



Shire of Meekatharra
Ordinary Council Meeting
Minutes

Council Chambers
75 Main Street, Meekatharra

Saturday 15 February 2025

11:30 am

Confirmation of Minutes

These minutes were confirmed as a true and accurate record of proceedings on Saturday 15 March 2025.

Name

Signature

Disclaimer

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Shire of Meekatharra

Ordinary Council Meeting

Please be advised an Ordinary Council Meeting will be held at 11:30 am Saturday 15 February 2025 in the Shire of Meekatharra Council Chambers, 75 Main Street, Meekatharra.

A handwritten signature in black ink, appearing to read 'Nathan Cain', with a stylized flourish at the end.

N Cain
Acting Chief Executive Officer
10 February 2025

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1 Declaration of opening

The meeting was opened at 11.30 am.

2 Attendance

2.1 Present

Council Members

H Nichols	Shire President
M Smith	Deputy Shire President
M Hall	Councillor
W Ward	Councillor
B Day	Councillor
J Holden	Councillor

Employees

N Cain	Acting Chief Executive Officer
D Friend	Acting Deputy Chief Executive Officer
F Anderson	Executive Assistant and Administration Supervisor

Guests

Nil

Members of the Public

Two

Members of the Media

Nil

2.2 Apologies

D Hodder	Councillor
A Finlayson	Works and Services Manager
P Chhunzom	Community Services Manager

2.3 Approved Leave of Absence

Nil

3 Applications for Leave of Absence

Nil

4 Interest Declarations by Members

Under section 5.67 of the Act, a member declaring an Impartiality, Proximity or Financial interest must disclose the nature of the interest in writing either prior to the meeting, or at the meeting immediately before the matter is discussed. The member is prohibited from participating in decisions on the matter in which they have the interest, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

12.2 Appointment of Chief Executive Officer

Declarant	N Cain
Declaration of Interest	Financial – Applicant for the position

5 Question time

5.1 Response to Previous Questions Taken on Notice

Nil

5.2 Public Question Time

Mr A Moses (resident) asked for information on the following:

- a) CCTV and security around the Meekatharra townsite?
The Shire President advised the Shire will be working on a CCTV strategy.
- b) Assistance with transferring ownership of a property?
The Shire President advised the Shire was unable to assist.
- c) Assistance with Security at the Golf Course?
The Shire President advised the Shire will consider this as part of their budget deliberations.

6 Presiding Member Announcements

The Shire President advised he attended the funeral of the ex-Chief Executive Officer of the Shire of Meekatharra, Dr Kelvin Matthews on Friday 31 January 2025.

7 Petitions / Deputations / Presentations

7.1 Petitions

Nil

7.2 Deputations

Nil

7.3 Presentations

Nil

8 Confirmation of Minutes

8.1 Ordinary Council Meeting – Saturday 18 January 2025

Resolution 2025/006

Moved M Hall

Seconded W Ward

That Council confirm the minutes from the Ordinary Council Meeting held on Saturday 18 January 2025.

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

9 Committee Minutes and Recommendations

9.1 Compliance Audit Return

File Reference	CM.RP.002
Author	D Friend, Acting Deputy Chief Executive Officer
Author's Interest	Nil
Authoriser	N Cain, Acting Chief Executive Officer
Authoriser's Interest	Nil
Applicant / Proponent	Nil
Report Date	10 February 2025

Summary

Council is required to undertake an annual review of the compliance activities of the Shire against those required in the *Local Government Act 1995*.

The Compliance Audit Return – 2024 was recently completed by Shire officers.

Committee is requested to recommend to Council to adopt the Compliance Audit Return – 2024 and authorise the Shire President and Acting Chief Executive Officer to sign and submit the documentation in accordance with the associated provisions.

Attachments

6.1.1 Compliance Audit Return – 2024

Background

Each year Council is required to undertake an audit against the requirements of a compliance audit return.

The Compliance Audit Return ('the Return') reports on areas of the *Local Government Act 1995* ('the Act') which are of a higher risk of non-compliance than other aspects of the Act.

The structure of the Return is like previous years insofar as it focuses on "Yes", "No", and "Not Applicable" format responses via a self-audit process, with availability of additional explanation, if required.

For 2024, the Compliance Audit Return covered eleven (11) categories and comprised ninety-four (94) questions for assessment.

The categories included –

- Commercial Enterprises by Local Governments (5)
- Delegation of Power / Duty (13)
- Disclosure of Interest (21)
- Disposal of Property (2)
- Elections (3)
- Finance (7)
- Integrated Planning and Reporting (3)
- Local Government Employees (5)
- Official Conduct (4)
- Optional Questions (9)
- Tenders for Providing Goods and Services (22)

The Return is first to be considered by the Audit Committee before being adopted by Council.

Upon adoption, the Return is required to be submitted to the Department of Local Government, Sport, and Cultural Industries by 31 March following the year of the review.

Comment

The period reviewed for this Return is 1 January 2024 to 31 December 2024 and was undertaken by Shire officers.

Shire officers have concluded all questions of the Return have been satisfactorily answered and supported by evidenced which included, although was not limited to, -

- Minutes of Meetings
- Declarations of Interest
- Annual and Primary Returns
- Process and Procedure Manuals
- Resolutions of Council
- Public Notices

Any instances of non-compliance are contained within the Return.

Consultation

Acting Chief Executive Officer
Senior Management

Shire Officers

Statutory Implications

Local Government (Audit) Regulations 1996

Regulation 14 Compliance audits by local government

A local government is to carry out a compliance audit, in the prescribed form, for the period 1 January to 31 December in each year, and have this adopted by Council.

Local Government (Audit) Regulations 1996

Regulation 15 Compliance audit return, certified copy of etc. to be given to Department Chief Executive Officer

After a Compliance Audit Return has been presented to and adopted by Council, a certified copy of the Return, along with the relevant section of the minutes, is to be submitted to the Departmental Chief Executive Officer by 31 March following the period which the Return relates.

Policy Implications

Nil

Financial Implications

Nil

Risk Implications

Council has reliable policies, processes, and procedures in place which limit the risk exposure of non-compliance across the assessed categories.

Notwithstanding this, it is reasonable to expect some instances of non-compliance although these should be minimal.

Strategic Implications

Strategic Community Plan 2020 – 2030

Governance – Manage resources effectively

Ensure governance and legislative requirements are met.

Voting Requirements

Simple Majority

Recommendation

That Council, pursuant to Regulation 14 of the *Local Government (Audit) Regulations 1996*, –

- a) Adopts the Compliance Audit Return – 2024 for the period 1 January 2024 to 31 December 2024 as attached, and
- b) Authorises the Shire President and Acting Chief Executive Officer to sign the joint certification of the completed Compliance Audit Return and submit it, along with all other prescribed information, to the Department of Local Government, Sports, and Cultural Industries by 31 March 2025.

Resolution 2025/007

Moved B Day

Seconded M Smith

That Council, pursuant to Regulation 14 of the *Local Government (Audit) Regulations 1996*, –

- a) Adopts the Compliance Audit Return – 2024 for the period 1 January 2024 to 31 December 2024 as attached, and**
- b) Authorises the Shire President and Acting Chief Executive Officer to sign the joint certification of the completed Compliance Audit Return and submit it, along with all other prescribed information, to the Department of Local Government, Sports, and Cultural Industries by 31 March 2025.**

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

COMPLIANCE AUDIT RETURN 2024

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2024?	N/A	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2024?	N/A	
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2024?	N/A	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2024?	N/A	
5	s3.59(5)	During 2024, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	

Delegation of Power/Duty				
No	Reference	Question	Response	Comments
1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	N/A	No delegations made by Council to Committees
2	s5.16 (2)	Were all delegations to committees in writing?	N/A	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the <i>Local Government Act 1995</i> ?	N/A	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	
5	s5.18	Has council reviewed delegations to its committees in the 2023/2024 financial year?	N/A	
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the <i>Local Government Act 1995</i> ?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	



8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	N/A	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2023/2024 financial year?	Yes	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with <i>Local Government (Administration) Regulations 1996</i> , regulation 19?	Yes	

Disclosure of Interest

No	Reference	Question	Response	Comments
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the <i>Local Government Act 1995</i> , did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the <i>Local Government (Administration) Regulations 1996</i> regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the <i>Local Government Act 1995</i> recorded in the minutes of the meeting at which the disclosures were made?	Yes	
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2024?	Yes	
6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	



7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> ?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the <i>Local Government Act 1995</i> , in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> , did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the <i>Local Government Act 1995</i> been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the <i>Local Government Act 1995</i> , in the form prescribed in the <i>Local Government (Administration) Regulations 1996</i> , regulation 28A?	Yes	
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the <i>Local Government Act 1995</i> , did the CEO remove from the register all records relating to those people?	Yes	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) <i>Local Government Act 1995</i> been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	



16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the <i>Local Government Act 1995</i> relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the <i>Local Government Act 1995</i> , recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates that incorporates the model code of conduct?	Yes	New Policy drafted 18 May 2023. Adopted by Council 19 August 2023.
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the <i>Local Government Act 1995</i> ?	No	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employee of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes Yes	New Policy drafted 18 May 2023. Adopted by Council 19 August 2023.



Disposal of Property				
No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the <i>Local Government Act 1995</i> (unless section 3.58(5) applies)?	Yes	
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the <i>Local Government Act 1995</i> , did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	Yes	

Elections				
No	Reference	Question	Response	Comments
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the <i>Local Government (Elections) Regulations 1997</i> ?	Yes	Gift Register does not contain any gifts as no gifts have been given.
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the <i>Local Government (Elections) Regulations 1997</i> ?	N/A	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the <i>Local Government (Elections) Regulations 1997</i> ?	Yes	



Finance				
No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the <i>Local Government Act 1995</i> ?	Yes	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the <i>Local Government Act 1995</i> , did it do so by absolute majority?	N/A	
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2024 received by the local government by 31 December 2024?	Yes	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the <i>Local Government Act 1995</i> required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the <i>Local Government Act 1995</i> , did the CEO publish a copy of the report on the local government's official website?	N/A	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2024 received by the local government within 30 days of completion of the audit?	Yes	



Integrated Planning and Reporting				
No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	15/12/2023
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	29/06/2013 Last CBP Update unknown - possibly only original CBP from 2013 was adopted by Council. Update planned for 2018/2019 "lapsed" due to changeover on CEO and DCEO.
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of <i>Local Government (Administration) Regulations 1996</i> 19DA(2) & (3)?	No	See above comments

Local Government Employees				
No	Reference	Question	Response	Comments
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with <i>Local Government (Administration) Regulations 1996</i> , regulation 18A?	Yes	
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the <i>Local Government Act 1995</i> ?	N/A	Vacancy advertised in December 2024, closing 05/01/2025
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	No designated Senior Employees
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	

Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the <i>Local Government Act 1995</i> ?	Yes	
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2) of the <i>Local Government Act 1995</i> ?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	

Optional Questions				
No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the <i>Local Government (Financial Management) Regulations 1996</i> regulations 5(2)(c) within the three financial years prior to 31 December 2024? If yes, please provide the date of council's resolution to accept the report.	Yes	17/02/2024 Review received by Audit Committee, comprising whole of Council on 17/04/2023.
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with <i>Local Government (Audit) Regulations 1996</i> regulation 17 within the three financial years prior to 31 December 2024? If yes, please provide date of council's resolution to accept the report.	Yes	17/02/2024 Review received by Audit Committee, comprising whole of Council on 17/04/2023.



3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the <i>Local Government Act 1995</i> , were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	N/A	
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the <i>Local Government Act 1995</i> ?	Yes	
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2024?	Yes	
8	s6.4(3)	By 30 September 2024, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2024?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the <i>Local Government (Functions and General) Regulations 1996</i> , regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	



2	s3.57 F&G Reg 11	Subject to <i>Local Government (Functions and General) Regulations 1996</i> , regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the <i>Local Government Functions and General) Regulations 1996</i> , required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	
4	F&G Reg 12	Did the local government comply with <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	



11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the <i>Local Government (Functions and General) Regulations 1996</i> , Regulations 21 and 22?	Yes	
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	Yes	
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Yes	
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 24?	Yes	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with <i>Local Government (Functions & General) Regulations 1996</i> regulations 24AD(4) and 24AE?	Yes	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	Yes	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	Yes	
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 24AG?	Yes	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	



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

20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes	
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 24E and 24F?	Yes	

Chief Executive Officer

Date

Mayor/President

Date

10 Reports

10.1 Schedule of Payments – January 2025

File Reference	FM.RP.001
Author	A Ritchie, Senior Finance Officer
Author's Interest	Nil
Authoriser	D Friend, Acting Deputy Chief Executive Officer
Authoriser's Interest	Nil
Applicant / Respondent	Nil
Report Date	5 February 2025

Summary

Council is required to consider a Schedule of Payments which is to be produced each month and is to contain relevant information regarding outgoing monies.

The purpose of this Report is to present the relevant information.

Council is requested to accept the Schedule of Payments, as presented.

Attachments

10.1.1 Schedule of Payments – January 2025

Background

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to prepare a schedule of payments made from the Municipal Fund and the Trust Fund and present this to Council for confirmation.

Additionally, where credit, debit, or other purchasing cards are used, details regarding their use are also to be reported each month.

Each instance of outgoing monies is to be reported and include the –

- Payee,
- Payment amount,
- Date, and
- Sufficient information to identify the transaction.

Comment

Shire officers have prepared the Monthly Schedule of Payments, in accordance with legislative requirements.

Following is a summary of the payments incurred in the month under review –

Payments from Accounts

- | | |
|---------------------|--------------|
| • Municipal Account | \$548,221.02 |
| • Trust Account | \$0.00 |

<u>Total Payments from Accounts</u>	<u>\$548,221.02</u>
-------------------------------------	---------------------

Payments Using Purchasing Cards

- | | |
|----------------|------------|
| • Credit Cards | \$2,754.28 |
| • Fuel Cards | \$1,258.81 |

<u>Total Payments Using Purchasing Cards</u>	<u>\$4,013.09</u>
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The Monthly Schedule of Payments is attached.

Consultation

Acting Chief Executive Officer
Senior Management
Shire Officers

Statutory Implications

Local Government (Financial Management) Regulations 1996

Regulation 13 Payments from municipal fund or trust fund by Chief Executive Officer, Chief Executive Officer's duties as to etc.

Where the Chief Executive Officer has been delegated the exercise of power to make payments from the Municipal Fund or the Trust Fund, a list of accounts authorised for payment by the Chief Executive Officer is to be presented each month to Council.

Local Government (Financial Management) Regulation 1996

Regulation 13A Payments by employees via purchasing cards

If a local government has credit, debit, or credit card/s, a list of payments made using the card/s is to be presented each month to Council.

Policy Implications

Shire of Meekatharra Policy Manual 2023

04.02 Purchasing and Procurement

Shire officers will undertake purchasing activities which align with strategic and operational objectives, meet value for money objectives, and meet defined thresholds, quotation requirements, and practices.

Financial Implications

Payments included in the Schedule have been undertaken in accordance with appropriate processes and the Annual Budget.

Risk Implications

Risk is managed using financial controls and the regular internal review of the information contained within each payment.

Strategic Implications

Strategic Community Plan 2020 – 2030

Governance – Manage resources effectively

Ensure governance and legislative requirements are met.

Voting Requirements

Simple Majority

Recommendation

That Council, pursuant to Regulation 13 and Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Schedule of Payments, as attached, for January 2025.

Resolution 2025/008

Moved J Holden

Seconded M Hall

That Council, pursuant to Regulation 13 and Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Schedule of Payments, as attached, for January 2025.

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

List of Accounts Due & Submitted to Committee

Chq/EFT	Date	Name	Description	Municipal
EFT22953	07/01/2025	Melville Toyota	Additional bulbar, all weather additions and window tints P658 Toyota L/Cruiser Wagaon Sahara	\$7,906.97
EFT22954	15/01/2025	Accwest Pty Ltd	Preparation of September, October & November Reports, Assistance in Preparation of 2024 Financial	\$4,620.00
EFT22955	15/01/2025	Australia Post	Australia Post Charges for December 2024	\$259.37
EFT22956	15/01/2025	Breeze Connect Pty Ltd	Subscription Charges for Trunk ID 62205 1/12/24 -	\$112.46
EFT22957	15/01/2025	Brendan Hall Carpentry Pty Ltd	101 Hill St Adjust & Rehang Entry Screen Door, Adjust & Rehang Laundry Security Door, Patch 2 Holes to External Wall and Adjust Garage Door to	\$803.00
EFT22958	15/01/2025	Canine Control	Ranger Services for 9,10 & 11 December 24	\$8,431.50
EFT22959	15/01/2025	DAY PASTORAL CO.	Maintenance Grading on Tangadee Road from Tangadee Homestead to Ethel River Crossing	\$3,520.00
EFT22960	15/01/2025	Darren Friend	Reimbursement of Airfare MKA/Perth/MKA -	\$403.97
EFT22961	15/01/2025	Department of Planning, Lands and Heritage	Red Sand Box Lease Rent as Per Agreement 1/1/25 - 30/6/25	\$550.00
EFT22962	15/01/2025	Finishing WA (Pritchard Bookbinders)	4 x Council Minutes Books to Bind in Rustic Brown Buckram with Gold Foil	\$638.00
EFT22963	15/01/2025	Fleet Network Pty Ltd	Novated Lease Charge 1IBM773 D Christie	\$505.51
EFT22964	15/01/2025	Fujifilm Business Innovation Australia Pty	Printing and Copying Charges for Admin Office & Depot 1/12/24 - 31/12/24	\$411.58
EFT22965	15/01/2025	Josh Byrne & Associates	Lions Park Variation Tender Documentation Review	\$1,395.90
EFT22966	15/01/2025	Mark Smith Pty Ltd	Lloyds Building Test 3 Backflow Devices	\$594.00
EFT22967	15/01/2025	Market Creations Agency Pty Ltd	Annual Report 2023-24 Work in Progress, Easy Read Version Work in Progress	\$2,444.20
EFT22968	15/01/2025	Moore Australia WA Pty	2025 Budget Workshop 21/2/25 - A Ritchie	\$1,430.00
EFT22969	15/01/2025	Neuk Port Ad-Hair	Monthly Management & Operating Fees as Per Contract Meekatharra Aerodrome January 2025	\$24,468.60
EFT22970	15/01/2025	Norris & Hyde Pty Ltd	Performed Prep Work Required, Changed Required Extensions to Router (SBC) Phones for Each Site. Phone to be Diverted to Mobile 20/12/24 - 6/1/25	\$396.00
EFT22971	15/01/2025	Perfect Computer	Annual Provision & IT Support In Month of	\$1,317.50
EFT22972	15/01/2025	RMH Mechanical Pty Ltd	Service & Repairs P646 Ford Ranger, P508 Colorado Crew Cab, P611 Fuso Canter, P535 Cat Roller, P484 Cat Grader, P635 Cat Grader, P480 Mack Superliner, P531 Ford Ranger, P541 Low Loader, P537 Cat Wheel Loader, P627 Ford Everest, P638 Cat Mini Excavator,	\$10,665.05
EFT22974	15/01/2025	Royal Flying Doctor Service Western	Refund Landing Fees for November 24	\$6,310.50
EFT22975	15/01/2025	Shire of Meekatharra	Payroll deductions	\$220.00
EFT22976	15/01/2025	Talis Consultants	Provision of Consultancy Services for Period Ending 31/12/24 - Mingah Springs Bypass	\$1,160.50
EFT22977	15/01/2025	Telstra Limited	Telstra Account Staff Mobiles December 24 Charges	\$514.73
EFT22978	15/01/2025	Toll Transport Pty Ltd (Team Global Express)	Transport D Schulz Pool Table to Halls Creek	\$736.37

Chq/EFT	Date	Name	Description	Municipal
EFT22979	15/01/2025	Wynne Mandy (Sole Trader)	General Accounting & Support Reconcile & Lodge BAS, General Accounting & Support Reconcile Reserve Movements and Reconcile Reserve & Maxi	\$1,439.90
EFT22980	15/01/2025	Yulella Aboriginal Corporation	1 x Large Containers For Change and 1 x Small Bin - For use at Community Events	\$191.50
EFT22981	17/01/2025	Access Electrical Contracting	101 Darlot St Assess Lighting Fault Labour, Travel to MKA 7 Return Travel to Cue	\$823.90
EFT22982	17/01/2025	BOC Gases	Container Holdings Oxygen, Acetylene & Argoshield 28/11/24 - 28/12/24	\$53.36
EFT22983	17/01/2025	Cemeteries & Crematoria	CCAWA Conference Fees for EA & CSO in April 25	\$480.00
EFT22984	17/01/2025	Credible Audio Visual	Barco Clickshare CX50 Gen 2 for Chambers	\$4,312.00
EFT22985	17/01/2025	DAY PASTORAL CO.	Grading of Ashburton Downs Road North of Mount Vernon 8 & 9 January 25, Opening Road for Trucks	\$3,080.00
EFT22986	17/01/2025	Elite Electrical Contracting	Investigate Fault with Papi Lights at Airport	\$3,222.53
EFT22987	17/01/2025	Fleet Network Pty Ltd	Novated Lease Charge 1IBM773 D Christie	\$505.51
EFT22988	17/01/2025	IGA Meekatharra	Various Food Items for Depot End of Year Xmas BBQ	\$1,390.95
EFT22989	17/01/2025	John D Clark	Youth Centre Repaint Offices and Building Interior	\$28,064.00
EFT22990	17/01/2025	Mark Smith Pty Ltd	Lot 107 High St Backflow Testing - Doray Minerals	\$198.00
EFT22991	17/01/2025	Norris & Hyde Pty Ltd	Monthly Subscription Cloud Hosting 3CX for	\$79.95
EFT22992	17/01/2025	Office of The Auditor	Fee for The Attest Audit for the Year Ending 30 June	\$49,500.00
EFT22993	17/01/2025	Officeworks Business	Philips Audio Recorder DVT4110 + Freight	\$387.09
EFT22994	17/01/2025	RMH Mechanical Pty Ltd	P638 Mini Excavator Carry out Replacement of Rock Breaker Hose and Replace Coupling and New Rings	\$297.00
EFT22995	17/01/2025	Refuel Australia	Diesel Delivery 15,088L Main Depot Tank, 10,178L	\$46,049.81
EFT22996	17/01/2025	Shire of Meekatharra	Payroll deductions	\$110.00
EFT22997	17/01/2025	Telstra Limited	Telstra Landline Charges Service & Equipment	\$755.76
EFT22998	17/01/2025	WINC Australia Pty Ltd (Staples)	10 x Cartons Premium CN A4 80gsm White - 5 x Cartons Premium CN A3 80gsm White	\$507.65
EFT22999	17/01/2025	Western Communications	Sports Oval Renew Electrical System	\$9,088.56
EFT23000	22/01/2025	Australia Pacific Valuers Pty Ltd ITF The APV Unit	Delivery of Project Report - Revaluation of Lloyds Outback Plaza Shop 2 & Cafe	\$2,750.00
EFT23001	22/01/2025	Barkley Day	Member Fees and Expenses OCM, HBTP + Travel	\$1,313.36
EFT23002	22/01/2025	Brendan Hall Carpentry Pty Ltd	Replace Double Entry Doors to Gym, Replace Drop Bolts to Fixed Door, Paint Door and Install New Door	\$3,135.00
EFT23003	22/01/2025	Commercial Hotel	Accommodation B Day for Council Meeting 18/1/24	\$170.00
EFT23004	22/01/2025	David Kenneth Hodder	Member Fees and Expenses OCM & HBTP 18/1/24	\$650.00
EFT23005	22/01/2025	Geraldton Mower &	1 x HRN216 Bar Blade Lower 1 x HRN216 Blade Up	\$58.20
EFT23006	22/01/2025	Grants Empire	Development of Lotterywest Application Meeka Outback Festival Payment 1 of 2	\$660.00
EFT23007	22/01/2025	Harvey James Nichols	Member Fees and Expenses OCM & HBTP 18/1/25	\$735.00
EFT23008	22/01/2025	Judith Christine Holden	Member Fees and Expenses OCM & HBTP 18/1/25	\$650.00
EFT23009	22/01/2025	Mark Smith	Member Fees and Expenses OCM & HBTP 18/1/25	\$650.00
EFT23010	22/01/2025	Matthew Hall	Member Fees & Expenses OCM, HBTP + Travel	\$1,075.74
EFT23011	22/01/2025	Meekatharra Corner Store	December Account, Fuel + 1 x 8.8Kg LPG Exchange	\$92.71
EFT23012	22/01/2025	Murchison Rubbish	Rubbish Services for The Period 29/12/24 - 28/1/25	\$22,635.45
EFT23013	22/01/2025	Nathan Cain	Regional Road Group Meeting - Fuel, Meals and Taxi Fares + CB & Car Items P658 Toyota L/Cruiser	\$986.72
EFT23014	22/01/2025	Norris & Hyde Pty Ltd	Lost Access to Phone, Reception cant Talk to the Person that Trying to Transfer Call to. EA Not Able to	\$145.95

Chq/EFT	Date	Name	Description	Municipal
EFT23015	22/01/2025	Officeworks Business Direct	Replacement KY-AIWA Alarm Clock Radio - Returned First Clock as Was Faulty	\$54.00
EFT23016	22/01/2025	Perfect Computer	Annual Provision for IT Support During the Month of	\$212.50
EFT23017	22/01/2025	Pivotel Satellite Pty Ltd	Pivotel Satellite Charges 15/1/25 - 14/2/25	\$312.00
EFT23018	22/01/2025	RMH Mechanical Pty Ltd	P544 Trailer 1TYZ273 Replacement of 2 x N100 Batteries - Old Batteries Damaged Due to Ignition	\$827.20
EFT23019	22/01/2025	Royal Flying Doctor Service Western	Refund May 2024 Landing Fees	\$22,114.24
EFT23020	22/01/2025	Toll Transport Pty Ltd (Team Global Express)	Freight Charges for 4 x Minute Books Returned to Office from Finishing WA	\$58.45
EFT23021	22/01/2025	Wesley Ward	Member Fees and Expenses OCM & HBTP 18/1/25	\$650.00
EFT23022	22/01/2025	WINC Australia Pty Ltd	Various Stationery Items for Admin Office and	\$640.21
EFT23023	23/01/2025	Action Bay Pty Ltd T/AS Goldfields Toyota	Purchase of New Vehicle Toyota Hilux 4x4 Extra Cab P650 Rego 1IJN116 & Trade In of P646 Ford Ranger	\$40,317.80
EFT23024	29/01/2025	Aussie Natural Water	2 Pallets of 15L One Way Water Bottles 66 Per Pallet, 2 x Pallets of 600 x 24ml Water + Pallet	\$3,381.36
EFT23025	29/01/2025	Ampac Debt Recovery WA	Debt Recovery Fees 796422 - M234 A Dickens	\$805.38
EFT23026	29/01/2025	Canine Control	Ranger Services for 21,22 & 23 January 2025	\$4,215.75
EFT23027	29/01/2025	Child Support Agency	Payroll deductions	\$972.81
EFT23028	29/01/2025	Commercial Hotel	Meals and Refreshments Council Meeting 18/1/25	\$758.00
EFT23029	29/01/2025	Corsign WA Pty Ltd	Various Traffic Signs for Various Locations	\$6,968.50
EFT23030	29/01/2025	Dun Direct Pty Ltd -	46300.00 Ltrs Bulk Diesel Delivered to Airport	\$84,178.13
EFT23031	29/01/2025	Fleet Network Pty Ltd	Novated Lease Charge 1IBM773 D Christie	\$505.51
EFT23032	29/01/2025	Microcom - Metrocount	Road Pod VT 5900 Inc RC + Discount	\$18,844.65
EFT23033	29/01/2025	Perfect Computer	Annual Provision for IT Support in January 25	\$255.00
EFT23034	29/01/2025	Shire of Meekatharra	Payroll deductions	\$110.00
EFT23035	29/01/2025	Shaun D Ford	Australia Day Entertainment at Swimming Pool	\$770.00
EFT23036	29/01/2025	Southern Cross	Southern Cross Broadband Charges for February	\$2,185.00
DD15370.1	01/01/2025	Aware Super	Payroll deductions	\$6,326.99
DD15370.2	01/01/2025	Australian Ethical Super	Superannuation contributions	\$9.60
DD15370.3	01/01/2025	HUB24 Super Fund	Superannuation contributions	\$492.65
DD15370.4	01/01/2025	Australian Super	Superannuation contributions	\$3,320.77
DD15370.5	01/01/2025	Hostplus	Superannuation contributions	\$1,178.90
DD15370.6	01/01/2025	Colonial First State	Superannuation contributions	\$374.85
DD15370.7	01/01/2025	Australian Retirement	Superannuation contributions	\$353.35
DD15370.8	01/01/2025	AMP Superleader Super	Superannuation contributions	\$375.96
DD15370.9	01/01/2025	Mercer Super Trust	Superannuation contributions	\$802.64
DD15384.1	06/01/2025	Horizon Power	Lot 71 Darlot St Youth Centre - 14/10/24 - 13/12/24 -	\$27,144.95
DD15389.1	15/01/2025	Aware Super	Payroll deductions	\$6,408.95
DD15389.2	15/01/2025	Mercer Super Trust	Superannuation contributions	\$719.50
DD15389.3	15/01/2025	Australian Ethical Super	Superannuation contributions	\$34.11
DD15389.4	15/01/2025	HUB24 Super Fund	Superannuation contributions	\$592.62
DD15389.5	15/01/2025	Netwealth Superannuation	Superannuation contributions	\$1,446.86
DD15389.6	15/01/2025	Australian Super	Superannuation contributions	\$3,501.87
DD15389.7	15/01/2025	AMP Superleader Super Directions Fund	Superannuation contributions	\$544.32
DD15389.8	15/01/2025	Retail Employees Superannuation Trust	Superannuation contributions	\$129.17
DD15389.9	15/01/2025	Hostplus	Superannuation contributions	\$1,493.76

Chq/EFT	Date	Name	Description	Municipal
DD15391.1	02/01/2025	Westpac Credit Card	Starlink Road Crew Camp 17/12/24 - 17/1/25	\$2,973.81
DD15395.1	20/01/2025	Horizon Power	Electricity Charges for 273 Streetlights 1/12/24 -	\$6,629.15
DD15398.1	21/01/2025	BP Oil (Air BP)	Avgas Sales 12/12/24 800.000L @ 2.76771 - Neds	\$2,466.88
DD15401.1	22/01/2025	Horizon Power	Lot 99991 Aerodrome Road 3/12/24 - 2/1/25 - 620 units @ 29.9939 & 11,316 units @ 28.2653	\$3,784.84
DD15405.1	24/01/2025	Horizon Power	Electricity Charges Lot 38127 Landor-Meekatharra Road 7/11/24 - 7/1/25 14,280.4 units @ 33.0265	\$5,298.84
DD15408.1	29/01/2025	AMP Superleader Super	Superannuation contributions	\$437.66
DD15408.2	29/01/2025	Australian Ethical Super	Superannuation contributions	\$102.34
DD15408.3	29/01/2025	Aware Super	Superannuation contributions	\$6,308.42
DD15408.4	29/01/2025	HUB24 Super Fund	Superannuation contributions	\$544.94
DD15408.5	29/01/2025	Netwealth Superannuation	Superannuation contributions	\$922.64
DD15408.6	29/01/2025	Australian Super	Superannuation contributions	\$3,404.21
DD15408.7	29/01/2025	Retail Employees Superannuation Trust	Superannuation contributions	\$382.61
DD15408.8	29/01/2025	Hostplus	Superannuation contributions	\$1,731.46
DD15408.9	29/01/2025	Australian Retirement	Superannuation contributions	\$494.11
DD15411.1	15/01/2025	Aware Super	Superannuation contributions	\$326.17
DD15370.10	01/01/2025	Slate Super	Superannuation contributions	\$471.96
DD15389.10	15/01/2025	Colonial First State	Superannuation contributions	\$414.58
DD15389.11	15/01/2025	Australian Retirement Trust	Superannuation contributions	\$345.92
DD15408.10	29/01/2025	Mercer Super Trust	Superannuation contributions	\$730.86
			Total Municipal Including Air BP	\$548,221.02

Credit Card	Date	Virtual Credit Card	Description	Amount
Direct Debit	06/01/2025	SP Viofo	2Pcs Spare Double Adhesive Stickers for A119 Mini Dash Cam P646 Ford Ranger	\$28.84
Direct Debit	08/01/2025	Big W Online	1 x Yealink WH63 Wireless Headset for Admin Office	\$259.60
Direct Debit	09/01/2025	Starlink Internet	Steven Hoare 9/1/25 - 9/2/25	\$390.00
Direct Debit	13/01/2025	National Trophies Pty Ltd	Awards for Australia Day Community Awards	\$356.35
Direct Debit	14/01/2025	Starlink Internet	Grandad 14/1/25 - 14/2/25	\$195.00
Direct Debit	16/01/2025	Starlink Internet	Road Crew - 16/1/25 - 1/2/25	\$99.17
Direct Debit	17/01/2025	Starlink Internet	Admin Office 17/1/25 - 17/2/25	\$176.00
Direct Debit	17/01/2025	Starlink Internet	Airport 17/1/25 - 17/2/25	\$176.00
Direct Debit	17/01/2025	Starlink Internet	Depot 17/1/25 - 17/2/25	\$176.00
Direct Debit	21/01/2025	Bridgestone Tyres	P493 2 x Tyres Blow Out Way to Geraldton Insurance	\$466.00
Direct Debit	22/01/2025	Big W Online	Refund Due to Item not Available - Wireless Headset	-\$259.60
Direct Debit	22/01/2025	Skippers Aviation	Flight A Ahipene - 31/1/25 - 17/2/25	\$403.97
Direct Debit	24/01/2025	Petals Network (Florist)	Funeral Wreath	\$286.95
			Total Credit Card	<u>\$2,754.28</u>

P627	WSM	7071 3400 5489 9785	Description	Amount
	2/12/2024	Ampol Geraldton	73.54 Ltrs Premium Diesel	\$126.42
				<u>\$126.42</u>

P605	A/CEO	7071 3400 6134 0542	Description	Amount
	01/12/2024	Ampol Cue	2.30 Ltrs Ad Blue	\$5.75
	01/12/2024	Ampol Cue	36.67 Ltrs Diesel	\$70.70
				\$76.45
P525	CHEF	7071 3400 6386 6205	Description	Amount
	03/12/2024	Ampol Cannington	107.40 Ltrs Premium Diesel	\$199.66
	07/12/2024	Ampol Rivervale	34.50 Ltrs Premium Diesel	\$63.79
	09/12/2024	Ampol Cue	86.62 Ltrs Diesel	\$167.00
	31/12/2024		Annual Card Fee	\$49.17
				\$479.62
P645	CSM	7071 3400 8840 7456	Description	Amount
	01/12/2024	Ampol Bentley	32.04 Ltrs ULP	\$54.12
	01/12/2024	Ampol Dalwallinu	15.45 Ltrs ULP	\$27.49
	01/12/2024	Ampol Swagman	26.30 Ltrs ULP	\$49.39
	22/12/2024	Independent Meekatharra	44.06 Ltrs ULP	\$100.02
	23/12/2024	Ampol Swagman	16.11 Ltrs ULP	\$30.42
	26/12/2024	Ampol Geraldton	38.60 Ltrs ULP	\$67.90
	28/12/2024	Ampol Bentley	41.23 Ltrs ULP	\$70.46
				\$399.80
P508	SYO	7071 3400 9713 0255	Description	Amount
	17/12/2024	Meekatharra OPT	97.20 Ltrs Diesel	\$176.52
				\$176.52

Payments from Muni totalling (which includes)

\$548,221.02

Credit Card Purchases totalling

\$2,754.28

Fuel Card Purchases totalling

\$1,258.81

And was submitted to Council on Saturday 15 February 2025

10.2 Monthly Financial Report – January 2025

File Reference	FM.RP.001
Author	A Ritchie, Senior Finance Officer
Author's Interest	Nil
Authoriser	D Friend, Acting Deputy Chief Executive Officer
Authoriser's Interest	Nil
Applicant / Respondent	Nil
Report Date	10 February 2025

Summary

Council is required to consider a Statement of Financial Activity which is to be produced each month and is to contain relevant information regarding the financial position and activity of the Shire.

The purpose of this Report is to present the relevant monthly information.

Council is requested to confirm the Monthly Financial Report, containing the Statement of Financial Activity, as presented.

Attachments

10.2.1 Monthly Financial Report – January 2025

Background

Legislation requires Shire officers to prepare financial reports covering prescribed information and present these to Council, where practicable, monthly.

Comment

Shire officers, in conjunction with local government finance and accounting consultants, have prepared the Statement of Financial activity, along with other prescribed information, in accordance with Australian Accounting Standards and legislative requirements.

Consultation

Acting Chief Executive Officer

Senior Management

Shire Officers

Local Government Finance and Accounting Consultants

Statutory Implications

Local Government Act 1995

Section 6.4 (Financial report)

Local governments are required to prepare and present financial reports, on an annual basis and at any other time, and in any other format, as prescribed.

Local Government (Financial Management) Regulations 1996

Regulation 34 (Financial activity statement required each month (Act s. 6.4))

Shire officers are to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget.

Each statement of financial activity is to be accompanied by information explaining the composition of net assets less committed and restricted assets, any material variances and any other supporting information considered relevant.

Policy Implications

Nil

Financial Implications

Commentary on the financial position is outlined within the body of the attached Monthly Financial Report.

Risk Implications

The risk of presenting inaccurate information is considered low due to the use of specialised financial systems and the review and assistance provided by experienced finance and accounting consultants.

The Monthly Financial Report leads to the generation of the Annual Financial Report which is audited for accuracy by the Office of the Auditor General.

Strategic Implications

Strategic Community Plan 2020 – 2030

Governance – Manage resources effectively

Ensure governance and legislative requirements are met.

Voting Requirements

Simple Majority

Recommendation

That Council, pursuant to Regulation 13 and Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, confirms the Schedule of Payments, as attached, for January 2025.

Resolution **2025/009**

Moved **M Hall**

Seconded **B Day**

That Council, pursuant to Regulation 34 the *Local Government (Financial Management) Regulations 1996*, accepts the Monthly Financial Report, as attached, for January 2025.

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

SHIRE OF MEEKATHARRA

MONTHLY FINANCIAL REPORT

**(Containing the required statement of financial activity and
statement of financial position)**

FOR THE PERIOD ENDED 31 JANUARY 2025

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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These statements are prepared with data available at the time of preparation.

SHIRE OF MEEKATHARRA
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JANUARY 2025

	31 January 2025	Audited 30 June 2024
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	35,426,196	13,051,161
Trade and other receivables	2,057,328	1,508,971
Other financial assets	0	22,585,508
Inventories	438,670	229,633
TOTAL CURRENT ASSETS	37,922,194	37,375,273
NON-CURRENT ASSETS		
Other financial assets	62,378	62,378
Property, plant and equipment	28,043,342	27,496,684
Infrastructure	104,128,060	103,868,189
TOTAL NON-CURRENT ASSETS	132,233,780	131,427,251
TOTAL ASSETS	170,155,974	168,802,524
CURRENT LIABILITIES		
Trade and other payables	312,618	1,315,595
Other liabilities	659,874	659,874
Employee related provisions	209,099	209,099
TOTAL CURRENT LIABILITIES	1,181,591	2,184,568
NON-CURRENT LIABILITIES		
Employee related provisions	72,780	72,780
TOTAL NON-CURRENT LIABILITIES	72,780	72,780
TOTAL LIABILITIES	1,254,371	2,257,348
NET ASSETS	168,901,603	166,545,176
EQUITY		
Retained surplus	75,487,796	73,131,369
Reserve accounts	22,807,701	22,807,701
Revaluation surplus	70,606,106	70,606,106
TOTAL EQUITY	168,901,603	166,545,176

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 JANUARY 2025

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

The financial report of the Shire of Meekatharra which is a Class 3 local government comprises general purpose financial statements which have been prepared in accordance with the Local Government Act 1995 and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the Local Government Act 1995 read with the Local Government (Financial Management) Regulations 1996 prescribe that the financial report be prepared in accordance with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied except for disclosure requirements of:

- AASB 7 Financial Instruments Disclosures
- AASB 16 Leases paragraph 58
- AASB 101 Presentation of Financial Statements paragraph 61
- AASB 107 Cash Flows paragraphs 43 and 45
- AASB 116 Property, Plant and Equipment paragraph 79
- AASB 137 Provisions, Contingent Liabilities and Contingent Assets paragraph 85
- AASB 140 Investment Property paragraph 75(f)
- AASB 1052 Disaggregated Disclosures paragraph 11
- AASB 1054 Australian Additional Disclosures paragraph 16

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

The Local Government (Financial Management) Regulations 1996 provide that:

- land and buildings are to be classified as property, plant and equipment; or
- infrastructure; or
- vested minor improvements that the local government controls; and measured at reportable value, are only required to be revalued every five years. Revaluing these non-financial assets every five years is a departure from AASB 116 Property, Plant and Equipment, which would have required the Shire to assess at each reporting date whether the carrying amounts of the above mentioned non-financial assets materially differs from the fair value, and if so, revalue the class of non-financial assets.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment - Note 7
 - Infrastructure - Note 8
 - Expected credit losses on financial assets - Note 5
 - Impairment losses of non-financial assets - Notes 7 and 8
 - Measurement of employee benefits - Note 12
 - Measurement of provisions - Note 12

Fair value hierarchy information can be found in Note 19

The local government reporting entity

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

Initial application of accounting standards

During the current year, the following new or revised Australian Accounting Standards and Interpretations were applied for the first time.

- AASB 2021-2 Amendments to Australian Accounting Standards - *Disclosure of Accounting Policies or Definition of Accounting Estimates*

This standard resulted in terminology changes relating to material accounting policies (formerly referred to as significant accounting policies).

New accounting standards for application in future years

The following new accounting standards will have application to local government in future years:

- AASB 2014-10 Amendments to Australian Accounting Standards - *Sale or Contribution of Assets between an Investor and its Associate or Joint Venture*
- AASB 2020-1 Amendments to Australian Accounting Standards - *Classification of Liabilities as Current or Non-current*
- AASB 2021-7c Amendments to Australian Accounting Standards - *Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [deferred AASB 10 and AASB 128 amendments in AASB 2014-10 apply]*
- AASB 2022-5 Amendments to Australian Accounting Standards - *Lease Liability in a Sale and Leaseback*
- AASB 2022-6 Amendments to Australian Accounting Standards - *Non-current Liabilities with Covenants*
These amendments are not expected to have any material impact on the financial report on initial application.
- AASB 2022-10 Amendments to Australian Accounting Standards - *Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities*

These amendment may result in changes to the fair value of non-financial assets. The impact is yet to be quantified.

- AASB 2023-1 Amendments to Australian Accounting Standards - *Supplier Finance Arrangements*

These amendments may result in additional disclosures in the case of applicable finance arrangements.

SHIRE OF MEEKATHARRA
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2025

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b) \$	Variance* % ((c) - (b))/(b) %	Var.	Explanation of Material Variance
OPERATING ACTIVITIES								
Revenue from operating activities								
General rates		7,228,200	7,228,200	7,090,220	(137,980)	(1.91%)		Within variance
Grants, subsidies and contributions	11	1,596,000	1,086,949	1,093,386	6,437	0.59%		Within variance
Fees and charges		1,487,000	906,867	919,463	12,596	1.39%		Within variance
Interest revenue		985,000	574,574	518,954	(55,620)	(9.68%)		Within variance
Other revenue		223,500	130,305	211,464	81,159	62.28%	▲ Timing	Higher other income relating to legal fees recoveries \$68K, fuel sales \$27k and workers compensation reimbursement \$38K are higher than YTD budget, this higher income is offset by various other lower than YTD budget reimbursements including the fuel rebate of \$23K.
		11,519,700	9,926,895	9,833,487	(93,408)	(0.94%)		
Expenditure from operating activities								
Employee costs		(4,606,500)	(2,686,789)	(2,426,079)	260,710	9.70%		Within variance
Materials and contracts		(3,385,740)	(2,018,704)	(1,785,447)	233,257	11.55%	▲ Timing	Materials and contracts are higher than YTD budget. This is expected to be a timing variance with many budgets spread evenly over the year. Staff will review with the budget review.
Utility charges		(472,000)	(275,212)	(192,175)	83,037	30.17%	▲ Timing	Utility charges are lower than YTD budget, at this stage of the year this is expected to be a timing variance with the allocation of invoices.
Depreciation		(6,862,500)	(4,003,090)	(3,093,254)	909,836	22.73%	▲ Timing	Depreciation for Dec 24 and Jan 25 has yet to be posted
Insurance		(316,500)	(318,500)	(288,221)	30,279	9.51%		Within variance
Other expenditure		(272,900)	(129,202)	(113,127)	16,075	12.44%	▲ Timing	A number of budgeted expenses have yet to be paid, including donations (\$10k) and licences (\$13k), with various higher expenditure of less than \$5K making up the difference.
		(15,916,140)	(9,431,497)	(7,898,303)	1,533,194	16.26%		
Non-cash amounts excluded from operating activities	Note 2(b)	6,862,500	4,003,090	3,092,697	(910,393)	(22.74%)	▼ Timing	Impacted by the depreciation cost for Dec 24 and Jan 25 not yet being processed
Amount attributable to operating activities		2,466,060	4,498,488	5,027,881	529,393	11.77%		

SHIRE OF MEEKATHARRA
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2025

CONTINUED

INVESTING ACTIVITIES

Inflows from investing activities

Proceeds from capital grants, subsidies and contributions

12

8,037,000

4,607,536

323,243

(4,284,293)

(92.98%)

▼

Grants budgeted for YTD but not yet received - R2R \$3.272m and Main Roads \$1.012m

Proceeds from disposal of assets

6

362,000

0

98,000

98,000

0.00%

Refer Note 6 Disposal of Assets for details

Outflows from investing activities

Payments for property, plant and equipment

5

(5,781,000)

(3,439,240)

(1,023,301)

2,415,939

70.25%

▲

Timing

Refer to Note 5 for Capital Works Detail - timing of anticipated expenditure to be corrected

Payments for construction of infrastructure

5

(20,258,500)

(10,745,896)

(2,875,925)

7,869,971

73.24%

▲

Timing

Refer to Note 5 for Capital Works detail - timing of roadworks budgets to be corrected

(26,039,500)

(14,185,136)

(3,899,226)

10,285,910

72.51%

Amount attributable to investing activities

(17,640,500)

(9,577,600)

(3,477,983)

6,099,617

63.69%

FINANCING ACTIVITIES

Inflows from financing activities

Transfer from reserves

4

18,877,156

0

0

0

0.00%

Within variance

Outflows from financing activities

Transfer to reserves

4

(18,027,156)

0

0

0

0.00%

Within variance

(18,027,156)

0

0

0

0.00%

Amount attributable to financing activities

850,000

0

0

0

0.00%

MOVEMENT IN SURPLUS OR DEFICIT

Surplus or deficit at the start of the financial year

14,324,440

14,324,440

12,592,103

(1,732,337)

(12.09%)

▼

The adopted budget brought forward surplus is lower than the YTD actual, this will be addressed with the budget review.

Amount attributable to operating activities

2,466,060

4,498,488

5,027,881

529,393

11.77%

Amount attributable to investing activities

(17,640,500)

(9,577,600)

(3,477,983)

6,099,617

63.69%

Amount attributable to financing activities

850,000

0

0

0

0.00%

Surplus or deficit after imposition of general rates

0

9,245,328

14,142,001

4,896,673

52.96%

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

▲ ▼ Better than budget (Income is higher, Expenditure is lower)/Worse than budget (Income is lower, expenditure is higher)

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF MEEKATHARRA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2025

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

		Adopted Budget Opening 30 June 2024	Last Year Audited Closing 30 June 2024	Year to Date 31 January 2025
(a) Net current assets used in the Statement of Financial Activity	Supplementary Information			
Current assets		\$	\$	\$
Cash and cash equivalents	3	37,091,252	13,051,161	35,426,196
Trade and other receivables		1,500,000	1,508,971	2,057,328
Other financial assets		0	22,585,508	0
Inventories	8	220,000	229,633	438,670
		38,811,252	37,375,273	37,922,194
Less: current liabilities				
Trade and other payables	9	(1,320,000)	(1,315,595)	(312,618)
Other liabilities	10	0	(659,874)	(659,874)
Employee related provisions	10	(350,000)	(209,099)	(209,099)
		(1,670,000)	(2,184,568)	(1,181,591)
Net current assets		37,141,252	35,190,705	36,740,603
Less: Total adjustments to net current assets	Note 2(c)	(22,816,812)	(22,598,602)	(22,598,602)
Closing funding surplus / (deficit)		14,324,440	12,592,103	14,142,001

(b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash amounts excluded from operating activities	\$	\$	\$
Adjustments to operating activities			
Add: Depreciation	6,862,500	4,003,090	3,093,254
Add: Movement in other provisions	0	0	(557)
Total non-cash amounts excluded from operating activities	6,862,500	4,003,090	3,092,697

(c) Current assets and liabilities excluded from budgeted deficiency

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.

		Adopted Budget Opening 30 June 2024	Last Year Audited Closing 30 June 2024	Year to Date 31 January 2025
Adjustments to net current assets		\$	\$	\$
Less: Reserve accounts	4	(23,192,012)	(22,807,701)	(22,807,701)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of employee benefit provisions	4	375,200	209,099	209,099
Total adjustments to net current assets	Note 2(a)	(22,816,812)	(22,598,602)	(22,598,602)

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

SHIRE OF MEEKATHARRA

SUPPLEMENTARY INFORMATION

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SHIRE OF MEEKATHARRA
STATEMENT OF COMPREHENSIVE INCOME BY PROGRAM
FOR THE PERIOD ENDED 31 JANUARY 2025

	Ref Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$
OPERATING ACTIVITIES				
Income excluding grants, subsidies and contributions				
General purpose funding - other		8,233,200	7,814,422	7,695,514
Law, order and public safety	11	2,500	1,442	1,328
Health		1,000	574	3,942
Education and welfare		10,000	5,817	197
Housing		20,000	11,662	105
Community amenities		117,500	108,104	114,103
Recreation and culture	6	54,500	31,724	25,680
Transport		1,372,000	800,317	827,916
Economic services		12,000	6,986	4,322
Other property and services		101,000	58,898	66,995
		9,923,700	8,839,946	8,740,100
Grants, subsidies and contributions				
General purpose funding - other		824,000	412,000	444,235
Law, order and public safety		47,500	10,287	9,326
Education and welfare		122,500	85,000	87,546
Transport		8,613,500	5,161,911	857,522
Economic services		25,000	25,000	18,000
Other property and services		500	287	0
		9,633,000	5,694,485	1,416,629
Expenditure from operating activities (including depreciation)				
Governance		(974,400)	(576,739)	(419,617)
General purpose funding		(342,500)	(182,273)	(176,159)
Law, order and public safety		(231,500)	(140,215)	(116,982)
Health		(168,500)	(100,773)	(68,362)
Education and welfare		(1,119,000)	(660,382)	(543,181)
Housing		0	(18,994)	(19,797)
Community amenities		(934,740)	(550,345)	(450,241)
Recreation and culture		(2,068,500)	(1,241,446)	(942,309)
Transport		(9,160,000)	(5,350,485)	(4,541,448)
Economic services	6	(797,000)	(494,217)	(393,014)
Other property and services		(120,000)	(115,628)	(227,192)
		(15,916,140)	(9,431,497)	(7,898,302)
Net Operating Result		3,640,560	5,102,934	2,258,427

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

3 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Trust	Cash	Institution	Interest Rate	Maturity Date
		\$	\$		\$			
Cash on hand								
Municipal Bank Account	Cash and cash equivalents	5,336,417	0	0	5,336,417	Westpac	0.00%	At Call
Maxi Account	Cash and cash equivalents	4,592,015	0	0	4,592,015	Westpac	1.15%	At Call
Trust Account	Trust	0	0	500,000	500,000	Westpac	0.00%	At Call
Term Deposits								
63-2163	Financial assets at amortised cost	0	10,000,000	0	10,000,000	Westpac	5.05%	24/04/2025
63-2171	Financial assets at amortised cost	0	12,858,743	0	12,858,743	Westpac	5.07%	24/03/2025
63-2198	Cash and cash equivalents	0	2,641,257	0	2,641,257	Westpac	5.07%	13/03/2025
Total		9,928,432	25,500,000	500,000	35,928,432			

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025

4 RESERVE ACCOUNTS

Reserve name	Budget Opening Balance	Original Budget Interest Earned	Original Budget Transfers In (+)	Original Budget Transfers Out (-)	Original Budget Closing Balance	Current Budget Closing Balance	Actual Opening Balance	* Actual Interest Earned	Actual Transfers In (+)	Actual Transfers Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$		\$	\$	\$	\$	\$
Restricted by Council				0							
Leave reserve	429,228	0	0	(429,228)	0	0	429,228	0	0	0	429,228
Plant and Machinery reserve	1,254,200	500,000	500,000	(770,000)	984,200	984,200	1,254,200	0	0	0	1,254,200
Building Reserve	2,048,974	779,228	779,228	(200,000)	2,628,202	2,628,202	2,048,974	0	0	0	2,048,974
Shire Water Reserve	347,826	0	0	(347,826)	0	0	347,826	0	0	0	347,826
Airport Runway Reserve	3,011,456	0	0	(3,011,456)	0	0	2,627,145	0	0	0	2,627,145
Airport Reserve	1,412,107	3,111,456	3,111,456	(530,000)	3,993,563	3,993,563	1,412,107	0	0	0	1,412,107
Transport Reserve	65,984	0	0	(65,984)	0	0	65,984	0	0	0	65,984
Infrastructure & Development Reserve	1,096,770	497,826	0	(1,096,770)	0	0	1,096,770	0	0	0	1,096,770
Covid-19 Emergency Response/Cashflow Supplement	230,699	0	0	(230,699)	0	0	230,699	0	0	0	230,699
Reseals & Rejuvenation Reserve	6,525,470	0	0	(6,525,470)	0	0	6,525,470	0	0	0	6,525,470
Interpretive Centre Reserve	2,038,817	0	0	(2,038,817)	0	0	2,038,817	0	0	0	2,038,817
Roads -Second / Final Seals Reserve	2,030,906	0	0	(2,030,906)	0	0	2,030,906	0	0	0	2,030,906
Lloyd'S Revitalisation Reserve	1,694,352	2,088,817	2,088,817	(1,600,000)	2,183,169	2,183,169	1,694,352	0	0	0	1,694,352
Industrial Park Reserve	916,163	250,000	250,000	0	1,166,163	1,166,163	916,163	0	0	0	916,163
Swimming Pool Reserve	89,060	150,000	150,000	0	239,060	239,060	89,060	0	0	0	89,060
Footpaths	0	165,984	165,984	0	165,984	165,984	0	0	0	0	0
Future Projects	0	1,677,469	1,677,469	0	1,677,469	1,677,469	0	0	0	0	0
Furniture and Equipment	0	100,000	100,000	0	100,000	100,000	0	0	0	0	0
Roads	0	8,706,376	8,706,376	0	8,706,376	8,706,376	0	0	0	0	0
Other Infrastructure	0		497,826	0	497,826	497,826	0	0	0	0	0
	23,192,012	18,027,156	18,027,156	(18,877,156)	22,342,012	22,342,012	22,807,701	0	0	0	22,807,701

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

	Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Actual Variance
Capital acquisitions	\$		\$	\$	\$
Buildings - non-specialised	3,845,000	3,845,000	2,242,870	377,810	(1,865,060)
Furniture and equipment	81,000	81,000	47,236	1,566	(45,670)
Plant and equipment	1,855,000	1,855,000	1,149,134	643,925	(505,209)
Acquisition of property, plant and equipment	5,781,000	5,781,000	3,439,240	1,023,301	(2,415,939)
Infrastructure - roads	18,252,500	18,252,500	10,646,734	2,559,653	(8,087,081)
Infrastructure - footpaths	400,000	400,000	0	0	0
Infrastructure - Airport	530,000	530,000	0	212,456	212,456
Infrastructure - Other	1,076,000	1,076,000	99,162	103,816	103,816
Acquisition of infrastructure	20,258,500	20,258,500	10,745,896	2,875,925	(12,602,687)
Total capital acquisitions	26,039,500	26,039,500	14,185,136	3,899,226	(15,018,626)

MATERIAL ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

SHIRE OF MEEKATHARRA Ordinary Council Meeting - Minutes - 15 February 2025
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025

5 CAPITAL ACQUISITIONS - DETAILED

GL Account	Job Number	Job/Account Description	Original Budget	YTD Budget	YTD Actual	YTD Actual Variance	Comments
Buildings - non-specialised							
2026	X1001	Ses Facilities - Renew Shed	31,000	18,081	-	18,081	
4191	X1002	Lloyd'S Plaza - New Extension	1,600,000	933,331	13,791	919,540	
5044	X1003	Depot - New Machinery Dome Shed	300,000	175,000	-	175,000	
2704	X1004	Lot 294 (131) Hill Street - Renew General	60,000	35,000	-	35,000	
2704	X1005	Lot 408 (91) Hill Street - Renew Verandah	55,000	32,081	23,400	8,681	
2704	X1006	Lot 303 (137) Darlot Street - Renew Verandah	25,000	14,581	26,155	(11,574)	
2704	X1007	Lot 207 (107) Hill Street - Renew Blinds	5,000	2,912	7,327	(4,415)	
2704	X1008	Lot 877 (69) McCleary Street - New Garage	25,000	14,581	-	14,581	
2447	X1009	Youth Centre - Renew Kitchen	25,000	14,581	-	14,581	
2704	X1010	Lot 304 (135) Darlot Street - New Residence	211,000	123,081	145,980	(22,899)	
3997	X1011	Picture Gardens - Renew Plumbing	97,000	56,581	-	56,581	
3997	X1012	Picture Gardens - Renew Electrical	10,000	5,831	-	5,831	
4036	X1013	Indoor Cricket - Renew Facility	107,000	62,412	560	61,852	
4171	X1014	Masonic Lodge - Renew Facility	12,000	7,000	-	7,000	
9681	X1015	Old Power Station - Renew Facility	50,000	29,162	-	29,162	
2704	X1016	Lot 207 (107) Hill Street - Renew Facility	12,000	7,000	-	7,000	
2447	X1017	Youth Centre - Renew Facility	50,000	29,162	28,850	312	
3884	X1018	Gym - Renew Roof	30,000	17,500	-	17,500	
2704	X1019	Airport Residence - Upgrade Security Screens	25,000	14,581	-	14,581	
1328	X1020	Administration Office - New Carport	19,500	11,375	30,150	(18,775)	
2704	X1021	Lot 113 (81) Darlot Street - New Carport	19,500	11,375	11,649	(274)	
2704	X1022	Staff Accommodation - New	1,000,000	583,331	70,455	512,876	
3884	X1023	Gym - Renew External Lighting	10,000	5,831	-	5,831	
3666	X1024	Swimming Pool Building - Renew Paint	66,000	38,500	-	38,500	
2704	X1025	Lot 261 (117) Hill Street - New	-	-	4,839	(4,839)	
2704	X1026	91 Hill St - Renew Blinds/Awnings	-	-	7,327	(7,327)	
2704	X1027	Consultants Quarters - Renew Blinds/Awnings	-	-	7,327	(7,327)	
TOTAL Buildings			3,845,000	2,242,870	377,810	1,865,060	
Furniture and equipment							
1326	X2005	Administration Office - Renew Front Counter	15,000	8,750	-	8,750	
2438	X2001	Kids Zone - Renew Outdoor Furniture	5,000	2,912	-	2,912	
2445	X2002	Youth Centre - Renew Office Furniture	11,000	6,412	-	6,412	
3534	X2003	Town Hall - Renew Audio Visual Equipment	35,000	20,412	-	20,412	
3974	X2004	Gym - Renew Gym Equipment	15,000	8,750	1,566	7,184	
TOTAL Furniture and Equipment			81,000	47,236	1,566	45,670	
Plant and equipment							
5475	X3001	Small Equipment < \$5,000 - Renew	10,000	5,831	3,817	2,014	
5475	X3002	Large Equipment > \$5,000 - Renew	50,000	29,162	24,941	4,221	
5475	X3003	Street Sweeper P660 - New	450,000	262,500	108,800	153,700	
5475	X3004	Excavator P638 - Upgrade	110,000	64,162	108,024	(43,862)	
5475	X3005	Diesel Forklift P639 - New	60,000	35,000	-	35,000	
5475	X3006	Skid Steer P640 - Renew	130,000	130,000	106,318	23,682	
5475	X3007	Single Cab 4X2 Utility P647 - Renew	45,000	-	-	-	
5475	X3008	Single Cab 4X2 Utility P648 - Renew	45,000	-	-	-	
5475	X3009	Single Cab 4X2 Utility P649 - Renew	45,000	-	-	-	
5475	X3010	Extra Cab Utility P650 - Renew	80,000	46,662	68,471	(21,809)	
5475	X3011	Community Officer Vehicle P651 - Renew	45,000	26,250	-	26,250	
5475	X3012	Youth Officer Vehicle P652 - Renew	45,000	26,250	-	26,250	
5475	X3013	Single Cab 4X4 Utility P653 - Renew	90,000	52,500	-	52,500	
5475	X3014	Dual Cab 4X4 Utility P654 - Renew	110,000	64,162	-	64,162	
5475	X3015	Youth Services Van P655 - Renew	80,000	46,662	-	46,662	
5475	X3016	Bore Boss P656 - New	140,000	81,662	-	81,662	
5475	X3017	Off-Road Caravan P657 - New	120,000	120,000	88,818	31,182	
5475	X3018	Wagon 4X4 P658 - Renew	100,000	100,000	134,737	(34,737)	
5475	X3019	Wagon 4X4 P659 - Renew	100,000	58,331	-	58,331	
TOTAL Plant and Equipment			1,855,000	1,149,134	643,925	505,209	

5 CAPITAL ACQUISITIONS - DETAILED

Infrastructure - roads					
4200	Road Construction Various	16,010,000	9,339,106	2,174,279	7,164,827
4250	Flood Damage Renewals - 24/25	2,242,500	1,307,628	385,375	922,253
TOTAL Road Construction		18,252,500	10,646,734	2,559,653	8,087,081
Infrastructure - footpaths					
5046	Footpaths - New And Renewal	400,000	-	-	-
TOTAL Footpath Construction		400,000	-	-	-
Infrastructure - Airport					
X7001	Airport - Renew Electrical Generator	180,000	-	194,245	(194,245)
X7002	Airport - Renew Leach Drains	100,000	-	-	-
X7003	Airport - Renew Fuel Facility	200,000	-	-	-
X7004	Airport - Upgrade Casa Audit Outcomes	50,000	-	18,210	(18,210)
TOTAL Airport Construction		530,000	-	212,456	(212,456)
Infrastructure - Other					
2436	X6001 Kids Zone - Renew Courtyard Paving	27,000	-	-	-
2436	X6002 Kids Zone - Renew Reticulation And Lawn	20,000	-	-	-
2436	X6003 Kids Zone - Renew Playground Shade	40,000	-	-	-
2824	X6004 Refuse Site - Upgrade Facility	56,000	-	-	-
3274	X6005 Town Cemetery - Renew Facility	54,000	-	-	-
3274	X6012 Heritage Cemeteries - Renew Headstones	60,000	35,000	1,003	33,997
3638	X6010 Oval - Renew Electrical System	40,000	23,331	38,584	(15,253)
3638	X6011 Oval - Renew Surface	70,000	40,831	59,789	(18,958)
3954	Grants Pit Water Scheme	-	-	210	(210)
4015	X6006 Lions Park - New Development	288,000	-	4,230	(4,230)
4015	X6007 Lions Park - New Furniture	5,000	-	-	-
5045	X6016 Truck Ramps - New	100,000	-	-	-
5380	X6008 Peace Gorge - Renew General	140,000	-	-	-
5399	X6009 Welcome Park - Renew Facility	66,000	-	-	-
5424	X6013 Entry Statement (East) - New	40,000	-	-	-
5424	X6014 Entry Statement (West) - New	40,000	-	-	-
5424	X6015 Murchison Geo Region - Renew Signage	30,000	-	-	-
TOTAL Other Infrastructure		1,076,000	99,162	103,816	(4,654)
TOTALS		26,039,500	14,185,136	3,899,226	10,285,910

Ordinary Council Meeting - Minutes - 15 February 2025

SHIRE OF MEEKATHARRA SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 31 JANUARY 2025

INVESTING ACTIVITIES

5 CAPITAL ROADWORKS - DETAILED

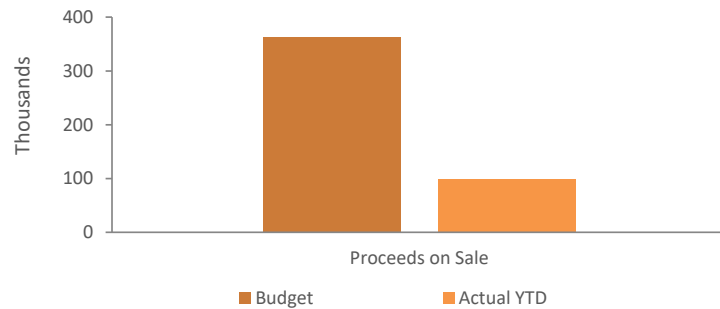
Account	Job - Account	Job/Account Description	Original Budget	Current Budget	YTD Budget	YTD Actual	YTD Actual Variance	Comments
Staff to review and correct budget timing								
Infrastructure - roads								
X4001		Grids - Renew Various Locations - 24/25	120,000	120,000	70,000	-	70,000	
X4002		Gorge Creek - Renew Floodway - 24/25	800,000	800,000	466,662	1,603,342	(1,136,680)	
X4003		Pingandy River (Little) - Renew Floodways - 24/25	800,000	800,000	466,662	-	466,662	
X4004		Pingandy River (Big) - Renew Floodways - 24/25	800,000	800,000	466,662	461,699	4,963	
X4005		Deverell Creek - Renew Floodway - 24/25	800,000	800,000	466,662	-	466,662	
X4006		Town Streets - Renew Street Seal Various - 24/25	1,000,000	1,000,000	583,331	-	583,331	
X4007		Landor-Meekatharra Road - Upgrade Surface - 24/25	10,500,000	10,500,000	6,124,986	730	6,124,256	
X4008		Mingah Springs Road - New Bypass - 24/25	440,000	440,000	256,655	19,037	237,618	
X4009		Sandstone Road - Renew 97 - 100.72 Sil - 24/25	375,000	375,000	218,743	2,222	216,521	
X4010		Sandstone Road - Renew 77 - 87 Sil - 24/25	375,000	375,000	218,743	87,250	131,493	
X4011		Sandstone Road- Renew 87 - 97 Sil - 24/25	375,000	375,000	218,743	-	218,743	
X4012		Ashburton Downs-Mkt Road - Renew Damage	233,000	233,000	135,912	-	135,912	
X4013		Beringarra-Mt Gould Road - Renew Damage	37,500	37,500	21,868	-	21,868	
X4014		Landor-Meekatharra Road - Renew Damage	20,500	20,500	11,949	-	11,949	
X4015		Meekatharra-Mt Clere Road - Renew Damage	203,500	203,500	118,699	-	118,699	
X4016		Mingah Springs Road - Renew Damage	47,500	47,500	27,706	-	27,706	
X4017		Moorarie-Trillbar Road - Renew Damage	38,000	38,000	22,155	-	22,155	
X4018		Murchison Downs Road - Renew Damage	20,500	20,500	11,949	-	11,949	
X4019		Pingandy Road - Renew Damage	70,500	70,500	41,118	-	41,118	
X4020		Tangadee Road - Renew Damage	27,500	27,500	16,037	-	16,037	
X4021		Woodlands-Mt Augustus Road - Renew Damage	103,000	103,000	60,081	-	60,081	
X4022		Youno Downs Road - Renew Damage	24,000	24,000	13,993	-	13,993	
X4023		Annean Road - Renew Damage	18,000	18,000	10,493	960	9,533	
X4024		Ashburton Downs-Mkt Road - Renew Damage	31,000	31,000	18,067	960	17,107	
X4025		Beringarra-Mt Gould Road - Renew Damage	61,500	61,500	35,868	960	34,908	
X4026		Bulloo Downs Road - Renew Damage	23,500	23,500	13,692	960	12,732	
X4027		Buttah Road - Renew Damage	7,500	7,500	4,361	960	3,401	
X4028		Gabarintha-Nannine Road - Renew Damage	10,000	10,000	5,824	960	4,864	
X4029		Hillview-Murchison Downs Road - Renew Damage	8,000	8,000	4,655	960	3,695	
X4030		Horseshoe Lights Access Road - Renew Damage	16,000	16,000	9,317	960	8,357	
X4031		Jigalong Mission Road - Renew Damage	17,000	17,000	9,912	960	8,952	
X4032		Killara Road - Renew Damage	9,500	9,500	5,530	960	4,570	
X4033		Landor-Meekatharra Road - Renew Damage	130,500	130,500	76,111	960	75,151	
X4034		Marymia Road - Renew Damage	34,000	34,000	19,824	960	18,864	
X4035		Meekatharra-Mt Clere Road - Renew Damage	79,500	79,500	46,368	960	45,408	
X4036		Meekatharra-Sandstone Road - Renew Damage	136,500	136,500	79,611	960	78,651	
X4037		Milgun-Yarlalweelor Road - Renew Damage	76,000	76,000	44,324	960	43,364	
X4038		Mingah Springs Road - Renew Damage	14,500	14,500	8,449	4,196	4,253	
X4039		Moorarie-Trillbar Road - Renew Damage	43,500	43,500	25,361	960	24,401	
X4040		Murchison Downs Road - Renew Damage	78,500	78,500	45,780	960	44,820	
X4041		Peakhill-Horseshoe Lights Road - Renew Damage	16,000	16,000	9,324	1,831	7,493	
X4042		Peakhill-Three Rivers Road - Renew Damage	20,500	20,500	11,942	348,789	(336,847)	
X4043		Pingandy Road - Renew Damage	6,500	6,500	3,773	960	2,813	
X4044		Speedway Access Road - Renew Damage	7,000	7,000	4,067	960	3,107	
X4045		Sylvania Road - Renew Damage	34,000	34,000	19,817	960	18,857	
X4046		Tangadee Road - Renew Damage	6,500	6,500	3,773	960	2,813	
X4047		Trillbar Road - Renew Damage	16,000	16,000	9,324	960	8,364	
X4048		Turee Creek Road - Renew Damage	54,500	54,500	31,780	960	30,820	
X4049		Weelarrana West Road - Renew Damage	12,500	12,500	7,280	960	6,320	
X4050		Wiluna North Road - Renew Damage	19,500	19,500	11,361	960	10,401	
X4051		Woodlands-Mt Augustus Road - Renew Damage	23,000	23,000	13,405	960	12,445	
X4052		Yarlalweelor Access Road - Renew Damage	6,500	6,500	3,773	960	2,813	
X4053		Yarrabubba Access Road - Renew Damage	6,500	6,500	3,773	960	2,813	
X4054		Yoothapina Station Road - Renew Damage	7,500	7,500	4,361	960	3,401	
X4055		Youno Downs Road - Renew Damage	10,500	10,500	6,118	2,726	3,392	
			-	-	-	-	-	
TOTAL Road Construction			18,252,500	18,252,500	10,646,734	2,559,653	8,087,081	

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Year Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
Plant and equipment									
P406	Mini Excavator	25,000	25,000	0	0	0	22,500	22,500	0
P464	Skid Steer	30,000	30,000	0	0	0	40,500	40,500	0
P426	4x2 Single Cab Utility	5,000	5,000	0	0	0	0	0	0
P493	4x2 Single Cab Utility	5,000	5,000	0	0	0	0	0	0
P530	4x2 Single Cab Utility	5,000	5,000	0	0	0	0	0	0
P646	Extra Cab Utility	40,000	40,000	0	0	0	35,000	35,000	0
P507	Community Officer Vehicle	10,000	10,000	0	0	0	0	0	0
P507	Youth Officer Vehicle	20,000	20,000	0	0	0	0	0	0
P518	Construction Crew vehicle	35,000	35,000	0	0	0	0	0	0
P520	Leading Hand Vehicle	55,000	55,000	0	0	0	0	0	0
P427	Youth Services Van	12,000	12,000	0	0	0	0	0	0
P526	CEO Vehicle	60,000	60,000	0	0	0	0	0	0
P605	DCEO Vehicle	60,000	60,000	0	0	0	0	0	0
		362,000	362,000	0	0	0	98,000	98,000	0



Note

The disposal of these assets has yet to be processed in the financial system.

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

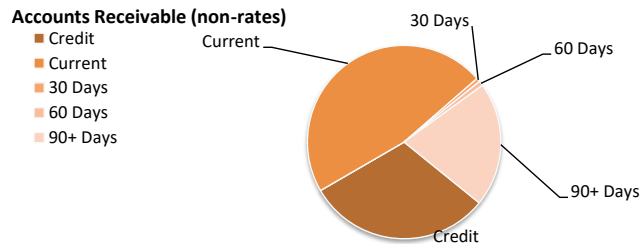
OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable	30 June 2024	31 Jan 2025
	\$	\$
Opening arrears previous years	1,526,601	1,184,270
Levied this year	5,697,848	7,090,220
Less - collections	(6,040,179)	(6,189,833)
Gross rates collectable	1,184,270	2,084,657
Allowance for impairment of rates receivable		(120,309)
Net rates collectable	1,184,270	1,964,348
% Collected	83.6%	74.8%

Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(45,581)	69,453	931	1,195	30,790	56,788
Percentage	(80.3%)	122.3%	1.6%	2.1%	54.2%	
Balance per trial balance						
Trade receivables						56,788
GST receivable						36,192
Allowance for credit losses of trade receivables						0
Total receivables general outstanding						92,980

Amounts shown above include GST (where applicable)



KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

	Opening Balance 1 July 2024	Asset Increase	Asset Reduction	Closing Balance 31 January 2025
Other current assets	\$	\$	\$	\$
Inventory				
Fuel and Oils	229,633	209,037	0	438,670
Total other current assets	229,633	209,037	0	438,670

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

OPERATING ACTIVITIES

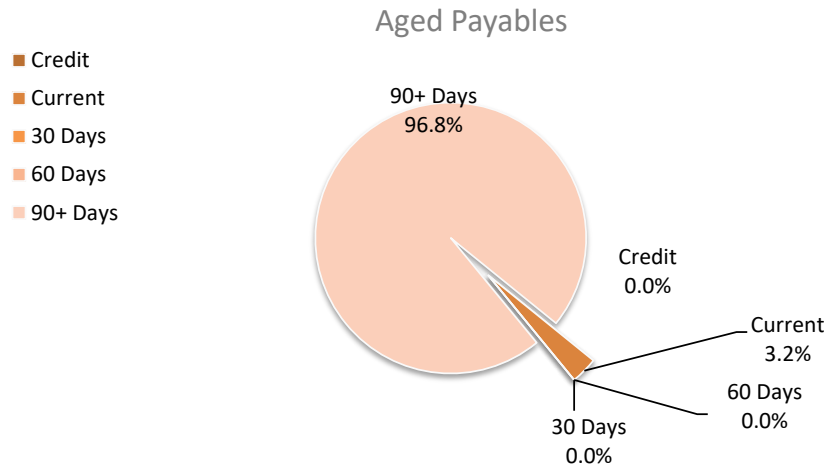
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	401	0	0	12,022	12,423
Percentage	0.0%	3.2%	0.0%	0.0%	96.8%	
Balance per trial balance						
Sundry creditors	0	62,367	0	0	0	62,367
ATO liabilities	0	78,901	0	0	0	78,901
Bond Held	0	17,928	0	0	0	17,928
Excess rates	0	173,494	0	0	0	173,494
Other payables [describe]	0	(20,072)	0	0	0	(20,072)
Total payables general outstanding						312,618

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

OPERATING ACTIVITIES

10 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2024	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 January 2025
		\$	\$	\$	\$	\$
Other current liabilities						
Other liabilities						
Contract liabilities		659,874	0	0	0	659,874
Total other liabilities		659,874	0	0	0	659,874
Employee Related Provisions						
Provision for annual leave		152,839	0	0	0	152,839
Provision for long service leave		56,260	0	0	0	56,260
Total Provisions		209,099	0	0	0	209,099
Total other current liabilities		868,973	0	0	0	868,973

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 11

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

OPERATING ACTIVITIES

11 GRANTS, SUBSIDIES AND CONTRIBUTIONS

		Grants, subsidies and contributions revenue				
		Provider	Program	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
				\$	\$	\$
COA	IE					
0181	52	Financial Assistance Grant	General Purpose Funding	523,500	261,750	358,425
211	52	Local Road Grant	General Purpose Funding	300,500	150,250	85,811
1563	52	D.F.E.S. Operating Grant	Law, Order, Public Safety	8,000	4,000	4,000
2003	52	S.E.S. Operating Grant	Law, Order, Public Safety	8,000	6,000	5,326
2024	55	Reimbursments - Law Other	Law, Order, Public Safety	500	287	0
2419	52	Youth Grant - O.S.H.C. Program	Education And Welfare	27,500	13,750	12,251
2421	52	Youth Services Grant - D.C.P. - W.A.	Education And Welfare	95,000	71,250	75,295
4591	52	Mrwa - Direct Grant	Transport	500,000	500,000	534,279
4823	55	Reimbursements - Transport	Transport	100,000	50,000	0
4843	52	Street - Lighting - Operating Grant	Transport	7,500	4,375	0
8153	55	Reimbursement - Gst Free	Other Property And Services	500	287	0
5393	52	Festival Income Tourism	Other Property And Servioces	25,000	25,000	0
5393	55	Festival Income Tourism	Other Property And Servioces	0	0	18,000
				1,596,000	1,086,949	1,093,386

**SHIRE OF MEEKATHARRA
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JANUARY 2025**

INVESTING ACTIVITIES

12 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

				Capital grants, subsidies and contributions revenue				Comment
COA	IE	Provider	Program	Adopted	Current Budget	YTD	YTD Revenue	
				Budget Revenue	Revenue	Budget	Actual	
				\$		\$	\$	
4621	50	R2R Grant	Transport	5,750,000	5,750,000	3,354,162	82,243	
4681	48	Mrwa - Flood Damage Grant Income	Transport	1,506,000	1,506,000	878,374	0	
4691	48	Mrwa Road Project Grant (Rrg)	Transport	750,000	750,000	375,000	241,000	
2008	48	Ses Capital Grant	Law,Order and Public	31,000	31,000	0	0	
				8,037,000	8,037,000	4,607,536	323,243	

11 New Business of an Urgent Nature

Resolution 2025/010

Moved M Hall

Seconded B Day

That Council accept the following new business of an urgent nature for consideration –

- **Shire of Meekatharra Health Local Law 2025**

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

11.1 Shire of Meekatharra Health Local Law 2025

File Reference	LE.LL.001
Author	N Cain, Acting Chief Executive Officer
Author's Interest	Nil
Authoriser	N Cain, Acting Chief Executive Officer
Authoriser's Interest	Financial
Applicant / Respondent	Nil
Report Date	13 February 2025

Summary

Council recently formed a Health Local Law, which also repealed previous local laws, however there were issues associated with the making and content of the local law, and Council is required to remake the local law with the modified content.

The purpose of this Report is to repeal the previous local laws and remake the modified local law.

Council is requested to advertise and seek comment regarding the proposed Health Local Law.

Attachments

11.1.1 Draft *Shire of Meekatharra Health Local Law 2025*

Background

The *Shire of Meekatharra Health Amendment Local Law 2024* was published in the Government Gazette on 27 June 2024.

While titled as an 'amendment local law', it replaced the Shire's previous local laws related to this subject area in their entirety and was, in effect, a new local law.

Part of the process to make a local law requires a local government to submit an Explanatory Memoranda to the WA Parliamentary Joint Standing Committee on Delegated Legislation ('the Committee') which oversees the making of subsidiary legislation on behalf of Parliament.

The Committee checks the correct process has been followed by a local government, as well as reviewing the contents of a local law for any matters which may offend its terms of reference.

Following submission of an Explanatory Memoranda in relation to the Health Local Law, the Committee advised the Shire there were errors associated with the promulgation (the steps which set out how a local law is to be made) and contents of the Local Law itself, to the extent it must be remade.

The matter was considered at a Special Council Meeting held on 8 November 2024 where Council resolved to give an undertaking to the Committee to remake the local law and to also correct typographical errors in the version which was incorrectly gazetted.

Comment

The draft *Shire of Meekatharra Health Local Law 2025* is attached.

It is identical to the local law previously considered by council except for the corrections requested by the Committee made to clauses 2.5, 5.12 and 10.1, specifically –

- Clause 2.5(b)
The words 'all sanitary conveniences including sanitary fittings in or on the premises' now appear on the next line in both instances where they appear. Further, subclause numbering has been inserted to identify the two subclauses relating to occupiers and owners.
- Clause 5.12(7)
Subclauses (a)(i), (a)(ii) and (e) refer to subclause (8)(f). The local law does not contain a subclause 5.12(8)(f) and this has been corrected.
- Clause 10.1
The words 'commits an offence' in subclause (c) now appear on the next line.

Consultation

Department of Local Government, Sport, and Cultural Industries
WA Local Government Association
WA Parliamentary Joint Standing Committee
Local Laws Consultant

Statutory Implications

Local Government Act 1995

Section 3.12 Procedure for making local laws

In making a local law a local government is to follow a specific procedure.

Amongst other things this requires a local government to give notice stating it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the proposed *Shire of Meekatharra Health Local Law 2025* is:

Purpose

To enable the Shire to regulate specified matters relating to public health within the district as set out in the local law.

Effect

Those matters are subject to regulation.

The results of the community consultation and feedback from the Minister/s are to be considered by Council before it makes the local law.

Policy Implications

Nil

Financial Implications

Costs associated with drafting the local law, advertising for comment, and publication in the Government Gazette are considered minor and included in the current budget.

The Shire has also engaged a Local Law Consultant, which is also a minor cost and in the current budget.

Risk Implications

Risk is managed by using a Local Laws Consultant specifically engaged to oversee the process for council.

Strategic Implications

Strategic Community Plan 2020 – 2030

Governance – Manage resources effectively

Ensure governance and legislative requirements are met.

Voting Requirements

Simple Majority

Recommendation

That Council, regarding the *Shire of Meekatharra Health Local Law 2025*, -

1. In accordance with sections 3.12(3)(a) and (3a) of the *Local Government Act 1995*, local public notice be given stating –
 - a. It is proposed to make a Shire of Meekatharra Health Local Law and a summary of its purpose and effect,
 - b. Copies of the proposed local law may be inspected at the Shire of Meekatharra Administration Office, 75 Main Street, Meekatharra,
 - c. Submissions about the proposed local law may be made to the Shire of Meekatharra within a period of not less than 6 weeks after the notice is given,
2. In accordance with s3.12(3)(b) of the *Local Government Act 1995*, as soon as the notice is given a copy of the proposed local law be sent to the Chief Executive Officers of the WA Department of Local Government and the WA Department of Health,
3. In accordance with s3.12(3)(c) of the *Local Government Act 1995*, a copy of the proposed local law be supplied to any person requesting it and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

Resolution 2025/011

Moved M Hall

Seconded B Day

That Council, regarding the *Shire of Meekatharra Health Local Law 2025*, -

- 1. In accordance with sections 3.12(3)(a) and (3a) of the *Local Government Act 1995*, local public notice be given stating –**
 - a. It is proposed to make a Shire of Meekatharra Health Local Law and a summary of its purpose and effect,**
 - b. Copies of the proposed local law may be inspected at the Shire of Meekatharra Administration Office, 75 Main Street, Meekatharra,**

- c. **Submissions about the proposed local law may be made to the Shire of Meekatharra within a period of not less than 6 weeks after the notice is given,**
- 2. In accordance with s3.12(3)(b) of the *Local Government Act 1995*, as soon as the notice is given a copy of the proposed local law be sent to the Chief Executive Officers of the WA Department of Local Government and the WA Department of Health,**
- 3. In accordance with s3.12(3)(c) of the *Local Government Act 1995*, a copy of the proposed local law be supplied to any person requesting it and**
- 4. The results of the public consultation be presented to Council for consideration of any submissions received.**

Vote Outcome	- Carried 6/0
For	- H Nichols, M Smith, M Hall, W Ward, B Day, J Holden
Against	- Nil
Variation Reason	- Nil

Health (Miscellaneous Provisions) Act 1911

Local Government Act 1995

SHIRE OF MEEKATHARRA

HEALTH LOCAL LAW 2025

LOCAL GOVERNMENT ACT 1995
HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911
SHIRE OF MEEKATHARRA

HEALTH LOCAL LAW 2025

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Local Government Act 1995

Shire of Meekatharra

HEALTH LOCAL LAW 2025

Under the powers conferred by the *Local Government Act 1995* and under all powers enabling it, the Council of the Shire of Meekatharra resolved on dd mm 2025 to make the following local law.

PART 1—PRELIMINARY

1.1 Title

This local law may be cited as the *Shire of Meekatharra Health Local Law 2025*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the entire district.

1.4 Repeal

The *Shire of Meekatharra Health Local Laws 2008* published in the *Government Gazette* on 23 December 2008 and the *Shire of Meekatharra Health Amendment Local Law 2024* published in the *Government Gazette* on 27 June 2024 are repealed.

1.5 Interpretation

In this local law, unless the context otherwise requires—

Act means the Health (Miscellaneous Provisions) Act 1911;

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

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

approved means approved by the local government;

AS or AS/NZS means an Australian Standard or Australian/New Zealand Standard published by Standards Australia, as amended from time to time and accessed by the public free of charge from the Shire of Meekatharra;

AS 3786 means Australian Standard for Smoke alarms using scattered light, transmitted light or ionization;

AS 2293.1 means Australian Standard for Emergency escape lighting and exit signs for buildings – System design, installation and operation;

AS 1530.2 means Australian Standard for Methods for fire tests on building materials, components and structures - Test for flammability of materials;

AS 1530.3 means Australian Standard for Methods for fire tests on building materials, components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release;

AS 4282 means Australian Standard for Control of obtrusive effects of outdoor lighting;

Authorised Officer means a person appointed under

- (a) the provisions of the *Public Health Act 2016*; or
- (b) the *Local Government Act 1995*; and
- (c) includes officers employed or contracted by the local government as an Environmental Health Officer, Acting Environmental Health Officer, Assistant Environmental Health Officer, Community and Development Services Manager and Principal Environmental Health Officer;

bed means a piece of furniture on which to sleep;

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

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

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

Chief Executive Officer means the Chief Executive Officer of the local government;

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

Council means the Council of the local government;

district means—

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

drinking water means drinking water as defined in the *Australian Drinking Water Guidelines* developed by the National Health and Medical Research Council;

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

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

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

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

local government means the Shire of Meekatharra;

Medical Officer means the Medical Officer appointed by the local government under the Act and includes an Acting Medical Officer so appointed;

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

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

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

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

Schedule means a Schedule to this local law;

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

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

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

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

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

urinal may be—

- (a) an individual stall or wall-hung urinal;
 - (b) each 600 millimetres length of a continuous urinal trough; or
 - (c) a toilet bowl used in place of a urinal.
1. Where in this local law, a duty or liability is imposed on an "owner or occupier" the duty or liability shall be deemed to be imposed jointly and severally on each of the owner or occupier.
 2. Where under this local law an act is required to be done or forbidden to be done in relation to any premises, the owner or occupier of those premises has, unless the contrary intention appears, the duty of causing to be done

the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

PART 2 – SANITATION

Division 1 – Sanitary Conveniences

2.1 Interpretation

In this Part, unless the context otherwise requires—

apparatus for the treatment of sewage has the same meaning as in section 3 of the Act;

event includes a fair, function or festival;

low lying land means land that has a height no more than 2 metres above Australian height datum;

organiser means a person—

(a) to whom approval has been granted by the local government to conduct the event; or

(b) responsible for the conduct of the event;

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

receptacle for drainage has the same meaning as in the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and includes the irrigation effluent disposal area of an aerobic treatment system; and

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

(a) patrons in conjunction with an event; or

(b) employees at construction sites or the like.

2.2 Dwelling house

1. A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet.

2. A room in which a toilet is located shall have adequate electrical lighting.

2.3 Premises other than a dwelling house

1. The owner of premises other than a dwelling house shall not use or occupy, or permit to be used or occupied, premises other than a dwelling house unless—

(a) the premises have sanitary conveniences in accordance with the Building Code and this Part;

(b) the toilets required by this clause are situated within a reasonable distance and are easily accessible to the persons for whom they are provided; and

(c) the premises have hand wash basins—

(i) in accordance with the Building Code;

(ii) for the use of persons employed or engaged on the premises;

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

2.4 Events

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

2.5 Maintenance of sanitary conveniences and fittings

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

2.6 Public sanitary conveniences

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

2.7 Lighting

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

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Division 2 – Bathrooms, Laundries and Kitchens

2.8 Bathrooms

1. A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that is equipped with—
 - (a) a hand wash basin; and
 - (b) either a shower in a shower recess or a bath.
2. All baths, showers, hand wash basins and similar fittings shall be provided with an adequate supply of hot and cold water.
3. The floor of the bathroom must be properly surfaced, with an even fall to a floor waste unless otherwise approved, suitably trapped and discharging to –
 - (a) the sewer of a licensed water service operator; or
 - (b) an apparatus for the treatment of sewage approved by the local government.

2.9 Laundries

1. Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling, unless otherwise approved.
2. Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall—
 - (a) not be more than 1,220 millimetres wide; and
 - (b) have a door which when closed shall completely fill the opening.
3. A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a laundry that—
 - (a) is properly enclosed and roofed;
 - (b) is adequately lined with an impervious material;
 - (c) has a floor of concrete or other approved impervious material of an approved thickness;
 - (d) is properly surfaced, with an even fall to a floor waste unless otherwise approved, suitably trapped and discharging to –
 - (i) the sewer of a licensed water service operator; or
 - (ii) an on-site waste water disposal system of a type approved as approved by the local government; and
 - (e) is provided with adequate ventilation.
4. The laundry referred to in subclause (1) must conform to the provisions of the Building Code and the Health Act (Laundries and Bathrooms) Regulations.
5. In the case of a single occupancy dwelling, the laundry referred to in subclause (1) shall have—
 - (a) either—
 - (i) two wash troughs;
 - (ii) a washing machine and either a wash trough or a sink; and

- (b) clothes drying facility comprising either a mechanical clothes dryer or not less than 20 metres of clothes line erected externally.
- 6. All wash troughs, sinks and washing machines shall be—
 - (a) in a laundry and connected to an adequate supply of hot and cold water;
 - (b) installed to manufacturer's specifications, and;
 - (c) shall have a capacity of at least 36 litres.
- 7. Sole or multiple occupancy units, each being a separate dwelling, shall have—
 - (a) laundry facilities, in accordance with the Building Code, for the exclusive use of the occupants of each unit; or
 - (b) a separate laundry, with communal laundry facilities in accordance with the Building Code, for up to 4 sole occupancy units that do not have their own laundry facilities.

2.10 Washing or keeping of clothes in kitchens

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

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

2.11 Kitchens

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

PART 3 – HOUSING AND GENERAL

Division 1 – Maintenance of Dwelling Houses

3.1 Dwelling house maintenance

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

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

3.2 Guttering and downpipes

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

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

Division 2 – Ventilation of Houses

3.3 Exemption for short term hostels and recreational campsites

This division shall not apply to short term hostels and recreational campsites referred to in Division 2 of Part 8.

3.4 Overcrowding

The owner or occupier of a house shall not permit—

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

3.5 Calculated sufficient space

For the purpose of clause 3.4, in calculating the space required for each person—

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

Division 3 – Water Supply

3.6 Water supply

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

3.7 Rainwater tanks

The owner or occupier of a house for which the water supply is drawn from a rainwater tank shall ensure that it is managed and maintained so as to meet the

relevant standards in the Australian Drinking Water Guidelines developed by the National Health and Medical Research Council and in particular —

- (a) maintain in a clean condition—
 - (i) the roof forming the catchment for the tank; and
 - (ii) the guttering and downpipes appurtenant to the roof;
- (b) ensure that each rainwater tank is fitted with a tight-fitting mosquito proof cover which shall not be removed at any time except for the purpose of inspecting, cleaning, repairing or maintaining the tank;
- (c) if the tank water is breeding mosquitoes, eliminate the point of entry and treat with a small quantity of liquid paraffin at a rate of not more than 5 millilitres per square meter of surface area so as to form a thin even film over the whole surface or otherwise as advised by an Authorised Officer;
- (d) inspect the rainwater tank and associated components at least every 6 months including gutters, catchment roof, tank inlet, debris traps, mosquito cowls, inside of the tank, tank roof and connecting pipework and remove any accumulated debris, leaf material or other contaminants evident and repair any damaged components;
- (e) at least once every two years, inspect the bottom and walls of the tank for accumulated sediments, sludge and slime and where necessary thoroughly clean any tank which contains water used for human consumption;
- (f) when directed by an Authorised Officer, empty, clean and disinfect any tank upon the premises which contains water used for human consumption; and
- (g) dispose of any organic material and water from cleaning and desludging operations around the garden or yard ensuring that it is retained on site and does not cause a health nuisance.

3.8 Pollution

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

Division 4 – Morgues

3.9 Licensing of morgues

1. All non-government morgues shall be licensed pursuant to the provisions of this clause.
2. An application for licence of a morgue shall be in a form as determined by the local government from time to time and shall be—
 - (a) made by the applicant;
 - (b) forwarded to the Chief Executive Officer with the fee as fixed by the local government from time to time under Sections 6.16 to 6.19 of the Local Government Act 1995.
3. A Certificate of Licence of a Morgue shall –

- (a) be in a form as determined by the local government from time to time; and
 - (b) expire on 30 June next after the date of its issue.
4. A Certificate of Licence of a Morgue shall not be granted in respect of any premises unless—
- (a) provision has been made for the keeping of the bodies of the dead at a temperature not exceeding zero degrees Celsius;
 - (b) the walls are constructed of stone or brickwork or other approved material;
 - (c) the interior surface of all walls is covered with glazed tiles or is rendered impervious so as to be non-absorbent and washable;
 - (d) all floors are constructed of some impervious material, having a fall to an outlet discharging over a trapped gully; and
 - (e) the premises are adequately ventilated by direct communication with the outside air.

PART 4 –LIQUID REFUSE AND LIQUID WASTE

4.1 Interpretation

In this division, unless the context otherwise requires—

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

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

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

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

4.2 Deposit of liquid refuse

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

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

The owner or occupier of land on which a swimming pool is constructed shall ensure that all backwash is not permitted to discharge onto or run-off onto adjacent land so as to cause a nuisance, or cause damage to any structures situated on adjacent land.

Subclause (2) shall not prevent the discharge of swimming pool backwash from a lot into a local government approved stormwater drain or road by a method approved by an authorised officer.

4.3 Disposal of liquid waste

The owner or occupier of premises shall:

- (a) provide, by one of the methods prescribed in this clause, for the disposal of all liquid waste produced on the premises; and
- (b) at all times maintain in good working order and condition any apparatus used for the disposal of liquid waste.

Liquid waste shall be disposed of by one of the following methods—

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

PART 5 – NUISANCES AND GENERAL

Division 1 – Nuisances

5.1 Interpretation

In this division, unless the context otherwise requires –

car park means premises, or any part of premises, set aside for parking of 3 or more motor vehicles;

dust means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

fertiliser includes manure;

liquid waste means waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser, solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater;

occupier means any person who is in control of any land or part of any land or authorised by the owner, lessee, licensee or any other person empowered to exercise control in relation to land to perform any work in relation to any land and without limiting the generality of the foregoing and for the avoidance of doubt includes a builder or contractor; and

public vehicle includes bus, tram, taxi or any other public transport.

5.2 Escape of smoke etc.

1. An owner or occupier of premises shall take reasonable measures to prevent the escape of smoke, dust, fumes, offensive or foul odours, liquid waste or liquid refuse from the premises in such quantity or of such a nature as to cause or to be a nuisance.
2. A person shall not on any land of an area 0.4 hectares or less, set fire to rubbish, refuse or other materials on rural residential zoned property unless—
 - (a) written approval has first been obtained from the local government;
 - (b) the person demonstrates to the satisfaction of the local government that reasonable alternatives for the disposal of the rubbish, refuse or other material do not exist and the potential for pollution is low;
 - (c) the material does not include any plastic, rubber, food scraps, green garden materials or other material likely to cause the generation of smoke or odour in such quantity as to cause a nuisance to other persons;
 - (d) a haze alert has not been issued by the Bureau of Meteorology for the period during which burning is to take place; and
 - (e) the burning complies with the *Bush Fires Act 1954*, any annual fire hazard reduction notice issued by the local government under that Act and any conditions of approval as determined by the local government.
3. Subclause (2) shall not apply to any barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic char or charcoal type fuel.
4. Subclause (2) is subject to any fire danger rating as determined by the Bureau of Meteorology.

5.3 Public vehicles to be kept clean

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

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

5.4 Prohibition against spitting

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

5.5 Dust management

1. If an owner or occupier of land intends to undertake any work involving the clearing of land, from which any sand or dust is likely to be released whether by means of wind, water or any other cause, the owner or occupier shall—

- (a) submit to an authorised officer a Dust Management Plan in accordance with “A guideline for managing the impacts of dust and associated contaminants from land development sites, remediation and other related activities (2011)” as produced by the Department of Water and Environmental Regulation, and amended from time to time; and
 - (b) obtain written approval of the Dust Management Plan from an authorised officer before commencement of any work.
- 2. An owner and or occupier of land must take effective measures to –
 - (a) stabilise dust on the land;
 - (b) contain all liquid waste on the land;
 - (c) ensure no dust or liquid waste is released or escapes from the land whether by means of wind, water or any other cause; and
 - (d) notify the owners or occupiers of adjoining land in writing 48 hours prior to the commencement of any activity that has the potential to cause the release or escape from the land of dust or liquid waste giving details of;
 - (i) the nature of the activity;
 - (ii) the proposed commencement time, frequency, duration time and location of the activity; and
 - (iii) the name of the person responsible for carrying out the activity and how and where that person may be contacted.
- 3. The local government may serve on the owner and or occupier a notice requiring the owner or occupier to undertake one or more of the following –
 - (a) comply with subclause (2)(a) or (2)(b);
 - (b) clean up and properly dispose of any released or escaped dust or liquid waste;
 - (c) clean up and make good any damage resulting from the released or escaped dust or liquid waste; and
 - (d) take effective measures to stop any further release or escape of dust or liquid waste.
- 4. The requirements set out in a notice issued under subclause (3) must be complied with –
 - (a) within 48 hours of service of the notice where no other time is specified;
 - (b) within such other period as is specified in the notice; or
 - (c) immediately, if the notice so specifies.
- 5. Where the local government forms the opinion that dust or liquid waste has escaped or has been released from an activity undertaken on land or as a consequence of the use of equipment on land, the local government may serve a notice on the owner and or occupier of the land and or the operator of the equipment, as the case may be, requiring that the activity or use of the equipment on the land be ceased immediately, for such period as is specified in such notice.
- 6. Where the local government is of the opinion that dust or liquid waste may be released or escape as a result of an activity which is likely to be carried on from

any land, the local government may give to the owner and or occupier a notice providing that the activity may only be carried on subject to conditions specified in the notice.

5.6 Emission or reflection of light

1. Where artificial light is emitted or reflected from anything on a lot so as to contravene the requirements of Australian Standard AS 4282, then every owner and occupier of the lot commits an offence.
2. Where natural light is reflected from anything on a lot so as to create or be a nuisance to any –
 - (a) owner or occupier of land; or
 - (b) person using a thoroughfare as a thoroughfare;then every owner and occupier of the lot commits an offence.
3. All lighting installations as defined within the Australian Standard AS 4282 must be maintained in good working order and repair at all times.
4. An owner and or occupier of a lot on which floodlights, lighting installations or other exterior lights are erected or used shall not allow the floodlights or other exterior lights to shine directly onto an adjoining lot.
5. The local government may give a notice to the owner and or occupier of a lot –
 - (a) requiring that any reflective surfaces creating a nuisance within clause 5.6(1) be painted or otherwise treated so as to abate the nuisance; and
 - (b) on which floodlights, lighting installations or other exterior lights are erected, requiring –
 - (i) the hours of use of the lighting to be limited to the hours specified in the notice; or
 - (ii) the direction in which the lights are shining to be altered as specified in the notice.

5.7 Use or storage of fertiliser

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

- (a) pig manure;
- (b) human faeces; or
- (c) urine.

Division 2 – Keeping of Animals

5.8 Cleanliness

An owner or occupier of premises in or on which a dog, cat or other animal or bird is kept shall—

- (a) keep the premises free from excrement, filth, food waste and all other matters which is or is likely to become offensive or injurious to health or to attract rats or other vermin and vectors of disease;

- (b) when so directed by an Authorised Officer, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free from flies or other vermin and vectors of disease by spraying with a residual insecticide or other effective means.

5.9 Animal enclosures

1. A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
2. The owner or occupier of premises where animals or birds are kept shall, when directed by an Authorised Officer, pave, grade and drain floors of all structures and the surface of the ground of all enclosures used for the keeping of animals or birds.
3. The owner or occupier of premises where an animal is kept must ensure that each animal is kept in a suitable enclosure that effectively prevents it from escaping.
4. The owner or person in charge of livestock shall not permit livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

5.10 Disposal of dead animals

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

Division 3 – Keeping of Approved Animals

5.11 Interpretation

In this division, unless the context otherwise requires—

approved animal includes a horse, cow, pig, sheep, camel, alpaca, llama, deer, goat or other large animal;

cow includes an ox, calf or bull;

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

natural shelter means a mature tree or belt of trees.

5.12 Keeping of approved animals and provision of stables

1. An owner or occupier of premises shall not keep an approved animal within a shed in accordance with the requirements of the Building Code, and which—
 - (a) is not situated within 15 metres of a house;
 - (b) has exclusive space for each animal of 0.2 hectares;
 - (c) is constructed of weatherproof materials and of a design which provides adequate protection from the elements;
 - (d) provides adequate natural ventilation;
 - (e) prevents the animal from escaping; and
 - (f) subject to subclauses (6) and (8), has a floor, which —
 - (i) is constructed of a material approved by an Authorised Officer; and
 - (ii) has a fall which effectively drains liquid wastes into a trapped gully situated outside the stable and discharged in a manner approved by an Authorised Officer.
2. An application for approval to keep an approved animal shall include the following information—
 - (a) a plan of the property, at a scale not less than 1:200, with dimensions clearly marked, showing where it is proposed that the animal is to be kept and the distance of that location from any residential building on another lot, or commercial premises;
 - (b) a sketch plan, at a scale of 1:100, indicating the nature of the shelter or housing to be provided for the animal; and
 - (c) a detailed written plan for the management of manure which addresses—
 - (i) control of flies and other vermin;
 - (ii) disease prevention; and
 - (iii) prevention of nuisance odours.
3. The local government may vary the conditions of approval after it has been issued, and shall give notice of such variation to the owner or occupier within 14 days of such variation.
4. The local government may cancel its approval in the event that the owner or occupier —
 - (a) fails to comply with any condition of the approval; or
 - (b) breaches this clause.
5. The owner or occupier of premises on which a stable is located shall—
 - (a) maintain the stable in a clean and hygienic condition at all times;
 - (b) keep all parts of the stable so far as possible free from flies, vermin or other vectors of disease; by spraying with an approved residual insecticide or other effective means; and
 - (c) comply with the relevant requirements of the *Biosecurity and Agriculture Management Act 2007* and the *Biosecurity and Agriculture Management (Stable*

Fly) Management Plan 2019 (as amended from time to time by the Department of Primary Industries and Regional Development).

6. The owner or occupier of a stable shall comply with any direction or notice of an Authorised Officer in relation to its state of repair, cleanliness, hygiene, control of pests or any other matter which is considered necessary to prevent health nuisances or maintain a satisfactory standard for the keeping of animals therein.
7. The owner or occupier of premises that contains a stable is to ensure a stable shall—
 - (a) have a proper separate stall for each horse or cow;
and
 - (i) with walls measuring not less than 3 metres, both horizontally and vertically, unless it has a sand floor provided in accordance with subclause (8)(f); and
 - (ii) with a floor area of not less than 11 square metres, unless it has a sand floor provided in accordance with subclause (8)(f);
 - (b) have each wall and roof constructed of an approved impervious material;
 - (c) have a roof that covers the entire floor area of the stall;
 - (d) have on all sides of the building between the wall and the roof a clear opening of at least 150 millimetres in height;
 - (e) subject to subclause (8)(f), have a floor, the upper surface of which shall—
 - (i) be at least 75 millimetres above the surface of the ground;
 - (ii) be constructed of cement, concrete or other similar impervious materials; and
 - (iii) have a fall ratio of 1:100 to a drain, which shall empty, into a trapped gully situated outside the stable and shall discharge in a manner approved by the local government; or
 - (f) have a sand floor, if permitted by the local government, subject to the following—
 - (i) the site must be well drained with the highest known water table at least 0.6 metres below the sand floor level, which may be achieved artificially;
 - (ii) a 300 millimetres thick bed of aggregate approved by an authorised officer shall be laid under the sand of the stable;
 - (iii) sand, whether natural or imported, must be clean, coarse and free from dust;
 - (iv) footings to each stable shall be a minimum of 450 millimetres below ground level;
 - (v) the stable design must allow for the access of small earth moving machinery, such as a skid steer loader, into each individual stall, to maintain the correct floor height;

- (vi) the minimum floor area of each stall shall be not less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally; and
- (vii) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall.
- (g) Where an owner had lawful authority to keep an approved animal on their premises prior to this local law coming into operation, they are not required to obtain approval under this clause; however they will not substitute or replace any approved animal once that animal –
 - (i) dies; or
 - (ii) is permanently removed from the premises.

5.13 Proximity of approved animals to a dwelling house

An owner or occupier of premises shall not permit an approved animal to approach within 30 metres of a dwelling house.

5.14 Manure receptacles

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

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

Division 4 – Keeping of Poultry and Pigeons

5.15 Interpretation

In this division, unless the context otherwise requires—

poultry includes fowls, peafowls, turkeys, geese, ducks, chickens, bantams and other domestic fowls;

pigeons are birds that are classified within the family Columbidae and includes doves; and

miscellaneous birds include all birds other than poultry and pigeons.

1. This division applies to the keeping of poultry on residential properties for domestic purposes and not to commercial poultry establishments such as broiler, breeder or egg producing farms.
2. Commercial poultry establishments mentioned in subclause (2) are to manage operations in accordance with the *Environmental Code of Practice for Poultry Farms in Western Australia 2004* produced by the Western Australian Broilers Growers Association and Poultry Farmers Association of Western Australia, in conjunction with state and local authorities to control environmental and health nuisances.

5.16 Limitation on numbers of pigeons, poultry and miscellaneous birds

1. An owner or occupier of premises in a townsite shall not keep a combined total of more than 12 poultry and 12 pigeons on any one lot of land, unless approved by an Authorised Officer.
2. An Authorised Officer may issue a written notice to the owner or occupier of land, whether in a townsite or not, where poultry or pigeons are kept for the number of poultry and pigeons to be reduced to ensure that a health nuisance does not exist.
3. An Authorised Officer may increase the number of poultry or pigeons kept on any one lot of land if satisfied that a health nuisance does not exist.
4. An owner or occupier shall not keep more than 20 miscellaneous birds on any premises within the district unless otherwise approved.
5. An owner or occupier shall not keep pigeons, poultry or miscellaneous birds so as to create a nuisance.
6. An Authorised Officer may apply relevant conditions, or require a reduction of the approved number of poultry, pigeons, or miscellaneous birds on any premises within the district, or alternatively prohibit the keeping of poultry, pigeons, or miscellaneous birds on a particular premises, if the conditions of this Division are not complied with or if unreasonable noise or a nuisance is being caused.
7. An owner or occupier shall comply with a direction of an authorised officer under this clause.
8. Subclause (4) does not apply to premises used for veterinary purposes or as a pet shop.

5.17 Conditions of keeping poultry

1. A person who keeps poultry or permits poultry to be kept shall ensure that—
 - (a) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
 - (b) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres; and

- (c) no poultry is able to approach within 15 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, an Authorised Officer has approved a lesser distance.
- 2. A person who keeps poultry or permits poultry to be kept shall ensure no poultry is able to encroach within 9 metres of a dwelling house, public building, or premises where people are employed or premises where food is stored, prepared manufactured or sold.

5.18 Roosters, Geese, Turkeys, Peafowl and Gamebirds

- 1. An owner or occupier of premises shall not within a townsite or on properties with an area of 2 hectares or less, keep or permit to be kept on those premises, any one or more of the following birds without the written approval of the local government—
 - (a) a rooster;
 - (b) a goose or gander;
 - (c) a turkey;
 - (d) a peacock or peahen; and
 - (e) a gamebird (includes emus and ostriches).
- 2. An Authorised Officer may, upon written application, grant approval with or without conditions to the owner or occupier of premises to keep on the premises a specified number of birds under this clause.
- 3. An Authorised Officer may rescind approval for the keeping of birds under this clause if they cause a nuisance.

5.19 Conditions of keeping pigeons

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

- (a) none is able to approach within 9 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
- (b) except where homing pigeons are freed for exercise, the pigeons are kept in a properly constructed pigeon loft that is in a yard having an otherwise unobstructed area of at least 30 square metres.

5.20 Removal of nonconforming structures or enclosures

If a structure or enclosure is used for the keeping of poultry or pigeons contrary to the provisions of clauses 5.17 or 5.19, as applicable, an Authorised Officer may direct the owner or occupier to amend it or remove it.

5.21 Restrictions on pigeon nesting or perching

An Authorised Officer may order an owner or occupier of a house or other structure in or on which pigeons are, or are in the habit of, nesting or perching so as to create a health nuisance to take adequate steps to prevent them continuing to do so.

5.22 Restrictions on feeding wild birds

1. A person shall not feed a pigeon, dove, seagull, ibis, raven or other wild bird—
 - (a) so as to cause a nuisance or be injurious or dangerous to health; or
 - (b) with a food or substance that is not a natural food of a bird.
2. Where an authorised officer forms the opinion that a person has not complied with subclause (1) the authorised officer may serve the person a notice requiring the person to clean up and properly dispose of any feed or waste products specified in the notice.

Division 5 – Feedlots

5.23 Interpretation

In this division, unless the context otherwise requires—

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

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

sensitive land use means land use sensitive to emissions from industry and infrastructure, and includes land uses of residential developments, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds, public buildings, commercial and industrial land uses which require a high level of amenity or are sensitive to particular emissions.

5.24 Premises to be approved

1. No premises shall be used as a feedlot unless approved by the local government.
2. Notwithstanding subclause (1), cattle feedlots with more than 500 animals are to be licensed under Schedule 1 (Category 1) of the *Environmental Protection Regulations 1987*.

5.25 Management of beef cattle feedlots

Beef cattle feedlots are to be operated and managed in accordance with the *National Guidelines for Beef Cattle Feedlots in Australia (2012)*.

5.26 Compliance with direction or notice of an Authorised Officer

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

PART 6 – PEST CONTROL

Division 1 – Flies

6.1 Interpretation

In this division, unless the context otherwise requires, flies means any of the two-winged insects constituting the order *Diptera* commonly known as flies.

6.2 Control of flies

Owners and occupiers of any land within the district that is breeding flies, or that is likely to breed flies, are to comply with the requirements of the Fly Eradication Regulations.

Division 2 – Mosquitoes

6.3 Interpretation

In this division, unless the context otherwise requires **mosquitoes** means any of the two-winged insects constituting the family *Diptera Clidae* commonly known as mosquitoes.

6.4 Measures to be taken to prevent mosquito breeding

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

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

6.5 Measures to be taken by occupier

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

- (a) frequently change the water; and
- (b) keep the water clean and free from vegetable matter and slime. Where it appears to the authorised officer that there is, on any premises, undergrowth or vegetation likely to harbour mosquitoes, the authorised officer may direct the owner or occupier of the premises to cut down and remove within a specified time the undergrowth or vegetation.

6.6 Removal of undergrowth or vegetation

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

6.7 Filling in excavations etc.

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

6.8 Drains, channels and septic tanks

An owner or occupier of land shall—

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

6.9 Drainage of land

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

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

Division 3 – Rodents

6.10 Interpretation

In this division **rodents** means those animals belonging to the order Rodentia and includes rats and mice but does not include native rodents, laboratory bred rats and

mice or animals (other than rats) kept as pets in an enclosure designed for the purpose of keeping as pets animals of that kind.

6.11 Measures to be taken to eradicate rodents

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

Division 4 – Cockroaches

6.12 Interpretation

This this division **cockroach** means any of the various orthopterous insects commonly known as cockroaches.

6.13 Measures to be taken to eradicate cockroaches

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

Division 5 – Argentine Ants

6.14 Interpretation

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

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

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

Division 6 – European Wasps

6.16 Interpretation

In this division **European wasp** means a wasp belonging to the species *Vespula germanica*.

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

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

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

Division 7 – Bee Keeping

6.18 Interpretation

In this division—

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

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

6.19 Limitation on numbers of hives

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

6.20 Restrictions on keeping of bees in hives

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

- (a) an adequate and permanent supply of water is provided on the lot which is readily accessible to bees;
- (b) no more than 2 hives are kept on land of less than 2,000 square metres in area unless otherwise approved;
- (c) the hive is kept—

- (i) outside, and at least 10 metres from, any building other than a fence;
- (ii) at least 10 metres from any footpath, street, private street or public place; and
- (iii) at least 5 metres from the boundary of the lot;
- (d) the hive is enclosed on all sides by a fence, wall or other enclosure to encourage bees to fly at a height over the property boundary; and
- (e) the person is registered as a beekeeper if required by the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

6.21 Bees which cause a nuisance not to be kept

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

Division 8 – Arthropod Vectors of Disease

6.22 Interpretation

In this division **arthropod vectors of disease** includes—

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularious*);
- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus* var. *corporis*); and
- (e) head lice (*Pediculus humanus* var. *capitis*).

6.23 Responsibility of the owner or occupier

The owner or occupier of the premises shall—

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

6.24 Local government may execute work and recover costs

1. Where—
 - (a) a person is required under this part or directed by a notice given under this part to execute any work; and
 - (b) that person fails or neglects to comply with the requirement, the local government may execute the work and recover from that person the cost of executing the work, in addition to any penalty for which that person may be liable.
2. The costs and expenses incurred by the local government in the execution of a power under subclause (1) may be recovered in a court of competent jurisdiction from that person.

PART 7 – INFECTIOUS DISEASES

Division 1 – General Provisions

7.1 Purpose of exercise of powers

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

7.2 Authorised Officer may visit, inspect and report

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

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

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

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

7.4 Authorised Officer may disinfect or disinfect the premises

1. Where the local government or the Medical Officer is satisfied that any case of infectious disease has occurred on any premises, the local government or the Medical Officer may direct an Authorised Officer, other local government officer or other person to disinfect and disinfect the premises or any part of the premises and anything in or on the premises.
2. An owner or occupier of premises shall permit, and provide access to enable, an Authorised Officer, other local government officer or other person to carry out the direction given under subclause (1).
3. The local government may recover the cost of carrying out the work under this clause from the owner or occupier of the premises in or on which the work was carried out.

7.5 Insanitary houses, premises and things

1. An owner or occupier of any house or premises shall maintain the house or premises free from any insanitary condition or thing.
2. Where the local government considers that a house is insanitary, it may, by notice in writing, direct an owner of the house, within the time and in the manner specified in the notice, to destroy or amend the house.
3. Where an Authorised Officer considers that—

- (a) a house or premises is not being maintained in a sanitary condition; or
 - (b) anything is insanitary, the officer may, by notice in writing, direct, as the case may be—
 - (i) the owner or occupier of the house or premises to amend any insanitary condition; or
 - (ii) the owner or occupier of the thing to destroy or amend it, within the time and in the manner specified in the notice.
4. A person who is given notice under subclauses (2) or (3) shall comply with the terms of the notice.

7.6 Medical Officer may authorise disinfecting

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

7.7 Persons in contact with an infectious disease sufferer

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

- (a) shall obey such instructions or directions as the local government or the Medical Officer may issue; and
- (b) may be removed, at the direction of the local government or the Medical Officer to isolation in an appropriate place to prevent or minimise the risk of the infection spreading and if so removed, shall remain in that place until the Medical Officer directs otherwise.

7.8 Declaration of infected house or premises

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

7.9 Destruction of infected animals

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

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

7.10 Disposal of a body

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

7.11 Local government may carry out work and recover costs

1. Where—
 - (a) a person is required under this division or by a notice given under this division, to carry out any work; and
 - (b) that person fails or neglects to comply with the requirement, that person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.
2. The costs and expenses incurred by the local government in the execution of a power under this clause may be recovered from the person referred to in subclause (1).

Division 2 – Disposal of Used Condoms and Needles

7.12 Disposal of used condoms

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

7.13 Disposal of used needles

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

PART 8 – LODGING HOUSES

Division 1 – Registration

8.1 Interpretation

In this part—

accommodation means one or more buildings used for boarding purposes referred to in this part;

bed means a sleeping berth consisting of—

- (a) a single berth; or
- (b) a double berth provided for the use of couples, which shall have the same floor space requirements as two single beds;

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

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

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

keeper means a person whose name appears on the register of keepers, in respect of accommodation, as the keeper of that accommodation;

laundry unit means a facility consisting of—

- (a) a washing machine with a capacity of not less than 4 kilograms of dry clothing;
- (b) either an electric drying cabinet or not less than 30 metres of clothes line;
- (c) one wash trough of not less than 45 litres capacity, connected to both hot and cold water; and
- (d) A hot water system that—
 - (i) is capable of delivering an adequate supply of water at a temperature of at least 65 degrees Celsius for each washing machine and wash trough provided with the communal facilities; and
 - (ii) has a delivery rate of not less than 5 litres per minute for each washing machine or a higher delivery rate according to the manufacturer's specifications;

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

lodging house includes a recreational campsite, a serviced apartment and a short-term hostel and has the same meaning as defined in Section 3 of the *Health (Miscellaneous Provisions) Act 1911*;

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

manufacturer's specifications means a data sheet describing the technical characteristics of a product which is published by a manufacturer to help consumers use the product;

recreational campsite means a lodging house –

- (a) situated on a campsite principally used for –
 - (i) recreational, sporting, religious, ethnic or educational pursuits, or
 - (ii) conferences or conventions; and
- (b) where the period of occupancy of any lodger is not more than 14 consecutive days, and includes youth camps, youth education camps, church camps and riding schools;
- (c) but does not include a camp or caravan within the meaning of the *Caravan Parks and Camping Grounds Act 1995*;

register of lodgers means the register kept in accordance with this Part;

register of keepers means a register by the local government in which is registered the names and residences of the keepers of all accommodation within its district and the situation of every such accommodation and the number of persons authorised by the local government to be resident therein;

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

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

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

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

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

8.2 Accommodation not to be kept unless registered

A person shall not keep or cause, suffer or permit to be kept accommodation unless—

- (a) the accommodation is constructed in accordance with the requirements of this Part;
- (b) the accommodation is registered by the local government under clause 8.4; and
- (c) the name of the person keeping the accommodation is entered in the register of keepers.

8.3 Application for registration

An application for registration of accommodation shall be—

- (a) in the form as determined by the local government from time to time;
- (b) duly completed and signed by the proposed keeper; and
- (c) accompanied by—
 - (i) the fee as fixed from time to time by the local government under Sections 6.16 to 6.19 of the Local Government Act 1995; and
 - (ii) detailed plans and specifications of the accommodation.

8.4 Certificate of Registration of accommodation

The local government may approve, with or without conditions, an application under clause 8.3 by issuing to the applicant a Certificate of Registration of accommodation in a form as determined by the local government from time to time.

8.5 Renewal of registration

A person who keeps accommodation which is registered under this Part shall—

- (a) during the month of June in each year apply to the local government for the renewal of the registration of the accommodation; and
- (b) pay the fee as fixed from time to time by the local government under Sections 6.16 to 6.19 of the *Local Government Act 1995* at the time of making each application for renewal.

8.6 Notification upon sale or transfer

If the owner of accommodation house sells or transfers or agrees to sell or transfer the accommodation to another person, he or she shall, within 14 days of the date of sale, transfer or agreement, give to the Chief Executive Officer, in a form as determined by the local government from time to time, written notice of the full name, address and occupation of the person to whom the lodging house has been, or is to be, sold or transferred.

8.7 Revocation of registration

1. The local government may revoke a registration upon any one or more of the following grounds—
 - (a) that the accommodation has not, to the satisfaction of an Authorised Officer, been kept free from vectors of disease or in a clean, wholesome and sanitary condition;
 - (b) that the keeper has—
 - (i) been convicted of an offence against these local laws in respect of the lodging house; or
 - (ii) not complied with a requirement of this Part; or
 - (iii) not complied with a condition of registration;
 - (c) that the local government, having regard to a report from the Police Service, is satisfied that the keeper or manager is not a fit and proper person; and
 - (d) that, by reason of alterations or additions or neglect to repair or renovate, the condition of the accommodation is such as to render it, in the opinion of an Authorised Officer, unfit to remain registered.
2. Before revoking the registration of accommodation under this clause, the local government shall give notice to the keeper requiring him or her, within a time specified in the notice, to show cause why the registration should not be revoked.
3. Whenever the local government revokes the registration of accommodation, it shall give the keeper notice of the revocation and the registration shall be revoked as from the date on which the notice is served on the keeper.

Division 2 – Construction and use requirements

8.8 General construction requirements

The general construction requirements of accommodation shall comply with the Building Code.

8.9 Insect screening

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

8.10 Sanitary conveniences

1. A keeper shall maintain in good working order and condition and in convenient positions on the premises—
 - (a) toilets; and
 - (b) bathrooms, each fitted with a shower or bath (or both) and hand wash basin, in accordance with the requirements of the Building Code.
2. A bathroom or toilet which is used as a private bathroom or toilet to the exclusion of other lodgers or residents shall not be counted for the purposes of subclause (1).
3. Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.
4. The walls of each shower and bath shall be of an impervious material to minimum height of 1.8 metres above the floor level.
5. Each toilet and bathroom in a lodging house shall—
6. be so situated, separated and screened so as to ensure privacy; and
7. be provided with adequate electric lighting.

8.11 Laundry unit

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

8.12 Kitchen

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

8.13 Cooking facilities

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

8.14 Dining room

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

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

8.15 Lounge room

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

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

8.16 Fire prevention and control

- 1. A keeper shall—
 - (a) ensure smoke alarms complying with AS 3786 are installed on or near the ceiling in every bedroom and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building as required by the Building Code;
 - (b) ensure that there is installed in each passage or corridor in the lodging house a smoke alarm incorporating evacuation lighting which is activated by the smoke alarm as required by the Building Code;
 - (c) provide evacuation lighting if required by the Building Code to be kept separate from the general lighting system and kept illuminated during the hours of darkness;
 - (d) provide an approved fire blanket positioned within 2 metres of the cooking area in each kitchen;
 - (e) ensure if required by the Building Code that illuminated exit signs are installed above exit doorways which comply with AS 2293.1 and which are maintained in good working order at all times; and

- (f) provide firefighting equipment in accordance with the requirements of the Building Code and ensure that the equipment is clearly visible, accessible and maintained in good working order at all times.
- 2. No person shall smoke in any dormitory, kitchen or dining room or other enclosed public place within a lodging house.
- 3. A keeper shall ensure that any items which are likely to cause a fire hazard are not located within bedrooms or dormitories of a lodging house.
- 4. The keeper of a lodging house which is a recreational campsite or short term hostel, but not a serviced apartment, shall ensure that materials used in bedrooms and dormitory area comply with AS 1530.2 and AS 1530.3 as updated from time to time.

8.17 Obstruction of passages and stairways

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

- (a) a stairway, stair landing, fire escape, window or common passageway; or
- (b) part of the lodging house in common use or intended or adapted for common use, in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging house.

8.18 Fitting of locks

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

8.19 Restriction on use of rooms for sleeping

- 1. Subject to subclause (3), a keeper shall not use or permit to be used as a sleeping apartment a room in a lodging house—
 - (a) which contains food;
 - (b) which contains or is fitted with a cooking appliance or kitchen sink;
 - (c) which is used as a kitchen, scullery, store room, dining room, general sitting room or lounge room or for the preparation or storage of food;
 - (d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;
 - (e) which, except in the case of a short-term hostel or a recreational campsite, contains less than 5 square metres of clear space for each lodger occupying the room;
 - (f) which is not naturally illuminated in accordance with the requirements of the Building Code;
 - (g) which is not ventilated in accordance with the requirements of the Building Code;
 - (h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;
 - (i) which is not free from internal dampness;

- (j) of which any part of the floor is below the level of the adjoining ground; or
 - (k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by an Authorised Officer.
2. For the purposes of this clause, two children under the age of 10 years shall be counted as one lodger.
 3. Paragraphs (a), (b) and (c) of subclause (1) shall not apply to a serviced apartment.

8.20 Sleeping accommodation short term hostels and recreational campsites

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

8.21 Furnishing etc. of sleeping apartments

A keeper of a lodging house shall, unless otherwise approved by the local government—

- (a) furnish each sleeping apartment with a sufficient number of beds and sufficient bed linen of good quality;
- (b) ensure that each bed—
 - (i) has a bed head, mattress and pillow;
 - (ii) is provided with a pillowcase, two sheets, a blanket or rug and, in cold weather, not less than one additional blanket or rug; and
 - (iii) has a mattress protector fitted;
- (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room; and
- (d) not cause, suffer or permit any tiered beds or bunks to be used in a sleeping apartment other than in a lodging house used exclusively as a short-term hostel or recreational campsite.

8.22 Ventilation

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

8.23 Numbers to be placed on doors

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

Division 3 – Management and Care

8.24 Keeper or manager to reside in the lodging house

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

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

8.25 Register of lodgers

1. A keeper shall keep a register of lodgers in a form as determined by the local government from time to time.
2. The register of lodgers shall be—
 - (a) kept in the accommodation; and

- (b) available for inspection at any time on demand by any member of the Police Service or by an Authorised Officer.

8.26 Keeper report

A keeper shall, whenever required by the local government, provide, in a form as determined by the local government from time to time, the name of each lodger who lodges in the accommodation during the preceding day or night.

8.27 Certificate of Sleeping Accommodation

1. An Authorised Officer may issue to a keeper a Certificate of Sleeping Accommodation, in respect of each room, which shall be in a form as determined by the local government from time to time, or, for lodging houses with more than 20 sleeping apartments, a Certificate of Sleeping Accommodation for a Lodging House with more than 20 Sleeping Apartments, which shall be in a form as determined by the local government from time to time.
2. The certificate issued under subclause (1) shall specify the maximum number of persons who shall be permitted to occupy each room as a sleeping apartment at any one time.
3. When required by an Authorised Officer, a keeper shall exhibit the certificate issued under this clause in a conspicuous place in the room to which the certificate refers.
4. A person shall not allow a greater number of persons than is specified on a certificate issued under this clause to occupy the room to which it refers.

8.28 Duplicate keys and inspection

Each keeper and manager of accommodation shall—

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

8.29 Room occupancy

1. A keeper shall not—
 - (a) allow more than the maximum number of persons permitted by the Certificate of Registration of accommodation to be lodged at any one time in the accommodation;
 - (b) allow to be placed or kept in any sleeping apartments—
 - (i) a larger number of beds; or
 - (ii) a larger quantity of bed linen than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and
 - (c) allow to be used for sleeping purposes, a room that—
 - (i) has not been certified for that purpose; and

- (ii) the local government or the Medical Officer has forbidden to be used as a sleeping apartment.
- 2. For the purpose of this clause, two children under 10 years of age shall be counted as one lodger.

8.30 Infectious disease

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

8.31 Maintenance of a room by a lodger or resident

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

8.32 Cleaning and maintenance requirements

A keeper of accommodation shall—

- (a) maintain in a clean, sound and undamaged condition—
 - (i) the floor, walls, ceilings, woodwork and painted surfaces;
 - (ii) the floor coverings and window treatments; and
 - (iii) the toilets, including toilet seats, cisterns and associated plumbing; and
- (b) maintain in a clean and in good working order—
 - (i) all fixtures and fittings; and
 - (ii) all windows, doors and door furniture;
- (c) ensure that the internal walls of each bathroom and toilet have a smooth, impervious washable surface;
- (d) ensure that all floors are kept clean at all times;
- (e) ensure that—
 - (i) all bed linen, towels, and house linen in use is washed at least once a week;
 - (ii) within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
 - (iii) a person does not occupy a bed which has been used by another person unless the bed has been provided with clean bed linen;
 - (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
 - (v) when any vectors of disease are found in a bed, furniture, room or sleeping apartment, immediate effective action is taken to eradicate the vectors of disease; and

- (vi) a room which is not free from vectors of disease is not used as a sleeping apartment;
- (f) when so directed by an Authorised Officer, ensure that—
 - (i) a room, together with its contents, and any other part of the lodging house, is cleaned and disinfected; and
 - (ii) a bed, or other article of furniture that is infested is removed from the lodging house and properly disposed of;
- (g) ensure that the yard is kept clean at all times;
- (h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting; and
- (i) comply with any direction, whether orally or in writing, given by an Authorised Officer.

8.33 Responsibilities of lodgers and residents

A lodger or resident shall not—

- (a) use any room available to lodgers—
 - (i) as a shop, store or factory; or
 - (ii) for manufacturing or trading services;
- (b) keep or store in or on the lodging house any goods or materials which are inflammable or offensive;
- (c) use a bath or hand wash basin other than for ablutionary purposes;
- (d) use a bathroom facility or fitting for laundry purposes;
- (e) use a sink installed in a kitchen or scullery for any purpose other than the washing and cleaning of cooking and eating utensils, other kitchenware or culinary purposes;
- (f) deposit rubbish or waste food other than into a proper rubbish receptacle;
- (g) in a kitchen or other place where food is kept—
 - (i) wash or permit the washing of clothing or bed linen; or
 - (ii) keep or permit to be kept any soiled clothing or bed linen;
- (h) subject to clause 8.34—
 - (i) keep, store, prepare or cook food in any sleeping apartment; or
 - (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;
- (i) place or keep, in any part of a lodging house, any luggage, clothing, bedding, bed linen or furniture, that is infested with vermin or vectors of disease;
- (j) store or keep such a quantity of furniture, material or goods within the lodging house—
 - (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
 - (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;
- (k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; and

- (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

8.34 Approval for storage of food

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

PART 9 – OFFENSIVE TRADES

Division 1 – General

9.1 Interpretation

In this part—

Certificate of Registration of Premises for Offensive Trade means a certificate issued under clause 9.5 in a form as determined by the local government from time to time;

occupier in relation to premises includes the person registered as the occupier of the premises in a form as determined by the local government from time to time;

offensive trade means any of the trades listed in Schedule 1; and

premises includes houses.

9.2 Consent to establish an offensive trade

- 1. A person seeking the consent of the local government under section 187 of the Act to establish an offensive trade shall—
 - (a) advertise notice of his intention to apply for consent in accordance with clause 9.3; and
 - (b) lodge with the Chief Executive Officer an application in a form as determined by the local government from time to time.
- 2. A person who makes a false statement in an application under this clause shall be guilty of an offence.

9.3 Notice of application

A notice required under subclause 9.2(1) (a) shall—

- (a) contain the name and address of the person who intends to make the application;
- (b) contain a description of the nature of the offensive trade;

- (c) contain details of the premises in or upon which it is proposed to carry on the proposed trade; and
- (d) be published in accordance with regulation 3A (2) (c) of the *Local Government (Administration) Regulations 1996* at least two weeks but not more than one month before the application under clause 9.2 (1) (b) is lodged with the Chief Executive Officer.

9.4 Registration of premises

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

- (a) in a form as determined by the local government from time to time;
- (b) accompanied by—
 - (i) the fee prescribed in the *Health (Offensive Trades Fees) Regulations 1976* as amended from time to time; and
 - (ii) a comprehensive management plan; and
- (c) lodged with the Chief Executive Officer.

9.5 Certificate of Registration of Premises for Offensive Trade

Upon the registration of premises for the carrying on of an offensive trade, the local government shall issue to the applicant a Certificate of Registration of Premises for Offensive Trade in a form as determined by the local government from time to time.

9.6 Change of occupier

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

9.7 Alterations to premises

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

Division 2 – General Duties of an Occupier

9.8 Interpretation

In this Division—

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

9.9 Cleanliness

The occupier shall—

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

9.10 Rats and other vectors of disease

The occupier shall—

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

9.11 Sanitary conveniences and hand wash basins

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

9.12 Painting of walls etc.

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

9.13 Effluvia, vapours or gases

The occupier shall provide, use and maintain in a state of good repair and working order, appliances capable of effectively destroying or of rendering harmless all offensive effluvia, vapours or gases arising in any process of his or her business or from any material, residue or other substance which may be kept or stored upon the premises.

9.14 Offensive material

The occupier shall—

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

9.15 Storage of materials

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

9.16 Directions

An Authorised Officer may give to the occupier directions to prevent or diminish the offensiveness of a trade or to safeguard the public health.

Division 3 – Fat Rendering Establishments

9.17 Interpretation

In this Division—

fat rendering establishments means a premises where edible fats including suet, dripping or premier jus are rendered down by any heat processing method; and
occupier means the occupier of any premises on which the trade of fat rendering is carried on.

9.18 Ventilation

The occupier shall provide and maintain—

- (a) a hood which shall—
 - (i) be of an approved design and construction;
 - (ii) be situated so as to arrest all effluvia, odours and smoke from the process of fat rendering; and
 - (iii) extend a minimum of 150 millimetres beyond the length of each appliance; and
- (b) an exhaust ventilation system—
 - (i) the point of discharge of which shall be at least 1 metre above the ridge of a pitched roof or 3 metres above a flat roof and shall not be located within 6 metres of an adjoining property or any fresh air intake; and

- (ii) which shall discharge in such manner and in such a position that no nuisance is created.

9.19 Covering of apparatus

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

9.20 Rendering of walls

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

Division 4 – Laundries, Dry Cleaning Establishments and Dye Works

9.21 Interpretation

In this Division—

dry cleaning establishment—

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

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

exempt laundromat means a premises in which—

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

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

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

9.22 Receiving depot

An owner or occupier of premises shall not use or permit the premises to be used as a receiving depot for a laundry, dry cleaning establishment or dye works except

with the written permission of the local government, which may at any time by written notice withdraw such permission.

9.23 Reception room

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

9.24 Walls and floors

The occupier of a laundry, dry cleaning establishment or dye works shall cause—

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

9.25 Laundry floor

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

9.26 Escape of dust

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

9.27 Precautions against combustion

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

9.28 Trolleys

The occupier of a dry-cleaning establishment shall—

- (a) provide trolleys for the use of transporting dirty and clean linen; and
- (b) ensure that each trolley is—
 - (i) clearly designated to indicate the use for which it is intended;

- (ii) lined internally with a smooth impervious non-absorbent material that is easily cleaned; and
- (iii) thoroughly cleaned and disinfected on a regular basis.

9.29 Sleeping on premises

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

Division 5 – Abattoirs

9.30 Construction

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

Division 6 – Piggeries

9.31 Interpretation

In this Division, unless the context otherwise requires—

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

sensitive land use means land use sensitive to emissions from industry and infrastructure. Sensitive land uses include residential developments, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds, public buildings, commercial and industrial land uses which require a high level of amenity or are sensitive to particular emissions.

9.32 Limitations to registration

Unless otherwise approved, no premises shall be registered as a piggery unless it has been granted approval under the Local Planning Scheme.

9.33 Conditions of registration

Any person intending to establish a piggery within the district shall ensure an application made in a form as determined by the local government from time to time, is accompanied by plans and specifications in duplicate of the proposed piggery including—

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

9.34 Sties, enclosures or sheds

- 1. The occupier of every piggery shall provide either—
 - (a) sties and enclosures;

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

9.35 Slaughtering

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

9.36 Feed

The occupier of any piggery shall—

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

9.37 Fencing

Every piggery occupier shall securely fence all the enclosures.

9.38 Water supply

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

9.39 Feeding troughs

1. Every such occupier shall—
 - (a) where sties and enclosures are provided under the provisions of clause 9.34(2), provide feeding troughs in every sty, situated near to the drainage gutter or positioned to be accessible to the pigs in two or more sties or enclosures;
 - (b) where enclosures are provided under the provisions of clause 9.34(3), provide feeding troughs in every such enclosure;
 - (c) cause all feeding troughs, other than those provided in connection with movable enclosures, to be fixed upon a cement or concrete floor extending 1.2 metres in all directions from such trough, and designed to permit ready drainage; and
 - (d) not permit pigs to be fed other than at the feeding troughs provided in accordance with this clause.
2. Notwithstanding the provisions of subclause (1), where pigs are kept continually confined in fully enclosed pens, floor feeding with pellets or dry meal shall be permitted, in which case feeding troughs are not required to be provided.

PART 10 – OFFENCES AND PENALTIES

10.1 Offences and penalties

1. A person who—
 - (a) fails to do anything required or directed to be done under this local law; or
 - (b) fails to comply with the requirements of a notice issued under this local law by an authorised officer; or
 - (c) does anything which under this local law that person is prohibited from doing;commits an offence.
2. A person who commits an offence under subclause (1) is liable to—
 - (a) a penalty which is not more than \$5,000 and not less than—
 - (i) in the case of a first such offence, \$500; and
 - (ii) in the case of a second such offence, \$1000; and

- (iii) in the case of a third or subsequent such offence, \$2,500 and
- (b) if the offence is a continuing offence, a daily penalty which is not more than \$500 and not less than \$250.
- 3. An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- 4. The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.

10.2 Form of infringement notices

- 1. Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the *Local Government Act 1995* is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- 2. The form of the infringement notice referred to in section 9.16 of the *Local Government Act 1995* is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- 3. The form of the infringement withdrawal given under section 9.20 of the *Local Government Act 1995* is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

10.3 Other enforcement actions

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

10.4 Power of entry into private property

- 1. This local law is subject to sections 3.25, 3.27 and Schedules 3.1 and 3.2 of the *Local Government Act 1995* and any power of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.

PART 11 – OBJECTION AND APPEAL

11.1 Objection and appeal rights

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to grant, renew, vary or cancel an approval.

DRAFT

Schedule 1 – Offensive Trades

[clause 9.1]

Offensive trades are any of the trades, businesses or occupations usually carried on, in or connected with the undermentioned works or establishments—

- Abattoirs or slaughter houses;
 - Bone mills or bone manure depots;
 - Bones, hides, hoofs or skins storing, drying, or preserving establishments;
 - Cleaning establishments, dye works;
 - Fat rendering establishments;
 - Fellmongeries, tanneries;
 - Flock factories;
 - Gut scraping, preparation of sausage skins;
 - Knackeries;
 - Laundromats, dry cleaning establishments;
 - Livestock saleyards;
 - Manure works;
 - Piggeries;
 - Poultry processing establishments;
 - Poultry farming employing caged poultry housing;
 - Tripe-boiling establishments; and
 - Works for boiling down meat, bones, blood, or offal.
-

Schedule 2 —Prescribed Offences

[Clause 10.1]

Item No.	Clause No.	Description	Modified Penalty \$
1.	4.2	Deposited or allowed to be deposited liquid refuse from land	\$250
2.	4.3	Released or allowed the escape of liquid waste from land	\$500
3.	5.2	Permitted the escape of smoke, fumes, odours and other emissions so as to cause a nuisance	\$200
4.	5.5(1)	Commenced works involving clearing of land without an approved Dust Management Plan	\$500
5.	5.6(2)	Emitted light so as to create or cause a nuisance	\$250
6.	5.6(4)	Erected or used lighting installations other than in accordance with this local law	\$500
7.	5.8(a)	Failed to keep premises free from matter likely to be offensive or injurious to health or attracts vermin or insects	\$500
8.	5.8(b)	Failed to keep premises clean and disinfected when directed by an Authorised Officer	\$500
9.	5.8(c)	Failed to keep premises free of flies, or when directed by an Authorised Officer, spray premises with means to kill or repel flies	\$500
10.	5.9(1)	Failed to keep enclosures effectively drained	\$200
11.	5.9(3)	Failed to keep property fenced in a manner capable of confining livestock	\$500
12.	5.9(4)	Permitted livestock to stray, or be at large in a street, public place or private property without consent	\$500
13.	5.12(1)	Kept an approved animal without approval	\$200
14.	5.12(6)	Failed to maintain stable	\$200
15.	5.16(1)	Failed to comply with limitations on number of birds	\$200
16.	5.16(5)	Kept birds so as to create a nuisance	\$250
17.	5.17	Kept, or permitted to be kept, any poultry, not in accordance with conditions of this local law	\$200
18.	5.18(1)	Kept, or suffered to remain in a townsite or lot of 2 hectares or less, a rooster, turkey, goose or geese, gamebird or peafowl	\$200
19.	5.21	Failed to prevent pigeons nesting or perching	\$200

20.	5.22(1)(a)	Fed a wild bird so as to create or cause a nuisance	\$200
21.	5.22(1)(b)	Fed a wild bird a food/substance that is not a natural food	\$200
22.	6.19(1)	Kept bees without approval	\$200
23.	6.19(4)	Failed to comply with a condition of approval to keep bees	\$200
24.	6.21(1)	Created a nuisance from keeping of bees or bee hives	\$200
25.	6.21(2)	Failed to comply with a notice to remove bees or bee hives for contravention of local law	\$200
26.	10.1(1)(b)	Failed to comply with notice	\$500
27.	All other offences not specified		\$250

Dated ?????? 2021

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

Shire President

Chief Executive Officer

12 Confidential Matters

Resolution 2025/012

Moved M Smith

Seconded M Hall

That Council, pursuant to section 5.23 of the *Local Government Act 1995*, considers the following items to be of a confidential nature –

- 1. Item 12.1 Lease Proposal – Lloyd’s Outback Plaza Café as it deals a contract which may be entered into (s. 5.23(2)(c)), and**
- 2. Item 12.2 Appointment of Chief Executive Officer as it deals with a matter affecting an employee (s. 5.23(2)(a)), and**

closes the meeting to members of the public.

Vote Outcome - Carried 6/0

For - H Nichols, M Smith, M Hall, W Ward, B Day, J Holden

Against - Nil

Variation Reason - Nil

12.1 Lease Proposal – Lloyd’s Outback Plaza Café

File Reference	CP.LO.004
Author	N Cain, Acting Chief Executive Officer
Author’s Interest	Nil
Authoriser	N Cain, Acting Chief Executive Officer
Authoriser’s Interest	Nil
Applicant / Respondent	Nil
Report Date	10 February 2025

Summary

Council has been approached to consider leasing the Lloyd’s Outback Plaza Café.

The purpose of this Report is to present the lease proposal and information pertaining to the valuation of the premises.

Council is requested to not accept the current lease proposal and request the Acting Chief Executive Officer to continue negotiations towards an acceptable outcome.

Resolution **2025/013**
Moved **M Hall**
Seconded **J Holden**

That Council, regarding the lease proposal for Lloyd’s Outback Plaza Café with the proponent outlined in the Report, -

- 1. Not accept the proposal currently on offer, and**
- 2. Request the Acting Chief Executive Officer to continue negotiations towards an acceptable outcome.**

Vote Outcome **- Carried 6/0**
For **- H Nichols, M Smith, M Hall, W Ward, B Day, J Holden**
Against **- Nil**
Variation Reason **- Nil**

N Cain declared a financial interest and left the meeting at 11.45am

12.2 Appointment of Chief Executive Officer

File Reference	PE.RE.010
Author	N Cain, Acting Chief Executive Officer
Author's Interest	Financial
Authoriser	N Cain, Acting Chief Executive Officer
Authoriser's Interest	Financial
Applicant / Respondent	Nil
Report Date	10 February 2025

Summary

Council is to consider the recommendation from the Chief Executive Officer Recruitment Selection Panel for the appointment of a new Chief Executive Officer.

The purpose of this Report is to present the recruitment process which has been undertaken, the recommended applicant, and the proposed contractual information, for the new Chief Executive Officer.

Council is requested to appoint the recommended applicant and authorise the signing of the Contract of Employment – Chief Executive Officer.

Resolution **2025/014**
Moved **J Holden**
Seconded **W Ward**

That Council, regarding the appointment of the Chief Executive Officer, –

- 1. Receives the Chief Executive Officer Recruitment Report, as attached, which contains the Chief Executive Officer Selection Panel's assessment summary and recommendation as to which applicant or applicants are suitable to be employed as the Chief Executive Officer for the Shire of Meekatharra,**
- 2. Agrees the recommended applicant is suitably qualified for the position in accordance with section 5.36 of the *Local Government Act 1995*, and notes the person's character, work history, competencies, performance and any other claims made by the applicant have been verified,**

3. Approves the Contract of Employment – Chief Executive Officer, as attached, and the provisions contained therein being satisfied with the proposed provisions relating to the recommended applicant’s employment in accordance with section 5.36 of the *Local Government Act 1995*,
4. Authorises the Shire President to execute the Contract of Employment – Chief Executive Officer and apply the common seal in accordance with section 9.49A of the *Local Government Act 1995* subject to the recommended applicant’s acceptance of the terms and provisions contained within the document,
5. Acknowledges the commencing total reward package and total remuneration package are commensurate with the Statewide Public Notice and the Salaries and Allowances Tribunal’s *Local Government Chief Executive Officers and Elected Members Determination No 1 of 2024* allocation for the Shire of Meekatharra,
6. Maintains confidentiality as to the identity of the recommended applicant until the formal execution of the contract and announcement by the Shire of Meekatharra,
7. Notes, if the recommended applicant is not satisfied with the Contract of Employment – Chief Executive Officer, as attached, and negotiations ensue, then a revised Contract of Employment – Chief Executive Officer will be presented to Council, and
8. Subject to the recommended applicant accepting the Contract of Employment – Chief Executive Officer, as attached, and it being fully executed, certifies it has complied with the requirements of the Shire of Meekatharra Chief Executive Officer Recruitment, Performance and Termination Standards and, within 14 days of the passing of this resolution, and requests the Chief Executive Officer to provide a copy of the resolution to the Departmental Chief Executive Officer in accordance with regulation 18FB of the *Local Government (Administration) Regulations 1996*.

Vote Outcome	- Carried 6/0 by Absolute Majority
For	- H Nichols, M Smith, M Hall, W Ward, B Day, J Holden
Against	- Nil
Variation Reason	- Nil

Resolution **2025/015**

Moved **M Hall**

Seconded **M Smith**

That Council open the meeting to members of the public.

Vote Outcome - **Carried 6/0**

For - **H Nichols, M Smith, M Hall, W Ward, B Day, J Holden**

Against - **Nil**

Variation Reason - **Nil**

N Cain returned to the meeting at 11.48am.

The Shire President read the confidential item resolutions out loud.

13 Council Member Motions

13.1 Response to Previous Council Member Motions

Nil

13.2 Proposed Council Member Motions

Nil

14 Next Meeting

The next Ordinary Council Meeting will be held at 11:30am Saturday 15 March 2025 at the Shire of Meekatharra Council Chambers, 75 Main Street, Meekatharra.

15 Closure of Meeting

The meeting was closed at 11.53 am.