u>Cons:</u></p> <ul style="list-style-type: none">• Current arrangement may be viewed as inefficient and places an unnecessary administrative burden on the funeral industry and general public. <p>Option 2: Combine the content of both Acts into a single Act.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none">• Single Ministerial portfolio may result in greater administrative efficiencies. <p><u>Cons:</u></p> <ul style="list-style-type: none">• Minister and State agency responsible for administering the legislation would need to be determined and appropriately resourced.
<p>GUIDING QUESTIONS</p> <ol style="list-style-type: none">1. To what extent do you agree that the content of the Cemeteries Act and the Cremation Act should be combined into a single Act?2. If you think that the content of the Cemeteries Act and the Cremation Act should be combined into a single Act, which State Government portfolio should be responsible for administering the Act?<ol style="list-style-type: none">a. Local governmentb. Healthc. Other (please specify) <p>Please provide reasons for your responses.</p>	

Topic 2: Alternative methods for the disposal of human remains

Background

Key issue 2A - Burials

The Cemeteries Act does not define a traditional burial, or other types of burials such as Aboriginal customary burials or natural burials, and how these are to be regulated. The regulatory responsibility lies on cemetery authorities to determine how these are to be conducted. Some cemeteries in WA offer natural burials, including Bunbury Cemetery, Pinnaroo Valley Memorial Park and Meekatharra Cemetery.

Key issue 2B - Cremation

The Cremation Act does not define traditional cremation, or new method of cremation such as alkaline hydrolysis that essentially dissolves the body, commonly referred to as aquamation.

Section 7 of the Cremation Act provides for ashes to be delivered to the cremation permit holder when not buried at the site of the crematorium. Some cemetery authorities have requirements for the disposal of ashes within a cemetery, but there are no requirements regarding the disposal of ashes outside a cemetery.

Burials at sea are regulated under the *Environment Protection (Sea Dumping) Act 1981* (Commonwealth), which is administered by the federal Department of Agriculture, Water and the Environment. People seeking to arrange a burial at sea require a sea dumping permit. No permit is required to scatter ashes at sea.

Other jurisdictions

Natural burials are provided for in the NSW Act and the SA Act. In South Australia, natural burial grounds are treated separately from a cemetery.

In Victoria, the *Cemeteries and Crematoria Act 2003* (VIC Act) provides that the Secretary of the Department of Health can give approval for the use of a method other than cremation or burial either generally, or for a specific disposal.

In New South Wales, alkaline hydrolysis is included in the definition of cremation.

While alternative methods of disposal and natural burials are not dealt with in the QLD Burials Act, the Queensland Law Reform Commission has recommended that approval to dispose of a body other than by burial or cremation should sit with the relevant Minister.¹

The Northern Territory's *Cemeteries Act 1952* (NT Act) provides for burial and cremation.

Issues and reform options for Topics 2A and 2B

TOPIC 2A - ALTERNATIVE METHODS FOR THE DISPOSAL OF HUMAN REMAINS – BURIALS	
ISSUE	REFORM OPTIONS
<p>Issue 2A.1: The Cemeteries Act does not provide definitions for types of burials.</p>	<p>Option 1: Retain status quo</p> <p><u>Pros:</u></p> <p>Cemetery authorities have the flexibility to determine what type of burial services they provide and how these are to be performed.</p> <p><u>Cons:</u></p> <p>Uncertainty as to what types of burials are regulated under the Cemeteries Act and what types of burials cemetery authorities can provide.</p> <p>Option 2: Legislation to provide for alternative methods of burial, refer to other types of burials and include a definition recognising traditional burials and alternative burials such as:</p> <ul style="list-style-type: none"> • Traditional burial entombment or burial in a vault • Aboriginal customary burials • Natural burial • Vertical burial • Burials of other faiths <p>Regulations to provide standards as to how certain types of burials should be undertaken.</p> <p><u>Definition</u></p> <p>“burial means:</p> <p>(a) the burial of human remains or cremated human remains in the ground;</p> <p>(b) the placement of human remains or cremated human remains in a mausoleum, vault, columbarium or other structure;</p> <p>(c) Aboriginal customary burials;</p> <p>(d) the burial or placement of human remains or cremated human remains, as prescribed by the regulations.”</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • May provide greater certainty and clarity as to forms of burials that cemetery authorities can provide. • New alternative methods of burials will be recognised in the legislation.

GUIDING QUESTIONS

1. To what extent do you agree that the legislation should expressly provide for alternative burials in addition to traditional burials?
2. To what extent do you agree that the legislation should provide for how certain types of burials are undertaken, for example, standards relating to how a body is prepared, etc?
3. If you support that the legislation should provide for alternative burials, do you agree with the proposed definition?

Please provide reasons for your responses.

Issue 2A.2: Current legislation does not set out requirements for coffins, caskets, shrouds, etc.

Option 1: Retain status quo.

Pros:

Cemetery authorities are able to determine their own requirements for coffins, caskets, shrouds, etc.

Cons:

Requirements may vary between cemeteries.

Costs: Nil

Option 2: Legislation to provide for requirements e.g., material, name plate, etc.

Pros:

Standardised requirements between cemeteries.

Cons:

- May result in cemetery authorities having less autonomy in determining their own operational requirements.
- May result in increased costs to cemetery authorities to ensure they comply with any new requirements under the legislation.

GUIDING QUESTIONS

1. To what extent do you agree that the legislation should set out requirements for coffins, caskets, shrouds, etc. instead of cemetery authorities determining their own requirements?

Please provide reasons for your response.

TOPIC 2B - ALTERNATIVE METHODS FOR THE DISPOSAL OF HUMAN REMAINS – CREMATIONS

ISSUE	REFORM OPTIONS
<p>Issue 2B.1: The Cremation Act does not provide definitions for types of cremation.</p>	<p>Option 1: Retain status quo.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Uncertainty as to what constitutes a cremation. • Uncertainty as to whether alternative methods of cremation can be undertaken by cemetery authorities. <p>Option 2: Legislation to provide a definition for cremation. Alternative methods of cremation to be prescribed in regulations.</p> <p>Definition:</p> <p>“cremation means a process for the reduction of human remains by fire or heat, or by any other means prescribed by the regulations.”</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Greater certainty as to what constitutes a ‘cremation’. • May allow for emerging alternative methods of cremations to be recognised in the legislation. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • If it is intended that the legislation recognises new alternative methods of cremation, the new definition(s) should be sufficiently broad. • Regulations will need to be updated if new methods of cremation are added in the future.

GUIDING QUESTIONS

1. To what extent do you agree that the legislation should include a definition of cremation?
2. To what extent do you agree that the legislation should expressly provide for alternative methods of cremation?
3. If you agree that the legislation should provide a definition of cremation, do you agree with the proposed definition?

Please provide reasons for your responses.

<p>Issue 2B.2: There are no legislative</p>	<p>Option 1: Retain status quo.</p>
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<p>provisions in the Cremation Act for the disposal of ashes where they remain unclaimed from a crematorium.</p>	<p><u>Pros:</u></p> <ul style="list-style-type: none"> • If the crematorium is located within a public cemetery, cemetery authorities have the flexibility to determine how unclaimed ashes are dealt with at that crematorium and cemetery. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Uncertainty as to how unclaimed ashes are to be dealt with if not provided for in legislation. • Possible inconsistencies between crematoria as to how unclaimed ashes are dealt with. <p>Option 2: The legislation should regulate how a crematorium should dispose of unclaimed ashes after a certain period of time where the ashes remain unclaimed and notice requirements have been met.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Clarity as to how unclaimed ashes are to be dealt with. • Consistency between crematoria. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • New requirements placed on the crematorium to deal with unclaimed ashes. • Crematoriums may incur costs in disposing of unclaimed ashes.
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GUIDING QUESTIONS

1. To what extent do you agree that the legislation should provide for how unclaimed ashes are to be dealt with?
2. If you agree that the legislation provides for the disposal of unclaimed ashes, how long should a crematorium be required to hold onto the ashes before it is able to dispose of the ashes after the crematorium has notified the cremation permit holder of its intention to dispose of the ashes due to being unclaimed?
 - a. 6 months
 - b. 12 months
 - c. Other

Please provide reasons for your responses.

<p>Issue 2B.3: The Cremation Act does not provide for dual or multiple cremations, i.e. cremating two or</p>	<p>Option 1: Retain status quo</p> <p>Option 2: Legislation to allow crematoriums to provide dual or multiple cremations and provide a definition of multiple cremations.</p> <p>Definition:</p>
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more bodies together.	“ multiple cremations means the cremation of two or more dead bodies together.” <u>Pros:</u> Clarity that dual or multiple cremations can be undertaken.
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GUIDANCE QUESTIONS

1. To what extent do you agree that the legislation should provide for dual or multiple cremations i.e. cremating two or more bodies together?
2. If you think that the legislation should allow multiple cremations, do you agree with the proposed definition?

Please provide reasons for your responses.

Topic 3: Cemetery Redevelopment

Background

Topic 3A: General cemetery redevelopment

Cemetery redevelopment is about redeveloping existing burial areas of the cemetery to allow for new burial areas and in doing so, meeting the ongoing burial needs of the community. The process of cemetery redevelopment can be likened to urban renewal. In the case of cemetery redevelopment the land is retained for cemetery purposes, maintaining and conserving the use of land for burials for perpetuity and in the public interest.

The redevelopment of existing burial areas to accommodate new gravesites, memorial locations and mausoleum crypts is provided for in the Cemeteries Act under Part V, Division 4 - Redevelopment Schemes. The Cemeteries Act does not regulate how a cemetery authority must go about redeveloping its existing cemetery but does provide that the authority must obtain Ministerial approval and undertake a community consultation process. Prior to a cemetery authority implementing a redevelopment scheme, they must prepare a register of all burials and make a plan of the redevelopment area publicly available, inform holders of rights of burial of their right to object to the proposed scheme and provide notice of its intention to implement the redevelopment scheme. A cemetery authority is required to consider each submission received during the consultation process and must not proceed with a redevelopment scheme if a specified area of that scheme is subject to an objection by the holder of a right of burial.

While cemetery redevelopment allows cemetery authorities to maximise the use of cemetery land to ensure the sustainability of the cemetery, it is a sensitive issue that remains the subject of community debate.

An example of a cemetery redevelopment strategy includes cemetery renewal, which involves placing new graves between existing graves without disturbing the existing interred remains.

Topic 3B – Redevelopment of Karrakatta Cemetery

Cemetery renewal is currently a major cemetery redevelopment strategy undertaken at Karrakatta Cemetery as there is no further land available to expand the cemetery grounds and there is a continued demand for burials within the cemetery.² The renewal program at Karrakatta Cemetery has evolved since it first commenced in the 1970s. Some elements of the current program are that:

- Historical research/analysis is undertaken through consulting with a committee, comprising historians, genealogists, the Office of Australian War Graves, MCB staff and Board members.
- Community consultation is conducted over an extended period, at least 12 months before Ministerial approval is granted. This includes site signage, letters and

information sent to families who have registered their contact details, press advertising and assessment of submissions received.

- Existing interred remains are not disturbed as new graves are established between the existing ones.
- Some old headstones are relocated following consultation phases so that new monuments can be erected to current Australian standards to commemorate new burials. Renewed areas not required for new burials are utilised as either memorial gardens for cremated remains or may host mausoleums for above ground entombment.
- Headstones are retained where possible and appropriate, and incorporated into the remodelled surface environment.
- War graves and crematorium niches of war dead are retained in their original position where possible.
- The graves and crematorium niches of post war dead marked with official commemorations are retained in their original position where possible.
- Renewal is conducted in older parts of the cemetery where it has been 50 or more years since most of the burials have been conducted, and the majority of tenure agreements have expired. Whilst families, in most instances, can repurchase their grant of burial rights prior to renewal, most do not opt to do so.
- As areas are renewed, they are also beautified with irrigation and landscaping being introduced. With the passage of time and lack of revenue to fund improvements, cemeteries and headstones become unkempt or unsafe. These headstones are dealt with as part of the maintenance of the cemetery.
- It is also an opportunity to develop general or non-religious areas which reflect the diversity of WA's multicultural community.
- A cemetery records system includes details of contact persons and ensures communication with the contact regarding redevelopment activities.
- Continual review of cemetery redevelopment processes is undertaken to identify how community engagement can be improved.

The MCB does not currently receive any government grants or appropriation, and funds daily operations and infrastructure upkeep from monies paid by members of the public for products and services. Its cemeteries are currently cost neutral to the State Government.

The renewal program at Karrakatta Cemetery has been the subject of significant public debate over many years, particularly in relation to concerns regarding the need to ensure that family histories and traditions are respected through the preservation of headstones and the retention of war graves and memorials.

The MCB has conducted community market research indicating that, whilst not entirely comfortable with the concept, most families understand the rationale for the renewal program and support it as a means to keep Karrakatta Cemetery operating as a full-service cemetery if the implementation continues to be undertaken in a respectful manner.

Other jurisdictions

The NSW Act provides for the re-use of an interment site which is the subject of an expired renewable interment right and the removal of any memorial to a deceased person erected on or at the site, subject to certain conditions. The Rookwood General Cemetery in New South Wales is the largest cemetery in the southern hemisphere and it is expected that capacity will be reached by 2035 or sooner.

Strategies to maximise that cemetery's remaining land include re-purposing existing infrastructure, conducting extensive audits of older areas and researching new technologies. An aboveground structure offering earth-style interments and a decomposition project that could enable families to re-use their graves under renewable tenure for generations are examples of innovations under consideration.³

Under the SA Act, ownership of a gravesite reverts to the cemetery authority if the interment right has not been renewed or if a period of two years has elapsed since notice was given regarding the expiry of the interment right.

The site may then be re-used in accordance with the SA Act. All remains are recovered from the site and are placed within an ossuary box and re-interred at a lower depth in the same site; the site can then be re-sold. A cemetery authority in South Australia also has general powers which enable it to expand the cemetery, improve the cemetery, restrict interments in any part of the cemetery or take any other action that it considers necessary or desirable for the proper management and maintenance of the cemetery.

Under the VIC Act, a right of interment for a cremation memorial can be purchased for a period of 25 years, or in perpetuity. For 25-year rights, the option is given to renew the memorial at the end of that period, or to have the ashes scattered in the cemetery grounds. If the holder of the right is uncontactable, the Greater Metropolitan Cemeteries Trust may scatter the ashes in accordance with the regulated process.

Issues and reform options for Topics 3A and 3B

TOPIC 3A: GENERAL CEMETERY REDEVELOPMENT	
ISSUES	REFORM OPTIONS
<p>Issue 3A.1: The Cemeteries Act allows a cemetery authority to implement a cemetery redevelopment scheme provided that Ministerial approval is obtained following the completion of community consultation requirements.</p>	<p>Option 1: Retain current Ministerial approval process in legislation and make amendments to strengthen the effectiveness of public consultation requirements where needed.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Cemetery authorities can determine their own redevelopment strategies subject to Ministerial approval. • Cemetery redevelopment schemes contribute to preserving their financial viability, allowing them to remain open for new burials and memorials. • The requirement for community consultation is retained.
<p>GUIDING QUESTIONS</p> <ol style="list-style-type: none"> 1. To what extent do you agree that the current provisions, including public consultation, in the Division 4 of Part V Cemeteries Act regarding cemetery redevelopment schemes are effective? 2. Are you aware of other approaches that could be adopted to deal with space constraints in WA cemeteries? <p>Please provide reasons for your responses.</p>	

TOPIC 3B: KARRAKATTA CEMETERY REDEVELOPMENT SCHEME	
ISSUES	REFORM OPTIONS
<p>Issue 3B.1: At Karrakatta Cemetery, cemetery renewal involves redeveloping existing cemetery burial areas to accommodate new</p>	<p>Option 1: Retain status quo</p> <p><u>Pros:</u></p> <p>Karrakatta Cemetery will remain open to new burials. The safety of older monuments and headstones can be maintained, and the aesthetic value and functionality of the cemetery can continue to be</p>

<p>gravesites, memorial locations and mausoleum crypts.</p> <p>No existing remains are disturbed.</p>	<p>improved. The government land would remain set aside for cemetery purposes in perpetuity.</p> <p>Option 2: Modify or enhance existing Karrakatta Cemetery redevelopment policies where feasible to address any community concerns identified through this consultation.</p> <p><u>Pros:</u></p> <p>Identified community concerns may be addressed resulting in greater support for the redevelopment scheme.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> • There may be additional costs related to new requirements which would likely be passed onto the consumer in the form of increased fees and charges.
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GUIDING QUESTIONS

1. To what extent do you agree that Karrakatta Cemetery should remain open for new burials?
2. Do you have any concerns regarding the Karrakatta Cemetery redevelopment scheme, such as the strategy of cemetery renewal?
3. If you have any concerns regarding the Karrakatta Cemetery redevelopment scheme, please outline potential solutions that could be implemented to address these concerns.

Please provide reasons for your responses.

Topic 4: Burials outside of proclaimed cemeteries

Background

The Cemeteries Act provides that a deceased person must be buried in a proclaimed cemetery that is not closed. However, under Section 12 of the Cemeteries Act, the Minister for Local Government or his/her delegate may authorise the burial of a dead body in a place other than a cemetery where the burial is to take place:

- on Crown land that is not a cemetery, where there is no conflict with the current land use, interests in the land or the allocated purpose; or
- in an area that is visibly set apart for and distinguishable as a burial place.

When making a decision whether a burial outside a proclaimed cemetery may take place, the Minister considers⁴:

- the distance from the nearest proclaimed cemetery. If the family is not able to undertake the return trip to the nearest cemetery in a day, special consideration may be given, and
- whether there is a particularly significant association with the land. This is either:
 - historical – generally this will be considered to be where the person has a direct and continuous association to the land for at least three generations, and has resided on the land for at least 30 years, either as a landowner, lessee/licensee or employee;
 - traditional or cultural – the person has a particularly significant traditional or cultural association to the land; or
 - immediate family members are already buried at the burial site;
- whether there are cultural practices, such as those within Aboriginal communities.

Consideration is also given to whether the granting of the request will create a risk to health or other nuisance or cause reasonable offence to others. This may include requiring an environmental report to ensure any burial would not impact on a public water supply or unreasonably damage the land.

Land reserved under the *Land Administration Act 1997* (LAA) for the purposes of burials includes those cemeteries that have been closed. In this situation, a person may request burial with other members of their family who are already buried at these sites.

Requirements of an application

The application must be accompanied by:

- a map and photographs or drawings clearly showing where the burial site is geographically located, and where in the existing burial ground that the grave is proposed to be dug and the Global Positioning System location, if possible. Any existing graves should be marked on the drawing;

- in the case of land reserved under the LAA for burials, written advice from the relevant management authority, usually the cemetery authority, stating that there is available space and that the land is suitable for the proposed burial;
- in the case of other Crown land, including reserves, Crown leases, pastoral leases, and unallocated Crown land;
 - death certificate or, where it is applicable, a Coroner's Order giving approval for the burial to take place;
 - written consent of the next of kin to the burial;
 - reasons for seeking the burial in that particular place, for example, details of the deceased's connection to and history with the land);
 - approval of all interest right holders referred to on the land title;
 - approval of the Minister responsible for the *Mining Act 1978*, or his/her delegate;
 - if applicable, written consent of all parties with claim over the land under the *Native Title Act 1993*.
- In the case of burials on ALT estate, approval of the ALT Board as well as from the local Aboriginal community/corporation with responsibility for the management of the land, and if there is Native Title over the area, from the Native Title Prescribed Body Corporate. If there are multiple Aboriginal bodies or corporations with interest in, or ownership of the land, it is important to gain consent from all parties involved to ensure that the burial has community support.
- Where the ALT is required to give its consent as the landholder in relation to an application, there are four key principles that will be considered:
 - Where the land is unleased and Native Title has been determined, then the ALT will defer to the Native Title Prescribed Body Corporate for consent.
 - Where the land is leased and Native Title has been determined, then the applicants will need to seek the views of the leaseholder/s and the relevant Native Title Prescribed Body Corporate before seeking the consent of the ALT. In these circumstances, the ALT will not grant its consent unless it receives written confirmation from the leaseholder/s and the relevant Native Title Prescribed Body Corporate.
 - Where the land is leased and Native Title has not been determined, then the applicants will need to seek the leaseholder/s views prior to seeking the consent of the ALT.
 - Where the land is neither leased to an Aboriginal corporation nor has Native Title been determined, then the ALT will be guided by the views of the Aboriginal inhabitants of the land where the burial is proposed to take place.

The consent of all parties with claim over the land area is required. In the case of Aboriginal burials in remote Aboriginal communities, this will be by the local Aboriginal bodies/corporations with responsibility for the management of the land. In addition, consent from Native Title Claim Groups, pastoral lease holders, ALT, Registrar of Aboriginal Sites, and the DPLH will also be required. It is important to gain consent from all parties involved to ensure that the burial has community support.

For burials in a closed cemetery, written consent from the relevant cemetery authority is required, stating that they support the proposed burial, and that the cemetery has the capacity for the burial. An exemption from the WA Governor may also be required.

Although the burial must be in an area that is visibly set apart for and distinguishable as a burial place, approval is not conditional on the grave itself being marked.

Record of burial on Certificate of Title

When applications for burials outside of proclaimed cemeteries are approved, the Minister for Local Government may require that the burial is recorded on the Certificate of Title for the relevant land by way of a notification lodged with Landgate.

If the Minister places this condition on a burial approval, a notification can be lodged pursuant to section 70A of the *Transfer of Land Act 1893* (TLA).

Recording a burial on the title ensures that all interested parties to the land such as occupiers and prospective purchasers are aware of the existence of the burial. Additionally, family members of the deceased person have an official record of the exact burial site.

Burial records

Currently, burial records generally are maintained by the individual landowners or managing authorities of the unproclaimed cemetery. There is no legislative requirement under the Cemeteries Act to keep a central register of all burials which occur outside of proclaimed cemeteries.

When applications are received by the Minister for Local Government, the DLGSC will record each application in an internal record keeping system. This includes the application form and supporting documents as required by the DLGSC's *Burials Outside a Proclaimed Cemetery Policy* (Policy). The Minister's decision is also stored on the database.

The DPLH also records some limited information regarding burial applications received by the DLGSC which requires consent by the DPLH. Such applications generally relate to Crown land, ALT estate or Aboriginal Heritage Sites land. An online mapping tool and Western Australian Planning Commission Layout Plans are also available on the DPLH's website for those who are seeking further information regarding the land tenure of Aboriginal communities and cemeteries.

In some cases, there are limited records on historical burials, particularly those that have occurred without the knowledge of the DLGSC. In the past, Aboriginal community members have approached the DLGSC to express their concerns regarding the lack of records and unmarked graves within their community cemetery. The lack of records can cause difficulty in obtaining details about proposed burial locations, which may result in delays on processing applications for burials. While applications are progressed as quickly as possible, any delays often result in community frustration and concern regarding the timeframe and approval process.

Other jurisdictions

Burials outside of proclaimed cemeteries are permitted in limited circumstances in most Australian jurisdictions, subject to approval from relevant authorities. The conditions of approval are often prescribed in legislation or provided for in a guideline or policy document.

The VIC Act specifies that approval may be granted subject to conditions such as the zoning of the land, the existing arrangements for the care of the proposed burial site and the connection of the deceased to the land. Under the SA Act and Tasmania's *Burial and Cremation Act 2019* (TAS Act), the approval is subject to consideration and approval by the relevant council or local government authority that administers and manages the area. While there is no specific Queensland legislation that precludes burials outside of proclaimed cemeteries, a local government may have a local law that allows these types of burials. In Queensland, the Department of Environment and Resource Management has developed a policy in relation to burials on land administered under the *Land Act 1994* (QLD). While the policy states that burials outside recognised burial places are not generally supported, approval may be given in limited circumstances for burial on leasehold or land subject to an occupation licence, where there is evidence of existing grave sites on that land.⁵

Recording of the details of these burials occurs in various ways but is generally separate from interment information held for cemeteries. For instance, in Victoria, an approval for a burial outside of a public cemetery must be lodged with the Victorian Register of Titles. These burial approvals are then registered on the folio to which the land title relates, so that people are aware of the burial ground and its location.⁶ The South Australia Outback Communities Authority maintains a public register which was developed in consultation with the State Register of Births, Deaths and Marriages.⁷ Under the TAS Act, the relevant council records the burial site and request that the burial site be recorded on the land title.

Under the Northern Territory's *Burial and Cremation Bill 2019* (withdrawn in 2019), it was proposed that a register of burials outside of a cemetery be established and maintained by the Department of Local Government, Housing and Community Development. The Bill was originally introduced with the intention to reflect the current practices and wishes of the NT community which supports traditional burials, allow Aboriginal organisations and landowners to manage their own cemeteries, formalising kinship and cultural decision making and ensuring record keeping for future generations. However, due to cultural sensitivities and concerns on the proposed imposition of penalties, the Bill was withdrawn.⁸

Issues and reform options for Topics 4A and 4B

TOPIC 4A: BURIALS OUTSIDE OF PROCLAIMED CEMETERIES - RECORDING BURIALS	
ISSUES	REFORM OPTIONS
<p>Issue 4A.1: When the DLGSC considers applications for burials in places other than proclaimed cemeteries, it may experience difficulties in identifying existing burials relevant to the application which may cause delays in the approval process.</p> <p>There is a lack of a central register of names and locations of burials that can be used to search for burial sites and details of persons buried.</p>	<p>Option 1: Retain status quo.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Delays may occur with processing a burial application where information about existing burials is unknown or difficult to access. • May result in continued community concern and frustration regarding the application process and approval timeline. • Genealogists and Aboriginal families may have difficulty in locating burial sites of families/ancestors. <p>Option 2: Introduce legislative and/or policy reforms to consolidate information about burials outside of proclaimed cemeteries into one register to be held and maintained by a suitable State agency e.g. DLGSC or MCB.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • More efficient access to burial information which may facilitate burial approval processes. • Cultural benefits by ensuring improved access to genealogical information. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Information regarding burials will need to be gathered from a variety of stakeholders such as Aboriginal communities, relevant funeral directors, DPLH and DLGSC, and Existing internal systems may need to be adjusted to ensure that it has the functionality to meet new record keeping requirements. • Processes and criteria regarding who will have access to the system will need to be determined. • Costs will be incurred in moving records/information from the existing system into a new register.
<p>GUIDING QUESTIONS</p> <ol style="list-style-type: none"> 1. To what extent do you agree that information about burials outside of proclaimed cemeteries should be consolidated into one centralised register? 2. If burial information for burials outside of proclaimed cemeteries are consolidated into a centralised register, who should have access to the burial information? 	

3. Do you foresee any obstacles in having a centralised register for burials outside of proclaimed cemeteries? If so, please outline these obstacles and how they might be addressed, including other options.

Please provide reasons for your responses.

<p>Issue 4A.2 – There is no requirement under the Cemeteries Act for burials outside of proclaimed cemeteries to be recorded on the corresponding Certificate of Title.</p> <p>Currently, the Minister for Local Government may require an applicant to ensure that the approved burial is recorded on the relevant Certificate of Title as a condition of approval of the burial.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Minister for Local Government may already require an applicant to ensure that the burial is recorded on the relevant Certificate of Title in some instances <p><u>Cons:</u></p> <ul style="list-style-type: none"> No consistent approach to the recording of burials on land titles, e.g. burials are not recorded on titles for Crown land. The lack of burial details on land titles may cause issues with current or future interest holders or applicants with rights to access the land, such as mining companies, infrastructure or service providers, pastoral landholders, etc. <p>Option 2: Introduce a policy to require burials outside of proclaimed cemeteries to be recorded on the Certificate of Title, and update forms and guidelines as necessary.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> A policy can be easily amended as the need arises. Consistent approach to the recording of burial details on the land title. Current and prospective landholders and those with an interest in the land are aware of the burial. <p><u>Cons:</u></p> <ul style="list-style-type: none"> A requirement under a policy does not have the same force, effect and standing as a requirement under legislation. Costs associated with lodging a notification of a burial with the Registrar of Titles. <p>Option 3: Introduce a legislative requirement for a burial outside of a proclaimed cemetery to be recorded on the land title. Legislation may refer to the notification provision in the TLA.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> Consistent approach to the recording of burial details on the land title.
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	<ul style="list-style-type: none"> • Current and prospective landholders and those with an interest in the land are aware of the burial. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Person responsible for notifying the Registrar of Titles would need to be determined. • Person responsible for the cost of lodging a notification of a burial with the Registrar of Titles would need to be determined. • Costs associated with lodging a notification of a burial with the Registrar of Titles.
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GUIDING QUESTIONS

1. If a burial outside of a proclaimed cemetery is required to be recorded on the Certificate of Title, what type of land should this requirement apply to?
 - a. Freehold land e.g. residential land
 - b. Crown land
 - c. Aboriginal burial ground i.e. a cemetery in an Aboriginal community that is not a proclaimed cemetery under the Cemeteries Act
 - d. Other
2. If a burial outside of a proclaimed cemetery is required to be recorded on the Certificate of Title, what instrument should this requirement fall under?
 - a. Policy
 - b. Legislation

TOPIC 4B: BURIALS OUTSIDE OF PROCLAIMED CEMETERIES APPROVAL PROCESS

ISSUES	REFORM OPTIONS
<p>Issue 4B.1: Under the Cemeteries Act, the Minister for Local Government or his/her delegate may authorise the burial of a dead body in a place other than a cemetery where:</p> <ul style="list-style-type: none"> • the burial is to take place on Crown land that is not a 	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <p>The Minister or his/her delegate have oversight of the approvals for such burials. Steps are taken to ensure that consent to the burial is obtained from the deceased person’s next of kin and from all parties that may have an interest in the land.</p> <p><u>Cons:</u></p> <p>Approval by the Minister or delegate may increase duration of approval process.</p>

<p>cemetery, where there is no conflict with the current land use, interests in the land or the allocated purpose; and</p> <ul style="list-style-type: none"> the Minister is satisfied that the burial is to take place in an area that is visibly set apart for and distinguishable as a burial place. 	<p>Option 2: A senior officer at the DLGSC to be responsible for approving burials outside of proclaimed cemeteries, with a right of review/appeal to the Minister.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> The DLGSC can continue to ensure that consent to the burial is obtained from the deceased person’s next of kin and from all parties that may have an interest in the land. The Minister is still involved in the process and has the power to review and uphold or overturn a decision made by the DLGSC. Approval by the DLGSC may result in the approval process being more efficient. <p>Option 3: The relevant local government to be responsible for approving burials outside of proclaimed cemeteries in their district.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> A local government can ensure that consent to the burial is obtained from the deceased person’s next of kin and from all parties that may have an interest in the land. A local government is familiar with the land the subject of the burial application as it is located in their district. Approval by a local government may result in the approval process being more efficient. <p><u>Cons:</u></p> <ul style="list-style-type: none"> There may be inconsistencies in the approval approach by different local governments. Some local governments may not have the resources to undertake this approval process.
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GUIDING QUESTIONS

1. To what extent do you agree that the Minister should be responsible for approving burials outside of proclaimed cemeteries?
2. To what extent do you agree that a senior officer at the DLGSC should be responsible for approving burials outside of proclaimed cemeteries with a right of review/appeal to the Minister?
3. To what extent do you agree that local governments should be responsible for approving burials outside of proclaimed cemeteries?
4. Should the DLGSC policy for burials outside of proclaimed cemeteries be amended, and if so, in what way?

Please provide reasons for your responses.

Topic 5: Licensing of funeral directors and monumental masons

Background

Topic 5A - Funeral directors

The Cemeteries Act provides that a funeral director must be licensed by the cemetery authority responsible for the care, control and management of the cemetery at which they wish to conduct funerals. A funeral director's licence is issued for a period not exceeding one year. A cemetery authority may also issue a funeral director who already holds a licence issued by another cemetery authority with a single funeral permit to conduct the funeral of a person named in the permit.

A cemetery authority may also issue a single funeral permit to any person who is not a licensed funeral director. The MCB reports that while there are many enquiries for 'DIY' funerals from people who are not licensed funeral directors, very few of these enquiries result in an application for a single funeral permit.

In granting a funeral director's licence or a single funeral permit, a cemetery authority must be satisfied that an applicant is of good repute and is fit to hold a funeral director's licence, in addition to having suitable facilities and equipment for handling and storing dead bodies and conducting funerals. It is currently up to a cemetery authority to determine what evidence and supporting information an applicant is required to submit with their application and the decision of a cemetery authority to determine whether an applicant meets the criteria to be granted a licence or permit. A cemetery authority has the power to inspect the facilities and equipment of an applicant or holder of a funeral director licence. The Cemeteries Act also provides for the suspension and cancellation of licences, with review provisions.

Industry self-regulation occurs to some extent by those funeral directors who are members of AFDA and comply with a Code of Conduct, Code of Ethics and Prepaid Funerals Standard.⁹ The AFDA aims to enhance and promote professional funeral standards and advance the knowledge, quality and performance of funeral industry professionals. Membership is voluntary and re-accreditation is required every three years. Members are required to complete a statutory declaration to confirm their compliance to the AFDA's Codes and Standard. In 2021, about 74 per cent of funerals in WA were conducted by funeral directors who are members of the AFDA, and most AFDA members in WA are located in the Perth metropolitan area.

The MCB conducts approximately 12,000 funerals per year. According to MCB estimates, this number accounts for about 80 per cent of the State's (WA) funerals. In order to conduct a funeral at MCB cemeteries, a funeral director must hold a licence to conduct a funeral or a single funeral permit issued by the MCB. Funeral directors issued with an annual licence must adhere to the provisions of the MCB Funeral Director Licence Code of Conduct (MCB Code of Conduct),¹⁰ which includes matters such as legislative obligations, professional

conduct, care of the deceased, mortuary facilities, National Police Clearance and relevant insurances. Any breach of the MCB Code of Conduct may result in the cancellation, suspension or non-renewal of the funeral director's licence. The MCB has advised that it receives a low number of complaints from the public about funeral directors, with most complaints being resolved directly with the funeral director. The MCB may also refer relevant matters to the Consumer Protection division of the DMIRS.

Statistics provided by the DMIRS indicate that between 1 November 2016 and 31 October 2021, 246 enquiries and 50 complaints relating to funerals were received, with 31.7 per cent of the enquiries and 52 per cent of the complaints in relation to funeral directors. The key issues raised were billing and costs, as well as due care and skill.

Funeral directors in WA who are providing prepaid funeral contracts must comply with the *Fair Trading (Prepaid Funerals Code of Practice) Regulations 2020* (Prepaid Funerals Code of Practice), administered by DMIRS.¹¹ Additionally, the Department of Health has published guidelines developed in conjunction with the funeral industry which set out the minimum requirements expected of the funeral industries regarding preparation of the deceased for burial or cremation.¹²

Topic 5B - Monumental masons

There is no provision under the Cemeteries Act requiring monumental masons to be licensed, and there is no active masons' association in WA. However, cemetery authorities may make local laws or by-laws which require monumental masons to be licensed and which set out the circumstances in which a monumental mason's licence may be cancelled. Cemetery authorities may also issue a permit to carry out monumental works on a particular grave.

Monumental masons who are licensed by the MCB are required to comply with a Code of Conduct which includes qualifications, adherence to legislation, policy and procedures, Australian Standards, professional conduct, National Police Clearance, workwear and relevant insurances. The MCB assesses each application for compliance with standards, issues a work permit and assesses the work upon completion.

DMIRS has advised that 30 per cent of the 50 complaints received between 1 November 2016 and 31 October 2021 related to headstone and monumental works conducted by monumental masons.

Other jurisdictions

Funeral directors/providers

The Northern Territory has a similar licensing scheme to Western Australia. Under the *Cemeteries Act 1952* (NT), funeral directors are required to apply for a licence with the relevant cemetery Board to operate in those cemeteries. Each cemetery Board has their own processes in place to determine how applications are assessed.

In Victoria, funeral providers¹³ are required to be registered with Consumer Affairs Victoria and there is a publicly available list of funeral providers in Victoria. Obligations of a funeral director under the legislation include:

- Offering a basic funeral service for a burial or cremation;
- To produce a clear and legible funeral goods and service price list and a coffin price list; and
- Providing a statement of funeral costs to a customer prior to entering into an agreement for the provision of goods or funeral services.

Funeral directors also have obligations in relation to the provision of pre-paid funeral contracts and establishing a procedure for dealing with customer complaints. Funeral directors who fail to comply with such obligations are subject to penalties under the legislation.

In Queensland, funeral directors can voluntarily adopt the Queensland Funeral Industry Code of Conduct to demonstrate that they are committed to best practice.¹⁴ The Code is based on a shared commitment by the members of the funeral industry to the guiding principle of ethical and responsible behaviour. While commitment to the Code is voluntary, certain practices must be complied with under the legislation.

In Tasmania, funeral businesses must apply to the Director of Local Government to be a regulated business and comply with relevant legislation.

In the Australian Capital Territory (ACT), the *Cemeteries and Crematoria Code of Practice 2020* was made under the *Cemeteries and Crematoria Act 2020* (ACT), which outlines the operating requirements that apply to all cemeteries and crematoria in the ACT, whether public or private.

Funeral directors do not need a licence, specific training or qualifications to operate in New South Wales.

Monumental masons

Licensing and permit arrangements of monumental masons in other jurisdictions vary.

In Victoria, the legislation provides that a cemetery trust must assess all applications to establish or alter a memorial or place of interment. It does not directly require the licensing of stonemasons.

In all other jurisdictions, licensing requirements for monumental masons are not prescribed in the relevant legislation. However, most cemetery authorities have by-laws or policies which require all work carried out on monuments to be conducted by a monumental mason who holds a licence to work in that cemetery. Those cemeteries may also maintain a register or list of authorised monumental mason companies who are authorised to operate in those cemeteries.

Although membership is voluntary, there are several industry bodies and associations within each jurisdiction that issues annual licences to monumental masons. Members are bound by a code of ethics and must comply with the Australian Standards on Headstones and Cemetery Monuments.

Issues and reform options for key issues 5A and 5B

TOPIC 5A - LICENSING OF FUNERAL DIRECTORS	
ISSUES	REFORM OPTIONS
<p>Issue 5A.1: The Cemeteries Act requires all funeral directors to be licensed by way of:</p> <p>a) a funeral director’s licence in relation to a particular cemetery, or</p> <p>b) a single funeral permit to hold a particular funeral.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <p>Cemetery authorities have autonomy over the licence application process and the licence conditions they wish to impose.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Funeral directors who wish to conduct funerals at multiple regional cemeteries must apply for more than one licence. This may be an administrative burden. • Possible inconsistencies in standards and requirements regarding the provision of funeral services. • An annual funeral director’s licence for regional cemeteries ranges between \$100 to \$350 per cemetery. The cost of an annual licence (2021/2022) from the MCB is \$1,446. Some funeral directors operating in regional cemeteries also hold a licence with the MCB. Holding multiple licences may be viewed as a costly expense. <p>Option 2: Replace the current licensing arrangement with a single licensing system that includes a centralised register which would allow funeral directors to work at all cemeteries in WA. Licences would be issued by a central licensing authority. A condition of the licence would be compliance with a mandatory code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Reduces administrative burden for funeral directors and cemetery authorities. • Greater consistency and clarity throughout WA in relation to the licence application process and requirements and standards. • Members of the public would have access to a list of licensed funeral directors. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Cemetery authorities across WA may need to amend their relevant by-laws and local laws to account for the change.

- Costs associated with the establishment of a central licensing authority.
- Potential loss of revenue for cemetery authorities who receive revenue from granting licences.

Option 3 – Replace the current licensing arrangement with a registration system whereby funeral directors register their business details with a central authority. Funeral directors could adopt a voluntary code of conduct.

Pros:

- Removes the need for funeral directors to obtain licences. This reduces the regulatory and administrative burden on funeral directors and cemetery authorities.
- Members of the public could access a list of all funeral directors in WA.
- A code of conduct which covers best practice would support consumer protection and confidence in the industry.
- Central point of management reduces administrative burden.
- Lower costs and greater consistency.
- Industry code is flexible and could be amended easily to meet the needs of the industry and community.

Cons:

- Funeral directors are not assessed for fitness to provide funeral goods and services prior to being registered.
- Limited complaint and enforcement options available should a funeral director breach the voluntary code of conduct.
- Potential loss of revenue for cemetery authorities who receive revenue from granting licences.

GUIDING QUESTIONS

1. To what extent do you agree that the current licensing regime for funeral directors in WA should be retained?
2. To what extent do you agree that funeral directors should be able to apply for a single licence which allows them to work at all cemeteries in WA?
3. To what extent do you agree that the proposal in Option 2 for a single licence allowing funeral directors to work at all cemeteries in WA on compliance with the Code of Conduct?
4. To what extent do you agree with retaining the ability for a person who does not hold a funeral director's licence to apply for a single funeral permit?
5. To what extent do you agree that funeral directors should be required to undertake continuing professional development?
6. What criteria should an applicant satisfy before being issued with a funeral director's licence?
7. For how long should a funeral director's licence be valid?
 - a. One year
 - b. Two years
 - c. Three years

d. Other (please specify).

8. Should funeral director licences be issued to individual persons only or individual persons and companies i.e. one licence per company which covers all funeral directors employed by that company?
9. Are you aware of other licensing approaches that could be adopted for WA funeral directors?

Please provide reasons for your responses.

TOPIC 5B - LICENSING OF MONUMENTAL MASONS	
ISSUES	REFORM OPTIONS
<p>Issue 5B.1: The Cemeteries Act does not require monumental masons to be licensed.</p> <p>The requirement for a monumental mason to be licensed is currently provided for in cemetery Board by-laws and local government local laws.</p> <p>A cemetery authority may also issue a permit authorising a person to carry out monumental work on a particular grave in that cemetery.</p>	<p>Option 1: Retain status quo.</p> <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Monumental masons who wish to carry out work at multiple cemeteries must apply for more than one licence. This is an administrative burden. • Possible inconsistencies in standards and requirements regarding the provision of masonry work. • An annual monumental mason’s licence for regional cemeteries is approximately \$200 per cemetery. The MCB’s annual licence fee (2021/2022) is \$1,289. Holding multiple licences may be viewed as a costly expense. <p>Option 2: Replace current licensing arrangements with a single licensing system for monumental masons which would allow monumental masons to work at all cemeteries in WA. Licences would be issued by a central licensing authority. A condition of the licence would be compliance with a code of conduct.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Reduces administrative burden for monumental masons and cemetery authorities. • Greater consistency and clarity throughout WA in relation to the licence application process and requirements and standards. • Members of the public would have access to a list of licensed monumental masons. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Cemetery authorities across WA may need to amend their relevant by-laws and local laws to account for the change. • Costs associated with establishment of a central licensing authority. • Potential loss of revenue for cemetery authorities who receive revenue from granting licences. <p>Option 3: Replace the current licensing arrangements with a registration system whereby monumental masons register their business details with a central registration authority. Monumental masons can adopt a voluntary code of conduct.</p>

Pros:

- Reduces the regulatory and administrative burden on monumental masons and cemetery authorities. Members of the public could access a list of all monumental masons in WA.
- A code of conduct which covers best practice would support consumer protection and confidence in the industry.
- Industry code is flexible and can be amended easily to meet the needs of the industry and community.

Cons:

- Monumental masons are not assessed for fitness to provide funeral goods and services prior to being registered.

GUIDANCE QUESTIONS

1. To what extent do you agree with the current licensing arrangements for monumental masons in WA?
2. To what extent do you agree that monumental masons should be licenced?
3. To what extent do you agree that monumental masons should be able to apply for a single licence which allows them to work at all cemeteries in WA?
4. To what extent do you agree that a monumental mason's licence should carry a requirement to comply with a code of conduct i.e. being a fit and proper person, etc?
5. To what extent do you agree that the ability to apply for a single monumental works permit should be retained?
6. If monumental masons were required to be licensed, should licences be issued to individual persons only or individual persons and companies i.e., one licence per company which covers all monumental masons employed by that company? Please provide reasons for your response.
7. If monumental masons were required to be licensed, what criteria should an applicant satisfy before being issued with a licence?
8. For how long should a monumental mason's licence be valid?
 - a. One year
 - b. Two years
 - c. Three years
 - d. Other (please specify).
9. Are you aware of other licensing approaches that could be adopted for WA monumental masons?

Please provide reasons for your responses.

Topic 6: Cremation Services in WA

Background

In WA, the first cremations were considered a means of hygienic disposal of diseased bodies. As a result, the Woodman Point Crematorium was established in the early 1900s, although some cremations were also performed on private property.

In the early 1920s, debate on public demand for cremation grew and land was set aside for a future crematorium at Karrakatta Cemetery. In 1929, the Cremation Act was passed, endorsing the cremation principle and regulating the cremation process.

In 1936, a public crematorium was constructed at Karrakatta Cemetery.

Community expectations of burial and cremation services have changed significantly over the years and it remains important the community has confidence in those entrusted to carry out these duties.

Eight crematoria have since been established and are situated in cemeteries in WA under public ownership, administered by a cemetery Board.

Although the Cremation Act in its current form requires the Chief Health Officer to be satisfied with certain public health and safety matters relating to the operation of crematoria, it does not provide for more general regulatory oversight or powers that allow for the creation, monitoring and enforcement of industry standards; nor does it allow for codes of practice and consumer protection akin to other contemporary licensing regimes.

There are currently no crematoria located north of Geraldton and deceased persons from the Gascoyne, Pilbara and Kimberley regions are generally transported to Geraldton, Pinnaroo Valley Memorial Park or to the Northern Territory for cremation. Pinnaroo Valley Memorial Park conducts most of the cremations from the North-West within WA.

Throughout Australia, the cost of cremation varies depending on the jurisdiction and the age of the deceased person, with the cremation of an adult human body ranging from around \$500 to about \$1,200.¹⁵ In WA, the cremation of an adult human body ranges from \$1,150 - \$1,200. Some WA crematoriums also include chapel hire in their prices. For example, the MCB charges \$1,200 for an adult cremation, including using any MCB cemetery chapel for one hour.

Cemetery authorities utilise funds from cremations and other revenue-generating services to meet the community's burial and memorial needs and cemeteries' maintenance, operation and administrative costs. For example, the MCB is currently a self-funded statutory authority registered as a not-for-profit charitable organisation.

Issue and reform option for Topic 6

TOPIC 6 – CREMATION SERVICES IN WA	
ISSUE	REFORM OPTION
<p>Issue 6.1 The State Government will continue to operate cremations under section 4(1)(a) of the <i>Cremations Act 1929</i>.</p>	<p>Option: Cremations will continue to be operated by publicly owned crematoria under public ownership through the State Government and administered by Cemetery Boards.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Cemetery authorities can remain financially viable under their current operating model. • Cemetery authorities utilise funds from cremations and other revenue-generating services to meet the community’s burial and memorial needs, and the maintenance, operation and administrative costs of cemeteries. • Consistent regulatory oversight that allows for the creation, monitoring, and enforcement of industry standards. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Lack of services available north of Geraldton.
<p>GUIDANCE QUESTIONS</p> <p>1. What further improvements could be considered to publicly owned crematoria services in WA?</p> <p>Please provide reasons for your responses.</p>	

Topic 7: Consistency of forms and fees

Background

Topic 7A - Cemetery Forms

Although regulation-making powers exist under the Cemeteries Act, there are currently no regulations or prescribed forms for cemeteries.

Cemetery authorities have by-laws and local laws which provide for their own forms covering a range of matters, such as:

Applications:

- Application for burial and instruction for grave;
- Application for cremation and disposal of ashes;
- Application for funeral director's licence;
- Application for single funeral permit;
- Application for monumental work; and
- Application for monumental mason's licence.

Notices:

- Infringement notices; and
- Withdrawal of infringement notices.

Licences:

- Funeral director's licence; and
- Monumental mason's licence.

Grants/assignments/authorities:

- Grant of right of burial;
- Assignment of grant of right of burial; and
- Authority for placement of ashes.

Through the provision of by-laws and local laws, each individual cemetery develops their own forms to meet their specific operational requirements for their regions. This results in inconsistencies. A sample of licence application forms currently in use by cemetery authorities demonstrated that the following matters are not universally required:

- a) Details of relevant insurance policies for funeral director and monumental mason licensing;
- b) Referees, national police clearances and declaration of past bankruptcies/receiverships for an annual funeral director's licence;
- c) Details of any offences committed by applicants; and
- d) Cremation certificate number for interment of ashes.

Topic 7B - Cremation Forms

Forms for the regulation of cremation are prescribed under the *Cremation Regulations 1954* (Schedule 1):

No.	Application Form Title
1.	Application for a licence to use and conduct a crematorium
2.	Application for certificate of Chief Health Officer to give effect to a licence to a licence granted to use and conduct a crematorium
3.	Application for permit to cremate

No.	Certificate/Permit/Licence Title
1.	Licence to use and conduct a specified crematorium (for Cemetery Boards)
2.	Licence to use and conduct a specified crematorium (for Associations)
3.	Certificate of the Chief Health Officer giving effect to a licence to use and conduct a crematorium
4.	Certificate of Medical Practitioner
5.	Coroner's certificate
6.	Permit to cremate (for medical referee)
7.	Notice of refusal of application to cremate
8.	Register of cremations (to be kept by every licensee of a crematorium and available for inspection by the public for a small fee)
9.	Certificate of cremation (notice to the Chief Health Officer and the Registrar General)
10.	Certificate of Medical Practitioner who has conducted a post-mortem examination

Topic 7C - Cemetery and Cremation Fees

Cemetery authorities currently set their own cemetery fees as part of their wider annual Schedule of Fees and Charges. Like the forms, this allows individual cemeteries to set their own prices to meet operational requirements for their regions, however, this results in inconsistencies. In addition to basic fees for items such as the grant of right of burial and interment services, fees also differ between cemeteries for annual funeral director and monumental mason licences.

Similarly, cremation service fees are set by the cemetery authority that operates a crematorium within their facilities. While fees for a licence to use and conduct a crematorium, as well as fees for a permit to conduct the cremation are prescribed under the *Cremation Regulations 1954*, the cost of the cremation service varies throughout each cemetery.

Other Jurisdictions

Examples of how some other jurisdictions administer their forms for the cemetery and cremation industry include:

- Victoria: the application for a right of interment form, which was developed by the State’s Department of Health & Human Services, is available to all cemetery trusts but is not mandatory.
- New South Wales: Cemeteries & Crematoria NSW has developed templates for industry use. Cemetery operators are not required to use the templates, but they must ensure that the required information collected is compliant with the relevant Act.
- Tasmania: each cemetery authority has its own bespoke forms. The Local Government Division of the Department of Premier and Cabinet is the regulator.
- Northern Territory: each cemetery authority has their own bespoke forms.

Issues and reform options for Topics 7A, 7B and 7C

TOPIC 7A – CEMETERIES FORMS	
ISSUE	REFORM OPTIONS
<p>Issue 7A.1: The Cemeteries Act does not provide any prescribed forms. Cemetery authorities currently prescribe their own forms in their by-laws or local laws.</p>	<p>Option 1: Retain status quo.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • No legislative amendment. • Cemetery authorities have the autonomy to create their own forms. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Inconsistency of forms across cemetery authorities. • Administrative burden particularly for funeral directors in regional areas who operate across several local government areas. <p>Option 2: Introduce prescribed forms in legislation.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Forms consistent between cemetery authorities. • Reduces administrative burden. <p><u>Cons:</u></p> <ul style="list-style-type: none"> • Cemetery authorities will not have the autonomy to create their own forms to meet the specific operational needs of their own region. • May be costs associated with the administration and enforcement of the new requirements.
<p>GUIDING QUESTIONS</p> <ol style="list-style-type: none"> 1. To what extent do you support the current position whereby cemetery authorities provide their own forms? 2. Do you think that forms used in the administration of the Cemeteries Act should be standardised across the State? <p>Please provide reasons for your response.</p>	

TOPIC 7B – CREMATION FORMS	
ISSUE	REFORM OPTIONS
<p>Issue 7B.1: There are prescribed forms set out in the Cremation Regulations.</p>	<p>Option 1: Retain status quo and amend current forms if appropriate.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Consistency and clarity. • Any form(s) which are outdated or require amendment can be amended.
<p>GUIDING QUESTIONS</p> <p>1. Are there any prescribed forms under the current Cremation Act that you think should be amended and/or combined, or removed?</p> <p>Please provide reasons for your response.</p>	

TOPIC 7C – CEMETERY AND CREMATION FEES	
ISSUE	REFORM OPTIONS
<p>Issue 7C.1: Fees charged by cemetery authorities vary.</p>	<p>Option 1: Retain status quo.</p> <p><u>Benefit:</u></p> <ul style="list-style-type: none"> • Cemetery authorities have the autonomy to determine their own fees. <p><u>Issues:</u></p> <ul style="list-style-type: none"> • Inconsistent fees. • Administrative burden particularly for funeral directors in regional areas who operate across several local government areas. <p><u>Costs:</u> Nil.</p> <p>Option 2: Standardise certain fees and charges in legislation if considered appropriate.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> • Consistency in fees.

- Reduces administrative burden and confusion.

Cons:

May reduce flexibility of cemetery authorities to determine certain fees and charges.

GUIDING QUESTIONS

1. Are there any cemetery and cremation fees or charges that you think should be standardised in legislation?

Please provide reasons for your response.

Next steps

Consideration of feedback

Following consultation, the feedback will be considered and analysed, and will inform a DRIS which will include preferred options.¹⁶ The Minister for Local Government and the Minister for Health will consider the DRIS and determine the next steps.

Implementation

Legislation may need to be drafted and subsequently passed by the WA Parliament. This could be in the form of a new Act(s) and regulations, or amendments to the existing Acts and regulations. The form of the reforms will be determined once preferred options have been identified. There may also be a need for consequential amendments to other legislation.

Transitional provisions may be required to allow the industry and the community time to adjust to changes and comply with any new requirements. Further information about the implementation process will be outlined in the DRIS once the preferred options have been identified.

Evaluation

It is proposed that the effectiveness of any new or amended legislation will be reviewed five years after it has been implemented. Feedback and data will be sought from the public, industry stakeholders and interest groups via surveys and written submissions to inform the effectiveness of the reforms.

Further details of an evaluation process will be outlined in the DRIS once the preferred options have been identified.

Endnotes

¹ *A Review of the Law in Relation to the Final Disposal of a Dead Body*, Report No.69 December 2011, Queensland Law Reform Commission

https://www.qjrc.qld.gov.au/_data/assets/pdf_file/0008/372545/r69.pdf

² MCB Cemetery Renewal brochure: https://mcb.wa.gov.au/docs/default-source/General-website-documents/renewal-brochure-ensuring-the-future.pdf?sfvrsn=1f8884b_6

³ Rookwood General Cemetery Annual Report 2020:

http://www.rookwoodcemetery.com.au/assets/Annual%20Reports/RGC_AnnualReport_2020.pdf

⁴ The Department of Local Government, Sport and Cultural Industries' policy on burials outside of proclaimed cemeteries is available at: <https://www.dlgsc.wa.gov.au/department/publications/publication/burials-outside-a-proclaimed-cemetery>

⁵ https://www.resources.qld.gov.au/?a=109113;policy_registry/burials-lands-administered-land-act.pdf&ver=4.01

⁶ <https://www2.health.vic.gov.au/public-health/cemeteries-and-crematoria/interments-and-memorials/private-burials>

⁷ <https://www.oca.sa.gov.au/resources/outback-burials>

⁸ <https://www.katherinetimes.com.au/story/6457346/nt-govt-buries-its-plans-to-change-cemetery-laws/>

⁹ Consultation Regulatory Impact Statement and Discussion Paper – Proposals for the Regulation of Prepaid Funerals' (December 2011) by the Department of Commerce (WA).

¹⁰ MCB Funeral Director Licence Code of Conduct available at: <https://www.mcb.wa.gov.au/planning-ahead/choosing-a-funeral-director/funeral-director-licence-code-of-conduct>

¹¹ https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s49388.html

¹² https://ww2.health.wa.gov.au/Articles/N_R/Preparation-of-the-deceased-for-burial-or-cremation

¹³ "Funeral provider" is defined as any person carrying on the business of supplying funeral goods and funeral services to the public. "Funeral services" means services for the care and preparation of human bodies for burial, cremation or other final disposition; the arrangement, supervision or conduct of a funeral ceremony or final disposition of human remains. "Funeral goods" means products supplied to a consumer in connection with funeral services (Section 3, *Funerals Act 2006*)

¹⁴ <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/regulated-industries-licensing-and-legislation/personal-services-industries-regulation/funeral-industry-regulation/funeral-industry-code-of-conduct>

¹⁵ Based on the DLGSC's consideration of cremation costs throughout Australia (2019-20 and 2020-21)

¹⁶ <https://www.wa.gov.au/organisation/department-of-treasury/regulatory-impact-assessment>

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Acknowledgement of country and peoples

DLGSC acknowledges the Aboriginal people throughout Western Australia as the Traditional Owners and Custodians of the lands, waters, and communities in which we operate. DLGSC is committed to developing strong working relationships with Aboriginal people and is proud to celebrate the cultural diversity, strength and resilience of Aboriginal people, and is deeply grateful for the contributions they make to the State of Western Australia. We pay our respects to all Aboriginal people and their cultures, and to Elders past and present.

About DLGSC

DLGSC works with partners across government and within its diverse sectors to enliven the Western Australian community and economy through support for and provision of sporting, recreational, cultural, and artistic policy, programs and activities for locals and visitors to the State. DLGSC provides regulation and support to local governments and the racing, gaming, and liquor industries to maintain quality and compliance with relevant legislation, for the benefit of all Western Australians.

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G 13 – Meetings of Council – Guest Speakers

1 Policy

- 1 Council's Policy is to support the scheduling of guest speakers immediately prior to, or at the commencement of, Council meetings where the subject matter is one of general information for all Councillors and not requiring any Council decision.
- 2 This Policy is not to be construed so as to allow persons to make submissions for or against items on the Agenda, or canvas issues that may be addressed by Council in the near future.
- 3 The Shire President and/or CEO are authorised to approve requests to address Council.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies
Regulation	N/A
Local Law	Standing Orders Local law
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	29 April 1999
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 18 – Taking of Photographs in the Council Chambers

1 Policy

Any person wanting to taking photographs in the Council Chambers must first, through the Presiding Member, obtain the permission of the person(s) concerned.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/a
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	26 November 2009
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

PES 2 – Private Works Plant and Equipment Accessed by Shire Staff

1 Objectives

- ◆ To ensure Shire employees receive no more or less than benefit than other members of the community in relation to accessing the Shire service of private works or private use of Shire equipment.
- ◆ To ensure there is a mechanism in place to adequately address and manage the issue of accountability where Shire employees are engaging the Shire to perform works.

2 Policy

‘The Client’ with respect to this policy means a Shire employee, Councilor, or closely associated persons (as defined in the Local Government Act 1995) to employees.

Any staff member wishing to engage the Shire to perform private works shall in the first instance forward a written request to their supervisor (the CEO would refer his request to the Shire President) for referral to the appropriate employees responsible for preparing the quote.

Current Shire process regarding private works will be followed in full and undertaken independently to the Client with all due regard to impartiality. This includes but is not limited to costing, performance and supervision of the works, timesheets, and accounts.

The Client will take no action other than from the perspective of any other community member. The Client shall make this known to Employees involved in the process whenever dealings are being undertaken.

Employees involved in the process coming into contact with the Client will treat the Client without fear or favour in the same manner as any other community member.

3 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.6.16(2)(b) - Imposition of fees and charges
Shire Policies	PES 3 – Private Works by Council
Related Documents	Shire of Bridgetown-Greenbushes 2022/23 Fees and Charges
Related Procedure	N/A

4 Administration

Original Adoption Date	28 September 2000
Last Reviewed	24 November 2022
Scheduled Reviewed Date	27 April 2023

CP 6 - Vandalism

1 Policy

An ongoing reward of \$500 is offered for information leading to the successful conviction of any person involved in vandalism of Shire property. Council staff and members of the Police force are not eligible for the reward.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	Local Government Property Local Law
Shire Policies	CP 2 – Closed Circuit Television
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	26 November 2020
Scheduled Reviewed Date	27 April 2023

CR 7 – Australia Day Events

1 Objectives

To describe the arrangement for events on Australia Day by the Shire of Bridgetown-Greenbushes.

2 Policy

Australia Day is a day on which all Australians should feel a degree of national and civic pride.

Council will recognise one official Australia Day event to be conducted in Bridgetown as its formal Australia Day ceremony for the presentation of Australia Day Awards to recognise outstanding community contributions by local residents. The Bridgetown ceremony will be held as a breakfast function.

Council will financially support another Australia Day event, to be held in Greenbushes and managed/hosted by the Greenbushes Ratepayers & Residents Association. Although the formal Australia Day Awards will be presented at the Bridgetown event the Greenbushes Ratepayers & Residents Association is able to offer its own awards to local residents that have contributed to the development and capacity of Greenbushes and its surrounding districts.

The amount of financial support provided by Council to the Greenbushes Ratepayers & Residents Association will be determined annually at such time as Council considers its annual community grants/service agreements/other community donations allocations.

Due to the Bridgetown event being the official event hosted by the Shire it is not possible for Shire staff to manage the Greenbushes event.

With the holding of a Greenbushes event on Australia Day the Shire will no longer provide a bus service from Greenbushes to the Bridgetown Australia Day event.

3 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	Shire of Bridgetown-Greenbushes Local Government Property Local Law
Shire Policies	WM 1 – Rubbish Removal for Community Events
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	26 May 2016
Last Reviewed	26 November 2020
Scheduled Reviewed Date	27 April 2023

IM 2 – Records management

1 Objectives

The purpose of this policy is to define the principles of the Shire of Bridgetown-Greenbushes' records management function and to document an orderly and efficient approach to the proper management of records.

Records are recognised as an important information resource in the Shire of Bridgetown-Greenbushes, and it is accepted that sound record management practices will contribute to the overall efficiency and effectiveness of the Organisation.

2 Scope

The policy applies to all external and internal records, which are handled, received or generated by the Shire of Bridgetown-Greenbushes, regardless of their physical format or media type.

3 Definitions

3.1 Disposal

The permanent removal of a record, according to the Retention and Disposal Schedule (R&D) once its lifecycle has expired.

Disposal is by way of depositing records in the State Archives, managing the records as designated State Archives at the Council, or by destruction in accordance with General Disposal Schedule for Local Government Records.

This can take the form of physical destruction (i.e. secure shredding) of hard copy records, or deletion/removal from Shire's electronic records management system (in the case of electronic records).

3.2 Electronic Records

An electronic record is any information that is input onto a computer system and processed, modified, stored and accessed via that system. Electronic records include word processing files, electronic spreadsheets, databases, electronic mail, internet and intranet systems and imaged documents. The information within electronic records must be appraised in the same way as paper-based records.

3.3 Ephemeral Records

Ephemeral records are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential or historical value. They may include insignificant drafts and rough notes, records of routine enquiries.

3.4 Non-Records

Non-records are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire's activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a published directory, or a training manual of a third party.

3.5 Personal Records

A record which does not have, nor will ever have, any business use or value.

3.6 Record

A record as defined in the *State Records Act 2000* means any record of information however recorded and includes:

- Anything on which there is writing or Braille;
- A map, plan, diagram or graph;
- A drawing, pictorial or graphic work or photograph;
- Anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them;
- Anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- Anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.

3.7 Significant Records

Significant records are those which:

- Contain information which is of administrative, legal, fiscal, evidential or historical value and are not recorded elsewhere on the public record.
- Document formal communication and/or a transaction between staff, or between a staff member and another party; or
- Document the rationale behind policy, decisions and directives.

Important Note: Distinguishing between significant and ephemeral records is a matter of judgment and the above definitions can only act as a guide. Reference to "records" in this guideline document should be read as relating to significant public records unless otherwise stated.

3.8 Vital Records

Vital records are those that are essential for the ongoing business of the Shire and without which the Shire could not continue to function effectively. The identification and protection of such records is a primary object of records management and disaster planning.

Examples of vital records include core computer system records, Council and Committee Minutes and Agendas, Financial and Budget records, Title Deeds, Policy and Procedure Manuals, Registers, Contracts/Tenders, Historical documents, Delegation of Authority, Insurance Policies, Town Planning Scheme deeds/information and any document detailing approvals of some kind.

3.9 Worker

A part-time or full-time employee, casual employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.

4 Policy

4.1 Statement

Complete and accurate records of all business decisions and transactions are to be recorded and registered in the Shire's records management system both in respect to their content and context. They are to be managed in a cost-effective manner in accordance with records management and record keeping legislative requirements.

- All records are to be managed according to whether they are significant or ephemeral records, vital or non-vital records, and in accordance with their security classification.
- All communications in the form of records, whether paper or electronic, and whether internal or external, are to be captured within the appropriate aspect of the record keeping system.
- Registers are to be maintained of all records series and special categories, including but not limited to, registers of policies, databases, FOI applications, assets, tenders, photographs, forms, vital records, files and contracts.
- All contractual arrangements are to ensure the Shire's ownership of significant records.
- Any records/files in the possession of individual staff are to be registered to them and, dependent upon security classification, kept accessible.
- Only approved record formats are to be used in effecting the Shire's business.
- All records within record keeping series maintained by the Shire of Bridgetown-Greenbushes are to be disposed of in accordance with the State Records Office's General Disposal Schedule for Local Government Records.
- Records are not to be removed from the Shire's sites unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing approved business.

4.2 Roles and Responsibilities

4.2.1 Councillors

All Councillors are to create, collect and retain records relating to their role as a Councillor for the Shire of Bridgetown-Greenbushes in a manner commensurate with legislation and the Shire's policies and procedures for record keeping.

Refer to Policy IM 1 – Record Keeping Guidelines for Elected Members for detailed procedures.

4.2.2 Chief Executive Officer (CEO)

The CEO is to ensure there is a system for the maintenance and management of records that is compliant with records management legislation and State guidelines and procedures. This includes the provisions of Section 5.41(h) of the *Local Government Act 1995*.

4.2.3 Directors and Managers

Directors and Managers are to ensure their staff are familiar with and adhere to the Records Management Policy and any associated procedures endorsed by the CEO.

4.2.4 Staff

All workers are to ensure all records created or received in their official capacity are appropriately captured and retained within the shire's record management system. This includes identifying and

appropriately capturing vital/significant records and appropriate handling of ephemeral or non-records.

4.2.5 Records Staff

Records staff are responsible for providing a records management service which complies with this Policy, associated procedures and any State Records Office requirements.

4.3 Custodianship

The Shire's records are a government-owned asset. The records created during the course of business belong to the Shire of Bridgetown-Greenbushes by virtue of their possession, and not to the individuals who created such records during their time as a public officer or Councillor at the Shire of Bridgetown-Greenbushes. Workers or councillors who acquire or create any records in the course of business shall not retain proprietary interest. Ownership of these records is vested in the Shire.

4.4 Creation of Records

All Councillors and workers will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

4.5 Capture and Control

All records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata, into the Shire's records management system that are managed in accordance with sound record keeping principles.

4.6 Security and Protection of Records

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

4.7 Access to Records

Access to the Shire's records will be in accordance with designated access and security classifications as determined by the CEO and as administered by the Records Officer.

Access to the Shire's records by Councillors will be through the CEO in accordance with the *Local Government Act 1995*, sections 5.41 and 5.92.

Inspection of the Shire's records by contractors, third parties and the general public will be in accordance with the *Local Government Act 1995* section 5.94 and the *Freedom of Information Act 1992*.

4.8 Appraisal, Retention and Disposal of Records

All records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Commission.

4.9 Statutory Obligations

The relevant aspects of the following should be considered in managing Shire records:

- *State Records Act 2000*
- *Evidence Act 1906*
- *Limitation Act 2005*

- *Freedom of Information Act 1992*
- *Local Government Act 1995*
- *Financial Management Act 2006*
- *Criminal Code Act Compilation Act 1913 - Section 85*
- *Electronic Transactions Act 2011*
- *Information Privacy Principle of the Privacy Act 1988 (Commonwealth)*
- *Work Health and Safety Act 2020*

5 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.5.41(h) <i>Local Government Act 1995</i> – Functions of the CEO <i>State Records Act 2020</i> <i>Evidence Act 1906</i> <i>Limitation Act 1935</i> <i>Freedom of Information 1992</i> <i>Criminal Code 1913 (Section 85)</i> <i>Electronic Transactions Act 2000</i> <i>Privacy Act 1988</i>
Shire Policies	IM 1 – Record Keeping Guidelines for Elected Members
Related Documents	Shire of Bridgetown-Greenbushes Record Keeping Plan 2020 State Records Commission Standards and Principles
Related Procedure	N/A

6 Administration

Original Adoption Date	28 November 2002
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

IM 2 – Records Management

1 Objectives

The purpose of this policy is to define the principles of the Shire of Bridgetown-Greenbushes' records management function and to document an orderly and efficient approach to the proper management of records. The policy incorporates applicable legislative requirements into standard Shire practices and enumerates basic records management requirements. This helps the CEO ensure that records and documents of the local government are properly kept for the purposes of the Local Government Act 1995 and any other written law (s.5.41(h)).

Records are recognised as an important information resource in the Shire of Bridgetown-Greenbushes, and it is accepted that sound record management practices will contribute to the overall efficiency and effectiveness of the Organisation. Due to legislative requirement, the Shire of Bridgetown-Greenbushes is obliged to maintain a records management system that completely, accurately and reliably creates and maintains evidential records, and to dispose of those records only through an approved scheme.

The policy applies to all external and internal records, which are handled, received or generated by the Shire of Bridgetown-Greenbushes, regardless of their physical format or media type.

2 Definitions

2.1 A Record

A record as defined in the State Records Act 2000 means any record of information however recorded and includes:

- Anything on which there is writing or Braille,
- A map, plan, diagram or graph,
- A drawing, pictorial or graphic work or photograph,
- Anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them,
- Anything from which images, sounds or writings can be reproduced with or without the aid of anything else, and
- Anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Records in the public sector are referred to as:

2.2 Government Records (or Public Records)

Records created or received by a public officer or elected member in the course of his or her duties regardless of whether the communication is between staff in the same agency, between different agencies, or between public officers and members of the community (both private and business).

Records may be categorized as:

2.3 Ephemeral Records

Ephemeral records are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential or historical value. They may include insignificant drafts and rough notes, records of routine enquiries.

2.4 Significant Records

Significant records contain information which is of administrative, legal, fiscal, evidential or historical value and are not recorded elsewhere on the public record. They describe an issue, record who was involved, record why a decision was made, and may embody actual guidelines.

Important Note: Distinguishing between significant and ephemeral records is a matter of judgment and the above definitions can only act as a guide. Reference to “records” in this guideline document should be read as relating to significant public records unless otherwise stated.

2.5 Vital Records

Vital records are records which are essential to the continued business of the Shire. Vital records include those that protect the rights of individuals and the Shire, and are absolutely essential for the Shire’s reconstruction in the event of a disaster.

2.6 Non-Records

Non-records are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire’s activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a published directory, or a training manual of a third party.

2.7 Records Disposal

Disposal is by way of depositing records in the State Archives, managing the records as designated State Archives at the Council, or by destruction in accordance with *General Disposal Schedule for Local Government Records*.

3 Policy

3.1 Statement

The Shire’s records are a corporate asset. Complete and accurate records of all business decisions and transactions are to be recorded and registered in the Shire’s records management system both in respect to their content and context. They are to be managed in a cost-effective manner in accordance with records management and record keeping legislative requirements.

- All records are to be managed according to whether they are significant or ephemeral records, vital or non-vital records, and in accordance with their security classification
- All communications in the form of records, whether paper or electronic, and whether internal or external, are to be captured within the appropriate aspect of the record keeping system
- Registers are to be maintained of all records series and special categories, including but not limited to, registers of policies, databases, FOI applications, assets, tenders photographs, forms, vital records, files and contracts
- All contractual arrangements are to ensure the Shire’s ownership of significant records
- Any records / files in the possession of individual staff are to be registered to them and, dependent upon security classification, kept accessible
- Only approved record formats are to be used in effecting the Shire’s business
- All records within record keeping series maintained by the Shire of Bridgetown-Greenbushes are to be disposed of in accordance with the State Records Office’s General Disposal Schedule for Local Government Records

- Records are not to be removed from the Shire’s sites unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing approved business.

3.2 Roles and Responsibilities

3.2.1 Chief Executive Officer

The CEO is to ensure there is a system for the maintenance and management of records that is compliant with records management legislation and State guidelines and procedures. This includes the provisions of Section 5.11(h) of the Local Government Act 1995.

3.2.2 Executive Officers

Executive Officers are to ensure their staff are familiar with, and adhere to the Records Management Policy and any associated procedures endorsed by the CEO.

3.2.3 Staff

Staff are to ensure they retain records relating to the business activities they perform. They are to identify significant and ephemeral records, ensure significant records are registered in the records management system; and, protected and disposed of in accordance with the State Records Office’s *General Disposal Schedule for Local Government Records*.

3.3 Statutory Obligations

In addition to the requirements of the State Records Act 2000, the relevant aspects of the following statutes should also be considered in managing Shire records:

- *Evidence Act 1906*
- *Limitation Act 1935*
- *Freedom of Information 1992*
- *Local Government Act 1995*
- *Criminal Code 1913 (Section 85)*
- *Electronic Transactions Act 2000*
- *Privacy Act 1988*

3.4 Custodianship

The Shire’s records are a government-owned asset. The records created during the course of business belong to the Shire of Bridgetown-Greenbushes by virtue of their possession, and not to the individuals who created such records during their time as a public officer or elected member at the Shire of Bridgetown-Greenbushes. Officers or elected members who acquire or create any records in the course of business shall not retain proprietary interest. Ownership of these records is vested in the Shire.

4 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government’s policies</p> <p>s.5.41(h) <i>Local Government Act 1995</i> – Functions of the CEO</p>
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	<i>State Records Act 2020</i> <i>Evidence Act 1906</i> <i>Limitation Act 1935</i> <i>Freedom of Information 1992</i> <i>Criminal Code 1913 (Section 85)</i> <i>Electronic Transactions Act 2000</i> <i>Privacy Act 1988</i>
Regulation	N/A
Local Law	N/A
Shire Policies	IM 1 – Record Keeping Guidelines for Elected Members
Related Documents	Shire of Bridgetown-Greenbushes Record Keeping Plan 2020 State Records Commission Standards and Principles
Related Procedure	N/A

5 Administration

Original Adoption Date	28 November 2002
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

FM 7 – Use of Corporate Credit Cards

1 Objectives

The objective of the Policy is to provide guidance for the use of corporate credit cards.

2 Policy

2.1 Use of Credit Cards

The use of Corporate Credit Cards shall only be approved if there is a demonstrated need and advantage to the Shire. These include:

- Elimination or reducing time spent on paper based ordering and payments;
- Reduction of administrative costs;
- Reducing the number of payments per month;
- Provision of a useful resource in an emergency situation; and
- Reducing the need to carry cash on the premises.

2.2 Applications for Corporate Credit Cards and Approval

All applications for a Corporate Credit Card shall be approved by the Chief Executive Officer. In the case of the Chief Executive Officer, the Council shall approve the application and determine the conditions for use and maximum credit limit and credit limit for each individual transaction.

2.3 Register

A register shall be maintained by the Executive Manager Corporate Services of all Credit Cards issued.

The register shall include:

- Date of approval by Chief Executive Officer;
- Name of card holder; and
- Conditions of use of the card.

2.4 Issuing of Corporate Credit Cards to Elected Members

2.4.1 The Local Government Act does not make provision for the issuing of credit cards to Elected Members. (A Local Government can only pay allowances or reimburse expenses to an Elected Member).

2.4.2 Elected Members shall not be issued with a Corporate Credit Card as there are no provisions within the Act, which allow an Elected Member to incur a debt.

2.5 Policies and Procedures Governing the use of Corporate Credit Cards

The following shall be complied with for controlling the use of Corporate Credit Cards:

- 2.5.1 An agreement shall be signed by the cardholder which sets out the cardholder's responsibilities and legal obligations when using Credit Card;
- 2.5.2 A register by the Executive Manager Corporate Services of all current cardholders should be kept which includes card number, expiry date of the Credit Card, credit limit and details of goods and services the cardholder has authority to purchase;
- 2.5.3 All new and existing cardholders shall be provided with a copy of the policies relating to the use of Credit Cards;
- 2.5.4 When an employee misplaces their Credit Card, they shall promptly report the matter to Executive Manager Corporate Services who shall immediately cancel the card;
- 2.5.5 Credit Cards shall not be transferred to other users;
- 2.5.6 Use of the reward schemes, such as Fly Buys, will not be permitted for personal gain;
- 2.5.7 All surrendered Credit Cards shall be destroyed by the Executive Manager Corporate Services in the presence of another employee;
- 2.5.8 In the event that a cardholder fails to comply with the requirements of this policy, the Chief Executive Officer shall withdraw the use of the Corporate credit Card and take appropriate disciplinary action. All criminal/illegal acts of alleged misuse shall be reported to the Police and other relevant authorities; and
- 2.5.9 The use of Corporate Credit Cards for personal entertainment uses is prohibited.

2.6 Purchasing

- 2.6.1 Credit Cards shall only be used for purchasing goods and services on behalf of the Shire;
- 2.6.2 Personal expenditure is strictly prohibited;
- 2.6.3 A Credit Card shall not be used for cash withdrawals;
- 2.6.4 A maximum credit card limit of \$10,000 is to be applied to the Chief Executive Officer's corporate credit card. The maximum credit limit (not to be greater than \$5000) for any other employees approved by the Chief Executive Officer for holding of a corporate credit card is to be determined by the Chief Executive Officer based on an assessment of the type of transactions likely to be made by the employee.
- 2.6.5 Purchases by facsimile, telephone or over the internet shall be authorised by the personal and all paperwork shall be kept and verified.

2.7 Payments

- 2.7.1 The cardholder shall provide appropriate and sufficient documentary evidence of all charges, within 10 working days of month end;
- 2.7.2 Time frames for all payment of accounts shall be monitored by Executive Manager Corporate Services to ensure that credit charges are minimised and accounts are paid so as not incur a penalty or interest;
- 2.7.3 Cardholders cannot approve expenditure incurred on their own cards – these will be referred to the Chief Executive Officer for approval – the Chief Executive Officer shall refer any such instances to the Executive Manager Corporate Services.

3 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act</i> s.2.7(2)(b) – The council is to determine the local government's policies <i>Local Government (Financial Management) Regulations 1996</i> r.11 – Payments, procedures for making etc.
Shire Policies	FM 4 – Purchasing Policy
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	27 September 2012 (C.19/0912a)
Last Variation Date	28 November 2019 (C.06/1119)
Last Reviewed	30 June 2022 (C.09/0622)
Scheduled Reviewed Date	30 November 2023

FM 7 – Corporate Credit Cards

1 Objectives

The objectives of the Corporate Credit Cards Policy are:

- To provide direction for the use of corporate credit cards (credit cards).
- To ensure ease of purchase for specific and clearly defined products, services and/or circumstances.
- To ensure the Shire is able to buy products and services that are only available via a credit card purchase.
- To ensure appropriate use of credit cards that is lawful, accountable and responsible.
- To ensure that all expenditure is accurately acquitted and that there is no misappropriation of funds.

2 Policy

2.1 Use of Credit Cards

The use of credit cards will only be approved if there is a demonstrated need and advantage to the Shire. This includes:

- Use in an emergency situation;
- Online purchasing, where there is no other payment option;
- Elimination or reducing time spent on paper-based ordering and payments;
- Reducing administrative costs;
- Reducing the number of payments made per month;
- Reducing the need to carry cash on the premises; and
- External business meetings where the purchase of meals or beverages in a 'one off' venue does not warrant the generation of a purchase order, or the vendor is not prepared to engage in the process.

2.2 Credit Card Applications and Approvals

All applications for a credit card will be approved by the Chief Executive Officer. In the case of the Chief Executive Officer, the Council will approve the application, the conditions for use and the maximum expenditure.

2.3 Register

A register of all credit cards issued will be maintained by the Executive Manager, Corporate Services.

The register will include (but is not limited to):

- Date of approval by Chief Executive Officer;
- Name of card holder; and
- Conditions of use of the card.

2.4 Issuing of Credit Cards to Elected Members

2.4.1 The *Local Government Act 1995* does not make provision for the issuing of credit cards to Elected Members. A local government can only pay allowances or reimburse expenses to an Elected Member.

2.5 Procedures

The following procedures must be adhered to when using a credit card:

- An agreement will be signed by the cardholder which sets out the cardholder's responsibilities and legal obligations when using the credit card.
- The Executive Manager, Corporate Services will keep a register of all current cardholders, which includes the card number, expiry date of the credit card and credit limit.
- All new and existing cardholders will be provided with a copy of the policies relating to the use of credit cards.
- When an employee misplaces their credit card, they will promptly report the matter to the Executive Manager, Corporate Services who will immediately cancel the card.
- Credit cards will not be transferred to other users.
- Use of the reward schemes, such as Fly Buys, will not be permitted for personal gain.
- All surrendered credit cards will be destroyed by the Executive Manager, Corporate Services in the presence of another employee.
- In the event that a cardholder fails to comply with the requirements of this policy, the Chief Executive Officer will withdraw the use of the credit card and take appropriate disciplinary action. All alleged criminal acts of misuse will be reported to the WA Police and other relevant authorities.
- The use of credit cards for personal entertainment is prohibited.

2.6 Purchasing

- Credit cards will only be used for purchasing goods and services on behalf of the Shire.
- Personal expenditure is strictly prohibited.
- A Credit Card will not be used for cash withdrawals.
- A maximum credit card limit of \$10,000 is to be applied to the Chief Executive Officer's credit card.
- The maximum credit limit for any other employee is to be determined by the Chief Executive Officer (no greater than \$5,000).
- Cardholders must retain all receipts associated with any credit card transaction, regardless of mode of communications (e.g. Internet, telephone etc.).

2.7 Payments

- The cardholder will provide appropriate and sufficient documentary evidence of all charges, within 10 working days of month end.
- Time frames for all payment of accounts will be monitored by the Executive Manager, Corporate Services, to ensure that credit charges are minimised, and accounts are paid so as to not incur a penalty or interest.
- The Chief Executive Officer must approve expenditure occurred on each credit card.
- The Shire President must approve expenditure occurred on the Chief Executive Officer's expenditure.

- Cardholders cannot approve expenditure incurred on their own cards.

2.8 Non-compliance

2.8.1 Non-compliance with the provisions of this Policy may result in disciplinary action and, dependent on the level of breach, potential termination of employment.

3 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act</i> s.2.7(2)(b) – The council is to determine the local government’s policies <i>Local Government (Financial Management) Regulations 1996</i> r.11 – Payments, procedures for making etc.
Shire Policies	FM 4 – Purchasing Policy
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	27 September 2012 (C.19/0912a)
Last Variation Date	28 November 2019 (C.06/1119)
Last Reviewed	30 June 2022 (C.09/0622)
Scheduled Reviewed Date	30 November 2023

PR 1 – Functions in Shire Reserves or Parks

1 Policy

Council will allow Administration, at its discretion with/without conditions on written application, approval on non-enclosed reserves (eg. Memorial Park, Thomson Park, Blackwood River Park) to be utilised for the following types of functions:

- Fund raising functions such as fetes, bazaars, fun days, by local groups or organisations.
- Wedding ceremonies, garden parties.
- Arts and craft displays.
- Commercial displays
- Trade demonstrations
- Sales or Auctions of goods or wares
- Outdoor Screening of Films (Stand Alone or Film Festivals)
- Festivals
- Any other event not covered by guidelines

1.1 Guidelines for Functions

- 1.1.1 All events to be managed in compliance with the Shire's events procedure.
- 1.1.2 No function shall preclude the normal usage or enjoyment of the facility by any member of the public unless all or a subject portion of the park/reserve has been exclusively hired (and hire fee paid) in accordance with Council's Property Local Law and Schedule of Fees & Charges.
- 1.1.3 No action should be taken to enclose the entire reserve or to prevent public entry to a non-hire portion of the park.
- 1.1.4 The convenors shall, prior to permission being granted to use the facility, nominate a person or persons to assume control and responsibility for the event.
- 1.1.5 No liquor shall be sold or consumed in the Reserve/Park unless authorised by the Council and appropriate licences approved under the Liquor & Gaming Act (liquor/drinks must be served in cans or unbreakable cups).
- 1.1.6 After the event all litter shall be properly disposed of and all other property brought into the reserve shall be removed. Any minor damage such as holes made in lawns or other surface should be repaired.
- 1.1.7 The Convenor should notify the Council Administration as early as possible of any damage to the facility and of any incident likely to affect the Council.
- 1.1.8 Competitive Sport not allowed in Memorial Park/Blackwood River Park and admission charge not permitted without Council permission.

2 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government’s policies Local Government Property Local Law
Shire Policies	CR 7 – Australia Day Events PH 3 – Blues Festival Trading
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	24 November 2022
Scheduled Reviewed Date	27 April 2023

PR 1 – Events in or on Shire Property

1 Policy

Shire buildings (e.g. Town Hall, Recreation Centre) and non-enclosed reserves (e.g. Memorial Park, Thomson Park, Blackwood River Park) are available for use by the public on a fee for service basis. Potential event use includes:

- Fundraising events (e.g. such as fetes, bazaars or fun days).
- Social functions (e.g. weddings, ceremonies and garden parties).
- Festivals.
- Art events and displays.
- Commercial displays.
- Trade demonstrations.
- Sales or auctions.
- Films (stand alone or film festivals).
- Sporting events at the Recreation Centre only.
- Any other event not covered by the Rules for Functions but approved by the CEO.

2 Terms and Conditions

- 2.1 All events are to be managed in compliance with the Shire's Events Procedures.
- 2.2 No event will preclude the normal use or enjoyment of the venue by any member of the public unless all or a subject portion of the venue has been exclusively hired.
- 2.3 The hire fee must be paid in accordance with Council's Property Local Law and Schedule of Fees & Charges.
- 2.4 No action will be taken to enclose the entire venue nor to prevent public entry into a non-hire portion of the venue.
- 2.5 Prior to permission being granted to use the venue, the client will nominate a person or people to assume control and responsibility for the event.
- 2.6 No liquor will be sold or consumed in the venue unless this has been authorised by the Council and the appropriate licenses have been obtained under the Liquor & Gaming Act.
- 2.7 Prior to conclusion of the hire period, the client must return the facility to original condition at their expense. This includes but is not limited to removal of all items including equipment, structures, and waste, and full repair of any damage such as to surfaces, fixtures, and other infrastructure. Matters not resolved to reinstate the facility to original condition after conclusion of the hire period will be undertaken by the Shire and charged to the Client in accordance with Private

Works in the Schedule of Fees and Charges. The client will be liable for any other costs resulting from the facility being left unfit for subsequent hire.

- 2.8 Competitive sport is not permitted in Memorial Park nor Blackwood River Park.
- 2.9 Admission charges to any venue are not permitted without Council permission.
- 2.10 Council reserves the right to charge a lower fee for service amount for local community groups, in accordance with the Schedule of Fees and Charges, and at the discretion of the CEO.
- 2.11 Council employees are not available to assist with setting up events, clearing up after events or monitoring events, unless this has been directly approved by the CEO, the employees have the available time and (potentially) additional fees are being paid to cover employee wages costs in accordance with Private Works in the Schedule of Fees and Charges.
- 2.12 Additional Terms and Conditions, specific to each venue will be provided on application to hire the venue.

3 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies Local Government Property Local Law
Shire Policies	PH 3 – Blues Festival Trading
Related Documents	Shire of Bridgetown-Greenbushes Strategic (Community) Plan
Related Procedure	Shire of Bridgetown-Greenbushes Events Procedures

4 Administration

Original Adoption Date	17 December 1998
Last Variation Date	24 November 2022 (C.04/1122)
Last Reviewed	24 November 2022 (C.04/1122)
Scheduled Reviewed Date	30 November 2023



SHIRE OF BRIDGETOWN-GREENBUSHES

MONTHLY FINANCIAL REPORT

For the Period Ended 30 November 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Detailed account schedules will be provided with financial reports to be presented at the

September 2023

December 2023

March 2024 (Budget Review)

June 2024

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.	
	\$	\$	\$	\$	%		
OPERATING ACTIVITIES							
Revenue from operating activities							
	General rates	5,735,031	5,677,690	5,702,318	24,628	0.43%	
	Grants, subsidies and contributions	1,580,220	309,206	350,132	40,926	13.24%	▲
	Fees and charges	2,358,396	1,787,294	1,819,329	32,035	1.79%	
	Interest revenue	353,000	147,459	183,334	35,875	24.33%	▲
	Other revenue	275,604	83,805	91,088	7,283	8.69%	
	Profit on asset disposals	55,001	20,764	20,450	(314)	(1.51%)	
		10,357,252	8,026,218	8,166,650			
Expenditure from operating activities							
	Employee costs	(6,324,422)	(2,702,498)	(2,678,926)	23,572	0.87%	
	Materials and contracts	(4,493,655)	(1,318,722)	(1,222,813)	95,909	7.27%	▲
	Utility charges	(299,456)	(94,683)	(98,843)	(4,160)	(4.39%)	
	Depreciation	(3,759,377)	(1,566,308)	(2,094,702)	(528,394)	(33.74%)	▼
	Finance costs	(63,715)	(1,565)	(713)	852	54.46%	
	Insurance	(380,176)	(380,132)	(373,983)	6,149	1.62%	
	Other expenditure	(329,236)	(176,372)	(177,191)	(819)	(0.46%)	
	Loss on asset disposals	(5,450)	(220)	(2,508)	(2,288)	(1039.99%)	
		(15,655,487)	(6,240,500)	(6,649,680)			
	Non-cash amounts excluded from operating activities	3,715,452	1,545,764	2,080,609	534,845		
	Amount attributable to operating activities	(1,582,783)	3,331,482	3,597,580			
INVESTING ACTIVITIES							
Inflows from investing activities							
	Capital grants, subsidies and contributions	8,331,305	260,571	265,966	5,395	2.07%	
	Proceeds from disposal of assets	444,001	63,637	64,545	908	1.43%	
		8,775,306	324,208	330,512			
Outflows from investing activities							
	Purchase of property, plant and equipment	(8,254,284)	(1,150,196)	(519,090)	631,106	54.87%	▲
	Purchase and construction of infrastructure	(5,428,809)	(1,322,783)	(1,047,934)	274,849	20.78%	▲
		(13,683,093)	(2,472,979)	(1,567,024)			
	Amount attributable to investing activities	(4,907,787)	(2,148,771)	(1,236,513)			
FINANCING ACTIVITIES							
Inflows from financing activities							
	Proceeds from borrowings	0	0	0	0		
	Transfers from reserve accounts	2,791,586	1,116,485	1,116,485	0	0.00%	
		2,791,586	1,116,485	1,116,485			
Outflows from financing activities							
	Repayment of borrowings	(153,248.00)	0	0	0		
	Payments for principal portion of lease liabilities	(64,218.00)	(27,935)	(27,935)	0	0.00%	
	Transfers to reserve accounts	#####	(85,533)	(85,533)	0	0.00%	
		(1,319,603)	(113,467)	(113,467)			
	Amount attributable to financing activities	1,471,983	1,003,018	1,003,018			

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.
	\$	\$	\$	\$	%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	5,006,329	5,006,329	5,032,107	25,778	0.51%	
Amount attributable to operating activities	(1,582,783)	3,331,482	3,597,580			
Amount attributable to investing activities	(4,907,787)	(2,148,771)	(1,236,513)			
Amount attributable to financing activities	1,471,983	1,003,018	1,003,018			
Surplus or deficit after imposition of general rates	(12,258)	7,192,058	8,396,192	1,204,134		
1(b)						

* Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable. Refer to Note 2 for explanation of material variances.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL POSITION
For the Period Ended 30 November 2023

	Note	30-Nov-2023	Last Period	30-Jun-23
		\$	\$	\$
Current Assets				
Cash and cash equivalents	4	12,943,786	13,571,137	11,307,415
Trade and other receivables		3,386,721	3,751,342	1,505,902
Inventories		26,507	33,347	26,085
Other assets		0	0	0
TOTAL CURRENT ASSETS		16,357,014	17,355,826	12,839,402
Non-Current Assets				
Trade and other receivables		163,073	163,073	163,073
Other financial assets		81,490	81,490	81,490
Property, plant and equipment		41,083,323	41,076,571	41,042,703
Infrastructure		213,482,694	213,321,413	214,073,122
Right-of-use assets		70,948	76,388	33,659
TOTAL NON-CURRENT ASSETS		254,881,528	254,718,935	255,394,047
TOTAL ASSETS		271,238,542	272,074,761	268,233,449
Current Liabilities				
Trade and other payables		1,260,801	1,076,769	1,371,178
Other liabilities		2,570,735	2,420,759	1,272,029
Lease liabilities	9	23,349	25,853	32,182
Borrowings	9	153,248	153,248	153,248
Employee related provisions		738,063	738,063	738,063
TOTAL CURRENT LIABILITIES		4,746,196	4,414,692	3,566,700
Non-Current Liabilities				
Lease liabilities	9	45,741	45,741	3,081
Borrowings	9	1,542,165	1,542,165	1,542,165
Employee related provisions		60,378	60,378	60,378
TOTAL NON-CURRENT LIABILITIES		1,648,284	1,648,284	1,605,624
TOTAL LIABILITIES		6,394,480	6,062,976	5,172,324
NET ASSETS		264,844,062	266,011,785	263,061,125
Equity				
Retained surplus		120,339,713	120,447,121	117,525,824
Reserves accounts	5	3,588,697	4,649,012	4,619,649
Revaluation surplus		140,915,652	140,915,652	140,915,652
TOTAL EQUITY		264,844,062	266,011,785	263,061,125

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 1: DETERMINATION OF SURPLUS OR DEFICIT (NET CURRENT ASSETS)

(a) Non-cash amounts excluded from operating activities

The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Note	YTD 30 Nov 2023	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	7	(20,450)	(9,074)	(75,306)
Add: Loss on disposal of assets	7	2,508	2,508	4,173
Add: Depreciation on assets		2,094,702	1,676,218	3,634,894
Movement in non-current pensioner deferred rates		0	0	(4,677)
Movement in non-current employee provisions		0	0	6,106
Movement in current employee provisions associated with restricted cash		3,849	1,321	597
Non cash amounts excluded from operating activities		2,080,609	1,670,973	3,565,787

(b) Surplus or deficit after imposition of general rates

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.

	Note	YTD 30 Nov 2023	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to net current assets				
Less: Cash - restricted reserves	5	(3,588,697)	(4,649,012)	(4,619,649)
Add: Current portion of borrowings		153,248	153,248	153,248
Add: Current portion of lease liabilities		23,349	25,853	32,182
Add: Current portion of employee benefit provisions	5	197,473	194,945	193,624
Total adjustments to net current assets		(3,214,627)	(4,274,966)	(4,240,595)
Net current assets used in the Statement of Financial Activity				
Total current assets		16,357,015	17,355,825	12,839,402
Less: Total current liabilities		(4,746,196)	(4,414,691)	(3,566,700)
Less: Total adjustments to net current assets		(3,214,627)	(4,274,966)	(4,240,595)
Surplus or deficit after imposition of general rates		8,396,192	8,666,168	5,032,107

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
OPERATING ACTIVITIES					
Revenue from operating activities					
Operating grants, subsidies and contributions	40,926	13.24%	▲	Permanent	Additional Federal assistance grant received for 2023-24, will be adjusted at budget review.
Interest revenue	35,875	24.33%	▲	Permanent	Variance due to higher than expected interest earnings due to increase in interest rates and funds available for investment.
Expenditure from operating activities					
Materials and contracts	95,909	7.27%	▲	Timing	Expenditure in the following areas are less than estimated: Governance expenditure & non-recurrent projects \$54,730 Fire prevention council expenditure \$23,648 Bridgetown refuse site \$51,821 Sanitation non-recurrent projects \$16,398 Other rec & sport non-recurrent projects \$25,000 Talisson partnering for the future roads maintenance projects \$40,000 Verge maintenance \$46,790 Expenditure in the following area greater than estimated: Other recreation facilities infrastructure maintenance \$14,960 Heritage non-recurrent projects \$57,958 Economic development non-recurrent projects \$18,268 Plant parts & repairs \$55,915 Balance relates to minor variances in other expenditure.
Depreciation	(528,394)	(33.74%)	▼	Permanent	Variance due to updated fair values on property, plant and equipment and infrastructure assets being greater than estimated. Non-cash adjustment to be made at budget review.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
INVESTING ACTIVITIES					
Purchase of property, plant and equipment	631,106	54.87%	▲	Timing	Expenditure in the following areas are less than estimated: Building renewals \$355,140 Plant and equipment \$275,966 Please refer to note 8 for more details.
Purchase and construction of infrastructure	274,849	20.78%	▲	Timing	Expenditure in the following areas are less than estimated: Drainage construction program \$19,655 Parks & Ovals infrastructure \$303,290 Expenditure in the following areas are greater than estimated: Roads \$58,823 Please refer to note 8 for more details.

Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Closing Surplus				0
	Permanent Changes						
ZA02	Routine road maintenance	C.18/0623	Operating Expenses			(12,500)	(12,500)
PJ157	Community events banners	C.02/0923	Operating Expenses			(10,000)	(22,500)
Res126	Strategic projects reserve	C.02/0923	Reserve Transfer		10,000		(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses		166,606		154,106
41413.64	Car park contributions - capital grants	C.08/0923	Operating Revenue			(149,862)	4,244
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer			(16,744)	(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses			(33,499)	(45,999)
41413.92	Car park contributions - capital contributions	C.08/0923	Operating Revenue		33,499		(12,500)
22IN	Greenbushes youth precinct - stage 1	C.08/0923	Capital Expenses			(19,711)	(32,211)
16IN	Bridgetown youth precinct - stage 2	C.08/0923	Capital Expenses		14,000		(18,211)
02IM	Greenbushes skate park infrastructure maintenance	C.08/0923	Operating Expenses		5,711		(12,500)
PJ95	Bridgetown CBP water restoration project - concept stage	C.08/0923	Operating Expenses			(65,000)	(77,500)
PJ127	Bridgetown CBP water restoration project - detail design	C.08/0923	Operating Expenses		40,000		(37,500)
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer		25,000		(12,500)
GS73	Crowd Wheatley Road	SpCa.02/1023	Capital Expenses			(107,500)	(120,000)
GS74	Klause Road	SpCa.02/1023	Capital Expenses			(90,000)	(210,000)
GS75	Walter Willis Road	SpCa.02/1023	Capital Expenses			(52,500)	(262,500)
Res126	Strategic projects reserve	SpCa.02/1023	Reserve Transfer		250,000		(12,500)
34292.07	Aquatic Co-ordinators training	C.12/1123	Operating Expenses			(4,159)	(16,659)
34593	Bridgetown Leisure Centre hire fees	Ca.17/1123	Operating Revenue		7,665		(8,994)
GS73	Crowd Wheatley Road	Ca.18/1123	Capital Expenses			(27,707)	(36,701)
GS74	Klause Road	Ca.18/1123	Capital Expenses			(23,144)	(59,845)
GS75	Walter Willis Road	Ca.18/1123	Capital Expenses			(11,729)	(71,574)
BR06	Maranup Rod Road bridge	Ca.18/1123	Capital Expenses		22,580		(48,994)
RC64	Hackett Street	Ca.18/1123	Capital Expenses		40,000		(8,994)

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
31092	Cemetery & memorial plaques	Ca.16/1123	Operating Expenses			(5,000)	(13,994)
31093	Sale of cemetery & memorial plaques	Ca.16/1123	Operating Revenue		5,000		(8,994)
06532	Fire prevention unspent grants	Ca.16/1123	Operating Expenses			(2,815)	(11,809)
08112	SES unspent grants	Ca.16/1123	Operating Expenses			(449)	(12,258)
06574	Fire equipment shire funded	Ca.16/1123	Capital Expenses			(15,000)	(27,258)
Res 104	Bushfire Reserve	Ca.16/1123	Reserve Transfer		15,000		(12,258)
09BN	Greenbushes fire station	Ca.16/1123	Capital Expenses			(307,234)	(319,492)
10BN	Wandillup fire station	Ca.16/1123	Capital Expenses			(379,444)	(698,936)
06007	DFES Non-recurrent grants	Ca.16/1123	Operating Revenue		686,678		(12,258)
							(12,258)
				0	1,321,739	(1,333,997)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted	Restricted	Trust	Investments	Total Amount	Institution	Maturity Date
		\$	\$	\$	\$	\$		
(a) Cash deposits								
Municipal bank account	Nil	598,035				598,035	Westpac	At Call
Municipal funds on call	4.30%	313,712				313,712	WATC	At Call
Municipal funds on call	4.30%	787,524				787,524	WATC	At Call
Trust bank account	Nil			231		231	Westpac	At Call
Visitor Centre trust account	Nil			12,832		12,832	Westpac	At Call
Cash on hand	Nil	3,850				3,850	N/A	On Hand
Term deposits								
(b) Municipal funds								
Municipal funds	4.25%	500,000				500,000	NAB	11-Dec-23
Municipal funds	4.85%	403,730				403,730	NAB	15-Dec-23
Municipal funds	4.90%	600,000				600,000	NAB	19-Dec-23
Municipal funds	4.90%	518,710				518,710	NAB	27-Dec-23
Municipal funds	4.90%	521,532				521,532	NAB	02-Jan-24
Municipal funds	4.90%	521,176				521,176	NAB	02-Jan-24
Municipal funds	4.85%	500,000				500,000	NAB	03-Jan-24
Municipal funds	4.85%	521,161				521,161	NAB	08-Jan-24
Municipal funds	4.85%	521,172				521,172	NAB	08-Jan-24
Municipal funds	4.85%	750,000				750,000	NAB	10-Jan-24
Municipal funds	4.85%	500,000				500,000	NAB	15-Jan-24
Municipal funds	5.00%	519,598				519,598	NAB	05-Feb-24
Municipal funds	5.05%	524,141				524,141	NAB	12-Feb-23
Municipal funds	4.95%	750,000				750,000	NAB	26-Feb-24
Reserve funds	4.10%		3,588,697			3,588,697	NAB	23-Nov-23
Total		9,354,342	3,588,697	13,063	0	12,956,102		

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	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
		\$	\$	\$	\$	\$		\$	\$	\$
	Restricted by Legislation/Agreement									
106	Subdivision reserve	224,056	6,510	4,455	10,000				240,566	228,511
121	Car park reserve	1,008	29	20	0				1,037	1,028
201	Unspent grants & loans reserve	317,455	0	1	0		(317,455)	(301,849)	(1)	15,606
	Restricted by Council									
101	Leave reserve	193,624	5,626	3,849	0				199,250	197,473
102	Plant reserve	763,951	22,198	15,188	300,000		(931,816)	(129,536)	154,333	649,604
103	Land and building reserve	589,080	17,116	11,712	0		(267,500)	(200,000)	338,696	400,791
104	Bush fire reserve	50,156	1,457	997	10,000		(15,000)		46,613	51,153
105	Maintenance and renewal of mine heavy haulage roads reserve	82,334	2,392	1,637	79,573				164,299	83,971
107	Sanitation reserve	296,229	8,607	5,889	60,000		(279,417)	(83,803)	85,419	218,315
109	Recreation centre floor and solar reserve	243,808	7,084	4,847	10,000				260,892	248,655
112	Refuse site post closure reserve	253,468	7,364	5,039	5,000		(30,000)		235,832	258,508
113	Drainage reserve	80,620	2,342	1,603	10,000		(16,326)	(11,326)	76,636	70,897
114	Community bus reserve	74,296	2,159	1,477	5,000				81,455	75,773
115	SBS & communications tower reserve	63,577	1,847	1,264					65,424	64,841
118	Playground equipment reserve	46,455	1,350	924					47,805	47,378
125	Building maintenance reserve	232,900	6,767	4,630			(103,135)	(89,308)	136,532	148,222
126	Strategic projects reserve	292,757	8,506	5,820	297,564		(393,120)	(93,120)	205,707	205,458
127	Matched grants reserve	77,797	2,260	1,547	10,000				90,057	79,344
128	Aged care infrastructure reserve	59,556	1,730	1,184					61,286	60,740
129	Equipment reserve	6,389	186	127					6,575	6,516
130	Assets and GRV valuation reserve	124,319	3,612	2,472			(70,226)	(69,695)	57,705	57,096

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	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
		\$	\$	\$	\$	\$		\$	\$	\$
131	Bridgetown Leisure Centre reserve	34,131	992	679			(5,000)		30,123	34,809
132	Trails reserve	42,790	1,243	851	5,000		(27,500)	(27,500)	21,533	16,141
133	Light fleet vehicle reserve	292,144	8,488	5,808	120,000		(330,091)	(110,348)	90,541	187,605
135	Blackspot reserve	11,749	341	234	10,000				22,090	11,983
136	Project management reserve	165,000	4,794	3,280					169,794	168,280
137	Sustainability reserve	0	0		15,000		(5,000)		10,000	0
138	CCTV infrastructure	0	0		30,000				30,000	0
		4,619,649	125,000	85,533	977,137	0	(2,791,586)	(1,116,485)	2,890,200	3,588,697

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 6: RECEIVABLES

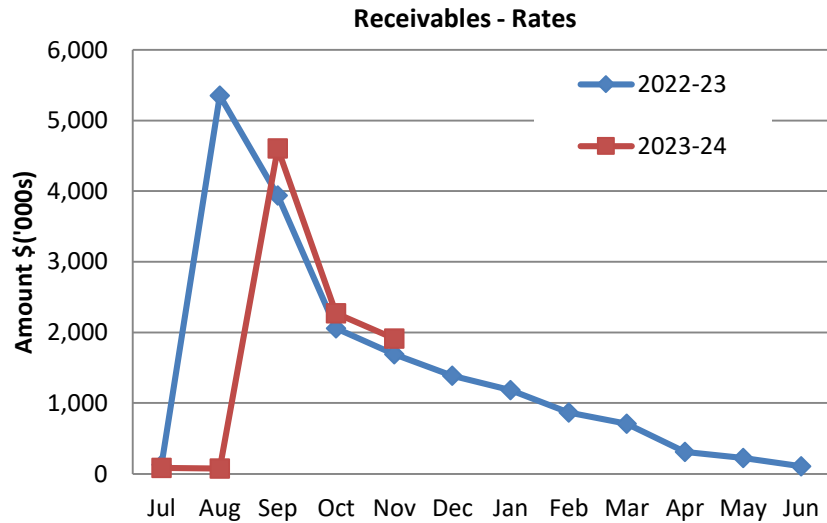
Receivables - Rates

Opening arrears previous years
 Levied this year
 Less Collections to date
 Equals Current outstanding

	YTD 30 Nov 2023	30 June 2023
	\$	\$
Opening arrears previous years	105,326	147,038
Levied this year	5,702,318	5,343,483
Less Collections to date	(3,895,606)	(5,385,195)
Equals Current outstanding	1,912,038	105,326
Net Rates Collectable	1,912,038	105,326
% Collected	67.08%	98.08%

Net Rates Collectable

% Collected



Receivables - Sundry Debtors

Receivables - Sundry debtors

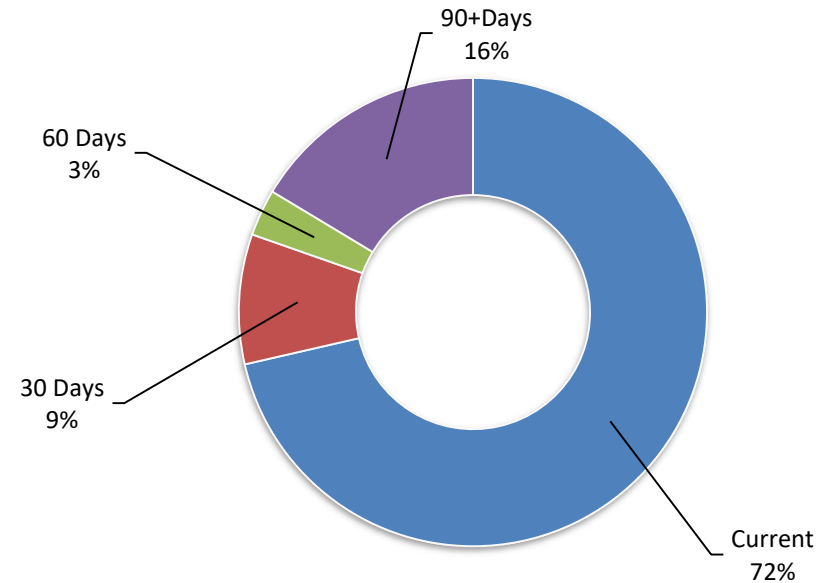
	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - Sundry debtors	242,919	30,556	10,912	55,773

Total Sundry Debtor Receivables Outstanding

340,160

Amounts shown above include GST (where applicable)

Receivables - Sundry Debtors



SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 7: FIXED ASSET DISPOSALS

YTD Actual Replacement				Disposals	Amended Current Budget		
Net Book Value	Proceeds	Profit (Loss)	P&L Variance		Net Book Value	Proceeds	Profit (Loss)
\$	\$	\$	\$		\$	\$	\$
				Plant and Equipment			
				P3020 2018 Mitsubishi Outlander (Pool)	6,800	15,000	8,200
				P3070 2020 Toyota Prado (CEO)	33,790	35,000	1,210
				P3085 2020 Toyota RAV4 (EMCS)	24,500	25,000	500
				P4200 2017 Mitsubishi Triton (Bushfire Brigade)	11,680	12,000	320
				P4190 2008 Ford Ranger (Bushfire Brigade)	6,200	5,000	(1,200)
				P4225 2018 Toyota Hilux (Bridgetown Logistics)	10,070	13,000	2,930
				P4095 2007 Isuzu Fire Truck (Yornup BFB)	70,920	76,000	5,080
				P2051 2019 Mitsubishi Triton (Senior Ranger)	15,180	18,000	2,820
				P2082 2006 CAT Track Loader (Waste Site)	62,000	65,000	3,000
				P2285 2009 Bomag Refuse Compactor	33,720	30,000	(3,720)
8,967	12,727	3,760	(390)	P3010 2018 Nissan Xtrail (MDS)	5,850	10,000	4,150
				P2073 2015 CAT 432F Backhoe Loader	70,530	70,000	(530)
				P2111 2013 Tennant Footpath Sweeper	8,000	11,364	3,364
				P2076 2000 JCB Robot Skid Steer Loader	5,000	5,000	0
14,686	20,000	5,314	(2,126)	P2045 2018 Nissan Navara (Works Coordinator)	12,560	20,000	7,440
10,221	16,364	6,143	(2,280)	P2220 2018 Mitsubishi Triton (Plant Mechanic)	8,850	17,273	8,423
10,221	15,455	5,234	(2,330)	P2270 2018 Mitsubishi Triton (Parks Crew)	8,800	16,364	7,564
2,508	0	(2,508)	(2,508)	54607 Howard pro cut mower (P&G)	0	0	0
46,603	64,545	17,942	(9,635)		394,450	444,001	49,551

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings						
Governance						
Shire Administration Building	07BU	47,855	7,535	6,725	(810)	
Law, Order and Public Safety						
Greenbushes Bushfire Brigade	09BN	629,834	0	0	0	
Wandillup Bushfire Brigade	10BN	730,544	0	0	0	
Kangaroo Gully Bushfire Station	12BN	625	625	0	(625)	
Housing						
144 Hampton Street	38BU	40,000	40,000	32,058	(7,942)	Job continuing
146 Hampton Street	26BU	10,000	10,000	10,106	106	Job completed
Community Amenities						
Waste Site Recycle Shed	62BU	118,522	29,630	0	(29,630)	Job not yet commenced
Recreation and Culture						
Yornup Hall	01BU	10,000	0	0	0	
Bridgetown Civic Centre Revitalisation	02BU	998,073	221,792	79,349	(142,443)	Job continuing
Bridgetown Leisure Centre	16BU	76,536	0	500	500	
Greenbushes Hall	20BU	164,027	0	0	0	
Greenbushes Golf Club	39BU	225,000	0	0	0	
Bridgetown Sportsground horse stalls	56BU	4,978	4,978	0	(4,978)	Job not yet commenced
Bridgetown Lesser Hall	61BU	15,537	15,537	15,537	0	
Bridgetown Civic Centre wet areas and foyer	63BU	150,000	0	0	0	
Greenbushes Office toilets	TF02	145,200	0	0	0	
BLC court fans	TF07	106,140	106,140	74,886	(31,254)	Job continuing
Bridgetown Regional Library	60BU	54,300	47,440	4,000	(43,440)	Job continuing
Bridgetown Railway Station restoration	57BU	103,135	103,135	80,105	(23,030)	Job continuing

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings (Continued)						
Recreation and Culture (Continued)						
Greenbushes Old Court House	TF12	330,000	0	0	0	
Transport						
Shire Depot Rebuild	08BU	661,796	0	0	0	
Economic Services						
154 Hampton Street	59BU	40,000	10,000	10,000	0	
Bridgetown Visitor Centre fit out	64BU	114,000	76,000	4,407	(71,593)	Job continuing
Other Property and Services						
Purchase of Land	1790040	17,500	0	0	0	
Land and Buildings Total		4,793,602	672,812	317,672	(355,140)	
Roads						
Transport						
Winnejup Road Regional Road Group 23/24	RR17	375,000	0	250,668	250,668	Job commenced sooner than estimated
Winnejup Road Regional Road Group 22/23	RR21	174,697	0	74,686	74,686	Job commenced sooner than estimated
Kerbing	KB01	10,000	5,250	5,238	(12)	
Eedle terrace	RC01	40,000	0	0	0	
Phillips Street	RC05	35,000	0	0	0	
Apex Grove	RC15	14,138	0	0	0	
Improvements Steere Street Intersections	RC52	22,500	0	0	0	
Emergency Works	RC53	30,000	7,499	0	(7,499)	No emergency works identified to date
Hester Cascades Road	RC55	49,426	0	0	0	
Blechynden Street	RC63	80,000	0	0	0	
Hackett Street	RC64	75,265	0	0	0	
Geegelup View	RC65	15,000	0	0	0	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Roads (Continued)						
Transport (Continued)						
Peninsula Road	RC66	29,425	29,425	0	(29,425)	Job not yet commenced
Mount Street	RC67	15,000	0	0	0	
Lakeview Crescent	RC68	140,000	70,000	0	(70,000)	Job not yet commenced
Somme Street	RC69	10,000	0	0	0	
Mirimiri Street	RC70	14,000	0	0	0	
Riverview Close	RC71	11,500	0	0	0	
Carnegie Close	RC72	11,000	0	0	0	
Blechynden Street/Roe Street	RC73	30,000	0	0	0	
Catterick Road	GS32	70,000	0	0	0	
Tweed Road	GS71	120,000	0	0	0	
Connell Road	GS72	85,000	0	0	0	
Donnelly Mill Road	GS22	145,000	0	0	0	
Crowd Wheatley Road	GS73	135,207	107,500	8,857	(98,643)	Job continuing
Klause Road	GS74	113,144	90,000	81,548	(8,452)	Job continuing
Walter Willis Road	GS75	64,229	52,500	0	(52,500)	Job continuing
Collins Road	TF13	38,500	0	0	0	
Spring Gully Rod	TF14	308,000	0	0	0	
Telluride Street	TF15	308,000	0	0	0	
Galena Road section 1	TF16	33,000	0	0	0	
Galena Road section 2	TF17	33,000	0	0	0	
Diorite Street	TF18	82,500	0	0	0	
Tourmaline Street section 1	TF19	33,000	0	0	0	
Tourmaline Street section 2	TF20	44,000	0	0	0	
Tourmaline Street section 3	TF21	44,000	0	0	0	
Roads Total		2,838,531	362,174	420,997	58,823	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Footpaths						
Transport						
Footpaths Accessibility Access	FP28	19,495	19,495	19,610	115	Job completed
Allnutt Street	FP38	14,040	0	0	0	
Footpaths Total		33,535	19,495	19,610	115	
Drainage						
Community Amenities						
Four Season Estate	DR24	4,652	4,652	0	(4,652)	Job not yet commenced
Peninsula Road	DR37	5,000	5,000	0	(5,000)	Job not yet commenced
Dairy Lane	DR38	46,307	46,307	36,304	(10,003)	Job completed, some savings made
Drainage Total		55,959	55,959	36,304	(19,655)	
Parks and Ovals						
Community Amenities						
Bridgetown Cemetery	01IN	20,000	0	0	0	
Recreation and Culture						
Four Seasons Estate POS Reserve	03IN	81,686	0	0	0	
Somme Park Fitness Trail Equipment	05IU	5,617	0	0	0	
Bridgetown Youth Precinct Development	16IN	161,000	0	31,879	31,879	Job commenced sooner than estimated
Bridgetown Leisure Centre Wet Area	18IN	8,840	0	0	0	
Greenbushes Youth Precinct Development	22IN	417,041	417,040	244,114	(172,926)	Job continuing
Bridgetown Sportsground Water Supply	23IN	85,000	42,500	0	(42,500)	Job not yet commenced
Bridgetown Sportsground Cricket Training Nets	24IN	55,618	55,617	56,365	748	Job completed
Bridgetown Sportsground	25IN	511,482	255,741	135,251	(120,490)	Job continuing
Greenbushes Youth Precinct stage 2	26IN	160,000	0	0	0	
Greenbushes sportsground hard courts stage 1	TF08	164,700	0	0	0	
Greenbushes sportsground hard courts stage 2	TF09	244,000	0	0	0	
Highland Bridgetown Estate	TF10	235,000	0	0	0	
Parks and Ovals Total		2,149,984	770,898	467,608	(303,290)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Bridges						
Transport						
Maranup Ford Road Bridge 3318A	BR06	87,420	0	0	0	
Bridges Total		87,420	0	0	0	
Infrastructure Other						
Other Governance						
Records Facility	20IU	6,732	0	0	0	
Housing						
144-146 Hampton Street fencing	19IU	40,000	2,148	2,147	(1)	
Community Amenities						
Bridgetown Landfill Liquid Waste Facility	WA01	69,953	39,976	39,876	(100)	
Recreation and Culture						
Bridgetown Sportsground car park	TF11	55,000	0	0	0	
Transport						
Greenbushes CBD Parking	CP05	72,133	72,133	61,392	(10,741)	Job continuing
ACROD Parking Bay Hampton Street	CP06	19,562	0	0	0	
Infrastructure Other Total		263,380	114,257	103,415	(10,842)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Plant and Equipment						
Governance						
Director Corporate Services vehicle	1055440	128,000	0	0	0	
Law, Order and Public Safety						
Fire Fighting Equipment (Brigades Funded)	1065540	5,000	0	0	0	
Fire Prevention - Equipment (Shire Funded)	1065740	15,000	0	0	0	
Vehicles for Brigades	1065940	894,225	43,291	43,291	0	
Ranger vehicle	1070140	48,900	0	0	0	
CCTV Bridgetown Railway Station Carpark	1080340	98,349	0	0	0	
Community Amenities						
Tracked Loader	PL14	412,280	0	0	0	
Waste compactor	PL10	400,000	0	0	0	
Manager of Development Services vehicle	1305640	31,000	31,000	29,400	(1,600)	Vehicle purchased, some savings made
Recreation and Culture						
Indoor vertical lift	1346640	20,000	20,000	0	(20,000)	Job not yet commenced
BLC pool inflatable	TF04	16,125	16,125	16,659	534	Job completed
BLC pool blankets	TF05	114,000	114,000	0	(114,000)	Purchase order raised
Solar panels and batteries	TF06	660,000	0	0	0	
Transport						
Backhoe Loader	PL02	200,000	0	0	0	
Footpath Sweeper	PL06	140,900	140,900	0	(140,900)	Purchase order raised
Skid Steer Loader	PL22	110,000	0	0	0	
Sundry Equipment	1403740	5,000	0	0	0	
Works and Services Fleet	1405040	146,903	112,068	112,068	0	
Plant and Equipment Total		3,445,682	477,384	201,418	(275,966)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 30 Nov 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
<i>Furniture and Equipment</i>						
Other Governance						
IT and Communication equipment	1055140	15,000	0	0	0	
Furniture and Equipment Total		15,000	0	0	0	
Capital Expenditure Total		13,683,093	2,472,979	1,567,024	(905,955)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 9: INFORMATION ON BORROWINGS AND LEASES

(a) Borrowing Repayments

Particulars	Principal 1/07/2023	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Community Amenities									
Loan 115 Landfill Cell Extension	20,647				20,647	20,647	0		250
Loan 116 Liquid Waste Facility	62,324				9,887	62,324	52,437		1,173
Recreation and Culture									
Loan 112 Bridgetown Swimming Pool	1,183,783				78,419	1,183,783	1,105,364		47,041
Loan 117 Youth Precinct Redevelopment	153,819				18,242	153,819	135,577		2,227
Loan 118 Bridgetown Civic Centre Revitalisation	99,840				11,841	99,840	87,999		1,445
Loan 119 Youth Precinct Redevelopment (Stage 2)	175,000				14,212	175,000	160,788		7,706
	1,695,413	0	0	0	153,248	1,695,413	1,542,165	0	59,842

(b) New Borrowings

The Shire does not intend to undertake any new borrowings for the year ended 30th June 2024.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 9: INFORMATION ON BORROWINGS AND LEASES

(c) Lease Liabilities

Particulars	Principal 1/07/2023	New Leases Actual	New Leases Budget	Principal Repayments		Principal Outstanding		Interest Repayments	
		\$	\$	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Recreation and Culture									
003 Gym Equipment	19,997		0	13,324	19,997	6,674	0	190	229
007 Gym Equipment	0		111,781		6,456	0	105,325		1,116
Other Property and Services									
001 CESM Vehicle	471	3,838	2,344	2,731	3,296	1,578	0	54	46
002 Photocopies and printers	6,455		0	5,170	6,455	1,285	0	71	81
004 EHO Vehicle	8,340		0	2,189	5,259	6,151	3,081	13	24
005 2022 Toyota Hilux (CESM)	0	57,924	58,235	4,521	13,879	53,402	44,356	626	1,639
006 New Mitigation Vehicle	0		21,847		8,876	0	12,971		638
	35,263	61,762	194,207	27,934.56	64,218	69,090	165,733	953	3,773

(d) New Leases

Particulars	New Leases	New Leases	New Leases
	Term	Amended Budget	Actual
		\$	\$
Other Properties			
001 CESM Vehicle	6 months	2,344	3,838
005 2022 Toyota Hilux (CESM)	36 months	58,235	57924
006 New Mitigation Vehicle	24 months	21,847	
007 Gym Equipment	48 months	111,781	
		194,207	61,762

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2023

Note 10: RATING INFORMATION

RATE TYPE	Rate in Dollar	Number of Properties	Rateable Value	Rate Revenue	Interim Rates	Total Revenue	Amended Budget Rate Revenue	Amended Budget Interim Rate	Amended Budget Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$
Differential general rates or general rates									
Shire GRV	0.102727	1,840	28,708,192	2,949,107	15,103	2,964,210	2,949,107	67,000	3,016,107
Mining GRV	0.199767	1	820,000	163,809		163,809	163,809		163,809
Shire Rural UV	0.005187	465	258,884,000	1,342,832	2,183	1,345,014	1,342,831		1,342,831
Mining UV	0.068900	22	1,274,801	87,834	16,045	103,879	87,834		87,834
Sub-Totals		2,328	289,686,993	4,543,581	33,331	4,576,912	4,543,581	67,000	4,610,581
Minimum payments	Minimum \$								
Shire GRV	1,112.00	665	3,671,960	739,480	6,088	745,568	739,480		739,480
Mining GRV	1,112.00	0	0	0		0	0		0
Shire Rural UV	1,378.00	276	50,549,200	380,328	(5,132)	375,196	380,328		380,328
Mining UV	211.00	22	31,460	4,642		4,642	4,642		4,642
Sub-Totals		963	54,252,620	1,124,450	955	1,125,405	1,124,450	0	1,124,450
Total general rates and minimum payments						5,702,318			5,735,031



SHIRE OF BRIDGETOWN-GREENBUSHES

MONTHLY FINANCIAL REPORT

For the Period Ended 31 December 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Detailed account schedules will be provided with financial reports to be presented at the

September 2023

December 2023

March 2024 (Budget Review)

June 2024

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

	Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.
		\$	\$	\$	\$	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	10	5,735,031	5,677,690	5,703,612	25,922	0.46%	
Grants, subsidies and contributions		1,580,220	531,010	614,036	83,026	15.64%	▲
Fees and charges		2,358,396	1,874,325	1,910,542	36,217	1.93%	
Interest revenue		353,000	166,229	219,263	53,034	31.90%	▲
Other revenue		275,604	130,262	138,983	8,721	6.70%	
Profit on asset disposals	7	55,001	23,764	23,814	50	0.21%	
		10,357,252	8,403,280	8,610,250			
Expenditure from operating activities							
Employee costs		(6,324,422)	(3,218,585)	(3,113,012)	105,573	3.28%	
Materials and contracts		(4,493,655)	(1,707,438)	(1,457,992)	249,446	14.61%	▲
Utility charges		(299,456)	(122,826)	(114,793)	8,033	6.54%	
Depreciation		(3,759,377)	(1,879,555)	(2,516,213)	(636,658)	(33.87%)	▼
Finance costs		(63,715)	(31,797)	(31,458)	339	1.06%	
Insurance		(380,176)	(380,132)	(373,983)	6,149	1.62%	
Other expenditure		(329,236)	(197,678)	(177,991)	19,687	9.96%	▲
Loss on asset disposals	7	(5,450)	(3,984)	(2,508)	1,476	37.05%	
		(15,655,487)	(7,541,995)	(7,787,951)			
Non-cash amounts excluded from operating activities	1(a)	3,715,452	1,859,775	2,498,757	638,982		
Amount attributable to operating activities		(1,582,783)	2,721,060	3,321,055			
INVESTING ACTIVITIES							
Inflows from investing activities							
Capital grants, subsidies and contributions		8,331,305	1,735,417	806,962	(928,455)	(53.50%)	▼
Proceeds from disposal of assets	7	444,001	75,001	75,909	908	1.21%	
		8,775,306	1,810,418	882,871			
Outflows from investing activities							
Purchase of property, plant and equipment	8	(8,254,284)	(2,338,643)	(729,910)	1,608,733	68.79%	▲
Purchase and construction of infrastructure	8	(5,428,809)	(3,172,422)	(1,359,905)	1,812,517	57.13%	▲
		(13,683,093)	(5,511,065)	(2,089,815)			
Amount attributable to investing activities		(4,907,787)	(3,700,647)	(1,206,944)			
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from borrowings	9	0	0	0	0		
Transfers from reserve accounts	5	2,791,586	1,116,485	1,116,485	0	0.00%	
		2,791,586	1,116,485	1,116,485			
Outflows from financing activities							
Repayment of borrowings	9	(153,248.00)	(76,031)	(76,031)	(0)	(0.00%)	
Payments for principal portion of lease liabilities	9	(64,218.00)	(30,439)	(30,439)	0	0.00%	
Transfers to reserve accounts	5	#####	(85,533)	(85,533)	0	0.00%	
		(1,319,603)	(192,003)	(192,003)			
Amount attributable to financing activities		1,471,983	924,482	924,482			

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.
	\$	\$	\$	\$	%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	5,006,329	5,006,329	5,032,107	25,778	0.51%	
Amount attributable to operating activities	(1,582,783)	2,721,060	3,321,055			
Amount attributable to investing activities	(4,907,787)	(3,700,647)	(1,206,944)			
Amount attributable to financing activities	1,471,983	924,482	924,482			
Surplus or deficit after imposition of general rates	(12,258)	4,951,224	8,070,700	3,119,476		
1(b)						

* Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable. Refer to Note 2 for explanation of material variances.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL POSITION
For the Period Ended 31 December 2023

	Note	31-Dec-2023	Last Period	30-Jun-23
		\$	\$	\$
Current Assets				
Cash and cash equivalents	4	13,049,695	12,943,786	11,307,415
Trade and other receivables		3,102,536	3,386,721	1,505,902
Inventories		60,386	26,507	26,085
Other assets		0	0	0
TOTAL CURRENT ASSETS		16,212,617	16,357,014	12,839,402
Non-Current Assets				
Trade and other receivables		163,073	163,073	163,073
Other financial assets		81,490	81,490	81,490
Property, plant and equipment		41,197,926	41,083,323	41,042,703
Infrastructure		213,466,992	213,482,694	214,073,122
Right-of-use assets		65,327	70,948	33,659
TOTAL NON-CURRENT ASSETS		254,974,808	254,881,528	255,394,047
TOTAL ASSETS		271,187,425	271,238,542	268,233,449
Current Liabilities				
Trade and other payables		1,189,747	1,260,801	1,371,178
Other liabilities		2,822,883	2,570,735	1,272,029
Lease liabilities	9	20,845	23,349	32,182
Borrowings	9	77,216	153,248	153,248
Employee related provisions		738,063	738,063	738,063
TOTAL CURRENT LIABILITIES		4,848,754	4,746,196	3,566,700
Non-Current Liabilities				
Lease liabilities	9	45,741	45,741	3,081
Borrowings	9	1,542,165	1,542,165	1,542,165
Employee related provisions		60,378	60,378	60,378
TOTAL NON-CURRENT LIABILITIES		1,648,284	1,648,284	1,605,624
TOTAL LIABILITIES		6,497,038	6,394,480	5,172,324
NET ASSETS		264,690,387	264,844,062	263,061,125
Equity				
Retained surplus		120,186,038	120,339,713	117,525,824
Reserves accounts	5	3,588,697	3,588,697	4,619,649
Revaluation surplus		140,915,652	140,915,652	140,915,652
TOTAL EQUITY		264,690,387	264,844,062	263,061,125

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 1: DETERMINATION OF SURPLUS OR DEFICIT (NET CURRENT ASSETS)

(a) Non-cash amounts excluded from operating activities

The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Note	YTD 31 Dec 2023	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	7	(23,814)	(20,450)	(75,306)
Add: Loss on disposal of assets	7	2,508	2,508	4,173
Add: Depreciation on assets		2,516,213	2,094,702	3,634,894
Movement in non-current pensioner deferred rates		0	0	(4,677)
Movement in non-current employee provisions		0	0	6,106
Movement in current employee provisions associated with restricted cash		3,849	3,849	597
Non cash amounts excluded from operating activities		2,498,757	2,080,609	3,565,787

(b) Surplus or deficit after imposition of general rates

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.

	Note	YTD 31 Dec 2023	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to net current assets				
Less: Cash - restricted reserves	5	(3,588,697)	(3,588,697)	(4,619,649)
Add: Current portion of borrowings		77,216	153,248	153,248
Add: Current portion of lease liabilities		20,845	23,349	32,182
Add: Current portion of employee benefit provisions	5	197,473	197,473	193,624
Total adjustments to net current assets		(3,293,163)	(3,214,627)	(4,240,595)
Net current assets used in the Statement of Financial Activity				
Total current assets		16,212,617	16,357,015	12,839,402
Less: Total current liabilities		(4,848,754)	(4,746,196)	(3,566,700)
Less: Total adjustments to net current assets		(3,293,163)	(3,214,627)	(4,240,595)
Surplus or deficit after imposition of general rates		8,070,700	8,396,192	5,032,107

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
OPERATING ACTIVITIES					
Revenue from operating activities					
Operating grants, subsidies and contributions	83,026	15.64%	▲	Timing/ Permanent	DFES grants income greater than estimated at this time offset by expenditure \$27,681 and additional Federal assistance grant received for 2023-24 \$45,771 , will be adjusted at budget review.
Interest revenue	53,034	31.90%	▲	Permanent	Variance due to higher than expected interest earnings due to increase in interest rates and funds available for investment.
Expenditure from operating activities					
Materials and contracts	249,446	14.61%	▲	Timing	Expenditure in the following areas are less than estimated: Governance expenditure & non-recurrent projects \$49,264 Fire prevention council expenditure \$36,664 Bridgetown refuse site \$62,480 Sanitation non-recurrent projects \$16,398 Other rec & sport non-recurrent projects \$25,000 Talisson partnering for the future projects \$90,000 Library expenditure \$13,468 Verge maintenance \$54,180 Street maintenance non-recurrent projects \$33,308 Expenditure in the following areas greater than estimated: Other recreation facilities infrastructure maintenance \$14,960 Economic development non-recurrent projects \$14,072 Plant parts & repairs \$56,158 Balance relates to minor variances in other expenditure.
Depreciation	(636,658)	(33.87%)	▼	Permanent	Variance due to updated fair values on property, plant and equipment and infrastructure assets being greater than estimated. Non-cash adjustment to be made at budget review.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
Other expenditure	19,687	9.96%	▲	Timing	Expenditure in the following areas are greater than estimated: Members expenditure \$11,805 Service agreement & community grants program \$3,594 Balance relates to minor variances in other expenditure items.
INVESTING ACTIVITIES					
Capital grants, subsidies and contributions	(928,455)	(53.50%)	▼	Timing	Various grant income in the following areas are less than estimated: Talisson Partnering for the future road construction \$923,616 Balance relates to other minor grant income. Grant revenue is recognised once the associated expenditure is incurred.
Purchase of property, plant and equipment	1,608,733	68.79%	▲	Timing	Expenditure in the following areas are less than estimated: Building renewals \$555,718 Plant and equipment \$1,053,015 Please refer to note 8 for more details.
Purchase and construction of infrastructure	1,812,517	57.13%	▲	Timing	Expenditure in the following areas are less than estimated: Road construction program \$1,180,029 Drainage construction program \$19,655 Parks & Ovals infrastructure \$547,107 Infrastructure other \$65,842 Please refer to note 8 for more details.

Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Closing Surplus				0
	Permanent Changes						
ZA02	Routine road maintenance	C.18/0623	Operating Expenses			(12,500)	(12,500)
PJ157	Community events banners	C.02/0923	Operating Expenses			(10,000)	(22,500)
Res126	Strategic projects reserve	C.02/0923	Reserve Transfer		10,000		(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses		166,606		154,106
41413.64	Car park contributions - capital grants	C.08/0923	Operating Revenue			(149,862)	4,244
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer			(16,744)	(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses			(33,499)	(45,999)
41413.92	Car park contributions - capital contributions	C.08/0923	Operating Revenue		33,499		(12,500)
22IN	Greenbushes youth precinct - stage 1	C.08/0923	Capital Expenses			(19,711)	(32,211)
16IN	Bridgetown youth precinct - stage 2	C.08/0923	Capital Expenses		14,000		(18,211)
02IM	Greenbushes skate park infrastructure maintenance	C.08/0923	Operating Expenses		5,711		(12,500)
PJ95	Bridgetown CBP water restoration project - concept stage	C.08/0923	Operating Expenses			(65,000)	(77,500)
PJ127	Bridgetown CBP water restoration project - detail design	C.08/0923	Operating Expenses		40,000		(37,500)
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer		25,000		(12,500)
GS73	Crowd Wheatley Road	SpCa.02/1023	Capital Expenses			(107,500)	(120,000)
GS74	Klause Road	SpCa.02/1023	Capital Expenses			(90,000)	(210,000)
GS75	Walter Willis Road	SpCa.02/1023	Capital Expenses			(52,500)	(262,500)
Res126	Strategic projects reserve	SpCa.02/1023	Reserve Transfer		250,000		(12,500)
34292.07	Aquatic Co-ordinators training	C.12/1123	Operating Expenses			(4,159)	(16,659)
34593	Bridgetown Leisure Centre hire fees	Ca.17/1123	Operating Revenue		7,665		(8,994)
GS73	Crowd Wheatley Road	Ca.18/1123	Capital Expenses			(27,707)	(36,701)
GS74	Klause Road	Ca.18/1123	Capital Expenses			(23,144)	(59,845)
GS75	Walter Willis Road	Ca.18/1123	Capital Expenses			(11,729)	(71,574)
BR06	Maranup Rod Road bridge	Ca.18/1123	Capital Expenses		22,580		(48,994)
RC64	Hackett Street	Ca.18/1123	Capital Expenses		40,000		(8,994)

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
31092	Cemetery & memorial plaques	Ca.16/1123	Operating Expenses			(5,000)	(13,994)
31093	Sale of cemetery & memorial plaques	Ca.16/1123	Operating Revenue		5,000		(8,994)
06532	Fire prevention unspent grants	Ca.16/1123	Operating Expenses			(2,815)	(11,809)
08112	SES unspent grants	Ca.16/1123	Operating Expenses			(449)	(12,258)
06574	Fire equipment shire funded	Ca.16/1123	Capital Expenses			(15,000)	(27,258)
Res 104	Bushfire Reserve	Ca.16/1123	Reserve Transfer		15,000		(12,258)
09BN	Greenbushes fire station	Ca.16/1123	Capital Expenses			(307,234)	(319,492)
10BN	Wandillup fire station	Ca.16/1123	Capital Expenses			(379,444)	(698,936)
06007	DFES Non-recurrent grants	Ca.16/1123	Operating Revenue		686,678		(12,258)
						(12,258)	
				0	1,321,739	(1,333,997)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted	Restricted	Trust	Investments	Total Amount	Institution	Maturity Date
		\$	\$	\$	\$	\$		
(a) Cash deposits								
Municipal bank account	Nil	523,986				523,986	Westpac	At Call
Municipal funds on call	4.30%	314,806				314,806	WATC	At Call
Municipal funds on call	4.30%	1,551,660				1,551,660	WATC	At Call
Trust bank account	Nil			231		231	Westpac	At Call
Visitor Centre trust account	Nil			8,982		8,982	Westpac	At Call
Cash on hand	Nil	3,850				3,850	N/A	On Hand
Term deposits								
(b) Municipal funds								
Municipal funds	4.90%	521,532				521,532	NAB	02-Jan-24
Municipal funds	4.90%	521,176				521,176	NAB	02-Jan-24
Municipal funds	4.85%	500,000				500,000	NAB	03-Jan-24
Municipal funds	4.85%	521,161				521,161	NAB	08-Jan-24
Municipal funds	4.85%	521,172				521,172	NAB	08-Jan-24
Municipal funds	4.85%	750,000				750,000	NAB	10-Jan-24
Municipal funds	4.85%	500,000				500,000	NAB	15-Jan-24
Municipal funds	5.00%	519,598				519,598	NAB	05-Feb-24
Municipal funds	5.05%	524,141				524,141	NAB	12-Feb-23
Municipal funds	4.95%	750,000				750,000	NAB	26-Feb-24
Municipal funds	5.00%	503,493				503,493	NAB	11-Mar-24
Municipal funds	5.00%	408,559				408,559	NAB	13-Mar-24
Municipal funds	5.05%	525,117				525,117	NAB	28-Mar-24
Reserve funds	4.10%		3,588,697			3,588,697	NAB	23-Nov-23
Total		9,460,251	3,588,697	9,214	0	13,058,162		

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	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
		\$	\$	\$	\$	\$		\$	\$	\$
	Restricted by Legislation/Agreement									
106	Subdivision reserve	224,056	6,510	4,455	10,000				240,566	228,511
121	Car park reserve	1,008	29	20	0				1,037	1,028
201	Unspent grants & loans reserve	317,455	0	1	0		(317,455)	(301,849)	(1)	15,606
	Restricted by Council									
101	Leave reserve	193,624	5,626	3,849	0				199,250	197,473
102	Plant reserve	763,951	22,198	15,188	300,000		(931,816)	(129,536)	154,333	649,604
103	Land and building reserve	589,080	17,116	11,712	0		(267,500)	(200,000)	338,696	400,791
104	Bush fire reserve	50,156	1,457	997	10,000		(15,000)		46,613	51,153
105	Maintenance and renewal of mine heavy haulage roads reserve	82,334	2,392	1,637	79,573				164,299	83,971
107	Sanitation reserve	296,229	8,607	5,889	60,000		(279,417)	(83,803)	85,419	218,315
109	Recreation centre floor and solar reserve	243,808	7,084	4,847	10,000				260,892	248,655
112	Refuse site post closure reserve	253,468	7,364	5,039	5,000		(30,000)		235,832	258,508
113	Drainage reserve	80,620	2,342	1,603	10,000		(16,326)	(11,326)	76,636	70,897
114	Community bus reserve	74,296	2,159	1,477	5,000				81,455	75,773
115	SBS & communications tower reserve	63,577	1,847	1,264					65,424	64,841
118	Playground equipment reserve	46,455	1,350	924					47,805	47,378
125	Building maintenance reserve	232,900	6,767	4,630			(103,135)	(89,308)	136,532	148,222
126	Strategic projects reserve	292,757	8,506	5,820	297,564		(393,120)	(93,120)	205,707	205,458
127	Matched grants reserve	77,797	2,260	1,547	10,000				90,057	79,344
128	Aged care infrastructure reserve	59,556	1,730	1,184					61,286	60,740
129	Equipment reserve	6,389	186	127					6,575	6,516
130	Assets and GRV valuation reserve	124,319	3,612	2,472			(70,226)	(69,695)	57,705	57,096

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	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
		\$	\$	\$	\$	\$		\$	\$	\$
131	Bridgetown Leisure Centre reserve	34,131	992	679			(5,000)		30,123	34,809
132	Trails reserve	42,790	1,243	851	5,000		(27,500)	(27,500)	21,533	16,141
133	Light fleet vehicle reserve	292,144	8,488	5,808	120,000		(330,091)	(110,348)	90,541	187,605
135	Blackspot reserve	11,749	341	234	10,000				22,090	11,983
136	Project management reserve	165,000	4,794	3,280					169,794	168,280
137	Sustainability reserve	0	0		15,000		(5,000)		10,000	0
138	CCTV infrastructure	0	0		30,000				30,000	0
		4,619,649	125,000	85,533	977,137	0	(2,791,586)	(1,116,485)	2,890,200	3,588,697

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 6: RECEIVABLES

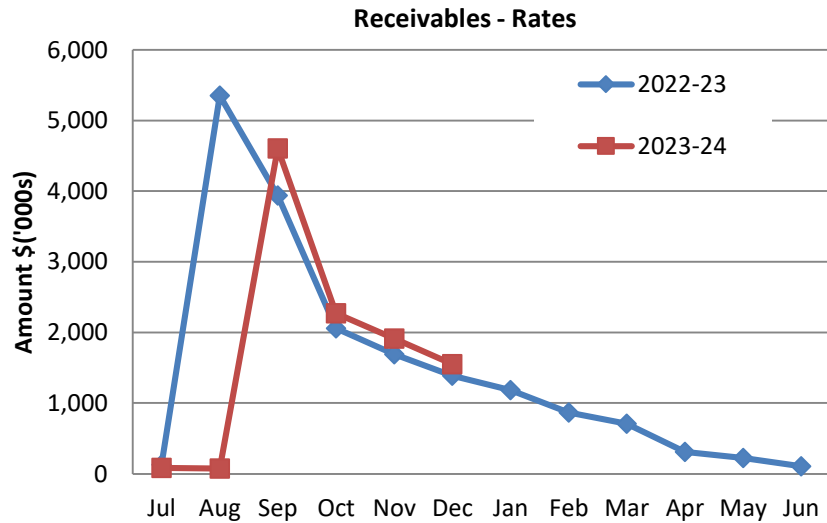
Receivables - Rates

Opening arrears previous years
 Levied this year
 Less Collections to date
 Equals Current outstanding

	YTD 31 Dec 2023	30 June 2023
	\$	\$
Opening arrears previous years	105,326	147,038
Levied this year	5,703,612	5,343,483
Less Collections to date	(4,260,001)	(5,385,195)
Equals Current outstanding	1,548,937	105,326
Net Rates Collectable	1,548,937	105,326
% Collected	73.34%	98.08%

Net Rates Collectable

% Collected



Receivables - Sundry Debtors

Receivables - Sundry debtors

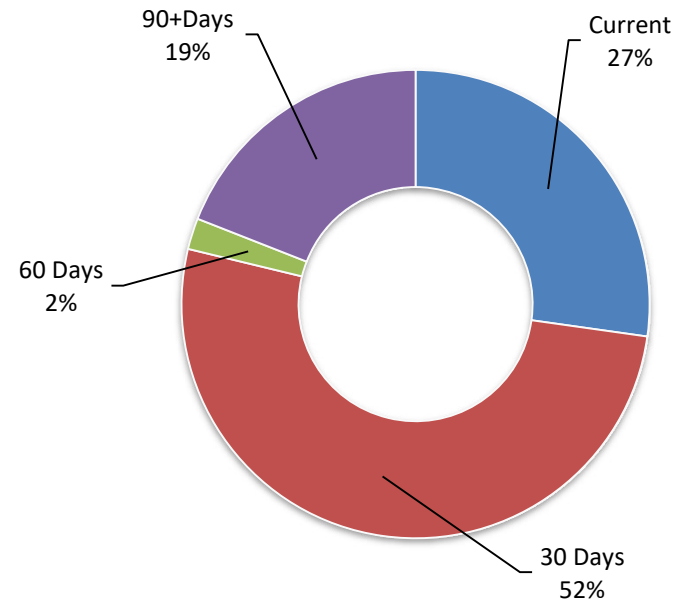
	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - Sundry debtors	83,994	159,189	6,585	58,839

Total Sundry Debtor Receivables Outstanding

308,607

Amounts shown above include GST (where applicable)

Receivables - Sundry Debtors



SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 7: FIXED ASSET DISPOSALS

YTD Actual Replacement				Disposals	Amended Current Budget		
Net Book Value	Proceeds	Profit (Loss)	P&L Variance		Net Book Value	Proceeds	Profit (Loss)
\$	\$	\$	\$		\$	\$	\$
				Plant and Equipment			
				P3020 2018 Mitsubishi Outlander (Pool)	6,800	15,000	8,200
				P3070 2020 Toyota Prado (CEO)	33,790	35,000	1,210
				P3085 2020 Toyota RAV4 (EMCS)	24,500	25,000	500
				P4200 2017 Mitsubishi Triton (Bushfire Brigade)	11,680	12,000	320
				P4190 2008 Ford Ranger (Bushfire Brigade)	6,200	5,000	(1,200)
				P4225 2018 Toyota Hilux (Bridgetown Logistics)	10,070	13,000	2,930
				P4095 2007 Isuzu Fire Truck (Yornup BFB)	70,920	76,000	5,080
				P2051 2019 Mitsubishi Triton (Senior Ranger)	15,180	18,000	2,820
				P2082 2006 CAT Track Loader (Waste Site)	62,000	65,000	3,000
				P2285 2009 Bomag Refuse Compactor	33,720	30,000	(3,720)
8,967	12,727	3,760	(390)	P3010 2018 Nissan Xtrail (MDS)	5,850	10,000	4,150
				P2073 2015 CAT 432F Backhoe Loader	70,530	70,000	(530)
8,000	11,364	3,364	(0)	P2111 2013 Tennant Footpath Sweeper	8,000	11,364	3,364
				P2076 2000 JCB Robot Skid Steer Loader	5,000	5,000	0
14,686	20,000	5,314	(2,126)	P2045 2018 Nissan Navara (Works Coordinator)	12,560	20,000	7,440
10,221	16,364	6,143	(2,280)	P2220 2018 Mitsubishi Triton (Plant Mechanic)	8,850	17,273	8,423
10,221	15,455	5,234	(2,330)	P2270 2018 Mitsubishi Triton (Parks Crew)	8,800	16,364	7,564
2,508	0	(2,508)	(2,508)	54607 Howard pro cut mower (P&G)	0	0	0
54,603	75,909	21,306	(9,635)		394,450	444,001	49,551

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings						
Governance						
Shire Administration Building	07BU	47,855	12,868	6,725	(6,143)	Job continuing
Law, Order and Public Safety						
Greenbushes Bushfire Brigade	09BN	629,834	0	0	0	
Wandillup Bushfire Brigade	10BN	730,544	0	0	0	
Kangaroo Gully Bushfire Station	12BN	625	625	165	(460)	
Housing						
144 Hampton Street	38BU	40,000	40,000	33,367	(6,633)	Job continuing
146 Hampton Street	26BU	10,000	10,000	10,106	106	Job completed
Community Amenities						
Waste Site Recycle Shed	62BU	118,522	29,630	0	(29,630)	Job not yet commenced
Recreation and Culture						
Yornup Hall	01BU	10,000	0	0	0	
Bridgetown Civic Centre Revitalisation	02BU	998,073	332,688	100,497	(232,191)	Job continuing
Bridgetown Leisure Centre	16BU	76,536	42,094	500	(41,594)	Job continuing
Greenbushes Hall	20BU	164,027	5,800	5,783	(17)	
Greenbushes Golf Club	39BU	225,000	0	0	0	
Bridgetown Sportsground horse stalls	56BU	4,978	4,978	0	(4,978)	Job not yet commenced
Bridgetown Lesser Hall	61BU	15,537	15,537	15,537	0	Job completed
Bridgetown Civic Centre wet areas and foyer	63BU	150,000	0	0	0	
Greenbushes Office toilets	TF02	145,200	0	0	0	
BLC court fans	TF07	106,140	106,140	74,886	(31,254)	Job continuing
Bridgetown Regional Library	60BU	54,300	54,300	4,000	(50,300)	Job continuing
Bridgetown Railway Station restoration	57BU	103,135	103,135	80,105	(23,030)	Job continuing

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings (Continued)						
Recreation and Culture (Continued)						
Greenbushes Old Court House	TF12	330,000	0	0	0	
Transport						
Shire Depot Rebuild	08BU	661,796	9,000	9,000	0	
Economic Services						
154 Hampton Street	59BU	40,000	20,000	0	(20,000)	Job not yet commenced
Bridgetown Visitor Centre fit out	64BU	114,000	114,000	4,407	(109,593)	Job continuing
Other Property and Services						
Purchase of Land	1790040	17,500	0	0	0	
Land and Buildings Total		4,793,602	900,795	345,077	(555,718)	
Roads						
Transport						
Winnejup Road Regional Road Group 23/24	RR17	375,000	224,999	315,126	90,127	Job continuing
Winnejup Road Regional Road Group 22/23	RR21	174,697	104,818	135,120	30,302	Job continuing
Kerbing	KB01	10,000	5,250	5,238	(12)	
Eedle terrace	RC01	40,000	0	0	0	
Phillips Street	RC05	35,000	0	0	0	
Apex Grove	RC15	14,138	0	0	0	
Improvements Steere Street Intersections	RC52	22,500	22,500	0	(22,500)	Job not yet commenced
Emergency Works	RC53	30,000	14,998	0	(14,998)	No emergency works identified to date
Hester Cascades Road	RC55	49,426	49,426	0	(49,426)	Job not yet commenced
Blechynden Street	RC63	80,000	0	0	0	
Hackett Street	RC64	75,265	0	0	0	
Geegelup View	RC65	15,000	0	0	0	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Roads (Continued)						
Transport (Continued)						
Peninsula Road	RC66	29,425	29,425	0	(29,425)	Job not yet commenced
Mount Street	RC67	15,000	0	0	0	
Lakeview Crescent	RC68	140,000	140,000	0	(140,000)	Job not yet commenced
Somme Street	RC69	10,000	0	0	0	
Mirimiri Street	RC70	14,000	0	0	0	
Riverview Close	RC71	11,500	0	0	0	
Carnegie Close	RC72	11,000	0	0	0	
Blechynden Street/Roe Street	RC73	30,000	0	0	0	
Catterick Road	GS32	70,000	0	0	0	
Tweed Road	GS71	120,000	0	0	0	
Connell Road	GS72	85,000	85,000	0	(85,000)	Job not yet commenced
Donnelly Mill Road	GS22	145,000	0	0	0	
Crowd Wheatley Road	GS73	135,207	135,207	114,335	(20,872)	Job continuing
Klause Road	GS74	113,144	113,144	104,003	(9,141)	Job continuing
Walter Willis Road	GS75	64,229	64,229	58,765	(5,464)	Job continuing
Collins Road	TF13	38,500	38,500	381	(38,119)	Purchase order raised
Spring Gully Rod	TF14	308,000	308,000	0	(308,000)	Purchase order raised
Telluride Street	TF15	308,000	308,000	0	(308,000)	Purchase order raised
Galena Road section 1	TF16	33,000	33,000	0	(33,000)	Purchase order raised
Galena Road section 2	TF17	33,000	33,000	0	(33,000)	Purchase order raised
Diorite Street	TF18	82,500	82,500	0	(82,500)	Purchase order raised
Tourmaline Street section 1	TF19	33,000	33,000	0	(33,000)	Purchase order raised
Tourmaline Street section 2	TF20	44,000	44,000	0	(44,000)	Purchase order raised
Tourmaline Street section 3	TF21	44,000	44,000	0	(44,000)	Purchase order raised
Roads Total		2,838,531	1,912,996	732,967	(1,180,029)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Footpaths						
Transport						
Footpaths Accessibility Access	FP28	19,495	19,495	19,610	115	Job completed
Allnutt Street	FP38	14,040	0	0	0	
Footpaths Total		33,535	19,495	19,610	115	
Drainage						
Community Amenities						
Four Season Estate	DR24	4,652	4,652	0	(4,652)	Job not yet commenced
Peninsula Road	DR37	5,000	5,000	0	(5,000)	Job not yet commenced
Dairy Lane	DR38	46,307	46,307	36,304	(10,003)	Job completed, some savings made
Drainage Total		55,959	55,959	36,304	(19,655)	
Parks and Ovals						
Community Amenities						
Bridgetown Cemetery	01IN	20,000	0	0	0	
Recreation and Culture						
Four Seasons Estate POS Reserve	03IN	81,686	0	0	0	
Somme Park Fitness Trail Equipment	05IU	5,617	5,617	0	(5,617)	Job not yet commenced
Bridgetown Youth Precinct Development	16IN	161,000	73,500	31,879	(41,621)	Job continuing
Bridgetown Leisure Centre Wet Area	18IN	8,840	0	0	0	
Greenbushes Youth Precinct Development	22IN	417,041	417,040	244,114	(172,926)	Job continuing
Bridgetown Sportsground Water Supply	23IN	85,000	42,500	0	(42,500)	Purchase order raised
Bridgetown Sportsground Cricket Training Nets	24IN	55,618	55,617	56,365	748	Job completed
Bridgetown Sportsground	25IN	511,482	255,741	135,251	(120,490)	Job continuing
Greenbushes Youth Precinct stage 2	26IN	160,000	0	0	0	
Greenbushes sportsground hard courts stage 1	TF08	164,700	164,700	0	(164,700)	Purchase order raised
Greenbushes sportsground hard courts stage 2	TF09	244,000	0	0	0	
Highland Bridgetown Estate	TF10	235,000	0	0	0	
Parks and Ovals Total		2,149,984	1,014,715	467,608	(547,107)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Bridges						
Transport						
Maranup Ford Road Bridge 3318A	BR06	87,420	0	0	0	
Bridges Total		87,420	0	0	0	
Infrastructure Other						
Other Governance						
Records Facility	20IU	6,732	0	0	0	
Housing						
144-146 Hampton Street fencing	19IU	40,000	2,148	2,147	(1)	
Community Amenities						
Bridgetown Landfill Liquid Waste Facility	WA01	69,953	39,976	39,876	(100)	
Recreation and Culture						
Bridgetown Sportsground car park	TF11	55,000	55,000	0	(55,000)	Job to be transferred at budget review
Transport						
Greenbushes CBD Parking	CP05	72,133	72,133	61,392	(10,741)	Job continuing
ACROD Parking Bay Hampton Street	CP06	19,562	0	0	0	
Infrastructure Other Total		263,380	169,257	103,415	(65,842)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Plant and Equipment						
Governance						
Director Corporate Services vehicle	1055440	128,000	0	0	0	
Law, Order and Public Safety						
Fire Fighting Equipment (Brigades Funded)	1065540	5,000	0	0	0	
Fire Prevention - Equipment (Shire Funded)	1065740	15,000	15,000	0	(15,000)	Purchase order raised
Vehicles for Brigades	1065940	894,225	43,291	43,291	0	
Ranger vehicle	1070140	48,900	0	0	0	
CCTV Bridgetown Railway Station Carpark	1080340	98,349	98,349	0	(98,349)	Job not yet commenced
Community Amenities						
Tracked Loader	PL14	412,280	412,280	0	(412,280)	Purchase order raised
Waste compactor	PL10	400,000	400,000	0	(400,000)	Purchase to be deferred
Manager of Development Services vehicle	1305640	31,000	31,000	29,400	(1,600)	Vehicle purchased, some savings made
Recreation and Culture						
Indoor vertical lift	1346640	20,000	20,000	0	(20,000)	Job not yet commenced
BLC pool inflatable	TF04	16,125	16,125	16,659	534	Job completed
BLC pool blankets	TF05	114,000	114,000	0	(114,000)	Purchase order raised
Solar panels and batteries	TF06	660,000	0	0	0	
Transport						
Backhoe Loader	PL02	200,000	0	0	0	
Footpath Sweeper	PL06	140,900	140,900	140,900	0	Plant purchase completed
Skid Steer Loader	PL22	110,000	0	0	0	
Sundry Equipment	1403740	5,000	0	0	0	
Works and Services Fleet	1405040	146,903	146,903	154,583	7,680	Vehicle purchases completed
Plant and Equipment Total		3,445,682	1,437,848	384,833	(1,053,015)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Dec 2023			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
<i>Furniture and Equipment</i>						
Other Governance						
IT and Communication equipment	1055140	15,000	0	0	0	
Furniture and Equipment Total		15,000	0	0	0	
Capital Expenditure Total		13,683,093	5,511,065	2,089,815	(3,421,250)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 9: INFORMATION ON BORROWINGS AND LEASES

(a) Borrowing Repayments

Particulars	Principal 1/07/2023	New Loans	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Community Amenities									
Loan 115 Landfill Cell Extension	20,647			10,282	20,647	10,365	0	166	250
Loan 116 Liquid Waste Facility	62,324			4,920	9,887	57,404	52,437	611	1,173
Recreation and Culture									
Loan 112 Bridgetown Swimming Pool	1,183,783			38,817	78,419	1,144,966	1,105,364	23,912	47,041
Loan 117 Youth Precinct Redevelopment	153,819			9,087	18,242	144,732	135,577	1,147	2,227
Loan 118 Bridgetown Civic Centre Revitalisation	99,840			5,898	11,841	93,942	87,999	745	1,445
Loan 119 Youth Precinct Redevelopment (Stage 2)	175,000			7,027	14,212	167,973	160,788	3,932	7,706
	1,695,413	0	0	76,031	153,248	1,619,382	1,542,165	30,513	59,842

(b) New Borrowings

The Shire does not intend to undertake any new borrowings for the year ended 30th June 2024.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 9: INFORMATION ON BORROWINGS AND LEASES

(c) Lease Liabilities

Particulars	Principal 1/07/2023	New Leases Actual	New Leases Budget	Principal Repayments		Principal Outstanding		Interest Repayments	
		\$	\$	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Recreation and Culture									
003 Gym Equipment	19,997		0	13,324	19,997	6,674	0	210	229
007 Gym Equipment	0		111,781		6,456	0	105,325		1,116
Other Property and Services									
001 CESM Vehicle	471	3,838	2,344	3,284	3,296	1,026	0	58	46
002 Photocopies and printers	6,455		0	5,170	6,455	1,285	0	76	81
004 EHO Vehicle	8,340		0	2,627	5,259	5,713	3,081	15	24
005 2022 Toyota Hilux (CESM)	0	57,924	58,235	6,035	13,879	51,888	44,356	827	1,639
006 New Mitigation Vehicle	0		21,847		8,876	0	12,971		638
	35,263	61,762	194,207	30,439.17	64,218	66,585	165,733	1,186	3,773

(d) New Leases

Particulars	New Leases	New Leases	New Leases
	Term	Amended Budget	Actual
		\$	\$
Other Properties			
001 CESM Vehicle	6 months	2,344	3,838
005 2022 Toyota Hilux (CESM)	36 months	58,235	57924
006 New Mitigation Vehicle	24 months	21,847	
007 Gym Equipment	48 months	111,781	
		194,207	61,762

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 December 2023

Note 10: RATING INFORMATION

RATE TYPE	Rate in Dollar	Number of Properties	Rateable Value	Rate Revenue	Interim Rates	Total Revenue	Amended Budget Rate Revenue	Amended Budget Interim Rate	Amended Budget Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$
Differential general rates or general rates									
Shire GRV	0.102727	1,840	28,708,192	2,949,107	15,103	2,964,210	2,949,107	67,000	3,016,107
Mining GRV	0.199767	1	820,000	163,809		163,809	163,809		163,809
Shire Rural UV	0.005187	465	258,884,000	1,342,832	3,202	1,346,034	1,342,831		1,342,831
Mining UV	0.068900	22	1,274,801	87,834	16,320	104,154	87,834		87,834
Sub-Totals		2,328	289,686,993	4,543,581	34,625	4,578,207	4,543,581	67,000	4,610,581
Minimum payments	Minimum \$								
Shire GRV	1,112.00	665	3,671,960	739,480	6,088	745,568	739,480		739,480
Mining GRV	1,112.00	0	0	0		0	0		0
Shire Rural UV	1,378.00	276	50,549,200	380,328	(5,132)	375,196	380,328		380,328
Mining UV	211.00	22	31,460	4,642		4,642	4,642		4,642
Sub-Totals		963	54,252,620	1,124,450	955	1,125,405	1,124,450	0	1,124,450
Total general rates and minimum payments						5,703,612			5,735,031

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
<u>MUNICIPAL FUND</u>				
DIRECT DEBITS				
DD17209.1	13/12/2023	AWARE SUPER	PAYROLL DEDUCTIONS	17,256.08
DD17209.2	13/12/2023	COLONIAL FIRST STATE SUPER	PAYROLL DEDUCTIONS	695.95
DD17209.3	13/12/2023	CARE SUPER	PAYROLL DEDUCTIONS	752.07
DD17209.4	13/12/2023	NETWEALTH SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	384.26
DD17209.5	13/12/2023	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	26.96
DD17209.6	13/12/2023	REST SUPER - ACUMEN	SUPERANNUATION CONTRIBUTIONS	203.33
DD17209.7	13/12/2023	AUSTRALIAN ETHICAL RETAIL SUPER	SUPERANNUATION CONTRIBUTIONS	549.86
DD17209.8	13/12/2023	AIA AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	300.93
DD17209.9	13/12/2023	WAIKAWA DREAMING SUPERANNUATION	PAYROLL DEDUCTIONS	790.97
DD17209.10	13/12/2023	PLUM SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17209.11	13/12/2023	TWU SUPER	SUPERANNUATION CONTRIBUTIONS	354.03
DD17209.12	13/12/2023	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	298.26
DD17209.13	13/12/2023	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	286.97
DD17209.14	13/12/2023	ONEANSWER FRONTIER SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17209.15	13/12/2023	TRUBUD SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	328.54
DD17209.16	13/12/2023	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	556.35
DD17209.17	13/12/2023	AMP SUPER FUND	SUPERANNUATION CONTRIBUTIONS	391.11
DD17209.18	13/12/2023	UNISUPER	SUPERANNUATION CONTRIBUTIONS	778.73
DD17209.19	13/12/2023	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,025.10
DD17209.20	13/12/2023	HESTA SUPER	SUPERANNUATION CONTRIBUTIONS	217.29
DD17209.21	13/12/2023	ANZ CHOICE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	381.09
DD17209.22	13/12/2023	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	327.91
DD17218.2	02/12/2023	GO GO MEDIA	MONTHLY ON HOLD MESSAGE SERVICE - DECEMBER	75.90
DD17218.3	15/12/2023	SG FLEET AUSTRALIA PTY LTD	MONTHLY LEASE FOR SHARED EHO - JANUARY	484.22
DD17231.1	15/12/2023	FLEET PARTNERS PTY LTD	CESM VEHICLE LEASE FOR JANUARY & FUEL CARD PURCHASES FOR NOVEMBER	2,460.07
DD17232.1	27/12/2023	AWARE SUPER	PAYROLL DEDUCTIONS	16,834.24
DD17232.2	27/12/2023	COLONIAL FIRST STATE SUPER	PAYROLL DEDUCTIONS	695.95
DD17232.3	27/12/2023	CARE SUPER	PAYROLL DEDUCTIONS	744.27

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
DD17232.4	27/12/2023	NETWEALTH SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	392.66
DD17232.5	27/12/2023	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	26.96
DD17232.6	27/12/2023	REST SUPER - ACUMEN	SUPERANNUATION CONTRIBUTIONS	203.32
DD17232.7	27/12/2023	AUSTRALIAN ETHICAL RETAIL SUPER	SUPERANNUATION CONTRIBUTIONS	560.37
DD17232.8	27/12/2023	AIA AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	295.56
DD17232.9	27/12/2023	WAIKAWA DREAMING SUPERANNUATION	PAYROLL DEDUCTIONS	790.97
DD17232.10	27/12/2023	PLUM SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17232.11	27/12/2023	TWU SUPER	SUPERANNUATION CONTRIBUTIONS	354.03
DD17232.12	27/12/2023	GUILD SUPER	PAYROLL DEDUCTIONS	556.35
DD17232.13	27/12/2023	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	286.97
DD17232.14	27/12/2023	ONEANSWER FRONTIER SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17232.15	27/12/2023	TRUBUD SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	229.98
DD17232.16	27/12/2023	AMP SUPER FUND	SUPERANNUATION CONTRIBUTIONS	351.62
DD17232.17	27/12/2023	UNISUPER	SUPERANNUATION CONTRIBUTIONS	781.87
DD17232.18	27/12/2023	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2,979.96
DD17232.19	27/12/2023	HESTA SUPER	SUPERANNUATION CONTRIBUTIONS	213.83
DD17232.20	27/12/2023	ANZ CHOICE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	385.98
DD17232.21	27/12/2023	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	330.88
DD17232.22	27/12/2023	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	279.10
DD17250.1	09/12/2023	SHERIFFS OFFICE	FER UNPAID INFRINGEMENTS	83.50
B/S	01/11/2023	WESTPAC BANK	MERCHANT FEES	401.39
B/S	01/11/2023	WESTPAC BANK	MONTHLY BANK ACCOUNT FEES	1,460.96
B/S	01/11/2023	WESTPAC BANK	TOTAL WAGES FOR 30/11/2023 - 13/12/2023	165,328.65
B/S	15/11/2023	WESTPAC BANK	TOTAL WAGES FOR 14/12/2023 - 27/12/2023	158,323.29
WESTPAC CORPORATE CREDIT CARD - CEO				
B/S	27/11/2023	WATTLESEED BARN CAFE & FLORIST	REFRESHMENTS FOR MEETING	10.30
B/S	27/11/2023	HANSEN'S HOT BREAD SHOP	REFRESHMENTS FOR MEETING	13.00
B/S	28/11/2023	BRIDGETOWN VIETNAMESE CAFÉ	REFRESHMENTS FOR MEETING	26.50
B/S	29/11/2023	BRIDGETOWN VIETNAMESE CAFÉ	REFRESHMENTS FOR MEETING	29.00
B/S	3/12/2023	WESTPAC	MONTHLY CARD FEE	10.00

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
WESTPAC CORPORATE CREDIT CARD - OUTGOING CEO				
B/S	03/12/2023	WESTPAC	MONTHLY CARD FEE	10.00
WESTPAC CORPORATE CREDIT CARD - DCS				
B/S	10/11/2023	MAILCHIMP	MONTHLY SUBSCRIPTION TO MAILCHIMP NEWSLETTER DISTRIBUTOR	42.71
B/S	25/11/2023	D S WHITE AND C D WHITE	FLY REPELLENT FOR WORKS CREW	265.17
B/S	02/11/2023	WESTPAC	MONTHLY CARD FEE	10.00
AMPOL FUEL CARD PURCHASES				
DD17218.1	07/12/2023	0B	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	109.10
DD17218.1	07/12/2023	122B	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	358.32
DD17218.1	07/12/2023	1HNO351	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	169.73
DD17218.1	07/12/2023	1IAD685	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	492.87
DD17218.1	07/12/2023	1TKA760	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	2,343.71
DD17218.1	07/12/2023	25OK	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	11.33
DD17218.1	07/12/2023	B0010	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	206.15
DD17218.1	07/12/2023	B0100	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	756.79
DD17218.1	07/12/2023	B0103	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	163.19
DD17218.1	07/12/2023	B0108	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	183.74
DD17218.1	07/12/2023	B0111	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	339.36
DD17218.1	07/12/2023	B1158	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	206.04
DD17218.1	07/12/2023	B15224	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	75.57
DD17218.1	07/12/2023	B16182	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	180.87
DD17218.1	07/12/2023	B16240	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	83.83
DD17218.1	07/12/2023	B16698	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	87.53
DD17218.1	07/12/2023	B16704	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	60.73
DD17218.1	07/12/2023	B17105	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	332.10
DD17218.1	07/12/2023	B17187	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	191.62
DD17218.1	07/12/2023	B17189	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	160.79
DD17218.1	07/12/2023	B271	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	343.48
DD17218.1	07/12/2023	B7930	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	492.99
DD17218.1	07/12/2023	B8598	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	649.57

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
DD17218.1	07/12/2023	B8824	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	99.07
DD17218.1	07/12/2023	B8834	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	307.82
DD17218.1	07/12/2023	B8844	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	90.88
DD17218.1	07/12/2023	B8880	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	499.71
DD17218.1	07/12/2023	B8924	PURCHASES ON FUEL CARDS FOR THE MONTH OF NOVEMBER	167.08
27122023	27/12/2023	WA TREASURY CORPORATION	LOAN REPAYMENTS	15,978.45
28122023	28/12/2023	WA TREASURY CORPORATION	LOAN REPAYMENTS	10,959.17
29122023	29/12/2023	WA TREASURY CORPORATION	LOAN REPAYMENTS	16,877.44
BPAY				
1122023	01/12/2023	TELSTRA	TELEPHONE & INTERNET CHARGES FOR NOVEMBER	1,233.91
14122023	14/12/2023	TELSTRA	TELEPHONE & INTERNET CHARGES NOVEMBER	2,321.48
ELECTRONIC PAYMENTS				
EFT38101	08/12/2023	ADAM JENKINS TREE SERVICES	TREE REMOVAL AND PRUNING	2,860.00
EFT38102	08/12/2023	AMITY SIGNS	ROAD SIGNAGE	737.00
EFT38103	08/12/2023	ARROW BRONZE	MEMORIAL PLAQUES	1,566.22
EFT38104	08/12/2023	AUSTRALIA POST	POSTAGE & MAILOUT FOR THE MONTH OF NOVEMBER	2,067.60
EFT38105	08/12/2023	BELIA ENGINEERING	TRANSPORT OF MATTRESSES TO PERTH FOR RECYCLING	686.40
EFT38106	08/12/2023	BETTER TELCO SOLUTIONS PTY LTD	MONTHLY TELEPHONE CHARGES FOR NOVEMBER	442.90
EFT38107	08/12/2023	BLACKWOOD PLUMBING AND GAS	MINOR PLUMBING REPAIRS & MAINTENANCE	852.50
EFT38108	08/12/2023	BLUE ROSE QUILTING	SEWING OF BADGES ONTO VOLUNTEERS PPE	40.00
EFT38109	08/12/2023	BRIDGETOWN TIMBER SALES	SUPPLIES FOR COMMUNITY CHRISTMAS PARTY	142.20
EFT38110	08/12/2023	BRIDGETOWN DESIGN & PRINT	DESIGN & PRINT ART TRAIL BOOKLETS	6,858.50
EFT38111	08/12/2023	BRIDGETOWN MITRE 10 & RETRAVISION	GAS BOTTLES, MINOR ITEMS & VARIOUS MAINTENANCE SUPPLIES	651.52
EFT38112	08/12/2023	BRIDGETOWN TYRES	BATTERY FOR LIGHT FLEET VEHICLE	225.00
EFT38113	08/12/2023	BRISKLEEN SUPPLIES PTY LTD	JUMBO 2PLY TOILET ROLLS	1,236.62
EFT38114	08/12/2023	BUNBURY TOYOTA	2 X NEW TOYOTA HILUX SINGLE CAB UTES, LESS TRADE IN	42,611.96
EFT38115	08/12/2023	CJD EQUIPMENT PTY LTD	AIR FILTERS FOR HEAVY FLEET	390.70
EFT38116	08/12/2023	COLOUR ME FACE AND BODY ART	FACE PAINTING FOR COMMUNITY CHRISTMAS PARTY	350.00
EFT38117	08/12/2023	DATA#3	OFFICE 365 BUSINESS LICENSES FOR NOVEMBER	1,956.24
EFT38118	08/12/2023	DOMESTIC MAINTENANCE SW	INSTALLATION OF 11 X HERITAGE PLAQUES IN BRIDGETOWN	525.00

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
EFT38119	08/12/2023	DRAGLINES DAM-IT CONTRACTING	HIRE OF EXCAVATOR & BULLDOZER FOR ROADWORKS	3,311.00
EFT38120	08/12/2023	DFES WA	2023/24 2ND QUARTER ESL CONTRIBUTION	100,572.06
EFT38121	08/12/2023	GARVS AUTO ELECTRICS PTY LTD	INSTALL COMMUNICATION & SAFETY EQUIPMENT TO BFB FLEET	2,927.20
EFT38122	08/12/2023	HANSEN'S HOT BREAD SHOP	CATERING FOR FIREFIGHTERS ATTENDING BURNS & STAFF TRAINING MEALS	817.50
EFT38123	08/12/2023	HARMONIC ENTERPRISES PTY LTD	MONTHLY MANAGED SERVICES FOR NOVEMBER & LENOVO THINKPAD	4,628.80
EFT38124	08/12/2023	H C JONES & CO	MINOR PLUMBING REPAIRS & MAINTENANCE	280.00
EFT38125	08/12/2023	HILLVIEW ELECTRICAL SERVICE	REPLACE FAULTY FLUORO BATTENS WITH LED BATTENS	588.50
EFT38126	08/12/2023	INTERFIRE AGENCIES PTY LTD	PPE FOR FIREFIGHTERS	262.96
EFT38127	08/12/2023	SHANE PETER ISAACS	RATES REFUND	250.00
EFT38128	08/12/2023	ITR PACIFIC PTY LTD	CUTTING EDGES AND MINOR PARTS FOR SHIRE GRADERS	1,849.02
EFT38129	08/12/2023	JOHNSON'S FOOD SERVICES	ITEMS FOR FOOD FOR RESALE AT THE BLC CAFE	2,646.22
EFT38130	08/12/2023	KINGS PARK MOTEL	2 NIGHTS ACCOMMODATION FOR STAFF MEMBER ATTENDING COURSE	390.00
EFT38131	08/12/2023	LANDGATE	LAND VALUATION ENQUIRY CHARGES	790.65
EFT38132	08/12/2023	MANJIMUP MONOGRAMS	PPE FOR RECORDS STAFF MEMBER	80.95
EFT38133	08/12/2023	MANJIMUP FREIGHT DISTRIBUTORS	FREIGHT	33.00
EFT38134	08/12/2023	OFFICEWORKS LTD	64GB BLACK IPHONE 11 & ACCESSORIES	1,060.90
EFT38135	08/12/2023	OLD DOG DIRT AND DIESEL	REGULAR SERVICE OF SHIRE HEAVY FLEET VEHICLE	1,043.80
EFT38136	08/12/2023	OMNICOM MEDIA GROUP AUSTRALIA	SHIRE ADVERTISING	1,700.82
EFT38137	08/12/2023	PHARMACY 777 BRIDGETOWN	FIRST AID SUPPLIES FOR THE BLC	361.44
EFT38138	08/12/2023	PROSPECTORS SUPPLIES PTY LTD	50M KINGLON POLYCHAIN SURVEYORS ROPE	268.02
EFT38139	08/12/2023	REDMOND SALES	STOCK FOR VISITOR CENTRE	634.48
EFT38140	08/12/2023	THE ROYAL LIFE SAVING SOCIETY WA	RESIDENTIAL HOME SWIMMING POOL BARRIER INSPECTIONS	2,500.00
EFT38141	08/12/2023	RURAL INFRASTRUCTURE SERVICES	ENGINEERING CONSULTANCY SERVICES	4,804.80
EFT38142	08/12/2023	SAMPSON BUILD MARGARET RIVER	INITIAL CALL OUT FOR LEISURE CENTRE ROOF ASSESSMENT	550.00
EFT38143	08/12/2023	SCOPE BUSINESS IMAGING	MONTHLY PHOTOCOPYING AND PRINTING CHARGES - NOVEMBER	847.93
EFT38144	08/12/2023	SCULLEY'S SMASH REPAIRS	INSURANCE CLAIM EXCESS FOR LIGHT FLEET VEHICLE	300.00
EFT38145	08/12/2023	SETON AUSTRALIA PTY LTD	SAFETY SIGNAGE & SAFETY TAGS	832.87
EFT38146	08/12/2023	SHIRE SOCIAL CLUB	PAYROLL DEDUCTIONS	240.00
EFT38147	08/12/2023	SOUTH WEST WINDOW TINT	REPLACE WINDOW TINT FOR VOLVO WHEEL GRADER	880.00
EFT38148	08/12/2023	SOUTHERN LOCK AND SECURITY	VARIOUS KEYS & LOCKS KEYED TO SHIRE SYSTEMS	160.00

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EFT38149	08/12/2023	SOUTH WEST ISUZU	SUPPLY & INSTALL ENGINE FOR ISUZU TIP TRUCK LESS WARRANTY CLAIM	23,367.91
EFT38150	08/12/2023	SOUTHWEST ROOFING AND GUTTERS	REPAIRS TO ROOF LEAK IN SHIRE ADMIN BUILDING	165.00
EFT38151	08/12/2023	STEWART & HEATON CLOTHING CO	DFES PPE UNIFORMS	1,427.40
EFT38152	08/12/2023	STEPHEN CARRICK ARCHITECTS	ARCHITECTURAL SERVICES FOR BRIDGETOWN RAILWAY STATION PROJECT	1,386.00
EFT38153	08/12/2023	ST JOHN AMBULANCE AUSTRALIA (WA)	FIRST AID TRAINING FOR 14 X STAFF MEMBERS	1,880.00
EFT38154	08/12/2023	SW PRECISION PRINT	COLOUR POLE BANNERS FOR TOWN ENTRANCE	1,558.90
EFT38155	08/12/2023	SYNERGY	ELECTRICITY CHARGES	6,536.38
EFT38156	08/12/2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	1,364.24
EFT38157	08/12/2023	THE STABLES IGA	VARIOUS GROCERIES & REFRESHMENTS FOR MEETINGS & CEREMONIES	884.73
EFT38158	08/12/2023	THE LINEN PRESS	STOCK FOR VISITOR CENTRE	405.35
EFT38159	08/12/2023	LGRCEU	PAYROLL DEDUCTIONS	198.00
EFT38160	08/12/2023	TOTAL GREEN RECYCLING	RECYCLING OF 1873KG OF E-WASTE FROM THE BRIDGETOWN WASTE FACILITY	784.65
EFT38161	08/12/2023	TRAFFIC FORCE	TRAFFIC CONTROL FOR WINNEJUP ROAD CLEARING WORKS	19,582.31
EFT38162	08/12/2023	ALEXA TUNMER	REIMBURSEMENT FOR HAND REEL FOR BORE SAMPLING	69.99
EFT38163	08/12/2023	TUTT BRYANT EQUIPMENT	VARIOUS FILTERS & PARTS FOR BOMAG WASTE COMPACTOR	2,733.10
EFT38164	08/12/2023	TYRECYCLE PTY LTD	TYRE COLLECTION AND RECYCLING FROM THE WASTE FACILITY	455.08
EFT38165	08/12/2023	VEND LTD	ANNUAL MEMBERSHIP TO VEND POS LITE 8.0 FOR VISITOR CENTRE	1,251.60
EFT38166	08/12/2023	PENELOPE ANNE WALKER	PARTIAL REFUND FOR DOG REGISTRATION FEES AS PER DOG ACT	60.00
EFT38167	08/12/2023	WARREN ELECTRICAL SERVICE	SUPPLY AND INSTALL DUCTED AIRCON UNIT AND VENTS AT SHIRE HOUSE	7,960.74
EFT38168	08/12/2023	WATTLESEED BARN CAFE & FLORIST	WREATH FOR REMEMBRANCE DAY SERVICE	85.00
EFT38169	08/12/2023	WESTRAC PTY LTD	AIR FILTER PARTS FOR SHIRE FLEET	323.97
EFT38170	08/12/2023	WINC AUSTRALIA PTY LTD	STATIONERY CUPBOARD FOR PPE STORAGE & STATIONERY SUPPLIES	657.45
EFT38171	14/12/2023	JULIA ANN BOYLE	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38172	14/12/2023	MIKKEL SKOU CHRISTENSEN	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38173	14/12/2023	MICHAEL JOHN FLETCHER	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38174	14/12/2023	TRACY LANSDELL	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38175	14/12/2023	SEAN MICHAEL MAHONEY	MONTHLY COUNCILLOR ALLOWANCE	1,507.13
EFT38176	14/12/2023	JENNIFER MARY MOUNTFORD	MONTHLY COUNCILLOR ALLOWANCE	3,416.00
EFT38177	14/12/2023	LYNDON GRAEME PEARCE	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38178	14/12/2023	ANTONINO PRATICO	MONTHLY COUNCILLOR ALLOWANCE	1,026.50

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EFT38179	14/12/2023	REBECCA REDMAN	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38180	21/12/2023	A & L PRINTERS	PRINTING OF BUSINESS CARDS FOR NEW STAFF MEMBER AND COUNCILLOR	189.00
EFT38181	21/12/2023	ARROW BRONZE	MEMORIAL PLAQUES	893.37
EFT38182	21/12/2023	AT PLUMBING & GAS	UNBLOCK DRAINS AT GREENBUSHES ROAD BOARD BUILDING	190.00
EFT38183	21/12/2023	AUSTRALIAN TAXATION OFFICE	BAS FOR NOVEMBER 2023	87,481.00
EFT38184	21/12/2023	B & B STREET SWEEPING PTY LTD	MONTHLY DRAINAGE MAINTENANCE FOR NOVEMBER	1,914.00
EFT38185	21/12/2023	BCP CONTRACTORS PTY LTD	COMPLETION OF SUBSOIL DRAINAGE FOR THE BTOWN SPORTS GROUND	90,100.45
EFT38186	21/12/2023	BLACKWOOD RURAL SERVICES	REPLACE OIL PUMP AND SERVICE BUSHFIRE MITIGATION CHAINSAW	319.40
EFT38187	21/12/2023	BLACKWOOD PLUMBING AND GAS	MAINTENANCE & REPAIRS TO SHIRE BUILDINGS, AMENITIES & HESTER BFB	5,302.00
EFT38188	21/12/2023	BLUE ROSE QUILTING	SEW BADGES ONTO FIREFIGHTERS PPE JACKETS	350.00
EFT38189	21/12/2023	BOOEASY PTY LTD	ANNUAL GATEWAY FEE & MONTHLY FEE FOR VISITOR CENTRE - NOVEMBER	715.00
EFT38190	21/12/2023	BRIDGETOWN TIMBER SALES	METAL ACCESS DOOR FOR GREENBUSHES SPORTS GROUND BUILDING	715.00
EFT38191	21/12/2023	BRIDGETOWN CRC	SES POWER CONSUMPTION	332.26
EFT38192	21/12/2023	BRIDGETOWN MITRE 10 & RETRAVISION	2 X TVS FOR ICC, DVDS FOR FILM FESTIVAL & MINOR ITEMS	2,026.00
EFT38193	21/12/2023	BRIDGETOWN PAINT SALES	VARIOUS MINOR ITEMS	73.61
EFT38194		CANCELLED		
EFT38195	21/12/2023	BRIDGETOWN NEWSAGENCY	STATIONERY SUPPLIES & MONTHLY NEWSPAPER CHARGES FOR NOVEMBER	86.70
EFT38196	21/12/2023	BRIDGETOWN TYRES	REPLACEMENT TAIL LIGHT AND REVERSE GLOBES FOR LIGHT FLEET	20.00
EFT38197	21/12/2023	BTOWN BOARDING KENNELS & CATTERY	MONTHLY KENNEL AND CATTERY IMPOUND CHARGES - NOVEMBER	473.00
EFT38198	21/12/2023	BROOKS HIRE SERVICE PTY LTD	HIRE OF EXCAVATOR & MULCHER FOR MAF PROGRAM	15,782.80
EFT38199	21/12/2023	BCITF	BCITF LEVIES COLLECTED FOR NOVEMBER	800.16
EFT38200	21/12/2023	CITY AND REGIONAL FUELS	BULK FUEL SUPPLIES FOR NOVEMBER	10,540.45
EFT38201	21/12/2023	CIVIL & STRUCTURAL ENGINEERS	ENGINEERING SERVICES FOR TOWN HALL CEILING STRUCTURE	2,392.50
EFT38202	21/12/2023	CLEANAWAY PTY LTD	WASTE COLLECTION SERVICES FOR NOVEMBER	60,848.36
EFT38203	21/12/2023	CLEANWAY XTRA CLEANING SERVICES	MONTHLY COURT CLEANING FOR BLC FOR NOVEMBER	879.10
EFT38204	21/12/2023	COMMERCIAL AQUATICS AUSTRALIA	ANNUAL POOL WATER TREATMENT PLANT MAINTENANCE FOR BLC POOL	8,580.00
EFT38205	21/12/2023	CUSTOM SERVICE LEASING LTD	MONTHLY VEHICLE LEASING FOR CESM VEHICLE - DECEMBER	612.63
EFT38206	21/12/2023	DATA#3	AUTOCAD LT 2024 GOVERNMENT ANNUAL LICENSE SUBSCRIPTION	916.66
EFT38207	21/12/2023	DAVMECH	HIRE OF TIPPERS FOR GRAVEL CARTING, REPAIRS TO LOADER & MINOR PART	14,668.94
EFT38208	21/12/2023	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH COSTS	19.85

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EFT38209	21/12/2023	DMIRS	BSL'S COLLECTED FOR NOVEMBER	2,815.78
EFT38210	21/12/2023	DOMESTIC MAINTENANCE SW	REPLACE SHADE CLOTH AT DEPOT AND REPAIRS TO FOOTPATH	2,055.00
EFT38211	21/12/2023	GABRIEL EVANS	REIMBURSEMENT FOR PASSENGER TRANSPORT DRIVERS LICENCE RENEWAL	99.00
EFT38212	21/12/2023	EXCLUSIVE TROPHIES	COMMUNITY CITIZEN OF THE YEAR HONOUR BOARD FOR SHIRE OFFICE	3,498.00
EFT38213	21/12/2023	FAIRTEL PTY LTD	MONTHLY TELEPHONE & NBN CHARGES FOR SES FOR NOVEMBER 2023	164.73
EFT38214	21/12/2023	SARAH JEAN FISK	RATES REFUND	628.75
EFT38215	21/12/2023	FONTY'S HIRE	MONTHLY HIRE OF PORTABLE TOILETS FOR DEPOT & WINNEJUP ROAD WORKS	528.00
EFT38216	21/12/2023	FULTON HOGAN INDUSTRIES PTY LTD	BITUMEN SEALING WORKS FOR WINNEJUP ROAD	61,811.44
EFT38217	21/12/2023	JS & EJ GIFFORD	REFUND OF STANDPIPE CARD BOND	100.00
EFT38218	21/12/2023	GREENBUSHES RSL	REFUND OF BOND & BOOKING FEE FOR BUS HIRE DUE TO CEO DONATION	354.00
EFT38219	21/12/2023	H C JONES & CO	SUPPLY & INSTALL NEW MIXER TAP AND MINOR PLUMBING REPAIR	411.10
EFT38220	21/12/2023	HEMA MAPS PTY LTD	STOCK FOR VISITOR CENTRE	101.64
EFT38221	21/12/2023	HILLVIEW ELECTRICAL SERVICE	REPLACE FAULTY FLOODLIGHT AND MINOR ELECTRICAL WORKS	1,820.50
EFT38222	21/12/2023	IAN STANLEY HOLROYD	PARTIAL REFUND OF DOG REGISTRATION FEES AS PER DOG ACT	100.00
EFT38223	21/12/2023	INDEPENDENT WINDSCREENS	REPLACE WINDSCREEN ON MARANUP FIRE TRUCK	770.00
EFT38224	21/12/2023	INTERPHONE	MONTHLY INTERNET CHARGES FOR ADMIN OFFICE - DECEMBER	130.90
EFT38225	21/12/2023	INTERFIRE AGENCIES PTY LTD	DFES PPE UNIFORMS	13,030.49
EFT38226	21/12/2023	IXOM OPERATIONS PTY LTD	MONTHLY RENTAL/SERVICE FEE FOR CHLORINE GAS CYLINDER - NOVEMBER	168.63
EFT38227	21/12/2023	LANDGATE	LAND VALUATION ENQUIRY CHARGES	74.15
EFT38228	21/12/2023	LGIS INSURANCE BROKING	REGIONAL RISK CO-ORDINATOR FEES JULY 2023 - DECEMBER 2023	5,589.43
EFT38229	21/12/2023	MALATESTA ROAD PAVING & HOT MIX	ASPHALT OVERLAY FOR DAIRY LANE	21,956.00
EFT38230	21/12/2023	MANJIMUP TOYOTA & MITSUBISHI	NEW 2023 MITSUBISHI TRITON - REPLACEMENT FOR VEHICLE LOST IN FIRE	47,076.35
EFT38231	21/12/2023	JOANNA MCCORD	RATES REFUND	231.00
EFT38232	21/12/2023	MCLEODS	PROVISION OF LEGAL ADVICE	179.85
EFT38233	21/12/2023	NATURALISTE HYGIENE SERVICES	6 MONTHLY SUPPLY OF NAPPY & SANITARY NAPKIN DISPOSAL UNITS	2,427.53
EFT38234	21/12/2023	NYLUND HOUSE TRANSPORTERS PTY LTD	GREENBUSHES RAILWAY STATION PROJECT - CLAIM 1	55,776.60
EFT38235	21/12/2023	OFFICWORKS LTD	OFFICE SUPPLIES AND STATIONERY	94.99
EFT38236	21/12/2023	OLD DOG DIRT AND DIESEL	SERVICE OF BOMAG WASTE COMPACTOR AND MINOR REPAIRS	2,136.60
EFT38237	21/12/2023	QHSE INTEGRATED SOLUTIONS PTY LTD	CORE MONTHLY SUBSCRIPTION FOR SKYTRUST INTELLIGENCE SYSTEM	5,049.00
EFT38238	21/12/2023	REDWOOD HILLS	GRAVEL PURCHASE FOR WINNEJUP ROAD CONSTRUCTION WORKS	6,147.08

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EFT38239	21/12/2023	REGEN STUDIOS	SCREENING LICENCE FEE FOR SUMMER FILM FESTIVAL	385.00
EFT38240	21/12/2023	RICHFEEDS AND RURAL SUPPLIERS	PPE FOR WORKS CREW, SOIL WETTER, FENCING SUPPLIES & MINOR ITEMS	3,496.25
EFT38241	21/12/2023	SCAVENGER SUPPLIES PTY LTD	MONTHLY FIRE INDICATOR SERVICE AT BLC - NOV, MINOR ITEMS & REPAIRS	566.50
EFT38242	21/12/2023	SCHWEPPE AUSTRALIA PTY LTD	FOOD AND BEVERAGE ITEMS FOR RESALE AT THE BLC	1,122.66
EFT38243	21/12/2023	SHAMROCK HOTEL GREENBUSHES	MEALS FOR ORDINARY COUNCIL MEETING 30 NOVEMBER 23	363.00
EFT38244	21/12/2023	SHIRE OF BRIDGETOWN-GREENBUSHES	SHIRES COMMISSIONS COLLECTED FOR NOVEMBER	121.25
EFT38245	21/12/2023	SIGMA CHEMICALS	CHEMICALS FOR SWIMMING POOL	2,257.75
EFT38246	21/12/2023	JEAN ANNE SMITH	RATES REFUND	418.08
EFT38247	21/12/2023	SOUTH WEST FIRE UNITS	FIT & SUPPLY REFLECTIVE STRIPING TO DFES STANDARD FOR FLEET VEHICLE	1,694.37
EFT38248	21/12/2023	STANS MANJIMUP FARM MACHINERY	MINOR PARTS FOR FLEET LIGHT VEHICLE	69.15
EFT38249	21/12/2023	STEWART & HEATON CLOTHING CO	DFES PPE UNIFORMS	235.84
EFT38250	21/12/2023	STEPHEN CARRICK ARCHITECTS	ARCHITECTURAL SERVICES FOR BRIDGETOWN RAILWAY STATION PROJECT	9,614.00
EFT38251	21/12/2023	ST JOHN AMBULANCE AUSTRALIA (WA)	FIRST AID TRAINING FOR 2 X STAFF MEMBERS	684.00
EFT38252	21/12/2023	SYNERGY	ELECTRICITY CHARGES	3,109.61
EFT38253	21/12/2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	129.78
EFT38254	21/12/2023	THE CIDERY	CATERING & BEVERAGES FOR SHIRE STAFF CHRISTMAS PARTY	3,329.70
EFT38255	21/12/2023	THE STABLES IGA	REFRESHMENTS FOR DEPOT	83.25
EFT38256	21/12/2023	TOTEM RUSTIC	3M CHRISTMAS BOW TO SUIT LARGE WREATH DECORATION	1,000.00
EFT38257	21/12/2023	T-QUIP	SUPPLY NEW INDUSTRIAL COMPACT FOOTPATH SWEEPER, LESS TRADE-IN	142,490.00
EFT38258	21/12/2023	TRAFFIC FORCE	TRAFFIC CONTROLLERS FOR WINNEJUP RECONSTRUCTION WORKS	42,872.52
EFT38259	21/12/2023	WINC AUSTRALIA PTY LTD	10 X CARTONS OF WHITE A4 PAPER & OFFICE SUPPLIES	876.05
DIRECT DEBITS - LICENSING				
27807	01/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 01/12/2023	7,841.70
27808	04/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 04/12/2023	4,212.50
27809	05/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 05/12/2023	6,644.10
27810	06/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 06/12/2023	3,784.20
27811	07/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 07/12/2023	3,601.30
27812	08/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 08/12/2023	3,450.80
27813	11/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 11/12/2023	6,033.25
27814	12/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 12/12/2023	2,188.05

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27815	13/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 13/12/2023	3,606.70
27816	14/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 14/12/2023	679.45
27817	15/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 15/12/2023	3,966.65
27818	18/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 18/12/2023	8,445.10
27819	19/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 19/12/2023	6,258.75
27820	20/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 20/12/2023	2,787.95
27821	21/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 21/12/2023	3,365.25
27822	22/12/2023	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 22/12/2023	4,719.10
CHEQUES				
300269	08/12/2023	WATER CORPORATION	WATER CHARGES	24,637.58
300270	08/12/2023	JULIE ZOHAR	RATES REFUND	960.42
300271	21/12/2023	WATER CORPORATION	WATER CHARGES	212.16
				<u>1,581,817.84</u>
CHEQUES - VISITOR CENTRE TRUST				
NIL				
ELECTRONIC PAYMENTS - VISITOR CENTRE TRUST				
EFT38260	22/12/2023	BRIDGETOWN HISTORICAL SOCIETY INC.	CONSIGNMENT STOCK SOLD FOR NOVEMBER 2023	28.12
EFT38261	22/12/2023	BGBTA	CONSIGNMENT STOCK SOLD FOR NOVEMBER 2023	6.75
EFT38262	22/12/2023	DJARLINY DESIGNS	CONSIGNMENT STOCK SOLD FOR NOVEMBER 2023	36.00
EFT38263	22/12/2023	PUBLIC TRANSPORT AUTHORITY OF WA	BUS TICKETS SOLD FOR NOVEMBER 2023	508.66
EFT38264	22/12/2023	SHIRE OF BRIDGETOWN-GREENBUSHES	SHIRES COMMISSION'S RETAINED FOR NOVEMBER 2023	703.60
V300231	05/12/2023	WESTPAC	TOTAL ACCOMMODATION FOR THE MONTH OF NOVEMBER 2023	3,805.87
				<u>5,089.00</u>

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN DECEMBER TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
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This schedule of accounts paid for the Municipal Fund totalling \$1,581,817.84 and for the Trust Fund totalling \$5,089.00 which was submitted to each member of the Council on 25th January 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and castings.

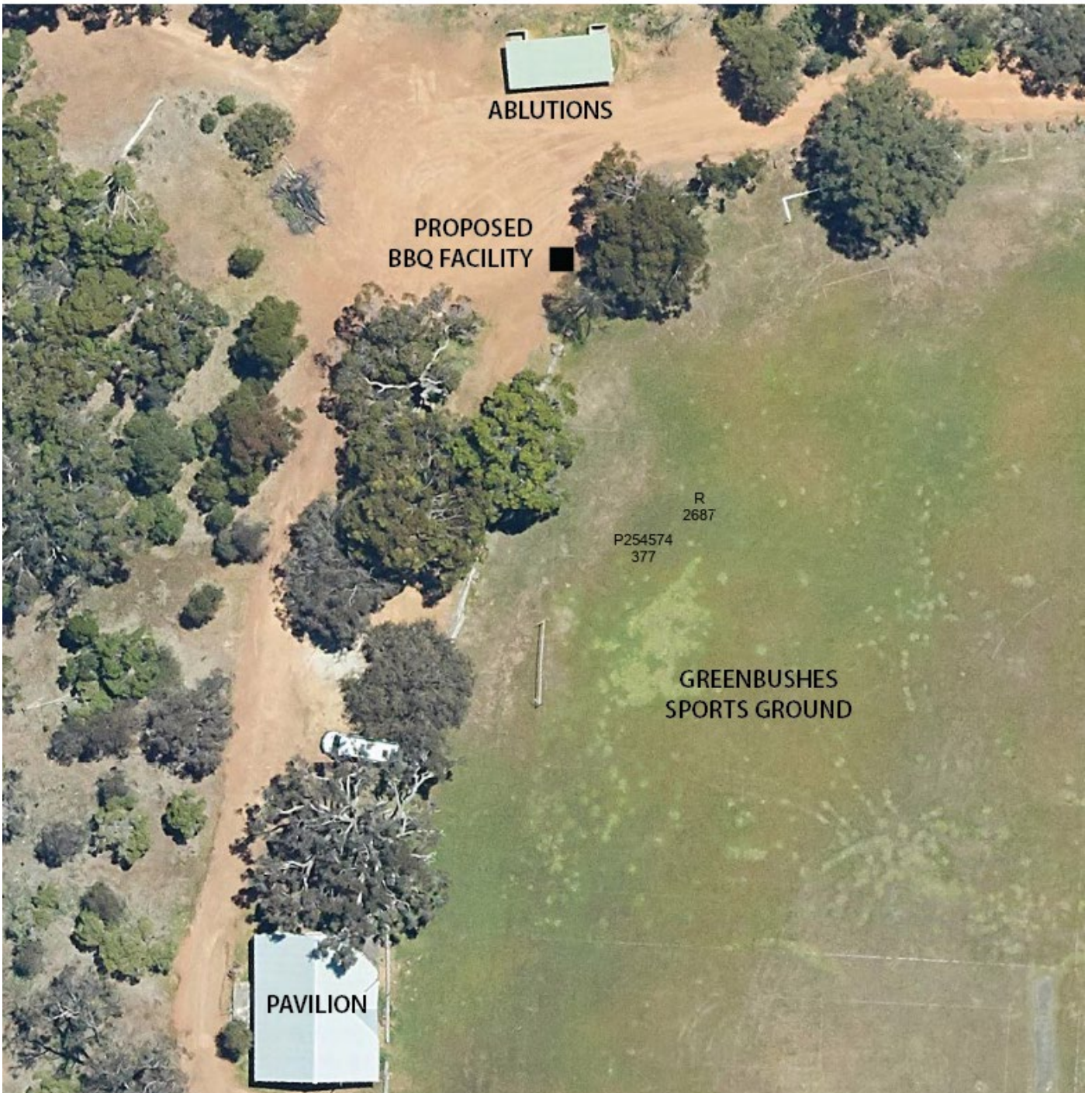
Total creditor accounts outstanding as at 31/12/2023 is \$751,243.28



.....
CHIEF EXECUTIVE OFFICER

25th January 2024

BBQ Shelter Site Plan



ROLLING ACTION SHEET

January 2024 (encompassing Council Resolutions up to Ordinary Council Meeting held 14 December 2023)

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>C.02/0721 Review of Local Laws</p> <p>1. That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:</p> <ul style="list-style-type: none"> I. Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law II. Cats Local Law III. Health Local Law IV. Standing Orders Local Law 	<p>N Price</p>	<p>November 2023 Fencing Local Law being presented in December OCM</p> <p>December 2023 Standing Orders Local Law – Standardising meeting procedures forms part of the Tranche 2 Local Government Act reforms. These are currently under development by the department, therefore amendments to this local law are pending the finalisation of the legislation.</p>	<p>January 2024 Agenda item for January Ordinary Council Meeting.</p>	
<p>C.04/0322 Consideration of Recommendation from Annual General Meeting of Electors – Bridgetown CBD Parking</p> <p>That Council:</p> <p>1. Conducts a review of the parking situation in the Bridgetown CBD, incorporating street parking and off-road parking, including loading bays.</p>	<p>N Gibbs</p>	<p>November 2023 Alistaire Butcher has recommended Porters to perform the body of work. Terms of Reference to be developed by December 2023.</p> <p>December 2023 CEO requested preliminary quote from Porters (with no idea of a figure, we need to establish the most appropriate procurement process).</p>	<p>January 2024 Urban planning employee being proposed in new organisational restructure.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>C.05/0422 Stanifer Street 40km/h Speed Zone</p> <p>1. That a request be submitted to Main Roads Western Australia seeking a reduction in the speed limit to 40km/h on Stanifer Street from just east of its intersection with George Street to just west of its intersection with Diorite Street with this reduced speed limit being in place until such time as the proposed heavy haulage access road between South Western Highway and the Talison Lithium Mine site is constructed and operational.</p>	<p>S Alexander</p>	<p>November 2023 Manager Infrastructure & Works met with Alan Roberts, South West MRWA Region Network Operations Manager from MRWA. Alan inspected the road and roadside environment and verbally stated that the Road did not meet the criteria and that a formal outcome to implement a 40kph zone was unlikely.</p> <p>December 2023 Issue of a school crossing has been raised in relation to this item. Applications for school crossings must be made by the school however Shire support is required. Greenbushes Primary has indicated their intention to submit an application and the Shire has signed off on support.</p>	<p>January 2024 Letter to Minister Safiotti and Minister Michael has been signed by President and sent.</p>	
<p>C.17/0422 Nairnup Road Land Acquisition</p> <p>1. Direct the CEO to commence formal negotiations with the owners of Lot 7919 Tweed Road, Glenlynn, for the purchase of a</p>	<p>S Alexander</p>	<p>November 2023 Manager Infrastructure & Works inspected the road and noted that the fence has still not been replaced. To date, negotiations with the landowner for purchase of</p>	<p>January 2024 Meeting with land owner arranged for January.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>486 sq. m portion of this lot, for the purpose of creating a new alignment for a portion of Nairnup Road.</p> <p>2. Note a further report be presented to Council on the conclusion of this negotiation.</p>		<p>the 486 sqm portion have not been successful and have stalled.</p> <p>December 2023</p> <p>Landowner will be notified of the Shires intention to proceed with compulsorily acquisition if agreement cannot be reached within a set timeframe.</p>		
<p>C.09/0622 (Parts 3-5) Review of Finance Policies</p> <p>That with respect to Section 3 (Finance) of the Policy Manual Council:</p> <p>1. Note that a separate review of Policy F.1 (Community Grants, Service Agreements, Donations and Contributions) and Policy F.9 (Service Agreements for community Service Providers) is to occur with both policies being incorporated into a new single policy.</p> <p>2. Note that separate reviews of the following policies is to occur:</p> <ul style="list-style-type: none"> • Policy F.7 (Reporting Forecast Budget Variations Policy) • Policy F.15 (Asset Management) • Policy F.18 (Self-Supporting Loans to Shire Community/Sporting Groups) 	<p>M Larkworthy and M Richards</p>	<p>November 2023</p> <p>Work is continuing the review of the Purchasing and Risk Management policies due for presentation to Council in December. A review of the following policies will occur once the Department finalises its review of the financial ratios and the integrated planning and reporting framework:</p> <ul style="list-style-type: none"> • Asset Management • Self-Supporting Loans to Shire Community/Sporting Groups • Assets Financing and Borrowings <p>December 2023</p> <p>A review of policies F.1 (Community Grants, Service Agreements, Donations and</p>	<p>January 2024</p> <ul style="list-style-type: none"> • Community Grants Policy is to be reviewed at the next Concept Forum. • Asset Management Policy will be presented at the February OCM for adoption. • Remaining policies to be reviewed at recruitment of the new Executive Manager, Finance. 	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<ul style="list-style-type: none"> Policy F.19 (Assets Financing and Borrowings) <p>Policy F.21 (Risk Management)</p>		<p>Contributions) and F.9 (Service Agreements for community Service Providers) has occurred, a new single policy and presented at December OCM</p> <p>C.19/1223 New Policy – Community Grants, Contributions and Donations - deferred awaiting further information.</p> <ol style="list-style-type: none"> Following a recent Department of Local Government reform webinar it is now understood that review of the financial ratios and the integrated planning and reporting framework will not be finalised prior to June 2024. As a result, a review of the following policies will be scheduled in early 2024 that will include removal of references to the Department's ratio calculations: <ul style="list-style-type: none"> Self-Supporting Loans to Shire Community/ Sporting Groups Assets Financing and 		

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>13/0922 Standardised Acknowledgement of Country</p> <p>1. Request the CEO to investigate the design, cost and method of installing a visual Acknowledgement of Country to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library, the glass door of the customer support area of the administration building, and appropriately at the Visitor Centre, with a report back to Council.</p>	M Richards	<p>Borrowings</p> <p>November 2023 Waiting on information from Kaneang Elders.</p> <p>December 2023 C.13/1223 – Standardised Acknowledgement of Country – Deferred to allow for further information to be collected</p>	<p>January 2024 Policy to be presented to January OCM for adoption.</p>	
<p>C.09/1022 Cultural Inclusion Advisory Committee Recommendations</p> <p>Agree, in principle, to the dual naming of the Blackwood River to include the Aboriginal name – Goorbilyup</p> <p>Progress the dual naming process by agreeing to;</p> <p>a) Consult with each of the Shires along the Blackwood River (West Arthur, Boyup Brook, Nannup and Augusta Margaret River).</p> <p>b) Consult with the Aboriginal Elders representing each of the language groups located along the Blackwood River (Wadandi, Pibulmun, Kaneang and possibly Wiilman)</p> <p>c) Consult with the Aboriginal Corporations representing each of the language groups along the Blackwood River if required</p>	M Richards	<p>November 2023 Boyup Brook recently voted no for the Dual Naming of the Blackwood. Further discussion/decisions will be brought to Council.</p> <p>December 2023 Awaiting outcome of Boyup Brook OCM – May need to draft letter to Minister of Lands with all four Presidents of Shires who said yes to sign. Landgate may agree if all other Shires have said yes.</p>	<p>January 2024 Letter to Landgate signed by 4 of the 5 Shire Presidents. Checking with Boyup Brook to see whether they want to be included.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<ul style="list-style-type: none"> Present back to Council for final determination 				
<p>C.04/1122 Review of Policy Manual Section 9 – Other</p> <p>That with respect to Section 9 (Other) of the Policy Manual, Council:</p> <ol style="list-style-type: none"> Endorse the following Policies with minor modifications as shown in Attachment 3: <ul style="list-style-type: none"> O.3 Procedures for Adopting New Sites/Properties for Inclusion in the Municipal Inventory O.5 Provision of Refreshments to Firefighters by Incident Controller Note that the following policies will be subject to standalone review in 2022/23: <ul style="list-style-type: none"> O.8 Bridgetown-Greenbushes Visitor Centre Membership O.9 Bush Fire Brigade Personal Protective Equipment – Adjourned in Nov OCM to Feb OCM O.11 Use of Chainsaws by Bush Fire Brigades – Adjourned in Nov OCM to Feb OCM O.15 Fire Protection – Shire or Brigade Owned Fire Fighting Appliances. 	N Gibbs	<p>November 2023 Bridgetown-Greenbushes Visitor Centre Membership Policy is not required – the content is governed by Council's Fees and Charges and will be detailed in promotional material.</p> <p>December 2023 Currently being reviewed.</p>	<p>January 2024 Ca.09/1123 –</p> <ul style="list-style-type: none"> Bush Fire Brigade Personal Protective Equipment Use of Chainsaws by Bush Fire Brigades <p>Adjourned in Nov OCM. Neither policy is required for insurance purposes. Awaiting insertion of both issues in SOPs before representing to Council for repealing.</p>	
<p>C.08/1122 Land Untidy – Lot 69, 38 Warner Street Hester</p> <p>That Council;</p>	L Guthridge	<p>November 2023 No Action. The notice specifies a deadline for clean up of the property for the</p>	<p>January 2024 The deadline of the 20th December 2023 for the cleanup at the property was not met.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>1. Instruct the CEO to take legal action against the owner of Lot 69, 38 Warner Street Hester in accordance with Section 3.25 of the Local Government Act to remedy that the subject land is untidy; and</p> <p>Authorise the CEO to engage a solicitor to prepare legal documents and represent the local government in court.</p>		<p>20th December 2023. Meanwhile staff have attempted to contact the owner to discuss this matter to facilitate an outcome. Neighbours are being updated with any new developments and progress.</p> <p>December 2023 No update.</p>	<p>Staff have engaged solicitors and instructions given to commence legal action. Court documents have been signed.</p>	
<p>C.04/0223 - Greys Hill Road 50km/h Speed Zone</p> <p>1. That a request be submitted to Main Roads Western Australia seeking an extension of the 50km/h speed limit that currently ends on Grey's Hill Road to a point past its intersection with Mattamattup Street</p>	S Alexander	<p>November 2023 Manager Infrastructure & Works met with Alan Roberts, South West MRWA Region Network Operations Manager from MRWA. Alan inspected the road and roadside environment and verbally stated that extension of the 50kph zone may be possible.</p> <p>December 2023 Manager Infrastructure & Works to contact MRWA monthly seeking updates on all outstanding speed zoning applications.</p>	<p>January 2024 Contacted Main Roads for an update, no update yet.</p>	
<p>SpC.02/0323 Draft Local Planning Scheme No. 6</p> <p>That Council:</p> <p>1. In accordance with section 72 of the Planning</p>	P St John	<p>November 2023 Negotiations between DPLH & DWER are approaching a conclusion and a decision on advertising the scheme is</p>	<p>January 2024 No update.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>and Development Act 2005 and regulation 21 of the Planning and Development (Local Planning Schemes) Regulations 2015, adopt, for the purposes of public advertising, the draft Shire of Bridgetown-Greenbushes Local Planning Scheme No. 6 consisting of the Scheme text and Scheme maps as shown in Attachments 1 and 2</p> <p>2. Forward copies of the draft Scheme documents to:</p> <ul style="list-style-type: none"> i. The Environmental Protection Authority for consideration pursuant to section 81 of the Planning and Development Act 2005. ii. The Western Australian Planning Commission for consideration and advice to the local government, pursuant to regulation 21 of the Planning and Development (Local Planning Schemes) Regulations 2015 <p>3. Subject to receipt of advice from the Environmental Protection Authority and the Western Australian Planning Commission, advertise the draft Scheme in accordance with the requirements of regulations 22 and 76A of the Planning and Development (Local Planning Schemes) Regulations 2015 for a period of 90 days by undertaking the following actions:</p> <ul style="list-style-type: none"> i. Advertise a notice regarding the draft scheme, prepared under the provisions of regulation 22(1), on the Shire's website for the whole duration of the 		<p>expected in the coming months.</p> <p>December 2023 No update.</p>		

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>public advertising period, and in a local newspaper under the provisions of regulation 76A(4) for three consecutive weeks commencing in the first week of the public advertising period.</p> <p>ii. Making the scheme documents (scheme text and maps) available for viewing on the Shire's website for the whole duration of the public advertising period in accordance with regulations 22(2) and 76A(3), with the ability for the documents to be downloaded and printed if a person wishes to do this.</p> <p>iii. Providing hard copies of the scheme text and maps for public inspection at the Shire Administration office for the whole duration of the public advertising period in accordance with regulation 76A(3)(b).</p> <p>iv. Provide a plain language overview of the planning scheme review and preparation process and a list of Frequently Asked Questions (FAQ's) on the Shire's website and make the overview and FAQ's available as a printed information pack which is available at the Administration Building or sent to residents/property owners on request.</p> <p>v. Provide a dedicated email address to which questions on the draft scheme</p>				

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>may be submitted during the first 60 days of the advertising period, with a commitment that a written response will be provided within 21 days of receipt and, if the question is likely to be of general interest and does not disclose information about a specific person or property, the question and response (or a redacted version) will be added to the FAQ's on the Shire website</p> <p>2. After the end of the public advertising period, a further report be presented for Council's consideration providing details of all submissions received and recommended responses to address issues raised in submissions, in accordance with Regulation 25 of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>				
<p>C.10/0423 Reflect Reconciliation Action Plan</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approve the Reflect Reconciliation Action Plan process as follows; <ol style="list-style-type: none"> a. Complete the 12 month Reflect Template b. Submit the Reflect template to Reconciliation Australia for review c. Make any changes required by Reconciliation Australia d. Present to Council for adoption e. Receive Reconciliation Australia 	M Richards	<p>November 2023 Began working on this plan this month, hope to have it before Council at January Council Meeting.</p> <p>December 2023 Draft to be presented to Council in January OCM.</p>	<p>January 2024 No update.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
endorsement for 12 Month Reflect Reconciliation Action Plan				
<p>C.05/0523 Relocation of the Visitor Centre to Bridgetown Railway Station</p> <p>That Council: Authorise the CEO to enter into discussions with the BGBTA on tenure (lease) and conditions of occupancy, including but not limited to lease term, responsibility for building operating and maintenance costs, responsibility for future capital improvements, and building management/operations partnerships with the other building tenants (Bridgetown Greenbushes Community Landcare and Blues at Bridgetown)</p> <ol style="list-style-type: none"> 1. Request the CEO to report back on what essential building maintenance works need to be funded in the 2023/24 budget by the Shire before a lease with BGBTA can be entered into 2. Request the CEO to report back on how the exhibition spaces in the railway station will be managed, including details on what form of permanent exhibition could be accommodated in the dedicated space 3. Authorise the CEO to enter into discussions with Bridgetown Greenbushes Community Landcare and Blues at Bridgetown about securing their ongoing tenure in the building. 	P St John & P Quinlivan	<p>November 2023 Documentation from architect finalised for fit out 17.11.23. RFQ sent to three builders, 17.11.23 with closing date 10th December.</p> <p>December 2023 Contractor to be appointed for custom joinery schedule following closure of RFQs on 10/12/23. Procurement of 'off-shelf' items is being progressed by Shire staff. Fit out and relocation of the Visitor Centre is scheduled for completion by 29 March 2024.</p>	<p>January 2024 Contractor for custom joinery has been appointed and purchase order issued. Works now underway and scheduled for completion by 29/3/24. Procurement of 'off-shelf' items is being done by Shire staff.</p>	29/3/24
C.03/0623 Proposed reinstatement of the initials of Ken	P Hamilton	<p>November 2023 Have sent photo of</p>	<p>January 2024 Postponed until April/May due</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>Moyes in the pointing of the stonework at the front of the civic building</p> <p>1. That the historical initials of Ken Moyes included in the pointing of the stonework at the front of the civic building be reinstated, in an authentic a manner as is possible.</p>		<p>proposed lettering to Phi St John for approval to ensure proposed lettering will be suitable, Have also marked on wall with white out to show where proposed to install. Also liaised with Contractor again and he is working out when he may have time to compete due to other work commitments.</p> <p>December 2023 Have contacted William Moyes for the redesign of initials to replace. He has advised he will chalk letters in for Shire to check. If all parties are happy with lettering, he has offered to reinstate the initials. He advised that he has access to some funds from Historical Society but if unable to access these funds, Council has allocated some funds for reinstatement of initials.</p>	<p>to advice from NSW Government that the work cannot be performed successfully in the heat.</p>	
<p>C.15/0623 Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development</p>	<p>P St John</p>	<p>November 2023 Public consultation of the notice of amendment concludes on 15 November</p>	<p>January 2024 No update.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>in the Commercial zone.</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt, for the purposes of public advertising, Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 in accordance with s75 of the Planning and Development Act 2005 and Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, to amend Part 4 of the Scheme text to add the following wording to clause 4.3.3: <ol style="list-style-type: none"> a. Notwithstanding clause 4.3.3 (d) Council may permit development for residential use which complies with the provisions of the Residential Design Codes as they apply to areas coded R35, within the Commercial zone, where: <ol style="list-style-type: none"> i. it is satisfied that the development is consistent with the amenity of the locality, and ii. in the case of a development located on or adjoining a site listed in Schedule 4 of the Scheme, it is satisfied that the development enables the place, building or object listed in Schedule 4 is conserved and preserved, and iii. the development can be connected to the reticulated sewerage system. 2. Execute the relevant scheme amendment 		<p>2023. This amendment is expected to be presented to Council for consideration in December 2023.</p> <p>December 2023 <i>C.17/1223 Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development in the Commercial zone.</i></p> <p><i>That Council advertise Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 for an additional 42 days to commence on Friday 22 December 2023, by;</i></p> <ol style="list-style-type: none"> <i>1. Including a notice on the Shire website advising of the further opportunity to make submissions and including explanatory mapping showing all the land zoned 'Commercial' and subject to the amendment,</i> <i>2. Writing to the owners of Lot 601 (No 183) and Lot 2 (No 179)</i> 		

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
documentation and process the amendment in accordance with the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015.		Hampton Street 3. Considering any further submissions received, and the submissions already received on Amendment No. 73, after the completion of the further advertising period.		
<p>C.16/0623 Bridgetown Mobile Food Vendors Trial</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Conduct a review of the operation of the trial based to be completed by June 2024 based on the following: <ol style="list-style-type: none"> (a) Feedback from the community. (b) Feedback from existing food premises within the Shire. (c) The level of interest from the industry, availability of suitable traders and the range of food provided. (d) The suitability of the location and consideration of any infrastructure improvements necessary should this be considered on a more permanent basis. (e) The suitability of the days and times of operation. 	P St John	<p>November 2023 Following an insufficient number of EOIs from operators the trial will proceed in a modified manner.</p> <p>December 2023 Trial is continuing still with an insufficient number of operators.</p>	<p>January 2024 No update.</p>	
<p>C.15/0723 RFT 03-2223 Relocation and Renewal of the Greenbushes Railway Station</p>	L Guthridge M Gillham	<p>November 2023 The project commenced on 6th November 2023.</p> <p>December 2023</p>	<p>January 2024 Concept Forum discussion in February 2024.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>That Council:</p> <ol style="list-style-type: none"> 1. Note that a single tender has been received for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station, being from Nyland House Transporters Pty Ltd at a price of \$406,076.00 (EX-GST); 2. Note that the tender price of \$406,076 is in excess of the current budget allocation of \$383,055 prior to the costs of installing a wastewater disposal system and any contingency funding being addressed. 3. Approve an allocation of \$20,000 own source funding in the 2023/24 budget as a Shire financial contribution to the project. 4. Note that the Shire is currently awaiting a response to a funding request made to a third-party funding body with that request being for an amount up to \$50,000 which if funded would allow for delivery of the full scope of works inclusive of a 10% contingency allowance. 5. Delegate authority to the Chief Executive Officer to award the tender for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station once a response to the funding request (refer Part 4) is received. 6. In the event of the tender being awarded, authorise the Chief Executive Officer to enter into a Contract with the successful tenderer. In the event of the funding request (refer Part 4) not being provided or an amount significantly less than \$50,000 being provided 		<p>Building has been stripped and prepared for transport. Pauline is coordinating a stakeholder and contractor meeting to bring to project into order.</p>		

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>the Chief Executive Officer is authorized to negotiate minor variations to the Contract and amend the scope of works to reduce the Contract price by removing the proposed neta screen fence priced at \$26,850.00 (Ex-GST) and proceeding with a lesser contingency allowance.</p>				
<p>C.02/1216 Acquisition of Dumpling Gully Precinct</p> <p>That Council request the CEO to investigate the options of the Shire of Bridgetown-Greenbushes taking ownership of the Dumpling Gully Dams (and associated area) commonly called the Dumpling Gully Precinct to incorporate the area into a Shire Reserve which can be developed for both passive and active recreation activities for the community and to manage and protect the Wetlands and associated unique fauna and flora of the region.</p>	M Gillham	<p>November 2023 No update.</p> <p>December 2023 No update</p>	<p>January 2024</p> <ul style="list-style-type: none"> Water Corporation are developing a 'Water Take Agreement' which is expected to be received by end January 2024. Morgan is currently coordinating an on-site meeting with Water Corporation and DBCA – Likely February 2024. 	Mid to late 2024
<p>C.11/0621 Civic Centre Car Park, Steere Street and Stewart Street Precinct</p> <p>That Council:</p> <ol style="list-style-type: none"> Note the submissions received in 2019 as per Attachment 15 and 2020/21 as per Attachment 16. Request the Chief Executive Officer to implement the design of Civic Centre Car Park, Steere Street and Stewart Street Precinct as per 	S Alexander	<p>November 2023 No update.</p> <p>December 2023 An objection has been received about the removal of a parking bay adjacent to the Newsagent due to impact on customers with mobility issues. Removal is an MRWA requirement. Manager Infrastructure &</p>	<p>January 2024 Deferred until appointment of Urban Planner.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>Attachment 13.</p> <p>3. Authorise the Chief Executive Officer to execute any minor modifications as may be necessary to implement the project safely and efficiently.</p> <p>Request the CEO to investigate the area in front of Westpac Bank for provision of a disabled parking bay.</p>		<p>Works will liaise with Newsagent regarding the reasons for the bay removal and investigate the viability of an adjacent ACROD bay. Intersection works and the Hampton St ACROD Bay are in the current budget and planned to be completed in the 2023/24 year.</p>		
<p>C.03/0423 Change of Purpose – Reserve 40973</p> <p>That Council authorise the CEO to submit an application to the Department of Planning, Lands and Heritage to change the purpose of Reserve 40973 to include telecommunications.</p>	<p>L Taramoeroa</p>	<p>November 2023 No update.</p> <p>December 2023 EA to follow up in January 2024.</p>	<p>January 2024 Leigh spoke to Department of Planning, Lands and Heritage on 2 Jan 24 who have requested a copy of the legal advice obtained from DFES to consider change of purpose. Awaiting copy of DFES legal advice.</p>	
<p>C.11/1221 Review of Plantation Applications Town Planning Scheme Policy</p> <p>That Council adopt the draft revised Plantation Applications Town Planning Scheme Policy TP.1, as per Attachment 7, and direct the Chief Executive Officer to proceed to public consultation in accordance with Clause 7.6.2 of Town Planning Scheme No.4, with a report and feedback to be presented to a future meeting of Council.</p>	<p>P St John</p>	<p>November 2023 No update.</p> <p>December 2023 An Agenda item for this is to be presented at the January OCM.</p>	<p>January 2024 No update.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>C.06/0322a Consideration of Recommendation from Annual General Meeting of Electors – Access to Rail Corridor. That Council:</p> <ol style="list-style-type: none"> 1. Direct the CEO to engage with the Public Transport Authority requesting consideration towards introducing measures to increase fire access for fire crews along the railway corridor within the Shire of Bridgetown-Greenbushes 2. Request the Public Transport Authority conduct a higher degree of fire mitigation works on railway reserves within the Shire of Bridgetown-Greenbushes. 	P St John	<p>November 2023 No update.</p> <p>December 2023 CEO to speak to Ben</p>	<p>January 2024 No update.</p>	
<p>C.13/0522 Geegelup Mountain Bike Trail Network</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the recommendation from its Trails Development Advisory Committee to proceed with the planning of the Geegelup Mountain Bike Trail Network. 	M Richards	<p>November 2023 No update.</p> <p>December 2023 Engaged Contractor – waiting for instruction to put in the right place</p>	<p>January 2024 Currently an unfunded project.</p>	
<p>C.08/1022 Speed Limit – Whittells Road</p> <p>That Council request the Chief Executive Officer submit an application to Main Roads Western Australia seeking the introduction of a 60kph speed zone on Whittells Road from Railway Terrace to Sunridge Drive.</p>	S Alexander	<p>November 2023 No Update.</p> <p>December 2023 Manager Infrastructure & Works to contact MRWA monthly seeking updates on all outstanding speed zoning applications.</p>	<p>January 2024 Contacted Main Roads for an update, no update yet.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
<p>C.03/1122 Review of Infrastructure Policies</p> <p>That with respect to Section 4 (Infrastructure) of the Policy Manual, Council:</p> <ol style="list-style-type: none"> 1. Endorse the following Policies with modifications as shown in Attachment 2: <ul style="list-style-type: none"> • Policy I.2 (Provision of Roads and Associated Civil Works for Subdivisions and Developments) • Policy I.5 (Road Resumptions) • Policy I.6 (Exploration Drilling on Shire Roads and Reserves) • Policy I.13 (Gravel Road Development & Maintenance) • Policy I.14 (Restricted Access Vehicles – Applications for Council Support) • Policy I.15 (Lawn Cemetery – Reservation of Grave Sites) • Policy I.17 (Pesticides Spraying) • Policy I.19 (Gravel Procurement) 2. Note that review of Policy I.1 (Street Trees), Policy I.4 (Road Verge, Policy), I.7 (Crossovers), and Policy I.8 (Temporary Closure of a Road for an Event) are deferred for standalone process due to the scope of changes required. 	<p>S Alexander</p>	<p>November 2023 No update.</p> <p>December 2023 Manager Infrastructure & Works is reviewing all Infrastructure policies on a priority basis and this will include the policies listed in item 2 apart from the Road Verge policy which was revoked by Council 25/02/2023 (C.15/0223)</p>	<p>January 2024 Policy I.9 (Private Works Plant and Equipment Accessed by Shire Staff) put up to be repealed at January OCM</p> <p>Each policy must be reviewed as a standalone document. It is not simply a matter of amending the words – we must be positioned to execute any changes to the policy documents. One or two policies will be tabled per month, depending on the complexity of any changes.</p> <p>Asset Management Policy tables at January 2024 OCM.</p>	
<p>C.13/0223 Development Compliance Policy</p> <p>Give further consideration to the draft Policy following closure of public advertising and consideration of any public submissions.</p>	<p>P St John</p>	<p>November 2023 No update.</p> <p>December 2023 An Agenda item will be presented at the January</p>	<p>January 2024 The current CEO has some questions regarding the intent of this policy. An agenda Item will be tabled at the February 2024 OCM.</p>	

Council Decision	Responsible Officer	Previous Three Months	This Month's Report	Completion Date
		OCM.		
<p>C.02/0923 Community Group Banner Development and Funding Allocation</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Consult with community groups regarding the potential development of banners for the various events held in Bridgetown including, but not limited to; <ol style="list-style-type: none"> a. The Blues at Bridgetown b. Blackwood Marathon c. Festival of Country Gardens d. Winter Festival e. Heritage Week 3. Provide the completed banners to each of the 5 community groups to store and deliver to the shire, in a timely manner, to install for their event. 	M Richards	<p>November 2023 No update.</p> <p>December 2023 No update.</p>	<p>January 2024 The actual cost of changing the banners six time per year is \$2,000.00 each time, this must be included in the new budget.</p>	
<p>C.07/1123 Bush Fire Brigade Training Report</p> <p>That Council defer this report until the February 2023 OCM to give a more accurate picture of training requirements of active members of bush fire brigades and also present that information to BFAC for consideration.</p>	B Armstrong	December 2023	<p>January 2024 Currently completing a full Audit of Brigades members determining active/inactive and updating DFES/Shire records to reflect 60% completed – report to be tabled to BFAC for consideration.</p>	Feb 2024