



SHIRE OF KOJONUP

Kojonup

AGENDA

Ordinary Council Meeting

18 April 2023

TO: THE SHIRE PRESIDENT AND COUNCILLORS

NOTICE is hereby given that a meeting of the Council will be held in the Council Chambers, Administration Building, 93 Albany Highway, Kojonup on Tuesday, 18 April 2023 commencing at 3:00pm.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

GRANT THOMPSON
CHIEF EXECUTIVE OFFICER
14 April 2023

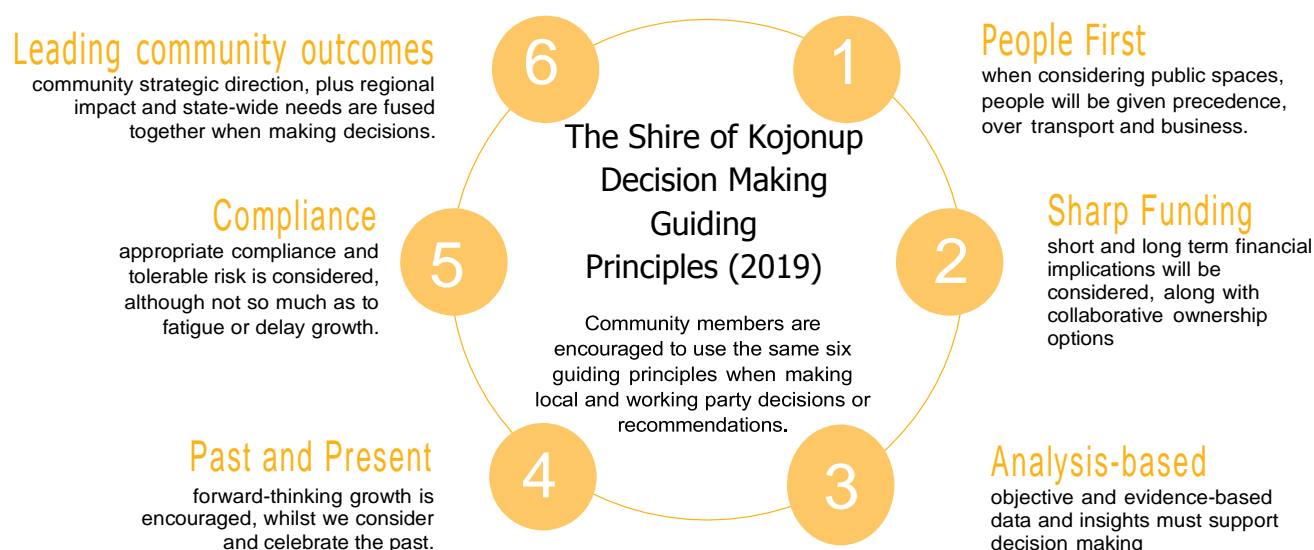
AGENDA FOR A COUNCIL MEETING TO BE HELD ON 18 APRIL 2023

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years in line with the Strategic Community Plan review schedule.



AGENDA

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President shall declare the meeting open at_____ and draw the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging.

Prayer

Almighty God, we pray for wisdom for our reigning monarch King Charles.

We ask for guidance in our decision making and pray for the welfare of all the people of Kojonup.

Grant us grace to listen and work together as a Council to nurture the bonds of one community.

Amen

2 **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

3 **ATTENDANCE**

COUNCILLORS

Cr N Radford

Shire President

Cr P Webb

Deputy Shire President

Cr F Webb

Cr Wieringa

Cr Gale

Cr Singh

Cr R Bilney

STAFF

Grant Thompson

Chief Executive Officer

Robert Jehu

Manager Regulatory Services

Judy Stewart

Senior Administration Officer

3.1 **APOLOGIES**

Cr Egerton-Warburton

3.2 **APPROVED LEAVE OF ABSENCE**

Nil

4 **DECLARATION OF INTEREST**

Cr Paul Webb – Item 9.2.3

Cr Felicity Webb – Item 9.2.3

5 **PUBLIC QUESTION TIME**

5.1 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

5.2 **PUBLIC QUESTION TIME**

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 21 MARCH 2023

Minutes of the Ordinary Council Meeting held on 21 March 2023 are at [attachment 6.1.1.](#)

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 21 March 2023 be confirmed as a true record.

7 PRESENTATIONS

7.1 PETITIONS

7.2 PRESENTATIONS

7.3 DEPUTATIONS

7.4 DELEGATES' REPORTS

8 METHOD OF DEALING WITH AGENDA BUSINESS

9 REPORTS

9.1 KEY PILLAR 1 – 'PLACE' REPORTS

9.2 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

9.2.1 SHIRE OF KOJONUP PARKING (AMENDMENT) LOCAL LAW 2023

AUTHOR	Stephanie Swain – Senior Ranger
DATE	Tuesday, 28 March 2023
FILE NO	LE. LCL.1
ATTACHMENT(S)	<p>9.2.1.1 - Shire of Kojonup Parking Local Law 2022 - as gazetted</p> <p>9.2.1.2 - Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Parking Local Law 2022</p> <p>9.2.1.3 - Response from Shire President to JSCDL advising of Council’s intention to agree to requested undertaking</p> <p>9.2.1.4 - Response from JSCDL advising of accepted undertaking dated 30 March 2023</p> <p>9.2.1.5 - Proposed Parking (Amendment) Local Law 2023</p> <p>9.2.1.6 - Proposed Parking Local Law 2022 – with amendments</p> <p>9.2.1.7 - Flow chart of Local Law making process</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.2 – Support appropriate initiatives to improve safety and reduce crime (N2.4.2).

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider making amendments to the Shire of Kojonup Parking Local Law 2022 (Local Law) as agreed in the undertakings to the Joint Standing Committee on Delegated Legislation (JSCDL) on the 21 March 2023.

BACKGROUND

The Shire of Kojonup Parking Local Law 2022 was proposed on 14 December 2021, adopted by Council on 21 June 2022 and gazetted on 31 October 2022. A copy of the Local Law as gazetted is attached.

Upon gazettal of the Local Law, a copy was forwarded to the JSCDL in accordance with the statutory local law process provided in the *Local Government Act 1995*.

The JSCDL presented a report to the Shire of Kojonup (Shire) on this Local Law which outlined inconsistencies and procedural and typographical errors. The JSCDL has provided the Shire of Kojonup (Shire) until the 27 September 2023 to action the aforementioned undertakings.

The JSCDL requested changes to the Local Law, primarily on the basis that:

- The Local Law did not define the term 'particular event' in Clause 4.5 (*Event parking*);
- The Local Law did not specify a reasonable and defined time limit for the use of parking facilities for the purpose of Clause 4.5;
- The Local Law does not outline a requirement for the local government to give sufficient public notice of the areas subject to event parking mentioned in Clause 4.5 so that the public is adequately informed in advance; and
- That typographical errors in clauses 3.7(2) (b); 3.11 (a); 3.20(1); 4.8(2); 4.11 and 6.2(a) are to be corrected.

On 21 March 2023 Council determined, at its Ordinary Meeting, to provide undertakings to the JSCDL to amend the Local Law in light of the advice received:

23/23

That Council responds to the Joint Standing Committee on Delegated Legislation agreeing to the required undertakings as listed below:

1. Within six (6) months the Shire of Kojonup (Shire) shall amend clause 4.5 of

the Shire of Kojonup Parking Local Law 2022 to:

- *define 'particular event';*
- *specify a reasonable and defined time limit for the use of parking stations (defined time limit for parking stations will be four [4] hours);*
- *include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (public notice shall be undertaken no less than four (4) weeks prior to particular events)*
- *Correct the typographical errors in clauses 3.7(2)(b); 3.11 (a); 3.20(1); 4.8(2); 4.11 and 6.2(a);*

2. The local law will not be enforced in a manner contrary to undertaking point 1 above;

3. All consequential amendments arising from undertaking point 1 above will be made;

4. Where the Shire of Kojonup Parking Local Law 2022 is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.

The above undertakings will be given in the form of a letter (as per attachment 9.2.4.2) which is to be signed by the Shire President in accordance with s. 2.8(1)(d) of the Local Government Act 1995 (where

the Mayor or President speaks on behalf of the local government to the Parliament of Western Australia).

In return, the JSCDL advised on 30 March 2023 that it had accepted the Shire's undertakings.

COMMENT

After reviewing the report received by the JSCDL, a Shire of Kojonup Parking (Amendment) Local Law 2023 (attached) has been developed. The amendments contained within the Shire of Kojonup (Amendment) Local Law 2023 have been incorporated into the original Shire of Kojonup Parking Local Law 2022.

The Advisory Officer for the Legislative Council Committee Office of Western Australia has advised that the relevant drafts (as attached) can be sent to the JSCDL for comment *after* having been proposed at a Council meeting and *before* being advertised under section 3.12 of the *Local Government Act 1995*.

The JSCDL will advise whether the undertakings have been sufficiently addressed after which the ongoing procedures for advertising, adopting and gazetting the Local Law, as per section 3.12(3) onwards of the *Local Government Act 1995*, can be followed.

It should be noted that when amending or repealing a local law, the process required to be undertaken is in accordance with section 3.12 of the *Local Government Act 1995*, which is the same procedure for 'making' a Local Law. That is; amendment or repeal local laws are new local laws in their own right and must follow the full statutory process.

Attachment 9.2.1.7 shows a flow chart, provided by the Department of Local Government, Sport and Cultural industries, that explains the local law implementation process governed by Section 3.12 of the *Local Government Act 1995*.

The proposed Shire of Kojonup Parking (Amendment) Local Law 2023 and amended Shire of Kojonup Parking Local Law 2022 are attached at 9.2.1.5 and 9.2.1.6 respectively.

CONSULTATION

Joint Standing Committee on Delegated Legislation

Chief Executive Officer

Senior Administration Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 – Section 3.12. Procedure for making Local Laws:

(1) In making a Local Law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a Local Law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed Local Law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i) the local government proposes to make a Local Law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed Local Law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed Local Law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) as soon as the notice is given, give a copy of the proposed Local Law and a copy of the notice to the Minister and, if another Minister administers the Act under which the Local Law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed Local Law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the Local Law as proposed or make a Local Law* that is not significantly different from what was proposed. * Absolute majority required.*

(5) After making the Local Law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the Local Law is proposed to be made, to that other Minister.

(6) After the Local Law has been published in the Gazette the local government is to give local public notice —

(a) stating the title of the Local Law; and

(b) summarizing the purpose and effect of the Local Law (specifying the day on which it comes into operation); and

(c) advising that the Local Law is published on the local government's official website and that copies of the Local Law may be inspected at or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of Local Laws they have made and any explanatory or other material relating to them.

*(8) In this section —
making in relation to a Local Law, includes making a Local Law to amend the text of, or repeal, a Local Law.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising costs are associated with the advertising of local laws and any subsequent gazettal, for which there is provision within the budget at Chart of Account code 1922 – Advertising.

RISK MANAGEMENT IMPLICATIONS			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
<i>Risk rating – ADEQUATE</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. endorses the proposed Shire of Kojonup Parking (Amendment) Local Law 2023 (Amendment Local Law), as presented, with the following purpose and effect:

Purpose: To amend certain provisions within the Shire of Kojonup Parking Local Law 2022

Effect: To provide further clarity of the requirements specified in Clause 4.5 (Event Parking) for the Shire of Kojonup to provide public notice of upcoming events and implement time limits on parking facilities utilised under this clause, as well as corrected typographical errors

for consolidation of amendments into the Shire of Kojonup Parking Local Law 2022;

2. after final approval of the proposed Amendment Local Law from the Joint Standing Committee on Delegated Legislation, advertises the proposed Shire of Kojonup Parking (Amendment) Local Law 2023 for a period of not less than six (6) weeks and forwards the proposed Amendment Local Law to the Minister for Local Government, in accordance with s. 3.12 (3) of the *Local Government Act 1995*, for the Minister's comment; and

3. following the public submission period and consideration of comments received, if any, considers adopting the Amendment Local Law.

9.2.2 SHIRE OF KOJONUP CAT (REPEAL) LOCAL LAW 2023
SHIRE OF KOJONUP CAT LOCAL LAW 2023

AUTHOR	Stephanie Swain – Senior Ranger
DATE	Tuesday, 28 March 2023
FILE NO	LE. LCL.1
ATTACHMENT(S)	<p>9.2.2.1 - Shire of Kojonup Cat Local Law 2022 - as gazetted</p> <p>9.2.2.2 - Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Cat Local Law 2022</p> <p>9.2.2.3 - Response from Shire President to JSCDL advising of Council's intention to agree to requested undertakings</p> <p>9.2.2.4 - Response from JSCDL advising of accepted undertakings dated 30 March 2023</p> <p>9.2.2.5 - Proposed Shire of Kojonup Cat (Repeal) Local Law 2023</p> <p>9.2.2.6 - Proposed Shire of Kojonup Cats Local Law 2023</p> <p>9.2.2.7 - Flow chart of local law making process</p>

STRATEGIC/CORPORATE IMPLICATIONS		
"Smart Possibilities – Kojonup 2027+"		"Smart Implementation – Kojonup 2018-2022"
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.2 – Support appropriate initiatives to improve safety and reduce crime (N2.4.2).

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider repealing the Shire of Kojonup Cat Local Law 2022 (Local Law) and proposing a new cat local law, after a report from the Joint Standing Committee on Delegated Legislation (JSCDL) advised of inconsistencies and procedural and typographical errors.

BACKGROUND

The Local Law was proposed on 14 December 2021, adopted by Council on 21 June 2022 and gazetted on 31 October 2022. A copy of the Local Law, as gazetted, is attached.

Upon gazettal of the Local Law, a copy was forwarded to the JSCDL in accordance with the statutory local law process provided in the *Local Government Act 1995*.

The JSCDL did not support the Local Law, and provided a request that the Local Law be repealed, primarily on the basis that:

- The permit condition in Clause 4.1(1)(b) that states '*each cat shall be contained on the premises unless under the effective control of a person*' was not acceptable and that in requiring cats to be 'under effective control' in public represents a further step in policy beyond that authorised by the Act and infringes Committee term of reference 10.6(a);
- The Local Law did not contain a definition of Nuisance, and –
- The changes made in the adopted local law were significantly different from the proposed local law that was publically advertised, in breach of section 3.12(4) of the *Local Government Act 1995*.

Council determined on 21 March 2023 to provide undertakings to the JSCDL to repeal and replace the Local Law:

24/23

That Council resolves to undertake to the Joint Standing Committee on Delegated

Legislation that:

1. Within six (6) months, it will repeal the Shire of Kojonup Cat Local Law 2022 and make a new Shire of Kojonup Cat Local Law, complying with all requirements in section 3.12 of the Local Government Act 1995, which:

- *Does not contain a provision equivalent to 4.1(1)(b)*
- *Inserts the following definition of nuisance in clause 1.4:*
 - (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
 - (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
 - (c) interference which causes material damage to land or other property on the land affected by the interference;*
- *Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)*
- *Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3;*

2. The local law will not be enforced in a manner contrary to undertaking point 1 above;

3. All consequential amendments arising from undertaking point 1 above will be made;

4. Where the local law is made publicly available by the Shire of Kojonup, whether in hard copy or electronic form, it ensures that it is accompanied by a copy of these undertakings.

The above undertakings will be given in the form of a letter (as per attachment 9.2.5.2) which is to be signed by the Shire President in accordance with s. 2.8(1)(d) of the Local Government Act 1995 (where the Mayor or President speaks on behalf of the local government to the Parliament of Western Australia).

Subsequently, the JSCDL advised on 30 March 2023 that it had accepted the Shire of Kojonup's (Shire) undertakings.

The JSCDL has provided the Shire of Kojonup until the 27 September 2023 to action the aforementioned undertakings.

COMMENT

After reviewing the report received by the JSCDL, a new cat local law has been drafted ensuring that all comments and requirements mentioned in the JSCDL report have been addressed.

The proposed new Shire of Kojonup Cats Local Law 2023 also contains other changes not outlined in the JSCDL report such as the removal of making of a clause penalising breaking and entering into a cat management facility, as this goes beyond the scope of the *Cat Act 2011* and the powers provided to the Shire for local laws.

In order to repeal the current Local Law, a Shire of Kojonup Cat (Repeal) Cat Local Law 2023 is also for proposal, in addition to the proposed new Shire of Kojonup Cats Local Law 2023.

It should be noted that when amending or repealing a local law, the same process is required to be undertaken as for 'making' a local law; that is, in accordance with section 3.12 of the *Local Government Act 1995*. This is because amendment or repeal local laws are new local laws in their own right and must follow the full statutory process to be made within power.

Attached is a flow chart provided by the Department of Local Government, Sport and Cultural Industries explaining the local law implementation process governed by Section 3.12 of the *Local Government Act 1995*.

The Advisory Officer for the Legislative Council Committee Office of Western Australia has advised that the draft Shire of Kojonup Cat (Repeal) Local Law 2023 can be sent to the JSCDL for comment *after* it has been proposed by Council and *before* it is advertised under section 3.12 of the *Local Government Act 1995*.

The proposed purposes and effects of the Shire of Kojonup Cat (Repeal) Local Law 2023 and the new Shire of Kojonup Cat Local Law 2023 are as follows:

Shire of Kojonup Cat (Repeal) Local Law 2023 -

Purpose: To repeal the Shire of Kojonup Cat Local Law 2022

Effect: The Shire of Kojonup Cat Local Law 2022 will be revoked and abrogated

Shire of Kojonup Cats Local Law 2023 -

Purpose: To provide additional controls and management of matters relating to cats that are not specified in the *Cat Act 2011* and to further promote and encourage responsible cat ownership.

Effect: To provide a framework for the control of nuisance cats, cat management facilities and limits on the number of cats permitted to be kept, in line with the provisions contained within the *Cat Act 2011* and the *Local Government Act 1995*.

The adoption of a new cat local law will ensure that the Shire has the adequate statutory authority to ensure the regulation of responsible cat ownership within the Shire of Kojonup.

The proposed Shire of Kojonup Cat (Repeal) Local Law 2023 and proposed Cats Local Law 2023 are attached for Council to consider.

CONSULTATION

Joint Standing Committee on Delegated Legislation (JSCDL)

Chief Executive Officer

Senior Administration Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 – Section 3.12. Procedure for making local laws:

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed. * Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

- (a) stating the title of the local law; and*
- (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
- (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

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

Cat Act 2011 - Section 79 - Local Laws

(1) A local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

(2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 80.

(3) Without limiting subsection (1), a local law may be made as to one or more of the following —

- (a) the registration of cats;*
- (b) removing and impounding cats;*
- (c) keeping, transferring and disposing of cats kept at cat management facilities;*
- (d) the humane destruction of cats;*
- (e) cats creating a nuisance;*
- (f) specifying places where cats are prohibited absolutely;*
- (g) requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;*
- (h) limiting the number of cats that may be kept at premises, or premises of a particular type;*

- (i) *the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;*
- (j) *the regulation of approved cat breeders, including record keeping and inspection;*
- (k) *fees and charges payable in respect of any matter under this Act.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs are associated with advertising and gazettal of both the Shire of Kojonup (Repeal) Cat Local Law 2023 and the new Shire of Kojonup Cat Local Law 2023 for which there is provision within the budget at Chart of Account code 1922 - Advertising.

RISK MANAGEMENT IMPLICATIONS			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
<i>Risk rating – ADEQUATE</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. endorses the proposed Shire of Kojonup Cat (Repeal) Local Law 2023, as presented, with the following purpose and effect:

Purpose: To repeal the Shire of Kojonup Cat Local Law 2022

Effect: The Shire of Kojonup Cat Local Law 2022 will be revoked and abrogated.

2. endorses the proposed Shire of Kojonup Cats Local Law 2023, as presented, with the following purpose and effect:

Purpose: To provide additional controls and management of matters relating to cats that are not specified in the *Cat Act 2011* and to further promote and encourage responsible cat ownership.

Effect: To provide a framework for the control of nuisance cats, cat management facilities and limits on the number of cats permitted to be kept, in line with the provisions contained within the *Cat Act 2011* and the *Local Government Act 1995*.

3. after approval of the proposed Shire of Kojonup Cat (Repeal) Local Law 2023 by the Joint Standing Committee on Delegated Legislation, advertises same for a period of not less than six (6) weeks and forwards same to the Minister for Local Government, in accordance with s. 3.12 (3) of the *Local Government Act 1995*, for the Minister's comment.
4. after approval of the proposed Shire of Kojonup Cat Local Law 2023 by the Joint Standing Committee on Delegated Legislation, advertises same for a period of not less than six (6) weeks and forwards same to the Minister for Local Government, in accordance with s. 3.12 (3) of the *Local Government Act 1995*, for the Minister's comment.
5. following the public submission period and consideration of comments received, if any, considers adopting the Shire of Kojonup Cat (Repeal) Local Law 2023 and the Shire of Kojonup Cat Local Law 2023.

- 9.2.3 REQUEST FOR TENDER 03 OF 2022/2023 – CONSTRUCTION OF COMMUNICATIONS TOWER – JINGALUP ROAD, KOJONUP
REQUEST FOR TENDER 02 OF 2022/2023 – DECONSTRUCTION OF OLD COMMUNICATIONS TOWER – SAMSON ROAD, KOJONUP

AUTHOR	Robert Jehu – Manager Regulatory Services
DATE	Tuesday, 14 March 2023
FILE NO	ES.CIR.2/ES.COM.1
ATTACHMENT(S)	<p>9.2.3.1 – Agenda item Bush Fire Communications – 5 June 2022</p> <p>9.2.3.2 – Consulting Great Southern – Shire of Kojonup Communications Tower Study August 2021</p> <p>9.2.3.3 – Radio Shadow Map – Jingalup Balgarup Site – 60m</p> <p>9.2.3.4 – Radio Shadow Map – Current Samson Road Site – 60m</p> <p>UNDER SEPARATE COVER</p> <p>9.2.3.5 - Request for Tender (RFT03 of 2022-23) – Construction of Communications Tower – Jingalup Road, Kojonup</p> <p>9.2.3.6 - Request for Tender (RFT02 OF 2022-23) – Deconstruction of Tower – Samson Road, Kojonup</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2020-2024”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.
5 - Digital	5.4 – Have used technology to become a smart, safe, collaborative and informed region	<p>5.4.1 - Enable and advocate for public access to National Broadband Network for all residents.</p> <p>5.4.6 - Technology provisions to ensure all residents have instant access to innovative health provisions.</p>

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider two separate requests for tenders to be called for the construction of a new Communications Tower on Jingalup Road, Kojonup (RFT03 of 2022/2023) and deconstruction of the existing Communications Tower on Samson Road, Kojonup (RFT02 of 2022/2023), as previously commissioned by Council.

BACKGROUND

Council, at its 5 November 2019 Special Meeting, resolved as follows:

“That Council defer a decision on the Communications Tower replacement until the CEO has undertaken the following actions:

The Shire’s Mid-Band radio network;

a) The WA Emergency Radio Network;

b) The Shire’s Works and Services department radio network;

c) CB radio;

d) Community FM Radio; and

e) Internet;

- 1. Cost to erect a new Communications Tower and associated radio network at the Jingalup Site situated at Jingalup/Balgarup Road on land to be reserved for Shire’s continual use as gifted by Paul and Felicity Webb.*
- 2. New tower design considerations such as height, structural integrity especially if utilising the tower on offer from WAPOL;*
- 3. Costs for security fencing, improved road access to the new tower and costs of shifting/replacing the WAERN system or installation of new aerials to the Jingalup site;*
- 4. Costs of dismantling the Samson Road Tower and rehabilitating the site;*
- 5. Advice to be sourced from DFES Communications as required.”*

Reason for change to Officer Recommendation – Shadow casting trials had indicated Jingalup as a better location for a Communications Tower.

At a previous Bush Fire Advisory Committee (BFAC) meeting held 15 October 2019, the following recommendation was made:

“That it be recommended to Council that Council urgently commit to building a new communications tower to the maximum height possible on the current midband site, pending an agreement with DFES to move the WAERN repeater to the new tower.”

The radio shadow maps are included as attachments 9.2.3.3 and 9.2.3.4.

Other previous motions of relevance to this issue are as follows:

At its Ordinary Meeting held on 21 October 2014, the Council resolved:

“That Kojonup Shire retain the mid band channel 41 radios for bush fire use as high band do not provide total coverage of the Shire on bad day.”

At its Ordinary Meeting held on 21 February 2017, the Council resolved:

“That the attached unconfirmed minutes for the Kojonup Bush Fire Advisory Committee meeting held 13 February 2017 be received and recommendations requiring Council approval as follows be approved by Council:

BUSH FIRE ADVISORY COMMITTEE DECISION 3/17

That the Bush Fire Advisory Committee recommends that the Shire of Kojonup establishes a Technical Work Group consisting of the Presiding Member – Bush Fire Advisory Committee, Chief Bushfire Control Officer, Manager Corporate Services, Building Maintenance Coordinator, Digby Stretch and Cr Ned Radford to prepare and present a formal report addressing the following terms of reference:

- 1. Assess the current and future communications requirements for fire coverage of the Shire.*
- 2. The communication tower should be so sited that the land the tower stands on is either owned or controlled by the Shire Council.*
- 3. That unrestricted access to the tower must be available at all times. This is necessary for maintenance purposes and for defence of the Tower in a wild fire.*
- 4. The Communications Tower must be a stand-alone system. This may mean a combination of battery/solar/backup generator. It is an advantage in general usage to be connected to the power grid, however in a wildfire it is usual for the power grid to become inoperative and cannot be relied upon. Therefore, a stand-alone system is considered an imperative.*
- 5. The tower must be capable of carrying different types of antennae that may be required to operate simultaneously: e.g., The Bushfire Network, Shire Network and possibly Telstra or other users.*
- 6. The type of radio, the frequency bands allocated and any alternative means of communications should all be examined. The expectation is; “that as effective a communication system as can be afforded will be in place for the 2017/2018 fire season.”*

At its Ordinary Meeting held on 21 June 2022, the Council resolved:

“That Council:

- 1. receives the report from Mark Toohey, Consulting Great Southern (CGS), titled ‘Shire of Kojonup Communications Tower Study – (V1.6)’;*
- 2. commits to self-funding and building a new communications tower to the maximum height possible on an appropriate new mid-band site yet to be determined;*
- 3. accepts the CGS recommendation that the Shire should source its own Radio Frequency coverage data if contemplating a material capital spend;*
- 4. authorises the Chief Executive Officer (CEO) to engage an independent consultant to carry out a comprehensive investigation to verify the best site option within the Shire to locate new communications*

infrastructure enabling full coverage of the Shire of Kojonup and eliminating the risk of black spots; and

5. authorises the CEO to engage the appropriate expertise and consultants to plan, design and cost a new communications tower build and table the design and costings at a future Council meeting for further consideration on tender and financing options."

COMMENT

Council is aware that Shire officers have been researching the construction and location for the installation of a new bush fire communications tower.

An offer has been received from Paul and Felicity Webb to allow the Shire of Kojonup (Shire) to site the proposed Communications Tower on their property on Jingalup Road. The land that is being offered has a significant height advantage over other sites that were proposed and also over the existing site. An access and use of land agreement will be negotiated and finalised prior to construction.

The landowner of the current tower site has agreed that the building that houses communication equipment can remain on the property and, therefore, will not be included in the deconstruction tender.

This report is recommending the following requests for tenders, as per attachments 9.2.3.5 and 9.2.3.6, be advertised:

RFT03 of 2022/2023 for the construction of a new Bush Fire Communications Tower to be located on the Jingalup Road site; and

RFT02 of 2022/2023 for the deconstruction of the existing Samson Road Bush Fire Communications Tower.

The tenders will be advertised in accordance with s. 3.58 of the *Local Government Act 1995* and be brought to Council for consideration.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

s. 3.58 of the *Local Government Act 1995*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Requests for Tenders – Nil

The Council has approved funding options through the budget for construction and de-construction.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 - Asset Sustainability Practices	Inadequate design (not fit for purpose) Outputs not meeting expectations;	Asset Replacement Schedule Asset Register	N/A
6 - Engagement Practices	Infrastructure Projects	Advisory committees/groups	N/A
8 - Errors, Omissions & Delays	Incorrect planning, development, building, community safety and Emergency Management advice	Policies and procedures	N/A
11 – IT & Communications	Failures or disruptions caused by hardware, software or networks	Performance Monitoring	N/A
<i>Risk Rating: Adequate</i>			
IMPLICATIONS			
The risk of investing in technology that could be made redundant over a short asset life time has negative implications both with the cost of finance related to the return on asset and the balance sheet as well as the risk to quality of communications.			

ASSET MANAGEMENT IMPLICATIONS

The current communications tower is included in the Shire's Asset Register.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That Council:

1. authorises the Chief Executive Officer (CEO) to call for tender, in accordance with s. 3.58 of the *Local Government Act 1995*, to construct new communications infrastructure, using the Request for Tender as presented (attachment 9.2.3.5);
2. delegates authority to the CEO to negotiate the required access and use of the proposed site on Jingalup Road, Kojonup with Paul and Felicity Webb for construction of the new communications tower;
3. authorises the CEO to call for tender, in accordance with s. 3.58 of the *Local Government Act 1995*, to deconstruct the existing communications tower on Samson Road, Kojonup, using the Request for Tender as presented (attachment 9.2.3.6); and
4. proposes to dispose of the communications building (in an empty state) located on Samson Road, Kojonup, that is associated with the current housing of communication tower equipment, to the landowner whose land the building is situated on, for nil cost, in accordance with s.3.58 of the *Local Government Act 1995*, upon the completion of the new communications tower to be located at Jingalup Road, Kojonup.

9.3 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

9.3.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (FEBRUARY 2023)

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Tuesday, 11 April 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.1.1 – Monthly Financial Statements 1 to 28 February 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST
Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 28 February 2023.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2022 to 28 February 2023 represents eight (8) months, or 66% of the year.

The following items are worthy of noting:

- Closing surplus position of \$1.65m.
- Capital expenditure achieved 44.7% of budgeted projects.
- Cash holdings of \$5.92m of which \$3.79m is held in cash backed reserve accounts and \$2.13m is unrestricted cash.
- Rates debtors outstanding equate to 11% of total rates raised for 2022/2023 with the fourth instalment payment being due on 22 March 2023.

- Page 12 of the statements detail material variations comparing year to date (amended) budgets to year to date actuals in accordance with Council Policy 2.1.6.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire of Kojonup. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 28 February 2023, as attached, be noted.

9.3.2 MONTHLY PAYMENTS LISTING – FEBRUARY 2023

AUTHOR	Tonya Pearce - Finance Officer
DATE	Tuesday, 11 April 2023
FILE NO	FM.AUT.1
ATTACHMENT	9.3.2.1 – Monthly Payments Listing - 1 to 28 February 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of February 2023.

BACKGROUND

Nil

COMMENT

The attached list of payments is submitted for receipt by the Council.

Any comments or queries regarding the list of payments is to be directed to the Chief Executive Officer prior to the meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief

Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council's Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments are made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

There are no strategic/corporate implications involved with presentation of the list of payments.

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

FROM – 1 February 2023		TO – 28 February 2023
Municipal Cheques	14353-14355	\$2,891.48
EFTs	31605 - 31716	\$449,034.83
Direct Debits		\$420,124.04
Total		\$872,050.35

be received.

9.4 KEY PILLAR 5 – ‘PROSPERITY’ REPORTS

9.5 KEY PILLAR 5 – ‘DIGITAL’ REPORTS
Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

14 MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at _____ pm.

16 ATTACHMENTS (SEPARATE)

Item 6.1	6.1.1	Unconfirmed Minutes of an Ordinary Council Meeting held on 21 March 2023
Item 9.2.1	9.2.1.1	Shire of Kojonup Parking Local Law 2022 - as gazetted
	9.2.1.2	Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Parking Local Law 2022
	9.2.1.3	Response from Shire President to JSCDL advising of Council's intention to agree to requested undertaking
	9.2.1.4	Response from JSCDL advising of accepted undertaking dated 30 March 2023
	9.2.1.5	Proposed Parking (Amendment) Local Law 2023
	9.2.1.6	Proposed Parking Local Law 2022 – with amendments
	9.2.1.7	Flow chart of Local Law making process
Item 9.2.2	9.2.2.1	Shire of Kojonup Cat Local Law 2022 - as gazetted
	9.2.2.2	Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Cat Local Law 2022
	9.2.2.3	Response from Shire President to JSCDL advising of Council's intention to agree to requested undertakings
	9.2.2.4	Response from JSCDL advising of accepted undertakings dated 30 March 2023
	9.2.2.5	Proposed Shire of Kojonup Cat (Repeal) Local Law 2023
	9.2.2.6	Proposed Shire of Kojonup Cats Local Law 2023
	9.2.2.7	Flow chart of local law making process
Item 9.2.3	9.2.3.1	Agenda item Bush Fire Communications – 5 June 2022
	9.2.3.2	Consulting Great Southern – Shire of Kojonup Communications Tower Study August 2021
	9.2.3.3	Radio Shadow Map – Jingalup Balgarup Site – 60m
	9.2.3.4	Radio Shadow Map – Current Samson Road Site – 60m
Item 9.3.1	9.3.1.1	Monthly Financial Report – 1 to 28 February 2023
Item 9.3.2	9.3.2.1	Monthly Payments Listing 1 to 28 February 2023

UNDER SEPARATE COVER

- | | | |
|------------|---------|--|
| Item 9.2.3 | 9.2.3.5 | Request for Tender 03 of 2022-23 –
Construction of Communications Tower –
Jingalup Road, Kojonup |
| | 9.2.3.6 | Request for Tender 02 of 2022-23 –
Deconstruction of Tower – Samson Road,
Kojonup |

SHIRE OF KOJONUP

Kojonup



MINUTES

ORDINARY COUNCIL MEETING

21 MARCH 2023

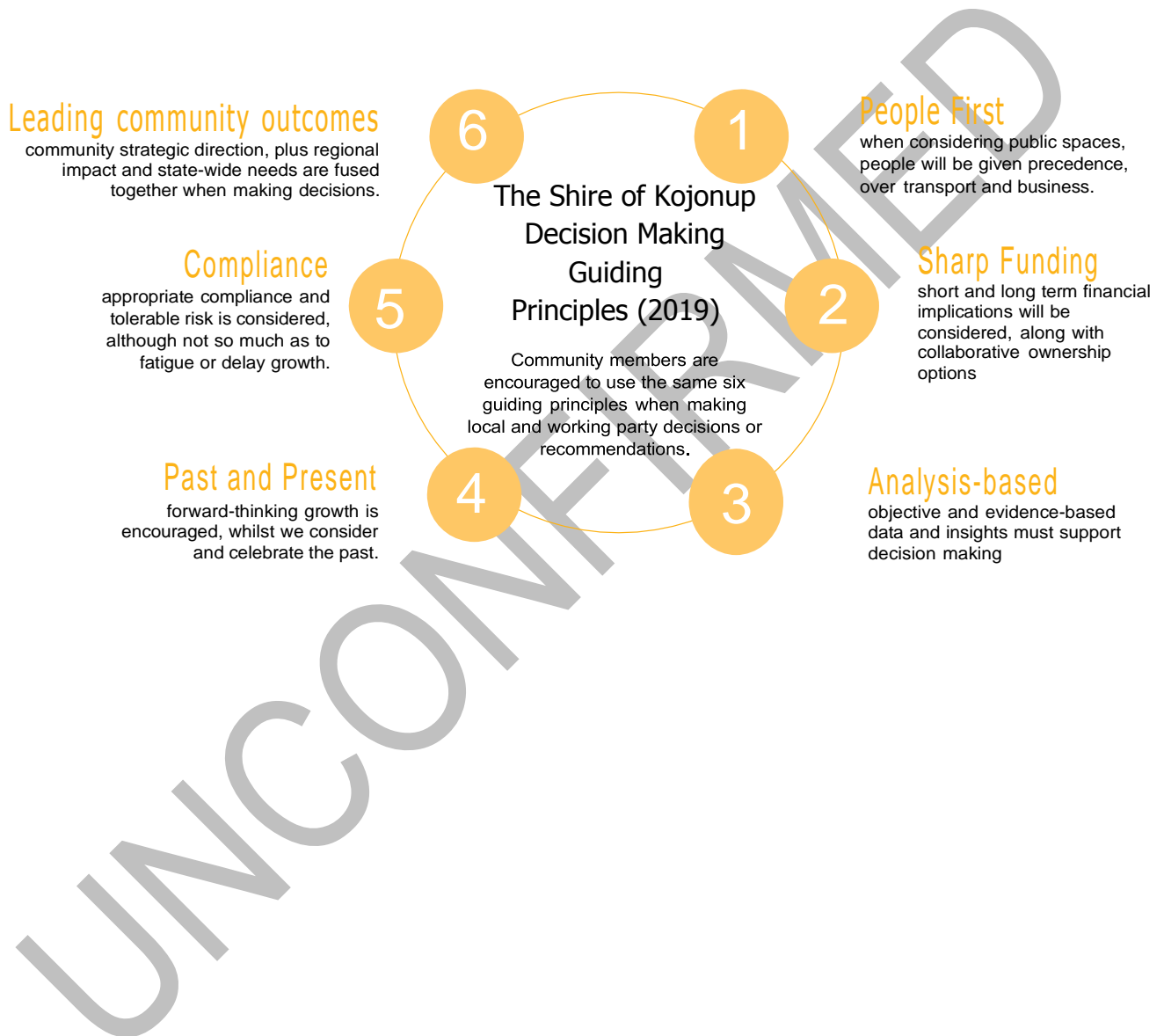
MINUTES OF A COUNCIL MEETING HELD ON 21 MARCH 2023

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years in line with the Strategic Community Plan review schedule.



MINUTES

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 3.00pm and drew the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging.

Prayer

Almighty God, we pray for wisdom for our reigning monarch King Charles.

We ask for guidance in our decision making and pray for the welfare of all the people of Kojonup.

Grant us grace to listen and work together as a Council to nurture the bonds of one community.

Amen

2 **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

3 **ATTENDANCE**

COUNCILLORS

Cr N Radford

Shire President

Cr P Webb

Deputy Shire President

Cr F Webb

Cr Wieringa

Cr Gale

Cr Singh

Cr R Bilney

Cr A Egerton-Warburton

STAFF

Grant Thompson

Chief Executive Officer

Robert Jehu

Manager Regulatory Services

Emily Sleight

Sport and Recreation Officer

Estelle Lottering

Regulatory Services Administration Officer

Judy Stewart

Senior Administration Officer

3.1 **APOLOGIES**

Nil

3.2 **APPROVED LEAVE OF ABSENCE**

Nil

4 **DECLARATION OF INTEREST**

Nil

5 **PUBLIC QUESTION TIME**

5.1 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

5.2 **PUBLIC QUESTION TIME**

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 7 FEBRUARY 2023

Minutes of the Ordinary Council Meeting held on 7 February 2023 are at **attachment 6.1.1.**

6.2 SPECIAL COUNCIL MEETING 28 FEBRUARY 2023

Minutes of the Special Council Meeting held on 28 February 2023 are at **attachment 6.1.2.**

OFFICER RECOMMENDATIONS/COUNCIL DECISION

18/23 Moved EN BLOC Cr Gale

Seconded Cr Egerton-Warburton

That the Minutes of the Ordinary Council Meeting held on 7 February 2023 be confirmed as a true record.

That the Minutes of the Special Council Meeting held on 28 February 2023 be confirmed as a true record.

CARRIED 8/0

7 PRESENTATIONS

7.1 PETITIONS

Nil

7.2 PRESENTATIONS

Nil

7.3 DEPUTATIONS

Nil

7.4 DELEGATES' REPORTS

Nil

8 METHOD OF DEALING WITH AGENDA BUSINESS

There was nil change to the order of business.

9 REPORTS

9.1 KEY PILLAR 1 – ‘PLACE’ REPORTS

9.1.1 REVOCATION OF PREVIOUS COUNCIL MOTION 49/20 – PROPOSED AMALGAMATION OF RESERVES 24160, 24161, 22994, 21026 AND 1006 INTO NEW RESERVE FOR CONSERVATION AND RECREATION

AUTHOR	Grant Thompson – Chief Executive Officer Judy Stewart – Senior Administration Officer
DATE	Wednesday, 14 March 2023
FILE NO	GO.CNM.2
ATTACHMENT(S)	9.1.1.1 – Notice of Motion – revocation of Council Motion 49/20 9.1.1.2 – 19 May 2020 - Item 10.3 – proposed amalgamation of reserves 24160, 24161, 22994, 21026 and 1006 into new reserve for conservation and recreation 9.1.1.3 – DMIRS comments 9.1.1.4 – DPLH email

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 - Place	1.2 – Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.4 – Plan and develop appropriate passive recreation facilities. 1.2.6 – Develop environmental management plans for significant Shire reserves.

DECLARATION OF INTEREST

Nil

SUMMARY

Council, having received a Notice of Motion pursuant to the *Local Government (Administration) Regulations 1996*, to consider the revocation of Council Motion 49/20 as follows, in order to maintain the noted reserves for their current purposes:

“That Council:

- 1. Request the Minister for Lands/Department of Planning, Lands and Heritage amalgamate Reserves 21460, 24161, 22994, 21026 and 1006 to create a new reserve for the purposes of Conservation and Recreation with the Management Order in favour of the Shire of Kojonup.*

- 2. Include Reserves 22994, 24160 and 21026 as Recreation Local Scheme Reserves in the new draft local planning scheme”.*

BACKGROUND

Council resolved the following at its 19 May 2020 Ordinary Council:

“That Council:

- 1. Request the Minister for Lands/Department of Planning, Lands and Heritage amalgamate Reserves 21460, 24161, 22994, 21026 and 1006 to create a new reserve for the purposes of Conservation and Recreation with the Management Order in favour of the Shire of Kojonup.*
- 2. Include Reserves 22994, 24160 and 21026 as Recreation Local Scheme Reserves in the new draft local planning scheme”.*

The purpose of amalgamating the reserves at the time was to reflect future potential value to add to the conservation and recreation activities being undertaken within the Myrtle Benn Flora and Fauna Sanctuary (Reserve 26159) and surrounding reserves.

At the time the proposed changes were supported by the Shire of Kojonup’s (Shire) Natural Resource Management Advisory Committee and it was recommended that Council support the amalgamation of the reserves to create a new reserve for the purposes of Conservation and Recreation.

COMMENT

The above resolution was sent to the Minister for Lands/Department of Planning, Lands and Heritage (DPLH).

The Shire was requested, in correspondence received by the Town Planner in March 2021, to provide answers and information to the following:

Does the Shire have any documentation to support their statement that they don’t believe there is any useable gravel resources left on any of the reserves identified?

Does the Shire have a long term gravel strategy in place? One that identifies other sources of gravel should these reserves change tenure?

Also to ensure DMIRS has full understanding, can you also please advise what environmental values have been identified within these reserves that require conservation?

Has DPLH or the proponent sought comments from MRWA and whether they hold an interest in the BRM resources?

At the time no input was sought from Main Roads WA (MRWA) and no response was given to the questions asked of the Shire.

As a result, the DPLH has requested we either respond or close the case file.

The author is recommending Council revoke Council Motion 49/20 and close the case file under the circumstance where the Shire doesn't fully understand the value of merging the reserves or the impact cost, or value lost of merging related reserves, to accessing the reserves for future usage.

As time is now of the essence, it is recommended that Council revoke the motion and withdraw the request to merge the reserves giving the Council time to analyse and review the requirements for these reserves and keeping the option open for future merging.

CONSULTATION

Councillors - Briefing Session – 7 March 2023

Manager Regulatory Services

STATUTORY REQUIREMENTS

Local Government Act 1995 (Act) – s. 5.25 (1) (e) and (f):

5.25. Regulations about council and committee meetings and committees

(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —

(e) the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made); and

(f) the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings;

Local Government (Administration) Regulations 1996 – r.10 provides:

10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

- (2) *If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.*
- (3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
8 – Errors, Omissions and Delays	Historical decisions/advice	Nil	Nil
<i>Risk rating – Adequate</i>			
IMPLICATIONS			
Following correct legislative processes mitigates non-compliance risk.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

19/23 Moved Cr Radford

Seconded Cr Bilney

Third Cr P Webb

That Council, following a Notice of Motion pursuant to r.10 of the *Local Government (Administration) Regulations 1996*, and given that the contents of motion 49/20 have not been actioned, revokes Council Motion 49/20 as follows:

“That Council:

- 1. Request the Minister for Lands/Department of Planning, Lands and Heritage amalgamate Reserves 21460, 24161, 22994, 21026 and 1006 to create a new reserve for the purposes of Conservation and Recreation with the Management Order in favour of the Shire of Kojonup.*
- 2. Include Reserves 22994, 24160 and 21026 as Recreation Local Scheme Reserves in the new draft local planning scheme.”*

in order to retain the separate reserves.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.1.2 SPORTING CLUBS ANNUAL FEE REVIEW

AUTHOR	Emily Sleight – Sport and Recreation Officer
DATE	Thursday, 9 March 2023
FILE NO	RC.ARR.2
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 Place	1.2 – Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs	1.2.3 – Provide community infrastructure that attracts outsourced or privately run facilities and programs

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the waiving of annual fees for all sporting groups that utilise the Kojonup Sports Precinct.

BACKGROUND

A request was made from the Kojonup Cougars Football Club (Football Club) to review the requirements of their use of the Sports Precinct, and the fees associated with this. Council, at its 7 March 2023 Briefing Session, requested officers to investigate the possibility of waiving annual fees for all local Community Sporting Groups who utilise the Kojonup Sports Precinct for seasonal use.

COMMENT

As part of the Annual Budget, the Football Club, Kojonup Netball Association, Kojonup Hockey Club, Kojonup Squash Club, Kojonup Cricket Club and the Croquet Club pay an annual fee to the Shire of Kojonup (Shire) for the use of facilities at the Kojonup Sports Precinct. The annual fees do not cover the cost incurred by the Shire for upkeep, but are seen as an achievable financial contribution for all six clubs.

The Football Club pay an annual fee of \$4,800.00. This is to assist with oval mowing, line marking for all home games (7-10 per season), the use of the Sports Complex for home games and training evenings, and the use of the oval lights for trainings and evening games.

The Kojonup Netball Association is currently required to pay an annual fee of \$420.00. This is to assist with the twice-yearly surface clean of the court facility.

The Kojonup Hockey Club pay an annual fee of \$1,150.00. This is to assist with oval mowing, line marking for home games (2-4 per season) and the use of oval lights for training.

The Kojonup Squash Club pay an annual fee of \$1,700.00. This fee is intended to contribute to future resurfacing of the court facility, as the club receives no assistance with cleaning or other costs from the Shire.

The Kojonup Cricket Club pay an annual fee of \$100.00, given they are predominantly juniors with low numbers. This is to assist with the once-a-year cost of uncovering and recovering the bowling pitch, and oval mowing.

The Croquet Club pay an annual fee of \$100.00. This is to assist with oval mowing costs.

The combined annual fee income of all clubs comes to \$8,270.00. While this is a minor amount in comparison to the actual cost of running and maintaining the Sports Precinct, it is a valid contribution.

An annual bond of 50% of the current fee per club is recommended to cover any damage or incidental costs. This ensures the Shire has some contingency in the event that the Agreements are not upheld. This would need to be agreed in individual usage agreements negotiated with each club, and should also include a detailed list of responsibilities for both the Shire and each club moving forward; for example, club responsibility for provision of a professional standard of cleaning.

It is expected that the Shire will continue to maintain the grounds, the maintenance of the Sports Complex, costs of consumables (such as utilities), and the line marking as per the current schedule.

It is recommended, if Council waive annual fees for all clubs using the Kojonup Sports Precinct, that this forms part of the 2023/2024 Annual Budget, not the current budget. Clubs with 2022/2023 fees outstanding would still be required to settle their accounts because the revenue has already been budgeted.

CONSULTATION

Kojonup Cougars Football Club

Council Briefing Sessions 7 February 2023 and 7 March 2023

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The removal of annual fees for the six (6) clubs utilising the Kojonup Sports Precinct would see a reduction in income for the Shire of \$8,270.00 per year.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
Asset Sustainability	Insufficient budget to maintain or replace assets	Routine maintenance schedule - buildings	Nil
Engagement	Inadequate involvement with or support of community groups	Community based committees, forums and workshops	Nil
Facilities & Venues	Lack of lease, contract, agreement, MOU, license documentation	Lease agreements for Shire facilities	Develop lease agreement register for all Shire facilities
<i>Risk rating - Low</i>			
IMPLICATIONS			
It is suggested that, as a priority, usage agreements are created and endorsed with all clubs that currently pay an annual usage fee, to ensure the Shire is not increasing their obligations while decreasing their revenue.			

ASSET MANAGEMENT IMPLICATIONS

By formalising the responsibility of clubs to clean the facilities following use, there is always the potential that cleaning standards may not be met, with the consequence of the asset declining.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

20/23 Moved Cr P Webb

Seconded Cr Singh

That:

1. The annual fees for the Kojonup Cougars Football Club, Kojonup Netball Association, Kojonup Hockey Club, Kojonup Cricket Club, Kojonup Squash Club and the Croquet Club not be included in the 2023/2024 Annual Budget unless a club requests to maintain its current arrangement;
2. A bond, equivalent to 50% of the 2022/2023 fee schedule, be paid and maintained by each sporting club and be escalated by Perth, Western Australia yearly Consumer Price Index unless a club requests to maintain their current arrangement; and
3. The Chief Executive Officer proceed with the creation and endorsement of usage agreements with the above listed Clubs, where applicable, for their use of the facilities at the Kojonup Sports Precinct.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.2 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

9.2.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES – 6 FEBRUARY 2023

AUTHOR	Estelle Lottering – Regulatory Services Administration Officer
DATE	Monday, 13 March 2023
FILE NO	ES.MET.1
ATTACHMENT(S)	9.2.1.1 – Unconfirmed LEMC meeting minutes - 6 February 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximize community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of a LEMC meeting held 9 November 2022.

BACKGROUND

The LEMC is established under Section 38 of the *Emergency Management Act 2005* and plays an important role in the Council’s decision-making process. Minutes of these meetings are presented to Council to be received.

COMMENT

All matters contained within the minutes are considered in this agenda item.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Section 38 of the *Emergency Management Act 2005*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2 - Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
<i>Risk Rating - Adequate</i>			
IMPLICATIONS			
Local governments are legislated to establish and maintain a LEMC. The risk of not having a LEMC would include lack of guidance for Staff, Councillors and relevant Community members who need to be able to work together under pressure in times of extreme stress should an emergency situation arise.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

21/23 Moved Cr Gale

Seconded Cr Bilney

That the unconfirmed minutes of a Local Emergency Management Committee Meeting held 6 February 2023 be received.

CARRIED 8/0

9.2.2 BUSH FIRE ADVISORY COMMITTEE (BFAC) MEETING MINUTES – 8 FEBRUARY 2023

AUTHOR	Estelle Lottering – Regulatory Services Administration Officer
DATE	Monday, 13 March 2023
FILE NO	ES.CIR.2
ATTACHMENT(S)	9.2.2.1 – Unconfirmed BFAC meeting minutes - 8 February 2023

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017-20217 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 - 2021 “Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of a Bush Fire Advisory Committee meeting held 8 February 2023.

BACKGROUND

The Bush Fire Advisory Committee is established under Section 67 of the *Bush Fires Act 1954* and plays an important role in the Council’s decision-making process. Minutes of these meetings are presented to Council to be received.

COMMENT

Nil

CONSULTATION

Bush Fire Advisory Committee

STATUTORY REQUIREMENTS

Section 38, 40 & 67 of the *Bush Fires Act 1954*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2) Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
<i>Risk Rating - Adequate</i>			
IMPLICATIONS			
Under legislation, the Shire may establish and maintain a BFAC. The risk of not having a BFAC is that staff and Councillors do not necessarily possess the relevant knowledge or experience regarding bushfires. The Shire is reliant on the advisory committee to be able to provide this knowledge and to support volunteer bushfire efforts, training and resourcing requirements in protecting community safety and assets.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

22/23 Moved Cr P Webb

Cr Egerton-Warburton

That the unconfirmed minutes of a Bush Fire Advisory Committee meeting held 8 February 2023 be received.

CARRIED 8/0

9.2.3 SHIRE OF KOJONUP PARKING LOCAL LAW 2022 – UNDERTAKING TO MAKE AMENDMENTS

AUTHOR	Robert Jehu – Manager Regulatory Services
DATE	Tuesday, 14 March 2023
FILE NO	LE. LCL.1
ATTACHMENT(S)	9.2.3.1 - Report from Joint Standing Committee on Delegated Legislation (JSCDL) regarding the Shire of Kojonup Parking Local Law 2022 9.2.3.2 – Letter of response to be completed and returned to JSCDL

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.2 – Support appropriate initiatives to improve safety and reduce crime (N2.4.2).

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider creating an amendment to the Shire of Kojonup Parking Local Law 2022 after a report from the Joint Standing Committee on Delegated Legislation (JSCDL) advised of inconsistencies, procedural and typographical errors.

BACKGROUND

On 14 December 2021, the Shire of Kojonup Parking Local Law 2022 (Local Law) was proposed to Council for consideration. During the advertising and community consultation period after this meeting, the initial proposed Local Law underwent changes that were outlined in the Council meeting minutes of 21 June 2022.

The Local Law, including changes, was adopted by Council on 21 June 2022 and was gazetted on 31 October 2022. The explanatory memorandum and statutory checklist was provided to both the Minister for Local Government, Sport and Cultural Industries (DLGSC) and the JSCDL on 9 November 2022.

COMMENT

Shire officers are seeking support to amend the Local Law in response to the JSDCL requesting the Shire agree to complete the following undertakings:

1. Within 6 months:

Amend clause 4.5 to:

- define 'particular event'
- specify a reasonable and defined time limit for the use of parking stations (please include the proposed time limit in your response for the Committee's approval)
- include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (i.e. 4 weeks - please include a proposed time period for public notice in your response for the Committee's approval)
- Correct the typographical errors in clauses 3.7(2)(b); 3.11 (a); 3.20(1); 4.8(2); 4.11 and 6.2(a).

2. The local law will not be enforced in a manner contrary to undertaking 1.

3. All consequential amendments arising from undertaking 1 will be made.

4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.

The changes to the Local Law, which had been undertaken, presented to, and adopted by Council on 21 June 2022, had been made under the direction of the Senior Legislation Officer for the DLGSC.

After its Gazettal, the Local Law was referred, along with the Explanatory Memorandum and Statutory Checklist, to the JSCDL.

On Tuesday, 21 February 2023 the Shire of Kojonup (Shire) received the report from the JSCDL which specifies the following required changes to the Local Law:

Clause 4.5

Clause 4.5 governs event parking. It states:

Event parking

(1) Subject to clause 2.1, a temporary sign may indicate that all or part of a parking facility, thoroughfare or public place is set aside, during the period indicated in the sign, for the parking of motor vehicles by persons attending a particular event.

(2) The local government may issue to a person a permit in respect of all or part of a parking facility, thoroughfare or public place for an event referred to in subclause (1).

(3) A person must not park or stop a motor vehicle, or permit a motor vehicle to remain parked, in any area that is set aside under subclause (1) unless the permit issued under subclause (2) for the relevant event is displayed inside the motor vehicle so that it is clearly visible to an authorised person examining the ticket from outside the motor vehicle.

Clause 2.1 regulates or prohibits various parking related matters. It states:

Powers of the local government

(1) The local government may, by resolution, prohibit or regulate by signs or otherwise, including but not limited to-

- (a) the stopping or parking of any motor vehicle or any class of motor vehicles;*
- (b) parking bays;*
- (c) parking facilities;*
- (d) permitted time and conditions of parking in parking bays and parking facilities which may vary with the locality;*
- (e) permitted classes of motor vehicles which may park in parking bays and parking facilities;*
- (f) permitted classes of persons who may park in specified parking bays or parking facilities; and*
- (g) the manner of parking in parking bays and parking facilities.*

(2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution.

The Committee has identified the following issues with this clause:

- There is no requirement to give sufficient public notice of the areas subject to event parking so the public is adequately informed in advance. A sign could be erected on the day of the event, which would be unreasonable.*
- There is no requirement to provide reasonable, defined time limits for which parking stations may be set aside for events.*
- The term 'particular event' is not defined, so there is no objective criteria to identify what exactly a 'particular event' is.*

Failing to make provision for these matters renders clause 4.5, in its application, uncertain and unreasonable and in breach of the 'good government' power in section 3.1 of the LGA. The Shire could, in theory, set aside unlimited space for an unlimited period of time for an event.

Clause 4.5 should be amended to:

- define 'particular event'*
- specify a reasonable and defined time limit for the use of parking stations*
- include a requirement for the local government to provide sufficient public notice of particular events.*

Typographical errors

Clause 3.7(2)(b)

Clause 3.7(2)(b) states:

Restrictions on parking in particular areas

(2) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign, if -

(b) a disabled person to which the valid disability parking permit relates is either the driver of motor vehicle

Subclause (b) appears to be missing some text. The following re-draft may assist in conveying what the clause means:

(b) a disabled person to which the valid disability parking permit relates is either the driver or a passenger in ~~of~~ the motor vehicle.

I note clause 4.7(3)(b), which uses similar wording.

Clause 3.11 (a)

Clause 3.11 states:

No parking

A driver shall not stop on a length of carriageway or in an area to which a "no parking" sign applies, unless the driver is -

- (a) is dropping off, or picking up, passengers or goods;*
- (b) does not leave the vehicle unattended; and*
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.*

The word 'is' should be deleted from the start of subclause (a).

Clause 3.20(1)

Clause 3.20(1) states:

Pre-existing signs

A sign is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law that where that sign –

The word 'that' appearing before 'where' should be deleted.

Clause 4.8(2)

Clause 4.8(2) states:

Angle parking

(2) Where a sign associated with a parking area is inscribed with the words "angle parking", or with an equivalent symbol depicting this purpose, a person stopping or parking a motor vehicle stop or shall park the motor vehicle at an angle and in the position Indicated by the inscription on the parking signor by marks on the carriageway.

The words 'stop or' in the 3rd line should be deleted.

Clause 4.11

Clause 4.11 states:

Stopping on verge

(1) A person shall not stop so that any portion of the following is on or projects over a verge —

(a) stop a motor vehicle (other than a bicycle);

(b) stop a commercial motor vehicle or any combination of motor vehicles that exceeds 4.5 tonnes GVM, a public bus, a trailer or caravan unattached to a motor vehicle; or

(c) stop any motor vehicle (other than a bicycle) during any period when the stopping of motor vehicles on that verge is prohibited by a sign adjacent and referable to that verge.

This clause is poorly drafted due to the presence of the word 'stop' at the beginning of subclauses (a),(b) and (c). These should be deleted.

Clause 6.2(a)

Clause 6.2(a) states:

Emergency and special purpose motor vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

(a) an emergency motor vehicle may, in the course of their duties and when it is expedient and safe to do so or where they believes that it is expedient and safe to do so, stop, or park the motor vehicle at any place, at any time;

The word 'believes' in the second line of subclause (a) should be 'believe'.

Should the Shire of Kojonup not comply with the JSCDL's request for an undertaking, the JSCDL may, as a last resort, resolve to report to the Parliament recommending the disallowance of the instrument in the Legislative Council.

A disallowed local law will cease to have effect from the date on which it is disallowed. If the disallowed local law had amended or repealed another local law, these changes will be reversed on the day of disallowance.

The JSCDL has provided the Shire until 27 March 2023 to respond and advise of its intentions to undertake the required actions as mentioned in its report.

CONSULTATION

Joint Standing Committee on Delegated Legislation

Chief Executive Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 - section 3.12 - Procedure for making local laws:

3.12. *Procedure for making local laws*

(1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*

(2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*

(2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*

(3) *The local government is to —*

(a) *give local public notice stating that —*

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

(6) *After the local law has been published in the Gazette the local government is to give local public notice —*

(a) stating the title of the local law; and

(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising costs are associated with the re-advertising of the Local Law and its gazettal for which there is provision within the budget at Chart of Account code 1922 - Advertising.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
<i>Risk rating – Adequate</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

23/23 Moved Cr Wieringa

Seconded Cr Singh

That Council responds to the Joint Standing Committee on Delegated Legislation agreeing to the required undertakings as listed below:

1. Within six (6) months the Shire of Kojonup (Shire) shall amend clause 4.5 of the Shire of Kojonup Parking Local Law 2022 to:
 - define 'particular event';
 - specify a reasonable and defined time limit for the use of parking stations (*defined time limit for parking stations will be four [4] hours*);
 - include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (*public notice shall be undertaken no less than four (4) weeks prior to particular events*)
 - Correct the typographical errors in clauses 3.7(2)(b); 3.11 (a); 3.20(1); 4.8(2); 4.11 and 6.2(a);
2. The local law will not be enforced in a manner contrary to undertaking point 1 above;
3. All consequential amendments arising from undertaking point 1 above will be made;
4. Where the Shire of Kojonup Parking Local Law 2022 is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.

The above undertakings will be given in the form of a letter (as per attachment 9.2.4.2) which is to be signed by the Shire President in accordance with s. 2.8(1)(d) of the *Local Government Act 1995* (where the Mayor or President speaks on behalf of the local government to the Parliament of Western Australia).

CARRIED 8/0

9.2.4 SHIRE OF KOJONUP CAT LOCAL LAW 2022 – UNDERTAKING TO REPEAL

AUTHOR	Robert Jehu – Manager Regulatory Services
DATE	Monday, 13 March 2023
FILE NO	LE. LCL.1
ATTACHMENT(S)	9.2.4.1 - Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Cat Local Law 2022 9.2.4.2 - Letter of response to be completed and returned to JSCDL

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.2 – Support appropriate initiatives to improve safety and reduce crime (N2.4.2).

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider accepting the undertaking requested by the JSCDL to repeal the Shire of Kojonup Cat Local Law 2022 and to incorporate recommended changes into any future Cat Local Law.

BACKGROUND

On 14 December 2021, the Shire of Kojonup Cat Local Law 2022 (Local Law) was proposed to Council for consideration. During its advertising and community consultation period after this meeting, the initial proposed Local Law underwent changes that were outlined in the Council meeting minutes of 21 June 2022.

The Local Law was adopted by Council on 21 June 2022 and was gazetted on 31 October 2022. The explanatory memorandum and statutory checklist was provided to both the Minister for Local Government, Sport and Cultural Industries and the JSCDL on 9 November 2022.

The changes to this Local Law, that had been undertaken and presented to Council on the 21 June 2022, had been made under the direction of the Senior Legislation Officer for the Department of Local Government, Sport and Cultural Industries.

After these changes had been made, it was under the advice from the DLGSC that they were unlikely to be significant and, therefore, the Local Law did not require re-advertising for public comment.

COMMENT

The report subsequently received from the JSCDL advised that the above-mentioned changes were indeed significant and the Local Law should have been re-advertised for public comment before Council adoption.

The JSCDL has requested the Shire agree to complete the following undertakings:

1. *Within 6 months, repeal the local law and make a new local law, complying with all requirements in section 3.12 of the Local Government Act 1995 which:*
 - *Does not contain a provision equivalent to 4.1(1)(b)*
 - *Inserts the following definition of nuisance in clause 1.4:*
 - (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
 - (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
 - (c) interference which causes material damage to land or other property on the land affected by the interference;*
 - *Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)*
 - *Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3.*
2. *The local law will not be enforced in a manner contrary to undertaking 1.*
3. *All consequential amendments arising from undertaking 1 will be made*
4. *Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings*

The report outlines other required changes to the Local Law, including:

Clause 4.1 (1)(b) - inconsistency with Cat Act 2011 - Committee term of reference 10.6(a)
When scrutinising local laws, the Committee inquires whether a local law is within power.

Clause 4.1(1)(b) states:

4.1 Conditions applicable to all permits

(1) Every permit is issued subject to the following conditions-

(b) each cat shall be contained on the premises unless under the effective control of a person;

Clause 3.3 states:

3.3 Cats for which a permit is required

Subject to clause 3.4 an occupier is required to have a permit to-

- (a) keep more than two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme;*
- (b) keep more than four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.*
- (c) use any premises as a cat management facility; or*
- (d) be an approved cat breeder.*

Clause 3.4 states:

3.4 Permits not required

A permit is not required under clause 3.3 if the premises concerned are —

- (a) a refuge of the RSPCA or of any other animal welfare organisation;*
- (b) a veterinary surgery;*
- (c) a pet shop;*
- (d) premises with two or less cats; or*
- (e) the subject of an exemption granted by the local government.*

Effective control is defined in clause 1.4 as:

Effective control *in relation to a cat means any of the following methods —*

- (a) held by a person who is capable of controlling the cat;*
- (b) securely tethered;*
- (c) secured in a cage; or*
- (d) any other means of preventing escape.*

Section 79 of the Cat Act 2011 (Act) empowers local governments to make local laws for the management of cats. Section 79(1) states:

(1) A local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

Section 79(3) contains a number of specific local law making powers, including:

- *Section 79(3)(f), which provides that a local law may be made:*
 - (f) specifying places where cats are prohibited absolutely*
- *Section 79(3)(g), which provides that a local law may be made:*
 - requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats.*

By sections 79(3)(f) and 79(3)(g), the Parliament has delineated the scope of valid local laws concerning the prohibition of cats on public land and the confinement of cats. Any local laws which place conditions on cats being on public land beyond those provided for in the Act are inconsistent with the Act and not authorised.

Clause 4.1(1)(b), in requiring cats to be 'under effective control' in public represents a further step in policy beyond that authorised by the Act and infringes Committee term of reference 10.6(a).

Clause 3.8 - no definition of 'nuisance' - inconsistency with Cat Act 2011 - Committee term of reference 10.6(a)

Clause 3.8 states:

3.8 Cats creating a nuisance

- (1) The keeper of a cat shall not allow a cat to create a nuisance.*
- (2) Where, in the opinion of an authorised officer, a cat is creating a nuisance, the local government may give written notice to the keeper of the cat requiring that person to abate the nuisance.*
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice or until the notice is withdrawn by the local government.*
- (4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.*

The local law does not define 'nuisance'. Other cat local laws have defined nuisance to mean:

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
- (c) interference which causes material damage to land or other property on the land affected by the interference;*

Accordingly, there is no objective criteria in the local law governing any decision by an authorised person whether a cat is creating a nuisance. This could result in the officer determining that a cat is a nuisance based on personal opinion, which could include the mere fact that a cat is in a public or other place without being a nuisance under the above definition.

Any effect of clause 3.8 resulting in a cat being treated as a nuisance merely by being in a public or other place would make it inconsistent with the Cat Act 2011 and infringe Committee term of reference 10.6(a).

The Committee, therefore, requests the above definition of 'nuisance' be inserted in clause 1.4 and the words 'in the opinion of an authorised officer' are deleted from clause 3.8(2).

Compliance with section 3.12(4) of the Local Government Act 1995

Section 3.12(4) provides:

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.* Absolute majority required.*

Section 3.13 of the Local Government Act 1995 states:

Procedure where significant change in proposal

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

A comparison of the proposed and adopted local laws reveals the following clauses where changes were made:

Clauses deleted

3.8 Cats in other than public places

A cat shall not be in any place that is not a public place unless -

- (a) consent to its being there has been given by the occupier, or a person apparently authorised to consent on behalf of the occupier; and*
- (b) it is under effective control.*

5.1 Cats in public places

A cat shall not be in a public place unless the cat is, in the opinion of an authorised officer, under effective control.

5.2 Places where cats are prohibited absolutely

A cat shall not be in the following places at any time, whether or not under effective control -

- (a) an enclosed public place; or*
- (b) any nature reserve.*

Clauses added

5.1 Cat prohibited areas

(1) A cat shall not be in the places specified in Schedule 4 at any time, whether or not under effective control.

(2) If a cat is in a Cat Prohibited Area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the local government.

The Committee is of the view these changes made the adopted local law significantly different from the proposed local law that was publically advertised, in breach of section 3.12(4).

This is because the prohibition of cats from public and other places is a material aspect of the local law and has received significant media and other public commentary. Shire residents were not consulted on the removal of these clauses prior to the adoption of the local law.

Typographical errors

Cause 1.4 - definition of Enclosed public space'

Clause 1.4 defines 'Enclosed public space' as:

Enclosed public space means a public place which is enclosed by walls, whether solid materials or glass, and includes attached or adjoining areas not permitted to the public, unless airflow between the areas is prevented, but does not include a cat management facility or veterinary clinic or hospital; industrial lot means a lot zoned under a local

planning scheme as industry;

The phrase is not used anywhere else in the local law and should be deleted.

Clause 2.1(6) - minor typographical error

Clause 2.1 (6) states:

(6) A cat must not be release to a person until the person obtains the necessary permit or the cat is registered where —

(a) a person wishes to reclaim a cat within the period stated in a notice of impounding; and

(b) a permit is required for the keeping of the cat, but the person does not have the necessary permit and/or the cat is not registered.

The word 'release' should be 'released'.

Schedule 3 - Modified penalties - various errors Items 8 and 9 - Modified penalties - incorrect reference to clause 3.8

Schedule 3 repeats some penalties twice, with the first list containing incorrect references, in items 8 and 9, which should be clauses 3.8(1) and 3.8(4), not 3.9(1) and 3.9(4).

Items 1 to 9 should be deleted and items 10 to 26 re-numbered accordingly (which contain correct references to clauses 3.8(1) and 3.8(4)).

Should the Shire of Kojonup not comply with the JSCDL's request for an undertaking, the JSCDL may, as a last resort, resolve to report to the Parliament recommending the disallowance of the instrument in the Legislative Council.

A disallowed local law will cease to have effect from the date on which it is disallowed. If the disallowed local law had amended or repealed another local laws, these changes will be reversed on the day of disallowance.

The JSCDL has provided the Shire of Kojonup until the 27 March 2023 to respond to the JSCDL advising of the Shire's intentions to undertake the required actions as mentioned in its report.

CONSULTATION

Joint Standing Committee on Delegated Legislation

STATUTORY REQUIREMENTS

Local Government Act 1995 - section 3.12 - Procedure for making local laws:

3.12. Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*

(2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*

(3) *The local government is to —*

(a) *give local public notice stating that —*

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

(6) *After the local law has been published in the Gazette the local government is to give local public notice —*

(a) *stating the title of the local law; and*

(b) *summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*

(c) *advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*

(7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

(8) *In this section —*

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising costs are associated with the re-advertising of the local law and its gazettal for which there is provision within the budget at Chart of Account code 1922 - Advertising.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
<i>Risk rating – Adequate</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

24/23 Moved Cr Bilney

Seconded Cr Singh

That Council resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within six (6) months, it will repeal the Shire of Kojonup Cat Local Law 2022 and make a new Shire of Kojonup Cat Local Law, complying with all requirements in section 3.12 of the *Local Government Act 1995*, which:
 - Does not contain a provision equivalent to 4.1(1)(b)
 - Inserts the following definition of nuisance in clause 1.4:
 - (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
 - (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
 - (c) interference which causes material damage to land or other property on the land affected by the interference;
 - Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)
 - Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3;
2. The local law will not be enforced in a manner contrary to undertaking point 1 above;
3. All consequential amendments arising from undertaking point 1 above will be made;
4. Where the local law is made publicly available by the Shire of Kojonup, whether in hard copy or electronic form, it ensures that it is accompanied by a copy of these undertakings.

The above undertakings will be given in the form of a letter (as per attachment 9.2.5.2) which is to be signed by the Shire President in accordance with s. 2.8(1)(d) of the *Local Government Act 1995* (where the Mayor or President speaks on behalf of the local government to the Parliament of Western Australia).

CARRIED 8/0

9.2.5 PROPOSED SHIRE OF KOJONUP BUSH FIRE BRIGADES LOCAL LAW 2023

AUTHOR	Robert Jehu – Manager Regulatory Services
DATE	Monday, 13 March 2023
FILE NO	LE. LCL.1
ATTACHMENT(S)	<p>9.2.5.1 - Proposed Shire of Kojonup Bush Fire Brigades Local Law 2023</p> <p>9.2.5.2 - Email correspondence from Manager Governance and Procurement, Western Australian Local Government Association (WALGA), advising of requirements for local governments to implement Bush Fire Brigades Local Laws</p> <p>9.2.5.3. – Commissioner, Department of Fire and Emergency Services correspondence</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.2 – Support appropriate initiatives to improve safety and reduce crime (N2.4.2).

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the proposal of a Shire of Kojonup Bush Fire Brigades Local Law 2023 (Local Law).

BACKGROUND

On 11 January 2023 the Shire of Kojonup (Shire) received correspondence from the Commissioner of the Department of Fire and Emergency Services (DFES) requesting to view the Shire’s Bush Fire Brigades Local Law (attachment 9.2.5.3).

Under the *Bush Fires Act 1954 (Act)* a local government may establish and maintain one or more bush fire brigades for the purpose of carrying out normal brigade activities.

The Shire of Kojonup (Shire) has approximately 493 volunteers across twelve (12) bush fire brigades.

COMMENT

Local government is required to establish, organise and maintain, administer and fund bush fire brigades under a bush fire brigades local law (see advice at attachment 9.2.5.2).

The Shire of Kojonup consulted the matter with WALGA's Manager Governance and Procurement. WALGA has advised that it obtained its own separate, independent legal advice and that the Shire is required to adopt a Bush Fire Brigades Local Law. A copy of this correspondence is attached (attachment 9.2.5.2).

The proposed Local Law is recommended to address the current absence of a local law for the Shire's bush fire brigades. The Shire's proposed Local Law has been created by utilising the Model Local Law (provided by WALGA) which is currently implemented in various surrounding Shires including Shire of Cranbrook, Shire of Broomehill-Tambellup and Shire of Boyup-Brook.

A copy of the proposed Shire of Kojonup Bush Fire Brigades Local Law 2023 (Local Law) will be available to inspect on the Shire's website and the Administration and Library noticeboards. Copies of the proposed Local Law will also be provided to any person requesting it.

Public notices shall be published as follows:

- Great Southern Herald
- Kojonup Newsletter
- Direct notification to Kojonup Bush Fire Advisory Committee
- Other – includes social media and eNewsletters.

The *Local Government Act 1995* requires local governments to give public notice of the proposed local law. A period of 'not less than six weeks after the notice is given' for submission is required. It is proposed to advertise the local law for a two month period.

An extension to this period may be considered, if the Shire experiences an incident which impacts bush fire brigades' capacity to make a submission.

A copy of the proposed Local Law will also be provided to the Minister for Local Government and Minister for Emergency Services for comment.

At its 8 February 2023 meeting, the Bush Fire Advisory Committee was presented with the model Shire of Kojonup Bush Fire Brigades Local Law 2023 and endorsed the presentation of the model Local Law to Council (see attachment 9.2.2.1 of Item 9.2.2 within this agenda).

CONSULTATION

Western Australian Local Government Association
Kojonup Bush Fire Advisory Committee

STATUTORY REQUIREMENTS

Local Government Act 1995 - section 3.12 - Procedure for making local laws

3.12. Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

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

Summary of the legislative requirements to make a local law:

- The Presiding Member is to give notice to a meeting of the purpose and effect of the proposed local law.
- A copy of the proposed local law, together with the public notice, must be given to the Minister for Local Government.
- The proposed local law is required to be advertised for a period of at least six weeks. During the advertising period, Councillors and members of the public can make comment or seek clarification on any of the provisions of the draft local law.
- Once the public submission period concludes, any submissions received will be analysed.
- A report will be presented to Council to 'make' the local law. At this time Council, after considering feedback from the public, may resolve to make amendments to the initial draft.
- If changes to the local law make it substantially different to that previously advertised, further public comment is to be undertaken.
- Once Council resolves to make the local law, the Shire will arrange for the gazettal of the local law, which will come into effect 14 days after the date of gazettal.

Bush Fires Act 1954 (Act) - sections 41, 43 and 62

Section 43 of the Act provides that a local government which establishes a bush fire brigade shall, by its local laws:

“provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.”

Sections of the Act where a local government may make local laws are:

Section 62(1):

- the appointment, employment, payment, dismissal and duties of bush fire control officers; and
- the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
- any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

Section 41:

- the local government may, in accordance with its local law, establish and maintain one or more bush fire brigades and equip each bush fire brigade with appliances, equipment and apparatus.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising costs are associated with the advertising of local laws and their gazettal for which there is provision within the budget at Chart of Account code 1922 - Advertising. For an indication of costings, the Shire of Kojonup Cat and Parking Local Laws were published in a special gazette on 31 October 2022 incurring a cost of \$3,600.00.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
<i>Risk rating – Adequate</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

25/23 Moved Cr Gale

Seconded Cr Egerton-Warburton

That Council proposes to make the Shire of Kojonup Bush Fire Brigades Local Law 2023 (Local Law), as presented, with the following purpose and effect:

Purpose: The purpose of this local law is to provide for the establishment, organisation and maintenance, administration and funding of bush fire brigades;

Effect: The effect of this local law is that bush fire brigades will be organised and ensure they align with changes in the law and operational practices; and

advertises the proposed Local Law for a period of not less than six weeks, in accordance with section 3.12 of the *Local Government Act 1995*.

CARRIED 8/0

9.2.6 SHIRE OF KOJONUP ELECTRIC VEHICLE (EV) DRIVE-THROUGH CHARGING STATION

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Wednesday, 10 February 2022
FILE NO	
ATTACHMENT(S)	9.2.6.1 – Map of recommended site location – Reserve 6171

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 2 Connected	2.1 - Be growing our state-wide and local tourism and shopping capabilities through regional alliances.	2.1.2 – Promote and facilitate Kojonup as a short term tourism destination to and from Albany

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to inform Council on updates to the EV charging station location, to ratify the Shire of Kojonup (Shire) changing the location of the Charging Station, and to enter into a licence agreement with Synergy and Tesla to proceed in jointly developing a charging station.

BACKGROUND

Contact was made with the Shire, by Synergy, in late 2021 seeking in principle support from the Shire to expand the current EV charging stations to include a drive-through option with an upgrade to the charging stations from the current 50KWH to 150 KWH.

The Council resolved, at its 15 February 2022 Ordinary Meeting, as follows:

“That:

- 1. the Synergy Drive Through Charger project be supported, understanding that it will incur civil works costs, yet to be determined.*
- 2. explicit approval is given to proceed with the Network Connection Application that Synergy requires and the Shire gives in principle agreement to proceed with the project.*
- 3. delegated authority is given to the Chief Executive Officer (CEO) to provide written approval and commitment to the project being delivered, subject to the execution of a Licensing Agreement with Synergy.*
- 4. delegated authority is given to the CEO to negotiate the options, and negotiate the Licensing Agreement and outcomes with Synergy.*
- 5. the Shire of Kojonup’s (Shire) preferred outcome regarding the Shire Owned Charger is that Synergy buy back the charger from the Shire and own and maintain this. Synergy would install an additional 150kW charger.”*

COMMENT

The Shire has recently received correspondence from Tesla requesting six (6) EV charging stations to be incorporated into the Shires current plan with Synergy.

This now means that the Kodja Place location is not practical for an expansive charging station.

As a result, the author is seeking support to change location to the Sports Complex Reserve 6171 which has enough unused land to provide a charging location as the attached concept plan outlines and any additional parking as required.

Furthermore, the Shire will enter into separate licence agreements with Tesla and Synergy.

Draft agreements are being negotiated; however, to progress the design and agreements, the Council is being requested to ratify the change in location.

CONSULTATION

Councillor Briefing Session – March 2023

Manager Works and Services

Manager Regulatory Services

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Civil works at the new location need to be costed and fully considered once the design is completed.

As it now involves Synergy and Tesla, additional costs will be expended by the Shire to provide earthworks over a larger area. These will be proposed in the 2023/24 budget. The current budget (2022/23) was \$15,000, the new budget (2023/24) item is forecast to be higher. At this stage, additional parking spaces are expected to be budgeted in the 2023/24 budget.

Tesla and Synergy are providing all funds for the development of the actual charging stations and the footprint they are established on.

The Shire will be required to provide any bitumen or other works outside the footprint of the charging station including any approved additional carparks and other costs associated with lighting and other accessories for the area.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1. Asset Sustainability	Insufficient budget to maintain or replace assets	Routine maintenance schedule Asset replacement schedule	Nil
11. IT & Communications	Power outage on site or at service provider Failure of vendor	Maintenance program Service level agreement with vendor	Negotiate agreements with vendor Negotiate agreements with vendor
15. Supplier and Contract Management	Limited availability of suppliers	Tender/procurement process	Nil
<i>Risk rating - Low</i>			
IMPLICATIONS			
Synergy & Tesla take on risk of asset replacement and removal.			

ASSET MANAGEMENT IMPLICATIONS

The currently owned Shire charging station will potentially become redundant and sold.

There has been interest in the purchase of the charging unit from external sources.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

26/23 Moved Cr Singh

Seconded Cr Wieringa

That Council approve:

1. that the drive-through electric vehicle charger project include Tesla as a service provider;
2. the Sports Complex Reserve 6171, as outlined in the attached plan, as the preferred electric vehicle charging station location; and
3. delegated authority to the Chief Executive Officer to negotiate the options and sign the Licensing Agreements with Synergy and Tesla ensuring it complies with all the reserve conditions.

CARRIED 8/0

9.3 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

9.3.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JANUARY 2023)

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 16 March 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.1.1 – Monthly Financial Report 1 to 31 January 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 January 2023.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2022 to 31 January 2023 represents seven (7) months, or 58% of the year.

The following items are worthy of noting:

- Closing surplus position of \$1.15m;
- Capital expenditure achieved 40.6% of budgeted projects;
- Cash holdings of \$5.95m of which \$3.78m is held in cash backed reserve accounts and \$2.17m is unrestricted cash;

- Rates debtors outstanding equate to 13% of total rates raised for 2022/2023 with the fourth instalment payment being due on 22 March 2023; and
- Page 12 of the statements detail major variations comparing year to date (amended) budgets to year to date actuals in accordance with Council Policy 2.1.6.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire of Kojonup. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

27/23 Moved Cr Gale

Seconded Cr Bilney

That the monthly financial statements for the period ending 31 January 2023, as attached, be noted.

CARRIED 8/0

9.3.2 MONTHLY PAYMENTS LISTING – JANUARY 2023

AUTHOR	Vivicka Kahn - Finance and Payroll Officer
DATE	Sunday, 12 March 2023
FILE NO	FM.AUT.1
ATTACHMENT	9.3.2.1 – Monthly Payments Listing 1 to 31 January 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of January 2023.

BACKGROUND

Nil

COMMENT

The attached list of payments is submitted for receipt by the Council.

Any comments or queries regarding the list of payments is to be directed to the Chief Executive Officer prior to the meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the Municipal fund or Trust Fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council's Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments are made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

There are no strategic/corporate implications involved with presentation of the list of payments.

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

28/23 Moved Cr Singh

Seconded Cr Egerton-Warbuton

That, in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

FROM – 1 January 2023		TO – 31 January 2023
Municipal Cheques		\$26,152.05
EFTs		\$506,570.63
Direct Debits		\$482,986.80
Total		\$1,015,709.48

be received.

CARRIED 8/0

9.3.3 STRATEGIC COMMUNITY PLAN – JULY 2023 to JUNE 2033 “PLACEMAKING STRATEGY”

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Monday, 13 March 2023
FILE NO	CM.CIR.1
ATTACHMENT(S)	9.3.3.1 - Strategic Community Plan July 2023 to June 2033 “Placemaking Strategy”

STRATEGIC/CORPORATE IMPLICATIONS		
Integrated Planning Requirement		
Key Pillar	Community Outcomes	Corporate Actions
	Create New Strategic Community Plan	<i>Placemaking</i> is a replacement Strategic Community Plan and, therefore, will set the strategic direction and implications for all future activities.

DECLARATION OF INTEREST

Nil

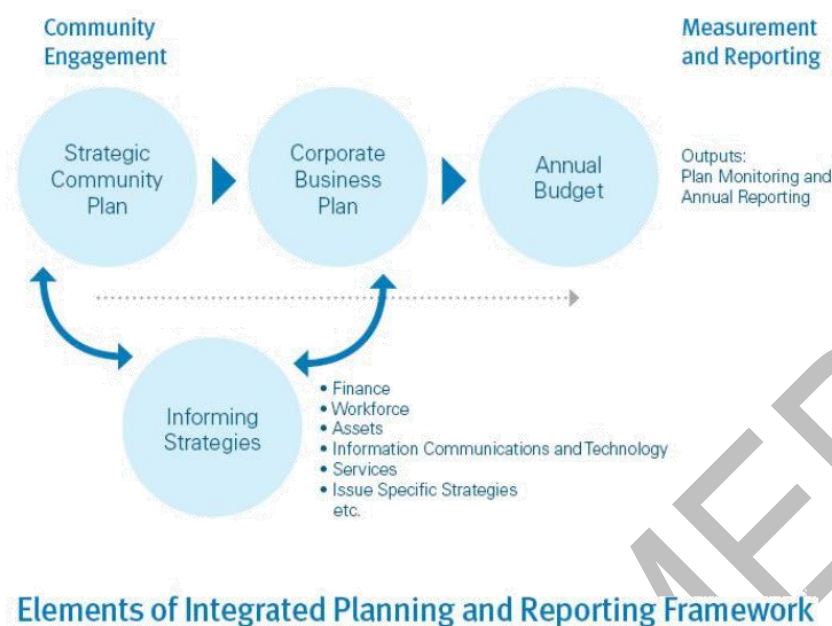
SUMMARY

The purpose of this report is to consider for adoption the Shire of Kojonup’s (Shire) new (updated and revised) Strategic Community Plan 2023-2033 (Plan).

BACKGROUND

The Shire of Kojonup’s first Strategic Community Plan was adopted in 2013. This plan had a desktop review undertaken in 2015, a SMART strategy created in 2017 and has now been the subject of a major re-write in 2023, now titled “*Placemaking Strategy*”.

The Strategic Community Plan is the cornerstone of the integrated planning and reporting process for local government in Western Australia. This process can be summarised as follows:



COMMENT

Kojonup's Strategic Community Planning results in a four-year business plan, with a ten-year vision and four-year actions.

There is global research that has assisted the Shire in realising how to sustain, and even grow, a region just like Kojonup.

Placemaking sets the strategic direction for the Community for the next ten (10) years.

It is the Community's plan and is based primarily on the feedback obtained through surveys, workshops and interactive voting sessions.

As a result of this consultation, the vision for the Shire of Kojonup is to be:

"THE CULTURAL EXPERIENCE CENTRE OF THE GREAT SOUTHERN"

Placemaking sets out four (4) 'key pillars' or areas of focus for the community. These are as follows:

1. Lifestyle;
2. Visitation;
3. Economics; and
4. Performance.

These key pillars, and the re-aligned strategic goals, give the Shire direction on investment, services, and management of assets over the next ten (10) years. The next step is to build the Corporate Business Plan focusing on achieving these strategic outcomes; this will flow into future financial and budget decisions. The Corporate Business Plan will be presented at the next Ordinary Council meeting.

It is envisaged that decisions the Shire ratifies and executes will be measured against achieving these strategic goals. The Strategic Community Plan directs all of the Shire's decision making.

There is also a shared responsibility by the Community of Kojonup, the Shire of Kojonup, and key stakeholders and agencies, to action the Strategic Community Plan.

The attached SCP '*Placemaking*' contains challenging goals and, if implemented effectively, may grow Kojonup as a population and a hub for a cultural experience in the Great Southern Region. It is recommended that it be adopted by the Council.

CONSULTATION

Community consultation was undertaken to formulate this *Placemaking Strategy*.

Development of Kojonup's Strategic Community Plan was undertaken over a six month period in 2022. The Shire held a range of community engagement sessions, Shire workforce sessions, Shire Elected Member sessions, and conducted a community survey.

The most common held views amongst the responses included:

- A desired population growth, with most people thinking that 2250 people by 2032 is achievable.
- Kojonup's point-of-difference is its central (north, south, east, west) location and its historical and cultural diversity; the Shire needs to leverage these strengths.
- The general desires for improvement are accommodation, safety, maintaining and improving education, and performance of the Shire.

Specific examples of feedback provided by the community are contained within the Strategic Community Plan itself.

STATUTORY REQUIREMENTS

As part of the integrated planning and reporting process for local governments in WA, Local Government (Administration) Regulations 1996 require:

'19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.*

- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
 - a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.'*

Long term planning will also be completed as an essential measure of good governance as a part of the Corporate Business Plan.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Placemaking guides the future direction and vision for the Shire. The Corporate Business Plan will be primarily based on the contents of the Strategic Community Plan and this will then flow into future budget and financial considerations. *Placemaking* strategies have an unforeseen financial impact that, until the strategies have been developed further, cannot be forecast at this stage. The adoption of the report by the Council does not have a direct financial impact.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Risk rating – Nil</i>			
IMPLICATIONS			
The Strategic Community Plan is a vital document guiding the future direction and actions of the Shire; legislation requires timely review of this document and this item is in accordance with said legislation thereby mitigating risk of non-compliance.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

29/23 Moved Cr Singh Seconded Cr Wieringa
That the Shire of Kojonup's Strategic Community Plan 2023-2033 "*Placemaking Strategy*", as attached, be adopted.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.4 LEASE OF COUNCIL PROPERTY – 162 BLACKWOOD ROAD, KOJONUP – EXPRESSION OF INTEREST

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Tuesday, 14 March 2023
FILE NO	CP.LEA.1
ATTACHMENT(S)	9.3.4.1 – Map showing 162 Blackwood Road, Kojonup 9.3.4.2 - Expression of Interest – Kojonup Tennis Club 9.3.4.3 - 162 Blackwood Road Lease Expression of Interest 2022 Public Notice 9.3.4.4 - Info Pack - 162 Blackwood Road

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.1 - Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group. 3.4 – Be organised and transparent with our financial management.	3.1.1 – Build partnerships with WA recreation, business and tourism. 3.1.7 – Determine responsibilities for all assets and review and update lease conditions where other entities have partial or full responsibility for assets on Council managed land.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider an Expression of Interest received for the lease of Lot 162 Blackwood Road, Kojonup.

BACKGROUND

Lot 162 Blackwood Road, Kojonup, represents approximately 34 hectares of agricultural land situated between Kojonup’s industrial estate and the Showgrounds/Sporting Precinct on Blackwood Road. Previously, this land has been leased by the Kojonup Football and Cricket Clubs for farming purposes to provide funding for the Clubs’ ongoing operations.

The most recent lease over this land expired on 28 February 2023.

At its 29 November 2022 Ordinary Meeting, Council resolved as follows:

“That Council:

- 1. calls for public expressions of interest for the lease of lot 162 Blackwood Road, Kojonup with the following conditions applying:*
 - a) Term of lease to be for a period of three (3) years;*
 - b) The lessee accepts the property on an ‘as is’ basis;*
 - c) The lessee is to maintain perimeter fences at the current standards;*
 - d) The Shire of Kojonup will not be liable for any issues arising from fencing and/or containment of stock;*
 - e) The lessee is responsible for managing and minimising any fire hazard and complying with any relevant conditions of the annual fire break order; and*
 - f) Any stocking rates will be agreed by both parties on an ‘as needs’ basis to respond to any animal welfare, fire hazard reduction, and land quality preservation issues that may arise.*
- and*
- 2. applies the following grading criteria to each expression of interest for this lease:*

• Community Value Creation	50%
• Price	40%
• Proposed Property Improvements	10%”

A call for Expressions of Interest (EOI) was subsequently advertised at the end of last year for the leasing of 162 Blackwood Road, Kojonup, and closed on 20 January 2023.

COMMENT

At the close of EOIs on 20 January 2023 nil EOIs had been received.

Since this date; however, an EOI has been received from the Kojonup Tennis Club (please see attachment 9.3.4.2). Under regulation 30 (2) (b) (i) and (2a) (b) of the *Local Government (Functions and General) Regulations 1996*, it is not necessary to re-advertise for Expressions of Interest.

The Kojonup Tennis Club has stated, in its EOI, that it wishes to lease 162 Blackwood Road, Kojonup for a period of two years for \$2,550 per year and in accordance with the advertised conditions of lease (please see attachments 9.3.4.3 and 9.3.4.4).

It is recommended that Council resolve to lease 162 Blackwood Road, Kojonup to the Kojonup Tennis Club.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Local Government Act 1995 s. 3.58:

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

Local Government (Functions and General) Regulations 1996 r. 30:

30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

(2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —

(a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or

(b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable;

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The most recent annual lease payments for this parcel of land were \$4,182 for a three year period. If Council resolves to award the lease to the Kojonup Tennis Club, this represents a decrease of \$1,632 per annum for one less year, in comparison to the previous lease.

This also represents \$2,550 per annum for two years that Council may not otherwise receive given nil EOIs were received by the closing date.

There will also be a cost reduction in fire hazard control for the Shire as the lessee is responsible for this task.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risks Description/Cause	Key Controls	Current Action
10 – Management of Facilities, Venues and Events	Lack of Lease/Contract/Agreement/MOU/Licence documentation	Lease agreements for Shire facilities	Develop Lease agreements register for all Shire facilities
<i>Risk Rating - Adequate</i>			
IMPLICATIONS			
<p>The formation of leases for Shire owned or managed land defines the terms that apply to all parties and lessens the ambiguity if an issue arises during the term of the lease.</p> <p>Due diligence in the use/maintenance of the land by another party (e.g.; a lessee) provides for fire hazard risk reduction.</p>			

ASSET MANAGEMENT IMPLICATIONS

Leasing of 162 Blackwood Road, Kojonup, ensures the use, maintenance and fire hazard reduction of this land asset whilst also providing revenue to the Shire and the community.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

30/23 Moved Cr Gale

Seconded Cr P Webb

That the Expression of Interest from the Kojonup Tennis Club for \$2,550.00 per annum for the lease of 162 Blackwood Road, Kojonup, for a two (2) year period commencing 28 March 2023 and concluding 27 March 2025, for cropping purposes, be accepted.

That Council delegates authority to the Chief Executive Officer to negotiate and execute the above-mentioned lease agreement for 162 Blackwood Road, Kojonup with the Kojonup Tennis Club.

CARRIED 8/0

9.3.5 ARRANGEMENTS FOR THE UPCOMING OCTOBER 2023 ORDINARY ELECTIONS

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Tuesday, 14 March 2023
FILE NO	GO.ELE.12
ATTACHMENT(S)	<p>9.3.5.1 - Memorandum to Local Government Chief Executive Officers (CEO) on Election Arrangements</p> <p>9.3.5.2 – Scheduler and checklist 2021</p> <p>9.3.5.3 – Western Australian Electoral Commission (WAEC) agreement to conduct postal election if requested by Council</p> <p>9.3.5.4 - WAEC quotation correspondence – In-house Election</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3	3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.4 – Implement strategies to improve Councillors role as community leaders and asset custodians.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider whether it wishes to appoint its CEO as Returning Officer (in-person voting) or the WAEC Commissioner (postal voting) for its 2023 local government election.

BACKGROUND

On 3 July 2022 the Minister for Local Government announced a final package of proposed local government reforms following a review of public submissions.

New requirements will provide for:

- The introduction of optional preferential voting for electors;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- The removal of wards for band 3 and 4 local governments.

It is anticipated that the Bill to amend the *Local Government Act (1995)* (Act) will be introduced into Parliament in early 2023.

As a band 3 local government, the Shire is not affected by reforms to the method of election of Mayors and Presidents nor is it affected by the requirement to remove

wards, the latter being an action effected in 2003 when Shire of Kojonup Council membership also reduced from ten to eight members.

The Shire of Kojonup (Shire), at its 7 February 2023 Ordinary Meeting, resolved to reduce its number of Council members, under the proposed reforms, to seven (7) by 2023.

COMMENT

For many years the Shire of Kojonup has undertaken in-person elections where the CEO, as Returning Officer, is responsible for conducting all facets of an election and staff are appointed as electoral officers to action the election process.

The in-person election process is highly regulated and an onerous task involving several staff, commencing in July of an election year and culminating in the election of new members on the third Saturday of October in that year. This year's election process now includes the introduction of optional preferential voting for electors, adding another layer of complexity to the election process, and it is not yet known the level of impact this may have on staff undertaking electoral duties. As an example, calculating preferential votes incorrectly poses a significant risk and, currently, the Shire does not have that capability or skills in house.

Alternatively, Council may change to appoint the Electoral Commissioner to conduct the election with minimal involvement of Shire staff. The Electoral Commissioner is responsible for conducting a postal vote which allows electors the flexibility to post their votes over a greater length of time rather than having to present to a polling booth on a particular day. Council's 2021 local government election saw an elector turnout of 457 representing 35% of people eligible to vote.

Whilst the in-house option represents a reduced cost to Council, the author is recommending that the Shire outsource the election process to the WAEC due to experienced staff numbers having reduced and also not having the skills of conducting preferential voting elections, significantly increasing the risk of error in a highly regulated environment.

Both options have costs attached and these are covered under *Financial Implications*.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Local Government Act (1995)

Proposed Amendment Act

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

If Council resolves, as per the Officer Recommendation, to engage the Western Australian Electoral Commission (WAEC) to conduct a postal election on the Shire's behalf, the estimated cost of \$18,000 inc GST is based on:

- 1,350 electors
- Response rate of approximately 50%
- 4 vacancies
- Count to be conducted at the offices of the Shire of Kojonup
- Appointment of a local Returning Officer
- Regular Australia Post delivery service to apply for the lodgement of the election packages.

Costs not incorporated in the above estimate include:

- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission incurred as part of an invalidity complaint lodged with the Court of Disputed Returns
- The cost of any casual staff to assist the Returning Officer on election day or night (it is estimated that employment of casual staff to assist a WAEC Returning Officer would be minimal).
- Any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

The cost of employing staff for the 2021 Election Day and count at night was \$2,559.01. It is anticipated that the 2023 Election Day and count at night cost would be in this vicinity for the 2023 local government election for an in-house election. The cost for new CountWA software for an in-house election has been quoted at \$5,300 plus additional costs not specified (for helpdesk support and couriers - see WAEC quotation correspondence at attachment 9.3.5.4).

Advertising costs for the 2021 ordinary election were \$2,700; it is anticipated that costs would be similar, if not slightly higher, in 2023.

Catering costs for the count are also expected to be similar to 2021 - \$132.73.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 – Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes.	Staff training	Nil
<i>Risk rating – Adequate</i>			
IMPLICATIONS			
Council is required to choose a method by which it will conduct its 2023 local government election and advise the WAEC; local governments have been requested to determine this method at a March 2023 Council meeting to allow the WAEC time to either provide the new software or to prepare to deliver the election on the Shire's behalf.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

The Sport and Recreation Officer left the meeting at 3.31pm.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Singh

Seconded Cr Wieringa

That Council:

1. Declare, in accordance with section 4.20 (4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required;
2. Decide, in accordance with section 4.61 (2) of the *Local Government Act 1995*, that the method of conducting the election will be as a postal election; and
3. That an amount of \$23,000 be allocated in the 2023/2024 annual budget for election expenses.

LAPSED

31/23 Moved Cr Gale

Seconded Cr Egerton-Warburton

That the meeting be adjourned to seek clarification, from the Western Australian Electoral Commission, of financial implications should a postal election be planned and an election not be necessary and re-convene when the information is presented.

CARRIED 8/0

The meeting adjourned at 3.32pm and re-convened at 3.43pm.

32/23 Moved Cr Singh

Seconded Cr Wieringa

That Council:

1. Declare, in accordance with section 4.20 (4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required;
2. Decide, in accordance with section 4.61 (2) of the *Local Government Act 1995*, that the method of conducting the election will be as a postal election; and
3. That an amount of \$23,000 be allocated in the 2023/2024 annual budget for election expenses.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.6 CHIEF EXECUTIVE OFFICER – INTERNAL FINANCIAL MANAGEMENT REVIEW - 2022

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 16 March 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider an internal Financial Management Review (FMR) undertaken by the Chief Executive Officer (CEO) of the appropriateness and effectiveness of the Shire of Kojonup’s financial management systems controls and procedures.

BACKGROUND

The Audit and Risk Committee requested that, for this cycle, the CEO complete an internal FMR.

This report is in no way a forensic review of the accounts and was not searching for anomalies or fraud but rather looking at the appropriateness of controls and systems in place. It is not an independent report and does not offer any assurance whether limited or otherwise. It is not possible for the CEO, in practice, to examine every activity and procedure or transaction.

This report is prepared solely for the Audit and Risk Committee of the Shire of Kojonup (Shire) for the purpose of the CEO reporting under Local Government (Financial Management) Regulations 5(2) (c).

The objective of the review is to assist the CEO discharge their responsibilities in respect to Regulation 5(2) (c) of the Local Government (Financial Management) Regulations 1996 (as amended). The Chief Executive Officer is to review the financial systems and procedures at least every three financial years.

Internal Control Policy & Procedures

Regulation 5(1) of the Local Government (Financial Management) Regulations 1996 require that the Chief Executive Officer establish efficient systems and procedures:

- (a) for the proper collection of all money owing to the local government;*
- (b) for the safe custody and security of all money collected or held by the local government;*
- (c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process);*
- (d) to ensure proper accounting for municipal or trust:*
 - (i) income received or receivable;*
 - (ii) expenses paid or payable; and*
 - (iii) assets and liabilities;*
- (e) to ensure proper authorisation for the incurring of liabilities and the making of payments;*
- (f) for the maintenance of payroll, stock control and costing records; and*
- (g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*

Further, Regulation 5(2)(a) of the Local Government (Financial Management) Regulations 1996 requires that the CEO is to ensure that the resources of the local government are effectively and efficiently managed.

Internal control is the whole system of controls, financial and otherwise, established by the management in order to carry on the business of the organisation in an efficient and orderly manner.

The Audit and Risk Committee considered this report at its 28 February 2023 meeting and resolved as follows:

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION

Moved Cr Bilney, seconded Cr Egerton-Warburton

That the attached Financial Management Review report prepared by the Chief Executive Officer on the appropriateness and effectiveness of the financial management systems and procedures of the Shire of Kojonup, dated October 2022:

- 1. Be received;*
- 2. Be recommended to the Council for adoption; and*
- 3. The recommendations and observations raised within the report be reported back to the Audit and Risk Committee for monitoring.*

Carried 5/0

COMMENT

Based on this internal review of the financial systems there is nothing that stands out as a major red flag at this point. However, there are a number of areas that require significant improvement and are deemed higher risks for the Shire if not addressed. These risks should be addressed in the short to medium term (within a two (2) year timeframe, some more immediate).

For those aspects of the Shire of Kojonup's Financial Management systems and procedures which were assessed as having opportunities for improvement, a table of outcomes and recommendations are embedded in this report.

The CEO makes the observation that the Shire of Kojonup has generally sound financial controls, albeit some are extremely manual and could be considered high risk due to human error. The Auditors have also commented on this in the past 12 months.

The Shire is in a reasonable financial position; however, debt management needs to be a strong focus over the coming period, with a higher but currently manageable debt level, and with a lower level of reserves due to being accessed recently for their specific projects. Debt has to be paid from Council's own funding sources which, with current inflationary variables, puts pressure on cashflow.

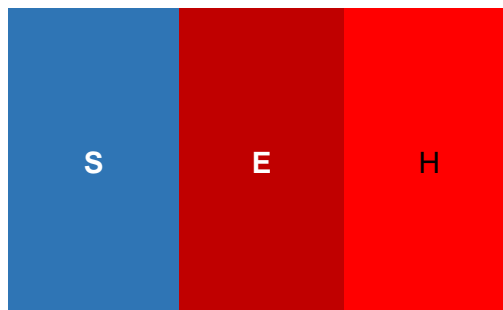
In the interests of promoting a culture of continuous improvement and self-managed discipline, emphasis on procedural and regulatory compliance, it will be important that Team Members participate in continuous improvement projects, particularly as we move to implement new systems.

The Shire management also needs to promote and manage attention to detail with regulatory and compliance matters.

The following table highlights the report outcomes by the CEO and recommendations:

S	Systems and Process	H	High Risk		
C	Compliance & Governance	M	Medium Risk		
E	Efficiency/Cost Savings	L	Low Risk		
FINDINGS		NATURE	RISK	Comments/Recommendations	
BANK RECONCILIATION AND PETTY CASH					
Bank reconciliations have been a primary focus and improved over the past year; however, scarce resources do put pressure on timeframes. The CEO has observed that bank reconciliations are being prepared on a monthly basis and reviewed by a responsible officer at this stage. Must continue to focus on verification controls and timing of reconciliations.		S	E	M	<p>Systemising the financial system will support a greater level of productivity and time to do the important tasks of reconciliations. Currently have manual processes that require streamlining and open the Shire up to human error risk with data entry, processing etc</p> <p>Officers responsible for the approval of monthly reconciliations should ensure that a detailed review of the reconciliations is performed during the process.</p>
ASSET MANAGEMENT					
Assets being rented on a wet hire as a private works basis to Community and Team Members needs to be reviewed. Anomalies and transparency of this service has been found to be vague at best.		C		M	<p>Anomalies in the Policy and Process for utilising Shire Assets as private works needs a total overhaul. Recommend CEO to develop new Policy and procedures and present to Council</p>
RECEIPTS AND RECEIVABLES					
Debtors focus for following up outstanding debts.		S		L	<p>The Shire needs to continue to follow up on outstanding debts. Recommend regular monitoring of reports by the CEO and followed up more regularly.</p>

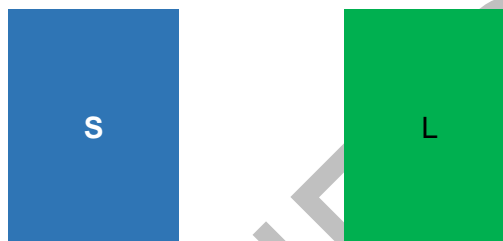
Managing Cash Business Swimming Pool



It was noted that there may be opportunity here for reconciliations with actual sales to be incorrect. Recommend that an Electronic Point of Sale be implemented as to require better reconciliation between stock and cash takings. This would also increase the ability of the Swimming Pool Manager to manage procurement more effectively.

RATES

UV Rates run at last period was not backed up and due to error of wrong rate in the dollar used to raise rates, the journals were raised to remove the error so the right rateable value was posted. This is a system issue as much as it was human error.



Recommend updating new rates system within the Enterprise Resource Programme (ERP) framework. Review process for rates and ensure backups are done prior to running the rates. Create a two step verification process for running the rates process.

PURCHASES, PAYMENTS AND PAYABLES (INCLUDING PURCHASE ORDERS)

Previously Purchase orders were not properly raised and authorised in accordance with standard practice. The Shire has been monitoring this process carefully.



Happy to report that due to constant reinforcing Purchase Orders have improved significantly. No anomalies found. Further controls such as Two points of authorisation for PO's is being investigated by the CEO.

SALARIES AND WAGES

EBA Award Payment classifications. An anomaly where Team Members had received an allowance that they weren't eligible due to changes in their roles and classifications. Employees' files not always updated with changes in employee's pay rate.	S	M	<p>Recommend Systemising Payroll and HR, new system to be implemented, will allow controls in this space.</p> <p>Also recommend the CEO review and monitor written contracts, EBA and payroll variables on a regular basis. New EBA requires negotiating once the Shire has been transferred to the West Australian Industrial Relations Commission framework. 2nd Quarter next year.</p> <p>The Shire should review employee entitlement calculations and update the worksheets to ensure correct data is being used. Regular review of these calculations should also be carried out.</p>
Reviewed segregation of duty surrounding payroll system and changes in employees' details.	S	M	<p>Have made significant improvement in this area and clear separation of duties is being undertaken. And an audit report run every cycle.</p>
CREDIT CARD PROCEDURES			
Credit card transactions reported monthly and monitored through financial reporting.	S	L	<p>CEO to maintain vigilance over all credit card expenditure. Review monthly with the Council.</p>
Documentation for Invoices, receipts etc.	S	M	<p>Made improvements and reinforcing the behaviours. Receipt collection has improved.</p>

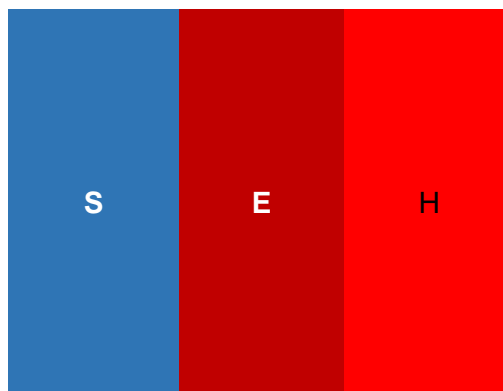
Current Manual Processes for collection of information is time consuming and every transaction has to be filed under a separate manual form



Automation of credit card receipting should be investigated, minimum recommendation to move to an electronic spreadsheet batch reporting of receipts for individuals to consider.

SYSTEM AND DATA MANAGEMENT

General data and information management is always in default due to time and resources. Updating data such as
fixed Asset register
remaining useful lives
residual values
other financial data
is not always timely and has been noted by the auditors as a discipline and resource issue in the Shire



Fixed assets have been recorded in an asset register, which reconciles to the general ledger but notes some data takes time to update and not a systemised process.

Employ qualified accountant to help build the processes and controls according to the Accounting standards.

Systemise the ERP and financial management including updating asset management module.

FINANCIAL REPORTS

Auditing process is lengthy related to AOG

Monthly statements of financial activity do not break the budget into monthly, quarterly reporting.



Not in our control

Recommend a review of financial reports and evolve the current monthly reports to fit this expectation. Further systemise reporting in any new ERP system that is implemented.

REGISTERS

The records for the Registers of Gifts, Tenders, Financial Interests and Delegations, required are being maintained.



Note that registers are now published on website.
Good - no recommendation

INTEGRATED PLANNING AND REPORTING

Long Term Financial Plan overdue - reason Strategic Plan has not been completed

C

M

Long Term Financial Plan has been adopted by Council and reviewed by the Department of Local Government. With noted improving trends of debt service ratio, own source revenue coverage, current ratio and operating surplus ratios. Recommend update and create a new Long Term Financial Plan immediately the Community Strategic Plan has been developed

STORAGE OF DOCUMENTS/RECORD KEEPING

Strong rooms are not fire resistant and historical documents not in an environmentally controlled room.

S

H

This is a compliance issue with State Records Act regarding our obligation to record and protect records. No environmentally controlled storage facility. Recommendation is to install an air conditioner in the records room where the historical records are kept to ensure the ambient temperature is controlled. The Shire to investigate a suitable alternative that is fire resistant to store records in Kojonup.

Records Management in general is not at the standard it should be for the size of Kojonup Shire. Somewhat disorganised and the new records management system has caused some angst and is difficult to use.

S

M

Reviewing technology system to improve training, usage and functionality. Also reviewing new system for use. Records to be digitised and destroyed as a matter of priority as per the State Records Act.

Councillor Records Management is virtually non existent

S

M

State Records Act obliges Councillors to store and record records, could be a breach and non-compliance. Training of Councillors required as a matter of urgency, systems and processes need review to support Elected Members in recording information and records.

IT GENERAL ENVIRONMENT

Systems misaligned, Hardware Architecture not adequate enough for requirements. Licencing going to be re-licenced April 2023, requires new operating system and security upgrade. It is clear that systems in Kojonup have developed in a modularized manner, specifically that the architecture and design of the systems needs modernizing and a new ERP system is required to manage all end to end transactions. Payroll is a good example where all timesheets are done manually and verifying times and authorisations are difficult to achieve as data is not on hand related to the tasks. I would recommend that the Shire immediately updates its ERP system or as a minimum updates its payroll system and time management systems.

This an area of both improving productivity and controls for time management and payroll.

S

E

M

Recommend a complete end to end ERP system, ICT review and new implementation in 2023/24. Currently sourcing vendors to present and express interest in implementing an ERP.

GENERAL JOURNALS

General errors in accruals, timing of uploads, consistency of running reports on time

S

H

Needs monitoring and improving. Procedural discipline and timing issues require monitoring.

Reserves Interest batches need to be aligned to storage and recording same as all ledger batches

S

L

Minor issue but Procedural change required to align and standardise storage of reserve interest transactions for recording purposes.

RISK MANAGEMENT PLAN

Appropriateness and effectiveness of systems and procedures to be adequately addressed in the Plan.

C

M

CEO has noted the Risk Framework and controls need a review over the next 12 months to update controls for relevance to changes in the environment.

RESOURCING

Resourcing and Skill Set

C

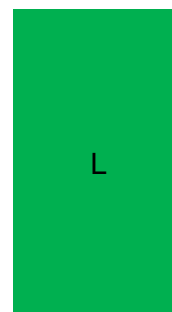
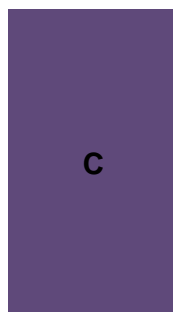
E

H

Auditors have raised an issue that there is no qualified accounting competency/capability in the Shire. With the SFO retiring at year's end, it will be important to attract the right person to the finance team. Recommend seeking qualified personnel to fill a financial role in the Shire Administration.

AUDIT AND RISK COMMITTEE

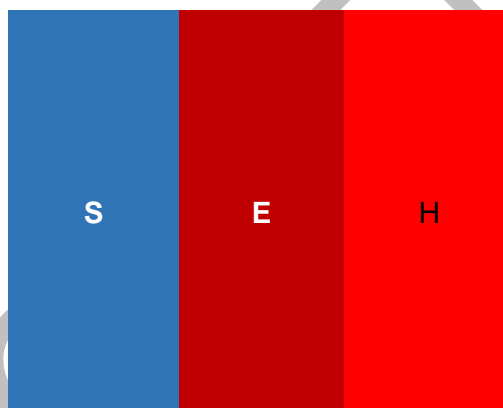
The Audit and Risk Committee meets regularly (4 times a year) and has a set agenda addressing general financial matters.



The Audit and Risk Committee's understanding of Council operating activities could be enhanced by ensuring the Committee has more time to consider particular higher risk items at meetings and discuss these risks in greater detail. It is incumbent on the CEO to make sure the meeting schedule is adhered to. This year has been disrupted by the ongoing issues with timing of the Annual Audits and reports not being available.

RECORDS AND COMPLAINTS: COMMUNITY FEEDBACK

The CEO has observed that the records management system of managing complaints is not as streamlined nor is it as functional as required. Several complaints and correspondence from the Community has either been delayed, not responded to or lost due to the way correspondence comes into the Shire. It makes the process extremely manual and reliant on individuals to own the issue and follow up. High risk of human error.



The process for receiving and delegating complaints and community correspondence needs review. It is interdependent on the fact our older customer service system does not integrate with the new records management system. Recommend a full process and system review for customer service and records management.

FINANCIAL RATIOS

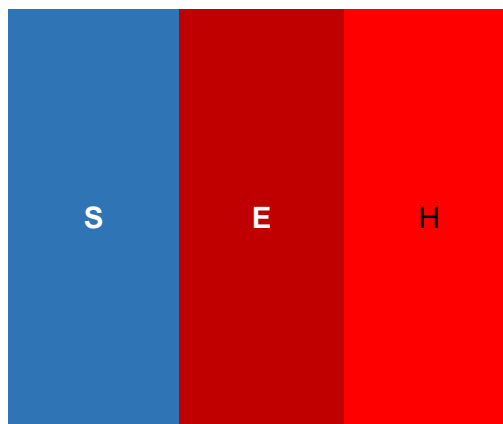
Financial reporting is changing as per local government reforms.



Do nothing now and wait for reforms to be directed by the Department. Believe this will improve our financial reporting as a middle tier Shire.

MANAGEMENT OPERATING SYSTEM

In the CEO's opinion an area of concern that requires further review is rostering, scheduling of resourcing, activity based costing and jobs/work orders management, to ensure the effective management of resources.



Recommend the Shire investigates a management operating system (MOS) for scheduling, rostering and executing jobs. Currently works and resources are being allocated manually and by individual managers. Risk for human error and limited reporting of asset utilisation and performance. Also key person risk is high that is Intellectual Property and knowledge held with one person.

6 Key High risks were identified from review for discussion by the Audit and Risk Committee

1. Human Resource and Qualification of Accountant– with SFO retiring at year's end it will be incumbent on the CEO to attract the right skilled person into that role.
2. Records and Complaints – needs a systemized process to respond to Community.
3. Strong rooms are not fire resistant and historical documents not in an environmentally controlled room.
4. General data and information management appears at times in default i.e. data is not timely or recorded in the right manner, mainly due to time and resources.
5. ERP System requires updating.
6. Swimming pool cash business risk.

CONSULTATION

Briefing Sessions

Ordinary Council Meeting September 2022

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulation 5(2) (c) requires the Chief Executive Officer to:

'undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.'

POLICY IMPLICATIONS

This report has been completed in accordance with Council Policy 2.1.8 – 'Financial Governance'.

FINANCIAL IMPLICATIONS

This item reports on the financial systems and procedures in place within the organisation, to ensure good governance and accountability with recommendations to improve certain aspects of the systems. The recommendation does not in itself have a financial implication.

All recommendations are considered as part of the budget process.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 – Compliance	Ineffective policies & processes Ineffective monitoring of changes to legislation	Financial management reviews Compliance Audit Return (DLGC) Councillor/Staff Induction Process Councillor/Staff training Disability Access and Inclusion plan Industry Standards maintained (LIWA/Royal Life, AIBS)	Nil
8 – Errors, Omissions and Delays	Complex legislation Human error	Staff training (mentoring, formal & on-the-job) Peer Review process Complaints Register Customer Service Charter Delegations register Planning Approval performance report Policies and Procedures	Implement a formal peer review process
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
The risk rating from this review is pointing toward a high probability the Shire's system and controls are at the end of their life and require an upgrade.			

ASSET MANAGEMENT IMPLICATIONS

Recommendations to upgrade the Enterprise Resource Planning System (ERP), which includes the end to end financial management processes of the Shire.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

33/23 Moved Cr Egerton-Warburton

Seconded Cr P Webb

That the attached Financial Management Review report prepared by the Chief Executive Officer on the appropriateness and effectiveness of the financial management systems and procedures of the Shire of Kojonup, dated October 2022, be adopted.

CARRIED 8/0

UNCONFIRMED

9.3.7 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 28 FEBRUARY 2023

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Thursday, 16 March 2023
FILE NO	GO.CNM.96
ATTACHMENT(S)	9.3.7.1– Unconfirmed minutes of the Audit and Risk Committee Meeting held 28 February 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management	3.4.2 – Act with sound long term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of the Audit and Risk Committee meeting held 28 February 2023.

BACKGROUND

The Audit and Risk Committee is established under Section 71A of the *Local Government Act 1995* ensuring transparency in the Shire of Kojonup’s financial management and decision making process. The Audit and Risk Committee was established with defined terms of reference and a membership consisting of six (6) committee members being four (4) Councillors and two (2) Community Members.

COMMENT

This item is solely the Council receiving the minutes of its Audit and Risk Committee meeting held 28 February 2023.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Sections 7.1A to 7.1C of the *Local Government Act 1995*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirement's	3 rd party adverse findings against Shire	Audit and Risk Committee	4 Meetings held per annum
<i>Risk rating: Low</i>			
IMPLICATIONS			
As per s.7.1A of the <i>Local Government Act 1995</i> , a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

34/23 Moved Cr Gale

Seconded Cr Singh

That Council receive the unconfirmed minutes of the Audit and Risk Committee meeting held 28 February 2023.

CARRIED 8/0

9.3.8 COMPLIANCE AUDIT RETURN 2022

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Thursday, 16 March 2023
FILE NO	CM.REP.1
ATTACHMENT(S)	9.3.8.1 - Compliance Audit Return 2022

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.4 – Be organised and transparent with our financial management	3.4.3 – Commit to future state-wide measurement systems testing local government performance

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the adoption of the Compliance Audit Return for 2022.

BACKGROUND

Completion of the Compliance Audit Return (CAR) is mandatory for each local government. Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* require a local government to carry out a compliance audit for each calendar year. A local government’s audit committee must review the CAR and report same to Council to adopt after which a certified copy, together with a copy of the section of Council minutes adopting the CAR plus any other relevant information, must be submitted to the Department of Local Government, Sport and Cultural Industries (Department) by 31 March each year.

Items of note in the 2021 CAR included the following:

- the need to publish an up-to-date version of the gift register on the Shire of Kojonup’s (Shire’s) website;
- the need to publish a Code of Conduct for employees on the Shire’s website; and
- the need to publish an up-to-date register of the complaints on the Shire’s website.

All of the above requirements have been actioned.

This item has been recommended for Council’s adoption by the Audit and Risk Committee at its 28 February 2023 meeting for subsequent submission to the Department by 31 March 2023:

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION

AR2/23 Moved Cr Bilney

Seconded Cr Egerton-Warburton

“That it be recommended to the Council that the Compliance Audit Return for 2022, as attached, be adopted.”

CARRIED 5/0

COMMENT

The 2022 CAR has been completed following a review of processes and documentation for each activity/area in which compliance is being assessed against the *Local Government Act 1995* and its associated regulations.

Items of note in the 2022 CAR include the following:

- all relevant persons to have lodged an annual return by 31 August annually;
- delayed receipt of the Shire's Audit Report;
- the need to complete a report on the training completed by Council members in the 2021/2022 year, by 31 July 2022; and
- the need for Council to adopt and publish a policy dealing with attendance of Council members and the Chief Executive Officer (CEO) at events.

A reminder system has been put into place to encourage timely provision of annual returns and website publishing of Councillor training undertaken within financial years. A policy dealing with Councillor and CEO attendance at events will be formulated for Council consideration.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

14. *Compliance audits by local governments*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
- (a) presented to the council at a meeting of the council; and*
- (b) adopted by the council; and*
- (c) recorded in the minutes of the meeting at which it is adopted.*

[Regulation 14 inserted: Gazette 23 Apr 1999 p. 1724-5; amended: Gazette 30 Dec 2011 p. 5580-1.]

15. *Certified copy of compliance audit return and other documents to be given to Departmental CEO*

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
- (b) any additional information explaining or qualifying the compliance audit,*

is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

(2) In this regulation —

certified in relation to a compliance audit return means signed by —

(a) the mayor or president; and

(b) the CEO.

[Regulation 15 inserted: Gazette 23 Apr 1999 p. 1725; amended: Gazette 26 Jun 2018 p. 2386.]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Compliance Audit Report	Nil (key control being undertaken)
<i>Risk rating - Adequate</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

35/23 Moved Cr Egerton-Warburton Seconded Cr Singh
That the Compliance Audit Return for 2022, as attached, be adopted.

CARRIED 8/0

9.4 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

9.4.1 PROPOSED TELECOMMUNICATION INFRASTRUCTURE

AUTHOR	Steve Thompson - Consultant Planner
DATE	Friday, 27 January 2023
FILE NO	CM.PRL.57
ATTACHMENT(S)	<p>9.4.1.1 - Location Plan</p> <p>9.4.1.2 – Planning Permit Application – Proposed Telecommunications Facility at 167 Eight Mile Road, Ryansbrook</p> <p>9.4.1.3 - Plans from Applicant – Appendix B</p> <p>9.4.1.4 - State Planning Policy 5.2 Telecommunications Infrastructure</p> <p>9.4.1.5 - Extract from <i>Planning and Development (Local Planning Scheme) Regulations 2015</i></p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 4 - Prosperity	4.1 – Be providing business assistance for growth in small local industry	4.1.1 – Amend Town Planning Scheme to encourage economic development and private investment
KP 5 – Digital	5.4 – Have used technology to become a smart, safe, collaborative and informed region.	5.1.2 - Improve technology to enable 24 hour two-way digital communication strategy with, within, and outside of the Shire.

DECLARATION OF INTEREST

Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the *Local Government Act 1995*).

SUMMARY

To consider an application for development approval to construct telecommunications infrastructure at Lot 1 (No. 167) Eight Mile Road, Ryansbrook.

BACKGROUND

The applicant, Acquirecomm Pty Ltd for Amplitel Pty Ltd (part of the Telstra group), seeks development approval for telecommunications infrastructure (mobile phone base station) to improve telecommunication coverage and access to enhanced services for Ryansbrook. This is part of the Government funded ‘Black Spot’ Program. The applicant proposes to install a 60-metre-high lattice tower, with associated antennas, plus ground mounted equipment shelters, fencing and ancillary items.

The site’s location is outlined in attachment 9.4.1.1 which is approximately 26 kms south of the Kojonup townsite. The property is 529.66 hectares in area.

Details submitted by the applicant are set out in attachment 9.4.1.2. This provides extensive background information including the site selection process, the proposal, subject site and

regulatory framework. Plans and elevations are in Appendix B, while Appendix C sets out the Environmental Electromagnetic Energy (EME) Report.

The Shire has reproduced the applicant's plans in Attachment 9.4.1.1.

The Shire administration invited comment on the Development Application for a 28 day period through:

- Sending letters to adjoining/nearby landowners;
- Having details on the Shire website, e-News and Facebook; and
- Placing a notice on the Shire noticeboard.

The Shire received nil submissions on the Development Application.

COMMENT

Following assessment against the planning framework, it is recommended that Council approve the Development Application subject to conditions. It is noted, for instance, that:

- There are no significant environmental, cultural heritage or social impacts;
- The nearest residence is approximately 690 metres to the north of the telecommunication infrastructure;
- The Development Application complies with *State Planning Policy 5.2 Telecommunications Infrastructure* (see Attachment 13.1.4);
- The Development Application is considered consistent with the *Shire of Kojonup Town Planning Scheme No. 3 (TPS3)*; and
- The required mobile telecommunication service provided by this proposed infrastructure is important to the local community and to the district.

While noting the above, some considerations with the Development Application include:

1. The proposed telecommunications infrastructure will have some localised visual impacts.
2. It is acknowledged that some people are concerned about the possible health effects of electromagnetic energy from mobile phone base stations. The Australian Communications and Media Authority requires all telecommunications providers to strictly adhere to Commonwealth legislation and associated regulations regarding mobile phone facilities and equipment. The submitted EME report states that the maximum calculated electromagnetic energy level from the site will be 0.17% of the public exposure limit which is substantially within the allowable limit under the standard.
3. Given the telecommunication infrastructure is proposed to be constructed in a bushfire prone area, the Shire suggests the development approval includes a condition requiring establishment and maintenance of an asset protection zone (low fuel area) around the infrastructure and to include an advice note that the infrastructure is located in a bush fire prone area.

Zoning and Land Use/Development

The property is zoned 'Rural' in TPS3. TPS3 objectives for the Rural zone include:

- (a) The zone shall consist of predominantly rural uses.
- (b) To protect land from urban uses that may jeopardise the future use of that land for other planned purposes which are compatible with the zoning.
- (c) To protect the land from closer development which would detract from the rural character and amenity of the area.
- (d) To prevent any development which may affect the viability of a holding.
- (e) To provide for limited commercial accommodation opportunities in a rural environment consistent with the Council's policy for 'Farmstay', 'Bed and Breakfast Accommodation' and 'Chalet' facilities.

'Telecommunications infrastructure' is not listed or defined in TPS3. The *Planning and Development (Local Planning Schemes) Regulations 2015* require consultation for at least 28 days including giving notice to landowners within 200m of the proposed development. The required consultation has been undertaken.

The closest use to telecommunication infrastructure in TPS3 is 'Radio & TV Installation' which is defined as:

Radio or T.V. Installation - means land, buildings, devices or structures for the transmission or receiving of signals or pictures or both but does not include domestic radio and television receivers;

Radio & TV Installation is an 'AA' discretionary land use within the Rural zone.

Bushfire Planning

The proposed telecommunication infrastructure is located within the designated bushfire prone area.

Town Planning Scheme Policy Implications

Nil

Matters to be considered

Attachment 13.1.5 is an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015* which sets out matters to be considered by local government in assessing a Development Application. In summary, the Development Application:

- Is considered consistent with the aims and provisions of TPS3;
- Is consistent with the orderly and proper planning of the area;
- Is consistent with SPP 5.2 Telecommunication Infrastructure; and
- Raises limited environmental issues given no clearing of native vegetation is proposed.

The Council has a number of options available to it, which are discussed below:

1 Not approve the proposal

The Council can choose to not approve the application and advise the proponent giving reasons. If this option were chosen, the telecommunication infrastructure would not be able to be constructed.

2 Approve the proposal

The Council can choose to approve the application, in part or whole and with or without conditions. If this option were chosen, the telecommunication infrastructure can proceed.

3 Defer the proposal

The Council can choose to defer the matter and seek additional information before proceeding to make a decision.

This is a discretionary decision and the applicant has a right to request a review of any decision and/or condition made by the Local Government, to the State Administrative Tribunal, if aggrieved by the decision and/or any condition.

CONSULTATION

The Shire has undertaken consultation on the Development Application as outlined above.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 and *Planning and Development (Local Planning Schemes) Regulations 2015* - the processing of the Development Application is required to comply with the requirements of TPS3 which is an operative local planning scheme under the provisions of the Act/Regulations.

The planning framework is extensive relating to telecommunication facilities and this Development Application including:

- *Telecommunications Act 1997;*
- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *State Planning Policy 2.5 Rural Planning;*
- *State Planning Policy 5.2 Telecommunications Infrastructure;*
- *Shire of Kojonup Town Planning Scheme No. 2; and*
- The area proposed for the telecommunications infrastructure is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

POLICY IMPLICATIONS

Nil as covered by State Planning Policy 5.2 Telecommunication Infrastructure.

FINANCIAL IMPLICATIONS

The applicant has paid the Development Application fee.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 – Compliance	Impulsive decision making Ineffective monitoring of changes to legislation	Professional accreditation / certification maintained	Nil
6 – Engagement	Inadequate documentation or procedures	Informing neighbours / website communication	Nil
7 – Environment	Inadequate local laws / planning schemes	Environmental management compliance	Nil
8 – Errors, Omissions and Delays	Complex legislation Incorrect information	Development Approval performance report	Nil
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
Applicants need to ensure that development applications accord with the intent of the Shire of Kojonup Town Planning Scheme 3. Council, in assessing applications, needs to adopt a similar approach that reflects present and future requirements without compromising amenity or establishing precedents.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

36/23 Moved Cr Egerton-Warburton

Seconded Cr Singh

That Council grant Development Approval for telecommunication infrastructure at Lot 1 on Diagram 32256 (No. 167) Eight Mile Road, Ryansbrook, as presented, subject to the following conditions:

1. The development hereby approved must be carried out in accordance with the plans submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
2. This development approval shall lapse and be of no further effect if the development hereby permitted has not been substantially commenced within 2 years of the date hereof. Where the Development Approval has lapsed, no further development is to be carried out.
3. Any lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
4. The operator/owner establishes an asset protection zone around the telecommunication infrastructure prior to the infrastructure being operational, which is then suitably maintained to the satisfaction of the local government.

Advice Notes:

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.
- B) All operations must be carried out in accordance with the separate requirements of the Australian Communications and Media Authority and Australian Radiation Protection and Nuclear Safety Agency pertaining (but not limited) to electromagnetic energy.
- C) The property is located in a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.
- D) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

CARRIED 8/0

- 9.5 KEY PILLAR 5 – ‘DIGITAL’ REPORTS
Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

14 MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.1.1 QUOTATION FOR THE SUPPLY AND SPRAY OF BITUMEN
QUOTATION FOR EDGE LINE MARKING AND AUDIBLE LINE

AUTHOR	Craig McVee, Manager Works and Services
DATE	Monday, 13 March 2023
FILE NO	GS.PRG.9 AND GR.LRL.4
ATTACHMENT(S)	14.1.1 - Quote summary

14.1.2 SPRINGHAVEN AGED CARE FACILITY – EXPRESSION OF INTEREST

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Wednesday, 23 November 2022
FILE NO	CP.LEA.1
ATTACHMENT(S)	UNDER SEPARATE COVER

STATUTORY REQUIREMENTS

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or

- (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to –
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

PROCEDURAL MOTION

37/23 Moved Cr Gale

Seconded Cr Bilney

That the meeting proceed behind closed doors in accordance with Section 5.23(2) (e) of the *Local Government Act 1995* at 3.48pm.

CARRIED 8/0

The Manager Regulatory Services and the Regulatory Services Administration Officer left the meeting at 3.48pm.

PROCEDURAL MOTION

40/23 Moved Cr Gale

Seconded Cr Singh

That the meeting be reopened to the public at 3.50pm.

CARRIED 8/0

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14.2.1 QUOTATION FOR THE SUPPLY AND SPRAY OF BITUMEN
QUOTATION FOR EDGE LINE MARKING AND AUDIBLE LINE

OFFICER RECOMMENDATION/COUNCIL DECISION

38/23 Moved Cr Gale

Seconded Cr Bilney

That:

1. Council accepts a quote submitted by RoadTech for supply and spray (full service) of 180,000 litres of bitumen to shoulder seal Kojonup-Darkan Road for \$571,500, as per the Black Spot Mass Action Program 2022/23; and
2. Due to not receiving any quotes for the audible edge line marking, Council delegates authority to the Chief Executive Officer (CEO) to seek external quotes and authorises the CEO to approve the most suitable quote for audible edge line marking.

CARRIED BY ABSOLUTE MAJORITY 8/0

14.2.2 SPRINGHAVEN AGED CARE FACILITY – EXPRESSION OF INTEREST

OFFICER RECOMMENDATION/COUNCIL DECISION

39/23 Moved Cr Bilney

Seconded Cr Gale

That Council:

1. Note the only conforming respondent to the Springhaven Expression of Interest, as presented;
2. Approve the only respondent as the preferred respondent;
3. Support the Chief Executive Officer (CEO) in the operational capacity to enter into a service agreement with the respondent in the immediate term to remedy the resource requirements of Springhaven and where it does not require structural change to Springhaven;
4. Authorise the CEO to:
 - a. commence discussions with the respondent identifying different pathways and options to make Springhaven sustainable, including options for structural changes and/or management of Springhaven; and
 - b. report back to Council the outcomes from these discussions for further deliberation and direction by the Council.

CARRIED 8/0

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.51pm.

16 ATTACHMENTS (SEPARATE)

Item 6.1	6.1.1	Unconfirmed Minutes of an Ordinary Council Meeting held on 7 February 2023
	6.1.2	Unconfirmed Minutes of a Special Council Meeting held on 28 February 2023
Item 9.1.1	9.1.1.1	Notice of Motion – revocation of Council Motion 49/20
	9.1.1.2	19 May 2020 - Item 10.3 – proposed amalgamation of reserves 24160, 24161, 22994, 21026 and 1006 into new reserve for conservation and recreation
	9.1.1.3	DMIRS comments
	9.1.1.4	DPLH email
Item 9.2.1	9.2.1.1	Unconfirmed LEMC meeting minutes - 6 February 2023
Item 9.2.2	9.2.2.1	Unconfirmed BFAC meeting minutes – 8 February 2023
Item 9.2.3	9.2.3.1	Report from Joint Standing Committee on Delegated Legislation (JSCDL) regarding the Shire of Kojonup Parking Local Law 2022
	9.2.3.2	Letter of response to be completed and returned to JSCDL
Item 9.2.4	9.2.4.1	Report from Joint Standing Committee on Delegated Legislation (JSCDL) on the Shire of Kojonup Cat Local Law 2022
	9.2.4.2	Letter of response to be completed and returned to JSCDL
Item 9.2.5	9.2.5.1	Proposed Shire of Kojonup Bush Fire Brigades Local Law 2023
	9.2.5.2	Email correspondence from James McGovern - Manager Governance and Procurement – WALGA advising of requirements for local governments to implement Bush Fire Brigades Local Laws
	9.2.5.3	Commissioner, Department of Fire and Emergency Services correspondence
Item 9.2.6	9.2.6.1	Map of recommended site location – Reserve 6171
Item 9.3.1	9.3.1.1	Monthly Financial Report – 1 to 31 January 2023
Item 9.3.2	9.3.2.1	Monthly Payments Listing 1 to 31 January 2023
Item 9.3.3	9.3.3.1	Strategic Community Plan July 2023 to June 2033 “Placemaking Strategy”

Item 9.3.4	9.3.4.1	Map showing 162 Blackwood Road, Kojonup
	9.3.4.2	Expression of Interest – Kojonup Tennis Club
	9.3.4.3	162 Blackwood Road Lease Expression of Interest Public Notice
	9.3.4.4	Info Pack - 162 Blackwood Road
Item 9.3.5	9.3.5.1	Memorandum to Local Government CEOs on Election Arrangements
	9.3.5.2	Scheduler and checklist 2021
	9.3.5.3	WAEC agreement to conduct postal election if requested by Council
	9.3.5.4	WAEC quotation correspondence – In-house Election
Item 9.3.7	9.3.7.1	Unconfirmed minutes of the Audit and Risk Committee Meeting held 28 February 2023
Item 9.3.8	9.3.8.1	Compliance Audit Return 2022
Item 9.4.1	9.4.1.1	Location Plan
	9.4.1.2	Planning Permit Application – Proposed Telecommunications Facility at 167 Eight Mile Road, Ryansbrook
	9.4.1.3	Plans from Applicant – Appendix B
	9.4.1.4	State Planning Policy 5.2 Telecommunications Infrastructure
	9.4.1.5	Extract from <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>

CONFIDENTIAL

Item 14.1.1	14.1.1.1	Quote Summary
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UNDER SEPARATE COVER

Item 14.1.2	14.1.2.1	Respondent's FY22 Annual Report
	14.1.2.2	Respondent's Group Brief
	14.1.2.3	Respondent's Principal's CV
	14.1.2.4	Respondent's news issue - issue 37
	14.1.2.5	Respondent – Letter of Intent – Shire of Kojonup – Springhaven
	14.1.2.6	Other party correspondence



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SHIRE OF KOJONUP

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

CAT LOCAL LAW 2022

LOCAL GOVERNMENT ACT 1995

PARKING LOCAL LAW 2022

**LOCAL GOVERNMENT ACT 1995
CAT ACT 2011**

SHIRE OF KOJONUP

CAT LOCAL LAW 2022

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**LOCAL GOVERNMENT ACT 1995
CAT ACT 2011**

SHIRE OF KOJONUP

CAT LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and the *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Kojonup resolved on the 21st day of June 2022 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Cat Local Law 2022*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

Applicant means the occupier of premises who makes application for a permit under this local law;

Approved cat breeder has the meaning given to it by section 3(1) of the Act;

Cat has the meaning given to it by section 3(1) of the Act; but does not include the young of a cat normally kept on the premises less than 6 months old;

Cat management facility has the meaning given to it by section 3(1) of the Act, and includes a cattery;

Cattery means any premises where more than two cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary keeper of the cats;

Commercial lot means a lot zoned under a local planning scheme as—

- (a) central business; or
- (b) service commercial,

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

District means the district of the local government;

Effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape.

Enclosed public space means a public place which is enclosed by walls, whether solid materials or glass, and includes attached or adjoining areas not permitted to the public, unless airflow between the areas is prevented, but does not include a cat management facility or veterinary clinic or hospital; industrial lot means a lot zoned under a local planning scheme as industry;

Keeper in relation to a cat means any of the following persons—

- (a) the owner of the cat as defined in the Act;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being;
- (e) a person who occupies any premises in which a cat is ordinarily kept or ordinarily permitted to live;
- (f) a permit holder of a permit which relates to the cat;
- (g) the holder of an exemption issued in relation to the cat;

Local Government means the Shire of Kojonup;

Local planning scheme means a planning scheme of the local government made under the *Planning and Development Act 2005*;

Local public notice has the meaning given to it by section 1.7 of the *Local Government Act 1995*;

Permit means a permit issued by the local government under clause 3.5 of this local law;

Permit holder means a person who holds a valid permit granted under this local law;

Premises includes the following—

- (a) land, whether or not vacant;
- (b) the whole or part of a building or structure whether of a permanent or temporary nature; and
- (c) a vehicle.

Public place has the meaning given to it by section 3(1) of the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

Set fee means a fee determined by the local government in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.

PART 2—IMPOUNDING OF CATS

2.1 Impounded cats

- (1) The local government may determine from time to time—
 - (a) the times when a cat management facility will be open for the reception and release of cats;
 - (b) times for the sale of cats from the cat management facility; and—
- (2) The local government is to keep a proper record of impounded cats.
- (3) The record is to contain the following information about each impounded cat—
 - (a) if known the breed and sex of the cat;
 - (b) the colour, distinguishing markings and features of the cat;
 - (c) if known, the name and address of the owner;
 - (d) the date and time of seizure and impounding;
 - (e) the name and address of the authorised person who impounded the cat and, if applicable, the person who delivered a cat for impounding;
 - (f) the reason for the impounding;
 - (g) a note of any order made by an authorised person relating to the cat; and
 - (h) the date of the sale, release or destruction of the cat.
- (4) The record is to be available for inspection by the public.
- (5) A person shall not—
 - (a) unless the person is the owner of the cat management facility, or an authorised person, release or attempt to release a cat from a cat management facility;
 - (b) destroy, break into, damage or in any other way interfere with or render not cat proof a cat management facility; or
 - (c) destroy, break into, damage, or in any other way interfere with any container used for the purpose of catching, holding or conveying cats which have been seized.
- (6) A cat must not be release to a person until the person obtains the necessary permit or the cat is registered where—
 - (a) a person wishes to reclaim a cat within the period stated in a notice of impounding; and
 - (b) a permit is required for the keeping of the cat, but the person does not have the necessary permit and/or the cat is not registered.

PART 3—KEEPING OF CATS

3.1 Keeping of cats in non-residential zones

The keeping of cats is not permitted on a commercial or industrial lot unless—

- (a) associated with an occupied attached residence or caretaker's residence; or
- (b) is an approved cat management facility.

3.2 Limitation on the number of cats

- (1) This clause does not apply to premises which have been—
 - (a) Licensed under Part 4 of this local law as an approved cat breeder or cat management facility; or
 - (b) granted an exemption under regulation 7 of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (2) The standard number of cats which may be kept on any premises is, for the purpose of regulation 6 of the *Cat (Uniform Local Provisions) Regulations 2013*—
 - (a) two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme; or

- (b) four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.

3.3 Cats for which a permit is required

Subject to clause 3.4 an occupier is required to have a permit to—

- (a) keep more than two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme;
- (b) keep more than four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.
- (c) use any premises as a cat management facility; or
- (d) be an approved cat breeder.

3.4 Permits not required

A permit is not required under clause 3.3 if the premises concerned are—

- (a) a refuge of the RSPCA or of any other animal welfare organisation;
- (b) a veterinary surgery;
- (c) a pet shop;
- (d) premises with two or less cats; or
- (e) the subject of an exemption granted by the local government.

3.5 Application for permit

An application for a permit under clause 3.3 shall be—

- (a) made by an occupier of the premises where the cats are to be kept;
- (b) if for a cat management facility, in the form of Schedule 1 and accompanied by the plans of the premises to which the application relates to the satisfaction of the local government;
- (c) if for a cat breeder, in the form of Schedule 1;
- (d) accompanied by the consent in writing of the owner of the premises, where the occupier is not the premises to which the application relates; and
- (e) accompanied by the set fee.

3.6 Decision on application

(1) The local government may, upon payment of the set fee—

- (a) approve an application for a permit subject to the conditions outlined in clauses 4.1, 4.2, 4.3 or 4.4; or
- (b) refuse to approve an application for a permit.

(2) If the local government approves an application under subclause (1), then it shall issue to the applicant approval in writing.

(3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

3.7 Factors relevant to determination of application

(1) In determining an application for a permit the local government may have regard to—

- (a) the physical suitability of the premises for the proposed use;
- (b) the suitability of the local planning scheme zoning of the premises for the proposed use;
- (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
- (d) the structural suitability of any enclosure in which any cat is to be kept;
- (e) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
- (f) the likely effect on the amenity of the surrounding area of the proposed use;
- (g) the likely effect on the local environment including any pollution or other environmental damage which may be caused by the proposed use;
- (h) any submissions received under subclause (2) within the time specified; and
- (i) such other factors which the local government may consider to be relevant in the circumstances of the particular case.

(2) The local government may require an applicant to—

- (a) consult with adjoining landowners;
- (b) advise the adjoining landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit; and
- (c) give local public notice of the proposal.

3.8 Cats creating a nuisance

(1) The keeper of a cat shall not allow a cat to create a nuisance.

(2) Where, in the opinion of an authorised officer, a cat is creating a nuisance, the local government may give written notice to the keeper of the cat requiring that person to abate the nuisance.

(3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice or until the notice is withdrawn by the local government.

(4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.

3.9 Abandonment of cats

The keeper of a cat shall not in any instance—

- (a) abandon a cat; or
- (b) leave a cat on premises while the premises are temporarily vacant, without daily arrangements for the care and welfare of the cats.

PART 4—PERMITS FOR KEEPING OF CATS

4.1 Conditions applicable to all permits

(1) Every permit is issued subject to the following conditions—

- (a) each cat kept on the premises to which the permit relates shall be registered under the Act;
- (b) each cat shall be contained on the premises unless under the effective control of a person;
- (c) the permit holder will provide adequate space for the exercise of the cats;
- (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
- (e) such other conditions, as the local government considers appropriate.

(2) In addition to the conditions subject to which a permit is to be issued under subclause (1), a permit may be issued subject to other conditions, as the local government considers appropriate.

4.2 Additional conditions for other than cat management facility

Where an application to keep more than two cats is approved under clause 3.6 for other than a cat management facility, the following conditions apply—

- (a) compliance with clause 4.1;
- (b) In the case of a multiple dwelling, where there is no suitable dividing fence, the written consent to the application for a permit of the occupier of the adjoining multiple dwellings has been obtained; and
- (c) Without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (i) dies; or
 - (ii) is permanently removed from the premises.

4.3 Additional conditions for cat management facility

(1) The local government may approve an application under clause 3.6 for a cat management facility the following conditions apply—

- (a) compliance with clause 4.1; and
- (b) compliance with Schedule 2.

(2) In respect of a particular application for a permit, the local government may vary any of the conditions contained in Schedule 2.

(3) A cat management facility may be inspected by an authorised officer to ensure compliance with the conditions of the permit.

4.4 Additional conditions for approved cat breeders

(1) Where a permit is approved under clause 3.6 as an approved cat breeder the following conditions apply—

- (a) compliance with clause 4.1;
- (b) compliance with clause 4.2;
- (c) compliance with Schedule 2(4)(c) to (g) both inclusive;

(2) The fee for an approved cat breeder is as specified in Schedule 3 to the *Cat Regulations 2012*.

4.5 Duration of permit

Unless otherwise specified in a condition on a permit, a permit for a cat management facility or as an approved cat breeder granted under clause 3.2(b) or (c), commences on the date of issue and is valid for a period of 12 months from the date of issue unless and until—

- (a) it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

4.6 Permit not transferable

A permit is not transferable either in relation to the permit holder or the premises.

4.7 Renewal of permit

- (1) The local government may renew approval for a cat management facility or as an approved cat breeder granted under clause 3.2(b) or (c) upon—
- (a) payment of the set fee; and
 - (b) certification by the occupier that the circumstances of the original application are unchanged.
- (2) Where circumstances of the original application have changed, the application for renewal is to be considered an initial application.

4.8 Revocation of permits

- (1) A permit may be revoked by the local government if there is a breach of any condition of that permit or if the permit holder is convicted of a breach of any provision of this local law.
- (2) On revocation of a permit the permit holder is to be taken to have forfeited any set fees paid in respect of the permit.

PART 5—CATS IN PUBLIC PLACES**5.1 Cat prohibited areas**

- (1) A cat shall not be in the places specified in Schedule 4 at any time, whether or not under effective control.
- (2) If a cat is in a Cat Prohibited Area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the local government.

PART 6—MISCELLANEOUS**6.1 Fees and charges**

Set fees and charges are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

6.2 Giving of a notice

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

6.3 Objection and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 7—ENFORCEMENT**7.1 Offences**

Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

7.2 General penalty

Any person who commits an offence shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

7.3 Modified penalties

- (1) An offence against a clause specified in Schedule 3 is a prescribed offence for the purposes of section 84 of the Act.
- (2) The amount of the modified penalty for a prescribed offence is set out in the fourth column adjacent to the clause in Schedule 3.

7.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice substantially in the form of Form 6 of the Schedule 1 of the *Cat Regulations 2012*.

7.5 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice substantially in the form of Form 7 of the Schedule 1 of the *Cat Regulations 2012*.
- (2) A person authorised to issue an infringement notice under clause 7.4 cannot sign a notice of withdrawal.

Schedule 1—Application for a licence for cat management facility or cat breeder
[cl. 3.5]
Shire of Kojonup

I/We (full name/s)—		
Postal Address—		
Telephone Number—		
Mobile Number—		
Fax Number—		
Email address—		
APPLY FOR A LICENCE	Under clause 3.3(c) for cat management facility	
	Under clause 3.3(d) as cat breeder	
Address of proposed premises –		
CAT MANAGEMENT FACILITY		
For number of cats –		
Attached are –	a site plan of the premises showing the location of the cat management facility and all other buildings and structures and fences;	
	plans and specifications of the proposed cat management facility.	
CAT BREEDER		
For number of cats—		
Breed of cats –		
Attached are –	(a) copy of notice of proposed use to appear in newspaper; (if required)	
	(b) copy of notice of proposed use to be given to adjoining premises; (if required)	
Signature of applicant/s		
Date –		
NOTE—a licence will have effect for a period of 12 months if issued		
OFFICE USE ONLY	Application fee paid on— Receipt No –	

Schedule 2—Conditions of a permit for an approved cat management facility
[cl. 4.3]
Shire of Kojonup

An application for a permit for an approved cat management facility may be approved subject to the following conditions—

- (1) Compliance with the conditions of clause 4.1.
- (2) Buildings and structures—
 - (a) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
 - (b) There is to be a feed room, wash area, isolation cages and maternity section.
 - (c) Materials used in structures are to be approved by the local government.
 - (d) The internal surfaces of walls are to be smooth, free from cracks, crevices and other defects, where possible.
 - (e) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
 - (f) Washing basins and running hot and cold water are to be available.
 - (g) The walls shall be rigid, impervious and structurally sound;
 - (h) The roof shall be constructed of approved impervious materials;

- (i) All untreated external surfaces of cattery shall be well maintained and aesthetically suitable as not to detract from the local environment and amenity.
 - (j) Each module and every part thereof shall not be at any less distance than nine metres from the boundaries of the land in the occupation of the owner of the cat management facility;
 - (k) Each module and each yard and every part thereof shall be behind the house line.
 - (l) Any other matter which in the opinion of the local government is deemed necessary for wellbeing of any person, or adjoining premises or the amenity of the area (or any part thereof).
- (3) Walk-in modules and enclosures—
- (a) Cats shall be housed in walk-in modules that include a sleeping compartment and an exercise area or in colony pens.
 - (b) Walk-in modules must have a minimum floor area of 1.5 square metres and contain at least two levels including raised sleeping quarters.
 - (i) This size is for one cat only and an additional one square metre floor space is required for a second cat.
 - (ii) No more than two cats may be housed together in this type of accommodation.
 - (c) Cats may be multiple housed in colony pens.
 - (i) Each cat shall have a floor area of two square metres plus an individual sleeping area.
 - (ii) Only desexed compatible cats should be housed in this type of accommodation;
 - (d) The lowest internal height shall be at least 1.65 metres from the floor;
 - (e) Each yard shall be securely fenced and kept securely fenced with a fence not less than 1.65 metres in height constructed of galvanised iron, wood, galvanised link mesh or netting;
 - (f) All doors shall be provided with proper catches or means of fastening;
 - (g) The upper surface of the floor shall be set at least 75mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface, it shall have a fall of not less than 1 in 100.
 - (h) All modules and yards shall be surrounded by a drain which shall be properly laid, ventilated and trapped, and all floor washings shall be disposed of in accordance with the Health requirements of the local government; and
 - (i) The floor of any yard shall be established and maintained to ensure a safe and hygienic environment.
- (4) Management—
- (a) Cats must be housed singly except in the case of compatible cats from the same household with the written agreement of the keeper.
 - (b) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
 - (c) No sick or ailing cat is to be kept on the premises.
 - (d) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
 - (e) An register is to be kept recording in respect of each cat or kitten, the—
 - (i) date of admission or birth if a kitten;
 - (ii) date of departure, sale or transfer;
 - (iii) breed, age, colour and sex;
 - (iv) the cat or kitten's microchip number; and
 - (v) the name and residential address of the keeper;
 - (f) The register is to be made available for inspection on the request of an authorised person.
 - (g) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area.

Schedule 3—Modified penalties
[cl.7.3]

Item	Clause	Nature of offence	Modified penalty
1	2.1(5)(a)	Unauthorised release or attempted release of a cat	500
2	2.1(5)(b)	Interference with a pound	500
3	2.1(5)(c)	Interference with cage or container for seized cats	500
4	3.1	Keeping a cat in a non-residential zone	200
5	3.3(a)	Keeping more than two cats without a permit	200
6	3.3(c)	Failure to hold permit as a cat management facility	500

Item	Clause	Nature of offence	Modified penalty
7	3.3(d)	Failure to hold permit as approved cat breeder	500
8	3.9(1)	Cat creating a nuisance	200
9	3.9(4)	Failure to comply with notice to abate a nuisance	200
10	2.1(5)(a)	Unauthorised release or attempted release of a cat	500
11	2.1(5)(b)	Interference with a pound	500
12	2.1(5)(c)	Interference with cage or container for seized cats	500
13	3.1	Keeping a cat in a non-residential zone	200
14	3.3(a)	Keeping more than two cats without a permit	200
15	3.3(b)	Failure to hold permit as a cat management facility	500
16	3.3(c)	Failure to hold permit as approved cat breeder	500
17	3.8(1)	Cat creating a nuisance	200
18	3.8(4)	Failure to comply with notice to abate a nuisance	200
19	3.9(a)	Abandonment of a cat	500
20	3.9(b)	Failure to make adequate arrangement while temporarily absent	200
21	4.1	Failure to comply with conditions for all permits	200
22	4.2	Failure to comply with conditions of permit for other than a cat management facility	200
23	4.3	Failure to comply with conditions of permit for cat management facility	500
24	4.4	Failure to comply with conditions of permit for approved cat breeder	500
25	5.2	Cat in a place where prohibited	200
26	7.1	All other offences not specified	200

Schedule 4—Cat prohibited areas
[Clause 5.1]

Places where cats are prohibited:

Common Name	Physical Boundaries	Description
Myrtle Benn Flora and Fauna Sanctuary	Tunney Road—Solider Road	All bushland within physical boundaries
Farrar Nature Reserve	Boyup Brook—Kojonup Road Kojonup—Frankland Road	All bushland within physical boundaries

Dated 21st of June 2022.

The common Seal of the Shire of Kojonup was affixed by authority of a resolution of the Council in the presence of—

NED RADFORD, Shire President.
GRANT THOMPSON, Chief Executive Officer.

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LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

PARKING LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kojonup resolved on the 21st day of June 2022 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Parking Local Law 2022*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

Nil.

1.5 Definitions

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

Act means the *Local Government Act 1995*;

Authorised person means a person authorised by the local government to perform any of the functions of an authorised person under this local law;

Authorised motor vehicle means a motor vehicle authorised by the local government, CEO, authorised person or by any written law to stop or park on a thoroughfare or on a parking facility;

Bicycle has the meaning given to it by the Code;

Bicycle path has the meaning given to it by the Code;

Built-up area means the areas under a local planning scheme, including both sides of thoroughfares immediately adjoining, zoned as—

- (a) central business;
- (b) service commercial;
- (c) residential; and
- (d) rural townsite.

Bus stop has the meaning given to it by the Code;

Bus zone has the meaning given to it by the Code;

Caravan has the meaning given to it by section 5 of the *Caravan Parks and Camping Grounds Act 1995*;

Carriageway has the meaning given to it by the Code;

Centre in relation to a carriageway, has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

Children's crossing has the meaning given to it by the Code;

Code means the *Road Traffic Code 2000*;

Commercial motor vehicle—

- (a) means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers; and
- (b) includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

Continuous dividing line has the meaning given to it in the Code;

Disability parking permit has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

Disabled parking bay means a part of a parking facility or carriageway which is identified or marked by painted lines, symbols, inscriptions or signs as a bay for the parking of motor vehicles driven by or carrying a disabled person;

District means the district of the local government;

Driver means any person driving or in control of a motor vehicle;

Edge line has the meaning given to it by the Code—

Emergency motor vehicle has the meaning given to it by the Code;

Footpath has the meaning given to it by the Code;

GVM or “gross motor vehicle mass” has the meaning given to it by the *Road Traffic (Motor vehicles) Act 2012*;

Heavy motor vehicle has the meaning given to it by the Code;

Infringement notice means the notice referred to in clause 7.5;

Keep clear area means a portion of a carriageway that lies—

- (a) between 2 consecutive signs inscribed with the words “KEEP CLEAR” and each with an arrow pointing generally towards the other; or
- (b) between a sign inscribed with the words “KEEP CLEAR” and whichever of the following that lies in the general direction indicated by an arrow inscribed on the sign—
 - (i) the end of the carriageway; or
 - (ii) an area in which stopping is prohibited; or
 - (iii) the furthest point of “KEEP CLEAR” markings.

Keep clear marking has the meaning given to it by the Code;

Kerb means the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road and whether any footpath has been constructed or not;

level crossing has the meaning given to it by the Code;

loading zone has the meaning given to it by the Code;

local government means the Shire of Kojonup;

local planning scheme means a local planning scheme and includes any structure plan adopted or approved by the local government made under the *Planning and Development Act 2005*;

Median strip has the meaning given to it by the Code;

Motor cycle has the meaning given to it by the Code;

Motor vehicle has the meaning given to it in the *Road Traffic (Administration) Act 2012*, but does not include a motorised scooter; and

Motorised scooter has the meaning given to it by the Code, and includes a motorised wheelchair that is designed so as to be not capable of a speed exceeding 10 km/h;

Nature strip has the meaning given to it in the Code

No parking area has the meaning given to it in the Code;

No parking sign means—

- (a) a sign with the words “no parking” in red letters on a white background, or
- (b) the letter “P” within a red annulus and a red diagonal line across it on a white background;

No stopping area has the meaning given to it in the Code;

No stopping sign means a sign with—

- (a) the words “no stopping” or “no standing” in red letters on a white background;
- (b) the words “no stopping” or “no standing” in white letters on a red background; or
- (c) the letter “S” within a red annulus and a red diagonal line across it on a white background;

Notice of withdrawal means the notice referred to in clause 7.6(1).

Occupier has the meaning given to it in section 1.4 of the Act;

Owner where used in relation to—

- (a) a motor vehicle licensed under the *Road Traffic (Motor vehicles) Act 2012*, means the person in whose name the motor vehicle has been registered under the *Road Traffic (Motor vehicles) Act 2012*;
- (b) any other motor vehicle, means the person who owns, or is entitled to possession of that motor vehicle; and
- (c) land, has the meaning given to it in section 1.4 of the Act;

Park has the meaning given to it by the Code;

Parking area has the meaning given to it by the Code;

Parking bay and **Parking lane** means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a motor vehicle may be parked;

Parking control sign has the meaning given to it by the Code;

Parking facilities includes—

- (a) land, buildings, shelters, places, parking bays, parking lanes and other facilities open to the public generally for the parking of motor vehicles with or without charge; and
- (b) signs, notices and facilities used in connection with the parking of motor vehicles;

Path has the meaning given to it in the Code;

Pedestrian crossing has the meaning given to it by the Code;

Public bus has the meaning given to it by the Code, and includes a school bus in the performance of its duties;

Public place means any place to which the public has access whether or not that place is on private property;

Reserve means any land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the *Land Administration Act 1997*;

Right of way means a thoroughfare separating two portions of land by a public reserve, road, laneway, pedestrian access way, and includes the access leg of a battle-axe lot or the equivalent not more than 6m in width;

Road includes a highway, road, lane, thoroughfare, carriageway or similar place, or part thereof, which is within the parking region of the local government, which the public are allowed to use and includes every part of the highway, lane, thoroughfare or similar place and other things including bridges and culverts appurtenant there to and includes all of the land lying between the property lines including the road verge and footpath;

Schedule means a Schedule to this local law;

School bus means a motor vehicle that is used solely or principally for the carriage of children to and from school, and is equipped to seat 8 or more persons, including the driver;

Shared zone has the meaning given to it by the Code;

Sign includes a parking control sign or other sign, inscription, road marking, painted line, mark, structure or other device or method approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking facilities or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping and parking of motor vehicles;

Special purpose motor vehicle has the meaning given to it by the Code;

Stop in relation to a motor vehicle, has the meaning given to it by the Code;

Symbol includes any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

Taxi has the meaning given to it by the Code;

Taxi zone has the meaning given to it by the Code;

Thoroughfare has the meaning given to it in section 1.4 of the Act;

Traffic island has the meaning given to it by the Code;

Trailer has the meaning given to it by the Code;

Verge has the same meaning as *nature strip*.

(2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the *Road Traffic Act 1974*, the *Road Traffic (Administration) Act 2013*, the *Road Traffic (Motor vehicles) Act 2012* or in the Code, then the term shall have the meaning given to it in that Act or the Code.

PART 2—ADMINISTRATION

2.1 Powers of the local government

(1) The local government may, by resolution, prohibit or regulate by signs or otherwise, including but not limited to—

- (a) the stopping or parking of any motor vehicle or any class of motor vehicles;
- (b) parking bays;
- (c) parking facilities;
- (d) permitted time and conditions of parking in parking bays and parking facilities which may vary with the locality;
- (e) permitted classes of motor vehicles which may park in parking bays and parking facilities;
- (f) permitted classes of persons who may park in specified parking bays or parking facilities; and
- (g) the manner of parking in parking bays and parking facilities.

(2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution

2.2 Thoroughfares under control of Commissioner of Main Roads

(1) Subject to subclause 2, this local law does not apply to—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;

- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
 - (c) any road which comes under the control of the Commissioner of Main Roads.
- (2) Upon request of the local government, the control of parking and parking facilities on a thoroughfare under the control of the Commissioner of Main Roads may be delegated by the Commissioner of Main Roads to the local government

2.3 Parking not under the control of the local government

- (1) This local law does not apply to a parking bay, parking lane or parking facility that is not occupied, managed or controlled by the local government, unless the local government and the owner or occupier of that land or facility have agreed in writing that this local law will apply to that land or facility.
- (2) The agreement referred to in subclause (1) may be made on such terms and conditions as the parties may agree.

2.4 Classes of motor vehicles

For the purpose of this local law, motor vehicles are divided into the following classes—

- (a) public buses and school buses;
- (b) commercial motor vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other motor vehicles.

PART 3—PARKING THROUGHOUT THE DISTRICT

DIVISION 1—DISTRICT GENERALLY

3.1 Application of Part 3

- (1) This Part applies to the whole of the district.
- (2) This Part is subject to the provisions of Part 4 which may override those of this Part.
- (3) This Part is further subject to the provisions of Part 5 which may override those of Part 4 or this Part.

3.2 Parking for people with disabilities

For avoidance of doubt, and notwithstanding clause 2.3(1), the provisions of the *Local Government (Parking for People with Disabilities) Regulations 2014*, apply throughout the district to all parking bays, parking lanes or parking facilities, whether under the control of the local government or not, which are a public place.

3.3 Parking motor vehicle on a carriageway

- (1) A person parking a motor vehicle on a carriageway other than in a parking bay shall park it—
- (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between—
 - (i) the motor vehicle and the farther boundary of the carriageway, any continuous dividing line or median strip, or
 - (ii) between the motor vehicle and a motor vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the motor vehicle respectively is not less than 1 metre from any other motor vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any motor vehicle on the carriageway.

3.4 Parking near a railway level crossing

A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.5 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a motor vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.6 General prohibitions on parking

- (1) This clause does not apply to a motor vehicle parked in a parking bay nor to a bicycle in a bicycle rack.
- (2) Subclauses (3)(c), (e) and (g) do not apply to a public bus which parks in a bus zone.

(3) Subject to any law relating to intersections with traffic control signals a person shall not park a motor vehicle so that any portion of the motor vehicle is—

- (a) between any other stationary motor vehicles and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) obstructing a right of way, private drive or carriageway or so close as to deny a motor vehicle reasonable access to or egress from the right of way, private drive or carriageway;
- (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the motor vehicle would obstruct traffic;
- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (f) on any footpath, children's crossing or pedestrian crossing;
- (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous dividing lines or between a double longitudinal line consisting of a continuous dividing line and a broken or dotted line and the boundary of a carriageway nearer to the continuous dividing line, unless there is a distance of at least 3 metres clear between the motor vehicle and the double longitudinal line;
- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the motor vehicle is parked, unless a sign or markings on the carriageway indicate otherwise.

(4) A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side or within 10 metres of the departure side of—

- (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here" (or with equivalent symbols depicting these purposes) unless the motor vehicle is a public bus stopped to take up or set down passengers;
or
- (b) a children's crossing or pedestrian crossing.

3.7 Restrictions on parking in particular areas

(1) Subject to subclause (2), a person shall not park a motor vehicle in a thoroughfare, part of a thoroughfare, or part of a parking facility—

- (a) if by a sign it is set apart for the parking of motor vehicles of a different class;
- (b) if by a sign it is set apart for the parking of motor vehicles by persons of a different class; or
- (c) during any period when the parking of motor vehicles is prohibited by a sign.

(2) The driver may park a motor vehicle in a thoroughfare or a part of a thoroughfare or part of a parking facility, except in a thoroughfare or a part of a thoroughfare or part of a parking facility to which a disabled parking sign relates for twice the period indicated on the sign, if—

- (a) the driver's motor vehicle displays a valid disability parking permit sticker; and
- (b) a disabled person to which the valid disability parking permit relates is either the driver of motor vehicle

(3) A person shall not park a motor vehicle in a bay marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.

(4) A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a motor vehicle in an area designated by a sign stating "Authorised Motor vehicles Only".

3.8 Motor vehicles not to obstruct a thoroughfare or public place

A person shall not leave a motor vehicle, or any part of a motor vehicle, in a thoroughfare or public place including a right of way, so that it obstructs the use of any part of that thoroughfare or public place without the permission of the local government or unless authorised under any written law.

3.9 Authorised person may order motor vehicle on thoroughfare to be moved

The driver of a motor vehicle shall not park that motor vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

3.10 Suspension of parking limitations for urgent, essential or official duties

(1) Where by a sign the parking of motor vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a motor vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.

(2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other motor vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

3.11 No parking

A driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver is—

- (a) is dropping off, or picking up, passengers or goods;
- (b) remains within three metres of the motor vehicle at all times; and
- (c) completes the dropping off, or picking up, of the passengers or goods within two minutes of stopping and drives on.

3.12 No stopping

(1) A driver shall not stop on a length of carriageway, or in an area, to which a “no stopping” sign applies or in a “keep clear area”.

(2) A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.

3.13 Application of particular definitions

For the purposes of the application of clause 3.11 and clause 3.12 an arrow inscribed on a sign erected at an angle to the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the carriageway.

DIVISION 3—STOPPING IN PARTICULAR CIRCUMSTANCES

3.14 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

3.15 Stopping on a bridge, etc.

A driver shall not stop a motor vehicle on a bridge, causeway, ramp or similar structure unless—

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a parking control sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

3.16 Stopping on crests, curves, etc.

A driver shall not stop a motor vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking motor vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.

3.17 Stopping near a fire hydrant etc

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and remains within three metres of the motor vehicle at all times; or
- (b) the driver is driving a taxi, and the driver stops in a taxi zone and remains within three metres of the motor vehicle at all times.

3.18 Obstructing access to and from a path, driveway, etc.

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is in front—

- (a) of a path, in a position that obstructs access by motor vehicles or pedestrians to or from that path;
- (b) on or across a driveway or other way of access for motor vehicles travelling to or from adjacent land; unless—
- (c) the driver is dropping off, or picking up, passengers; or
- (d) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.

DIVISION 4—SIGNS

3.19 Part of thoroughfare to which sign applies

Where under this local law the parking of motor vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

3.20 Pre-existing signs

(1) A sign is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law that where that sign—

- (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
- (b) relates to the parking of motor vehicles within the district,

(2) An inscription, word, number, expression or symbol on a sign referred to in subclause (1) operates and has effect according to its tenor, and where the inscription, word, number, expression or symbol relates to the stopping of motor vehicles, it is to be deemed for the purposes of this local law to operate and have effect as if it related to the parking of motor vehicles.

3.21 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

3.22 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government—

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

3.23 General provisions about signs

(1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.

(2) The first three letters of any day of the week when used on a sign indicate that day of the week.

DIVISION 5—ZONES FOR PARTICULAR MOTOR VEHICLES

3.24 Stopping in a loading zone

A person shall not stop a motor vehicle in a loading zone unless it is—

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle that completes the dropping off or picking up of passengers within two minutes of stopping and then drives on,

however, in any event, shall not remain in that loading zone—

- (c) for longer than a time indicated on the “loading zone” sign; or
- (d) longer than 30 minutes, if no time is indicated on the sign.

3.25 Stopping in a taxi zone or a bus zone

(1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.

(2) A driver shall not stop in a bus zone unless the driver is driving a public bus or a school bus.

3.26 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

3.27 Other limitations in zones

A person shall not stop a motor vehicle in a zone to which a sign applies if stopping the motor vehicle would be contrary to any limitation in respect to classes of persons or motor vehicles, or specific activities allowed, as indicated by additional words on a parking control sign that applies to the zone.

PART 4—PARKING IN BUILT-UP AREAS

DIVISION 1—BUILT-UP AREAS GENERALLY

4.1 Application of Part 4

- (1) This Part applies to the built up areas of a built-up area.
- (2) This Part overrides any inconsistent provisions of Part 3.
- (3) This Part is subject to the provisions of Part 5 which may override those of this Part.

4.2 No parking of motor vehicles exposed for sale and other circumstances

A person shall not park a motor vehicle on any portion of a thoroughfare—

- (a) for the purpose of exposing it for sale;
- (b) if that motor vehicle is not licensed under the *Road Traffic (Motor vehicles) Act 2012*;
- (c) if that motor vehicle is a trailer or a caravan unattached to a motor vehicle; or

- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the motor vehicle to be moved to a place other than a thoroughfare.

4.3 Parking on a carriageway with heavy and long motor vehicles

(1) Unless engaged in the picking up or setting down of goods, a person shall not park on any part of a carriageway for any period exceeding one hour, a motor vehicle or any combination of motor vehicles, that together with any projection on, or load carried by, the motor vehicle or combination of motor vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes.

(2) Nothing in this clause affects the operation of any other clause in this local law or any other written law relating to the parking or stopping of motor vehicles.

4.4 Double parking

(1) A driver shall not stop a motor vehicle so that any portion of the motor vehicle is between any other stopped motor vehicle and the centre of the carriageway.

(2) This clause does not apply to—

- (a) a driver stopped in traffic; or
- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

4.5 Event Parking

(1) Subject to clause 2.1, a temporary sign may indicate that all or part of a parking facility, thoroughfare or public place is set aside, during the period indicated in the sign, for the parking of motor vehicles by persons attending a particular event.

(2) The local government may issue to a person a permit in respect of all or part of a parking facility, thoroughfare or public place for an event referred to in subclause (1).

(3) A person must not park or stop a motor vehicle, or permit a motor vehicle to remain parked, in any area that is set aside under subclause (1) unless the permit issued under subclause (2) for the relevant event is displayed inside the motor vehicle so that it is clearly visible to an authorised person examining the ticket from outside the motor vehicle.

DIVISION 2—PARKING BAYS, PARKING LANES, AND PARKING FACILITIES

4.6 Motor vehicles to be within parking bays or parking lanes on thoroughfare

(1) Subject to subclause (2) and (3), a person shall not park a motor vehicle in a parking bay in a thoroughfare otherwise than—

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the parking bay or parking lane; and

(2) headed in the direction of the movement of traffic on the side of the thoroughfare in which the bay is situated.

(3) If a motor vehicle is too long or too wide to fit completely within a single parking bay then the person parking the motor vehicle shall do so within the minimum number of parking bays needed to park that motor vehicle.

(4) A person shall not park a motor vehicle partly within and partly outside a parking area.

4.7 Parking prohibitions and restrictions

(1) A person shall not—

- (a) park a motor vehicle so as to obstruct an entrance to, or an exit from parking facilities, or an access way within parking facilities;
- (b) except with the permission of the local government or an authorised person, park a motor vehicle on any part of a parking facility contrary to a sign referring to that part;
- (c) permit a motor vehicle to park in any part of parking facilities, if an authorised person directs the driver of such motor vehicle to move the motor vehicle; or
- (d) park or attempt to park a motor vehicle in a parking bay in which another motor vehicle is parked, unless—
 - (i) parking of a motorcycle and a bicycle together in a bay marked “M/C”, and
 - (ii) the bicycle is parked in accordance with subclause (2).

(2) A person must not park a bicycle—

- (a) in a parking bay other than in a bay marked for motorcycles only; and
- (b) other than against the kerb.

(3) Notwithstanding the provisions of subclause (1)(b) a driver may park a motor vehicle in a bay or facility (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—

- (a) the driver’s motor vehicle displays a current disability parking permit; and
- (b) a person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the motor vehicle.

4.8 Angle parking

(1) This clause does not apply to—

- (a) a motor vehicle with a mass including any load, of over 4.5 tonnes; or

- (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking”, or with an equivalent symbol depicting this purpose, a person stopping or parking a motor vehicle stop or shall park the motor vehicle at an angle and in the position indicated by the inscription on the parking sign or by marks on the carriageway.

DIVISION 3—STOPPING IN PARTICULAR CIRCUMSTANCES

4.9 Stopping at or near a bus stop

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side of a bus stop, or within 10m of the departure side of a bus stop, measured in the direction of traffic movement on that portion of the thoroughfare, unless—

- (a) the motor vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a length of carriageway, or in an area permitted by a parking control sign.

4.10 Stopping on a path, median strip, or traffic island

The driver of a motor vehicle (other than a bicycle or an animal) shall not stop so that any portion of the motor vehicle is on a path, traffic island or median strip, unless permitted by a parking control sign.

4.11 Stopping on verge

- (1) A person shall not stop so that any portion of the following is on or projects over a verge—
 - (a) stop a motor vehicle (other than a bicycle);
 - (b) stop a commercial motor vehicle or any combination of motor vehicles that exceeds 4.5 tonnes GVM, a public bus, a trailer or caravan unattached to a motor vehicle; or
 - (c) stop any motor vehicle (other than a bicycle) during any period when the stopping of motor vehicles on that verge is prohibited by a sign adjacent and referable to that verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the land adjacent to that verge, or is a person authorised by the occupier of that land to stop the motor vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial motor vehicle or any motor vehicle with a GVM that exceeds 4.5 tonnes when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the land adjacent to the portion of the verge on which the motor vehicle is parked, provided no obstruction is caused to the passage of any motor vehicle or person using a carriageway or a path.

4.12 Stopping on a carriageway with motor cycle parking sign

The driver of a motor vehicle shall not stop on a length of carriageway, or in an area, to which a “motorcycle parking” sign applies, or an area marked “M/C” unless—

- (a) the motor vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

4.13 Stopping on a carriageway with a bicycle sign

Unless dropping off or picking up passengers, the driver of a motor vehicle (other than a bicycle) must not stop on a length of carriageway to which any of the following apply—

- (a) a “bicycle path” sign;
- (b) a “bicycle parking” sign; or
- (c) a “dual use path” or other sign indicating bicycles are permitted to use the path.

PART 5—PARKING IN TIMED ZONES

5.1 Application of Part 5

- (1) This Part applies to timed parking zones.
- (2) This Part overrides any inconsistent provisions of Part 3.

5.2 Timed Parking

- (1) The local government, by resolution, may constitute any land, structure, section or part of a thoroughfare or public reserve as a timed parking zone.
- (2) In respect of timed parking zones the local government under subclause (1), may determine—
 - (a) the location of parking spaces within a parking zone;
 - (b) the permitted times and conditions of parking or stopping of a vehicle;
 - (c) the classes of vehicles permitted to park or stop;
 - (d) the classes of persons permitted to park or stop a vehicle; and
 - (e) the manner of parking or stopping a vehicle.
- (3) A parking zone constituted under subclause (1) may be varied as to the land, structure, section or part of a thoroughfare or public reserve which it comprises by the local government.
- (4) Where the local government makes a determination under this clause, it shall erect signs to give effect to this determination

5.3 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

5.4 No movement of motor vehicles to avoid time limitation

Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed for at least 1 hour.

PART 6—MISCELLANEOUS**6.1 Removal of notices on motor vehicle**

A person, other than the driver of the motor vehicle or a person acting under the direction of the driver of the motor vehicle, shall not remove from the motor vehicle any notice put on the motor vehicle by an authorised person.

6.2 Emergency and special purpose motor vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

- (a) an emergency motor vehicle may, in the course of their duties and when it is expedient and safe to do so or where they believes that it is expedient and safe to do so, stop, or park the motor vehicle at any place, at any time; and
- (b) a special purpose motor vehicle may, only in the course of his or her duties and when it is necessary and safe to do so, stop, or park the motor vehicle in any place, at any time.

6.3 Removal and impounding of motor vehicles

- (1) The impounding of motor vehicles and other goods shall be carried out in accordance with Part 3 Division 3 Subdivision 4 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.
- (2) An employee authorised specifically for the purposes of section 3.39 of the Act and this clause may remove and impound any motor vehicle that is involved in a contravention that can lead to impounding.
- (3) A person authorised to impound a motor vehicle in accordance with subclause (2) may use reasonable force to exercise the power given by that clause.
- (4) The form of the notice referred to in section 3.42 of the Act is set out in Schedule 1.

6.4 Notice to owner of motor vehicle involved in offence

The owner of a motor vehicle may be required to identify the driver or person in charge of a motor vehicle at the time when an offence is alleged to have been committed by sending a notice substantially in the form of Form 1 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7—ENFORCEMENT**7.1 Legal proceedings**

Evidentiary provisions relating to offences involving motor vehicles are contained in Division 3 of Part 9 of the Act.

7.2 Offences

A person who breaches a provision of this local law commits an offence.

7.3 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

7.4 Modified penalties

- (1) The offences contained in the Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the final column of Schedule 3 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

7.5 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice substantially in the form of either—

- (a) Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; or
- (b) Schedule 2 of this local law, in accordance with section 9.18 of the Act.

7.6 Withdrawal of infringement notice

- (a) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice substantially in the form of Form 3 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (b) A person authorised to issue an infringement notice under clause 7.5 cannot sign or send a notice of withdrawal

Schedule 1—Notification of Impoundment of Motor vehicle
[cl. 6.3]
Shire of Kojonup

To (full name/s) –	
Of (address) –	
	Department of Transport records indicate that you are the registered owner of the motor vehicle detailed below and notice is hereby given that the motor vehicle has been impounded in accordance with the provisions of the <i>Local Government Act 1995</i> .
Make –	
Model –	
Registration –	
Impounded from –	
Positioned at/near –	
Date impounded –	
Time impounded –	
	The motor vehicle has been taken to a secure facility.
Facility address –	
	IT IS A REQUIREMENT THAT ALL PAYMENTS ARE RECEIVED PRIOR TO THE RELEASE OF THE MOTOR VEHICLE.
Documentation required –	The following must be produced before payment can be accepted and release of the motor vehicle is permitted— <ul style="list-style-type: none"> • Current Motor vehicle Registration Document. • Drivers licence or other legal form of identification. • Payment receipt (required for motor vehicle release at secure facility).
Payment in person only –	Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between—8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.
	The motor vehicle will then be available for release, by contacting the Shire to make the necessary arrangements
Motor vehicle impound fee –	
Additional days storage fee or part thereof	
<p>(1) Subject to clause 2 below, if your motor vehicle is not collected within 2 months after the date of this notice the Shire may either—</p> <p>(a) under section 3.46 of the <i>Local Government Act 1995</i> refuse to allow the motor vehicle to be collected until the Shire's costs of removing and keeping the motor vehicle have been paid to the Shire; or</p> <p>(b) under section 3.47 of the <i>Local Government Act 1995</i> sell or otherwise dispose of the motor vehicle and credit the money received from that sale or disposal to the Shire's Trust Fund except to the extent required to meet the cost and expenses incurred by the Shire in removing, impounding and selling of the motor vehicle.</p> <p>(2) If the Local Government has made a declaration that in accordance with 3.40A(4) of the <i>Local Government Act 1995</i> the motor vehicle is an abandoned wreck then the motor vehicle may be disposed of within 7 days of that declaration being made.</p> <p>If you are convicted of an offence against this Local Law, section 3.48 of the <i>Local Government Act 1995</i> allows the Shire to recover from you its outstanding expenses incurred in the removing, impounding and selling of the motor vehicle.</p>	
Take note –	Unless all fees are paid for and the motor vehicle collected within 2 months from the date of impounding, the Shire may sell the subject motor vehicle.

Authorised person— Name	
Signature	
Title	
Date issued —	

Schedule 2—Infringement notice and notice requiring owner of motor vehicle to identify motor vehicle

[cl. 7.5(b)]

Shire of Kojonup

INFRINGEMENT NUMBER	
To (full name/s) –	
Of (address) –	
	It is alleged that –
On (day) –	
At (time) –	
	Your motor vehicle –
Make –	
Model –	
Registration –	
As from	
	Was involved in the commission of the following offence –
Details of offence –	
	Contrary to –
Local Government (Parking for People with Disabilities) Regulations 2014 –	
Shire of Kojonup Parking Local Law 2022, clause –	
The modified penalty item number is –	
The modified penalty for the offence is –	\$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid within a period of 28 days after the giving of this notice

Unless within 28 days after being served with this notice—

- (a) you pay the modified penalty; or
- (b) you—
 - (i) inform the Chief Executive Officer or another authorised person at the Shire of Kojonup as to the identity and address of the person who was the driver or person in charge of the above motor vehicle at the time the offence is alleged to have been committed; or
 - (ii) satisfy the Chief Executive Officer that the above motor vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed, you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

IMPORTANT—if you do not pay the Modified penalty within 28 days, you may be prosecuted in a court or enforcement action may be taken under the *Fines, Penalties and Infringements Notices Enforcement Act 1994*. Under this Act, some or all of the following actions may be taken—your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a drivers licence or vehicle licence, your vehicle may be immobilized or have its number plates removed, your details may be published on a website, your earnings or your bank accounts may be garnished; and your property may be seized and sold. If the matter is registered with the Registry, additional costs will also be payable. If you change your address it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge. If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the authorised person at the below address:

In person or by mail to –	Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between—8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.
Electronic payment or correspondence –	Refer website at www.Kojonup.wa.gov.au Quoting infringement number enquiries@Kojonup.wa.gov.au
Authorised person—	
Name	
Signature	
Title	
Date issued –	

Schedule 3—Prescribed offences

[cl. 7.4]

Item	Clause	Nature of offence	Modified penalty \$
1	3.2	Unauthorised parking in a disabled parking space or unauthorised display of a disability parking permit are dealt with by the <i>Local Government (Parking for People with Disabilities) Regulations 2014</i>	As per the Regulations
2	3.3	Failure to park correctly on a carriageway without markings	50
3	3.4	Parking too close to a railway level crossing	100
4	3.5	Unauthorised parking on a reserve	50
5	3.6	Failure to comply with general prohibitions on parking	50
6	3.7	Failure to comply with restrictions on parking in particular areas	50
7	3.8	Motor vehicle obstructing a thoroughfare or public place	100
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9	3.10(1)	Failure to obtain permission to park a motor vehicle other than as provided by this local law	50
10	3.10(2)	Failure to comply with conditions of suspension of parking requirements	100
11	3.11	Failure to comply with “no parking” sign	50
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29	4.6	Failure to park with marked bay or lane	50
30	4.7(1)	Creating an obstruction or incorrectly parked in a parking facility	50
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40	5.3(2)	Unauthorised making or removal of mark	100
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Item	Clause	Nature of offence	Modified penalty \$
42	6.1	Removing notice from motor vehicle	100
43	6.2(b)	Unauthorised parking of special purpose motor vehicle	50
44		All other offences not specified	50

Dated 21st of June 2022.

The common Seal of the Shire of Kojonup was affixed by authority of a resolution of the Council in the presence of—

NED RADFORD, Shire President.
GRANT THOMPSON, Chief Executive Officer.

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Our ref: 4139:08

20 February 2023

Cr Ned Radford
President, Shire of Kojonup
93 Albany Highway, Kojonup WA 6395
cr.radford@kojonup.wa.gov.au

Dear President

Shire of Kojonup Parking Local Law 2022

Thank you for the Explanatory Memorandum for this local law, which the Committee considered at its meeting. The Committee resolved to write to you about the following clauses in the local law.

Clause 4.5

Clause 4.5 governs event parking. It states:

Event parking

- (1) *Subject to clause 2.1, a temporary sign may indicate that all or part of a parking facility, thoroughfare or public place is set aside, during the period indicated in the sign, for the parking of motor vehicles by persons attending a particular event.*
- (2) *The local government may issue to a person a permit in respect of all or part of a parking facility, thoroughfare or public place for an event referred to in subclause (1).*
- (3) *A person must not park or stop a motor vehicle, or permit a motor vehicle to remain parked, in any area that is set aside under subclause (1) unless the permit issued under subclause (2) for the relevant event is displayed inside the motor vehicle so that it is clearly visible to an authorised person examining the ticket from outside the motor vehicle.*

Clause 2.1 regulates or prohibits various parking related matters. It states:

Powers of the local government

- (1) *The local government may, by resolution, prohibit or regulate by signs or otherwise, including but not limited to—*
 - (a) *the stopping or parking of any motor vehicle or any class of motor vehicles;*
 - (b) *parking bays;*
 - (c) *parking facilities;*

- (d) permitted time and conditions of parking in parking bays and parking facilities which may vary with the locality;*
 - (e) permitted classes of motor vehicles which may park in parking bays and parking facilities;*
 - (f) permitted classes of persons who may park in specified parking bays or parking facilities; and*
 - (g) the manner of parking in parking bays and parking facilities.*
- (2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution.*

The Committee has identified the following issues with this clause:

- There is no requirement to give sufficient public notice of the areas subject to event parking so the public is adequately informed in advance. A sign could be erected on the day of the event, which would be unreasonable.
- There is no requirement to provide reasonable, defined time limits for which parking stations may be set aside for events.
- The term 'particular event' is not defined, so there is no objective criteria to identify what exactly a 'particular event' is.

Failing to make provision for these matters renders clause 4.5, in its application, uncertain and unreasonable and in breach of the 'good government' power in section 3.1 of the LGA. The Shire could, in theory, set aside unlimited space for an unlimited period of time for an event.

Clause 4.5 should be amended to:

- define 'particular event'
- specify a reasonable and defined time limit for the use of parking stations
- include a requirement for the local government to provide sufficient public notice of particular events.

Typographical errors

Clause 3.7(2)(b)

Clause 3.7(2)(b) states:

Restrictions on parking in particular areas

- (2) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign, if –*
- (b) a disabled person to which the valid disability parking permit relates is either the driver of motor vehicle*

Subclause (b) appears to be missing some text. The following re-draft may assist in conveying what the clause means:

(b) a disabled person to which the valid disability parking permit relates is either the driver or a passenger in of the motor vehicle.

I note clause 4.7(3)(b), which uses similar wording.

Clause 3.11(a)

Clause 3.11 states:

No parking

A driver shall not stop on a length of carriageway or in an area to which a "no parking" sign applies, unless the driver is –

- (a) is dropping off, or picking up, passengers or goods;*
- (b) does not leave the vehicle unattended; and*
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.*

The word 'is' should be deleted from the start of subclause (a).

Clause 3.20(1)

Clause 3.20(1) states:

Pre-existing signs

A sign is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law that where that sign –

The word 'that' appearing before 'where' should be deleted.

Clause 4.8(2)

Clause 4.8(2) states:

Angle parking

(2) Where a sign associated with a parking area is inscribed with the words "angle parking", or with an equivalent symbol depicting this purpose, a person stopping or parking a motor vehicle stop or shall park the motor vehicle at an angle and in the position indicated by the inscription on the parking sign or by marks on the carriageway.

The words 'stop or' in the 3rd line should be deleted.

Clause 4.11

Clause 4.11 states:

Stopping on verge

(1) A person shall not stop so that any portion of the following is on or projects over a verge—

(a) stop a motor vehicle (other than a bicycle);

(b) stop a commercial motor vehicle or any combination of motor vehicles that exceeds 4.5 tonnes GVM, a public bus, a trailer or caravan unattached to a motor vehicle; or

(c) stop any motor vehicle (other than a bicycle) during any period when the stopping of motor vehicles on that verge is prohibited by a sign adjacent and referable to that verge.

This clause is poorly drafted due to the presence of the word 'stop' at the beginning of subclauses (a), (b) and (c). These should be deleted.

Clause 6.2(a)

Clause 6.2(a) states:

Emergency and special purpose motor vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

(a) an emergency motor vehicle may, in the course of their duties and when it is expedient and safe to do so or where they believes that it is expedient and safe to do so, stop, or park the motor vehicle at any place, at any time;

The word 'believes' in the second line of subclause (a) should be 'believe'.

Undertakings

The Committee requests the following undertakings:

1. Within 6 months:
 - Amend clause 4.5 to:
 - define 'particular event'
 - specify a reasonable and defined time limit for the use of parking stations (please include the proposed time limit in your response for the Committee's approval)
 - include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (i.e. 4 weeks – please include a proposed time period for public notice in your response for the Committee's approval)
 - Correct the typographical errors in clauses 3.7(2)(b); 3.11(a); 3.20(1); 4.8(2); 4.11 and 6.2(a).
2. The local law will not be enforced in a manner contrary to undertaking 1.
3. All consequential amendments arising from undertaking 1 will be made
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.

The undertakings should be given in the form of a letter signed by you as Mayor, not the Chief Executive Officer or other officer of the Shire of Kojonup. This is because, pursuant to section 2.8(1)(d) of the *Local Government Act 1995*, the 'Mayor or President speaks on behalf of the local government' to the Parliament of Western Australia.

Noting that your next Council meeting occurs on 21 March 2023, the Committee requests the undertakings be provided by 27 March 2023.

To assist you I attach a suggested form of Council resolution to provide the undertakings.

Please also note that the fulfilment of the undertakings must be by making an amendment local law that complies with all mandatory procedural steps contained in section 3.12 of the *Local Government Act 1995*.

Notice of Motion to Disallow

I advise that the Committee resolved to give a Notice of Motion in the Legislative Council to disallow the local law.

The reasons for giving notice are:

- to protect the Parliament's right to disallow the local law should the Committee recommend disallowance
- to provide the Committee with additional time to scrutinise the local law and, if necessary, obtain further information.

The giving of the notice should not be taken as indicating that the Committee has resolved to recommend disallowance at this stage.

Please provide your response by 27 March 2023. If you have any queries in relation to this matter, please contact Mr Alex Hickman, Advisory Officer (Legal) on 9420 7633 or at delleg@parliament.wa.gov.au.

Yours sincerely



Mr Geoff Baker MLA
Chair

Att: Robert Jehu, Manager – Regulatory Services, mrs@kojonup.wa.gov.au

This correspondence including any attachments is confidential and privileged. Your local government may only discuss the content of this letter and any attachments with the Western Australian Local Government Association, the Department of Local Government and the City's legal advisors to the extent necessary to obtain information the Committee seeks. Each person to whom you distribute this material must be made aware of its confidential and privileged status.

Suggested form of Council resolution to provide the undertakings

The Council of the Shire of Kojonup resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within 6 months:
 - Amend clause 4.5 to:
 - define 'particular event'
 - specify a reasonable and defined time limit for the use of parking stations (please include the proposed time limit in your response for the Committee's approval)
 - include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (i.e. 4 weeks – please include a proposed time period for public notice in your response for the Committee's approval)
 - Correct the typographical errors in clauses 3.7(2)(b); 3.11(a); 3.20(1); 4.8(2); 4.11 and 6.2(a).
2. The local law will not be enforced in a manner contrary to undertaking 1.
3. All consequential amendments arising from undertaking 1 will be made
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.



Our Ref: LE.LCL.2 - OUT23/446C589B

Your Ref: 4139:08

Joint Standing Committee on Delegated Legislation
Att: Mr Alex Hickman, Advisory Officer (Legal)
Parliament House
4 Harvest Terrace
West Perth WA 6005

Dear Mr Alex Hickman

SHIRE OF KOJONUP PARKING LOCAL LAW 2022

Council resolved at its Ordinary Meeting held on the 21 March 2023 to undertake as advised by the Joint Standing Committee on Delegated Legislation that:

1. *Within six (6) months the Shire of Kojonup (Shire) shall amend clause 4.5 of the Shire of Kojonup Parking Local Law 2022 to:*

- *define 'particular event';*
- *specify a reasonable and defined time limit for the use of parking stations (**defined time limit for parking stations will be four [4] hours**)*
- *include a requirement for the local government to provide sufficient public notice of particular events, including details of the events the Shire wishes for the clause to cover and a proposed time for public notice for the Committee's consideration (**public notice shall be undertaken no less than four (4) weeks prior to particular events**)*
- *Correct the typographical errors in clauses 3.7(2)(b); 3.11 (a); 3.20(1); 4.8(2); 4.11 and 6.2(a);*

2. *The local law will not be enforced in a manner contrary to undertaking point 1 above;*

3. *All consequential amendments arising from undertaking point 1 above will be made;*

4. *Where the Shire of Kojonup Parking Local Law 2022 is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.*

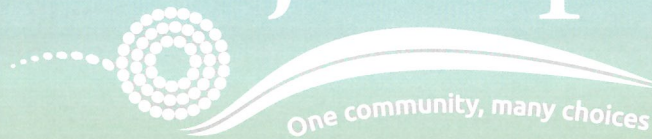
Shire of Kojonup

93-95 Albany Highway, Kojonup WA 6395

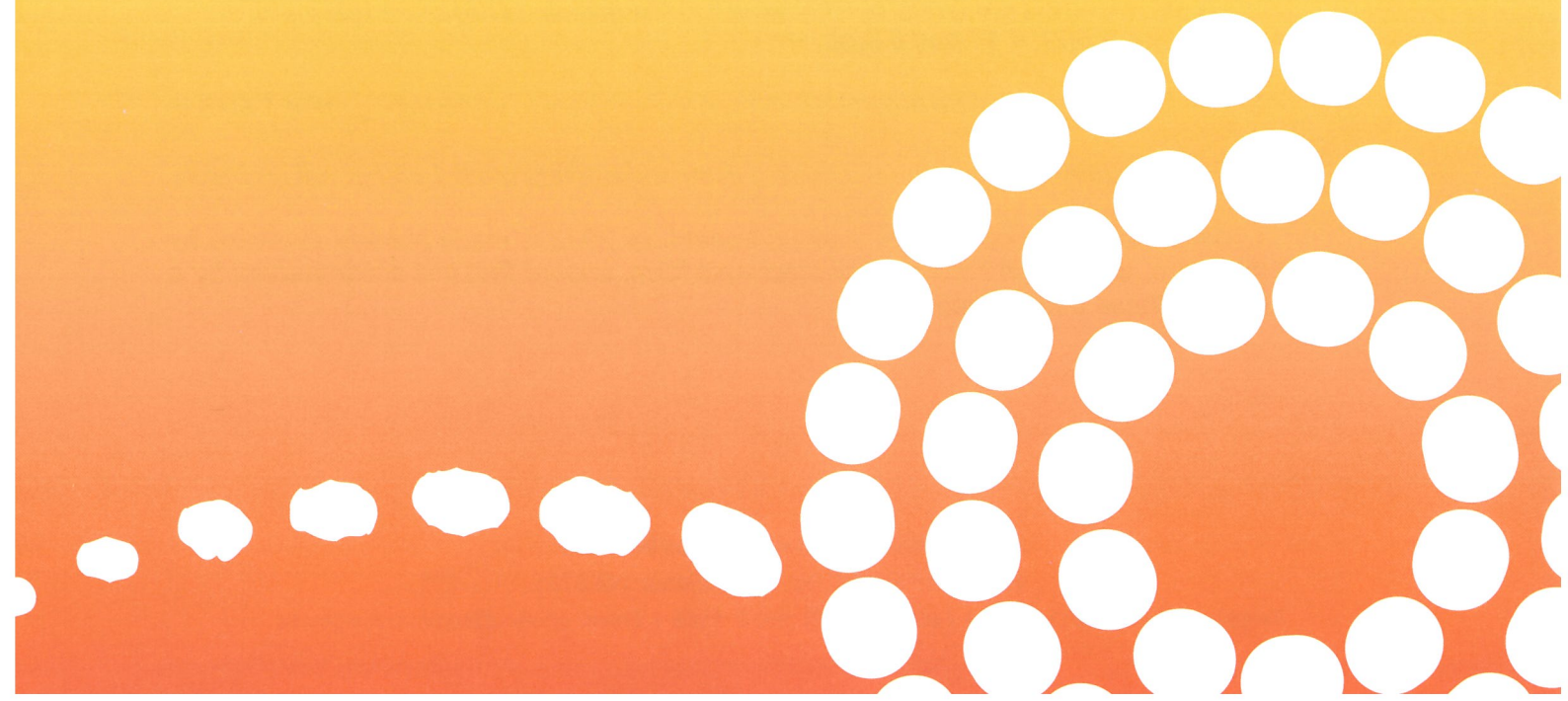
Postal address: PO Box 163, Kojonup WA 6395

Telephone: (08) 9831 2400 | Facsimile: (08) 9831 1566 | Email: council@kojonup.wa.gov.au

Kojonup



One community, many choices



The Shire of Kojonup shall implement these amendments and undertake the amendment processes to the Shire of Kojonup Parking Local Law 2022 as such.

Yours faithfully

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

Cr Edwin (Ned) Radford
Shire President
21 March 2023

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Your ref: LE.LCL.2 – OUT23/446C589B

Our ref: A1015828

30 March 2023

Cr Ned Radford
President, Shire of Kojonup
93 Albany Highway, Kojonup WA 6395
cr.radford@kojonup.wa.gov.au

Dear President

Shire of Kojonup Parking Local Law 2022

Thank you for your letter of 24 March 2023, which the Committee considered at its meeting today and gave a public status. This means you can share it as you wish.

The Committee accepted the Council's undertakings, resolved to remove the Notice of Motion to disallow the local law and take no further action.

Please ensure that when the amendment local law is gazetted, the explanatory memorandum provided to the Committee draws its attention to the fact that the local law arises from a request from the Committee and the undertakings accepted by it.

Please also ensure that the amendment local law complies with all mandatory steps in section 3.12 of the *Local Government Act 1995*.

The undertakings will be recorded on the Parliament's website, on a webpage specific to the Committee. This serves two purposes:

- It is a point of reference for other local governments and their advisers to ascertain systemic problems with a particular local law and what amendments the Committee has required a local government to make in order for the local law to be valid.
- It enables the Department of Local Government, Sport and Cultural Industries to trace local governments' compliance with undertakings and thus enhance good governance.

The undertakings may be viewed at www.parliament.wa.gov.au/de under 'Undertakings list for viewing by Local Governments (Current)'.

If you have any queries in relation to this matter, please contact the Committee's Advisory Officer, Mr Alex Hickman, on 9420 7633 or at delleg@parliament.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Geoff Baker". The signature is written in a cursive, flowing style.

Mr Geoff Baker MLA
Chair

Att: Robert Jehu, Manager – Regulatory Services, mrs@kojonup.wa.gov.au

This correspondence including any attachments is confidential and privileged. Your local government may only discuss the content of this letter and any attachments with the Western Australian Local Government Association, the Department of Local Government and the Shire's legal advisors to the extent necessary to obtain information the Committee seeks. Each person to whom you distribute this material must be made aware of its confidential and privileged status.



LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

PARKING (AMENDMENT) LOCAL LAW 2023

SHIRE OF KOJONUP

PARKING (AMENDMENT) LOCAL LAW 2023

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

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Parking (Amendment) Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – AMENDMENTS

2.1 Shire of Kojonup Parking Local Law 2022 amended

This Part of the local law amends the *Shire of Kojonup Parking Local Law 2022* as published in the *Government Gazette* on 31 October 2022,

2.2 Inserted definition of ‘*Particular event*’ to mean ‘*an event at which entertainment is provided to the public on an irregular basis whether from an entertainment venue or from some other place*’ to Clause 4.5(1).

2.3 Inserted the following Subclause to Clause 4.5 – 4.5(3) *The local government shall provide public notice advising of any affected parking facilities due to particular events of a period of no less than 4 weeks.*

2.4 – Inserted following Subclause to Clause 4.5 – 4.5(4) *Parking facilities set aside for particular events shall have a time limit of 4 hours unless otherwise specified by the local government.*

2.3 Subclauses 4.5(1), (2), (3), (4), (5) and (6) have been renumbered due to the aforementioned amendments.

2.4 Reworded Clause 3.7(2)(b) to state ‘*a disabled person to which the valid disability parking permit relates is either the driver or a passenger in the motor vehicle.*’

2.5 The word ‘*is*’ is deleted from the start of clause 3.11(a).

2.6 The word ‘*that*’ appearing before ‘*where*’ is be deleted from clause 3.20(1).

2.7 The words ‘*stop or*’ in the 3rd line of Clause 4.8(2) is deleted.

2.8 The word ‘*stop*’ has been removed from the beginning of Subclauses 4.11(a), (b) and (c).

2.9 The word ‘*believes*’ in the second line of Clause 6.2(a) is replaced with ‘*believe*’.

Dated..... of20__.

The common Seal of the }
Shire of Kojonup }
was affixed by authority of a }
resolution of the Council in the }
presence of. }

EDWIN (NED) RADFORD – Shire President

GRANT THOMPSON - Chief Executive Officer



LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

PARKING LOCAL LAW 2022

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LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

CONSOLIDATED

PARKING LOCAL LAW 2022

PARKING (AMENDMENT) LOCAL LAW 2023

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

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Parking Local Law 2021*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

Nil.

1.5 Definitions

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

Act means the *Local Government Act 1995*;

Authorised person means a person authorised by the local government to perform any of the functions of an authorised person under this local law;

Authorised motor vehicle means a motor vehicle authorised by the local government, CEO, authorised person or by any written law to stop or park on a thoroughfare or on a parking facility;

Bicycle has the meaning given to it by the Code;

Bicycle path has the meaning given to it by the Code;

Built-up area means the areas under a local planning scheme, including both sides of thoroughfares immediately adjoining, zoned as –

- (a) central business;
- (b) service commercial;
- (c) residential; and
- (d) rural town site.

Bus stop has the meaning given to it by the Code;

Bus zone has the meaning given to it by the Code;

Caravan has the meaning given to it by section 5 of the *Caravan Parks and Camping Grounds Act 1995*;

Carriageway has the meaning given to it by the Code;

Centre in relation to a carriageway, has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

Children's crossing has the meaning given to it by the Code; **Code** means the *Road Traffic Code 2000*;

Commercial motor vehicle –

- (a) means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers; and
- (b) includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

Continuous dividing line has the meaning given to it in the Code;

Disability parking permit has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

Disabled parking bay means a part of a parking facility or carriageway which is identified or marked by painted lines, symbols, inscriptions or signs as a bay for the parking of motor vehicles driven by or carrying a disabled person;

District means the district of the local government;

Driver means any person driving or in control of a motor vehicle;

Edge line has the meaning given to it by the Code;

Emergency motor vehicle has the meaning given to it by the Code;

Footpath has the meaning given to it by the Code;

GVM or “gross motor vehicle mass” has the meaning given to it by the *Road Traffic (Motor vehicles) Act 2012*;

Heavy motor vehicle has the meaning given to it by the Code;

Infringement notice means the notice referred to in clause 7.5;

Keep clear area means a portion of a carriageway that lies –

- (a) between 2 consecutive signs inscribed with the words “KEEP CLEAR” and each with an arrow pointing generally towards the other; or
- (b) between a sign inscribed with the words “KEEP CLEAR” and whichever of the following that lies in the general direction indicated by an arrow inscribed on the sign –
 - (i) the end of the carriageway; or
 - (ii) an area in which stopping is prohibited; or
 - (iii) the furthest point of “KEEP CLEAR” markings.

Keep clear marking has the meaning given to it by the Code;

Kerb means the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road and whether any footpath has been constructed or not;

level crossing has the meaning given to it by the Code;

loading zone has the meaning given to it by the Code;

local government means the Shire of Kojonup;

local planning scheme means a local planning scheme and includes any structure plan adopted or approved by the local government made under the *Planning and Development Act 2005*;

Median strip has the meaning given to it by the Code;

Motor cycle has the meaning given to it by the Code;

Motor vehicle has the meaning given to it in the *Road Traffic (Administration) Act 2012*, but does not include a motorised scooter; and

Motorised scooter has the meaning given to it by the Code, and includes a motorised wheelchair that is designed so as to be not capable of a speed exceeding 10 km/h;

Nature strip has the meaning given to it in the Code

No parking area has the meaning given to it in the Code;

No parking sign means –

- (a) a sign with the words “no parking” in red letters on a white background, or
- (b) the letter “P” within a red annulus and a red diagonal line across it on a white background;

No stopping area has the meaning given to it in the Code;

No stopping sign means a sign with –

- (a) the words “no stopping” or “no standing” in red letters on a white background;
- (b) the words “no stopping” or “no standing” in white letters on a red background; or
- (c) the letter “S” within a red annulus and a red diagonal line across it on a white background;

Notice of withdrawal means the notice referred to in clause 7.6(1).

Occupier has the meaning given to it in section 1.4 of the Act;

Owner where used in relation to –

- (a) a motor vehicle licensed under the *Road Traffic (Motor vehicles) Act 2012*, means the person in whose name the motor vehicle has been registered under the *Road Traffic (Motor vehicles) Act 2012*;
- (b) any other motor vehicle, means the person who owns, or is entitled to possession of that motor vehicle; and
- (c) land, has the meaning given to it in section 1.4 of the Act;

Park has the meaning given to it by the Code;

Parking area has the meaning given to it by the Code;

Parking bay and **Parking lane** means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, colored bricks or pavers or similar devices for the purpose of indicating where a motor vehicle may be parked;

Parking control sign has the meaning given to it by the Code;

Parking facilities includes –

- (a) land, buildings, shelters, places, parking bays, parking lanes and other facilities open to the public generally for the parking of motor vehicles with or without charge; and
- (b) signs, notices and facilities used in connection with the parking of motor vehicles;

Path has the meaning given to it in the Code;

Pedestrian crossing has the meaning given to it by the Code;

Public bus has the meaning given to it by the Code, and includes a school bus in the performance of its duties;

Public place means any place to which the public has access whether or not that place is on private property;

Reserve means any land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the *Land Administration Act 1997*;

Right of way means a thoroughfare separating two portions of land by a public reserve, road, laneway, pedestrian access way, and includes the access leg of a battle-axe lot or the equivalent not more than 6m in width;

Road includes a highway, road, lane, thoroughfare, carriageway or similar place, or part thereof, which is within the parking region of the local government, which the public are allowed to use and includes every part of the highway, lane, thoroughfare or similar place and other things including bridges and culverts appurtenant there to and includes all of the land lying between the property lines including the road verge and footpath;

Schedule means a Schedule to this local law;

School bus means a motor vehicle that is used solely or principally for the carriage of children to and from school, and is equipped to seat 8 or more persons, including the driver;

Shared zone has the meaning given to it by the Code;

Sign includes a parking control sign or other sign, inscription, road marking, painted line, mark, structure or other device or method approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking facilities or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping and parking of motor vehicles;

Special purpose motor vehicle has the meaning given to it by the Code;

Stop in relation to a motor vehicle, has the meaning given to it by the Code;

Symbol includes any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

Taxi has the meaning given to it by the Code;

Taxi zone has the meaning given to it by the Code;

Thoroughfare has the meaning given to it in section 1.4 of the Act;

Traffic island has the meaning given to it by the Code;

Trailer has the meaning given to it by the Code;

Verge has the same meaning as *nature strip*.

- (2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the *Road Traffic Act 1974*, the *Road Traffic (Administration) Act 2013*, the *Road Traffic (Motor vehicles) Act 2012* or in the Code, then the term shall have the meaning given to it in that Act or the Code.

PART 2 - ADMINISTRATION

2.1 Powers of the local government

- (1) The local government may, by resolution, prohibit or regulate by signs or otherwise, including but not limited to –
 - (a) the stopping or parking of any motor vehicle or any class of motor vehicles;
 - (b) parking bays;
 - (c) parking facilities;
 - (d) permitted time and conditions of parking in parking bays and parking facilities which may vary with the locality;
 - (e) permitted classes of motor vehicles which may park in parking bays and parking facilities;
 - (f) permitted classes of persons who may park in specified parking bays or parking facilities; and
 - (g) the manner of parking in parking bays and parking facilities.
- (2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution.

2.2 Thoroughfares under control of Commissioner of Main Roads

- (1) Subject to subclause 2, this local law does not apply to –
 - (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
 - (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
 - (c) any road which comes under the control of the Commissioner of Main Roads.
- (2) Upon request of the local government, the control of parking and parking facilities on a thoroughfare under the control of the Commissioner of Main Roads may be delegated by the Commissioner of Main Roads to the local government

2.3 Parking not under the control of the local government

- (1) This local law does not apply to a parking bay, parking lane or parking facility that is not occupied, managed or controlled by the local government, unless the local government and the owner or occupier of that land or facility have agreed in writing that this local law will apply to that land or facility.
- (2) The agreement referred to in subclause (1) may be made on such terms and conditions as the parties may agree.

2.4 Classes of motor vehicles

For the purpose of this local law, motor vehicles are divided into the following classes –

- (a) public buses and school buses;
- (b) commercial motor vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other motor vehicles.

PART 3 - PARKING THROUGHOUT THE DISTRICT

Division 1 – District generally

3.1 Application of Part 3

- (1) This Part applies to the whole of the district.
- (2) This Part is subject to the provisions of Part 4 which may override those of this Part.
- (3) This Part is further subject to the provisions of Part 5 which may override those of Part 4 or this Part.

3.2 Parking for people with disabilities

For avoidance of doubt, and notwithstanding clause 2.3(1), the provisions of the *Local Government (Parking for People with Disabilities) Regulations 2014*, apply throughout the district to all parking bays, parking lanes or parking facilities, whether under the control of the local government or not, which are a public place.

3.3 Parking motor vehicle on a carriageway

- (1) A person parking a motor vehicle on a carriageway other than in a parking bay shall park it –
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between –
 - (i) the motor vehicle and the farther boundary of the carriageway, any continuous dividing line or median strip, or
 - (ii) between the motor vehicle and a motor vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the motor vehicle respectively is not less than 1 metre from any other motor vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any motor vehicle on the carriageway..

3.4 Parking near a railway level crossing

A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.5 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a motor vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.6 General prohibitions on parking

- (1) This clause does not apply to a motor vehicle parked in a parking bay nor to a bicycle in a bicycle rack.
- (2) Subclauses (3)(c), (e) and (g) do not apply to a public bus which parks in a bus zone.
- (3) Subject to any law relating to intersections with traffic control signals a person shall not park a motor vehicle so that any portion of the motor vehicle is –
 - (a) between any other stationary motor vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) obstructing a right of way, private drive or carriageway or so close as to deny a motor vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the motor vehicle would obstruct traffic;
 - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (f) on any footpath, children's crossing or pedestrian crossing;
 - (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous dividing lines or between a double longitudinal line consisting of a continuous dividing line and a broken or dotted line and the boundary of a carriageway nearer to the continuous dividing line, unless there is a distance of at least 3 metres clear between the motor vehicle and the double longitudinal line;
 - (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
 - (j) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the motor vehicle is parked, unless a sign or markings on the carriageway indicate otherwise.
- (4) A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side or within 10 metres of the departure side of –
 - (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here" (or with equivalent symbols depicting these purposes) unless the motor vehicle is a public bus stopped to take up or set down passengers;
 - or
 - (b) a children's crossing or pedestrian crossing.

3.7 Restrictions on parking in particular areas

- (1) Subject to subclause (2), a person shall not park a motor vehicle in a thoroughfare, part of a thoroughfare, or part of a parking facility –
 - (a) if by a sign it is set apart for the parking of motor vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of motor vehicles by persons of a different class; or
 - (c) during any period when the parking of motor vehicles is prohibited by a sign.
- (2) The driver may park a motor vehicle in a thoroughfare or a part of a thoroughfare or part of a parking facility, except in a thoroughfare or a part of a thoroughfare or part of a parking facility to which a disabled parking sign relates for twice the period indicated on the sign, if –
 - (a) the driver's motor vehicle displays a valid disability parking permit sticker; and
 - (b) a disabled person to which the valid disability parking permit relates is either the driver or a passenger in the motor vehicle.
- (3) A person shall not park a motor vehicle in a bay marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a motor vehicle in an area designated by a sign stating "Authorised Motor vehicles Only".

3.8 Motor vehicles not to obstruct a thoroughfare or public place

A person shall not leave a motor vehicle, or any part of a motor vehicle, in a thoroughfare or public place including a right of way, so that it obstructs the use of any part of that thoroughfare or public place without the permission of the local government or unless authorised under any written law.

3.9 Authorised person may order motor vehicle on thoroughfare to be moved

The driver of a motor vehicle shall not park that motor vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

3.10 Suspension of parking limitations for urgent, essential or official duties

- (1) Where by a sign the parking of motor vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a motor vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other motor vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

Division 2 – No Parking and No Stopping

3.11 No parking

A driver shall not stop on a length of carriageway or in an area to which a "no parking" sign applies, unless the driver is –

- (a) dropping off, or picking up, passengers or goods;
- (b) remains within three metres of the motor vehicle at all times; and
- (c) completes the dropping off, or picking up, of the passengers or goods within two minutes of stopping and drives on.

3.12 No stopping

- (1) A driver shall not stop on a length of carriageway, or in an area, to which a "no stopping" sign applies or in a "keep clear area".
- (2) A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.

3.13 Application of particular definitions

For the purposes of the application of clause 3.11 and clause 3.12 an arrow inscribed on a sign erected at an angle to the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the carriageway.

Division 3 – Stopping in particular circumstances

3.14 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

3.15 Stopping on a bridge, etc.

A driver shall not stop a motor vehicle on a bridge, causeway, ramp or similar structure unless –

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a parking control sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

3.16 Stopping on crests, curves, etc.

A driver shall not stop a motor vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking motor vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.

3.17 Stopping near a fire hydrant etc

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless –

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and remains within three metres of the motor vehicle at all times; or
- (b) the driver is driving a taxi, and the driver stops in a taxi zone and remains within three metres of the motor vehicle at all times.

3.18 Obstructing access to and from a path, driveway, etc.

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is in front –

- (a) of a path, in a position that obstructs access by motor vehicles or pedestrians to or from that path;
- (b) on or across a driveway or other way of access for motor vehicles travelling to or from adjacent land; unless –
- (c) the driver is dropping off, or picking up, passengers; or
- (d) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.

Division 4 – Signs

3.19 Part of thoroughfare to which sign applies

Where under this local law the parking of motor vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which –

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

3.20 Pre-existing signs

- (1) A sign is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law where that sign –
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
 - (b) relates to the parking of motor vehicles within the district,
- (2) An inscription, word, number, expression or symbol on a sign referred to in subclause (1) operates and has effect according to its tenor, and where the inscription, word, number, expression or symbol relates to the stopping of motor vehicles, it is to be deemed for the purposes of this local law to operate and have effect as if it related to the parking of motor vehicles.

3.21 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

3.22 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government –

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

3.23 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

Division 5 – Zones for particular motor vehicles

3.24 Stopping in a loading zone

A person shall not stop a motor vehicle in a loading zone unless it is –

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle that completes the dropping off or picking up of passengers within two minutes of stopping and then drives on,

however, in any event, shall not remain in that loading zone –

- (c) for longer than a time indicated on the “loading zone” sign; or
- (d) longer than 30 minutes, if no time is indicated on the sign.

3.25 Stopping in a taxi zone or a bus zone

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus or a school bus.

3.26 Stopping in a shared zone

A driver shall not stop in a shared zone unless –

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

3.27 Other limitations in zones

A person shall not stop a motor vehicle in a zone to which a sign applies if stopping the motor vehicle would be contrary to any limitation in respect to classes of persons or motor vehicles, or specific activities allowed, as indicated by additional words on a parking control sign that applies to the zone.

PART 4 - PARKING IN BUILT-UP AREAS

Division 1 – Built-up areas generally

4.1 Application of Part 4

- (1) This Part applies to the built up areas of a built-up area.
- (2) This Part overrides any inconsistent provisions of Part 3.
- (3) This Part is subject to the provisions of Part 5 which may override those of this Part.

4.2 No parking of motor vehicles exposed for sale and other circumstances

A person shall not park a motor vehicle on any portion of a thoroughfare –

- (a) for the purpose of exposing it for sale;
- (b) if that motor vehicle is not licensed under the *Road Traffic (Motor vehicles) Act 2012*;
- (c) if that motor vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the motor vehicle to be moved to a place other than a thoroughfare.

4.3 Parking on a carriageway with heavy and long motor vehicles

- (1) Unless engaged in the picking up or setting down of goods, a person shall not park on any part of a carriageway for any period exceeding one hour, a motor vehicle or any combination of motor vehicles, that together with any projection on, or load carried by, the motor vehicle or combination of motor vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes.
- (2) Nothing in this clause affects the operation of any other clause in this local law or any other written law relating to the parking or stopping of motor vehicles.

4.4 Double parking

- (1) A driver shall not stop a motor vehicle so that any portion of the motor vehicle is between any other stopped motor vehicle and the centre of the carriageway.
- (2) This clause does not apply to –
 - (a) a driver stopped in traffic; or
 - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

4.5 Event Parking

- (1) For the purpose of this clause, ‘Particular event’ means an event at which entertainment is provided to the public on an irregular basis whether from an entertainment venue or from some other place.
- (2) Subject to clause 2.1, a temporary sign may indicate that all or part of a parking facility, thoroughfare or public place is set aside, during the period indicated in the sign, for the parking of motor vehicles by persons attending a particular event.
- (3) The local government shall provide public notice advising of any affected parking facilities due to particular events of a period of no less than 4 weeks.
- (4) Parking facilities set aside for particular events shall have a time limit of 4 hours unless otherwise specified by the local government.
- (5) The local government may issue to a person a permit in respect of all or part of a parking facility, thoroughfare or public place for an event referred to in subclause (2).
- (6) A person must not park or stop a motor vehicle, or permit a motor vehicle to remain parked, in any area that is set aside under subclause (2) unless the permit issued under subclause (5) for the relevant event is displayed inside the motor vehicle so that it is clearly visible to an authorised person examining the ticket from outside the motor vehicle.

Division 2 – Parking bays, parking lanes, and parking facilities

4.6 Motor vehicles to be within parking bays or parking lanes on thoroughfare

- (1) Subject to subclause (2) and (3), a person shall not park a motor vehicle in a parking bay in a thoroughfare otherwise than –
 - (a) parallel to and as close to the kerb as is practicable;

- (b) wholly within the parking bay or parking lane; and
- (2) headed in the direction of the movement of traffic on the side of the thoroughfare in which the bay is situated.
- (3) If a motor vehicle is too long or too wide to fit completely within a single parking bay then the person parking the motor vehicle shall do so within the minimum number of parking bays needed to park that motor vehicle.
- (4) A person shall not park a motor vehicle partly within and partly outside a parking area.

4.7 Parking prohibitions and restrictions

- (1) A person shall not –
 - (a) park a motor vehicle so as to obstruct an entrance to, or an exit from parking facilities, or an access way within parking facilities;
 - (b) except with the permission of the local government or an authorised person, park a motor vehicle on any part of a parking facility contrary to a sign referring to that part;
 - (c) permit a motor vehicle to park in any part of parking facilities, if an authorised person directs the driver of such motor vehicle to move the motor vehicle; or
 - (d) park or attempt to park a motor vehicle in a parking bay in which another motor vehicle is parked, unless –
 - (i) parking of a motorcycle and a bicycle together in a bay marked “M/C”, and
 - (ii) the bicycle is parked in accordance with subclause (2).
- (2) A person must not park a bicycle –
 - (a) in a parking bay other than in a bay marked for motorcycles only; and
 - (b) other than against the kerb.
- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a motor vehicle in a bay or facility (except in a parking area for people with disabilities) for twice the length of time allowed, provided that –
 - (a) the driver’s motor vehicle displays a current disability parking permit; and
 - (b) a person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the motor vehicle.

4.8 Angle parking

- (1) This clause does not apply to –
 - (a) a motor vehicle with a mass including any load, of over 4.5 tonnes; or
 - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking”, or with an equivalent symbol depicting this purpose, a person stopping or parking a motor vehicle shall park the motor vehicle at an angle and in the position indicated by the inscription on the parking sign or by marks on the carriageway.

Division 3 – Stopping in particular circumstances

4.9 Stopping at or near a bus stop

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side of a bus stop, or within 10m of the departure side of a bus stop, measured in the direction of traffic movement on that portion of the thoroughfare, unless –

- (a) the motor vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a length of carriageway, or in an area permitted by a parking control sign.

4.10 Stopping on a path, median strip, or traffic island

The driver of a motor vehicle (other than a bicycle or an animal) shall not stop so that any portion of the motor vehicle is on a path, traffic island or median strip, unless permitted by a parking control sign.

4.11 Stopping on verge

- (1) A person shall not stop so that any portion of the following is on or projects over a verge –
 - (a) a motor vehicle (other than a bicycle);
 - (b) a commercial motor vehicle or any combination of motor vehicles that exceeds 4.5 tonnes GVM, a public bus, a trailer or caravan unattached to a motor vehicle; or
 - (c) any motor vehicle (other than a bicycle) during any period when the stopping of motor vehicles on that verge is prohibited by a sign adjacent and referable to that verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the land adjacent to that verge, or is a person authorised by the occupier of that land to stop the motor vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial motor vehicle or any motor vehicle with a GVM that exceeds 4.5 tonnes when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the land adjacent to the portion of the verge on which the motor vehicle is parked, provided no obstruction is caused to the passage of any motor vehicle or person using a carriageway or a path.

4.12 Stopping on a carriageway with motor cycle parking sign

The driver of a motor vehicle shall not stop on a length of carriageway, or in an area, to which a “motorcycle parking” sign applies, or an area marked “M/C” unless –

- (a) the motor vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

4.13 Stopping on a carriageway with a bicycle sign

Unless dropping off or picking up passengers, the driver of a motor vehicle (other than a bicycle) must not stop on a length of carriageway to which any of the following apply –

- (a) a “bicycle path” sign;
- (b) a “bicycle parking” sign; or
- (c) a “dual use path” or other sign indicating bicycles are permitted to use the path.

PART 5 – PARKING IN TIMED ZONES

5.1 Application of Part 5

- (1) This Part applies to timed parking zones.
- (2) This Part overrides any inconsistent provisions of Part 3.

5.2 Timed Parking

- (1) The local government, by resolution, may constitute any land, structure, section or part of a thoroughfare or public reserve as a timed parking zone.
- (2) In respect of timed parking zones the local government under subclause (1), may determine—
 - (a) the location of parking spaces within a parking zone;
 - (b) the permitted times and conditions of parking or stopping of a vehicle;
 - (c) the classes of vehicles permitted to park or stop;
 - (d) the classes of persons permitted to park or stop a vehicle; and
 - (e) the manner of parking or stopping a vehicle.
- (3) A parking zone constituted under subclause (1) may be varied as to the land, structure, section or part of a thoroughfare or public reserve which it comprises by the local government.
- (4) Where the local government makes a determination under this clause, it shall erect signs to give effect to this determination

5.3 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

5.4 No movement of motor vehicles to avoid time limitation

Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed for at least 1 hour.

PART 6 - MISCELLANEOUS

6.1 Removal of notices on motor vehicle

A person, other than the driver of the motor vehicle or a person acting under the direction of the driver of the motor vehicle, shall not remove from the motor vehicle any notice put on the motor vehicle by an authorised person.

6.2 Emergency and special purpose motor vehicles

Notwithstanding anything to the contrary in this local law, the driver of –

- (a) an emergency motor vehicle may, in the course of their duties and when it is expedient and safe to do so or where they believe that it is expedient and safe to do so, stop, or park the motor vehicle at any place, at any time; and
- (b) a special purpose motor vehicle may, only in the course of his or her duties and when it is necessary and safe to do so, stop, or park the motor vehicle in any place, at any time.

6.3 Removal and impounding of motor vehicles

- (1) The impounding of motor vehicles and other goods shall be carried out in accordance with Part 3 Division 3 Subdivision 4 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.
- (2) An employee authorised specifically for the purposes of section 3.39 of the Act and this clause may remove and impound any motor vehicle that is involved in a contravention that can lead to impounding.
- (3) A person authorised to impound a motor vehicle in accordance with subclause (2) may use reasonable force to exercise the power given by that clause.
- (4) The form of the notice referred to in section 3.42 of the Act is set out in Schedule 1.

6.4 Notice to owner of motor vehicle involved in offence

The owner of a motor vehicle may be required to identify the driver or person in charge of a motor vehicle at the time when an offence is alleged to have been committed by sending a notice substantially in the form of Form 1 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7 - ENFORCEMENT

7.1 Legal proceedings

Evidentiary provisions relating to offences involving motor vehicles are contained in Division 3 of Part 9 of the Act.

7.2 Offences

A person who breaches a provision of this local law commits an offence.

7.3 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

7.4 Modified penalties

- (1) The offences contained in the Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the final column of Schedule 3 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

7.5 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice substantially in the form of either –

- (a) Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; or
- (b) Schedule 2 of this local law, in accordance with section 9.18 of the Act.

7.6 Withdrawal of infringement notice

- (a) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice substantially in the form of Form 3 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (b) A person authorised to issue an infringement notice under clause 7.5 cannot sign or send a notice of withdrawal

Schedule 1 – Notification of Impoundment of Motor vehicle

[cl. 6.3]

Shire of Kojonup

To (full name/s) –		
Of (address) –		
	Department of Transport records indicate that you are the registered owner of the motor vehicle detailed below and notice is hereby given that the motor vehicle has been impounded in accordance with the provisions of the <i>Local Government Act 1995</i> .	
Make –		
Model –		
Registration –		
Impounded from –		
Positioned at/near –		
Date impounded –		
Time impounded –		
	The motor vehicle has been taken to a secure facility.	
Facility address –		
	IT IS A REQUIREMENT THAT ALL PAYMENTS ARE RECEIVED PRIOR TO THE RELEASE OF THE MOTOR VEHICLE.	
Documentation required –	<p>The following must be produced before payment can be accepted and release of the motor vehicle is permitted—</p> <ul style="list-style-type: none"> Current Motor vehicle Registration Document. Drivers licence or other legal form of identification. Payment receipt (required for motor vehicle release at secure facility). 	
Payment in person only –	<p>Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between – 8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.</p>	
	The motor vehicle will then be available for release, by contacting the Shire to make the necessary arrangements	
Motor vehicle impound fee –		
Additional days storage fee or part thereof		
<p>(1) Subject to clause 2 below, if your motor vehicle is not collected within 2 months after the date of this notice the Shire may either –</p> <p>(a) under section 3.46 of the <i>Local Government Act 1995</i> refuse to allow the motor vehicle to be collected until the Shire’s costs of removing and keeping the motor vehicle have been paid to the Shire; or</p> <p>(b) under section 3.47 of the <i>Local Government Act 1995</i> sell or otherwise dispose of the motor vehicle and credit the money received from that sale or disposal to the Shire’s Trust Fund except to the extent required to meet the cost and expenses incurred by the Shire in removing, impounding and selling of the motor vehicle.</p>		

(2) If the Local Government has made a declaration that in accordance with 3.40A(4) of the <i>Local Government Act 1995</i> the motor vehicle is an abandoned wreck then the motor vehicle may be disposed of within 7 days of that declaration being made.	
If you are convicted of an offence against this Local Law, section 3.48 of the <i>Local Government Act 1995</i> allows the Shire to recover from you its outstanding expenses incurred in the removing, impounding and selling of the motor vehicle.	
Take note –	Unless all fees are paid for and the motor vehicle collected within 2 months from the date of impounding, the Shire may sell the subject motor vehicle.
Authorised person – Name	
Signature	
Title	
Date issued –	

Schedule 2 – Infringement notice and notice requiring owner of motor vehicle to identify motor vehicle

[cl. 7.5(b)]

Shire of Kojonup

INFRINGEMENT NUMBER	
To (full name/s) –	
Of (address) –	
	It is alleged that –
On (day) –	
At (time) –	
	Your motor vehicle –
Make –	
Model –	
Registration –	
As from	
	Was involved in the commission of the following offence –
Details of offence –	
	Contrary to –
Local Government (Parking for People with Disabilities) Regulations 2014 –	
Shire of Kojonup Parking Local Law 2021, clause –	

The modified penalty item number is –	
The modified penalty for the offence is –	\$
If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid within a period of 28 days after the giving of this notice	
<p>Unless within 28 days after being served with this notice –</p> <p>(a) you pay the modified penalty; or</p> <p>(b) you –</p> <p>(i) inform the Chief Executive Officer or another authorised person at the Shire of Kojonup as to the identity and address of the person who was the driver or person in charge of the above motor vehicle at the time the offence is alleged to have been committed; or</p> <p>(ii) satisfy the Chief Executive Officer that the above motor vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed, you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.</p>	

<p>IMPORTANT – if you do not pay the Modified penalty within 28 days, you may be prosecuted in a court or enforcement action may be taken under the Fines, Penalties and Infringements Notices Enforcement Act 1994. Under this Act, some or all of the following actions may be taken – your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a drivers licence or vehicle licence, your vehicle may be immobilized or have its number plates removed, your details may be published on a website, your earnings or your bank accounts may be garnished; and your property may be seized and sold. If the matter is registered with the Registry, additional costs will also be payable. If you change your address it is important that you advise us immediately. Failure to do so may result in your driver’s licence or any vehicle licence you hold being suspended without your knowledge. If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the authorised person at the below address:</p>	
In person or by mail to –	<p>Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between – 8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.</p>
Electronic payment or correspondence –	<p>Refer website at www.Kojonup.wa.gov.au Quoting infringement number enquiries@Kojonup.wa.gov.au</p>
Authorised person – Name	
Signature	
Title	
Date issued –	

Schedule 3 – Prescribed offences

[cl. 7.4]

Item	Clause	Nature of offence	Modified penalty \$
1	3.2	Unauthorised parking in a disabled parking space or unauthorised display of a disability parking permit are dealt with by the <i>Local Government (Parking for People with Disabilities) Regulations 2014</i>	As per the Regulations
2	3.3	Failure to park correctly on a carriageway without markings	50
3	3.4	Parking too close to a railway level crossing	100
4	3.5	Unauthorised parking on a reserve	50
5	3.6	Failure to comply with general prohibitions on parking	50
6	3.7	Failure to comply with restrictions on parking in particular areas	50
7	3.8	Motor vehicle obstructing a thoroughfare or public place	100
8	3.9	Failure to comply with instruction of authorised person	100
9	3.10(1)	Failure to obtain permission to park a motor vehicle other than as provided by this local law	50
10	3.10(2)	Failure to comply with conditions of suspension of parking requirements	100

11	3.11	Failure to comply with “no parking” sign	50
12	3.12	Failure to comply with “no stopping” sign	50
13	3.14	Stopping near an obstruction	50
14	3.15	Stopping on a bridge etc	100
15	3.16	Stopping on crests/curves	100
16	3.17	Stopping near fire hydrant	50
17	3.18	Obstructing path, a driveway etc	50
18	3.21	Failure to comply with sign	50
19	3.22	Unauthorised placement, misuse or obstruction of a sign	100
20	3.24	Stopping unlawfully in a loading zone	50
21	3.25	Stopping unlawfully in a taxi or bus zone	50
22	3.26	Stopping in a shared zone	50
23	3.27	Stopping in a zone contrary to a sign	50
24	4.2	Parking of a motor vehicle on a verge for sale or repair, of if unlicensed motor vehicle, unattached trailer or caravan.	50
25	4.3	Failure to comply with limitations on heavy and long motor vehicles	100
26	4.4	Double parking	50
27	4.5(1)	Failure to comply with event parking sign	50
28	4.5(3)	Failure to display required event permit information	50
29	4.6	Failure to park with marked bay or lane	50
30	4.7(1)	Creating an obstruction or incorrectly parked in a parking facility	50
31	4.7(2)	Incorrect parking of a bicycle in a parking facility	50
32	4.7(3)	Unauthorised extended parking in a facility	50
33	4.8	Failure to comply with angle parking	50
34	4.9	Stopping at or near bus stop	50
35	4.10	Stopping on path, median strip or traffic island	50
36	4.11	Stopping on verge	50
37	4.12	Stopping in a motorcycle parking area	50
39	4.13	Stopping in a bicycle area	50
40	5.2	Failure to comply with timed parking sign	50
41	5.3(2)	Unauthorised making or removal of mark	100
42	5.4	Moving motor vehicle to avoid time limitations	50
43	6.1	Removing notice from motor vehicle	100
44	6.2(b)	Unauthorised parking of special purpose motor vehicle	50
45		All other offences not specified	50

Dated..... of20__.

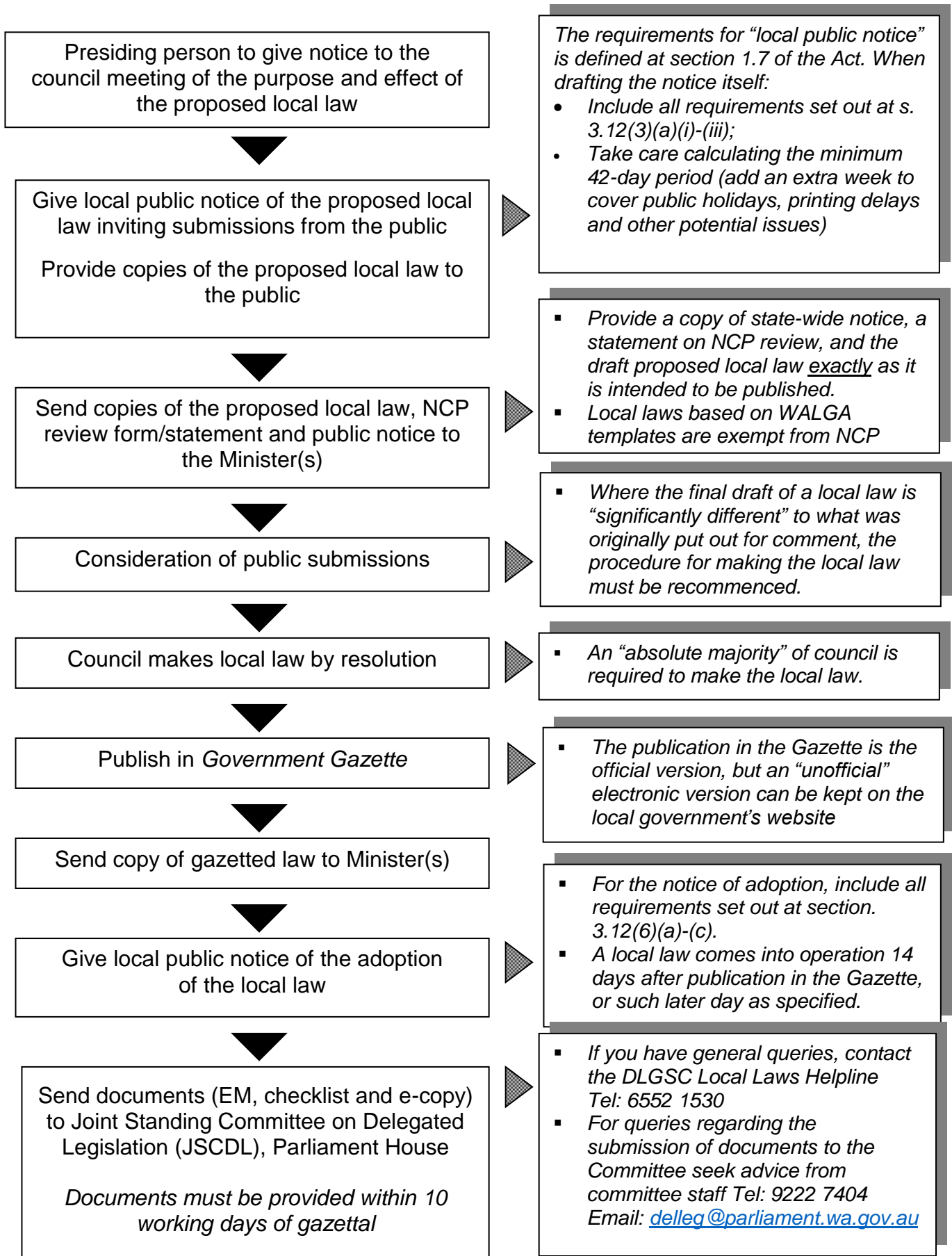
The common Seal of the }
Shire of Kojonup }
was affixed by authority of a }
resolution of the Council in the }
presence of. }

PRESIDENT

CHIEF EXECUTIVE OFFICER

FLOW CHART OF LOCAL LAW-MAKING PROCESS

Local Government Act 1995 – Section 3.12 & National Competition Policy (NCP) Review requirements





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SHIRE OF KOJONUP

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

CAT LOCAL LAW 2022

LOCAL GOVERNMENT ACT 1995

PARKING LOCAL LAW 2022

**LOCAL GOVERNMENT ACT 1995
CAT ACT 2011**

SHIRE OF KOJONUP

CAT LOCAL LAW 2022

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LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

SHIRE OF KOJONUP

CAT LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and the *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Kojonup resolved on the 21st day of June 2022 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Cat Local Law 2022*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

Applicant means the occupier of premises who makes application for a permit under this local law;

Approved cat breeder has the meaning given to it by section 3(1) of the Act;

Cat has the meaning given to it by section 3(1) of the Act; but does not include the young of a cat normally kept on the premises less than 6 months old;

Cat management facility has the meaning given to it by section 3(1) of the Act, and includes a cattery;

Cattery means any premises where more than two cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary keeper of the cats;

Commercial lot means a lot zoned under a local planning scheme as—

- (a) central business; or
- (b) service commercial,

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

District means the district of the local government;

Effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape.

Enclosed public space means a public place which is enclosed by walls, whether solid materials or glass, and includes attached or adjoining areas not permitted to the public, unless airflow between the areas is prevented, but does not include a cat management facility or veterinary clinic or hospital; industrial lot means a lot zoned under a local planning scheme as industry;

Keeper in relation to a cat means any of the following persons—

- (a) the owner of the cat as defined in the Act;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being;
- (e) a person who occupies any premises in which a cat is ordinarily kept or ordinarily permitted to live;
- (f) a permit holder of a permit which relates to the cat;
- (g) the holder of an exemption issued in relation to the cat;

Local Government means the Shire of Kojonup;

Local planning scheme means a planning scheme of the local government made under the *Planning and Development Act 2005*;

Local public notice has the meaning given to it by section 1.7 of the *Local Government Act 1995*;

Permit means a permit issued by the local government under clause 3.5 of this local law;

Permit holder means a person who holds a valid permit granted under this local law;

Premises includes the following—

- (a) land, whether or not vacant;
- (b) the whole or part of a building or structure whether of a permanent or temporary nature; and
- (c) a vehicle.

Public place has the meaning given to it by section 3(1) of the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

Set fee means a fee determined by the local government in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.

PART 2—IMPOUNDING OF CATS

2.1 Impounded cats

- (1) The local government may determine from time to time—
 - (a) the times when a cat management facility will be open for the reception and release of cats;
 - (b) times for the sale of cats from the cat management facility; and—
- (2) The local government is to keep a proper record of impounded cats.
- (3) The record is to contain the following information about each impounded cat—
 - (a) if known the breed and sex of the cat;
 - (b) the colour, distinguishing markings and features of the cat;
 - (c) if known, the name and address of the owner;
 - (d) the date and time of seizure and impounding;
 - (e) the name and address of the authorised person who impounded the cat and, if applicable, the person who delivered a cat for impounding;
 - (f) the reason for the impounding;
 - (g) a note of any order made by an authorised person relating to the cat; and
 - (h) the date of the sale, release or destruction of the cat.
- (4) The record is to be available for inspection by the public.
- (5) A person shall not—
 - (a) unless the person is the owner of the cat management facility, or an authorised person, release or attempt to release a cat from a cat management facility;
 - (b) destroy, break into, damage or in any other way interfere with or render not cat proof a cat management facility; or
 - (c) destroy, break into, damage, or in any other way interfere with any container used for the purpose of catching, holding or conveying cats which have been seized.
- (6) A cat must not be release to a person until the person obtains the necessary permit or the cat is registered where—
 - (a) a person wishes to reclaim a cat within the period stated in a notice of impounding; and
 - (b) a permit is required for the keeping of the cat, but the person does not have the necessary permit and/or the cat is not registered.

PART 3—KEEPING OF CATS

3.1 Keeping of cats in non-residential zones

The keeping of cats is not permitted on a commercial or industrial lot unless—

- (a) associated with an occupied attached residence or caretaker's residence; or
- (b) is an approved cat management facility.

3.2 Limitation on the number of cats

- (1) This clause does not apply to premises which have been—
 - (a) Licensed under Part 4 of this local law as an approved cat breeder or cat management facility; or
 - (b) granted an exemption under regulation 7 of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (2) The standard number of cats which may be kept on any premises is, for the purpose of regulation 6 of the *Cat (Uniform Local Provisions) Regulations 2013*—
 - (a) two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme; or

- (b) four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.

3.3 Cats for which a permit is required

Subject to clause 3.4 an occupier is required to have a permit to—

- (a) keep more than two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme;
- (b) keep more than four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.
- (c) use any premises as a cat management facility; or
- (d) be an approved cat breeder.

3.4 Permits not required

A permit is not required under clause 3.3 if the premises concerned are—

- (a) a refuge of the RSPCA or of any other animal welfare organisation;
- (b) a veterinary surgery;
- (c) a pet shop;
- (d) premises with two or less cats; or
- (e) the subject of an exemption granted by the local government.

3.5 Application for permit

An application for a permit under clause 3.3 shall be—

- (a) made by an occupier of the premises where the cats are to be kept;
- (b) if for a cat management facility, in the form of Schedule 1 and accompanied by the plans of the premises to which the application relates to the satisfaction of the local government;
- (c) if for a cat breeder, in the form of Schedule 1;
- (d) accompanied by the consent in writing of the owner of the premises, where the occupier is not the premises to which the application relates; and
- (e) accompanied by the set fee.

3.6 Decision on application

(1) The local government may, upon payment of the set fee—

- (a) approve an application for a permit subject to the conditions outlined in clauses 4.1, 4.2, 4.3 or 4.4; or
- (b) refuse to approve an application for a permit.

(2) If the local government approves an application under subclause (1), then it shall issue to the applicant approval in writing.

(3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

3.7 Factors relevant to determination of application

(1) In determining an application for a permit the local government may have regard to—

- (a) the physical suitability of the premises for the proposed use;
- (b) the suitability of the local planning scheme zoning of the premises for the proposed use;
- (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
- (d) the structural suitability of any enclosure in which any cat is to be kept;
- (e) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
- (f) the likely effect on the amenity of the surrounding area of the proposed use;
- (g) the likely effect on the local environment including any pollution or other environmental damage which may be caused by the proposed use;
- (h) any submissions received under subclause (2) within the time specified; and
- (i) such other factors which the local government may consider to be relevant in the circumstances of the particular case.

(2) The local government may require an applicant to—

- (a) consult with adjoining landowners;
- (b) advise the adjoining landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit; and
- (c) give local public notice of the proposal.

3.8 Cats creating a nuisance

(1) The keeper of a cat shall not allow a cat to create a nuisance.

(2) Where, in the opinion of an authorised officer, a cat is creating a nuisance, the local government may give written notice to the keeper of the cat requiring that person to abate the nuisance.

(3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice or until the notice is withdrawn by the local government.

(4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.

3.9 Abandonment of cats

The keeper of a cat shall not in any instance—

- (a) abandon a cat; or
- (b) leave a cat on premises while the premises are temporarily vacant, without daily arrangements for the care and welfare of the cats.

PART 4—PERMITS FOR KEEPING OF CATS

4.1 Conditions applicable to all permits

(1) Every permit is issued subject to the following conditions—

- (a) each cat kept on the premises to which the permit relates shall be registered under the Act;
- (b) each cat shall be contained on the premises unless under the effective control of a person;
- (c) the permit holder will provide adequate space for the exercise of the cats;
- (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
- (e) such other conditions, as the local government considers appropriate.

(2) In addition to the conditions subject to which a permit is to be issued under subclause (1), a permit may be issued subject to other conditions, as the local government considers appropriate.

4.2 Additional conditions for other than cat management facility

Where an application to keep more than two cats is approved under clause 3.6 for other than a cat management facility, the following conditions apply—

- (a) compliance with clause 4.1;
- (b) In the case of a multiple dwelling, where there is no suitable dividing fence, the written consent to the application for a permit of the occupier of the adjoining multiple dwellings has been obtained; and
- (c) Without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (i) dies; or
 - (ii) is permanently removed from the premises.

4.3 Additional conditions for cat management facility

(1) The local government may approve an application under clause 3.6 for a cat management facility the following conditions apply—

- (a) compliance with clause 4.1; and
- (b) compliance with Schedule 2.

(2) In respect of a particular application for a permit, the local government may vary any of the conditions contained in Schedule 2.

(3) A cat management facility may be inspected by an authorised officer to ensure compliance with the conditions of the permit.

4.4 Additional conditions for approved cat breeders

(1) Where a permit is approved under clause 3.6 as an approved cat breeder the following conditions apply—

- (a) compliance with clause 4.1;
- (b) compliance with clause 4.2;
- (c) compliance with Schedule 2(4)(c) to (g) both inclusive;

(2) The fee for an approved cat breeder is as specified in Schedule 3 to the *Cat Regulations 2012*.

4.5 Duration of permit

Unless otherwise specified in a condition on a permit, a permit for a cat management facility or as an approved cat breeder granted under clause 3.2(b) or (c), commences on the date of issue and is valid for a period of 12 months from the date of issue unless and until—

- (a) it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

4.6 Permit not transferable

A permit is not transferable either in relation to the permit holder or the premises.

4.7 Renewal of permit

(1) The local government may renew approval for a cat management facility or as an approved cat breeder granted under clause 3.2(b) or (c) upon—

(a) payment of the set fee; and

(b) certification by the occupier that the circumstances of the original application are unchanged.

(2) Where circumstances of the original application have changed, the application for renewal is to be considered an initial application.

4.8 Revocation of permits

(1) A permit may be revoked by the local government if there is a breach of any condition of that permit or if the permit holder is convicted of a breach of any provision of this local law.

(2) On revocation of a permit the permit holder is to be taken to have forfeited any set fees paid in respect of the permit.

PART 5—CATS IN PUBLIC PLACES**5.1 Cat prohibited areas**

(1) A cat shall not be in the places specified in Schedule 4 at any time, whether or not under effective control.

(2) If a cat is in a Cat Prohibited Area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the local government.

PART 6—MISCELLANEOUS**6.1 Fees and charges**

Set fees and charges are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

6.2 Giving of a notice

A notice given under this local law may be given to a person—

(a) personally;

(b) by registered mail addressed to the person; or

(c) by leaving it for the person at her or his address.

6.3 Objection and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 7—ENFORCEMENT**7.1 Offences**

Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

7.2 General penalty

Any person who commits an offence shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

7.3 Modified penalties

(1) An offence against a clause specified in Schedule 3 is a prescribed offence for the purposes of section 84 of the Act.

(2) The amount of the modified penalty for a prescribed offence is set out in the fourth column adjacent to the clause in Schedule 3.

7.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice substantially in the form of Form 6 of the Schedule 1 of the *Cat Regulations 2012*.

7.5 Withdrawal of infringement notice

(1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice substantially in the form of Form 7 of the Schedule 1 of the *Cat Regulations 2012*.

(2) A person authorised to issue an infringement notice under clause 7.4 cannot sign a notice of withdrawal.

Schedule 1—Application for a licence for cat management facility or cat breeder
[cl. 3.5]
Shire of Kojonup

I/We (full name/s)—		
Postal Address—		
Telephone Number—		
Mobile Number—		
Fax Number—		
Email address—		
APPLY FOR A LICENCE	Under clause 3.3(c) for cat management facility	
	Under clause 3.3(d) as cat breeder	
Address of proposed premises –		
CAT MANAGEMENT FACILITY		
For number of cats –		
Attached are –	a site plan of the premises showing the location of the cat management facility and all other buildings and structures and fences;	
	plans and specifications of the proposed cat management facility.	
CAT BREEDER		
For number of cats—		
Breed of cats –		
Attached are –	(a) copy of notice of proposed use to appear in newspaper; (if required)	
	(b) copy of notice of proposed use to be given to adjoining premises; (if required)	
Signature of applicant/s		
Date –		
NOTE—a licence will have effect for a period of 12 months if issued		
OFFICE USE ONLY	Application fee paid on— Receipt No –	

Schedule 2—Conditions of a permit for an approved cat management facility
[cl. 4.3]
Shire of Kojonup

An application for a permit for an approved cat management facility may be approved subject to the following conditions—

- (1) Compliance with the conditions of clause 4.1.
- (2) Buildings and structures—
 - (a) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
 - (b) There is to be a feed room, wash area, isolation cages and maternity section.
 - (c) Materials used in structures are to be approved by the local government.
 - (d) The internal surfaces of walls are to be smooth, free from cracks, crevices and other defects, where possible.
 - (e) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
 - (f) Washing basins and running hot and cold water are to be available.
 - (g) The walls shall be rigid, impervious and structurally sound;
 - (h) The roof shall be constructed of approved impervious materials;

- (i) All untreated external surfaces of cattery shall be well maintained and aesthetically suitable as not to detract from the local environment and amenity.
 - (j) Each module and every part thereof shall not be at any less distance than nine metres from the boundaries of the land in the occupation of the owner of the cat management facility;
 - (k) Each module and each yard and every part thereof shall be behind the house line.
 - (l) Any other matter which in the opinion of the local government is deemed necessary for wellbeing of any person, or adjoining premises or the amenity of the area (or any part thereof).
- (3) Walk-in modules and enclosures—
- (a) Cats shall be housed in walk-in modules that include a sleeping compartment and an exercise area or in colony pens.
 - (b) Walk-in modules must have a minimum floor area of 1.5 square metres and contain at least two levels including raised sleeping quarters.
 - (i) This size is for one cat only and an additional one square metre floor space is required for a second cat.
 - (ii) No more than two cats may be housed together in this type of accommodation.
 - (c) Cats may be multiple housed in colony pens.
 - (i) Each cat shall have a floor area of two square metres plus an individual sleeping area.
 - (ii) Only desexed compatible cats should be housed in this type of accommodation;
 - (d) The lowest internal height shall be at least 1.65 metres from the floor;
 - (e) Each yard shall be securely fenced and kept securely fenced with a fence not less than 1.65 metres in height constructed of galvanised iron, wood, galvanised link mesh or netting;
 - (f) All doors shall be provided with proper catches or means of fastening;
 - (g) The upper surface of the floor shall be set at least 75mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface, it shall have a fall of not less than 1 in 100.
 - (h) All modules and yards shall be surrounded by a drain which shall be properly laid, ventilated and trapped, and all floor washings shall be disposed of in accordance with the Health requirements of the local government; and
 - (i) The floor of any yard shall be established and maintained to ensure a safe and hygienic environment.
- (4) Management—
- (a) Cats must be housed singly except in the case of compatible cats from the same household with the written agreement of the keeper.
 - (b) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
 - (c) No sick or ailing cat is to be kept on the premises.
 - (d) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
 - (e) An register is to be kept recording in respect of each cat or kitten, the—
 - (i) date of admission or birth if a kitten;
 - (ii) date of departure, sale or transfer;
 - (iii) breed, age, colour and sex;
 - (iv) the cat or kitten's microchip number; and
 - (v) the name and residential address of the keeper;
 - (f) The register is to be made available for inspection on the request of an authorised person.
 - (g) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area.

Schedule 3—Modified penalties
[cl.7.3]

Item	Clause	Nature of offence	Modified penalty
1	2.1(5)(a)	Unauthorised release or attempted release of a cat	500
2	2.1(5)(b)	Interference with a pound	500
3	2.1(5)(c)	Interference with cage or container for seized cats	500
4	3.1	Keeping a cat in a non-residential zone	200
5	3.3(a)	Keeping more than two cats without a permit	200
6	3.3(c)	Failure to hold permit as a cat management facility	500

Item	Clause	Nature of offence	Modified penalty
7	3.3(d)	Failure to hold permit as approved cat breeder	500
8	3.9(1)	Cat creating a nuisance	200
9	3.9(4)	Failure to comply with notice to abate a nuisance	200
10	2.1(5)(a)	Unauthorised release or attempted release of a cat	500
11	2.1(5)(b)	Interference with a pound	500
12	2.1(5)(c)	Interference with cage or container for seized cats	500
13	3.1	Keeping a cat in a non-residential zone	200
14	3.3(a)	Keeping more than two cats without a permit	200
15	3.3(b)	Failure to hold permit as a cat management facility	500
16	3.3(c)	Failure to hold permit as approved cat breeder	500
17	3.8(1)	Cat creating a nuisance	200
18	3.8(4)	Failure to comply with notice to abate a nuisance	200
19	3.9(a)	Abandonment of a cat	500
20	3.9(b)	Failure to make adequate arrangement while temporarily absent	200
21	4.1	Failure to comply with conditions for all permits	200
22	4.2	Failure to comply with conditions of permit for other than a cat management facility	200
23	4.3	Failure to comply with conditions of permit for cat management facility	500
24	4.4	Failure to comply with conditions of permit for approved cat breeder	500
25	5.2	Cat in a place where prohibited	200
26	7.1	All other offences not specified	200

Schedule 4—Cat prohibited areas
[Clause 5.1]

Places where cats are prohibited:

Common Name	Physical Boundaries	Description
Myrtle Benn Flora and Fauna Sanctuary	Tunney Road—Solider Road	All bushland within physical boundaries
Farrar Nature Reserve	Boyup Brook—Kojonup Road Kojonup—Frankland Road	All bushland within physical boundaries

Dated 21st of June 2022.

The common Seal of the Shire of Kojonup was affixed by authority of a resolution of the Council in the presence of—

NED RADFORD, Shire President.
GRANT THOMPSON, Chief Executive Officer.

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LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

PARKING LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kojonup resolved on the 21st day of June 2022 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Parking Local Law 2022*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

Nil.

1.5 Definitions

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

Act means the *Local Government Act 1995*;

Authorised person means a person authorised by the local government to perform any of the functions of an authorised person under this local law;

Authorised motor vehicle means a motor vehicle authorised by the local government, CEO, authorised person or by any written law to stop or park on a thoroughfare or on a parking facility;

Bicycle has the meaning given to it by the Code;

Bicycle path has the meaning given to it by the Code;

Built-up area means the areas under a local planning scheme, including both sides of thoroughfares immediately adjoining, zoned as—

- (a) central business;
- (b) service commercial;
- (c) residential; and
- (d) rural townsite.

Bus stop has the meaning given to it by the Code;

Bus zone has the meaning given to it by the Code;

Caravan has the meaning given to it by section 5 of the *Caravan Parks and Camping Grounds Act 1995*;

Carriageway has the meaning given to it by the Code;

Centre in relation to a carriageway, has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

Children's crossing has the meaning given to it by the Code;

Code means the *Road Traffic Code 2000*;

Commercial motor vehicle—

- (a) means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers; and
- (b) includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

Continuous dividing line has the meaning given to it in the Code;

Disability parking permit has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

Disabled parking bay means a part of a parking facility or carriageway which is identified or marked by painted lines, symbols, inscriptions or signs as a bay for the parking of motor vehicles driven by or carrying a disabled person;

District means the district of the local government;

Driver means any person driving or in control of a motor vehicle;

Edge line has the meaning given to it by the Code—

Emergency motor vehicle has the meaning given to it by the Code;

Footpath has the meaning given to it by the Code;

GVM or “gross motor vehicle mass” has the meaning given to it by the *Road Traffic (Motor vehicles) Act 2012*;

Heavy motor vehicle has the meaning given to it by the Code;

Infringement notice means the notice referred to in clause 7.5;

Keep clear area means a portion of a carriageway that lies—

- (a) between 2 consecutive signs inscribed with the words “KEEP CLEAR” and each with an arrow pointing generally towards the other; or
- (b) between a sign inscribed with the words “KEEP CLEAR” and whichever of the following that lies in the general direction indicated by an arrow inscribed on the sign—
 - (i) the end of the carriageway; or
 - (ii) an area in which stopping is prohibited; or
 - (iii) the furthest point of “KEEP CLEAR” markings.

Keep clear marking has the meaning given to it by the Code;

Kerb means the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road and whether any footpath has been constructed or not;

level crossing has the meaning given to it by the Code;

loading zone has the meaning given to it by the Code;

local government means the Shire of Kojonup;

local planning scheme means a local planning scheme and includes any structure plan adopted or approved by the local government made under the *Planning and Development Act 2005*;

Median strip has the meaning given to it by the Code;

Motor cycle has the meaning given to it by the Code;

Motor vehicle has the meaning given to it in the *Road Traffic (Administration) Act 2012*, but does not include a motorised scooter; and

Motorised scooter has the meaning given to it by the Code, and includes a motorised wheelchair that is designed so as to be not capable of a speed exceeding 10 km/h;

Nature strip has the meaning given to it in the Code

No parking area has the meaning given to it in the Code;

No parking sign means—

- (a) a sign with the words “no parking” in red letters on a white background, or
- (b) the letter “P” within a red annulus and a red diagonal line across it on a white background;

No stopping area has the meaning given to it in the Code;

No stopping sign means a sign with—

- (a) the words “no stopping” or “no standing” in red letters on a white background;
- (b) the words “no stopping” or “no standing” in white letters on a red background; or
- (c) the letter “S” within a red annulus and a red diagonal line across it on a white background;

Notice of withdrawal means the notice referred to in clause 7.6(1).

Occupier has the meaning given to it in section 1.4 of the Act;

Owner where used in relation to—

- (a) a motor vehicle licensed under the *Road Traffic (Motor vehicles) Act 2012*, means the person in whose name the motor vehicle has been registered under the *Road Traffic (Motor vehicles) Act 2012*;
- (b) any other motor vehicle, means the person who owns, or is entitled to possession of that motor vehicle; and
- (c) land, has the meaning given to it in section 1.4 of the Act;

Park has the meaning given to it by the Code;

Parking area has the meaning given to it by the Code;

Parking bay and **Parking lane** means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a motor vehicle may be parked;

Parking control sign has the meaning given to it by the Code;

Parking facilities includes—

- (a) land, buildings, shelters, places, parking bays, parking lanes and other facilities open to the public generally for the parking of motor vehicles with or without charge; and
- (b) signs, notices and facilities used in connection with the parking of motor vehicles;

Path has the meaning given to it in the Code;

Pedestrian crossing has the meaning given to it by the Code;

Public bus has the meaning given to it by the Code, and includes a school bus in the performance of its duties;

Public place means any place to which the public has access whether or not that place is on private property;

Reserve means any land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the *Land Administration Act 1997*;

Right of way means a thoroughfare separating two portions of land by a public reserve, road, laneway, pedestrian access way, and includes the access leg of a battle-axe lot or the equivalent not more than 6m in width;

Road includes a highway, road, lane, thoroughfare, carriageway or similar place, or part thereof, which is within the parking region of the local government, which the public are allowed to use and includes every part of the highway, lane, thoroughfare or similar place and other things including bridges and culverts appurtenant there to and includes all of the land lying between the property lines including the road verge and footpath;

Schedule means a Schedule to this local law;

School bus means a motor vehicle that is used solely or principally for the carriage of children to and from school, and is equipped to seat 8 or more persons, including the driver;

Shared zone has the meaning given to it by the Code;

Sign includes a parking control sign or other sign, inscription, road marking, painted line, mark, structure or other device or method approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking facilities or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping and parking of motor vehicles;

Special purpose motor vehicle has the meaning given to it by the Code;

Stop in relation to a motor vehicle, has the meaning given to it by the Code;

Symbol includes any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

Taxi has the meaning given to it by the Code;

Taxi zone has the meaning given to it by the Code;

Thoroughfare has the meaning given to it in section 1.4 of the Act;

Traffic island has the meaning given to it by the Code;

Trailer has the meaning given to it by the Code;

Verge has the same meaning as *nature strip*.

(2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the *Road Traffic Act 1974*, the *Road Traffic (Administration) Act 2013*, the *Road Traffic (Motor vehicles) Act 2012* or in the Code, then the term shall have the meaning given to it in that Act or the Code.

PART 2—ADMINISTRATION

2.1 Powers of the local government

(1) The local government may, by resolution, prohibit or regulate by signs or otherwise, including but not limited to—

- (a) the stopping or parking of any motor vehicle or any class of motor vehicles;
- (b) parking bays;
- (c) parking facilities;
- (d) permitted time and conditions of parking in parking bays and parking facilities which may vary with the locality;
- (e) permitted classes of motor vehicles which may park in parking bays and parking facilities;
- (f) permitted classes of persons who may park in specified parking bays or parking facilities; and
- (g) the manner of parking in parking bays and parking facilities.

(2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution

2.2 Thoroughfares under control of Commissioner of Main Roads

(1) Subject to subclause 2, this local law does not apply to—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;

- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
 - (c) any road which comes under the control of the Commissioner of Main Roads.
- (2) Upon request of the local government, the control of parking and parking facilities on a thoroughfare under the control of the Commissioner of Main Roads may be delegated by the Commissioner of Main Roads to the local government

2.3 Parking not under the control of the local government

- (1) This local law does not apply to a parking bay, parking lane or parking facility that is not occupied, managed or controlled by the local government, unless the local government and the owner or occupier of that land or facility have agreed in writing that this local law will apply to that land or facility.
- (2) The agreement referred to in subclause (1) may be made on such terms and conditions as the parties may agree.

2.4 Classes of motor vehicles

For the purpose of this local law, motor vehicles are divided into the following classes—

- (a) public buses and school buses;
- (b) commercial motor vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other motor vehicles.

PART 3—PARKING THROUGHOUT THE DISTRICT

DIVISION 1—DISTRICT GENERALLY

3.1 Application of Part 3

- (1) This Part applies to the whole of the district.
- (2) This Part is subject to the provisions of Part 4 which may override those of this Part.
- (3) This Part is further subject to the provisions of Part 5 which may override those of Part 4 or this Part.

3.2 Parking for people with disabilities

For avoidance of doubt, and notwithstanding clause 2.3(1), the provisions of the *Local Government (Parking for People with Disabilities) Regulations 2014*, apply throughout the district to all parking bays, parking lanes or parking facilities, whether under the control of the local government or not, which are a public place.

3.3 Parking motor vehicle on a carriageway

- (1) A person parking a motor vehicle on a carriageway other than in a parking bay shall park it—
- (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the motor vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between—
 - (i) the motor vehicle and the farther boundary of the carriageway, any continuous dividing line or median strip, or
 - (ii) between the motor vehicle and a motor vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the motor vehicle respectively is not less than 1 metre from any other motor vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any motor vehicle on the carriageway.

3.4 Parking near a railway level crossing

A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.5 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a motor vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.6 General prohibitions on parking

- (1) This clause does not apply to a motor vehicle parked in a parking bay nor to a bicycle in a bicycle rack.
- (2) Subclauses (3)(c), (e) and (g) do not apply to a public bus which parks in a bus zone.

(3) Subject to any law relating to intersections with traffic control signals a person shall not park a motor vehicle so that any portion of the motor vehicle is—

- (a) between any other stationary motor vehicles and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) obstructing a right of way, private drive or carriageway or so close as to deny a motor vehicle reasonable access to or egress from the right of way, private drive or carriageway;
- (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the motor vehicle would obstruct traffic;
- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (f) on any footpath, children's crossing or pedestrian crossing;
- (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous dividing lines or between a double longitudinal line consisting of a continuous dividing line and a broken or dotted line and the boundary of a carriageway nearer to the continuous dividing line, unless there is a distance of at least 3 metres clear between the motor vehicle and the double longitudinal line;
- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the motor vehicle is parked, unless a sign or markings on the carriageway indicate otherwise.

(4) A person shall not park a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side or within 10 metres of the departure side of—

- (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here" (or with equivalent symbols depicting these purposes) unless the motor vehicle is a public bus stopped to take up or set down passengers;
or
- (b) a children's crossing or pedestrian crossing.

3.7 Restrictions on parking in particular areas

(1) Subject to subclause (2), a person shall not park a motor vehicle in a thoroughfare, part of a thoroughfare, or part of a parking facility—

- (a) if by a sign it is set apart for the parking of motor vehicles of a different class;
- (b) if by a sign it is set apart for the parking of motor vehicles by persons of a different class; or
- (c) during any period when the parking of motor vehicles is prohibited by a sign.

(2) The driver may park a motor vehicle in a thoroughfare or a part of a thoroughfare or part of a parking facility, except in a thoroughfare or a part of a thoroughfare or part of a parking facility to which a disabled parking sign relates for twice the period indicated on the sign, if—

- (a) the driver's motor vehicle displays a valid disability parking permit sticker; and
- (b) a disabled person to which the valid disability parking permit relates is either the driver of motor vehicle

(3) A person shall not park a motor vehicle in a bay marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.

(4) A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a motor vehicle in an area designated by a sign stating "Authorised Motor vehicles Only".

3.8 Motor vehicles not to obstruct a thoroughfare or public place

A person shall not leave a motor vehicle, or any part of a motor vehicle, in a thoroughfare or public place including a right of way, so that it obstructs the use of any part of that thoroughfare or public place without the permission of the local government or unless authorised under any written law.

3.9 Authorised person may order motor vehicle on thoroughfare to be moved

The driver of a motor vehicle shall not park that motor vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

3.10 Suspension of parking limitations for urgent, essential or official duties

(1) Where by a sign the parking of motor vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a motor vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.

(2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other motor vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

3.11 No parking

A driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver is—

- (a) is dropping off, or picking up, passengers or goods;
- (b) remains within three metres of the motor vehicle at all times; and
- (c) completes the dropping off, or picking up, of the passengers or goods within two minutes of stopping and drives on.

3.12 No stopping

(1) A driver shall not stop on a length of carriageway, or in an area, to which a “no stopping” sign applies or in a “keep clear area”.

(2) A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.

3.13 Application of particular definitions

For the purposes of the application of clause 3.11 and clause 3.12 an arrow inscribed on a sign erected at an angle to the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the carriageway.

DIVISION 3—STOPPING IN PARTICULAR CIRCUMSTANCES

3.14 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

3.15 Stopping on a bridge, etc.

A driver shall not stop a motor vehicle on a bridge, causeway, ramp or similar structure unless—

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a parking control sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

3.16 Stopping on crests, curves, etc.

A driver shall not stop a motor vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking motor vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.

3.17 Stopping near a fire hydrant etc

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and remains within three metres of the motor vehicle at all times; or
- (b) the driver is driving a taxi, and the driver stops in a taxi zone and remains within three metres of the motor vehicle at all times.

3.18 Obstructing access to and from a path, driveway, etc.

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is in front—

- (a) of a path, in a position that obstructs access by motor vehicles or pedestrians to or from that path;
- (b) on or across a driveway or other way of access for motor vehicles travelling to or from adjacent land; unless—
- (c) the driver is dropping off, or picking up, passengers; or
- (d) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.

DIVISION 4—SIGNS

3.19 Part of thoroughfare to which sign applies

Where under this local law the parking of motor vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

3.20 Pre-existing signs

(1) A sign is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law that where that sign—

- (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
- (b) relates to the parking of motor vehicles within the district,

(2) An inscription, word, number, expression or symbol on a sign referred to in subclause (1) operates and has effect according to its tenor, and where the inscription, word, number, expression or symbol relates to the stopping of motor vehicles, it is to be deemed for the purposes of this local law to operate and have effect as if it related to the parking of motor vehicles.

3.21 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

3.22 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government—

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

3.23 General provisions about signs

(1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.

(2) The first three letters of any day of the week when used on a sign indicate that day of the week.

DIVISION 5—ZONES FOR PARTICULAR MOTOR VEHICLES

3.24 Stopping in a loading zone

A person shall not stop a motor vehicle in a loading zone unless it is—

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle that completes the dropping off or picking up of passengers within two minutes of stopping and then drives on,

however, in any event, shall not remain in that loading zone—

- (c) for longer than a time indicated on the “loading zone” sign; or
- (d) longer than 30 minutes, if no time is indicated on the sign.

3.25 Stopping in a taxi zone or a bus zone

(1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.

(2) A driver shall not stop in a bus zone unless the driver is driving a public bus or a school bus.

3.26 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

3.27 Other limitations in zones

A person shall not stop a motor vehicle in a zone to which a sign applies if stopping the motor vehicle would be contrary to any limitation in respect to classes of persons or motor vehicles, or specific activities allowed, as indicated by additional words on a parking control sign that applies to the zone.

PART 4—PARKING IN BUILT-UP AREAS

DIVISION 1—BUILT-UP AREAS GENERALLY

4.1 Application of Part 4

- (1) This Part applies to the built up areas of a built-up area.
- (2) This Part overrides any inconsistent provisions of Part 3.
- (3) This Part is subject to the provisions of Part 5 which may override those of this Part.

4.2 No parking of motor vehicles exposed for sale and other circumstances

A person shall not park a motor vehicle on any portion of a thoroughfare—

- (a) for the purpose of exposing it for sale;
- (b) if that motor vehicle is not licensed under the *Road Traffic (Motor vehicles) Act 2012*;
- (c) if that motor vehicle is a trailer or a caravan unattached to a motor vehicle; or

- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the motor vehicle to be moved to a place other than a thoroughfare.

4.3 Parking on a carriageway with heavy and long motor vehicles

(1) Unless engaged in the picking up or setting down of goods, a person shall not park on any part of a carriageway for any period exceeding one hour, a motor vehicle or any combination of motor vehicles, that together with any projection on, or load carried by, the motor vehicle or combination of motor vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes.

(2) Nothing in this clause affects the operation of any other clause in this local law or any other written law relating to the parking or stopping of motor vehicles.

4.4 Double parking

(1) A driver shall not stop a motor vehicle so that any portion of the motor vehicle is between any other stopped motor vehicle and the centre of the carriageway.

(2) This clause does not apply to—

- (a) a driver stopped in traffic; or
- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

4.5 Event Parking

(1) Subject to clause 2.1, a temporary sign may indicate that all or part of a parking facility, thoroughfare or public place is set aside, during the period indicated in the sign, for the parking of motor vehicles by persons attending a particular event.

(2) The local government may issue to a person a permit in respect of all or part of a parking facility, thoroughfare or public place for an event referred to in subclause (1).

(3) A person must not park or stop a motor vehicle, or permit a motor vehicle to remain parked, in any area that is set aside under subclause (1) unless the permit issued under subclause (2) for the relevant event is displayed inside the motor vehicle so that it is clearly visible to an authorised person examining the ticket from outside the motor vehicle.

DIVISION 2—PARKING BAYS, PARKING LANES, AND PARKING FACILITIES

4.6 Motor vehicles to be within parking bays or parking lanes on thoroughfare

(1) Subject to subclause (2) and (3), a person shall not park a motor vehicle in a parking bay in a thoroughfare otherwise than—

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the parking bay or parking lane; and

(2) headed in the direction of the movement of traffic on the side of the thoroughfare in which the bay is situated.

(3) If a motor vehicle is too long or too wide to fit completely within a single parking bay then the person parking the motor vehicle shall do so within the minimum number of parking bays needed to park that motor vehicle.

(4) A person shall not park a motor vehicle partly within and partly outside a parking area.

4.7 Parking prohibitions and restrictions

(1) A person shall not—

- (a) park a motor vehicle so as to obstruct an entrance to, or an exit from parking facilities, or an access way within parking facilities;
- (b) except with the permission of the local government or an authorised person, park a motor vehicle on any part of a parking facility contrary to a sign referring to that part;
- (c) permit a motor vehicle to park in any part of parking facilities, if an authorised person directs the driver of such motor vehicle to move the motor vehicle; or
- (d) park or attempt to park a motor vehicle in a parking bay in which another motor vehicle is parked, unless—
 - (i) parking of a motorcycle and a bicycle together in a bay marked “M/C”, and
 - (ii) the bicycle is parked in accordance with subclause (2).

(2) A person must not park a bicycle—

- (a) in a parking bay other than in a bay marked for motorcycles only; and
- (b) other than against the kerb.

(3) Notwithstanding the provisions of subclause (1)(b) a driver may park a motor vehicle in a bay or facility (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—

- (a) the driver’s motor vehicle displays a current disability parking permit; and
- (b) a person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the motor vehicle.

4.8 Angle parking

(1) This clause does not apply to—

- (a) a motor vehicle with a mass including any load, of over 4.5 tonnes; or

- (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking”, or with an equivalent symbol depicting this purpose, a person stopping or parking a motor vehicle stop or shall park the motor vehicle at an angle and in the position indicated by the inscription on the parking sign or by marks on the carriageway.

DIVISION 3—STOPPING IN PARTICULAR CIRCUMSTANCES

4.9 Stopping at or near a bus stop

A driver shall not stop a motor vehicle so that any portion of the motor vehicle is within 20 metres of the approach side of a bus stop, or within 10m of the departure side of a bus stop, measured in the direction of traffic movement on that portion of the thoroughfare, unless—

- (a) the motor vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a length of carriageway, or in an area permitted by a parking control sign.

4.10 Stopping on a path, median strip, or traffic island

The driver of a motor vehicle (other than a bicycle or an animal) shall not stop so that any portion of the motor vehicle is on a path, traffic island or median strip, unless permitted by a parking control sign.

4.11 Stopping on verge

- (1) A person shall not stop so that any portion of the following is on or projects over a verge—
 - (a) stop a motor vehicle (other than a bicycle);
 - (b) stop a commercial motor vehicle or any combination of motor vehicles that exceeds 4.5 tonnes GVM, a public bus, a trailer or caravan unattached to a motor vehicle; or
 - (c) stop any motor vehicle (other than a bicycle) during any period when the stopping of motor vehicles on that verge is prohibited by a sign adjacent and referable to that verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the land adjacent to that verge, or is a person authorised by the occupier of that land to stop the motor vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial motor vehicle or any motor vehicle with a GVM that exceeds 4.5 tonnes when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the land adjacent to the portion of the verge on which the motor vehicle is parked, provided no obstruction is caused to the passage of any motor vehicle or person using a carriageway or a path.

4.12 Stopping on a carriageway with motor cycle parking sign

The driver of a motor vehicle shall not stop on a length of carriageway, or in an area, to which a “motorcycle parking” sign applies, or an area marked “M/C” unless—

- (a) the motor vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

4.13 Stopping on a carriageway with a bicycle sign

Unless dropping off or picking up passengers, the driver of a motor vehicle (other than a bicycle) must not stop on a length of carriageway to which any of the following apply—

- (a) a “bicycle path” sign;
- (b) a “bicycle parking” sign; or
- (c) a “dual use path” or other sign indicating bicycles are permitted to use the path.

PART 5—PARKING IN TIMED ZONES

5.1 Application of Part 5

- (1) This Part applies to timed parking zones.
- (2) This Part overrides any inconsistent provisions of Part 3.

5.2 Timed Parking

- (1) The local government, by resolution, may constitute any land, structure, section or part of a thoroughfare or public reserve as a timed parking zone.
- (2) In respect of timed parking zones the local government under subclause (1), may determine—
 - (a) the location of parking spaces within a parking zone;
 - (b) the permitted times and conditions of parking or stopping of a vehicle;
 - (c) the classes of vehicles permitted to park or stop;
 - (d) the classes of persons permitted to park or stop a vehicle; and
 - (e) the manner of parking or stopping a vehicle.
- (3) A parking zone constituted under subclause (1) may be varied as to the land, structure, section or part of a thoroughfare or public reserve which it comprises by the local government.
- (4) Where the local government makes a determination under this clause, it shall erect signs to give effect to this determination

5.3 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

5.4 No movement of motor vehicles to avoid time limitation

Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed for at least 1 hour.

PART 6—MISCELLANEOUS**6.1 Removal of notices on motor vehicle**

A person, other than the driver of the motor vehicle or a person acting under the direction of the driver of the motor vehicle, shall not remove from the motor vehicle any notice put on the motor vehicle by an authorised person.

6.2 Emergency and special purpose motor vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

- (a) an emergency motor vehicle may, in the course of their duties and when it is expedient and safe to do so or where they believes that it is expedient and safe to do so, stop, or park the motor vehicle at any place, at any time; and
- (b) a special purpose motor vehicle may, only in the course of his or her duties and when it is necessary and safe to do so, stop, or park the motor vehicle in any place, at any time.

6.3 Removal and impounding of motor vehicles

- (1) The impounding of motor vehicles and other goods shall be carried out in accordance with Part 3 Division 3 Subdivision 4 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.
- (2) An employee authorised specifically for the purposes of section 3.39 of the Act and this clause may remove and impound any motor vehicle that is involved in a contravention that can lead to impounding.
- (3) A person authorised to impound a motor vehicle in accordance with subclause (2) may use reasonable force to exercise the power given by that clause.
- (4) The form of the notice referred to in section 3.42 of the Act is set out in Schedule 1.

6.4 Notice to owner of motor vehicle involved in offence

The owner of a motor vehicle may be required to identify the driver or person in charge of a motor vehicle at the time when an offence is alleged to have been committed by sending a notice substantially in the form of Form 1 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7—ENFORCEMENT**7.1 Legal proceedings**

Evidentiary provisions relating to offences involving motor vehicles are contained in Division 3 of Part 9 of the Act.

7.2 Offences

A person who breaches a provision of this local law commits an offence.

7.3 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

7.4 Modified penalties

- (1) The offences contained in the Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the final column of Schedule 3 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

7.5 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice substantially in the form of either—

- (a) Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; or
- (b) Schedule 2 of this local law, in accordance with section 9.18 of the Act.

7.6 Withdrawal of infringement notice

- (a) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice substantially in the form of Form 3 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (b) A person authorised to issue an infringement notice under clause 7.5 cannot sign or send a notice of withdrawal

Schedule 1—Notification of Impoundment of Motor vehicle
[cl. 6.3]
Shire of Kojonup

To (full name/s) –	
Of (address) –	
	Department of Transport records indicate that you are the registered owner of the motor vehicle detailed below and notice is hereby given that the motor vehicle has been impounded in accordance with the provisions of the <i>Local Government Act 1995</i> .
Make –	
Model –	
Registration –	
Impounded from –	
Positioned at/near –	
Date impounded –	
Time impounded –	
	The motor vehicle has been taken to a secure facility.
Facility address –	
	IT IS A REQUIREMENT THAT ALL PAYMENTS ARE RECEIVED PRIOR TO THE RELEASE OF THE MOTOR VEHICLE.
Documentation required –	The following must be produced before payment can be accepted and release of the motor vehicle is permitted— <ul style="list-style-type: none"> • Current Motor vehicle Registration Document. • Drivers licence or other legal form of identification. • Payment receipt (required for motor vehicle release at secure facility).
Payment in person only –	Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between—8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.
	The motor vehicle will then be available for release, by contacting the Shire to make the necessary arrangements
Motor vehicle impound fee –	
Additional days storage fee or part thereof	
<p>(1) Subject to clause 2 below, if your motor vehicle is not collected within 2 months after the date of this notice the Shire may either—</p> <p>(a) under section 3.46 of the <i>Local Government Act 1995</i> refuse to allow the motor vehicle to be collected until the Shire's costs of removing and keeping the motor vehicle have been paid to the Shire; or</p> <p>(b) under section 3.47 of the <i>Local Government Act 1995</i> sell or otherwise dispose of the motor vehicle and credit the money received from that sale or disposal to the Shire's Trust Fund except to the extent required to meet the cost and expenses incurred by the Shire in removing, impounding and selling of the motor vehicle.</p>	
<p>(2) If the Local Government has made a declaration that in accordance with 3.40A(4) of the <i>Local Government Act 1995</i> the motor vehicle is an abandoned wreck then the motor vehicle may be disposed of within 7 days of that declaration being made.</p>	
<p>If you are convicted of an offence against this Local Law, section 3.48 of the <i>Local Government Act 1995</i> allows the Shire to recover from you its outstanding expenses incurred in the removing, impounding and selling of the motor vehicle.</p>	
Take note –	Unless all fees are paid for and the motor vehicle collected within 2 months from the date of impounding, the Shire may sell the subject motor vehicle.

Authorised person— Name	
Signature	
Title	
Date issued —	

Schedule 2—Infringement notice and notice requiring owner of motor vehicle to identify motor vehicle

[cl. 7.5(b)]

Shire of Kojonup

INFRINGEMENT NUMBER	
To (full name/s) –	
Of (address) –	
	It is alleged that –
On (day) –	
At (time) –	
	Your motor vehicle –
Make –	
Model –	
Registration –	
As from	
	Was involved in the commission of the following offence –
Details of offence –	
	Contrary to –
Local Government (Parking for People with Disabilities) Regulations 2014 –	
Shire of Kojonup Parking Local Law 2022, clause –	
The modified penalty item number is –	
The modified penalty for the offence is –	\$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid within a period of 28 days after the giving of this notice

Unless within 28 days after being served with this notice—

(a) you pay the modified penalty; or

(b) you—

(i) inform the Chief Executive Officer or another authorised person at the Shire of Kojonup as to the identity and address of the person who was the driver or person in charge of the above motor vehicle at the time the offence is alleged to have been committed; or

(ii) satisfy the Chief Executive Officer that the above motor vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed, you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

IMPORTANT—if you do not pay the Modified penalty within 28 days, you may be prosecuted in a court or enforcement action may be taken under the *Fines, Penalties and Infringements Notices Enforcement Act 1994*. Under this Act, some or all of the following actions may be taken—your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a drivers licence or vehicle licence, your vehicle may be immobilized or have its number plates removed, your details may be published on a website, your earnings or your bank accounts may be garnished; and your property may be seized and sold. If the matter is registered with the Registry, additional costs will also be payable. If you change your address it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge. If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the authorised person at the below address:

In person or by mail to –	Chief Executive Officer Shire of Kojonup, 93 Albany Highway KOJONUP Between—8.30am and 4.30pm Monday to Friday (except public holidays) Payments by cash, cheque or EFTPOS.
Electronic payment or correspondence –	Refer website at www.Kojonup.wa.gov.au Quoting infringement number enquiries@Kojonup.wa.gov.au
Authorised person— Name	
Signature	
Title	
Date issued –	

Schedule 3—Prescribed offences

[cl. 7.4]

Item	Clause	Nature of offence	Modified penalty \$
1	3.2	Unauthorised parking in a disabled parking space or unauthorised display of a disability parking permit are dealt with by the <i>Local Government (Parking for People with Disabilities) Regulations 2014</i>	As per the Regulations
2	3.3	Failure to park correctly on a carriageway without markings	50
3	3.4	Parking too close to a railway level crossing	100
4	3.5	Unauthorised parking on a reserve	50
5	3.6	Failure to comply with general prohibitions on parking	50
6	3.7	Failure to comply with restrictions on parking in particular areas	50
7	3.8	Motor vehicle obstructing a thoroughfare or public place	100
8	3.9	Failure to comply with instruction of authorised person	100
9	3.10(1)	Failure to obtain permission to park a motor vehicle other than as provided by this local law	50
10	3.10(2)	Failure to comply with conditions of suspension of parking requirements	100
11	3.11	Failure to comply with “no parking” sign	50
12	3.12	Failure to comply with “no stopping” sign	50
13	3.14	Stopping near an obstruction	50
14	3.15	Stopping on a bridge etc	100
15	3.16	Stopping on crests/curves	100
16	3.17	Stopping near fire hydrant	50
17	3.18	Obstructing path, a driveway etc	50
18	3.21	Failure to comply with sign	50
19	3.22	Unauthorised placement, misuse or obstruction of a sign	100
20	3.24	Stopping unlawfully in a loading zone	50
21	3.25	Stopping unlawfully in a taxi or bus zone	50
22	3.26	Stopping in a shared zone	50
23	3.27	Stopping in a zone contrary to a sign	50
24	4.2	Parking of a motor vehicle on a verge for sale or repair, of if unlicensed motor vehicle, unattached trailer or caravan.	50
25	4.3	Failure to comply with limitations on heavy and long motor vehicles	100
26	4.4	Double parking	50
27	4.5(1)	Failure to comply with event parking sign	50
28	4.5(3)	Failure to display required event permit information	50
29	4.6	Failure to park with marked bay or lane	50
30	4.7(1)	Creating an obstruction or incorrectly parked in a parking facility	50
31	4.7(2)	Incorrect parking of a bicycle in a parking facility	50
32	4.7(3)	Unauthorised extended parking in a facility	50
33	4.8	Failure to comply with angle parking	50
34	4.9	Stopping at or near bus stop	50
35	4.10	Stopping on path, median strip or traffic island	50
36	4.11	Stopping on verge	50
37	4.12	Stopping in a motorcycle parking area	50
38	4.13	Stopping in a bicycle area	50
39	5.2	Failure to comply with timed parking sign	50
40	5.3(2)	Unauthorised making or removal of mark	100
41	5.4	Moving motor vehicle to avoid time limitations	50

Item	Clause	Nature of offence	Modified penalty \$
42	6.1	Removing notice from motor vehicle	100
43	6.2(b)	Unauthorised parking of special purpose motor vehicle	50
44		All other offences not specified	50

Dated 21st of June 2022.

The common Seal of the Shire of Kojonup was affixed by authority of a resolution of the Council in the presence of—

NED RADFORD, Shire President.
GRANT THOMPSON, Chief Executive Officer.

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Our ref: 4139:07

20 February 2023

Cr Ned Radford
President, Shire of Kojonup
93 Albany Highway, Kojonup WA 6395
cr.radford@kojonup.wa.gov.au

Dear President

Shire of Kojonup Cat Local Law 2022

Thank you for the Explanatory Memorandum for this local law, which the Committee considered at its meeting. The Committee resolved to write to you about the following matters.

Clause 4.1(1)(b) - inconsistency with Cat Act 2011 – Committee term of reference 10.6(a)

When scrutinising local laws, the Committee inquires whether a local law is within power.

Clause 4.1(1)(b) states:

4.1 Conditions applicable to all permits

(1) Every permit is issued subject to the following conditions—

(b) each cat shall be contained on the premises unless under the effective control of a person;

Clause 3.3 states:

3.3 Cats for which a permit is required

Subject to clause 3.4 an occupier is required to have a permit to—

(a) keep more than two cats over the age of six months and the young of those cats under that age if the premises are zoned other than for the purposes of general agriculture under a local planning scheme;

(b) keep more than four cats over the age of six months and the young of those cats under that age if the premises are zoned for the purposes of general agriculture under a local planning scheme.

(c) use any premises as a cat management facility; or

(d) be an approved cat breeder.

Clause 3.4 states:

3.4 Permits not required

A permit is not required under clause 3.3 if the premises concerned are—

- (a) a refuge of the RSPCA or of any other animal welfare organisation;*
- (b) a veterinary surgery;*
- (c) a pet shop;*
- (d) premises with two or less cats; or*
- (e) the subject of an exemption granted by the local government.*

Effective control is defined in clause 1.4 as:

Effective control *in relation to a cat means any of the following methods—*

- (a) held by a person who is capable of controlling the cat;*
- (b) securely tethered;*
- (c) secured in a cage; or*
- (d) any other means of preventing escape.*

Section 79 of the *Cat Act 2011* (Act) empowers local governments to make local laws for the management of cats. Section 79(1) states:

- (1) A local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.*

Section 79(3) contains a number of specific local law making powers, including:

- Section 79(3)(f), which provides that a local law may be made:
 - (f) specifying places where cats are prohibited absolutely*
- Section 79(3)(g), which provides that a local law may be made:
 - requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats.*

By sections 79(3)(f) and 79(3)(g), the Parliament has delineated the scope of valid local laws concerning the prohibition of cats on public land and the confinement of cats. Any local laws which place conditions on cats being on public land beyond those provided for in the Act are inconsistent with the Act and not authorised.¹

¹ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 78, [Annual Report 2014](#), 22 January 2015, pp 10-13; Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 89, [Annual Report 2016](#), 17 November 2021, pp 19-20.

Clause 4.1(1)(b), in requiring cats to be 'under effective control' in public represents a further step in policy beyond that authorised by the Act and infringes Committee term of reference 10.6(a).

Clause 3.8 - no definition of 'nuisance' - inconsistency with Cat Act 2011 – Committee term of reference 10.6(a)

Clause 3.8 states:

3.8 Cats creating a nuisance

- (1) The keeper of a cat shall not allow a cat to create a nuisance.*
- (2) Where, in the opinion of an authorised officer, a cat is creating a nuisance, the local government may give written notice to the keeper of the cat requiring that person to abate the nuisance.*
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice or until the notice is withdrawn by the local government.*
- (4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.*

The local law does not define 'nuisance'. Other cat local laws have defined nuisance to mean:

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
- (c) interference which causes material damage to land or other property on the land affected by the interference;*

Accordingly, there is no objective criteria in the local law governing any decision by an authorised person whether a cat is creating a nuisance. This could result in the officer determining that a cat is a nuisance based on a personal opinion, which could include the mere fact that a cat is in a public or other place without being a nuisance under the above definition.

This is reinforced by the statement in the minutes of the 14 December 2021 Council meeting that:

With the introduction of a cat local law, the Shire's Ranger will have the authority to limit the number of cats allowed on a premise, eliminate cat roaming and impose penalties to those who fail to comply. This, in turn, will assist Regulatory Services in controlling the feral population and reduce the amount of domestic cats wandering.

Any effect of clause 3.8 resulting in a cat being treated as a nuisance merely by being in a public or other place would make it inconsistent with the *Cat Act 2011* and infringe Committee term of reference 10.6(a).

The Committee therefore requests the above definition of 'nuisance' be inserted in clause 1.4 and the words 'in the opinion of an authorised officer' are deleted from clause 3.8(2).

Compliance with section 3.12(4) of the Local Government Act 1995

Section 3.12(4) provides:

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

Section 3.13 of the Local Government Act 1995 states:

Procedure where significant change in proposal

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

A comparison of the proposed and adopted local laws reveals the following clauses where changes were made.

Clauses deleted

3.8 Cats in other than public places

A cat shall not be in any place that is not a public place unless –

(a) consent to its being there has been given by the occupier, or a person apparently authorised to consent on behalf of the occupier; and

(b) it is under effective control.

5.1 Cats in public places

A cat shall not be in a public place unless the cat is, in the opinion of an authorised officer, under effective control.

5.2 Places where cats are prohibited absolutely

A cat shall not be in the following places at any time, whether or not under effective control –

(a) an enclosed public place; or

(b) any nature reserve.

Clauses added

5.1 Cat prohibited areas

(1) A cat shall not be in the places specified in Schedule 4 at any time, whether or not under effective control.

- (2) *If a cat is in a Cat Prohibited Area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the local government.*

Schedule 4—Cat prohibited areas
[Clause 5.1]

Places where cats are prohibited:

Common Name	Physical Boundaries	Description
Myrtle Benn Flora and Fauna Sanctuary	Tunney Road—Solider Road	All bushland within physical boundaries
Farrar Nature Reserve	Boyup Brook—Kojonup Road Kojonup—Frankland Road	All bushland within physical boundaries

The Committee is of the view these changes made the adopted local law significantly different from the proposed local law that was publically advertised, in breach of section 3.12(4). This is because the prohibition of cats from public and other places is a material aspect of the local law and has received significant media and other public commentary. Shire residents were not consulted on the removal of these clauses prior to the adoption of the local law.

Typographical errors

Clause 1.4 – definition of Enclosed public space'

Clause 1.4 defines 'Enclosed public space' as:

Enclosed public space means a public place which is enclosed by walls, whether solid materials or glass, and includes attached or adjoining areas not permitted to the public, unless airflow between the areas is prevented, but does not include a cat management facility or veterinary clinic or hospital; industrial lot means a lot zoned under a local planning scheme as industry;

The phrase is not used anywhere else in the local law and should be deleted.

Clause 2.1(6) - minor typographical error

Clause 2.1(6) states:

(6) *A cat must not be release to a person until the person obtains the necessary permit or the cat is registered where—*

(a) *a person wishes to reclaim a cat within the period stated in a notice of impounding;*
and

(b) *a permit is required for the keeping of the cat, but the person does not have the necessary permit and/or the cat is not registered.*

The word 'release' should be 'released'.

Schedule 3 – Modified penalties - various errors Items 8 and 9 – Modified penalties – incorrect reference to clause 3.8

Schedule 3 repeats some penalties twice, with the first list containing incorrect references, in items 8 and 9, which should be clauses 3.8(1) and 3.8(4), not 3.9(1) and 3.9(4).

Items 1 to 9 should be deleted and items 10 to 26 re-numbered accordingly (which contain correct references to clauses 3.8(1) and 3.8(4)).

Undertakings

The Committee requests the following undertakings:

1. Within 6 months, repeal the local law and make a new local law, complying with all requirements in section 3.12 of the *Local Government Act 1995* which:
 - Does not contain a provision equivalent to 4.1(1)(b)
 - Inserts the following definition of 'nuisance' in clause 1.4:
 - (a) *an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
 - (b) *an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
 - (c) *interference which causes material damage to land or other property on the land affected by the interference;*
 - Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)
 - Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3.
2. The local law will not be enforced in a manner contrary to undertaking 1.
3. All consequential amendments arising from undertaking 1 will be made
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.

The undertakings should be given in the form of a letter signed by you as Mayor, not the Chief Executive Officer or other officer of the Shire of Kojonup. This is because, pursuant to section 2.8(1)(d) of the *Local Government Act 1995*, the 'Mayor or President speaks on behalf of the local government' to the Parliament of Western Australia.

Noting that your next Council meeting occurs on 21 March 2023, the Committee requests the undertakings be provided by 27 March 2023.

To assist you I attach a suggested form of Council resolution to provide the undertakings.

Please also note that the fulfilment of the undertakings must be by making a local law that complies with all mandatory procedural steps contained in section 3.12 of the *Local Government Act 1995*.

Notice of Motion to Disallow

I advise that the Committee resolved to give a Notice of Motion in the Legislative Council to disallow the local law.

The reasons for giving notice are:

- to protect the Parliament's right to disallow the local law should the Committee recommend disallowance
- to provide the Committee with additional time to scrutinise the local law and, if necessary, obtain further information.

The giving of the notice should not be taken as indicating that the Committee has resolved to recommend disallowance at this stage.

Please provide your response by **27 March 2023**. If you have any queries in relation to this matter, please contact Mr Alex Hickman, Advisory Officer (Legal) on 9420 7633 or at delleg@parliament.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Geoff Baker". The signature is written in a cursive, flowing style.

Mr Geoff Baker MLA

Chair

Att: Robert Jehu, Manager – Regulatory Services, mrs@kojonup.wa.gov.au

This correspondence including any attachments is confidential and privileged. Your local government may only discuss the content of this letter and any attachments with the Western Australian Local Government Association, the Department of Local Government and the Shire's legal advisors to the extent necessary to obtain information the Committee seeks. Each person to whom you distribute this material must be made aware of its confidential and privileged status.

Suggested form of Council resolution to provide the undertakings

The Council of the Shire of Kojonup resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within 6 months, repeal the local law and make a new local law, complying with all requirements in section 3.12 of the *Local Government Act 1995* which:
 - Does not contain a provision equivalent to 4.1(1)(b)
 - Inserts the following definition of nuisance in clause 1.4:
 - (a) *an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
 - (b) *an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
 - (c) *interference which causes material damage to land or other property on the land affected by the interference;*
 - Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)
 - Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3.
2. The local law will not be enforced in a manner contrary to undertaking 1.
3. All consequential amendments arising from undertaking 1 will be made
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.



Our Ref: LE.LCL.2 - OUT23/44635BF3

Your Ref: 4139:07

Joint Standing Committee on Delegated Legislation
Att: Mr Alex Hickman, Advisory Officer (Legal)
Parliament House
4 Harvest Terrace
West Perth WA 6005

Dear Mr Alex Hickman

SHIRE OF KOJONUP CAT LOCAL LAW 2022

Council resolved at its Ordinary Meeting held on the 21 March 2023 to undertake as advised by the Joint Standing Committee on Delegated Legislation that:

1. *Within six (6) months, it will repeal the Shire of Kojonup Cat Local Law 2022 and make a new Shire of Kojonup Cat Local Law, complying with all requirements in section 3.12 of the Local Government Act 1995, which:*
 - *Does not contain a provision equivalent to 4.1(1)(b)*
 - *Inserts the following definition of nuisance in clause 1.4:*
 - (a) *an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;*
 - (b) *an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or*
 - (c) *interference which causes material damage to land or other property on the land affected by the interference;*
 - *Does not contain the words 'in the opinion of an authorised officer' in a provision equivalent to clause 3.8(2)*
 - *Does not contain the typographical errors identified in clauses 1.4, 2.1(6) and Schedule 3;*
2. *The local law will not be enforced in a manner contrary to undertaking point 1 above;*
3. *All consequential amendments arising from undertaking point 1 above will be made;*
4. *Where the local law is made publicly available by the Shire of Kojonup, whether in hard copy or electronic form, it ensures that it is accompanied by a copy of these undertakings.*

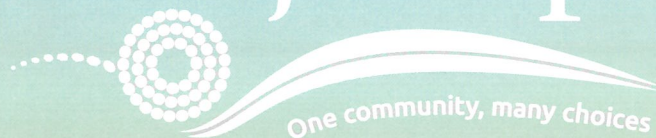
Shire of Kojonup

93-95 Albany Highway, Kojonup WA 6395

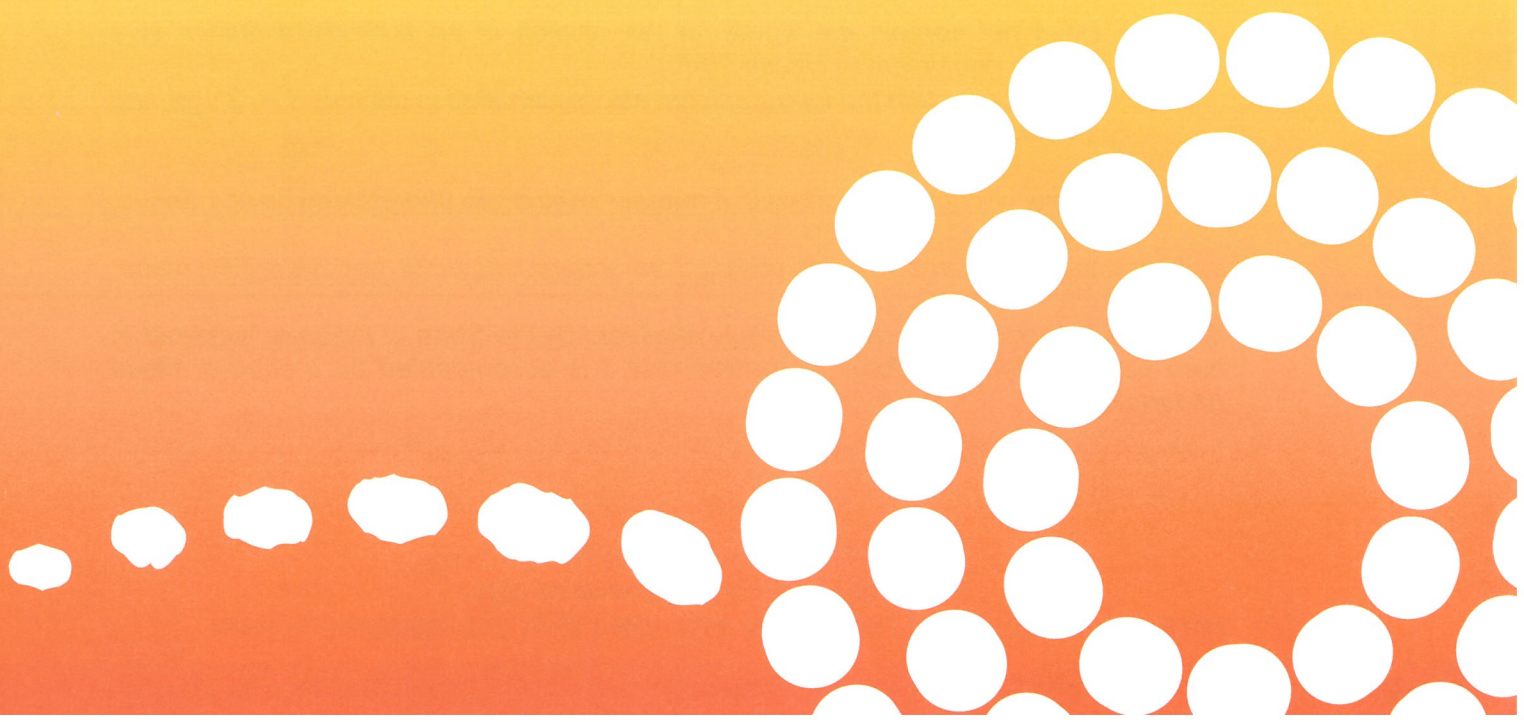
Postal address: PO Box 163, Kojonup WA 6395

Telephone: (08) 9831 2400 | Facsimile: (08) 9831 1566 | Email: council@kojonup.wa.gov.au

Kojonup

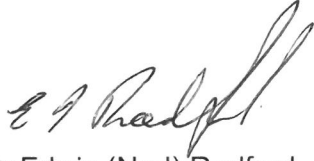


One community, many choices



The Shire of Kojonup Cat Local Law 2022 shall be repealed and its application process will be commenced again.

Yours faithfully

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

Cr Edwin (Ned) Radford
Shire President
21 March 2023

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Your ref: LE.LCL.2 – OUT23/44635BF3
Our ref: 4139:07

30 March 2023

Cr Ned Radford
President, Shire of Kojonup
93 Albany Highway, Kojonup WA 6395
cr.radford@kojonup.wa.gov.au

Dear President

Shire of Kojonup Cat Local Law 2022

Thank you for your letter of 24 March 2023, which the Committee considered at its meeting today and gave a public status. This means you can share it as you wish.

The Committee accepted the Council's undertakings, resolved to remove the Notice of Motion to disallow the local law and take no further action.

Please ensure that when the new local law is gazetted, the explanatory memorandum provided to the Committee draws its attention to the fact that the local law arises from a request from the Committee and the undertakings accepted by it.

Please also ensure that the local law complies with all mandatory steps in section 3.12 of the *Local Government Act 1995*.

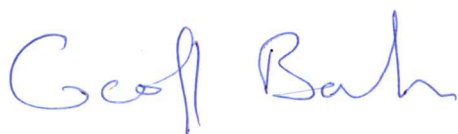
The undertakings will be recorded on the Parliament's website, on a webpage specific to the Committee. This serves two purposes:

- It is a point of reference for other local governments and their advisers to ascertain systemic problems with a particular local law and what amendments the Committee has required a local government to make in order for the local law to be valid.
- It enables the Department of Local Government, Sport and Cultural Industries to trace local governments' compliance with undertakings and thus enhance good governance.

The undertakings may be viewed at www.parliament.wa.gov.au/del under 'Undertakings list for viewing by Local Governments (Current)'.

If you have any queries in relation to this matter, please contact the Committee's Advisory Officer, Mr Alex Hickman, on 9420 7633 or at delleg@parliament.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Geoff Baker". The signature is written in a cursive, flowing style.

Mr Geoff Baker MLA

Chair

Att: Robert Jehu, Manager – Regulatory Services, mrs@kojonup.wa.gov.au

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LOCAL GOVERNMENT ACT 1995

SHIRE OF KOJONUP

CAT REPEAL LOCAL LAW 2023

SHIRE OF KOJONUP

CAT REPEAL LOCAL LAW 2023

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

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Cat Repeal Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The *Shire of Kojonup Cat Local Law 2022* as published in the *Government Gazette* on 31 October 2022 is hereby repealed.

Dated..... of20__.

The common Seal of the
Shire of Kojonup
was affixed by authority of a
resolution of the Council in the
presence of.

EDWIN (NED) RADFORD – Shire President

GRANT THOMPSON - Chief Executive Officer



LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

SHIRE OF KOJONUP

CATS LOCAL LAW 2023

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CATS LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and the *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Kojonup resolved on _____ to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kojonup Cats Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Kojonup *Cat Local Law 2022* as published in the *Government Gazette* on 31 October 2022 is hereby repealed.

1.5 Definitions

In this local law unless the context otherwise requires –

Act means the Cat Act 2011;

Animal Welfare Organisation means a non-government, not-for-profit organisation with the welfare of animals as their reason for existence;

Applicant means the occupier of premises who makes application for a permit under this local law;

Approved cat breeder has the meaning given to it by the Act;

Cat means an animal of the species *felis catus* or a hybrid of that species;

Cat management facility has the meaning given to it by the Act;

Cattery means any premises where more than two cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary owner of the cats;

Commercial lot means a lot zoned under a local planning scheme as –

- (a) central business; or
- (b) service commercial,

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

District means the district of the local government;

Effective control in relation to a cat means any of the following methods –

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape.

Local Government means the Shire of Kojonup;

Local planning scheme means a planning scheme of the local government made under the Planning and Development Act 2005;

Local public notice has the meaning given to it by section 1.7 of the Local Government Act 1995;

multiple dwelling (often called flats, apartments or units) meaning a dwelling in a group of more than 1 dwelling on a lot where any part of a dwelling is vertically above part of any other but—

- (a) does not include a group dwelling; and
- (b) includes any dwellings above the ground floor in a mixed use development;

Nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
- (c) interference which causes material damage to land or other property on the land affected by the interference;

Owner has the meaning given to it in the Act;

Permit means a permit issued by the local government under clause 3.5 of this local law;

Permit holder means a person who holds a valid permit granted under this local law;

Premises includes the following –

- (a) land, whether or not vacant;
- (b) the whole or part of a building or structure whether of a permanent or temporary nature; and
- (c) a vehicle.

Public place has the meaning given to it in the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

single dwelling means a house that stands alone on its own parcel of land; and

Veterinary hospital means any premises at which veterinary surgery is practised at which animals receive treatment, nursing care, and other services required for the reception, treatment and care of animals suffering from disease or injury or in need of surgical or medical treatment or assistance.

PART 2 – CONTROL OF CATS

2.1 Cats in public places

- (1) A cat shall not be permitted in a public place if that cat is deemed to be causing a nuisance.
- (2) If a cat is at any time in a public place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.2 Cats in other places

- (1) A cat shall not be in any place that is not a public place if—
 - (a) consent to it being there has not been given by the occupier, or a person authorised to consent on behalf of the occupier; and/or
 - (b) the cat, in the opinion of an authorised person, is causing a nuisance.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.3 Cat in prohibited areas

- (1) A cat shall not be in any Cat Prohibited Area as identified in Schedule 3.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.4 Direction to abate the nuisance of a cat

- (1) The owner of a cat, or any other person responsible for a cat, shall not allow the cat to create a nuisance.
- (2) Where a cat is deemed to be creating a nuisance, the local government may give written notice to the owner of the cat or any other person apparently in control of the cat, requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice which shall not exceed 28 days.
- (4) A person given a notice to abate the nuisance who fails to comply with the notice commits an offence.

PART 3 – CAT PROHIBITED AREAS

3.1 Designation of Cat Prohibited Areas

- (1) The Local Government may designate land as a Cat Prohibited Area by stating a description of the land in Schedule 3.
- (2) The Local Government shall make available to the public the list of lands designated as Cat Prohibited Areas after consideration of any submissions received under subclause 3.1(4).
- (3) In designating land for the purpose of clause 3.1 the Local Government shall have regard to clause 2.1.

(4) The Local Government shall not designate a place or area to be a Cat Prohibited Area without first giving local public notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response the Local Public Notice.

(5) The Local Government shall publish an up to date list of lands or areas specified as Cat Prohibited Areas in a Local Public Notice after the consideration of any submissions received.

PART 4 – PERMITS FOR KEEPING CATS

4.1 Interpretation

In this Part, and for the purposes of applying the definition of “cattery” in Part 4, a cat does not include a cat less than 6 months old.

4.2 Cats for which a permit is required

(1) Subject to subclause (2) a person is required to have a permit—

- (a) to keep more than two cats on any premises;
- (b) to use any premises as a cattery; or
- (c) to be an approved cat breeder.

(2) A permit is not required under subclause (1) if the premises concerned are—

- (a) a refuge of the RSPCA or any other animal welfare organisation;
- (b) a cat management facility which has been established by and is maintained by the local government for the impounding of cats; or
- (c) a veterinary hospital.

4.3 Application for permit

An application for a permit under clause 4.2 shall be—

- (a) made in writing by an occupier of either a single or multiple dwelling or premises in relation to that single or multiple dwelling or premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept at the single or multiple dwelling or on the premises;
- (c) accompanied by the plans of the single or multiple dwelling or premises to which the application relates, to the specification and satisfaction of the local government;
- (d) accompanied by the consent in writing of the owner of the single or multiple dwelling or premises, where the occupier is not the owner of the single or multiple dwelling or premises to which the application relates;
- (e) accompanied by the application fee for the permit determined by the local government from time to time; and
- (f) accompanied by written evidence that either the applicant or another person who will have charge of the cats, will reside at the single or multiple dwelling or on the premises or, in the opinion of the local government, sufficiently close to the single or multiple dwelling or premises so as to maintain effective control of the cats and ensure their health and welfare.

4.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 4.3.

4.5 Factors relevant to determination of application

- (1) In determining an application for a permit the local government may have regard to—
 - (a) the physical suitability of the premises for the proposed use;
 - (b) the suitability of the zoning of the premises under any scheme which applies to the premises for the use;
 - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (d) the structural suitability of any enclosure in which any cat is to be kept;
 - (e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to the occupiers of adjoining land;
 - (f) the likely effect on the amenity of the surrounding area of the proposed use;
 - (g) the likely effect on the local environment, including any pollution or other environmental damage which may be caused by the use;
 - (h) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (i) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) Where an application is received pursuant to clause 4.4 the local government shall—
 - (a) consult with adjoining occupiers and landowners; and
 - (b) advise the adjoining occupiers and landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit.

4.6 Decision on application

- (1) The local government may—
 - (a) approve an application for a permit, in which case it shall approve it subject to the conditions in clause 4.8, and may approve it subject to any other conditions it considers fit; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue to the applicant a permit in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

4.7 Conditions

- (1) Every permit is issued subject to the following conditions—
 - (a) the permit holder will provide adequate space for the exercise of the cats;
 - (b) the premises shall be maintained in good order and in a clean and sanitary condition;
 - (c) the written consent to the application for a permit of the adjoining multiple dwellings has been obtained;
 - (d) the written consent to the application from the owner of the premises, if not the applicant, has been obtained;
 - (e) without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (i) dies; or
 - (ii) is permanently removed from the premises.
 - (f) those conditions contained in Schedule 1.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

(3) A permit holder who fails to comply with a condition of a permit commits an offence.

4.8 Duration of permit

Unless otherwise specified, in a condition on a permit, a permit commences on the date of issue and until any cat either—

- (a) dies;
- (b) is permanently removed from the premises; or
- (c) the permit holder ceases to reside at the dwelling or premises to which the permit relates.

4.9 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

4.10 Permit not transferable

A permit is not transferable in relation to either the permit holder or the dwelling or premises.

PART 5 – IMPOUNDING OF CATS

5.1 Cat management facility

(1) The local government may establish and maintain a cat management facility or facilities, managed by an authorised person for the impounding of cats and the subsequent management of those cats under this local law.

(2) The local government may determine from time to time—

- (a) the times when a cat management facility will be open for the reception and release of cats; and
- (b) times for the sale of cats from the facility.

(3) An authorised person, referred to in subclause (1), is to be in attendance at the facility for the release of impounded cats at the times and on the days of the week as are determined by the CEO.

5.2 Impounding register

(1) The local government is to keep a proper record of impounded cats (the “Impounding Register”).

(2) The Impounding Register is to contain the following information about each impounded cat—

- (a) if known, the breed and sex of the cat;
- (b) the colour, distinguishing markings and features of the cat;
- (c) if known, the name and address of the owner;
- (d) the date, time and location of seizure and impounding;
- (e) the name and address of the authorised person who impounded the cat and, if applicable, the person who delivered a cat for impounding;
- (f) the reason for the impounding;
- (g) a note of any direction made by an authorised person under clause 2.4 relating to the cat; and
- (h) the date of the sale, release or destruction of the cat.

(3) The Impounding Register is to be available for inspection by the public.

5.3 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 31 of the Act relating to the seizure, impounding, caring, microchipping, sterilisation or destruction/disposal of a cat; and
- (b) the additional fee payable under section 31 of the Act where a cat is released or sold at a time or on a day other than those determined under clause 5.1(2).

5.4 Release of impounded cats

(1) A claim for the release of a cat seized and impounded is to be made to the authorised person referred to in clause 5.1(1) or in the absence of that person, to the CEO.

(2) The authorised person referred to in clause 5.1(1) is not to release a cat seized and impounded to any person unless that person has produced, to their satisfaction, evidence—

- (a) of his or her ownership of the cat or of his or her authority to take delivery of it;
- (b) that he or she is the person identified as the owner on a microchip implanted in the cat;
- (c) of proof of registration of the cat in accordance with the Act;
- (d) if a permit under Part 4 is required, proof of obtaining the permit.

PART 6 - MISCELLANEOUS

6.1 Giving of a notice

A notice given under this local law may be given to a person –

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

6.2 Content of a notice

The contents of a notice given under section 6.1 can be—

- (a) ascertained from the person directly;
- (b) recorded by the local government under the Act; or
- (c) ascertained from enquiries made by the local government.

PART 7 – OBJECTIONS AND REVIEW

7.1 Objections and review

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 8 – OFFENCES AND PENALTIES

8.1 Offences

(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) Any person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

8.2 Prescribed offences

(1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 84 of the Act.

(2) The amount appearing directly opposite each such offence is the modified penalty in relation to that offence.

8.3 Forms

(1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.

(2) An infringement notice given under section 62 of the Act is to be in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.

(3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

Schedule 1

ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

[cl. 4.7]

A. Permit to use premises as a cattery

Additional conditions

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements;
- (2) There is to be a feed room, wash area, isolation cages and maternity section;
- (3) Materials used in structures are to be approved by the local government;
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects;
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin;
- (6) Wash basin with the minimum of cold water to be available to the satisfaction of the Local Government;
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded;
- (8) An register is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) the name and residential address of the owner;
- (9) The register is to be made available for inspection on the request of an authorised person;
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease;
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats on the premises; and
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

B. Permit for Approved Cat Breeder

Additional conditions

- (1) Required to keep records of all purchases and or transfers of cat/s for a period of 2 years, including but not limited to the purchasers' name and address, and the cat/s microchip number; and
 - (2) Premises may be inspected annually.
-

[cl.8.2]

Item	Clause	Nature of offence	Modified penalty
1	2.1(2)(a)	Cat in a public place causing a nuisance	\$200.00
2	2.2(2)(a)	Cat in a place that is not a public place without consent and/or is causing a nuisance	\$200.00
3	2.3(1)	Cat in any prohibited area	\$200.00
4	2.4(4)	Failure to abate the nuisance	\$200.00
5	4.2(1)	Failure to obtain the proper permit for the keeping of more than two cats	\$200.00
6	4.7(3)	Failure to comply with the conditions of a permit	\$200.00

Schedule 4

AREAS WHERE CATS ARE PROHIBITED ABSOLUTELY

[Clause 2.3]

Places where cats are prohibited:

Common Name	Physical Boundaries	Description
Myrtle Benn Flora and Fauna Sanctuary	Tunney Road Solider Road	All bushland within physical boundaries
Farrar Nature Reserve	Boyup Brook – Kojonup Road Kojonup – Frankland Road	All bushland within physical boundaries
Apex Park	Broomehill-Kojonup Road Albany Highway	Inside fenced children’s playground area
‘Children’s Playground’	Newstead Road Honner Street	Inside fenced children’s playground area

Dated..... of 20 ..

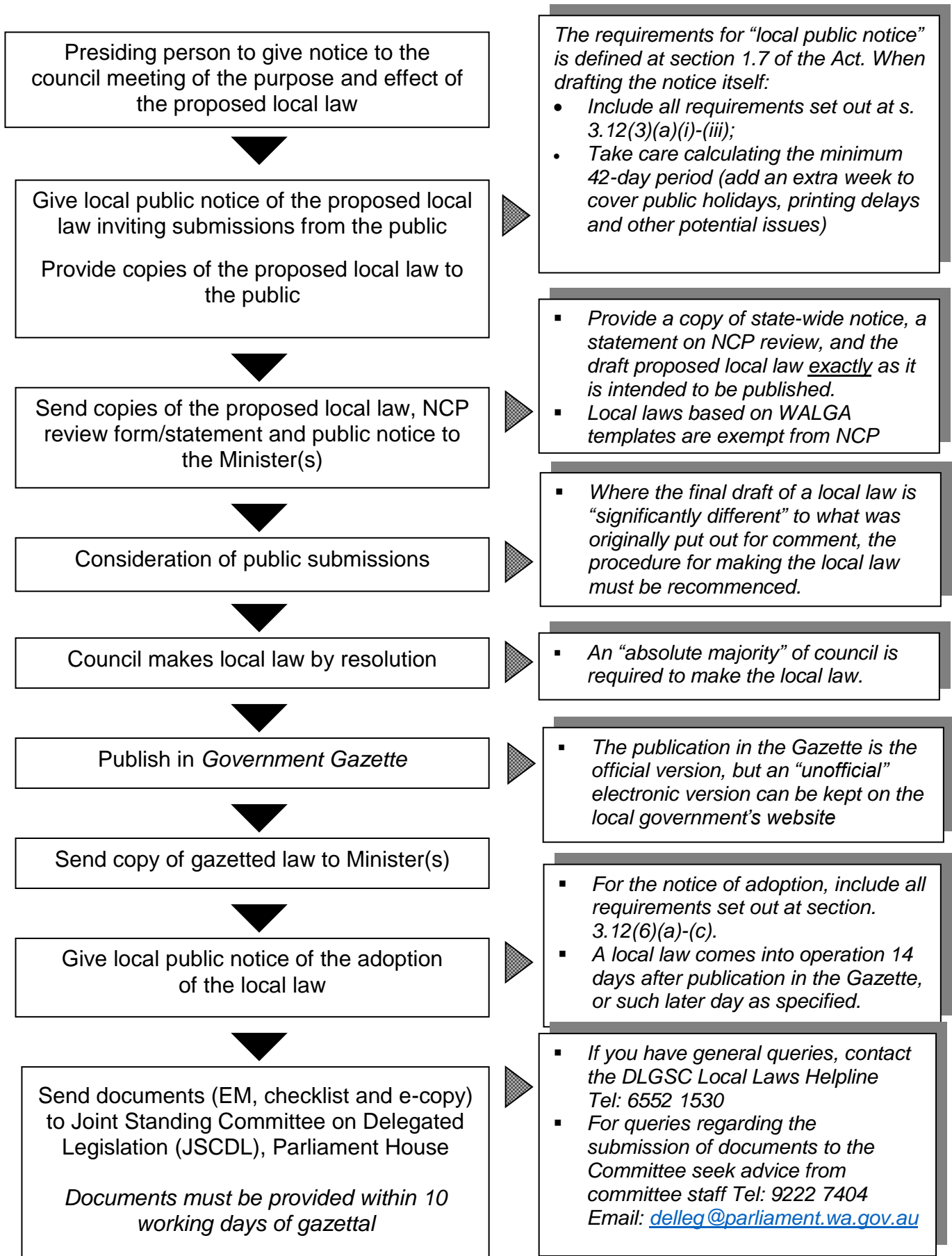
The common Seal of the }
Shire of Kojonup }
was affixed by authority of a }
resolution of the Council in the }
presence of. }

EDWIN (NED) RADFORD – Shire President

GRANT THOMPSON - Chief Executive Officer

FLOW CHART OF LOCAL LAW-MAKING PROCESS

Local Government Act 1995 – Section 3.12 & National Competition Policy (NCP) Review requirements



9.2.3 BUSH FIRE COMMUNICATIONS

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 16 June 2022
FILE NO	ES.CIR.2/ES.COM.1
ATTACHMENT(S)	<p>9.2.3.1 - Email - outcome from meeting with DFES March 2022</p> <p>9.2.3.2 - Consulting Great Southern – Shire of Kojonup Communications Tower Study (V1.6) August 2021 (Kojonup Tower Study)</p> <p>9.2.3.3 - Radio Shadow Map – Current Samson Road Site</p> <p>9.2.3.4 - Radio Shadow Map – Jingalup/Balgarup Road site</p> <p>9.2.3.5 - DFES Internal Memorandum - Kojonup WAERN Coverage Review 2020</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2020-2024”
Key Pillar	Community Outcomes	Corporate Actions
2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.
5 - Digital	5.4 – Have used technology to become a smart, safe, collaborative and informed region	<p>5.4.1 - Enable and advocate for public access to National Broadband Network for all residents.</p> <p>5.4.6 - Technology provisions to ensure all residents have instant access to innovative health provisions.</p>

DECLARATION OF INTEREST

Nil

SUMMARY

For Council to consider and receive the Kojonup Tower Study previously commissioned by Council and, in light of Department of Fire and Emergency Services (DFES) declining a co-funding arrangement, agree a pathway to progress the construction of a new bushfire radio communications tower.

BACKGROUND

Council, at its 5 November 2019 Special Meeting, resolved as follows:

“That Council defer a decision on the Communications Tower replacement until the CEO has undertaken the following actions:

1. *Ascertain DFES Capital funding criteria in respect of the Local Government Grant Scheme (LGGs) for the construction of a new Communications Tower which has the ability to accommodate the Shire of Kojonup’s Radio Communications Network including but not limited to:*

- a) *The Shire's Mid-Band radio network;*
- b) *The WA Emergency Radio Network;*
- c) *The Shire's Works and Services department radio network;*
- d) *CB radio;*
- e) *Community FM Radio; and*
- f) *Internet;*
2. *Cost to erect a new Communications Tower and associated radio network at the Jingalup Site situated at Jingalup/Balgarup Road given the improved coverage achieved from Shadow Testing undertaken by DFES Communications;*
3. *Land tenure requirements given Jingalup site is currently a road reserve;*
4. *New tower design considerations such as height, structural integrity especially if utilising the tower on offer from WAPOL;*
5. *Costs to relocate the Muradup Shed which permits all weather protection for new batteries and installation of new solar panels to the Jingalup site;*
6. *Costs for security fencing, improved road access to the new tower and costs of shifting/replacing the WAERN system or installation of new aerials to the Jingalup site;*
7. *Costs of dismantling and/or selling the Samson Road Tower and rehabilitating the site;*
8. *Advice to be sourced from DFES Communications as required;*
9. *Lodge an application seeking LGGS Capital Funding based on the above information; and*
10. *Council give due consideration to borrowing the appropriate funds in order for the new Jingalup Tower to be operational by Mid-2020."*

Note: "Reason for change – Shadow casting trials had indicated Jingalup as a better location for a Communications Tower and bearing this in mind what funding assistance may be available from DFES towards capital works required to erect a new tower at this new location."

At a previous Bush Fire Advisory Committee (BFAC) meeting held 15 October 2019, the following recommendation was made:

'that it be recommended to Council that Council urgently commit to building a new communications tower to the maximum height possible on the current midband site, pending an agreement with DFES to move the WAERN repeater to the new tower.'

The radio shadow maps are included as attachments 9.2.4.3 and 9.2.4.4.

Other previous motions of relevance to this issue are as follows:

At its Ordinary Meeting held on 21 October 2014, the Council resolved:

'that Kojonup Shire retain the mid band channel 41 radios for bush fire use as high band do not provide total coverage of the Shire on bad day.'

At its Ordinary Meeting held on 21 February 2017, the Council resolved:

‘that the attached unconfirmed minutes for the Kojonup Bush Fire Advisory Committee meeting held 13 February 2017 be received and recommendations requiring Council approval as follows be approved by Council:

BUSHFIRE ADVISORY COMMITTEE DECISION 3/17

That the Bushfire Advisory Committee recommends that the Shire of Kojonup establishes a Technical Work Group consisting of the Presiding Member – Bushfire Advisory Committee, Chief Bushfire Control Officer, Manager Corporate Services, Building Maintenance Coordinator, Digby Stretch and Cr Ned Radford to prepare and present a formal report addressing the following terms of reference:

- 1. Assess the current and future communications requirements for fire coverage of the Shire.*
- 2. The communication tower should be so sited that the land the tower stands on is either owned or controlled by the Shire Council.*
- 3. That unrestricted access to the tower must be available at all times. This is necessary for maintenance purposes and for defence of the Tower in a wild fire.*
- 4. The Communications Tower must be a stand-alone system. This may mean a combination of battery/solar/backup generator. It is an advantage in general usage to be connected to the power grid, however in a wildfire it is usual for the power grid to become inoperative and cannot be relied upon. Therefore, a stand-alone system is considered an imperative.*
- 5. The tower must be capable of carrying different types of antennae that may be required to operate simultaneously: e.g., The Bushfire Network, Shire Network and possibly Telstra or other users.*
- 6. The type of radio, the frequency bands allocated and any alternative means of communications should all be examined. The expectation is; “that as effective a communication system as can be afforded will be in place for the 2017/2018 fire season’.*

COMMENT

Council is aware that staff have been researching the construction and location for the installation of a new bush fire communication tower for some years now.

Council has previously deferred decisions to invest in a new tower based on seeking further information and verification of the tower communications “shadow” as well as trying to secure funding from DFES to co-fund the construction of a new tower.

Radio communications is old but reliable technology that, when associated with managing an emergency in the Shire of Kojonup (Shire), is a viable investment based on it being an open communication line with all Volunteers and Bush Fire Brigades in the Shire.

Shire officers met with DFES on 17 March 2022 requesting co-funding of the tower. The response to this request is attached for your information (Attachment 9.2.4.1).

In its response to the Shire’s request for co-funding, the DFES radio communications team claim they have conducted extensive analysis and service improvement works to the WAERN network during the project and more recently in 2019 and 2020.

The Shire's proposal and request for financial assistance to address the aging tower problem by transferring services to a new tower was rejected by DFES.

DFES confirmed it will provide the cost of relocating WAERN (Western Australian Emergency Radio Network) 234 infrastructure to the new tower but, due to the tower primarily hosting the Shire's mid-band radio networks, Community FM Radio and internet services, DFES will not allocate funds to the construction of a new tower.

DFES stated that, *"under the provisions of the Emergency Services and Bushfires Acts, DFES can only expend Emergency Services Levy funds relating to the provision of prescribed emergency services, and accordingly, the DFES Commissioner has no authority to allocate funds for the new Tower."*

The Shire will work with DFES, given the Work Health and Safety legislative requirements that have now taken effect, to create a clear operational model and ensure our teams are properly trained so they understand how to communicate at all times regardless of the network.

DFES is committed to the WAERN network and new technology that they are researching.

Effective radio communications capability in emergency response times at a local level is a critical community asset. Clearly, the combination of technology and different radio solutions as well as new technology coming online, will enhance our response to emergencies and create a safety net for the Shire.

There have been numerous requests to "get on with building a new tower" from the community and Brigade volunteers.

There are issues that still need to be considered with regard to the construction of a new tower for bush fire radio communications in the Shire of Kojonup as outlined in the Consulting Great Southern (CGS) study attached.

They mainly include:

- Impact on communications coverage. Will new black spots be created by choosing a new site?
- Access and perpetuity of private land (to be negotiated).

According to the Kojonup Tower Study by CGS (attachment 9.2.4.2) there are three options the Council has to consider to progress this matter:

Option 1 – Co-locate

Co-locate to an existing structure such as the WAPOL (Western Australian Police) tower in town where DFES has the high band repeater installed, for a budgetary spend of circa \$50,000 plus an annual rent circa \$3,000.

Preliminary investigation with WAPOL indicates that the Shire's current needs could be met through co-location of the Samson Road radios onto this structure where the DFES WAERN is already located.

This is a low capital option but is not recommended due to the Shire not having control over access to the tower and the site, and additional hardware could not be utilised if required.

Furthermore, CGS viewed the tower in question: *“We observe that it is incomplete and would not be suitable for the needs of the Shire. 4 sections are on site and it appears other sections have been removed”*.

NBN has been consulted and to date no solution is forthcoming regarding co-location access to their infrastructure; therefore, this is not an option in the short term.

Option 2 – Construct a New Tower on the Existing Site

According to the attached study from Consulting Great Southern, the Samson Road structure is overloaded for the Shire’s current needs and is not recommended for refurbishment.

Accepting and receiving the Kojonup Tower Study means that the “Do nothing” and “Refurbishment” options are closed and the Shire needs to consider other options evaluating co-location and new tower build.

Previous Bush Fire Advisory Committee recommendations state that Council commit to building a new communications tower to the maximum height possible on the current midband site, pending an agreement with DFES to move the WAERN repeater to the new tower.

Option 2 is, therefore, not recommended at this time as there are too many issues with the current site and infrastructure. The Samson Road tower does not meet the applicable standard for climbing and is not suitable for refurbishment.

Option 3 – Build new Tower at New Site

Construct a new tower on a green field site, yet to be determined, which will house both the WAERN and the Mid-Band radio network infrastructure.

Officers will use the current Kojonup Tower Report to design and cost a ‘shovel ready’ plan for construction of the tower as soon as practicable.

Using the information on shadow mapping, identify the best site within the Shire to locate this infrastructure for full coverage of the Shire of Kojonup and negotiate access in perpetuity.

The construction of a new tower could total between \$350,000 and \$500,000; it is currently difficult to establish the exact costs at this time without a fully designed tower.

It is recommended that Council pursues Option 3 with further clarity to be given on outstanding points related to coverage risk and tower design and costings.

This option will provide confidence that the placement and operation of communications equipment is in the best interests of the residents within the Shire of Kojonup and surrounding Shires.

CONSULTATION

Kojonup Bush Fire Advisory Committee

DFES Staff:

- Richard Burnell, Executive Director Corporate Services, DFES
- Wayne Green, Superintendent Great Southern, DFES

NBN

Mark Toohey - Consulting Great Southern

Chief Executive Officer

Manager Regulatory Services

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire of Kojonup currently has a cash backed reserve account to be utilised for this project.

The construction of a new tower could total between \$350,000 and \$500,000; it is currently difficult to establish the exact costs at this time without a fully designed option.

Any additional gap funding will require a loan from the Western Australian Treasury Corporation.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 - Asset Sustainability Practices	Inadequate design (not fit for purpose) Outputs not meeting expectations;	Asset Replacement Schedule Asset Register	N/A
6 - Engagement Practices	Infrastructure Projects	Advisory committees/groups	N/A
8 - Errors, Omissions & Delays	Incorrect planning, development, building, community safety and Emergency Management advice	Policies and procedures	N/A

11 – IT & Communications	Failures or disruptions caused by hardware, software or networks	Performance Monitoring	N/A
<i>Risk Rating: Adequate</i>			
IMPLICATIONS			
The risk of investing in technology that could be made redundant over a short asset life time has negative implications both with the cost of finance related to the return on asset and the balance sheet as well as the risk to quality of communications.			

ASSET MANAGEMENT IMPLICATIONS

The current communications tower is included in our Asset Register.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

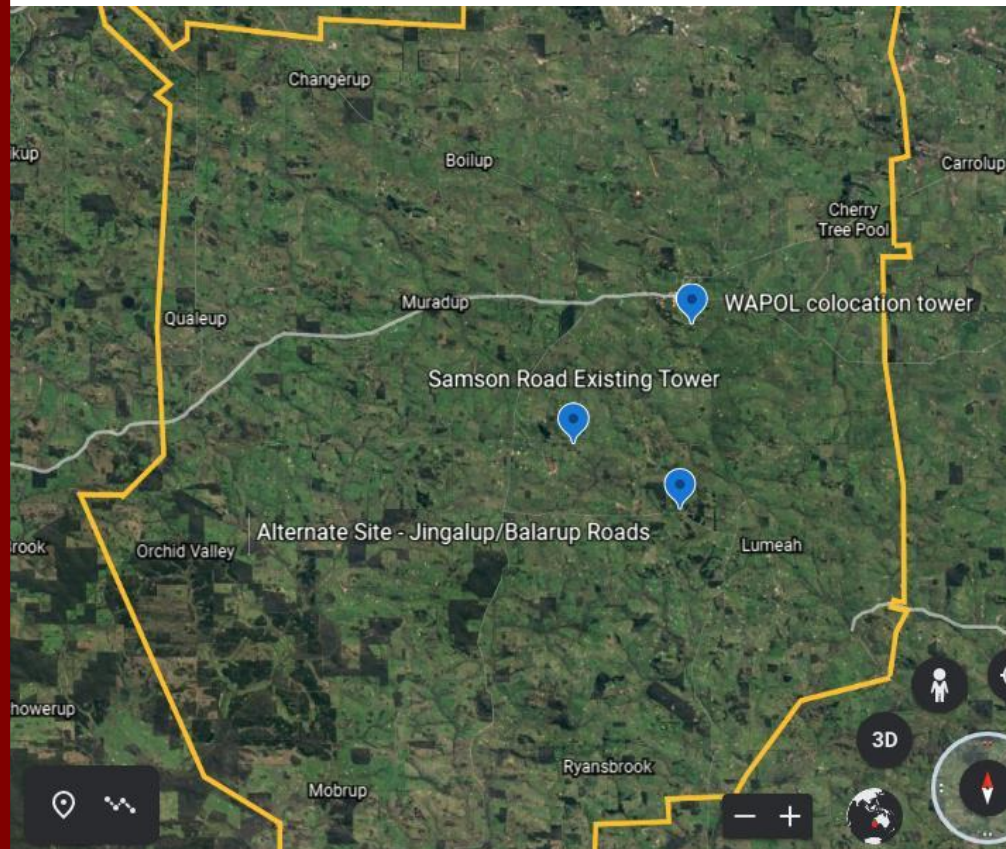
That Council :

1. receives the report from Mark Toohey, Consulting Great Southern (CGS), titled 'Shire of Kojonup Communications Tower Study – (V1.6)' ;
2. commits to self-funding and building a new communications tower to the maximum height possible on an appropriate new mid-band site yet to be determined;
3. accepts the CGS recommendation that the Shire should source its own Radio Frequency coverage data if contemplating a material capital spend;
4. authorises the Chief Executive Officer (CEO) to engage an independent consultant to carry out a comprehensive investigation to verify the best site option within the Shire to locate new communications infrastructure enabling full coverage of the Shire of Kojonup and eliminating the risk of black spots; and
5. authorises the CEO to engage the appropriate expertise and consultants to plan, design and cost a new communications tower build and table the design and costings at a future Council meeting for further consideration on tender and financing options.



Shire of Kojonup

Communications Tower Study



DOCUMENT CONTROL	
Shire of Kojonup PO Box 163 KOJONUP WA 6395 Ph: (08) 9831 2400 Email: council@kojonup.wa.gov.au	Document: Kojonup Tower Study – (V1.6) Client: Shire of Kojonup
	Project Manager: Anthony Middleton Author: Mark Toohey Date: June 2021
Synopsis: This Communication Tower report , developed in consultation with stakeholders and subject matter experts examines the issues, scope and cost of feasibility options around options related to the existing tower at Samson Road and the consideration of a new tower on a site at Jingalup road.	

DISTRIBUTION SCHEDULE			
Version No.	Date	Distribution	Reference
V1.0 – V1.5	23-Jun-21	Internal for review	Kojonup Tower Study – V1.5
V1.6	13-Aug-21	Client review	Kojonup Tower Study – V1.6

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Glossary

Site	Defined in detail here
Tower / Mast	Defined in detail here
Colocation	Defined in detail here
DEFS	Department of Fire and Emergency Services. Formerly FESA (2012)
ACMA	<p>Australian Communications and Media Authority.</p> <p>This body issues licenses per location, specifying all technical requirements including antenna height and type, radiated power and operating frequencies.</p>
WAERN	<p>DFES's WAERN (Western Australian Emergency Response Network)</p> <p>Kojonup High Band (on WAPOL tower) = 234</p> <p>Chowerup High Band Repeater = 229 is linked to 234</p> <p>It has been confirmed that Samson Road = Ch 41 Mid Band is also interconnected with WAERN at WAPOL tower.</p>
BFB	<p>West Australians (WA) in rural and pastoral areas rely heavily on Bush Fire Brigades (BFB) for fire prevention and risk management, fire suppression and fire safety education.</p> <p>In Kojonup, the mid band VHF Ch41 repeater currently installed at the Samson Road site, is described as the BFB repeater in the 2011 DFES report.</p>
VFRS	Volunteer Fire and Rescue Service (VFRS) members provide firefighting and prevention services

1.0 Overview

1.1 Executive Summary

This **Communication Tower report**, developed through consultation with stakeholders and subject matter experts examines the suitability, scope and cost of **options to meet the existing and potential future** tower and coverage needs of the Shire.

The existing tower at Samson Road is central to the study, and it, along with alternatives has been considered for options including “do nothing”, refurbishment, replacement, and relocation.

In this revision of the report (V1.6) we update for the results of the structural analysis of Samson Road received on August 11th in which the consulted Engineer determined it is overloaded and not recommended for refurbishment. Because discussions are still ongoing with NBN, this continues to be considered an interim report.

Additionally, this report:

- Considers [DFES recommendations](#) regarding practices and coverage outside of towers and sites; and
- Addresses each line of [Council Motion 126/19](#) (Special Council Meeting 5 Nov 2019)

1.2 Scope and Objective

As part of a staged approach, this is an initial study of options to evaluate which is the best and most cost-effective solution for the Shires **current actual** and **potentially expanded** tower needs.

The objective is to provide the Shire with a view of assessed options and indicative costs to aid in evaluation of which directions would be subject to a full feasibility study.

1.3 Brief history

It is approximated that in the 1970s (we have been unable to find conclusive dates) a guyed mast tower was built on private property at Samson Road. The tower itself is the property of the Shire and hosts their Works and Services VHF repeater, a DFES owned VHF mid band Ch41 repeater, and an out of service CB repeater.

Research has determined that there have been concerns and discussions over the **access to**, the **condition of**, and **coverage from** the site for a number of years, prompting the consideration of options.



2.0 Samson Rd: Access, Condition and Coverage Concerns

The review of options starts with a baselining of the existing situation and what drivers have been motivating the consideration of a change.

This site is the existing Shire owned tower on private land and is described in [section 5.1](#).

Research has identified three factors which are driving contemplation of a change:

- Access and Power;
- Physical Condition; and
- Radio Coverage.

2.1 Access and Power concern

Verbal inputs received suggest that there may have been incidents of vehicles traversing the private access to Samson Road without prior arrangement and at speeds which caused concern to the owners. It is understood that this resulted in some friction and discussion about relocating off the site to a Shire owned location. Further, historically the site drew power from the private residence, but that connection has been removed and the site runs on solar.

Conclusion:

CGS interviewed the owners of the Samson Road site, and,

- Found their requirements for arranged access (outside of emergencies) and speed constraints to be in line with normal industry standards;
- Established that they are not open to an alternative access across their arable farmland; and
- Understood from them that they are open to whatever decision the Shire takes, as long as those standard access norms are in place, should the Shire choose to remain.

Therefore, it is likely that any concerns over access and power can be successfully addressed through negotiations and that these items would not necessarily be cause to relocate off the Samson Road site.

2.2 Physical condition

Several sources and our own site visit confirm that there are concerns over Samson Road being fit for purpose in its current condition.

Per their 2020 report, DFES examined and rejected Samson Road **due to concern over its degraded condition** and decided to install High Band WAERN repeater on a West Australian Police tower (WAPOL Site) instead. They also cited site condition as an obstacle to the restoration of the CB repeater.

Accordingly, the Shire commissioned a structural analysis and report on the towers condition from Design Engineering Pty. Ltd. to determine.

1. If it is structurally fit for current purpose;
2. Its current load;
3. If it can be considered safe to climb;
4. The % of tower loading capacity in use for existing load, and therefore the % of capacity available for future additional load;
5. If the tower is viable for refurbishment; and
6. Cost Vs Benefit comparison of demolish and rebuild, including budgetary estimates;

The full report dated 11th of August has been shared and includes the following conclusions and recommendations

1. The mast in its present condition is showing an over stress of 13%.
2. The mast will not be suitable for any additional loading.
3. The horizontal bracing is not suitable as a cat ladder as per AS1657 standards.
4. The condition of tower base & anchor blocks footings are unknown as all are buried under ground.
5. No other anchor details are available.
6. There are no fall arrester points /position on tower as per AS1891.1-Industrial Fall -arrest system
7. Response to Client Requirements:

Fit for current purpose	No - structure over stressed
Current load	10.88 KN on Base
Safe to climb	No
% tower already in use	100%
% remain for additional load	0%
Refurbishment	No
Demolished	Yes
Estimated budget to demolish	\$10,000
Estimated budget to construct new mast	\$150,000

Therefore, according to this report, the Samson Road structure is overloaded for the Shires current needs and is not recommended for refurbishment.

Accepting the report means that the [“Do nothing”](#) and [“Refurbishment”](#) options have been closed and the Shire will now move into other options evaluating colocation and new tower build.

Consulting Great Southern believe that the remaining options are:

- [Colocate on an existing structure such as the WAPOL tower](#) in town where DFES has the high band repeater installed for a budgetary spend of c. \$50K plus an annual rent c. \$3K, or
- [Build a new tower with associated infrastructure at a budgetary cost of c. \\$250K](#) (potentially less as described in the report)

- Note the \$150K mentioned in the Engineers report is for a tower alone, no solar, no batteries, no mains connection, no equipment room, no installation and commissioning costs, no demolition or remediation cost.
- The location of a new tower, should the Shire be inclined to go that model over colocation, is a critical choice.
- According to the DFES reports on coverage supplied by council as part of the research material, the coverage is functionally equivalent at Samson road, WAPOL site AND the potential greenfield location on Jingaulup Road.
- However, DFES state that Shire should source its own RF coverage data if contemplating a large capital spend and CGS concur with that opinion.
- Rebuilding at the same site is one of the options the Shire might consider on the basis that the tenancy MOU is formalized to the satisfaction of all parties.

In anticipation, CGS has requested price and lead time indications to conduct coverage map studies for VHF mid and high band (and it may be valuable to examine UHF CB too).

These studies are done on a desktop and do not require any field work. The data that is required is the DFES radio power and sensitivity specifications. I have met with Allan Brown (DFES) and he has agreed to provide these.

2.3 Radio Coverage concern

in 2011 and 2020, DFES produced reports analysing the WAERN system coverage in the Shire.

In the 2011 report, DFES describes conducting a simultaneous drive test / RF mapping of both the Samson Road Mid Band Ch 41 and the WAPOL High Band Ch 234. They used a WAERN Project Vehicle and a Shire fire appliance (Kojonup 2.4R). After ensuring both repeaters were online, they compared results which are included and explained in the report, and in summary, they concluded:

Samson Road Vs WAPOL site:

- ***“.. the WAERN High Band repeater coverage (WAPOL site) provides comparable coverage to the BFB Mid Band repeater (Samson Road) at most of the locations tested.”***
 - It is noted that the antenna height at WAPOL is reported in the license as at 47m which may be worth investigating for potential of raising it.

Samson Road Vs Jingalup Road:

In the 2020 report, DFES included a comparison of radio coverage (Shadow Mapping) from Samson Road compared with the proposed alternative location at Jingalup Road. According to that report, a new 60m tower at Jingalup is predicted to provide:

- ***“good coverage but less than the area comparison of the (existing) linked 229 and 234.”***
 - DFES goes on to qualify that their shadow mapping is not guaranteed and that ***“The Shire should consider getting an independent analysis prior to committing to this (tower) expenditure”***

Conclusion:

In summary, the DFES technical report conclusions in 2011 and 2020 are:

- **2011-** WAPOL and Samson Road provide comparable coverage albeit with some variances, but “improved coverage” is not indicated as an expectation for moving off Samson Road to WAPOL; and
- **2020-** That a new 60m tower at Jingalup road would provide good coverage but less than the area comparison of the existing linked sites. Again, “improved coverage” would not be a trigger for moving off Samson Road to Jingalup Road.

Therefore, because neither of the alternative site options considered indicates improved coverage as an outcome, coverage would not be cause to relocate off the Samson Road site.

3.0 The Shires Tower Needs

3.1 Current needs:

1. The Shires VHF Mid Band Ch 41 radio network
 - a. (currently installed at Samson Road)
2. The Shires Works and Services Department Radio Network VHF
 - a. (currently installed at Samson Road)
3. The DFES VHF High Band WAERN Ch 234 linked with Ch 229 Chowrup repeater.
 - a. (currently installed at the WAPOL tower)

All of the tower options contemplated consider the current needs at a minimum.

3.2 Potential needs:

Per council meeting motion 126/19 from 5 November 2019, the following **potential uses** will be evaluated.

1. Re-establishment of the existing UHF CB repeater Ch3 – see 3.2.1
2. Community FM Radio Broadcast – see 3.2.2
3. Internet – see 3.3.3

3.2.1 Re-establishment of the existing UHF CB repeater



Figure 1: Out of Service CB Repeater Samson Road

Verbal input from the site visit is that this UHF Ch 3 CB repeater has been out of service for approximately 5 years.

Key point: In their May 2020 Report “Kojonup WAERN Coverage Review” DFES describes the repair and utilisation of this as an option to “**assist communications into the areas of concern**”

CGS was able to locate the original vendor and obtain indicative pricing of:

- Repair:
 - They reverted that the unit is 25+ years old and would not be viable to repair
- Replacement:
 - Indicative cost to replace with an ICOM repeater, including cables, antennas c. \$4.5k to \$6.0K plus site works and any needed power upgrade. For budgetary purposes CGS considers \$7.0K total reasonable.

Original Vendor detail: WACB Sales and Service. ken@wacb.com.au, phone 089 221 3800

Conclusion for this report. Considering the comment by DFES, CGS believes it prudent for the Shire to replace the unit when a decision is taken on what the tower solution will be.

3.2.2 FM Community Radio Study / interview with 100.9FM

CGS interviewed Mr. Ken Ewers-Verge of Albany’s 100.9 FM on 29th June 2021 to seek some initial guidance on the licensing and infrastructure requirements. While this subject would require a more detailed analysis starting with the Shires ambitions in terms of coverage area, the inputs from Mr Ewers-Verge indicate that the physical load on a tower is not large.

- 100.9 FM uses four (4) folded dipole antennas fed by coaxial cable. This load assumption could be analysed and reserved in any new tower design the Shire moves ahead with.

However, before anyone can launch a community radio station there is a licensing requirement from the **Australian Communications and Media Authority (ACMA)**. On their website they have:

- [About Community Broadcasting licences](#)
- [Apply for a community radio licence](#)

There is also a useful link on the website of **Community Broadcasting Association of Australia (CBA)** titled “[So you want to start a community radio station?](#)” which outlines the associated key questions and requisites.

Mr Ewers-Verge stated that he has over 20 years experience in community FM and offered to assist with planning and sourcing of equipment if the Shire moves forward. He agreed to share his contact details in this report and is on mobile 0408 335 241. While costs vary widely depending on the intended footprint and standard of equipment, he indicated that at the low end a basic set up might cost in the region of \$30,000 excluding the tower.

Conclusion for the purposes of this report is that based on the light antenna load used by 100.9FM in Albany, the Shire could assume an equivalent load of 4 folded dipole antennas with coaxial feeder

cable in planning for tower structural capacity on any new structure. It is a minor load and would be unlikely to impact on the structure weight or cost.

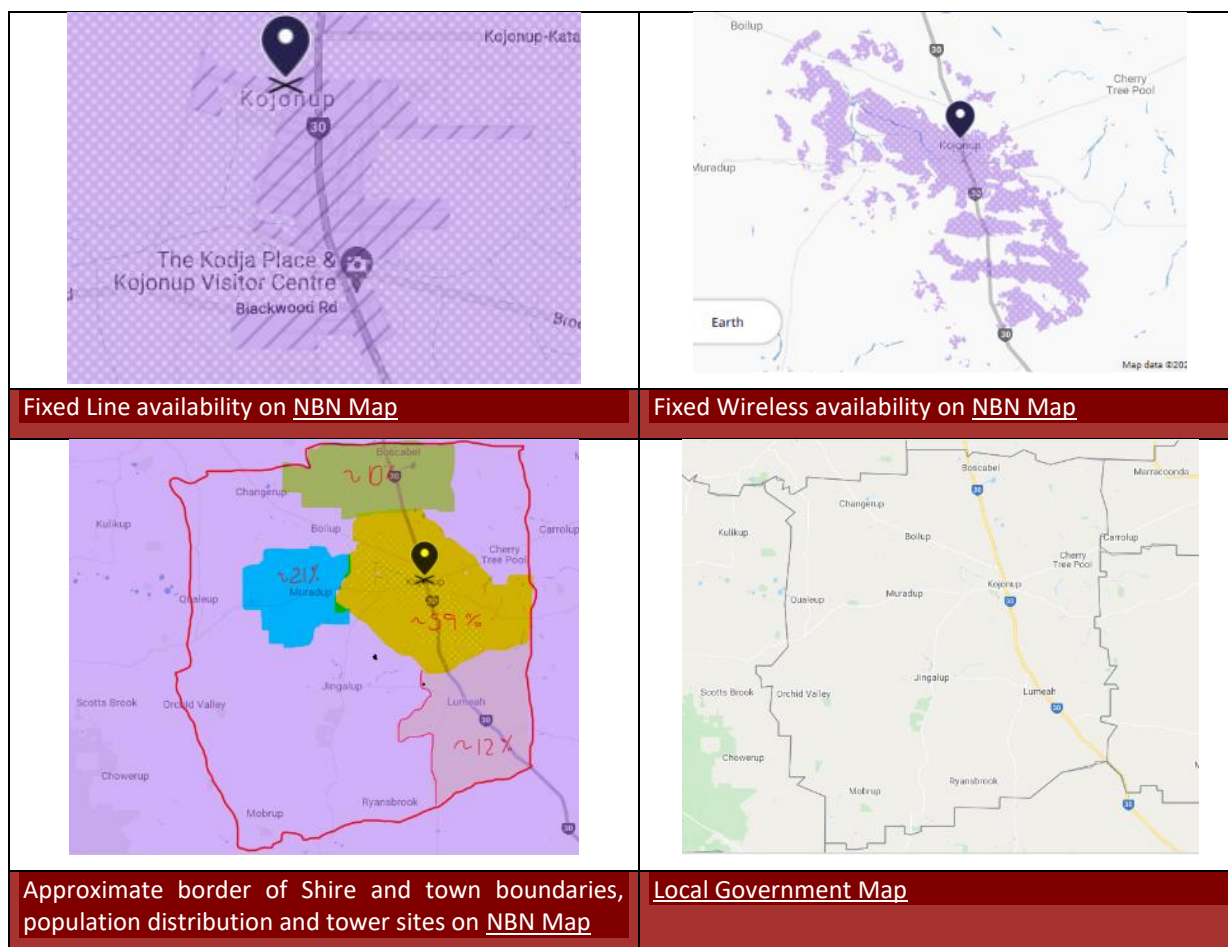
3.2.3 Internet

In special council meeting of 5 November 2019, motion 126/9 para 1.f “Internet” is listed as a potential future service / use for a tower.

Initial research indicates that internet access in Kojonup is accessible over Mobile Phone network or from retailers who are “on- selling” retail plans from the access they purchase wholesale from NBN.

The NBN website indicates that **all the Shire of Kojonup** is within their service area by one of three technologies. Ranked from typically “fastest/most ideal” to “slowest/least desirable”, they are:

1. Fixed line in the centre of Kojonup Town
2. Fixed Wireless in some areas around town; and
3. Satellite for the rest of the Shire;
 - a. The violet fill colour represents Satellite option is available;
 - b. Note this image also shows an approximation of Shire and designated town boundaries, population distribution and the Samson Road, Jingalup Road and WAPOL tower locations.



Key to NBN images:







 Service available area ⓘ  Build commenced area ⓘ  Other fibre provider area ⓘ	 Fixed line ⓘ  Fixed wireless ⓘ  Satellite ⓘ
Rollout Status	Service Type

Figure 2: Images of NBN services by area and population estimates

3.2.4 Approximation of population distribution relative to NBN technology

To enable the study of how internet might be improved, CGS has done a preliminary study of population distribution relative to NBN services and the tower locations considered in this report.

Data is sourced from Wikipedia and ABS census data from different years. Therefore the analysis is considered indicative, not conclusive.

- Whole LGA population c. 2000;
- 2.3 persons per household;
- Township population c. 1300:
 - Therefore, c. 700 ppl live outside of the township of Kojonup in c. 300 residences;
 - Data sources for population in towns roll up to 2,300 over 5 named towns (300 people or 15% more than 2016 census) Furthermore, I found no population data for the other towns; and
 - CGS considers that even with the margin of error at around 15%, that this analysis will likely be sufficiently indicative.

Internet Search: Towns and localities per Wikipedia	Indicative Accumulative Population	Indicative % Avg 2150 (107%)
<ul style="list-style-type: none"> • Kojonup – pop 1,265, 2016 census • Muradup – pop 464, 2006 census • Lumeah- pop 258, 2011 census • Boscabel – pop 218, 2006 census • Jingalup – 111, 2016 census • Cherry Tree Pool • <u>Mobrup</u> • Qualeup • Wahkinup 	<ul style="list-style-type: none"> • 1265 • 1729 • 1987 • 2205 • 2316 	<ul style="list-style-type: none"> • 59% • 21% • 12% • 10% • 5%

Table 1: Approximated Population Distribution

3.3 NBN Regional Co-Investment Fund

At Shires request, CGS has initiated communications with NBN over their Regional Co-Investment Fund.

CGS is exploring if a new tower could be **leveraged as an “in kind” contribution** to a project which **expands fixed wireless access** to population which is currently **limited to satellite**. This concept should align with their para 4.3.2. Other criteria including budget and premises improved must also be met.

Reference the following sources:

1. NBN Covering email- “regional co-investment fund guidelines released;
2. NBN Regional co-investment fund guidelines; and
3. Web Search of regional broadband funding scheme, Regional Broadband Scheme (RBS).

3.3.1 Summary of Fund:

1. NBN is the wholesale distributor of internet access to retail providers – fixed price / level playing field for retailers;
2. According to their material, NBN is pulling forward expansion and capacity upgrade work to the value of \$4.5Bn due to covid19 driven demand; and
3. Of this, c. 6.7% or \$300M is designated as the regional co-investment fund (the fund) for equitable access across all States and Territories, by all levels of Government.

Co-investment is being offered to all levels of Government, to improve broadband in locations which **“would otherwise be sub-commercial”**, and:

- NBN will own and maintain any resulting infrastructure
 - CGS will explore this further for this “in kind” scenario.
- NBN will be the sole recipient of any consequential revenue

Eligibility. The referenced NBN material highlights a desire to **migrate / technology change** clients off satellite to fixed wireless, and off fixed wireless to fibre to the premises, where

1. Majority of premises are currently served by Satellite or Fixed Wireless
 - a. **MT comment:** Analysis indicates that [c. 21%](#) of the population (~460 pop, ~ 200 households) live in Muradup and can only access nbn satellite).
2. The project serves over 50 premises
 - a. **MT comment:** While other town areas would also benefit, a project which addresses Muradup would cover ~ 200 households.
3. The project cost is at least \$500K total build cost.
 - a. **MT comment:** A new tower and all associated costs is reasonably approximated to \$250K, implying that the NBN components would need to cost c. \$200K to qualify.
4. The proposal doesn’t overlap existing upgrade plans. (refer 3.2.3)
 - a. **MT comment:** [Map](#) shows that the entire Shire is in a service available area with the Kojonup Town served by Fixed Line, urban areas by fixed wireless and the remainder by satellite. Therefore, for Kojonup it appears that there is scope to migrate premises off Satellite to Fixed Wireless, aligning to the eligibility criteria.
 - b. **MT comment:** [Map](#) does not show any area in the Shire as “build commenced”, or “other fibre provider area)
5. The proposal delivers significant community benefit; and

- a. *MT comment:* this would likely be ok
- 6. The project is outside of designated “major urban” areas
 - a. *MT comment:* this would likely be ok
- 7. Co-investment agreement can not included any non government parties. (p 4.2.1)
 - a. *MT comment:* this could be an issue if the Shire is planning to use a grant.

In-kind contribution. Important for Kojonup. That is, if Kojonup build a tower which they want irrespective of NBN for other justifications, the value of the tower can potentially count as a in kind contribution. (para 4.3.2)

Application Process. (Para 5).. Starts with little to no overhead for the Shire. NBN does a build quote and by step 6 would submit an application.

- If the Shire decides to proceed to build a new tower for WAERN / MidBand Ch 41, subject to approval of the concept, they could potentially have NBN recognise the tower as “in-kind” contribution and expand the fixed wireless coverage.
- This is very early in the process and it is not possible to estimate the probability of success.

Observations

- Migrating premises toward fiber, off Satellite or Fixed Wireless provides clear benefits to NBN and retail on-sellers.
- The Shire would be contributing funds toward infrastructure with no direct commercial benefit. The incentive being tabled is the consequential benefits of higher community broadband access.
- It is more typical that retail carriers, not governments, would co-invest in expanded infrastructure into marginal areas, typically with funds levied specifically for that purpose.
- In Australia that levy is the Regional Broadband Scheme (RBS), and, the Commonwealth Regional Connectivity Program
- The Regional Broadband Scheme (RBS) is a levy on all retail carriers of \$7.10 per month per residence or business which has a broadband or local access line. The purpose is to “fund the loss making components of the NBN (i.e. fixed wireless and satellite services) through a levy on fixed line infrastructure providers. Therefore, it would appear that asking any level of Government to coinvest with no ownership or revenue share is shifting the responsibility for funding of regional broadband infrastructure onto rural residents.
 - ACMA website advise to carriers: [here](#)
 - ACCC RBS Levy report: [here](#)

3.3.2 Fund Estimated timeframe: (Ref their para 3.2)

- Guidelines released and applications open 23 June 2021;
- Closing date for receiving build estimate requests 5pm 1 October 2021 (AEST);
- Closing date for receiving build quote requests 5pm 19 November 2021 (AEDT);
- Closing date for receipt of Applications 5pm 18 February 2022 (AEDT);
- All upgrade work expected to be completed by 30 June 2024;
 - *MT comment:* No Schedule Risk to the fund and potentially aligns with Shires timeline to resolve any tower project.

3.3.3 Next Steps

- CGS has established dialogue with NBN and will work through the process on behalf of the Shire as directed, keeping the Shire engaged and informed.

4.0 Site Details

4.1 Samson Road Site – BFB Mid Band and Shire Works Radios

4.1.1 Summary

Shire owned tower on private land. Hosts the DFES Mid Band Ch 41 and the Shires own Works and Services repeater. The c. 55m guyed mast tower is aged and a [structural analysis has been conducted](#) to baseline the existing situation as an input to the consideration of the Shires options.

Located c. 700m to the NW of the residence of Melissa and Stacy Williams.

- Lat-33.927939, Long 117.080342, Elevation 364.4m.

The tower reputedly dates from the 1970s although we have been unable to establish this through references such as approvals or construction drawings.

4.1.2 Equipment installed

The site hosts the Shires VHF Mid Band channel 41 Bushfire/VFRS repeater, the Works and Services Department repeater, and an out of service UHF CB radio repeater, reportedly out of operation for around 5 years.

The site is solar powered with a 6-panel array and batteries. There is no mains / 240V power.

There is a small 3m x 3m equipment room.

4.1.3 Concerns over Condition, Access and Power, and Radio Coverage

Refer Paragraph 2.1 to 2.3 for detail.

In summary,

Condition – Site was rejected by DFES for WAERN. Structural Analysis report states that it is overloaded and not compliant with the applicable standard for safe climbing.

Access and Power – Reportedly incidents in the past caused friction. It is believed these items can be resolved through negotiation with the site owners.

Radio Coverage – Two DFES studies to compare Samson Road with coverage from WAPOL and from Jingalup Road locations did not conclude that either option would provide better coverage. Therefore, coverage improvement would not be cause to relocate off the Samson Road site.

4.1.4 Suitability

In this revision (V1.6) [the result from the structural analysis](#) has been received. The consulted Engineer has established that the tower is overloaded for the current needs and is not suitable for refurbishment.

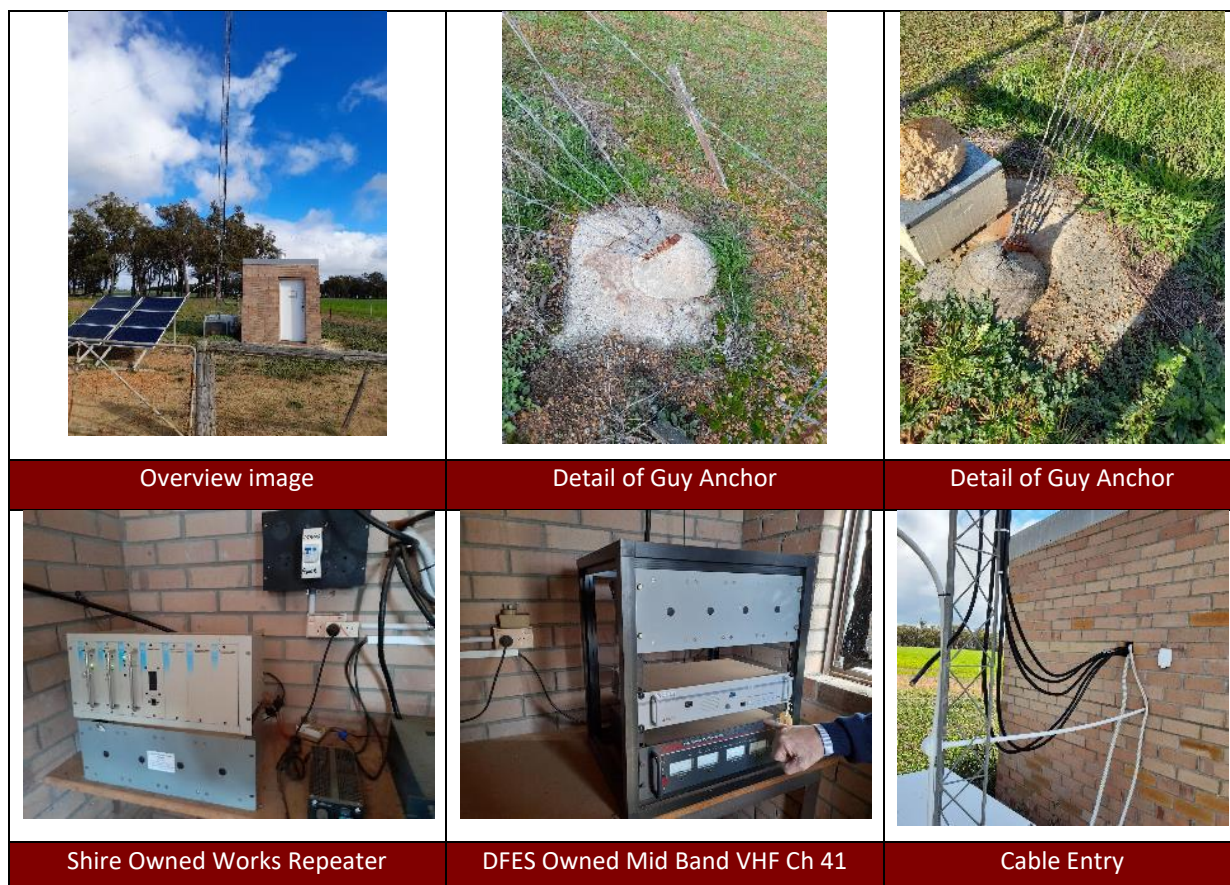


Figure 3: Images of Samson Road Site

4.2 WAPOL Colocation site – DFES WAERN

4.2.1 Summary

WA Police owned tower on private land. Hosts the DFES High Band WAERN Ch 234 as a colocation tenant. The c. 55m guyed mast tower is in good condition and initial investigation indicates that it is likely a viable alternative if the Shire moves off Samson Road.

Located on private land c. 2.5Km to the South of Kojonup town centre.

- Lat-33.857273, Long 117.164445, Elevation 368m.

4.2.2 DFES site selection

When deploying their WAERN project, DFES examined the Samson Road site, and due to “concerns with the structural integrity and condition of the existing tower” decided to co-locate the Kojonup WAERN Ch 234 repeater onto the West Australian Police Force (WAPOL) tower.

Per DFES input, the Kojonup repeater Ch 234 is linked with the Chowrup repeater Ch 229 and Samson Road Mid Band Ch 41. There are other tenants on the tower.

4.2.3 Radio Coverage

In their May 2020 report “Kojonup WAERN coverage review” DFES compare the coverage expectation for these two linked repeaters versus a new 60m tower at Jingalup Road. According to that report, a new 60m tower at Jingalup is predicted to provide ***“good coverage but less than the area comparison of the (existing) linked 229 and 234.”***

Therefore, DFES are effectively stating that this existing installation of WAERN on WAPOL linked with Chowrup is providing more coverage than a prospective new 60m tower at Jingalup Road.

4.2.4 Suitability

Preliminary investigation with WAPOL indicates that the Shires current needs **could be met through colocation** of the Samson Road radios onto this structure where the DFES WAERN is already located.

The process requires a formal application and separate leases with WAPOL for the tower and the land owner for access. Initial input from WAPOL suggests the annual colocation costs would be c. \$3,000

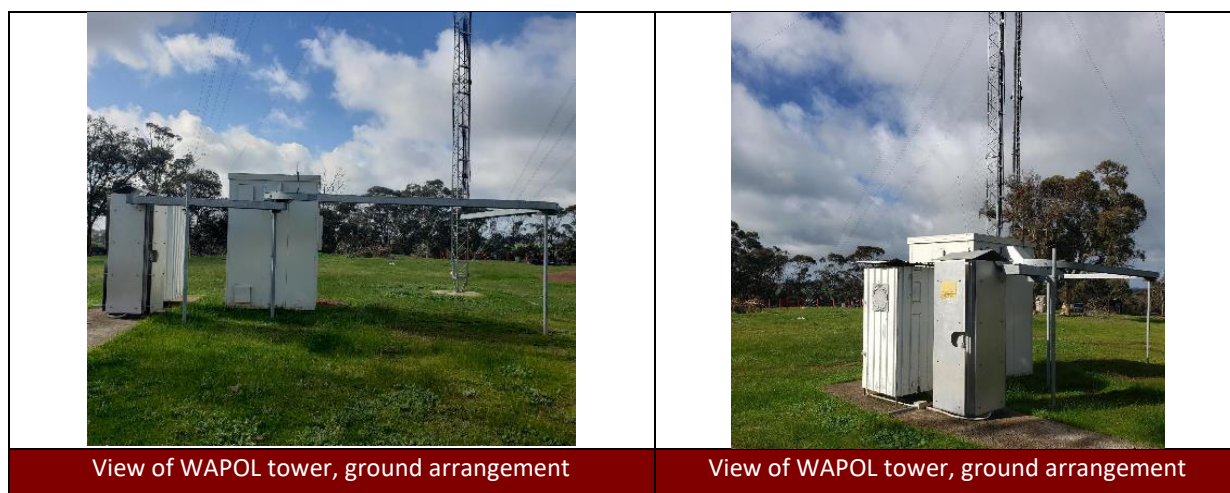
Capital costs would be relatively low in comparison to the construction of a new tower and would include equipment relocation from Samson Road and any power related cost.

Note that other colocation prospects exist in the Shire which were not reviewed in detail. WAPOL is considered initially because it already hosts the DFES High Band Ch 234.

4.2.5 Police tower on offer

The Council resolution of 5th November (motion 126/19) included reference to “Utilising the tower on offer from WAPOL”

CGS viewed the tower in question. It is laying flat on the ground adjacent to the standing WAPOL guyed mast. We observe that it is incomplete and would not be suitable for the needs of the Shire. 4 sections are on site and it appears other sections have been removed. **Image below.**



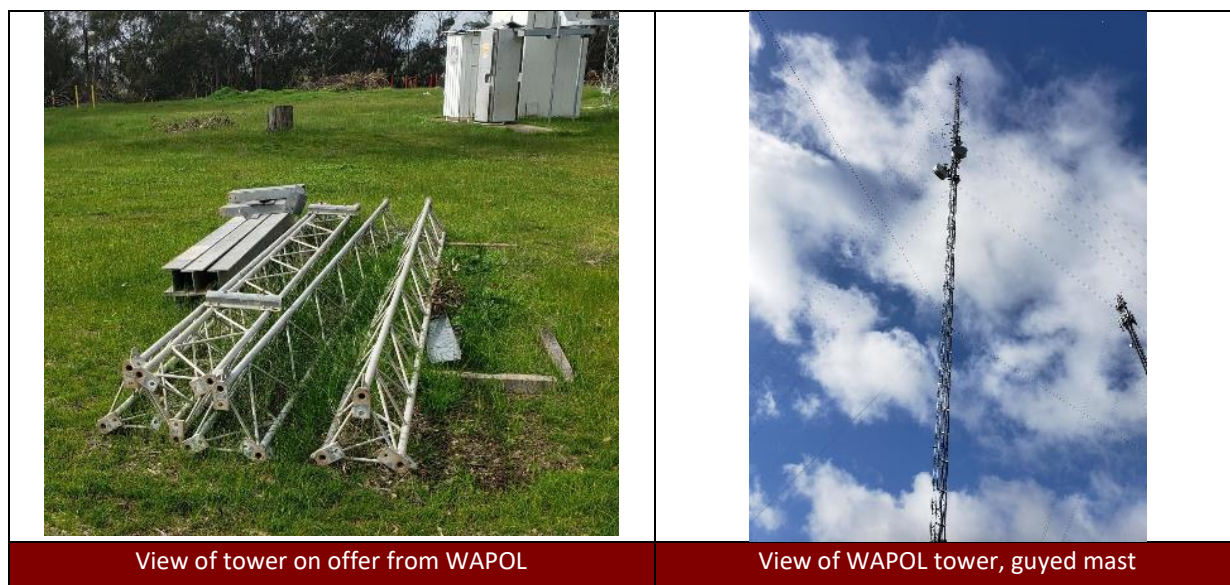


Figure 4: Images of WAPOL Site

4.3 Corner Jingalup and Balarup Roads – Prospective new tower site

4.3.1 Summary

The Shire has been investigating this location for a potential new tower build in the event a decision is taken to relocate off Samson Road. The land is owned by the WA State Government and would require a process to transfer to Shire. The DFES 2020 report states that a 60m tower on this site would provide “good coverage but less than the area comparison of the (existing) linked 229 and 234”

If built, this tower would host the equipment from Samson Road as well as the DFES WAERN from WAPOL. (DFES will cover the cost of the equipment relocation from WAPOL to new tower)

Located on WA owned road reserve, c. 14Km to the South of Kojonup town centre.

- Lat -33.966608, Long 117.156119. Elevation 387.0m.

4.3.2 Description

The location is flat with good access over well-maintained gravel roads.

There is no visible mains power adjacent to the site. The likely closest mains power is along Jingalup Road as there is a residence approx. 450m West of the site. It is noted that the existing site used only solar and battery, however the Shire has listed a range of additional services for consideration and a mains power primary source may therefore become desirable.

4.3.3 Alternative:

Shire Officer Robert Jehu mentioned that the landowner across Jingalup road may be prepared to allow the Shire free of charge use of a site for this purpose, documented by a caveat. If that is the case, and if the Shire determines to go ahead with a new tower, the land is **slightly higher** on that side of the road and **would not require the process of ceding from State to Shire**. It would require a

well written contract protecting the Shires rights of access and ongoing use free of charge. This should not be investigated further until a determination is made on the need. The elevation is 389.4m

4.3.4 Radio Coverage

In their 2020 report, DFES included a comparison of radio coverage (Shadow Mapping) from Samson Road compared with Jingalup Road. According to that report, a new 60m tower at Jingalup is predicted to provide:

- ***“good coverage but less than the area comparison of the (existing) linked 229 and 234.”***
 - DFES goes on to qualify that their shadow mapping is not guaranteed and that ***“The Shire should consider getting an independent analysis prior to committing to this (tower) expenditure”***

Therefore, the statement “improved coverage achieved from Shadow Testing undertaken by DFES” is not in alignment with the DFES reference material.



Figure 5: Corner of Jingalup and Balarup Roads, looking North

4.3.5 Suitability

Based on DFES inputs, this location and the alternative across the road could meet the Shires needs, providing “Good” coverage if it is decided to exit from Samson Road. The construction of a new tower on any site is the highest capital cost solution, estimated at c. \$250K for all related work.

4.4 Chowerup Repeater Site

4.4.1 Summary

Located outside of the Kojonup LGA to the South West, this site is currently linked to the DFES Kojonup 234 installed on WAPOL tower, **and per DFES would remain so if 234 was to be relocated.**

None of the options evaluated would change or impact Chowerup Repeater. It is included in this report as the link to this repeater is an integral part of the Shires DFES WAERN coverage solution for Kojonup LGA.

4.5 Muradup Shed

4.5.1 Summary

The Council resolution of 5th November (motion 126/19) included reference to this shed as follows:

- “Cost to Relocate the Muradup Shed which permits all weather protection for new batteries and installation of new solar panels to the Jingalup site”



Figure 6: View of “Muradup Shed”

The site identified to CGS is described as an out of service satellite station.

The equipment room appears to be in good order and there is a high probability that it could serve the Shire if repurposed and relocated.

Note that only external views were possible and a more detailed inspection will be required.

Its size would likely suit a rack mount arrangement of radio repeaters and a battery back up bank. It would not be adequate to host a Solar Panel Array, any such array would need to be located adjacent to the “shed”.

5.0 Summary of Options and Recommendation

5.1 Summary

CGS considers that the analysis has revealed the options listed below. In this update (V1.6) the survey of the Samson Road existing tower concluded that “do nothing” and “refurbish the existing site” are not viable.

If for any reason the Shire decides to relocate off Samson Road there will be site demolition costs in addition to the capex required for **either** the **new colocation** (c. \$50K) or **new tower** (c. \$250K) build option selected.

CGS has noted that DFES made several recommendations regarding practices and coverage outside of towers and sites. The Shire may wish to adopt those suggestions regardless of which tower solution is chosen.

5.2 Do Nothing

- a. This option was definitively examined by the Tower Survey ordered by the Shire on 20th July 2021. The report states that the Samson Road tower is overloaded and not viable for refurbishment.
- b. On this basis, this option is considered closed.

5.3 Refurbish the existing Samson Road site

- a. This option was definitively examined by the Tower Survey ordered by the Shire on 20th July 2021. The report states that the Samson Road tower does not meet the applicable standard for climbing and is not suitable for refurbishment.
- b. On this basis, this option is considered closed.

5.4 Demolish and remove the existing tower

If the preceding options are rejected either by choice or through technical impossibility, all of the remaining options:

- involve a replacement tower either through [colocation](#) or new construction
 - New construction could be on the same Samson Road site, or on a new location such as [Jingalup Road](#)
- incur a demolition and site clean-up cost for Samson Road
 - The estimated cost to demolish and remove the site is c. \$20K and may be reduced through negotiation with the land owners; and
 - If Shire decides to leave Samson Road the lease will need to be reviewed for termination clauses.

5.5 Colocate

The lowest capital cost option in the event of moving off Samson Road would be colocation onto an existing tower.

In this analysis, CGS has considered the [WAPOL tower](#) where DFES has installed the high band WAERN and performed coverage analysis as described [here](#).

This Police owned site at Lat -33.8574372, Long 117.164908, Elevation 367.3m is 11km to the NE of Samson Road on the property of Kevin Broom (0407 089 430) off # 6 Stock Road.

This site was **selected by DFES to install WAERN** when they had concerns over the condition of Samson Road.

The WA Police Radio and Electronics Services Unit (Karl Carter, 08 9370 7441, karl.carter@police.wa.gov.au) assisted with initial queries. Specific details will be provided upon formal application. He provided budgetary estimates on leasing.

Estimated Costs (ex GST) - to be validated if pursued further. Capital costs potentially lowered through RFQ process.

- **\$3K Indicative Annual Lease Cost, inclusive of:**
 - \$3K inclusive of leases to WAPOL (joint facility) and Landowner (Access)
- **\$50K Indicative Capital costs, inclusive of:**
 - Required reports
 - Cabinet relocation, Electrical Connections
 - Installation and commissioning of Ch 41 DFES and Shire Ops Repeaters
 - Replace and commission [CB repeater](#)
 - Battery back up dimensioned for load – to be finalised.
 - Professional Fees / RF planning / Licensing
 - (assumes no Solar, no fencing, and re-use of shelter from Muradup)

5.6 New Construction

A new tower could be built either on [Samson Road site](#), or on a new location such as [Jingalup Road](#). New construction is the highest capital cost option.

Estimated Costs (ex GST) - to be validated if pursued further and potentially lowered through Tender process.

- **\$250K 60m guyed mast tower, inclusive of:**
 - Geotechnical investigation
 - Construct new foundations
 - Supply and erect new mast
 - Supply fall-arrest device
 - Provide structural certification
 - Required reports
 - Cabinet relocation, Electrical Connections
 - Installation and commissioning of Ch 41 DFES and Shire Ops Repeaters
 - Replace and commission [CB repeater](#)
 - Battery back up dimensioned for load – to be finalised.
 - Professional Fees / RF planning / Licensing
 - (assumes no Solar, no fencing, and re-use of shelter from Muradup)

5.7 DFES recommendations regarding practices and coverage

In their report “Kojonup WAERN coverage Review” May 2020. DFES has emphasised the importance of the following items.

The Shire may wish to implement these suggestions irrespective of any tower related decision.

- Training needs assessment, and subsequent training on [established channel schemes](#) in order to reduce the risk of congestion on the WAERN network
- Identification of [potential vehicle-based retransmission sites](#) to address any coverage gaps
- [Re-establishment of the CB repeater](#) which is out of service on Samson Road to reduce risk of congestion on the WAERN network

5.8 Conclusion and Recommendation

With the NBN Co-invest concept being introduced, it could be argued that no recommendation should be made until the outcome of that discussion is known. If a new tower can be leveraged to improve internet access for a significant portion of the population then that would be an important consideration. NBN will be focussed on their needs, not DFES / WAERN / Shire operations and this analysis must determine if one tower is capable of meeting both sets of requirements. Contact has been established, the Shire has signed a NDA and CGS is following up with NBN.

A large part of this study was to understand the drivers which have led to years of discussion and contemplation of moving off the Samson Road Site. The drivers were concerns over access and power, radio coverage and tower condition. Analysis of the material provided finds that access & power and radio coverage DO NOT present a compelling case to move. The indicative capital cost of a move ranges from c. \$50K for colocation (with a small ongoing annual rent) to c. \$250K for a new build guyed mast tower.

The structural analysis report concludes that the existing tower at Samson road is overloaded and not suitable for refurbishment. On that basis the options of “do nothing” and “refurbish” are considered closed. The Shire would therefore look at the colocation and new build options described within this report.

The key points are:

- **Sites:** All 3 sites considered are considered technically suitable based on the DFES studies of coverage comparisons from Samson Road, WAPOL tower and a new 60m tower at Jingalup Road.
- **Towers:** Samson Road tower has been assessed as unsuitable. The WAPOL colocation is very likely suitable, subject to an application process, and a NEW tower on either Jingalup Road or Samson Road (or other potential sites) would certainly meet all current and potential needs as reviewed in this report.
- **Colocate or Build:** Colocation is clearly the lowest capital cost option if the Shire exits Samson Road.

- Irrespective of whichever tower option is adopted, the Shire may adopt the non-tower related [recommendations](#) for improvement of DFES related radio communications.

At this time, CGS considers this version to be an interim report pending further input from NBN and makes these formal recommendations.

Recommendation 1: With NBN potential to bring fixed wireless internet to a significant percentage of the population, it is recommended that the Shire does not commit to a decision on relocating or rebuilding without including that information;

Recommendation 2: It is recommended that the Shire adopts and commits to the non tower related DFES recommendations as set out in their 2020 report “Kojonup WAERN coverage Review” May 2020 for a) training needs and subsequent training of established communications plans b) location of vehicle repeater sites, and c) re-establishment of the CB repeater; and

Recommendation 3: That the Shire direct Consulting Great Southern to work through the NBN co-investment fund process on established schedule of rates informing and engaging the Shire until directed otherwise, or the process concludes.

6.0 Appendices

6.1 DFES report “Kojonup WAERN coverage Review” May 2020

Content Summary:

- Report dated May 2020 is built on their earlier Kojonup WAERN Coverage Review of Sep. 2011.
- Describes reported WAERN coverage concerns and steps taken by DFES to address them.
- Speaks to selection of a **Collocation with WAPol** for Kojonup Ch 234 **over the Samson Road** site.
- Sets out the comprehensive remedial works conducted in 2019/20, including:
 - Identification and elimination of tower noise generated by surplus hardware;
 - New Antennas and feeders;
 - New repeater hardware and software configuration;
 - Antenna orientations to improve coverage in the Southwest;
- States that despite these measures there are continued reports of problems with Ch 234 in the SW of the Shire; and
- Suggests **further remedial options**, summarised below.

Training and use of pre-formed communications plans

The report notes that:

- A further 8 repeaters contribute coverage to Kojonup;
- The linked repeater Chowrup (229) shows good coverage over the main areas where concerns have been raised (South West);
- There is a risk of congestion issues if every radio in the Shire is on High Band 234, Mid Band 41 or High Band 234 and therefore notes that ***“it is imperative that the pre-formed communication plans for Kojonup are utilised at all incidents” (provided in annex C of that report)***
- The conclusion is that Local Government, Incident Management Teams, the BFB, the VFRS and the DFES share the responsibility to ensure that all responders are “trained and competent” with the plans for repeaters in and around the Shire.

Repair and utilization of the out of service CB repeater at Samson Road

The report notes the CB repeater (Ch 3) which is installed at but out of service:

- could assist communications into the areas of concern; and that
- the main impediment to this is concerns over the condition of the guyed mast.

The identification of potential retransmission sites

The report proposes that DFES Operational Communications work together with the region and local representatives to map suitable locations where a vehicle could park and serve as a temporary retransmission site for the management of an incident utilising the communications plans.

The potential new tower at Jingalup Road

The report notes submission of a proposal for a new 60m tower at Jingalup Road.

DFES compare the coverage expectation for the two existing linked repeaters (Kojonup and Chowrup) versus a new 60m tower at Jingalup Road.

According to that report, a new 60m tower at Jingalup is predicted to provide ***“good coverage but less than the area comparison of the linked 229 and 234.”***

Conclusion:

In their conclusion, they state their position that:

- The communications plans are reviewed by LG with assistance from DFES regional office;
- Training needs analysis be undertaken for the communications plans

6.2 Minutes of Shire Council Meeting, motion 126/19.

Refer original for complete details, content summary and links to report follow:

- **Mr Digby Stretch, Kojonup Bush Fire Association President** (24 October 2019). Refer Para 14.1, P 29 of Ordinary council Meeting 18 Aug 2020 for full text. In summary:
 - Provided Shadow Maps for existing mid band tower and a new 60m at the proposed Jingalup site.
 - Concludes that he considers the Jingalup site better overall relative to the existing mid band repeater site.
 - [Review here regarding coverage](#)
- **The Council resolution of 5th November (motion 126/19)**
 - Ascertain DFES funding criteria to build a tower capable of supporting the uses below
 - Shires mid band radio network (Ch 41) - [see here](#)
 - WAERN - [see here](#)
 - Shires Works and Services radio network - [see here](#)
 - CB Radio Community FM Radio - [see here](#)
 - Internet - [see here](#)
 - Cost a new tower and associated network at Jingalup “given improved coverage achieved”
 - [Review here regarding coverage](#)
 - [Review here regarding budgetary cost](#)
 - Land Tenure requirements at Jingalup Road
 - Refer inputs from Shire
 - Land has not yet been ceded and requires a process
 - New tower design considerations including weight and structure integrity (capacity) especially if using the tower on offer from WAPOL
 - [Refer here](#) regarding budgetary estimate
 - [Refer here](#) regarding the tower from WAPOL
 - Cost to Relocate Muradup Shed to house new batteries and install new solar panels at new site
 - [Refer here](#) for analysis
 - Include fencing, access, relocation and new aerials in new build budget / tender.

- Mentions relocation of WAERN, but, the DFES report has stated DFES would cover a relocation cost
 - [Refer here](#) regarding budgetary estimate
- Cost to dismantle and rehab Samson Road
 - [Refer here](#) for cost estimate
- Advise to be sought from DFES as required
 - [Refer here](#) for contact that has input into this report
- Lodge an application seeking LGGS Capital funding based on the above
 - Shire process after selecting an option

7.0 Definitions

7.1 Tower

The word “Tower” is generic for a range of structure types. The structure type for any given requirement is determined by evaluation of the planned use. The cost is a function of the required height, the planned load, and the wind and seismic characteristics of the planned location. All those factors determine the structure weight, the requirements for its concrete foundations and therefore the cost. Types of structure include:

- Self supporting steel towers -typical for urban, sub urban, and rural applications where there is insufficient space to a guyed mast or that the analysis of planned load makes it the most effective option.
- Guyed masts – derive their strength from steel “guys” or “stays” radiating from a relatively small and light mast structure. This solution requires a large area of land and is commonly found in lighter, rural applications. Guyed masts are typically less expensive than a self supporting structure for a given height.
- Posts – can be steel or wood. Installed free standing like a lightpole, this type of structure suits lighter applications where the relatively low achievable height will meet the demands of the planned use.
- Rooftop tailored solutions – typical in cities and towns where rooftop space can achieve the required antenna height and load.

7.2 Site

A tower is one key component of a “Site” which typically includes other related infrastructure, all of which are considered within scope of this study if identified as applicable during analysis of the Shires needs:

- Equipment housing cabinets or shelter/s;
- Power related items, such as:
 - a power meter / pole where mains power is available;
 - a generator and fuel tank;
 - Solar panels;
 - Battery Banks;
 - An Engineered grounding system;
- Tower lighting requirements;
- Security related items, such as
 - Fencing;
 - Gates;
 - Signage;
 - Locks;
 - Alarms;
 - Lighting, Cameras or other security features; and
- Access to the site from the nearest public road.

7.3 Co-location

Co-location is the sharing of a site by multiple users with the intention of reducing infrastructure cost, visual and environmental impacts.

The structure owner bears the capital cost of construction, the maintenance costs and either owns or leases the associated ground. They seek to commercialise the available tower and site capacity through leasing space to other users.

The users are typically tenants with a lease agreement defining the load which they may install upon the structure. The lease agreement may extend beyond tower capacity to other add on services such as ground space, equipment room space, primary and back up power.

In Kojonup, colocation may be attractive as an alternative to the construction of a new tower, if:

- The Samson Road site is found to be unfit for purpose, or the Shire decides to move for any other reason, and
- There is found to be an existing structure(s) in the Shire which could meet the needs provided by Samson Road today

For the purposes of this report, CGS has looked at colocation potential on WAPOL tower:

8.0 Acknowledgements

CGS wishes to acknowledge the following SMEs who contributed to this analysis

- Stacy and Mellissa Williams – Owners of Samson Road property
 - Background and concerns / solutions
- Bob Francis – BFB- 0418940644
 - SME on the history of the site
- Denise Berryman – BFB- 98321041
 - SME on the history of the site
- Tyrone Cripps – Albany Communications
 - indicated that he is able to quote on repairs and connected CGS with
- Allan Brown -DFES (Perth)
 - Knows all of the details in the DFES reports, and connected CGS with
- Darrell - D&J Communication (Manjimup)
 - Darrell can quote for repeater relocation services, is familiar with Samson Road
- Malcolm – WA Tower Service (Bunbury)
 - Malcolm can quote tower demolition and construction
- Ken Marsh – WACB Sales and Service (Perth)
 - Provided the currently out of service CB repeater and associated estimates
- Karl Carter – WA Police
 - Information on colocation at WAPOL site
- Rachel Connelly – METS (Perth)
 - Inputs on tower structural analysis
- Craig Cooper – Roam Engineering (Perth)
 - Budgetary cost of new tower

For further details on this report please contact:



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Consulting Great Southern

ABN: 97 685 677 422

PO Box 2049, ALBANY WA 6331

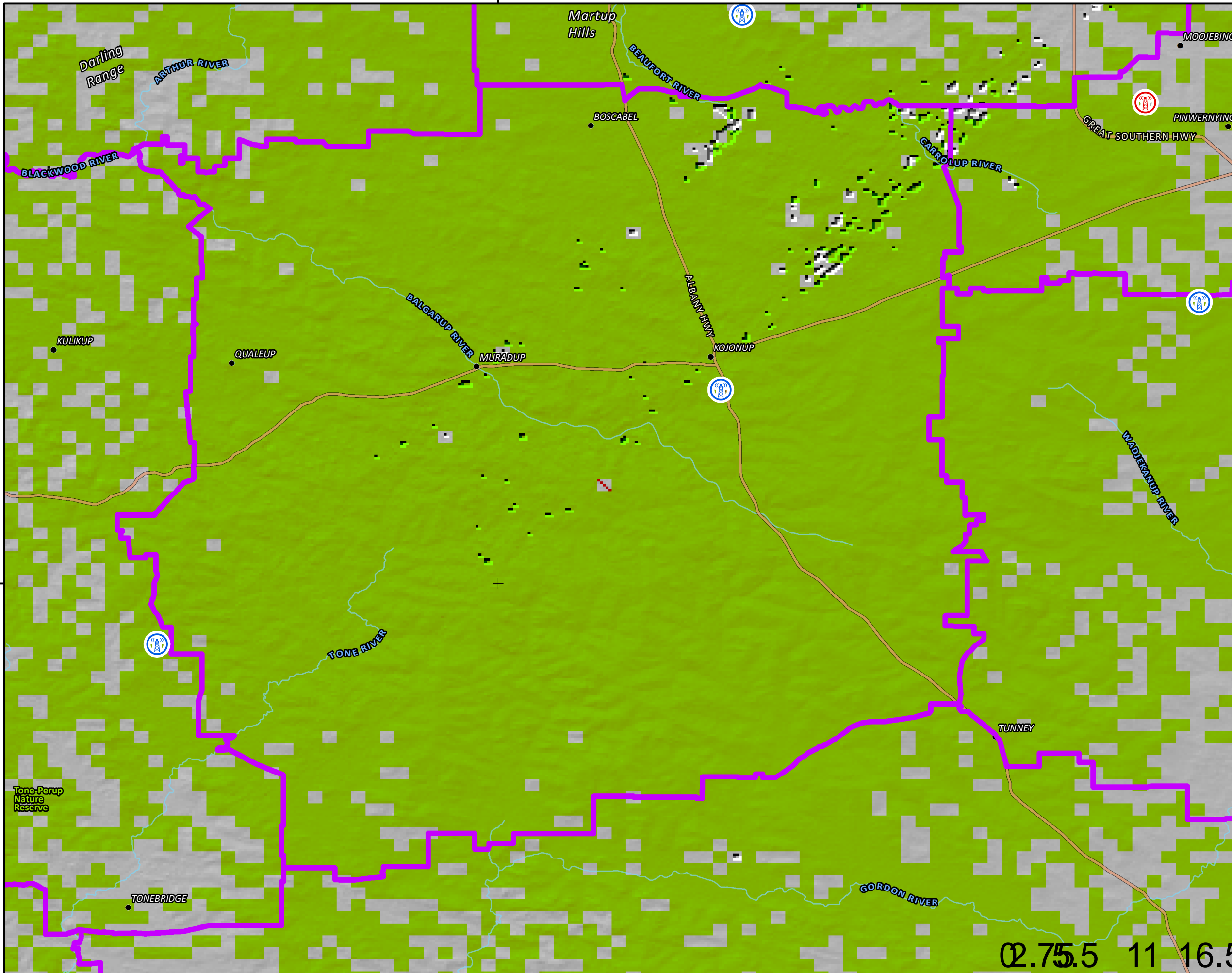
Unit 2 / 266 York Street, ALBANY

Ph: 0419 437 369




E: mark@consultinggreatsouthern.com.au

JingalupTower Site - 60 m Tower

117°0'0"E



Legend

-  DFES_WAERN_Repeater_Locations
-  DPaW_WAERN_Repeater_Locations
-  Landgate_LGA

34°0'0"S

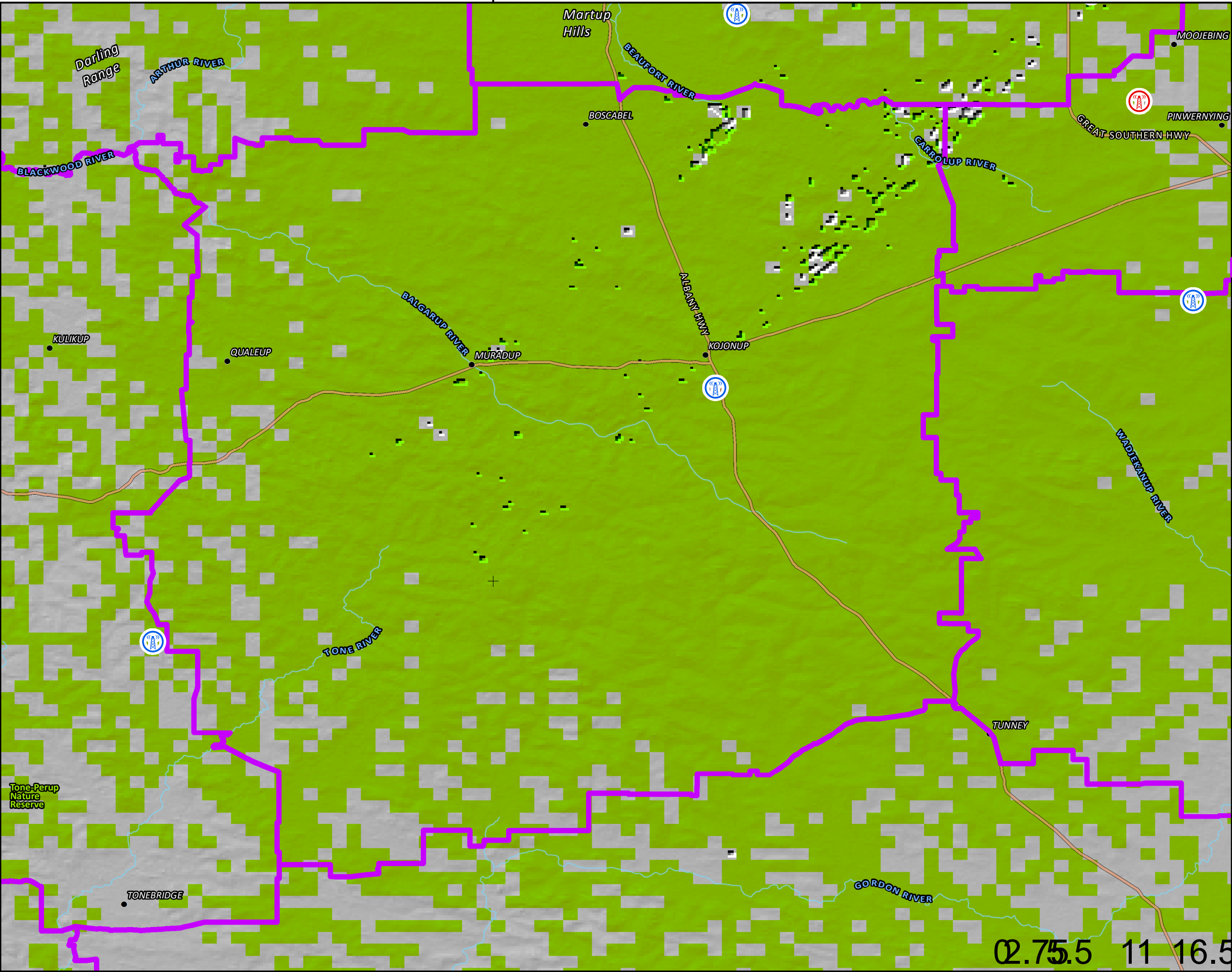
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Kilometers




117°0'0"E

Kojonup Tower Site - 60 m Tower

117°0'0"E



Legend

-  DFES_WAERN_Repeater_Locations
-  DPaW_WAERN_Repeater_Locations
-  Landgate_LGA

0 2.75 5.5 11 16.5 22



Kilometers



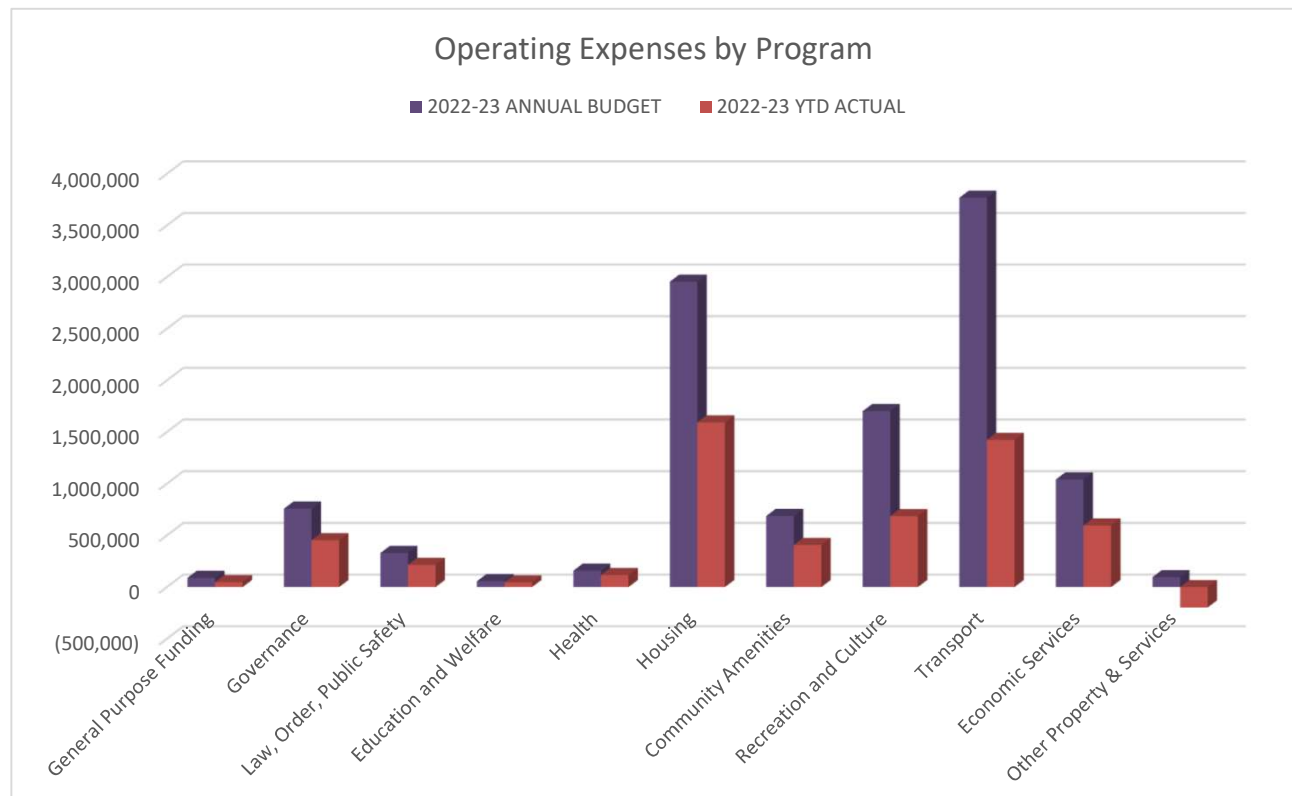
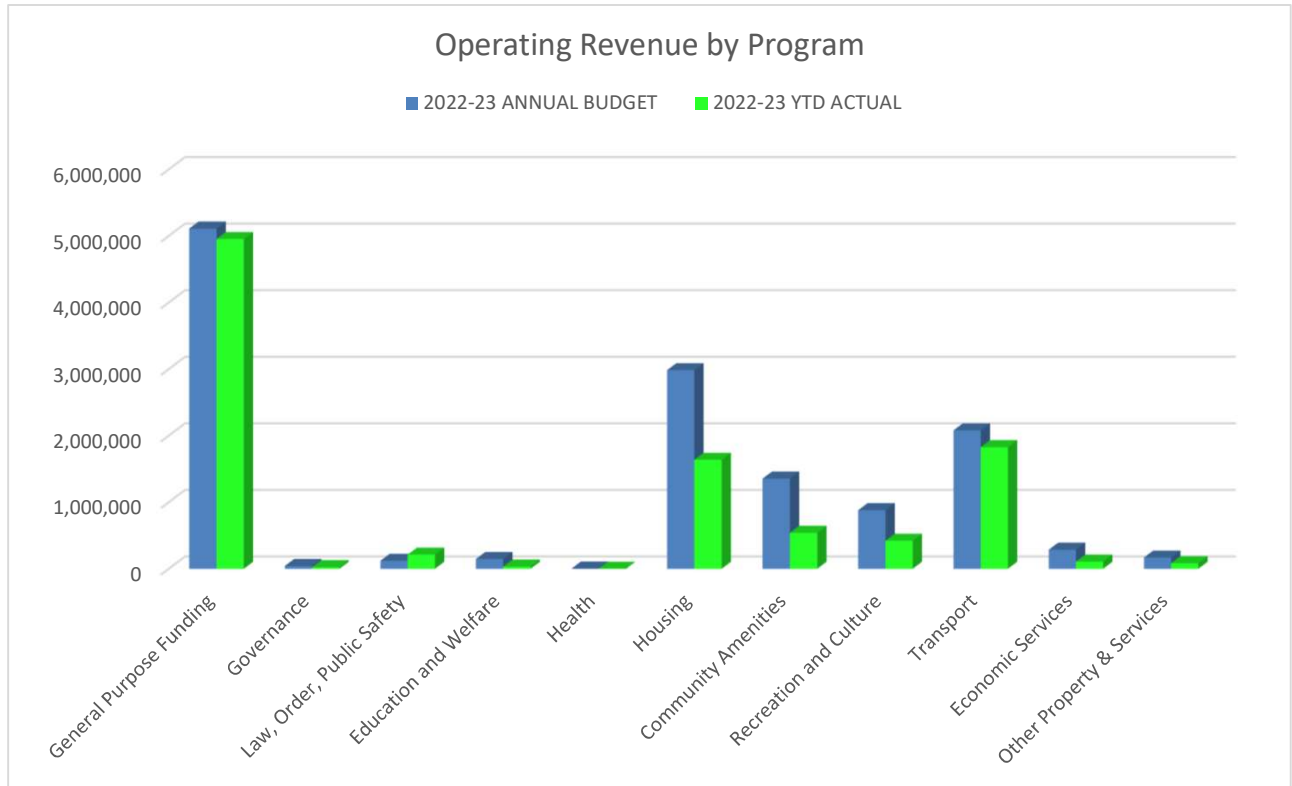
MONTHLY FINANCIAL REPORT

28 FEBRUARY 2023

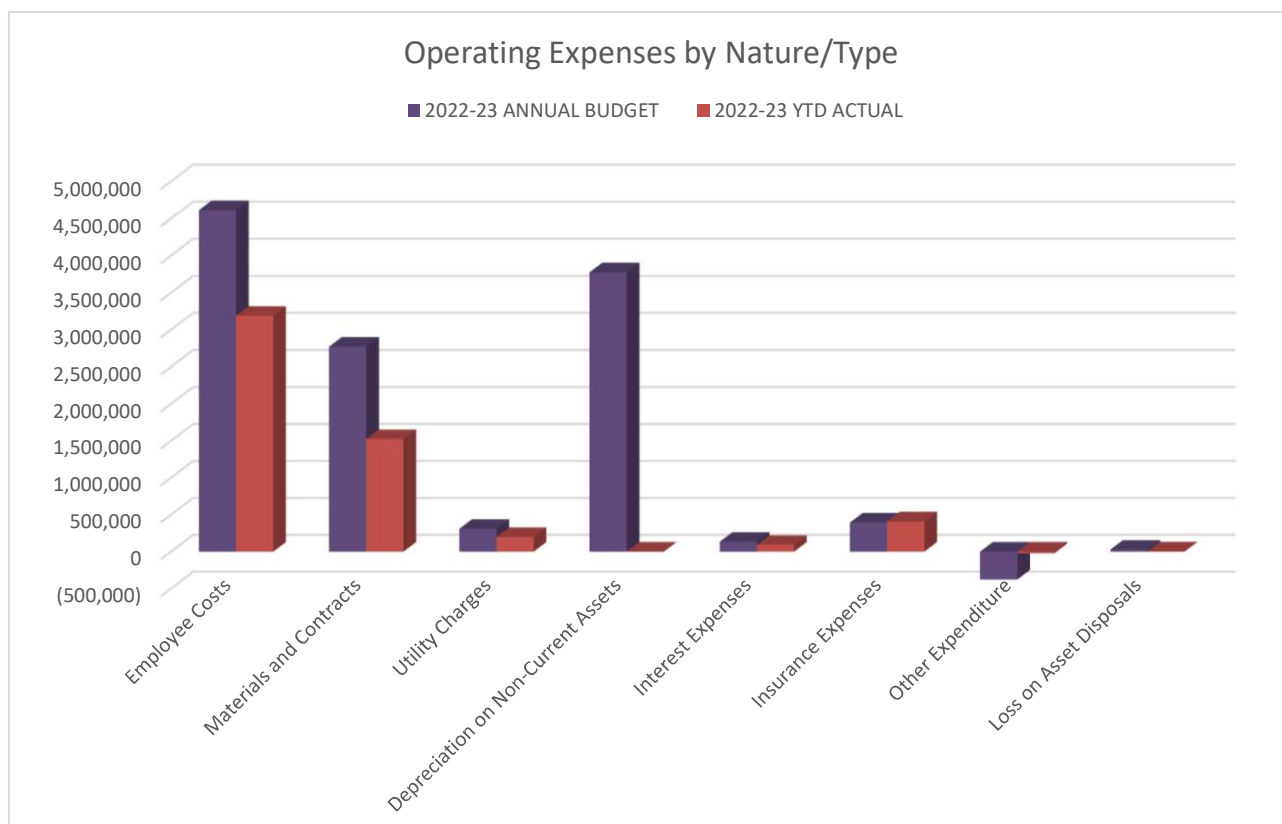
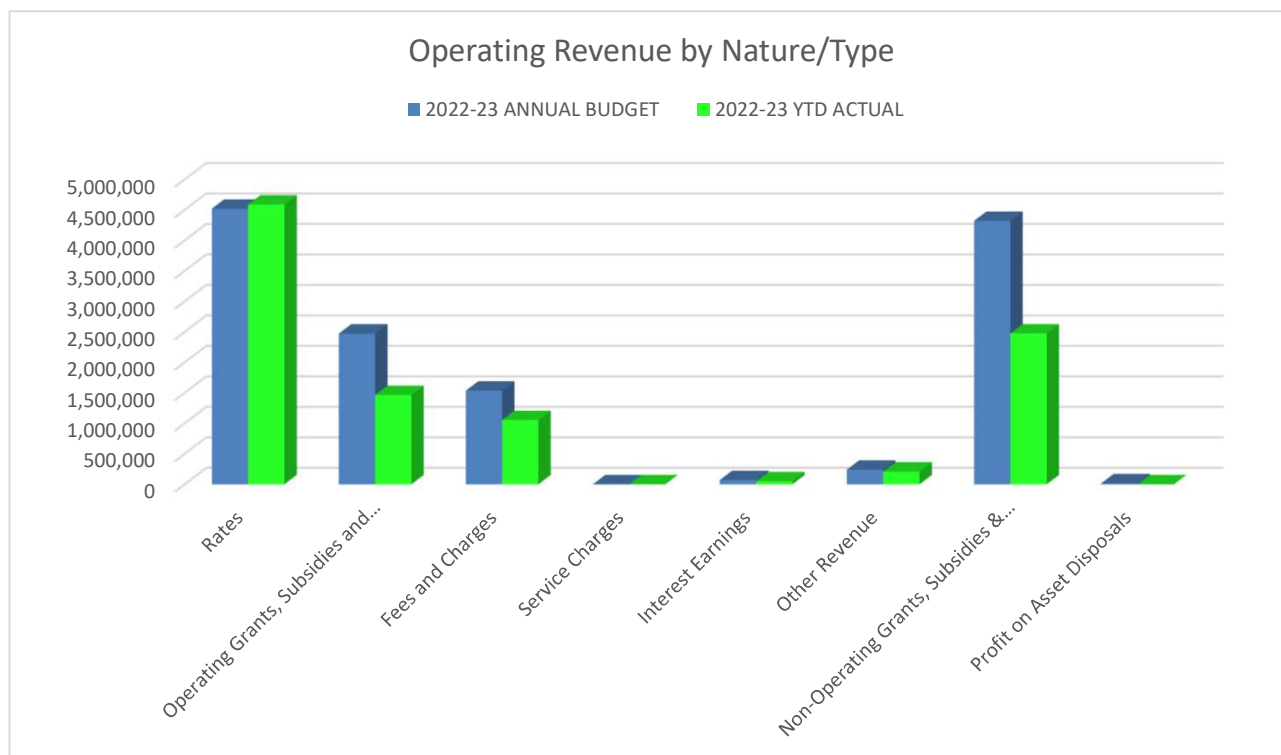
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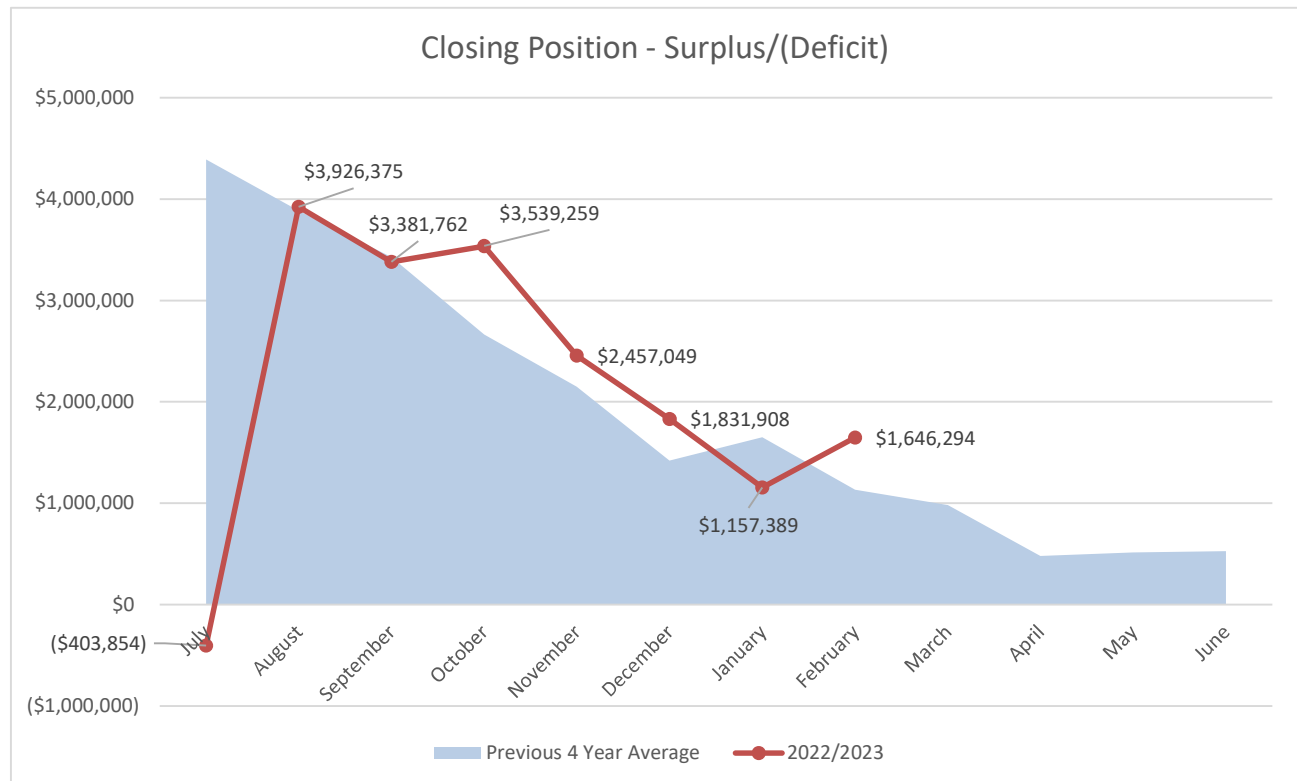
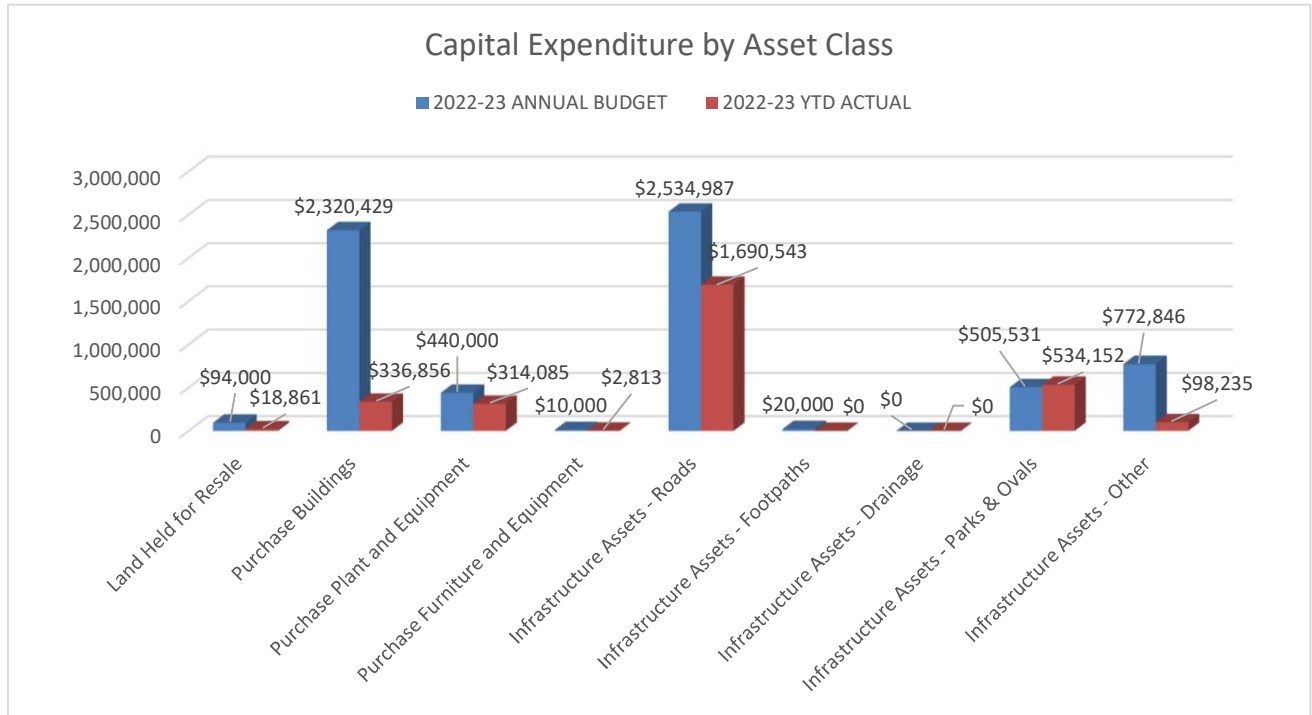
**SHIRE OF KOJONUP
EXECUTIVE SUMMARY
FOR THE PERIOD ENDING 28 FEBRUARY 2023**



**SHIRE OF KOJONUP
EXECUTIVE SUMMARY
FOR THE PERIOD ENDING 28 FEBRUARY 2023**



SHIRE OF KOJONUP EXECUTIVE SUMMARY FOR THE PERIOD ENDING 28 FEBRUARY 2023



SHIRE OF KOJONUP
STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD ENDING 28 FEBRUARY 2023

	2022-23 ANNUAL BUDGET	2022-23 YTD BUDGET	2022-23 YTD ACTUAL	VARIANCE
EXPENDITURE (Excluding Finance Costs)	\$	\$	\$	
General Purpose Funding	(90,205)	(60,539)	(47,422)	-22%
Governance	(758,604)	(529,151)	(453,620)	-14%
Law, Order, Public Safety	(330,006)	(221,404)	(215,180)	-3%
Education and Welfare	(56,340)	(38,477)	(45,295)	18%
Health	(156,500)	(105,023)	(113,957)	9%
Housing	(2,910,083)	(1,973,095)	(1,557,079)	-21%
Community Amenities	(687,807)	(459,060)	(407,391)	-11%
Recreation and Culture	(1,631,970)	(1,101,599)	(650,287)	-41%
Transport	(3,766,062)	(2,520,038)	(1,422,124)	-44%
Economic Services	(1,026,359)	(692,551)	(595,953)	-14%
Other Property and Services	(70,200)	(88,521)	196,892	-322%
Operating Expenses	(11,484,136)	(7,789,458)	(5,311,416)	
REVENUE				
General Purpose Funding	5,111,371	4,960,331	4,954,131	0%
Governance	35,300	23,532	23,819	1%
Law, Order, Public Safety	104,150	75,224	212,665	183%
Education and Welfare	39,984	45,917	32,143	-30%
Health	2,200	1,467	1,057	-28%
Housing	2,522,000	1,678,600	1,637,149	-2%
Community Amenities	399,320	354,178	305,534	-14%
Recreation and Culture	106,295	51,476	8,416	-84%
Transport	178,000	163,200	1,886	-99%
Economic Services	182,332	121,550	107,535	-12%
Other Property & Services	159,501	106,330	83,230	-22%
Operating Revenue	8,840,453	7,581,804	7,367,564	
<i>Sub-total</i>	<i>(2,643,683)</i>	<i>(207,654)</i>	<i>2,056,148</i>	
FINANCE COSTS (INTEREST)				
Health	(2,100)	(2,100)	(2,100)	0%
Housing	(45,063)	(36,663)	(36,366)	-1%
Recreation & Culture	(70,075)	(27,827)	(36,314)	30%
Transport	(1,669)	(1,669)	(2,027)	21%
Economic Services	(14,811)	0	0	0%
Other Property & Services	0	0	0	0%
Total Finance Costs	(133,718)	(68,259)	(76,808)	
NON-OPERATING REVENUE				
Law, Order & Public Safety	16,000	0	0	0%
Education & Welfare	107,000	100,000	0	-100%
Housing	461,900	461,900	0	-100%
Community Amenities	955,685	0	234,705	0%
Recreation & Culture	774,005	383,105	413,707	8%
Transport	1,901,316	878,212	1,825,398	108%
Economic Services	103,806	0	0	0%
Total Non-Operating Revenue	4,319,712	1,823,217	2,473,810	
PROFIT/(LOSS) ON SALE OF ASSETS				
Governance Profit	7,000	7,000	0	-100%
Housing - Loss	0	0	(3,809)	0%
Other Property & Services - Loss	(26,000)	(26,000)	0	-100%
Other Property & Services - Profit	9,000	9,000	0	-100%
Total Profit/(Loss)	(10,000)	(10,000)	(3,809)	
NET RESULT	1,532,311	1,537,304	4,449,342	
Changes in Revaluation Surplus			0	
TOTAL COMPREHENSIVE INCOME	1,532,311	1,537,304	4,449,342	

"Traffic Lights" Colour Coding:

For the purposes of identifying "material variances" under Local Government (Financial Management) Regulation 34, the Council has defined a formula in Council Policy 2.1.6 (see also Variance Report in these Statements).

To simplify this reporting, a traffic light system is used in the variance column of the Statement of Comprehensive Income and the Rate Setting Statement, as follows:

Revenue:

Green = Actual Revenue is greater than Year-to-Date budgeted revenue

Red = Variance between Actual Revenue and Year-to-Date budget is greater than 10% (lower)

Expenditure:

Green = Actual Expenditure is less than Year-to-Date budgeted expenditure

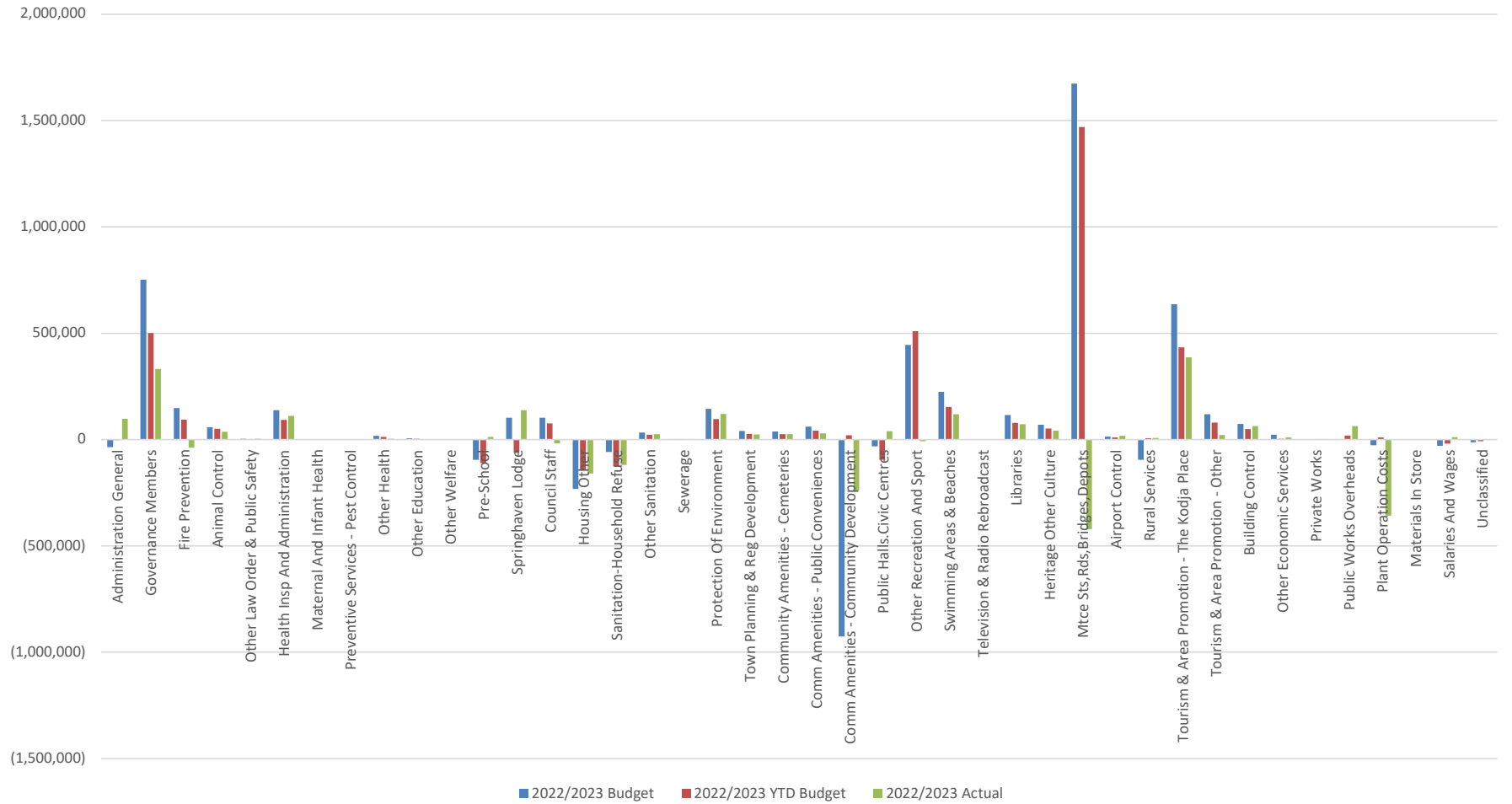
Red = Variance between Actual Expenditure and Year-to-Date budget is greater than 10% (higher)



SHIRE OF KOJONUP
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE/TYPE
FOR THE PERIOD ENDING 28 FEBRUARY 2023

	2022-23 ANNUAL BUDGET	2022-23 YTD BUDGET	2022-23 YTD ACTUAL	VARIANCE
Expenses				
Employee Costs	(4,612,337)	(3,074,768)	(3,189,018)	4%
Materials and Contracts	(2,771,887)	(1,847,851)	(1,522,489)	-18%
Utility Charges	(308,791)	(205,852)	(198,282)	-4%
Depreciation on Non-Current Assets	(3,774,415)	(2,516,176)	0	-100%
Interest Expenses	(133,718)	(68,259)	(90,989)	33%
Insurance Expenses	(393,812)	(393,812)	(409,062)	4%
Other Expenditure	377,106	249,002	21,616	-91%
	(11,617,854)	(7,857,717)	(5,388,224)	
Revenue				
Rates	4,520,422	4,520,455	4,588,998	2%
Operating Grants, Subsidies and Contributions	2,472,655	1,742,705	1,465,152	-16%
Fees and Charges	1,536,186	1,111,658	1,054,486	-5%
Service Charges	0	0	0	0%
Interest Earnings	71,019	47,344	50,211	6%
Other Revenue	240,171	152,642	208,718	37%
	8,840,453	7,574,804	7,367,565	
	(2,777,401)	(282,913)	1,979,340	
Non-Operating Grants, Subsidies & Contributions	4,319,712	1,830,217	2,473,810	35%
Fair Value Adjustments to financial assets at fair value through profit/loss	0	0	0	0%
Profit on Asset Disposals	16,000	16,000	0	-100%
Loss on Asset Disposals	(26,000)	(26,000)	(3,809)	-85%
	4,309,712	1,820,217	2,470,001	
Net Result	1,532,311	1,537,304	4,449,342	
Other Comprehensive Income				
Changes on revaluation of non-current assets	0	0	0	
Total Other Comprehensive Income	0	0	0	
TOTAL COMPREHENSIVE INCOME	1,532,311	1,537,304	4,449,342	

Net Cost per Sub-Program
(Excluding General Purpose Funding)



SHIRE OF KOJONUP
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDING 28 FEBRUARY 2023

	Note	2021-22 ACTUAL \$	2022-23 ACTUAL \$	Variance \$
Current assets				
Unrestricted Cash & Cash Equivalents		1,480,770	2,134,607	653,837
Restricted Cash & Cash Equivalents		4,019,914	3,790,886	-229,028
Trade and other receivables		762,987	1,714,337	951,350
ATO Receivables		87,441	-168,913	-256,354
Inventories		20,905	81,016	60,111
Land Held for Resale		151,000	169,861	18,861
Total current assets		6,523,017	7,721,794	1,198,777
Non-current assets				
Trade and other receivables		96,883	96,883	0
LG House Unit Trust		97,255	97,255	0
Land Held for Resale		0	0	0
Land		2,348,500	2,348,500	0
Buildings		27,975,493	28,312,349	336,856
Furniture & Equipment		368,455	399,627	31,172
Plant & Equipment		4,088,922	4,330,705	241,783
Tools		1,673	1,673	0
Roads Infrastructure		93,409,952	95,096,613	1,686,661
Kerbing Infrastructure		2,684,095	2,684,095	0
Drainage Infrastructure		11,492,499	11,496,381	3,882
Bridges Infrastructure		5,793,354	5,793,354	0
Footpaths Infrastructure		1,110,450	1,110,450	0
Parks Infrastructure		2,041,885	2,459,874	417,990
Other Infrastructure		5,783,894	5,999,061	215,167
Infrastructure Assets		0	0	0
Total non-current assets		157,293,309	160,226,820	2,933,510
Total assets		163,816,327	167,948,613	4,132,287
Current liabilities				
Trade and other payables		2,971,529	3,039,199	-67,670
ATO Liabilities		79,567	0	79,567
Contracts Liability		1,049,303	1,049,303	0
Interest-bearing loans and borrowings		413,134	107,976	305,159
Provisions		731,667	731,667	0
Total current liabilities		5,245,200	4,928,144	317,055
Non-current liabilities				
Interest-bearing loans and borrowings		4,835,980	4,835,980	0
Non-Current Payables		0	0	0
Provisions		102,397	102,397	0
Total non-current liabilities		4,938,378	4,938,378	0
Total liabilities		10,183,577	9,866,522	317,055
Net assets		153,632,749	158,082,091	4,449,342
Equity				
Retained surplus		62,533,169	62,762,197	229,028
Net Result		0	4,449,342	4,449,342
Reserve - asset revaluation		87,079,665	87,079,665	0
Reserve - Cash backed		4,019,915	3,790,887	-229,028
Total equity		153,632,749	158,082,091	4,449,342

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

SHIRE OF KOJONUP
STATEMENT OF FINANCIAL ACTIVITY BY NATURE
FOR THE PERIOD ENDING 28 FEBRUARY 2023

	2022-23 ANNUAL BUDGET	2022-23 YTD BUDGET (a)	2022-23 YTD ACTUAL (b)	MATERIAL \$ (b)-(a)	MATERIAL % (b)-(a)/(a)	VAR
OPERATING REVENUE	\$	\$	\$			
Rates	4,520,422	4,520,455	4,588,998	68,542	Within Threshold	
Operating Grants and Subsidies	2,472,655	1,742,705	1,465,152	(277,552)	(15.93%)	▼
Fees and Charges	1,536,186	1,111,658	1,054,486	(57,172)	Within Threshold	
Interest Earnings	71,019	47,344	50,211	Within Threshold	Within Threshold	
Profit on Asset Disposal	16,000	16,000	0	(16,000)	(100.00%)	▼
Other Revenue	240,171	152,642	208,718	56,077	36.74%	▲
	8,856,453	7,590,804	7,367,565			
LESS OPERATING EXPENDITURE						
Employee Costs	(4,612,337)	(3,074,768)	(3,189,018)	(114,250)	Within Threshold	
Materials & Contracts	(2,771,887)	(1,847,851)	(1,513,052)	334,798	(18.12%)	▲
Utilities	(308,791)	(205,852)	(198,282)	Within Threshold	Within Threshold	
Depreciation on Non-Current Assets	(3,774,415)	(2,516,176)	0	2,516,176	100.00%	▲
Interest Expense	(133,718)	(68,259)	(90,989)	(22,730)	33.30%	▼
Insurances	(393,812)	(393,812)	(409,062)	(15,250)	Within Threshold	
Loss on Asset Disposal	(26,000)	(26,000)	(3,809)	22,191	85.35%	▲
Other Expenditure	377,106	249,002	12,179	(236,823)	(95.11%)	
	(11,643,854)	(7,883,718)	(5,392,033)			
<i>Increase(Decrease)</i>	(2,787,401)	(292,913)	1,975,531			
ADD						
Movement in Employee Benefits (Non-current)	0	0	0	Within Threshold	0.00%	
Movement in Employee Benefits (Current)	0	0	0	Within Threshold	0.00%	
Movement in Doubtful Debt Provision	2,000	0	0	Within Threshold	0.00%	
Profit on the disposal of assets	(16,000)	(16,000)	3,809	19,809	(123.81%)	
Loss on the disposal of assets	26,000	26,000	0	(26,000)	(100.00%)	▼
Depreciation Written Back	3,774,415	2,516,176	0	(2,516,176)	(100.00%)	▼
	3,786,415	2,526,176	3,809			
<i>Sub Total</i>	999,014	2,233,263	1,979,340			
INVESTING ACTIVITIES					0.00%	
Land Held for Resale	(94,000)	(94,000)	(18,861)	75,139	(79.94%)	
Purchase Buildings	(2,320,429)	(1,995,429)	(336,856)	1,658,573	(83.12%)	
Purchase Plant and Equipment	(440,000)	(440,000)	(314,085)	125,915	(28.62%)	
Purchase Furniture and Equipment	(10,000)	(10,000)	(2,813)	Within Threshold	(71.87%)	
Infrastructure Assets - Roads	(2,534,987)	(1,950,784)	(1,690,543)	260,241	(13.34%)	
Infrastructure Assets - Footpaths	(20,000)	(20,000)	0	20,000	(100.00%)	
Infrastructure Assets - Drainage	0	0	0	Within Threshold	0.00%	
Infrastructure Assets - Parks & Ovals	(505,531)	(463,201)	(534,152)	(70,951)	15.32%	
Infrastructure Assets - Other	(772,846)	(80,500)	(98,235)	(17,735)	22.03%	
Proceeds from Sale of Assets	72,000	72,000	39,364	(32,636)	(45.33%)	▼
Contributions for the Development of Assets	4,319,712	1,830,217	2,473,810	643,593	35.16%	▲
	(2,306,081)	(3,151,697)	(482,369)			
FINANCING ACTIVITIES						
Repayment of Debt - Loan Principal	(413,134)	(305,115)	(305,159)	Within Threshold	Within Threshold	
Loans Raised	600,000	600,000	0	(600,000)	(100.00%)	▼
Transfer to Springhaven Reserves	0	0	0	Within Threshold	0.00%	
Transfer from Springhaven Reserves	0	0	(250,000)	(250,000)	0.00%	
Transfer from Reserves	759,623	0	250,000	250,000	0.00%	
Transfer to Reserves	(114,867)	0	(20,972)	(20,972)	0.00%	
	831,622	294,885	(326,131)			
Plus Rounding						
<i>Sub Total</i>	(475,445)	(623,549)	1,170,840			
FUNDING FROM						
Estimated Opening Surplus at 1 July	475,454	475,454	475,454	Within Threshold	Within Threshold	
Closing Funds	0	0	0			
	475,454	475,454	475,454			
NET SURPLUS/(DEFICIT)	9	(148,095)	1,646,294			

SHIRE OF KOJONUP
SUMMARISED NET CURRENT POSITION
FOR THE PERIOD ENDING 28 FEBRUARY 2023

	ACTUAL 30 JUNE 2022	ACTUAL YTD
Cash - Unrestricted	\$1,480,770	\$2,134,607
Cash - Restricted General	\$0	\$0
Cash - Restricted Reserves	\$4,019,914	\$3,790,886
Accounts Receivable - Rates	\$366,677	\$616,578
Accounts Receivable - Sundry	\$313,510	\$1,010,309
GST Receivable	\$7,874	(\$81,463)
Inventories	\$20,905	\$81,016
Land held for Resale	\$579,045	\$169,861
Loans - Clubs	\$0	\$0
CURRENT ASSETS	\$6,788,695	\$7,721,794
LESS: CURRENT LIABILITIES		
Payables	(\$655,439)	(\$456,959)
ATO Liabilities	(\$10,683)	(\$609,634)
Contract Liabilities	(\$1,049,303)	(\$1,049,303)
Employee Provisions	(\$731,667)	(\$731,667)
Accrued Interest on Loans	(\$27,606)	(\$27,606)
Interest Bearing Loans	(\$389,262)	(\$107,976)
Springhaven Accommodation Bonds	(\$2,195,000)	(\$1,945,000)
CURRENT LIABILITIES	(\$5,058,960)	(\$4,928,144)
LESS: EXCLUSIONS		
Cash - Restricted Reserves	(\$4,019,914)	(\$3,790,886)
Cash - Restricted Cash	\$0	\$0
Interest Bearing Loans	\$389,262	\$107,976
Self Supporting Loan Debtors	\$0	\$0
Less Land held for Resale	(\$579,045)	(\$169,861)
Less Provision for Doubtful Debts	\$1,142	\$1,142
Add back Cash backed LSL Provision		
Add Back Springhaven Bonds	\$2,195,000	\$1,945,000
Add Back Accrued Interest on Loans	\$27,606	\$27,606
Add: Current liabilities not expected to be cleared at end of year	\$731,667	\$731,667
Roundings	\$1	\$0
NET CURRENT POSITION - SURPLUS/(DEFICIT)	\$475,454	\$1,646,294

**SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023**

EXPLANATION OF MATERIAL VARIANCES

The Local Government (Financial Management) Regulation 34 (2) (b) requires 'an explanation of each of the material variances' identified within the Rate Setting Statement (from the adopted Budget) for each months financial statements. The information contained within the 'Statement of Financial Activity' on page 4 of these financial statements contains all of the information provided within the 'Rate Setting Statement' and therefore any material variances on these pages will be reported below.

Defining a 'Material Variance'

The Local Government (Financial Management) Regulation 34 (5) states that "Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS5, to be used in statements of financial activity for reporting material variances." The Shire's policy 2.1.6, 'Material Variances' states:

For the purposes of identifying "material variances" under Local Government (Financial Management) Regulation 34, the following formula shall be used:

$$\frac{\text{Year-to-Date Actual}}{\text{Year-to-Date Budget}} - 100\%$$

Material variances to be reported when exceeding 10%, and a minimum of \$10,000, of the items contained within the Statement of Financial Activity.

REPORTING AREA	YTD BUDGET	YTD ACTUAL	VARIANCE \$	VARIANCE %	TIMING / PERMANENT	EXPLANATION
Operating Revenue						
Rates	4,520,455	4,588,998	68,542	Within Threshold	PERMANENT	Additional rates raised.
Operating Grants	1,742,705	1,465,152	(277,552)	-16%	PERMANENT/ TIMING	Financial assistance grants, Playgroup grant, Landcare grant and Springhaven Care Subsidy lower than anticipated for reporting period.
Fees & Charges	1,111,658	1,054,486	(57,172)	Within Threshold	PERMANENT/ TIMING	Staff housing rent fees and water standpipe fees lower than anticipated.
Other Revenue	152,642	208,718	56,077	37%	TIMING	Street lighting subsidy, Other Property miscellaneous income lower than anticipated for reporting period. Childcare centre fence reimbursement, Interest on unpaid bonds higher than anticipated for reporting period.

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

EXPLANATION OF MATERIAL VARIANCES

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REPORTING AREA	YTD BUDGET	YTD ACTUAL	VARIANCE \$	VARIANCE %	TIMING / PERMANENT	EXPLANATION
<u>Operating Expenses</u>						
Employee Costs	(3,074,768)	(3,189,018)	(114,250)	Within Threshold	TIMING	Increase in operational employee costs due to higher percentage of employee time spent on operational projects. The expenditure on capital works is expected to increase in the coming months.
Materials & Contracts	(1,847,851)	(1,513,052)	334,798	-18%	TIMING	Integrated planning expenses, audit fees, conference and training expenses, Software licensing expenses, payroll software implementation expenses, State NRM grant expenditure, bridge maintenance expenses, Kodja Place retail stock expenses, ICT program development for depot expenses, Vehicle tracking expenses, lower than anticipated for reporting period.
Depreciation on Assets	(2,516,176)	0	2,516,176	100%	TIMING	Depreciation unable to be raised until after annual audit is complete
Interest Expense	(68,259)	(90,989)	(22,730)	33%	TIMING	Interest on loan expenses paid earlier than anticipated.
Insurances	(393,812)	(409,062)	(15,250)	Within Threshold	PERMANENT	Insurance premium instalments higher for reporting period.
Other Expenses	249,002	12,179	(236,823)	-95%	TIMING	Administration overhead allocations lower than anticipated for reporting period.

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

EXPLANATION OF MATERIAL VARIANCES

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REPORTING AREA	YTD BUDGET	YTD ACTUAL	VARIANCE \$	VARIANCE %	TIMING / PERMANENT	EXPLANATION
<u>Investing Activities</u>						
Land held for Resale	(94,000)	(18,861)	75,139	-80%	TIMING	Subdivisional expenses lower than anticipated for reporting period.
Buildings	(1,995,429)	(336,856)	1,658,573	-83%	TIMING	Springhaven building renewal expenses, Men's Shed construction expenses, and Harrison Place Toilet construction expenses lower for reporting period.
Plant & Equipment	(440,000)	(314,085)	125,915	-29%	TIMING	Major plant purchase expenses lower for reporting period.
Infrastructure - Roads	(1,950,784)	(1,690,543)	260,241	-13%	TIMING	Regional Road Group projects Shamrock Road and Tambellup West Road lower for reporting period. Commodity Route project Riverdale Road lower for reporting period. Jingalup Road construction project not included in budget.
Infrastructure - Parks & Ovals	(463,201)	(534,152)	(70,951)	15%	PERMANENT/ TIMING	Payment for playspace not included in budget estimate. Netball courts & roof project expenses, Town Furniture expenses and Muradup Standpipe water harvesting project commenced earlier than forecast.

Financing Activities

Loans Raised	600,000	0	(600,000)	-100%	TIMING	New loans for communications tower and Harrison Place toilets not yet raised.
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SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

PROGRESS OF THE CAPITAL PROGRAM/SMART IMPLEMENTATION

COA	Description	SMART Implement. Ref.	Resp. Officer	Asset Class	Asset Invest. Type	2022/2023 Total Budget	2022/2023 YTD Actuals	% of Annual Budget
Governance								
C191	Shire Administration Centre - Building Renewal/Improvement		MCCS	L&B	Renewal	14,989	3,402	23%
						14,989	3,402	
Law Order & Public Safety								
C138	Bush Fire Repeater Tower	5.1.2	MRS	Infr.	New	489,346	2,273	0.5%
C440	Cat Pound		MRS	L&B	New	16,000	0	0%
						505,346	2,273	
Education & Welfare								
C107	Playgroup/Toy Library		BMC	L&B	Renewal	39,000	0	0%
C441	Old School - Re-Roof		BMC	L&B	Renewal	100,000	0	0%
						139,000	0	
Housing								
C157	Staff - 15 Loton Close		CEO	L&B	New	50,000	0	0%
C140	Staff - 34 Katanning Road		MRS	L&B	Upgrade	150,000	6,121	4%
C141	Staff - 39 Vanzuilecom St		MRS	L&B	Upgrade	150,000	0	0%
C147	Springhaven - Furniture	2.2.6	MACS	F&E	New	10,000	237	2%
C195	Springhaven - Building	2.2.14	MACS	L&B	Renewal	200,000	0	0%
C427	Springhaven - Building - ACAR Grant		MACS	L&B	Renewal	285,000	129,309	45%
C313	Jean Sullivan Units - Building Renewal		BMC	L&B	Upgrade	10,000	7,700	77%
C145	ILU's - Building Renewal		BMC	L&B	Renewal	18,793	0	0%
						873,793	143,367	
Community Amenities								
C407	Refuse Site Development		MRS	Infr.	Upgrade	50,000	4,520	9%
C442	Mens Shed - Construction of New		MCCS	L&B	New	1,000,000	8,929	1%
C355	Town Furniture		MWS	Infr.	New	40,000	26,264	66%
						1,090,000	39,713	
Recreation & Culture								
C198	Historic Buildings - Capital Improvement		BMC	L&B	Renewal	30,000	25,595	85%
C428	Sub-division - Harness Display Shed		MRS	L&B	New	12,000	7,720	64%
C408	Harrison Place Toilets & Park	1.1.8	MWS	L&B	Upgrade	200,000	113,425	57%
C430	Sporting Complex - Audio Visual	1.2.10	MCCS	F&E	New	0	2,575	0%
C443	Showgrounds Retaining Wall		CEO	Infr.	New	6,000	0	0%
C274	Sporting Complex - Netball Court Resurface & Roof	1.2.10, 1.2.13	MCCS	Infr.	Renewal	258,815	203,485	79%
C411	Sporting Complex - Playground & Outdoor Gym	1.2.10	MCCS	Infr.	New	15,000	208,781	1392%
C409	Swimming Pool - New Fence Eastern Boundary		MWS	Infr.	Renewal	0	8,685	0%
7104	Swimming Pool - Shade		MWS	Infr.	Renewal	0	248	0%
C444	Sporting Complex - Hall of Fame Signage		MCCS	Infr.	New	8,000	0	0%
C445	Turkey Nest Dam		SH	Infr.	Upgrade	5,000	0	0%
C446	Newstead Park - Shade Sail		SH	Infr.	New	10,000	0	0%
C357	Apex Park - Replace Equipment		SH	Infr.	Renewal	27,330	0	0%
C447	Contribution to Bowling Club New Green		MCCS	Infr.	Upgrade	114,500	116,162	101%
C448	Trails Hub Construction		MCCS	Infr.	New	40,000	0	0%
C412	Apex Park Drainage & Car Park & RV		MCCS	Infr.	Upgrade	0	5,723	0%
C413	Trails Construction		MCCS	Infr.	New	33,886	0	0%
						760,531	692,401	
Transport - Plant Purchases								
7604	Plant Major Purchases		MWS	P&E	New	380,000	275,865	73%
						380,000	275,865	
Transport - Infrastructure								
C433	Footpaths - Albany Highway Ramps	1.1.6	MWS	Infr.	Upgrade	20,000	0	0%
C449	Parking Bays		MWS	Infr.	New	50,000	0	0%
C434	Spring Street	1.1.5	MWS	Infr.	Renewal	54,203	0	0%
C414	Reconstruct - Kojonup-Frankland Road	1.1.5	MWS	Infr.	Renewal	19,374	20,220	104%
C417	Widening - Shamrock Road	1.1.5	MWS	Infr.	Upgrade	600,000	139,357	23%
C436	Widening - Shamrock Road (2021/2022 Project)	1.1.5	MWS	Infr.	Upgrade	111,229	111,724	100%

**SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023**

PROGRESS OF THE CAPITAL PROGRAM/SMART IMPLEMENTATION

COA	Description	SMART Implement. Ref.	Resp. Officer	Asset Class	Asset Invest. Type	2022/2023 Total Budget	2022/2023 YTD Actuals	% of Annual Budget
C248	Widening - Broomehill Kojonup Road	1.1.5	MWS	Infr.	Upgrade	154,681	154,381	100%
C450	Widening - Tambellup West Road	1.1.5	MWS	Infr.	Upgrade	300,000	82,662	28%
C319	Bitumen Reseal - Kojonup-Frankland Road	1.1.5	MWS	Infr.	Renewal	150,000	150,349	100%
C320	Bitumen Reseal - Kojonup Darkan Road	1.1.5	MWS	Infr.	Renewal	120,000	125,302	104%
C321	Bitumen Reseal - Broomehill-Kojonup Road	1.1.5	MWS	Infr.	Renewal	120,000	119,165	99%
CJ451	Bitumen Reseal - Boscabel Road (western end)	1.1.5	MWS	Infr.	Renewal	21,000	23,265	111%
CJ452	Bitumen Reseal - Boscabel Road (town)	1.1.5	MWS	Infr.	Renewal	65,000	0	0%
C172	Seal - Riverdale Road	1.1.5	MWS	Infr.	Renewal	413,000	35,160	9%
CJ453	Seal - Balgarup Road	1.1.5	MWS	Infr.	Renewal	176,500	285,498	162%
CJ454	Seal - Samson Road	1.1.5	MWS	Infr.	Renewal	120,000	0	0%
CJ455	Floodway - Pearce Road	1.2.8	MWS	Infr.	Renewal	20,000	0	0%
C460	Road Widening - Jingalup Rd 22/23		MWS	Infr.	Upgrade	0	438,486	0%
C308	Wooden Culvert Replacement - Carlecatup Road	1.2.8	MWS	Infr.	Upgrade	30,000	3,882	13%
C246	Widening - Kojonup Darkan Rd		MWS	Infr.	Upgrade	0	297	0%
C404	Electronic Speed Signs		MWS	Infr.	Upgrade	0	770	0%
C361	Signage Upgrades		MWS	Infr.	Upgrade	10,000	794	8%
						2,554,987	1,691,313	
Economic Services								
C177	Kodja Place - Capital Renewal/Improvement	2.1.10	BMC	L&B	Renewal	10,000	0	0%
C435	Kodja Place - Rose Maze		SH	Infr.	Renewal	19,000	1,287	7%
C456	Kodja Place - Equipment Upgrade		CEO	P&E	New	60,000	37,450	62%
CJ457	EV Charger Parking Bay		MWS	Infr.	Upgrade	15,000	0	0%
C054	Promotional Signage at Airstrip	1.4.7	MCCS	Infr.	New	30,000	0	0%
C261	Blackwood Road Dam		MWS	Infr.	Upgrade	0	137	0%
C424	- Muradup Standpipe	4.3.1	MRS	Infr.	Upgrade	55,000	51,277	93%
C310	Subdivision Expenses	2.4.3	CEO	L4R	Upgrade	94,000	18,861	20%
						283,000	109,011	
Other Property & Services								
C458	Radios - Communication		MWS	Infr.	Renewal	40,000	0	0%
C459	Traffic Counters		MWS	Infr.	New	21,500	3,544	16%
C286	Chemical Shed - replacement/upgrade		SH	L&B	Renewal	34,647	34,655	100%
						96,147	38,199	
Total Capital Expenditure						6,697,793	2,995,543	44.7%

SUMMARIES:			
Land Held for Resale	94,000	18,861	20.1%
Land & Buildings	2,320,429	336,856	14.5%
Infrastructure	3,833,364	2,323,700	60.6%
Plant & Equipment	440,000	313,315	71.2%
Furn & Equipment	10,000	2,813	28.1%
	6,697,793	2,995,543	44.7%
Asset Renewal	2,356,651	1,165,626	49.5%
New Asset	2,271,732	573,639	25.3%
Upgrading Asset	2,069,410	1,256,279	60.7%
	6,697,793	2,995,543	44.7%
Chief Executive Officer	210,000	56,311	26.8%
Manager Corporate & Community Services	1,515,190	549,058	36.2%
Manager Works & Services	3,251,487	2,119,481	65.2%
Senior Horticulturalist	95,977	35,941	37.4%
Manager Regulatory Services	922,346	71,911	7.8%
Building Maintenance Coordinator	207,793	33,295	16.0%
Manager Aged Care Services	495,000	129,546	26.2%
	6,697,793	2,995,543	44.7%

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

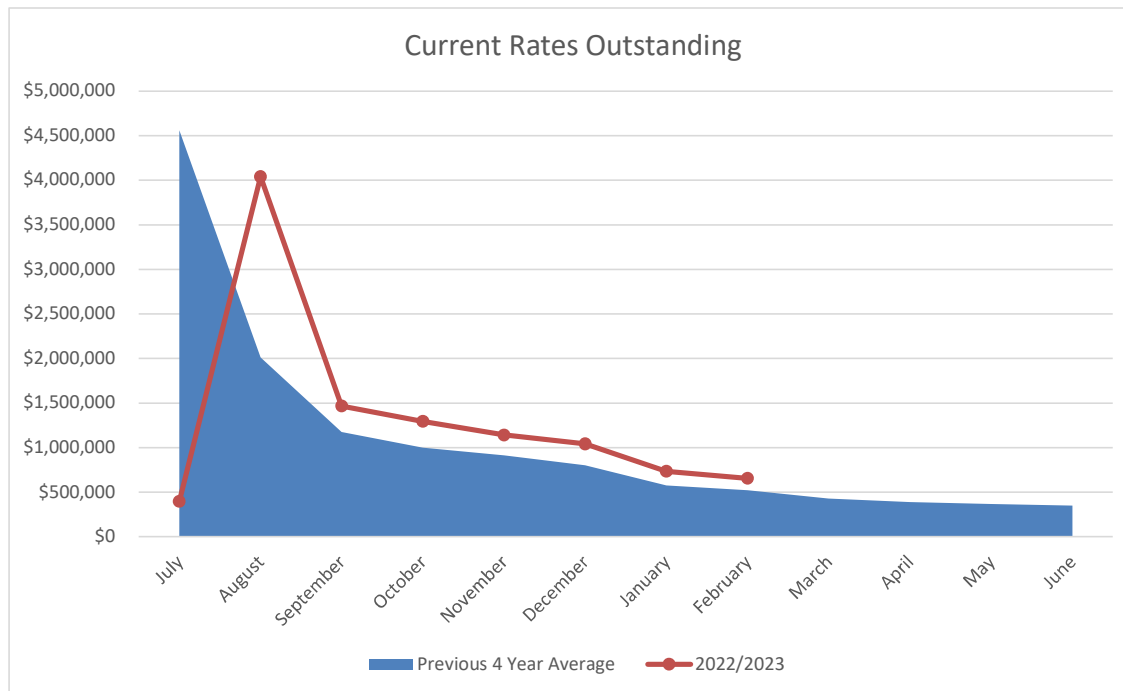
RESERVES - CASH BACKED	2023 Actual Opening Balance	2023 Actual Transfer to	2023 Actual Transfer (from)	2023 Actual Closing Balance	2023 Budget Opening Balance	2023 Budget Transfer to	2023 Budget Transfer (from)	2023 Budget Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Plant Replacement	582,449	3,142	0	585,591	582,448	0	(202,470)	379,978
Economic Development	88,507	477	0	88,984	88,507	89	(64,000)	24,596
Employee Leave	235,650	1,271	0	236,921	235,650	10,236	0	245,886
Springhaven Lodge (Bonds)	2,195,000	0	(250,000)	1,945,000	2,195,000	0	0	2,195,000
Low Income Housing	83,483	450	0	83,933	83,483	11,583	(10,000)	85,066
Sporting Facility	62,737	304	0	63,041	62,737	63	(42,178)	20,622
Springhaven Building Upgrade & Renewal	2,165	11,189	0	13,354	2,165	2,197	0	4,362
Bushfire Communications	89,346	482	0	89,828	89,346	89	(89,346)	89
Landfill Waste Management	80,047	432	0	80,478	80,047	26,550	(50,000)	56,597
Kodja Place Tourist Precinct	10,007	54	0	10,061	10,007	10	(10,000)	17
Energy Efficiency	0	(0)	0	0	0	0	0	0
Land Acquisition and Development	37,289	203	0	37,491	37,289	37	(37,000)	326
Community Grant Scheme	9,745	53	0	9,798	9,745	10	0	9,755
Independent Living Units	158,168	853	0	159,021	158,168	158	(18,793)	139,533
Spencer Street Youth Precinct	31,270	169	0	31,438	31,270	31	(20,000)	11,301
Natural Resource Management	97,430	526	0	97,955	97,430	60,097	(83,164)	74,363
Day Care Building Maintenance	14,766	95	0	14,861	14,766	15	(7,000)	7,781
Swimming Pool	40,469	218	0	40,687	40,469	40	0	40,509
Springhaven Equipment	16,503	89	0	16,592	16,503	17	(10,000)	6,520
Saleyards	39,555	213	0	39,768	39,555		(9,570)	29,985
RSL Hall Building Renewal	10,301	56	0	10,356	10,301	10	0	10,311
Benn Parade Multi-Facility	14,301	69	0	14,370	14,301	14	(14,301)	14
Townscape	49,801	269	0	50,070	49,801	50	(49,801)	50
Playgrounds & Parks	20,027	108	0	20,135	20,027	20	(10,000)	10,047
Memorial & Lesser Hall Upgrade & Renewal	7,146	39	0	7,185	7,146	7	0	7,153
The Kodja Place Building Upgrade & Renewal	17,628	80	0	17,708	17,628	18	(10,000)	7,646
Shire Office/Library Building Upgrade & Renewal	1,007	0	0	1,007	1,007	1	0	1,008
Sporting Complex Building Upgrade & Renewal	1,080	46	0	1,126	1,080	1	0	1,081
Netball Court Resurfacing	1,007	0	0	1,007	1,007	3,501	0	4,508
The Spring	16,018	86	0	16,104	16,018	16	(16,000)	34
Trails Network Construction	6,007	(0)	0	6,007	6,009	6	(6,000)	15
Works Depot Building Upgrade & Renewal	1,006	0	0	1,006	1,006	1	0	1,007
The Kodja Place Master Plan Implementation	0	0	0	0	0	0	0	0
	4,019,914	20,972	(250,000)	3,790,886	4,019,916	114,867	(759,623)	3,375,160

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

RATES & SUNDRY RECEIVABLES

Rates:

	1-Jul-22	Levy for 2022/23	Collectable	Received	Outstanding
Property Rates	\$ 226,976	\$ 4,586,867	\$ 4,813,842	\$ (4,378,335)	\$ 435,507
Rubbish Charges	\$ 37,218	\$ 265,706	\$ 302,924	\$ (256,631)	\$ 46,293
Emergency Services Levy	\$ 18,357	\$ 7,618	\$ 25,976	\$ -	\$ 25,976
Instalment fee & Interest	\$ -	\$ 16,383	\$ 16,383	\$ (16,383)	\$ -
Penalty & ESL Interest	\$ 98,481	\$ 16,735	\$ 115,215	\$ (14,506)	\$ 100,709
Excess Rates	\$ (41,261)	\$ -	\$ (41,261)	\$ (6,683)	\$ (47,944)
Sub- Total	\$ 339,771	\$ 4,893,308	\$ 5,233,079	\$ (4,672,538)	\$ 560,541
					11%
OTHER ITEMS					
Pensioner Rebates to claim	\$ 68,445	\$ -	\$ 68,445	\$ 27,098	\$ 95,543
	\$ 408,216				\$ 656,084
Pensioner Deferred Rates	\$ 96,883	\$ -	\$ 96,883	\$ -	\$ 96,883
Total Outstanding	\$ 436,653	\$ 4,893,308	\$ 5,329,962	\$ (4,672,538)	\$ 657,424



Sundry Debtors:

	30-Jun-22		28/02/23		Movement This FY
Credit Balance	\$ (14,890)		\$ (31,587)		\$ 16,697
Current	\$ 159,755		\$ 795,657		\$ (635,901)
30 - 60 days	\$ 23,458	7%	\$ 13,487	1%	\$ 9,971
60 - 90 days	\$ 20,631	7%	\$ 17,153	2%	\$ 3,478
Greater than 90 days	\$ 126,610	40%	\$ 217,652	21%	\$ (91,043)
	\$ 315,563		\$ 1,012,363		

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023

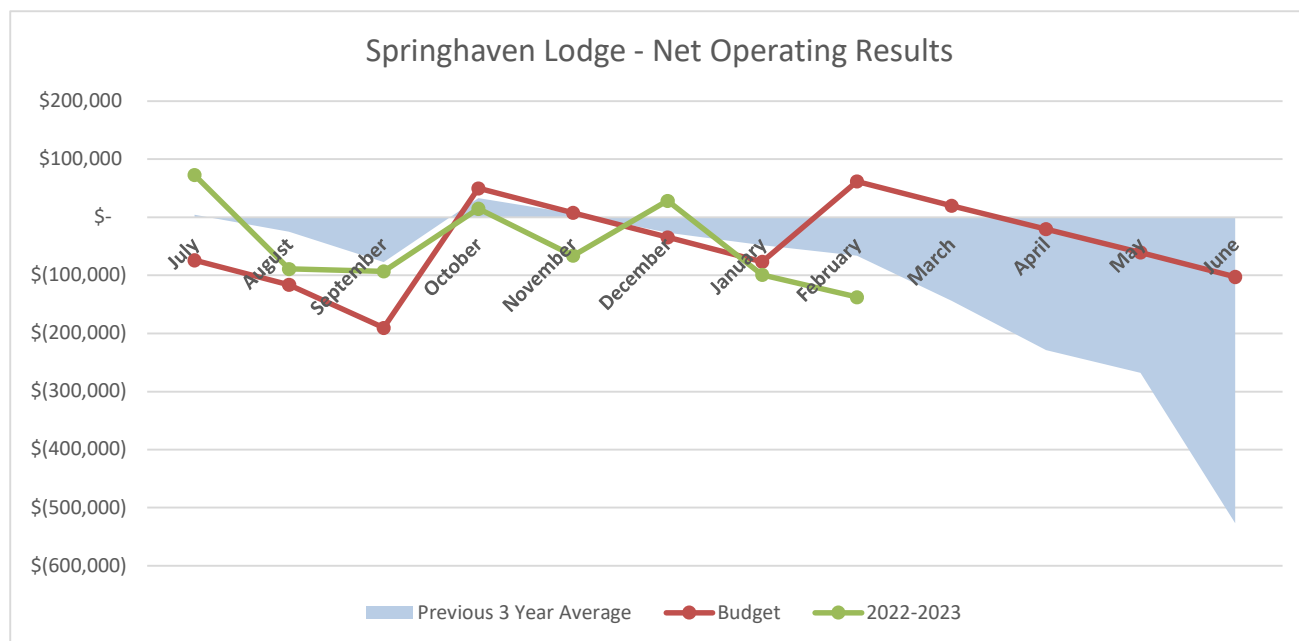
LOAN REPAYMENTS	Loan Number	2023 Actual	2023 New	2023 New	2023 Actual	2023 Actual	2023 Budget	2023 Budget	2023 Budget	2023 Budget	2023 Budget
		Principal 1 July 2022	New Loans	Principal Repayments	Interest Repayments	Principal Outstanding	Principal 1 July 2022	New Loans	Principal Repayments	Interest Repayments	Principal Outstanding
		\$		\$	\$	\$	\$		\$	\$	\$
Law, order, public safety											
Communications Tower	149	0	0	0	0	0	0	400,000	0	0	400,000
Health											
Medical Centre Donation (137)	137	123,523	0	(8,551)	(2,100)	114,972	123,523	0	(8,551)	(2,100)	114,972
Housing											
Bagg Street Unit (135)	135	68,407	0	(4,868)	(976)	63,539	68,407	0	(9,811)	(1,878)	58,596
Aged Units - GSHI (139)	139	30,377	0	(10,008)	(326)	20,369	30,377	0	(10,008)	(326)	20,369
Staff Housing - GSHI (140)	140	855,837	0	(59,246)	(14,551)	796,591	855,837	0	(59,246)	(14,551)	796,591
GROH Housing - GSHI (138)	138	934,059	0	(110,979)	(13,052)	823,080	934,059	0	(110,979)	(13,052)	823,080
Staff Housing - GSHI (144)	144	55,000	0	(5,272)	(514)	49,728	55,000	0	(10,594)	(980)	44,406
GROH Housing - GSHI (145)	145	55,000	0	(5,272)	(514)	49,728	55,000	0	(10,594)	(980)	44,406
Staff Housing Renovations (148)	148	300,000	0	(7,159)	(6,620)	292,841	300,000	0	(14,396)	(13,296)	285,604
Recreation and culture											
Sports Complex (134)	134	224,140	0	(8,476)	(5,332)	215,664	224,140	0	(17,162)	(10,454)	206,978
Sports Complex Wall (136)	136	72,050	0	(4,822)	(717)	67,228	72,050	0	(9,692)	(1,385)	62,358
Netball Courts & Roof (143)	143	1,390,000	0	(25,947)	(19,998)	1,364,053	1,390,000	0	(52,268)	(39,623)	1,337,732
Oval Lighting (142)	142	231,128	0	(12,066)	(1,678)	219,062	231,128	0	(24,220)	(3,268)	206,908
Harrison PI Toilets & Park (146)	146	400,000	0	(16,531)	(7,835)	383,469	400,000	0	(33,385)	(15,345)	366,615
Harrison PI Toilets & Park (New)	150	0	0	0	0	0	0	200,000	0	0	200,000
Transport											
Airstrip Lighting (141)	141	136,944	0	(10,005)	(2,027)	126,939	136,944	0	(10,005)	(1,669)	126,939
Economic services											
Land Development (147)	147	386,078	0	(15,955)	(7,562)	370,123	386,078	0	(32,223)	(14,811)	353,855
		5,262,543	0	(305,159)	(83,802)	4,957,384	5,262,543	600,000	(413,134)	(133,718)	5,449,409

**SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 28 FEBRUARY 2023**

MAJOR BUSINESS UNITS

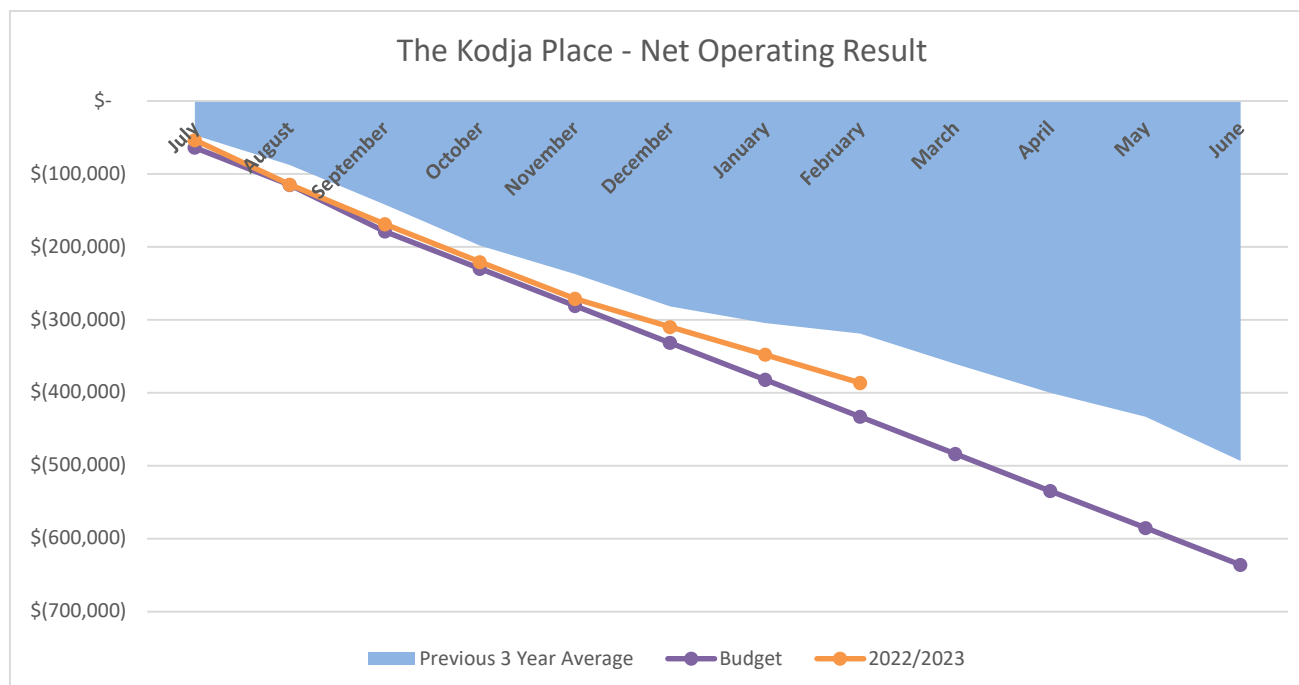
Springhaven Lodge

The Shire of Kojonup owns and operates a 22 bed aged accommodation hostel known as Springhaven Lodge. The following graph shows the operations of Springhaven Lodge (profit or loss) excluding any capital grants. There is also capital expenditure (p.12) and reserve accounts (p.16) associated with Springhaven Lodge.



The Kodja Place Precinct

The Shire of Kojonup owns and operates The Kodja Place precinct, a tourism, retail and cultural interpretive centre on Albany Highway. The following graph shows the operations of TKPP (profit or loss). There is also capital expenditure (p.13), a loan (p.15) and a reserve account (p.16) associated with TKPP.



SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles
And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET	
MONTHLY FINANCIAL REPORT					2022-23	
Details By function Under The Following Programme Titles And Type Of Activities Within The Programme					Income	Expense
ACCOUNT		Budget	Actual			
	Proceeds Sale of Assets					
9605	Proceeds Sale of Assets -	(\$72,000)	(\$39,364)	55%	(\$72,000)	\$0
	Sub Total - PROCEEDS/REALISATION ON SALE OF ASSET	(\$72,000)	(\$39,364)		(\$72,000)	\$0
	Written Down Value					
New	00000 Written Down Value-	\$0	\$0		\$0	\$0
	Sub Total - WDV ON SALE OF ASSET	\$0	\$0		\$0	\$0
	Total - GAIN/LOSS ON DISPOSAL OF ASSET	(\$72,000)	(\$39,364)		(\$72,000)	\$0
	Total - OPERATING STATEMENT	(\$72,000)	(\$39,364)		(\$72,000)	\$0

SHIRE OF KOJONUP		YEAR TO DATE		% of	BUDGET	
MONTHLY FINANCIAL REPORT		28 FEBRUARY 2023		Annual	2022-23	
Details By function Under The Following Programme Titles		Budget	Actual	Budget	Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT						
GENERAL PURPOSE FUNDING						
RATES						
OPERATING EXPENDITURE						
1104	Rates Incentive Prize	\$3,333	\$2,786	56%	\$0	\$5,000
1112	Admin Allocated to Rates (Cash)	\$11,283	\$9,549	56%	\$0	\$16,925
1122	Admin Allocated to Rates (Non-Cash)	\$910	\$0	0%	\$0	\$1,365
1132	Rating Salaries	\$26,666	\$27,328	68%	\$0	\$40,000
1162	Superannuation	\$4,000	\$4,083	68%	\$0	\$6,000
1182	Rates Printing/postage	\$1,467	\$1,747	79%	\$0	\$2,200
1192	Valuation Expenses	\$10,000	\$691	5%	\$0	\$15,000
1202	Title Searches	\$333	\$199	40%	\$0	\$500
1222	Insurance - Emp Costs (Rates)	\$1,215	\$1,039	86%	\$0	\$1,215
1262	Legal Costs Incurred - Rates	\$1,333	\$0	0%	\$0	\$2,000
Sub Total - GENERAL RATES OP/EXP		\$60,539	\$47,422		\$0	\$90,205
OPERATING INCOME						
1003	General Rates Levied	(\$4,518,622)	(\$4,586,061)	101%	(\$4,518,622)	\$0
1023	Interim Rates	(\$300)	\$0	0%	(\$300)	\$0
1053	Back Rates	(\$100)	(\$805)	805%	(\$100)	\$0
1013	Ex-Gratia Rates	(\$1,500)	(\$2,219)	148%	(\$1,500)	\$0
1043	Non Payment Penalty Interest	(\$19,999)	(\$16,735)	56%	(\$30,000)	\$0
1073	Instalment Administration Charge	(\$2,333)	(\$3,951)	113%	(\$3,500)	\$0
1063	Instalment Interest Charge	(\$5,333)	(\$12,432)	155%	(\$8,000)	\$0
1273	ESL Levy Admin Fee	(\$4,000)	(\$4,000)	100%	(\$4,000)	\$0
1092	Rates Written Off/Refunded	\$67	\$88	88%	\$100	\$0
1102	Rates Discount Allowed	\$0	\$0	0%	\$0	\$0
1283	Settlement & Search Charges	(\$2,333)	(\$2,771)	79%	(\$3,500)	\$0
1263	Legal Expenses - Recovered	(\$1,333)	\$0	0%	(\$2,000)	\$0
Sub Total - GENERAL RATES OP/INC		(\$4,555,787)	(\$4,628,887)		(\$4,571,422)	\$0
Total - GENERAL RATES		(\$4,495,248)	(\$4,581,464)		(\$4,571,422)	\$90,205
OTHER GENERAL PURPOSE FUNDING						
OPERATING EXPENDITURE						
Sub Total - OTHER GENERAL PURPOSE FUNDING OP/EXP					\$0	\$0
OPERATING INCOME						
1333	Financial Assistance Grant	(\$269,915)	(\$215,635)	60%	(\$359,886)	\$0
1343	Grants Commission Local Roads Grant	(\$131,283)	(\$88,566)	51%	(\$175,044)	\$0
1373	Interest Received - Municipal	(\$667)	(\$72)	7%	(\$1,000)	\$0
1393	Interest Received - Reserves	(\$2,679)	(\$20,972)	522%	(\$4,019)	\$0
Sub Total - OTHER GENERAL PURPOSE FUNDING OP/INC		(\$404,543)	(\$325,244)		(\$539,949)	\$0
Total - OTHER GENERAL PURPOSE FUNDING		(\$404,543)	(\$325,244)		(\$539,949)	\$0
Total - GENERAL PURPOSE FUNDING		(\$4,899,791)	(\$4,906,709)		(\$5,111,371)	\$90,205

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	GOVERNANCE					
	MEMBERS OF COUNCIL					
	OPERATING EXPENDITURE					
002D	Depreciation	\$6,133	\$0	0%	\$0	\$9,200
102P	Loss on Sale of Asset	\$0	\$0	0%	\$0	\$0
1502	Meeting Attendance Fees	\$71,330	\$53,701	50%	\$0	\$107,000
1508	Members Travelling	\$467	\$227	32%	\$0	\$700
1512	Conferences & Training Expenses	\$9,000	\$14,864	110%	\$0	\$13,500
1522	Members Communications Allowance	\$15,999	\$12,000	50%	\$0	\$24,000
1532	Election Expenses	\$0	\$0	0%	\$0	\$0
1542	Presidents/Dep Allowances	\$23,999	\$17,757	49%	\$0	\$36,000
1562	Refreshments & Functions (Councillors)	\$6,000	\$4,260	47%	\$0	\$9,000
1572	Refreshments & Functions Staff)	\$2,400	\$4,113	114%	\$0	\$3,600
1578	Council - Special Visits	\$0	\$0	0%	\$0	\$0
1582	Council Chambers Maint	\$0	\$0	0%	\$0	\$0
1592	Members Insurance	\$9,300	\$9,566	103%	\$0	\$9,300
1602	Subscriptions	\$9,333	\$13,985	100%	\$0	\$14,000
1612	Misc Expenses - Members	\$467	\$240	34%	\$0	\$700
1624	Integrated Planning Expenses	\$89,996	\$184	0%	\$0	\$135,000
1632	Vehicle Operating Expenses	\$2,000	\$1,207	40%	\$0	\$3,000
1642	Advertising	\$0	\$390	0%	\$0	\$0
1662	Audit Fees	\$25,332	\$2,300	6%	\$0	\$38,000
1702	Administration Allocation (Cash)	\$225,660	\$190,978	56%	\$0	\$338,504
1712	Administration Allocation (Non-Cash)	\$6,066	\$0	0%	\$0	\$9,100
1772	Doubtful Debt Expenses	\$0	\$0	0%	\$0	\$2,000
1792	Legal Costs	\$1,333	\$3,657	183%	\$0	\$2,000
2075	VROC - Shared Services	\$1,333	\$3,125	156%	\$0	\$2,000
2078	VROC - Projects	\$1,333	\$0	0%	\$0	\$2,000
	Sub Total - MEMBERS OF COUNCIL OP/EXP	\$507,483	\$332,554		\$0	\$758,604
	OPERATING INCOME					
1725	Donations/Contributions		\$0	0%	\$0	\$0
002P	Profit on Sale of Asset (Gov)	(\$7,000)	\$0	0%	(\$7,000)	\$0
	Sub Total - MEMBERS OF COUNCIL OP/INC	(\$7,000)	\$0		(\$7,000)	\$0
	Total - MEMBERS OF COUNCIL	\$500,483	\$332,554		(\$7,000)	\$758,604

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles					
And Type Of Activities Within The Programme					
ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23
		Budget	Actual		Income Expense
GOVERNANCE - GENERAL					
OPERATING EXPENDITURE					
1842	Loss on Sale of Assets	\$0	\$0	0%	\$0 \$0
003A	A/L ACCRUAL ADMIN. (SCH 4)	\$0	\$0	0%	\$0 \$0
003D	Depreciation (Sch 4)	\$60,664	\$0	0%	\$0 \$91,000
003L	LSL ACCRUAL ADMIN. (SCH 4)	\$0	\$0	0%	\$0 \$0
1852	Salaries - Admin	\$599,976	\$505,175	56%	\$0 \$900,000
1882	Admin Superannuation	\$76,664	\$61,647	54%	\$0 \$115,000
1892	Staff Insurances	\$28,000	\$23,166	83%	\$0 \$28,000
1902	FBT Admin Staff	\$11,333	\$12,598	74%	\$0 \$17,000
1912	Conference & Training	\$28,999	\$11,490	26%	\$0 \$43,500
1921	Staff Housing Subsidy	\$21,999	\$23,265	71%	\$0 \$33,000
1922	Advertising	\$3,333	\$6,130	123%	\$0 \$5,000
1931	Occupational Risk Co-Ordinator Costs	\$9,666	\$7,308	50%	\$0 \$14,500
1932	Occ Health & Safety	\$2,133	\$304	9%	\$0 \$3,200
1942	Staff Uniforms	\$2,667	\$1,805	45%	\$0 \$4,000
1952	Admin Staff Costs	\$12,000	\$5,976	33%	\$0 \$18,000
1957	Office Building Maintenance	\$6,666	\$2,760	28%	\$0 \$10,000
1958	Office - Cleaning & Assoc	\$15,833	\$23,912	101%	\$0 \$23,750
1959	Office - Utility Charges	\$7,000	\$7,031	67%	\$0 \$10,500
1962	Office Gardens & Surrounds-Mtce	\$8,346	\$10,858	87%	\$0 \$12,520
1972	Admin Printing & Stationery	\$16,666	\$20,904	84%	\$0 \$25,000
1982	Telephone & Internet	\$16,666	\$15,544	62%	\$0 \$25,000
2002	Office Equip Maint	\$667	\$0	0%	\$0 \$1,000
2004	Office - Insurance.	\$37,000	\$35,678	96%	\$0 \$37,000
2006	Donations CEO discretion	\$1,333	\$9	0%	\$0 \$2,000
2008	Donations - Council	\$1,333	\$2,550	128%	\$0 \$2,000
2012	Non Capital Purchases	\$3,333	\$18	0%	\$0 \$5,000
2022	Bank Charges	\$10,666	\$11,602	73%	\$0 \$16,000
2032	Postage & Freight	\$3,667	\$4,607	84%	\$0 \$5,500
2042	ICT Support	\$23,332	\$20,881	60%	\$0 \$35,000
1992	ICT Software Licensing Fees	\$34,665	\$57,881	111%	\$0 \$52,000
2043	ICT Website Subscription & Upgrade	\$3,333	\$15,818	316%	\$0 \$5,000
2044	ICT Hardware Purchases (<\$5,000)	\$16,666	\$3,999	16%	\$0 \$25,000
2046	ICT Payroll Software Implementation	\$46,665	\$0	0%	\$0 \$70,000
2052	Admin Vehicle Expenses	\$9,666	\$10,685	74%	\$0 \$14,500
2062	Admin Legal Expenses	\$36,665	\$52,289	95%	\$0 \$55,000
2072	Consultants Special Projects	\$19,999	\$62,099	207%	\$0 \$30,000
2274	HR/IR Consultants	\$0	\$1,225	0%	\$0 \$0
2277	Finance Consultants	\$10,000	\$26,718	178%	\$0 \$15,000
2275	Records Management	\$4,666	\$6,534	93%	\$0 \$7,000
2278	Security Monitoring	\$500	\$703	94%	\$0 \$750
2287	Fair Value Revaluations	\$16,666	\$19,400	78%	\$0 \$25,000
2092	Mis Expense - Admin	\$1,200	\$3,388	188%	\$0 \$1,800
2172	Less Admin Non Cash Realloc	(\$60,664)	\$0	0%	\$0 (\$91,000)
2182	Less Admin Cash Exp Realloc	(\$1,128,302)	(\$954,889)	56%	\$0 (\$1,692,520)
Sub Total - GOVERNANCE - GENERAL OP/EXP		\$21,668	\$121,066		\$0 \$0
OPERATING INCOME					
2053	Sundry Misc Income - Admin	(\$133)	(\$0)	0%	(\$200) \$0
2055	Profit on Sale of Assets	\$0	\$0	0%	\$0 \$0
2083	Police Licensing Commissions	(\$23,332)	(\$23,803)	68%	(\$35,000) \$0
2143	Photocopying Fees	(\$67)	(\$16)	16%	(\$100) \$0
Sub Total - GOVERNANCE - GENERAL OP/INC		(\$23,532)	(\$23,819)		(\$35,300) \$0
Total - GOVERNANCE - GENERAL		(\$1,864)	\$97,247		(\$35,300) \$0
Total - GOVERNANCE		\$498,619	\$429,801		(\$42,300) \$758,604

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET			
MONTHLY FINANCIAL REPORT					2022-23			
Details By function Under The Following Programme Titles					Income		Expense	
And Type Of Activities Within The Programme								
ACCOUNT		Budget	Actual					
LAW ORDER & PUBLIC SAFETY								
FIRE PREVENTION								
OPERATING EXPENDITURE								
2272	Emergency Operating Expenses	\$6,666	\$3,084	31%	\$0	\$10,000		
2271	Emergency Operations Room - Storage	\$3,667	\$4,400	80%	\$0	\$5,500		
2281	Community Emergency Services Manager	\$14,666	\$8,373	38%	\$0	\$22,000		
2292	Fire Hazard Reduction	\$12,599	\$18,348	97%	\$0	\$18,900		
2302	Ground & Aerial Inspections	\$2,933	\$3,887	88%	\$0	\$4,400		
2312	Education & Promotion	\$0	\$0	0%	\$0	\$0		
2322	Administration Costs	\$2,667	\$3,775	94%	\$0	\$4,000		
2342	Fire Fighting - Shire Resources	\$2,667	\$507	13%	\$0	\$4,000		
2372	Brigade Expenses	\$40,265	\$50,643	85%	\$0	\$59,500		
2374	BRPC - Other Employment Cost	\$0	\$920		\$0	\$0		
2284	BRPC - Salaries	\$0	\$33,525		\$0	\$0		
2294	BRPC - Superannuation	\$0	\$3,934		\$0	\$0		
2382	Administration Allocated - Cash	\$33,849	\$28,647	56%	\$0	\$50,776		
2402	BUSHFIRE REPEATER SYSTEM	\$0	\$0	0%	\$0	\$0		
2442	Administration Allocated - Non-Cash	\$607	\$0	0%	\$0	\$910		
105P	Loss On Sale Of Assets	\$0	\$0	0%	\$0	\$0		
004D	Buildings Depreciation	\$27,666	\$0	0%	\$0	\$41,500		
Sub Total - FIRE PREVENTION OP/EXP		\$148,251	\$160,043		\$0	\$221,486		
OPERATING INCOME								
2363	Fines & Penalties	(\$667)	(\$1,652)	165%	(\$1,000)	\$0		
2383	Sale of Fire Maps	(\$300)	(\$473)	105%	(\$450)	\$0		
2393	Sundry Misc income - Fire	(\$2,133)	\$0	0%	(\$3,200)	\$0		
2373	ESL Levy Funding	(\$52,125)	(\$46,085)	66%	(\$69,500)	\$0		
2463	BRMC - Grant Income	\$0	(\$149,785)		\$0	\$0		
Sub Total - FIRE PREVENTION OP/INC		(\$55,225)	(\$197,994)		(\$74,150)	\$0		
Total - FIRE PREVENTION		\$93,027	(\$37,951)		(\$74,150)	\$221,486		

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	ANIMAL CONTROL					
	OPERATING EXPENDITURE					
2492	Salaries	\$26,666	\$20,771	52%	\$0	\$40,000
2522	Superannuation	\$10,666	\$2,527	16%	\$0	\$16,000
2532	Other Employment Costs	\$4,825	\$4,578	76%	\$0	\$6,025
2542	Conference & Training	\$1,233	\$0	0%	\$0	\$1,850
2552	Ranger Vehicle	\$8,000	\$6,845	57%	\$0	\$12,000
2553	FBT Expenses	\$2,467	\$4,693	127%	\$0	\$3,700
2562	Dog Control Expenses	\$1,200	\$1,106	61%	\$0	\$1,800
2572	Dog Pound Expenses	\$2,000	\$720	24%	\$0	\$3,000
2582	Other Animal Control	\$700	\$96	9%	\$0	\$1,050
2583	Cat Control Expenses	\$800	\$474	40%	\$0	\$1,200
2592	Audit of Dog & Cat Register	\$0	\$0	0%	\$0	\$0
2622	Loss on Sale of Asset	\$0	\$0	0%	\$0	\$0
2602	Administration Allocated - Cash	\$11,283	\$9,549	56%	\$0	\$16,925
2612	Administration Allocated - Non-Cash	\$607	\$0	0%	\$0	\$910
005D	Depreciation Buildings - Animal Control	\$373	\$0	0%	\$0	\$560
	Sub Total - ANIMAL CONTROL OP/EXP	\$70,819	\$51,360		\$0	\$105,020
	OPERATING INCOME					
2613	Cat Pound Grant	\$0	\$0	0%	(\$16,000)	\$0
2633	Ranger Income	(\$15,333)	(\$10,537)	46%	(\$23,000)	\$0
2653	Fines & Penalties - Dog Act	(\$667)	(\$600)	60%	(\$1,000)	\$0
2663	Impounding Fees	(\$1,333)	(\$845)	42%	(\$2,000)	\$0
2673	Dog Registrations	(\$2,333)	(\$2,243)	64%	(\$3,500)	\$0
2674	Cat Registrations	(\$333)	(\$446)	89%	(\$500)	\$0
005P	Profit on Sale of Assets	\$0	\$0	0%	\$0	\$0
	Sub Total - ANIMAL CONTROL OP/INC	(\$19,999)	(\$14,671)		(\$46,000)	\$0
	Total - ANIMAL CONTROL	\$50,820	\$36,689		(\$46,000)	\$105,020

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles		YEAR TO DATE		BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		2022-23	
ACCOUNT		Budget	Actual	% of Annual Budget	Income Expense
OTHER LAW ORDER & PUBLIC SAFETY					
OPERATING EXPENDITURE					
2832	Vehicle Impounding	\$1,333	\$519	26%	\$0 \$2,000
2862	Local Law review	\$1,000	\$3,258	217%	\$0 \$1,500
9782	Security System Upgrade - All Buildings				\$0 \$0
Sub Total - OTHER LAW ORDER & PUBLIC SAFETY OP/EXP		\$2,333	\$3,777		\$0 \$3,500
OPERATING INCOME					
Sub Total - OTHER LAW ORDER & PUBLIC SAFETY OP /INC		\$0	\$0		\$0 \$0
Total - OTHER LAW ORDER PUBLIC SAFETY		\$2,333	\$3,777		\$0 \$3,500
Total - LAW ORDER & PUBLIC SAFETY		\$146,180	\$2,515		(\$120,150) \$330,006

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	HEALTH					
	HEALTH ADMINISTRATION & INSPECTION					
	OPERATING EXPENDITURE					
3102	Health Salaries	\$57,498	\$72,684	84%	\$0	\$86,250
3132	Superannuation	\$13,419	\$16,412	82%	\$0	\$20,130
3142	Fringe Benefits Tax	\$6,000	\$11,864	132%	\$0	\$9,000
3152	Conferences & Training	\$933	\$583	42%	\$0	\$1,400
3162	Health - Other Employment Costs	\$1,415	\$1,039	69%	\$0	\$1,515
3164	Health - Contractors	\$1,333	\$0	0%	\$0	\$2,000
3212	Admin Allocation to HIA - Cash	\$11,283	\$9,549	56%	\$0	\$16,925
3242	Analytical Expenses	\$1,067	\$463	29%	\$0	\$1,600
3252	Administration Allocated - Noncash	\$910	\$0	0%	\$0	\$1,365
	Sub Total - HEALTH ADMIN & INSPECTION OP/EXP	\$93,858	\$112,594		\$0	\$140,185
	OPERATING INCOME					
3223	Health Act fees, Licences	(\$1,333)	(\$842)	42%	(\$2,000)	\$0
3233	Septic Tank Inspection Fees	(\$133)	(\$215)	107%	(\$200)	\$0
3253	HEALTH INCOME	\$0	\$0	0%	\$0	\$0
3283	Health Consultancy Income	\$0	\$0	0%	\$0	\$0
	Sub Total - HEALTH ADMIN & INSPECTION OP/INC	(\$1,467)	(\$1,057)		(\$2,200)	\$0
	Total - HEALTH ADMIN & INSPECTION	\$92,391	\$111,538		(\$2,200)	\$140,185
	PREVENTATIVE SERVICE - PEST CONTROL					
	OPERATING EXPENDITURE					
3322	Vermin Control	\$133	\$0	0%	\$0	\$200
	Sub Total - PREVENTIVE SRVS - PEST OP/EXP	\$133	\$0		\$0	\$200
	OPERATING INCOME					
	Sub Total - PREVENTATIVE SERVICES - PEST OP/INC	0	0		\$0	\$0
	Total - PREVENTIVE SERVICES - PEST CONTROL	\$133	\$0		\$0	\$200

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles		YEAR TO DATE		BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		2022-23	
ACCOUNT		Budget	Actual	% of Annual Budget	Income Expense
OTHER HEALTH					
OPERATING EXPENDITURE					
3362	Doctor’s Surgery Maint	\$0	\$504	0%	\$0 \$0
3361	Interest Paid on Loans	\$2,100	\$2,100	100%	\$0 \$2,100
3368	Loan Guarantee Fee	\$865	\$859	99%	\$0 \$865
009D	Depreciation Buildings	\$10,166	\$0	0%	\$0 \$15,250
Sub Total - OTHER HEALTH OP/EXP		\$13,131	\$3,463		\$0 \$18,215
OPERATING INCOME					
3363	Rental Doctors Surgery	\$0	\$0	0%	\$0 \$0
Sub Total - OTHER HEALTH OP/INC		\$0	\$0		\$0 \$0
Total - OTHER HEALTH		\$13,131	\$3,463		\$0 \$18,215
Total - HEALTH		\$105,656	\$115,001		(\$2,200) \$158,600

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	EDUCATION & WELFARE					
	EDUCATION					
	OPERATING EXPENDITURE					
3455	Play in the Park	\$1,667	\$327	13%	\$0	\$2,500
3451	Donation to Schools Solar	\$0	\$0	0%	\$0	\$0
3452	Smart Start Expenses	\$1,907	\$0	0%	\$0	\$2,860
006D	Depreciation Education	\$0	\$0	0%	\$0	\$0
	Sub Total - EDUCATION OP/EXP	\$3,573	\$327		\$0	\$5,360
	OPERATING INCOME					
3456	Income - Smart Strat Donation				\$0	\$0
	Sub Total-EDUCATION OP/INC	\$0	\$0		\$0	\$0
	Total - EDUCATION	\$3,573	\$327		\$0	\$5,360
	PRE-SCHOOL/OTHER EDUCATION					
	OPERATING EXPENDITURE					
3462	Child Care Centre - Building Maint	\$6,788	\$10,118	106%	\$0	\$9,555
3464	Child Care Centre - Grounds Maint	\$667	\$0	0%	\$0	\$1,000
3466	Daycare Grant - Expenditure	\$0	\$23,323		\$0	\$0
3477	Kindy Café	\$10,000	\$6,376	43%	\$0	\$15,000
3472	Playgroup/Toy Library - Building Maint	\$5,367	\$3,371	46%	\$0	\$7,300
3470	Playgroup/Toy Library - Minor Expenses	\$333	\$0	0%	\$0	\$500
3474	Playgroup/Toy Library - Grounds Maint	\$667	\$1,123	112%	\$0	\$1,000
3480	Child Care Centre - Fence Replacement (Expenses)	\$0	\$656	0%	\$0	\$0
118L	LOSS ON SALE OF ASSET SCHED 8	\$0	\$0	0%	\$0	\$0
006D	DEPRECIATION (SCH 8)	\$11,000	\$0	0%	\$0	\$16,500
	Sub Total - OTHER EDUCATION OP/EXP	\$34,820	\$44,968		\$0	\$50,855
	OPERATING INCOME					
3463	Occasional Care Rent	(\$1,867)	(\$1,459)	52%	(\$2,800)	\$0
3465	Grant - Kindy Café	(\$11,784)	(\$6,141)	52%	(\$11,784)	\$0
3467	Grant - Playgroup/Toy Library Shade	(\$32,000)	\$0	0%	(\$32,000)	\$0
3469	Child Care Centre - Fence Replacement Income	\$0	(\$20,182)		\$0	\$0
3473	Playgroup/Toy Library Fees	(\$267)	\$0	0%	(\$400)	\$0
3475	SPARK - Income	\$0	(\$4,360)	0%	\$0	\$0
3483	LR&CIP Grant - Old School Roof	(\$100,000)	\$0	0%	(\$100,000)	\$0
	Sub Total - OTHER EDUCATION OP/INC	(\$145,917)	(\$32,143)		(\$146,984)	\$0
	Total - OTHER EDUCATION	(\$111,097)	\$12,825		(\$146,984)	\$50,855
	WELFARE					
	OPERATING EXPENDITURE					
010D	DEPRECIATION (SCH 8)	\$83	\$0	0%	\$0	\$125
	Sub Total - WELFARE OP/EXP	\$83	\$0		\$0	\$125
	OPERATING INCOME					
	Sub Total - WELFARE OP/INC	\$0	\$0		\$0	\$0
	Total - WELFARE	\$83	\$0		\$0	\$125
	Total - EDUCATION & WELFARE	(\$107,440)	\$13,152		(\$146,984)	\$56,340

SHIRE OF KOJONUP		YEAR TO DATE		% of	BUDGET	
MONTHLY FINANCIAL REPORT		28 FEBRUARY 2023		Annual	2022-23	
Details By function Under The Following Programme Titles		Budget	Actual	Budget	Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT						
HOUSING						
SPRING HAVEN HOUSING						
3752	Spring Haven Salaries	\$999,960	\$955,706	64%	\$0	\$1,500,000
3742	Spring Haven - FBT Expenses	\$3,333	\$3,032	61%	\$0	\$5,000
3772	Spring Haven Superannuation	\$103,329	\$89,077	57%	\$0	\$155,000
3782	Conferences & Training	\$13,333	\$6,973	35%	\$0	\$20,000
3792	Uniforms & Protective Clothing	\$3,667	\$997	18%	\$0	\$5,500
3802	Recruitment Expenses	\$13,333	\$2,050	10%	\$0	\$20,000
3821	Spring H - Staff Housing Subsidy	\$8,000	\$9,372	78%	\$0	\$12,000
3822	Vehicle Expenses	\$4,666	\$3,217	46%	\$0	\$7,000
3842	Spring Haven Telephone	\$8,000	\$5,159	43%	\$0	\$12,000
3862	Subscriptions	\$6,666	\$2,925	29%	\$0	\$10,000
3872	Postage & Freight	\$667	\$595	59%	\$0	\$1,000
3882	Minor Office Expenses/Stationery	\$667	\$730	73%	\$0	\$1,000
3892	Office Equipment Maintenance	\$667	\$29	3%	\$0	\$1,000
3893	Software Operating	\$7,000	\$1,188	11%	\$0	\$10,500
3902	Spring Haven Building Operating Expenses	\$13,333	\$19,755	99%	\$0	\$20,000
3903	Spring Haven Building Maint (Unforseen)	\$3,333	\$3,546	71%	\$0	\$5,000
3904	Spring Haven Grounds Maint	\$9,333	\$12,084	86%	\$0	\$14,000
3906	Springhaven Building Non Cap	\$0	\$0	0%	\$0	\$0
3908	Spring H - Security	\$3,333	\$1,027	21%	\$0	\$5,000
3912	Medical/Pharmaceutical Services	\$29,999	\$22,974	51%	\$0	\$45,000
3913	Allied Health	\$19,999	\$20,038	67%	\$0	\$30,000
3914	Utilities	\$30,665	\$24,590	53%	\$0	\$46,000
3812	Spring H - Workers Comp/Journey Ins	\$34,000	\$29,098	86%	\$0	\$34,000
3916	Insurance	\$23,000	\$24,627	107%	\$0	\$23,000
3922	Cleaning & Laundry	\$5,666	\$5,397	63%	\$0	\$8,500
3932	Non-Capital Equipment Expenses	\$6,333	\$3,180	33%	\$0	\$9,500
3942	Meals & Refreshments	\$63,331	\$63,623	67%	\$0	\$95,000
3952	Residents Activities	\$1,400	\$1,624	77%	\$0	\$2,100
3962	Public Liability Insurance	\$7,100	\$7,440	105%	\$0	\$7,100
3974	Spring Haven Aged Care Consultants	\$4,000	\$960	16%	\$0	\$6,000
3918	Spring H - Consultants	\$13,333	\$0	0%	\$0	\$20,000
3928	Spring H - COVID-19 Additional Costs	\$2,667	\$17	0%	\$0	\$4,000
3982	Administration Allocated Non-Cash	\$12,133	\$0	0%	\$0	\$18,200
3992	Administration Allocated - Cash	\$169,245	\$143,233	56%	\$0	\$253,878
009P	SPRING H - LOSS ON SALE OF ASSET (SCH 9)	\$0	\$3,809	0%	\$0	\$0
010A	A/L ACCRUAL Spring. (SCH 9)	\$0	\$0	0%	\$0	\$0
010L	LSL ACCRUAL Spring (SCH 9)	\$0	\$0	0%	\$0	\$0
012D	Spring Haven Depreciation	\$116,662	\$0	0%	\$0	\$175,000
013D	Spring Haven Depreciation	\$13,333	\$0	0%	\$0	\$20,000
Sub Total - SPRING HAVEN HOUSING OP/EXP		\$1,755,484	\$1,468,073		\$0	\$2,601,278
OPERATING INCOME						
4003	Spring Haven Resident Rent	(\$333,320)	(\$358,482)	72%	(\$500,000)	\$0
4013	Spring Haven - Personal Care Grant Subsidy	(\$999,960)	(\$935,446)	62%	(\$1,500,000)	\$0
1395	INTEREST ON UNPAID BONDS	(\$18,666)	(\$26,338)	94%	(\$28,000)	\$0
4043	Spring H - Grant - COVID-19 Payment	\$0	\$0	0%	(\$4,000)	\$0
4053	SPRING H - GRANT - SIHI	\$0	(\$975)		\$0	\$0
4143	Miscellaneous Income	(\$1,333)	(\$3,343)	167%	(\$2,000)	\$0
4023	Spring Haven Donations	(\$2,000)	(\$6,000)	200%	(\$3,000)	\$0
4033	Lodge Bonds Drawndowns (Non-Cash)	\$0	\$0	0%	\$0	\$0
3993	Spring H - Grant - ACAR	(\$281,900)	\$0	0%	(\$281,900)	\$0
4303	Spring H - Grant - Security	(\$180,000)	\$0	0%	(\$180,000)	\$0
Sub Total - SPRING HAVEN HOUSING OP/INC		(\$1,817,179)	(\$1,330,584)		(\$2,498,900)	\$0
Total - SPRING HAVEN HOUSING		(\$61,695)	\$137,489		(\$2,498,900)	\$2,601,278

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles		YEAR TO DATE		BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		2022-23	
ACCOUNT		Budget	Actual	% of Annual Budget	Income Expense
STAFF HOUSING					
OPERATING EXPENDITURE					
3768	Staff Housing Building Maintenance	\$10,216	\$11,596	77%	\$0 \$15,000
3769	Staff Housing - Operating Expenses	\$18,806	\$19,073	76%	\$0 \$25,140
3764	Staff Housing - Ground Maint. Various	\$2,840	\$4,178	98%	\$0 \$4,260
3774	Loss on Sale of Asset (Housing)	\$0	\$0	0%	\$0 \$0
3770	Loan Guarantee Fee	\$8,485	\$4,623	54%	\$0 \$8,485
3771	Staff Housing Loan Interest	\$21,794	\$18,700	65%	\$0 \$28,827
011D	Housing Depreciation	\$99,996	\$0	0%	\$0 \$150,000
Sub Total - STAFF HOUSING OP/EXP		\$162,137	\$58,170		\$0 \$231,712
OPERATING INCOME					
3703	Residential Rent - Staff	(\$86,663)	(\$76,335)	59%	(\$130,000) \$0
3705	BBRF Grant - Key Workers	\$0	\$0	0%	\$0 \$0
016P	Profit on Sale of Asset	\$0	\$0	0%	\$0 \$0
Sub Total - STAFF HOUSING OP/INC		(\$86,663)	(\$76,335)		(\$130,000) \$0
Total - STAFF HOUSING		\$75,474	(\$18,165)		(\$130,000) \$231,712
HOUSING OTHER					
OPERATING EXPENDITURE					
4062	Loton Close ILU's Building Maint	\$8,000	\$3,443	29%	\$0 \$12,000
4064	Loton Close ILU's Grounds Maint	\$3,867	\$3,132	54%	\$0 \$5,800
4065	Loton Close ILU's Utilities	\$23,999	\$23,675	66%	\$0 \$36,000
4066	Loton Close ILU's Insurance	\$8,500	\$8,703	102%	\$0 \$8,500
4202	J Sullivan Units Building Maintenance	\$7,666	\$63	1%	\$0 \$11,500
4204	J Sullivan Units Grounds Maintenance	\$2,333	\$1,084	31%	\$0 \$3,500
4205	J Sullivan Units Utilities	\$5,666	\$4,418	52%	\$0 \$8,500
4206	J Sullivan Units Insurance	\$2,000	\$3,937	197%	\$0 \$2,000
4251	RAAP Grant Administrative Costs	\$0	\$0	0%	\$0 \$0
4254	Interest Paid on Loans	\$14,869	\$17,666	109%	\$0 \$16,236
4255	Loan Guarantee Fee (Housing Other)	\$7,620	\$3,722	49%	\$0 \$7,620
4232	Bagg Street Units Operating	\$1,767	\$182	7%	\$0 \$2,650
4256	GROH - Building Maintenance	\$5,850	\$988	13%	\$0 \$7,850
Sub Total - HOUSING OTHER OP/EXP		\$92,137	\$71,012		\$0 \$122,156
OPERATING INCOME					
4083	Loton Close ILU's Rent	(\$111,996)	(\$103,523)	62%	(\$168,000) \$0
4103	Loton Close ILU's - Power Recoups	(\$10,000)	(\$12,047)	80%	(\$15,000) \$0
4303	Grant - DACS	\$0	\$0	0%	\$0 \$0
4313	Loton Close ILU's - Grant - SIHI	\$0	\$0	0%	\$0 \$0
4315	ILU's - Grant RAAP & BBRF	\$0	\$0	0%	\$0 \$0
4323	J Sullivan Units - Grant - SIHI	\$0	\$0	0%	\$0 \$0
4203	J Sullivan Units - Rent	(\$24,666)	(\$24,820)	67%	(\$37,000) \$0
4243	GROH - Rent	(\$89,996)	(\$89,841)	67%	(\$135,000) \$0
Sub Total - HOUSING OTHER OP/INC		(\$236,657)	(\$230,231)		(\$355,000) \$0
Total - HOUSING OTHER		(\$144,520)	(\$159,219)		(\$355,000) \$122,156
Total - HOUSING		(\$130,741)	(\$39,895)		(\$2,983,900) \$2,955,146

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
COMMUNITY AMENITIES						
SANITATION - HOUSEHOLD REFUSE						
OPERATING EXPENDITURE						
5022	Refuse Collection - Kerbside	\$38,665	\$42,143	73%	\$0	\$58,000
5012	Refuse Site Maintenance	\$6,300	\$2,736	29%	\$0	\$9,450
5013	Refuse Site Rehabilitation	\$1,767	\$2,600	98%	\$0	\$2,650
5002	Recycling Depot/Transfer Stn - Contract	\$48,238	\$54,736	76%	\$0	\$72,240
5122	Recycling Collection - Kerbside	\$38,665	\$44,929	77%	\$0	\$58,000
5142	Recycling Education	\$400	\$0	0%	\$0	\$600
5123	Waste Management Planning	\$0	\$0	0%	\$0	\$0
014D	Depreciation (Sch 10)	\$4,000	\$0	0%	\$0	\$6,000
5036	Administration Allocated Cash	\$0	\$0	0%	\$0	\$0
Sub Total - SANITATION HOUSEHOLD REFUSE OP/EXP		\$138,034	\$147,144		\$0	\$206,940
OPERATING INCOME						
5023	Collection Charges - Kerbside	(\$263,904)	(\$265,706)	101%	(\$263,904)	\$0
5033	Recycling/Transfer Station Rental	(\$1,533)	\$0	0%	(\$2,300)	\$0
5103	TIPPING FEES/BIN HIRE	\$0	\$0	0%	\$0	\$0
5183	Sale of Recyclables	\$0	\$0	0%	\$0	\$0
010P	Profit on Sale of asset	\$0	\$0	0%	\$0	\$0
Sub Total - SANITATION H/HOLD REFUSE OP/INC		(\$265,437)	(\$265,706)		(\$266,204)	\$0
Total - SANITATION HOUSEHOLD REFUSE		(\$127,403)	(\$118,562)		(\$266,204)	\$206,940
SANITATION OTHER						
OPERATING EXPENDITURE						
5027	Verge Pick Up - Green Waste	\$0	\$0	0%	\$0	\$0
5251	Street Bins Collection - Contract	\$22,666	\$24,857	73%	\$0	\$34,000
5252	Street Bins Collection	\$0	\$145	0%	\$0	\$0
5262	Repair Street Bins	\$333	\$90	18%	\$0	\$500
5263	Drum Muster	\$3,333	\$0	0%	\$0	\$5,000
Sub Total - SANITATION OTHER OP/EXP		\$26,332	\$25,092		\$0	\$39,500
OPERATING INCOME						
5103	Tip Fees	(\$800)	\$0	0%	(\$1,200)	\$0
5303	Litter Infringements	(\$133)	\$0	0%	(\$200)	\$0
5304	Drum Muster Reimbursement Income	(\$3,333)	\$0	0%	(\$5,000)	\$0
Sub Total - SANITATION OTHER OP/INC		(\$4,266)	\$0		(\$6,400)	\$0
Total - SANITATION OTHER		\$22,066	\$25,092		(\$6,400)	\$39,500

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
SEWERAGE						
OPERATING EXPENDITURE						
026D	Sewer Depreciatoin Sch 10	\$1,287	\$0	0%	\$0	\$1,930
Sub Total - SEWERAGE OP/EXP		\$1,287	\$0		\$0	\$1,930
OPERATING INCOME						
5190	Liquid Waste Disposal Fees	\$0	\$1,304		\$0	\$0
Sub Total - SEWERAGE OP/INC		\$0	\$1,304		\$0	\$0
Total - SEWERAGE		\$1,287	\$1,304		\$0	\$1,930
PROTECTION OF THE ENVIRONMENT						
OPERATING EXPENDITURE						
5619	Southern Dirt Contribution	\$10,000	\$0	0%	\$0	\$15,000
5612	NRM Office Expenses	\$200	\$69	23%	\$0	\$300
5616	NRM - Salaries & Wages/Consultancy Fees	\$19,999	\$12,319	41%	\$0	\$30,000
5689	NRM - Superannuation	\$3,333	\$1,632	33%	\$0	\$5,000
5601	NRM Vehicle Costs	\$487	\$438	60%	\$0	\$730
5614	NRM - Grant Expenditure	\$0	\$83,310	0%	\$0	\$0
5681	Noxious Weeds	\$1,533	\$2,048	89%	\$0	\$2,300
5684	Landcare Publications	\$333	\$0	0%	\$0	\$500
5686	NRM - Enviromental Reserve M'ment	\$6,533	\$1,693	17%	\$0	\$9,800
5687	Reserve Clean Up	\$5,333	\$7,712	96%	\$0	\$8,000
5712	NRM Lotterywest Grant Expenditure	\$0	\$0	0%	\$0	\$0
5722	NRM - State NRM Grant Expenditure	\$45,998	\$3,058	4%	\$0	\$69,000
5723	NRM - Myrtle Benn/Rob. Rd Reveg Plan	\$16,666	\$0	0%	\$0	\$25,000
5734	NRM - Future Drought Fund Grant Exp.	\$11,366	\$2,240	13%	\$0	\$17,050
5752	Administration Allocation Cash	\$22,566	\$19,098	56%	\$0	\$33,850
5742	Administration Allocation Non-Cash	\$1,517	\$0	0%	\$0	\$2,275
114D	Asset Depreciation Environment	\$0	\$0	0%	\$0	\$0
040D	Asset Depreciation (Sch 10)	\$0	\$0	0%	\$0	\$0
Sub Total - PROTECTION OF THE ENVIRONMENT OP/EXP		\$145,864	\$133,615		\$0	\$218,805
OPERATING INCOME						
5603	NRM Grants	(\$49,475)	(\$12,750)	17%	(\$74,216)	\$0
5613	NRM Contributions	\$0	\$0	0%	\$0	\$0
Sub Total - PROTECTION OF THE ENVIRONMENT OP/INC		(\$49,475)	(\$12,750)		(\$74,216)	\$0
Total - PROTECTION OF THE ENVIRONMENT		\$96,389	\$120,865		(\$74,216)	\$218,805

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
TOWN PLANNING AND REGIONAL DEVELOPMENT						
OPERATING EXPENDITURE						
5842	Town Planning Salaries	\$19,999	\$18,683	62%	\$0	\$30,000
5872	Superannuation	\$0	\$0	0%	\$0	\$0
5882	Insurances	\$0	\$0	0%	\$0	\$0
5922	TPS Review	\$0	\$0	0%	\$0	\$0
5923	Town Planning Consultants	\$0	\$0	0%	\$0	\$0
5954	Municipal Heritage Review	\$0	\$0	0%	\$0	\$0
5952	Town Planning Legal Costs	\$0	\$0	0%	\$0	\$0
5962	Administration Allocated Cash	\$11,283	\$9,549	56%	\$0	\$16,925
5832	Administration Allocated Non-Cash	\$607	\$0	0%	\$0	\$910
Sub Total - TOWN PLAN & REG DEV OP/EXP		\$31,889	\$28,232		\$0	\$47,835
OPERATING INCOME						
5973	Planning Fees	(\$5,333)	(\$4,435)	55%	(\$8,000)	\$0
Sub Total - TOWN PLAN & REG DEV OP/INC		(\$5,333)	(\$4,435)		(\$8,000)	\$0
Total - TOWN PLANNING & REGIONAL DEVELOPMENT		\$26,556	\$23,797		(\$8,000)	\$47,835
COMMUNITY AMENITIES - CEMETERIES						
OPERATING EXPENDITURE						
5999	Cemetery Digital Database	\$533	\$0	0%	\$0	\$800
6001	Cemetery - Grave Digging	\$16,833	\$27,745	110%	\$0	\$25,250
6006	Kojonup Cemetery - Niche Wall Maint	\$840	\$582	46%	\$0	\$1,260
6002	Kojonup Cemetery - Grounds Maint	\$11,280	\$10,806	64%	\$0	\$16,920
6000	Kojonup Cemetery - Trees	\$1,500	\$582	26%	\$0	\$2,250
6012	Boscabel Cemetery - Grounds Maint	\$533	\$38	5%	\$0	\$800
6014	Muradup Cemetery - Grounds Maintenance	\$1,333	\$2,619	131%	\$0	\$2,000
015D	Community Amenities Buildings Depreciation	\$12,666	\$0	0%	\$0	\$19,000
027D	Cemetery Depreciation	\$200	\$0	0%	\$0	\$300
Sub Total - COMMUNITY AMEN - CEMETERIES OP/EXP		\$45,718	\$42,371		\$0	\$68,580
OPERATING INCOME						
6013	Cemetery Fees (Inc Gst)	(\$17,333)	(\$16,274)	63%	(\$26,000)	\$0
6023	Cemetery Fees Licences (Not Inc Gst)	(\$3,667)	(\$545)	10%	(\$5,500)	\$0
Sub Total - COMMUNITY AMEN - CEMETERIES OP/INC		(\$20,999)	(\$16,819)		(\$31,500)	\$0
Total - COMMUNITY AMENITIES CEMETERIES		\$24,719	\$25,552		(\$31,500)	\$68,580

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles		YEAR TO DATE		BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		2022-23	
ACCOUNT		Budget	Actual	% of Annual Budget	Income Expense
COMMUNITY AMENITIES - PUBLIC CONVENIENCES & OTHER					
OPERATING EXPENDITURE					
6042	Harrison Place Conveniences - Maint	\$167	\$0	0%	\$0 \$250
6044	Harrison Place Conveniences - Cleaning	\$10,100	\$3,050	20%	\$0 \$15,000
6024	Curly Wig - Building Maintenance	\$0	\$80	0%	\$0 \$0
6034	CWA - Building Maintenance	\$2,827	\$1,133	28%	\$0 \$4,000
6052	Town Street & Park Seating	\$773	\$0	0%	\$0 \$1,160
6054	Townscape Plan	\$0	\$0	0%	\$0 \$0
6112	Community Resource Centre / Telecentre	\$0	\$1,280	0%	\$0 \$0
6132	Community Bus Maintenance	\$1,383	\$940	48%	\$0 \$1,950
6134	YMCA Bus Operating	\$0	\$0	0%	\$0 \$0
6144	Loan Guarantee Fee - Loan 146	\$0	\$1,580	0%	\$0 \$0
6142	Administration Allocated Non-Cash	\$1,517	\$0	0%	\$0 \$2,275
6152	Administration Allocated Cash	\$25,387	\$21,485	56%	\$0 \$38,082
Sub Total - COMMUNITY AMEN - PUBLIC CONVEN OP/EXP		\$42,153	\$29,549	\$2	\$0 \$62,717
OPERATING INCOME					
6133	Community Bus Hire	(\$1,333)	\$0	0%	(\$2,000) \$0
Sub Total - COMMUNITY AMEN - PUBLIC CONVEN OP/INC		(\$1,333)	\$0	\$0	(\$2,000) \$0
Total - COMMUNITY AMENITIES PUBLIC CONVEN & OTHER		\$40,820	\$29,549		(\$2,000) \$62,717
COMMUNITY AMENITIES - COMMUNITY DEVELOPMENT					
OPERATING EXPENDITURE					
6062	Salaries (Community Development)	\$13,333	\$1,669	8%	\$0 \$20,000
6064	Men's Shed - Building Maintenance	\$1,783	\$673	27%	\$0 \$2,500
6082	Superannuation	\$1,333	\$0	0%	\$0 \$2,000
6092	Employee Insurances	\$0	\$0	0%	\$0 \$0
6102	Conferences & Training	\$1,000	\$0	0%	\$0 \$1,500
6153	Youth Activities / Events	\$0	\$0	0%	\$0 \$0
6154	Events - Community	\$8,666	(\$955)	-7%	\$0 \$13,000
6155	Events - Marketing & Community Collateral	\$667	\$0	0%	\$0 \$1,000
6103	Community Development Consultants	\$0	\$0	0%	\$0 \$0
6167	Comm Development - Subscriptions	\$333	\$0	0%	\$0 \$500
6168	Comm Development - Minor New	\$667	\$0	0%	\$0 \$1,000
Sub Total - COMMUNITY AMEN - COMMUNITY DEV OP/EXP		\$27,782	\$1,388		\$0 \$41,500
OPERATING INCOME					
6043	Mens Shed Rental	\$0	\$0	0%	\$0 \$0
6045	LR&CIP Grant - Mens Shed	\$0	(\$234,705)	31%	(\$750,000) \$0
6123	Events - Ticket Sales and Misc Revenue	(\$4,000)	(\$7,128)	119%	(\$6,000) \$0
6143	LotteryWest Grant - Mens Shed	\$0	\$0	0%	(\$205,685) \$0
6173	SMALL GRANTS	(\$3,333)	\$0	0%	(\$5,000) \$0
Total - COMMUNITY AMENITIES - COMMUNITY DEVELOPMENT		\$20,449	(\$240,445)		(\$966,685) \$41,500
Total - COMMUNITY AMENITIES		\$104,882	(\$132,848)		(\$1,355,005) \$687,807

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
RECREATION & CULTURE						
PUBLIC HALL & CIVIC CENTRES						
OPERATING EXPENDITURE						
6202	Memorial Hall - Cleaning & Operations	\$17,733	\$19,158	85%	\$0	\$22,600
6212	RSL Hall - Cleaning & Operations	\$5,006	\$5,179	69%	\$0	\$7,510
6214	Memorial Hall - Building Maintenance	\$9,333	\$2,576	18%	\$0	\$14,000
6216	Mobrup Hall - Building Expenses	\$0	\$70	0%	\$0	\$0
6218	Muradup Hall - Building Expenses	\$2,117	\$1,333	52%	\$0	\$2,550
6219	Qualeup Hall - Building Expenses	\$667	\$16	2%	\$0	\$1,000
6224	Memorial Hall - Grounds Maintenance	\$1,533	\$3,212	140%	\$0	\$2,300
6222	Memorial Hall - Minor Purchases	\$0	\$0	0%	\$0	\$0
6226	Changerup Hall - Building Expenses	\$0	\$0	0%	\$0	\$0
6227	Boscabel Hall - Building Expenses	\$3,357	\$16	0%	\$0	\$5,010
6232	All Halls - Cutlery & Crockery	\$1,333	\$980	49%	\$0	\$2,000
6324	RSL Hall - Building Maintenance	\$2,550	\$1,698	49%	\$0	\$3,500
6146	Interest on Loan	\$0	\$7,835	51%	\$0	\$15,345
6147	Loan Guarantee Fee	\$0	\$0	0%	\$0	\$2,800
New	General Administration Allocated	\$0	\$0	0%	\$0	\$0
033P	Loss on Sale of Assets	\$0	\$0	0%	\$0	\$0
016D	Public Halls Building Depreciation	\$59,998	\$0	0%	\$0	\$90,000
Sub Total - PUBLIC HALLS & CIVIC CENTRES OP/EXP		\$103,626	\$42,071		\$0	\$168,615
OPERATING INCOME						
6203	Memorial Hall Rentals	(\$1,067)	(\$1,800)	113%	(\$1,600)	\$0
6213	RSL Hall Rentals	(\$600)	(\$1,168)	130%	(\$900)	\$0
6225	Lotteries Grants	\$0	\$0	0%	\$0	\$0
6243	Grant - LR&CIP (Harrison Place)	(\$197,625)	\$0	0%	(\$197,625)	\$0
6233	Grant - LR & CIP (Memorial Hall)	\$0	\$0	0%	\$0	\$0
017P	Profit on Sale of Assets	\$0	\$0	0%	\$0	\$0
Sub Total - PUBLIC HALLS & CIVIC CENTRES OP/INC		(\$199,292)	(\$2,968)		(\$200,125)	\$0
Total - PUBLIC HALL & CIVIC CENTRES		(\$95,665)	\$39,103		(\$200,125)	\$168,615

SHIRE OF KOJONUP		YEAR TO DATE		% of	BUDGET	
MONTHLY FINANCIAL REPORT		28 FEBRUARY 2023		Annual	2022-23	
Details By function Under The Following Programme Titles		Budget	Actual	Budget	Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT						
OTHER RECREATION & SPORT						
OPERATING EXPENDITURE						
6342	Salaries - Other Recreation	\$36,665	\$32,531	59%	\$0	\$55,000
6343	Superannuation	\$4,333	\$5,121	79%	\$0	\$6,500
6362	Kojonup Springs Conveniences	\$13,330	\$12,277	62%	\$0	\$19,846
6364	Kojonup Springs Grounds Maintenance	\$6,333	\$7,134	75%	\$0	\$9,500
6372	Apex Park Conveniences - Operating	\$28,392	\$27,303	65%	\$0	\$42,117
6373	Apex Park Conveniences - Building Maint	\$1,667	\$918	37%	\$0	\$2,500
6374	Apex Park - Grounds Maint	\$29,049	\$27,883	64%	\$0	\$43,500
6382	Railway Reserve Conveniences	\$1,233	\$1,584	96%	\$0	\$1,650
6392	Newstead Park - Grounds Maint	\$5,066	\$6,468	85%	\$0	\$7,600
6394	Railway Reserve Grounds Maint	\$11,116	\$9,209	57%	\$0	\$16,250
6401	Trails Master Planning	\$0	\$0	0%	\$0	\$0
6402	Sports Complex - Netball Conveniences	\$4,267	\$6,970	112%	\$0	\$6,200
6403	Sports Complex - Netball Area Maint	\$1,967	\$204	7%	\$0	\$2,950
6404	Sports Complex - Grounds Maint	\$83,330	\$81,977	66%	\$0	\$125,000
6408	Sports Complex - Conveniences	\$4,433	\$6,941	104%	\$0	\$6,650
6412	Hillman Park - Grounds Maint	\$5,320	\$11,142	140%	\$0	\$7,980
6414	Sports Complex - Reticulation	\$6,666	\$18,607	186%	\$0	\$10,000
6415	Oval Lighting	\$1,000	\$2,525	168%	\$0	\$1,500
6422	Kojonup Bk (Piesse Park) - Grounds Maint	\$7,016	\$5,624	53%	\$0	\$10,525
6425	Sports Complex - Hockey Club Building	\$317	\$21	5%	\$0	\$450
6426	Subscriptions	\$333	\$168	34%	\$0	\$500
6434	Water - Turkey Nest Dam Maintenance	\$4,366	\$6,138	94%	\$0	\$6,550
6435	Water - Showgrounds Maint	\$1,320	\$1,167	59%	\$0	\$1,980
6436	Consultants - Other Rec	\$13,333	\$7,970	40%	\$0	\$20,000
6444	Muradup Townsite Grounds	\$8,000	\$4,974	41%	\$0	\$12,000
6446	Conferences & Training	\$1,200	\$1,424	79%	\$0	\$1,800
6452	Playground Safety & Minor Upgrades	\$2,700	\$4,069	100%	\$0	\$4,050
6454	Kojonup Town Entrances	\$1,967	\$2,057	70%	\$0	\$2,950
6474	Industrial Area Slashing & Spraying	\$1,200	\$1,894	105%	\$0	\$1,800
6477	Sports Complex - Utilities & Insurance	\$14,286	\$14,082	80%	\$0	\$17,620
6486	Rail Trails	\$8,096	\$0	0%	\$0	\$12,145
6492	Myrtle Benn Reserve	\$1,467	\$4,847	220%	\$0	\$2,200
6494	Sundry Reserves	\$13,933	\$8,434	41%	\$0	\$20,500
6502	Grant Development	\$1,333	\$0	0%	\$0	\$2,000
6552	Sports Complex - Cleaning	\$8,933	\$9,680	72%	\$0	\$13,400
6554	Sports Complex - Building Maint	\$5,000	\$2,772	37%	\$0	\$7,500
6558	Loan Guarantee Fee	\$8,055	\$10,931	81%	\$0	\$13,425
6559	Recreation - Interest on Loans	\$27,827	\$28,479	52%	\$0	\$54,730
6592	Skate Park	\$667	\$438	44%	\$0	\$1,000
6792	Admin Allocation - Cash	\$22,002	\$18,620	56%	\$0	\$33,004
7107	Polocrosse Works Requested	\$333	\$637	127%	\$0	\$500
033L	Loss on Sale of Assets	\$0	\$0	0%	\$0	\$0
017D	Other Sport Buildings Depreciation	\$333,320	\$0	0%	\$0	\$500,000
Sub Total - OTHER RECREATION & SPORT OP/EXP		\$731,171	\$393,222		\$0	\$1,105,372
OPERATING INCOME						
6463	Grant - Drought Communities (Netball Roof)	\$0	\$0	0%	(\$25,858)	\$0
6473	Grant - Rail Trails	\$0	\$0	0%	(\$12,145)	\$0
6513	Contrib-Foot Club Sports Complex	(\$4,800)	\$0	0%	(\$4,800)	\$0
6523	Complex Bldg Fees	(\$4,333)	(\$2,520)	39%	(\$6,500)	\$0
6533	Rec Ground Lease Fees	\$0	\$0	0%	(\$3,000)	\$0
6553	Contribution-Dept Education - Oval	\$0	\$15,458	-52%	(\$30,000)	\$0
6613	Lotterywest - Playground/Gym/Shade	(\$165,480)	(\$413,707)	100%	(\$413,700)	\$0
6623	Grant - CSRFF	\$0	\$0	0%	(\$28,000)	\$0
6633	Grant - LR&CI Program	\$0	\$0	0%	(\$88,822)	\$0
6643	Grant - Trails	(\$20,000)	\$0	0%	(\$20,000)	\$0
6663	Contribution - Apex Club	(\$27,330)	\$0	0%	(\$27,330)	\$0
Sub Total - OTHER RECREATION & SPORT OP/INC		(\$221,943)	(\$400,769)		(\$660,155)	\$0
Total - OTHER RECREATION & SPORT		\$509,228	(\$7,547)		(\$660,155)	\$1,105,372

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		BUDGET		
And Type Of Activities Within The Programme		28 FEBRUARY 2023		2022-23		
ACCOUNT		Budget	Actual	% of Annual Budget	Income	Expense
SWIMMING AREAS & BEACHES						
OPERATING EXPENDITURE						
6252	Building Maintenance	\$4,000	\$25,271	421%	\$0	\$6,000
6254	Consumables & Minor Expenses	\$1,000	\$48	3%	\$0	\$1,500
6257	Utilities & Telephone	\$18,666	\$16,132	58%	\$0	\$28,000
6258	Insurance	\$10,600	\$10,818	102%	\$0	\$10,600
6261	Maintenance - Builder	\$1,667	\$1,236	49%	\$0	\$2,500
6262	Grounds Maintenance	\$4,666	\$3,156	45%	\$0	\$7,000
6264	Swimmin Pool - Chemicals	\$5,333	\$5,276	66%	\$0	\$8,000
6271	Non-Capital Purchases per 10yr Plan	\$1,000	\$0	0%	\$0	\$1,500
6272	Equipment Maintenance	\$5,333	\$3,397	42%	\$0	\$8,000
6274	Kiosk - COGS	\$1,333	\$3,072	154%	\$0	\$2,000
6352	Swimming Pool Salaries	\$43,332	\$49,535	76%	\$0	\$65,000
6353	Superannuation	\$4,666	\$4,546	65%	\$0	\$7,000
6354	Conferences & Training	\$1,000	\$0	0%	\$0	\$1,500
6356	Staff Housing Subsidy (S/Pool)	\$4,666	\$5,759	82%	\$0	\$7,000
6292	Administration Allocated Cash	\$11,283	\$9,549	56%	\$0	\$16,925
050D	Depreciation Buildings	\$46,665	\$0	0%	\$0	\$70,000
Sub Total - SWIMMING AREAS & BEACHES OP/EXP		\$165,210	\$137,796		\$0	\$242,525
OPERATING INCOME						
6294	Pool Entry Fees	(\$5,333)	(\$8,293)	104%	(\$8,000)	\$0
6295	Pool Kiosk Sales	(\$3,333)	(\$4,732)	95%	(\$5,000)	\$0
6296	Pool Daily Entry Fees	(\$4,000)	(\$5,347)	89%	(\$6,000)	\$0
Sub Total - SWIMMING AREAS & BEACHES OP/INC		(\$12,666)	(\$18,372)		(\$19,000)	\$0
Total - SWIMMING AREAS & BEACHES		\$152,544	\$119,424		(\$19,000)	\$242,525
TV & RADIO BROADCASTING & RETRANSMISSION						
OPERATING EXPENDITURE						
6752	Television Translator	\$37	\$38	102%	\$0	\$37
6772	VHF Repeater Operating/Maintenance	\$0	\$0	0%	\$0	\$0
Sub Total - TV & RADIO RETRANSMISSION OP/EXP		\$37	\$38		\$0	\$37
Total - TV & RADIO RETRANSMISSION		\$37	\$38		\$0	\$37

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles					
And Type Of Activities Within The Programme					
ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23
		Budget	Actual		Income Expense
LIBRARIES					
OPERATING EXPENDITURE					
6812	Library Salaries	\$49,331	\$47,783	65%	\$0 \$74,000
6842	Superannuation	\$5,333	\$5,105	64%	\$0 \$8,000
6852	Emp Insurances (Lib)	\$2,425	\$2,078	86%	\$0 \$2,425
6862	Conference & Training (Lib)	\$667	\$0	0%	\$0 \$1,000
6882	Library Operating Expenses	\$2,000	\$661	22%	\$0 \$3,000
6892	Lib Software Licencing	\$1,133	\$1,801	106%	\$0 \$1,700
6902	Library Resource Purchases	\$1,333	\$958	48%	\$0 \$2,000
6903	Library Regional Activity Plan Contribution	\$2,933	\$3,964	90%	\$0 \$4,400
6907	Library-Replace Lost/Damaged Books	\$0	\$0	0%	\$0 \$0
6942	Administration Allocated Cash	\$11,283	\$9,549	56%	\$0 \$16,925
6952	Administration Allocated Non-Cash	\$1,517	\$0	0%	\$0 \$2,275
6982	Seniors Week Grant Expenses	\$133	\$0	0%	\$0 \$200
6992	Be Connected Expenses	\$0	\$0	0%	\$0 \$0
018D	Depreciation Furniture	\$0	\$0	0%	\$0 \$0
Sub Total - LIBRARIES OP/EXP		\$78,089	\$71,899		\$0 \$115,925
OPERATING INCOME					
6963	Library Fines & Penalties - Lost Books	\$0	\$0	0%	\$0 \$0
6973	Sundry Income	(\$13)	(\$14)	68%	(\$20) \$0
6983	Seniors Week Grant	(\$667)	\$0	0%	(\$1,000) \$0
6993	Be Connected Income	\$0	\$0	0%	\$0 \$0
Sub Total - LIBRARIES OP/INC		(\$680)	(\$14)		(\$1,020) \$0
Total - LIBRARIES		\$77,409	\$71,885		(\$1,020) \$115,925
HERITAGE & OTHER CULTURE					
OPERATING EXPENDITURE					
7002	Historical Society - Donation	\$8,000	\$5,000	63%	\$0 \$8,000
7022	Old Military Barracks	\$67	\$16	16%	\$0 \$100
7024	Old Post Office - Building Maintenance	\$2,177	\$921	32%	\$0 \$2,910
7032	Elverd Cottage - Building Mtce	\$1,600	\$1,110	56%	\$0 \$2,000
7034	Elverd Cottage - Ground Maint	\$1,240	\$688	37%	\$0 \$1,860
7046	Old Post Office - Grounds Maintenance	\$1,833	\$0	0%	\$0 \$2,400
7106	Showgrounds - Building Maintenance	\$6,600	\$8,563	107%	\$0 \$8,000
7101	Annual Show - Works Assistance	\$9,333	\$20,224	144%	\$0 \$14,000
7103	Muradup & Jingalup War Memorials	\$667	\$0	0%	\$0 \$1,000
7222	Military Barracks - Ground Maint	\$3,111	\$4,995	116%	\$0 \$4,301
019D	Depreciation Buildings	\$16,666	\$0	0%	\$0 \$25,000
Sub Total - OTHER CULTURE OP/EXP		\$51,293	\$41,576		\$0 \$69,571
OPERATING INCOME					
7243	Grant Funding Kojonup Bush Tucker & Sculpture Trail		\$0	0%	\$0 \$0
Sub Total - OTHER CULTURE OP/INC		\$0	\$0		\$0 \$0
Total - OTHER CULTURE		\$51,293	\$41,576		\$0 \$69,571
Total - RECREATION AND CULTURE		\$694,845	\$264,478		(\$880,300) \$1,702,045

SHIRE OF KOJONUP		YEAR TO DATE		% of	BUDGET	
MONTHLY FINANCIAL REPORT		28 FEBRUARY 2023		Annual	2022-23	
Details By function Under The Following Programme Titles		Budget	Actual	Budget	Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT						
STREETS,ROADS, BRIDGES, DEPOTS - MAINTENANCE						
OPERATING EXPENDITURE						
7632	Town Streets - Drainage Mtce	\$10,850	\$10,042	62%	\$0	\$16,275
7642	ROADS MTCE - FLOOD DAMAGE.	\$0	\$76	0%	\$0	\$0
7662	Bridge Maintenance	\$70,032	\$25,897	28%	\$0	\$92,550
7672	Footpath Maintenance	\$7,000	\$16,911	161%	\$0	\$10,500
7682	Lighting Of Streets	\$38,665	\$39,776	69%	\$0	\$58,000
7692	Depot Maint	\$25,622	\$30,688	83%	\$0	\$36,960
7694	Depot - Grounds & Nursery Maint	\$5,333	\$2,518	31%	\$0	\$8,000
7695	Depot - OHS Minor Items	\$840	\$30	2%	\$0	\$1,260
7704	Depot Cleaning	\$12,599	\$24,193	128%	\$0	\$18,900
RM01	Grading	\$403,317	\$608,056	101%	\$0	\$605,000
RM02	Grading - Summer	\$0	\$191	0%	\$0	\$0
RM03	Drainage Maintenance	\$129,495	\$91,756	47%	\$0	\$194,250
RM04	Bitumen Patching/Repair	\$48,998	\$84,940	116%	\$0	\$73,500
RM05	Guide Post & Signage	\$31,499	\$33,025	70%	\$0	\$47,250
RM06	Roadside Spraying	\$24,332	\$19,593	54%	\$0	\$36,500
RM08	Rural Limb & Tree Removal - Fallen	\$38,454	\$54,302	94%	\$0	\$57,683
RM10	Traffic Counter Transportation	\$0	\$2,474	0%	\$0	\$0
RM11	Kerb Maintenance	\$2,100	\$2,999	95%	\$0	\$3,150
RM15	Trees Rural Major Works	\$41,998	\$65,971	105%	\$0	\$63,000
RM16	Townsite-Kojonup-Verge Mtce	\$54,598	\$78,968	96%	\$0	\$81,900
RM17	Townsite Trees - General Mtce	\$10,866	\$8,289	51%	\$0	\$16,300
RM18	TOWNSITE TREES - UPGRADE, WATERING etc	\$2,200	\$0	0%	\$0	\$3,300
RM19	Townsite Trees - Pruning - Contractor	\$7,466	\$4,145	37%	\$0	\$11,200
RM20	Road Accident Recovery	\$700	\$0	0%	\$0	\$1,050
RM21	STORM DAMAGE CLEANUP WANDRRA FUNDED EXP	\$0	\$0	0%	\$0	\$0
RM22	Removal of Street Trees	\$8,200	\$4,577	37%	\$0	\$12,300
RM23	Townsite Street Sweeping	\$7,000	\$3,360	32%	\$0	\$10,500
RM24	Carpark Line marking	\$3,500	\$0	0%	\$0	\$5,250
7702	Administration Allocated Cash	\$225,660	\$190,978	56%	\$0	\$338,504
020D	Depreciation on Road Assets	\$1,300,281	\$0	0%	\$0	\$1,950,500
122L	Loss on Sale of Asset	\$0	\$0	0%	\$0	\$0
Sub Total - MTCE STREETS ROADS DEPOTS OP/EXP		\$2,511,605	\$1,406,301		\$0	\$3,753,582
OPERATING INCOME						
7405	Roads Grants RRG	(\$420,562)	(\$656,000)	64%	(\$1,023,405)	\$0
7315	Grant - Speed Signs	\$0	\$0	0%	\$0	\$0
7323	Grant - LR&CIP	\$0	\$0	0%	(\$169,411)	\$0
7375	Main Roads WA Direct Grant	(\$160,000)	(\$176,225)	110%	(\$160,000)	\$0
7325	Grant - Special	(\$276,000)	\$0	0%	(\$276,000)	\$0
7435	Roads to Recovery - Current Allocation	(\$181,650)	(\$273,173)	63%	(\$432,500)	\$0
7605	Sale of Small Items	(\$3,200)	(\$3,523)	44%	(\$8,000)	\$0
7683	Street Lighting Contribution	\$0	\$0	0%	(\$10,000)	\$0
7699	WANDRRA FUNDING	\$0	\$0	0%	\$0	\$0
7773	BILLBOARD ADVERTISING	\$0	\$1,636	0%	\$0	\$0
Sub Total - MTCE STREETS ROADS DEPOTS OP/INC		(\$1,041,412)	(\$1,827,285)		(\$2,079,316)	\$0
Total - MTCE STREETS ROADS DEPOTS		\$1,470,193	(\$420,983)		(\$2,079,316)	\$3,753,582

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
MONTHLY FINANCIAL REPORT					Income	Expense
Details By function Under The Following Programme Titles And Type Of Activities Within The Programme						
ACCOUNT		Budget	Actual			
AERODROMES						
OPERATING EXPENDITURE						
7762	Airport Building - Miantenance	\$2,743	\$2,687	70%	\$0	\$3,850
7761	Interest on Loan (Airstrip)	\$1,669	\$2,027	121%	\$0	\$1,669
7764	Airport Building - Cleaning	\$1,347	\$660	33%	\$0	\$2,020
7771	Loan Guarantee Fee (Airstrip)	\$576	\$950	99%	\$0	\$960
7772	Airstrip Operations	\$33	\$0	0%	\$0	\$50
7774	Airstrip Ground Maintenance	\$3,733	\$11,526	206%	\$0	\$5,600
Sub Total - AERODROMES OP/EXP		\$10,101	\$17,850		\$0	\$14,149
OPERATING INCOME						
7793	Sundry Income - Airport	\$0	\$0	0%	\$0	\$0
7794	RADS Grant - Airstrip	\$0	\$0	0%	\$0	\$0
Sub Total - AERODROMES OP/INC		\$0	\$0		\$0	\$0
Total - AERODROMES		\$10,101	\$17,850		\$0	\$14,149
Total - TRANSPORT		\$1,480,294	(\$403,134)		(\$2,079,316)	\$3,767,731

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET	
MONTHLY FINANCIAL REPORT					2022-23	
Details By function Under The Following Programme Titles And Type Of Activities Within The Programme					Income	Expense
ACCOUNT		Budget	Actual			
ECONOMIC SERVICES						
RURAL SERVICES						
OPERATING EXPENDITURE						
023D	Depreciation (Sch 13)	\$5,333	\$0	0%	\$0	\$8,000
8002	Water Standpipes	\$23,239	\$19,964	57%	\$0	\$34,860
8006	Rural Street Addressing	\$67	\$0	0%	\$0	\$100
					\$0	\$0
Sub Total - RURAL SERVICES OP/EXP		\$28,639	\$19,964		\$0	\$42,960
OPERATING INCOME						
8003	Water Standpipe Charges	(\$23,332)	(\$11,653)	33%	(\$35,000)	\$0
8103	GSDC Grant - Water Re-use	\$0	\$0	0%	\$0	\$0
8113	Dep't of Water Grant - Water Re-use	\$0	\$0	0%	(\$103,806)	\$0
Sub Total - RURAL SERVICES OP/INC		(\$23,332)	(\$11,653)		(\$138,806)	\$0
Total - RURAL SERVICES		\$5,306	\$8,310		(\$138,806)	\$42,960

SHIRE OF KOJONUP		YEAR TO DATE		% of	BUDGET	
MONTHLY FINANCIAL REPORT		28 FEBRUARY 2023		Annual	2022-23	
Details By function Under The Following Programme Titles		Budget	Actual	Budget	Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT						
TOURISM AND AREA PROMOTION - KODJA PLACE						
OPERATING EXPENDITURE						
8302	Salaries (Tour)	\$153,327	\$154,345	67%	\$0	\$230,000
8344	Superannuation - Visitors Centre	\$15,999	\$21,884	91%	\$0	\$24,000
8364	Tour Guide Expenses	\$12,000	\$14,077	78%	\$0	\$18,000
8322	Employee Insurances (Tour)	\$4,850	\$4,157	86%	\$0	\$4,850
8342	Conferences & Training	\$667	\$516	52%	\$0	\$1,000
8312	Legal Expenses	\$0	\$0	0%	\$0	\$0
8106	Kojonup Events marketing - EG8 - Comm Ass	\$0	\$0	0%	\$0	\$0
8109	Story Area (Mosaic)	\$667	\$100	10%	\$0	\$1,000
8367	Story Area (Digital)	\$333	\$0	0%	\$0	\$500
8110	Catering	\$1,333	\$1,898	95%	\$0	\$2,000
8368	Activity (Educational)	\$4,666	\$0	0%	\$0	\$7,000
8126	Insurances - Various	\$14,000	\$14,789	106%	\$0	\$14,000
8152	Public Liability Insurance - Kodja Place	\$8,000	\$8,184	102%	\$0	\$8,000
8142	Printing, Stationary & Office Expenses	\$7,333	\$6,841	62%	\$0	\$11,000
8162	Building Maintenance	\$6,666	\$2,494	25%	\$0	\$10,000
8557	Building Maintenance BCC	\$667	\$969	97%	\$0	\$1,000
8164	Utilities	\$13,333	\$11,070	55%	\$0	\$20,000
8166	Cleaning	\$22,166	\$28,211	85%	\$0	\$33,250
8172	Grounds Maintenance	\$8,146	\$41,857	343%	\$0	\$12,220
8174	Kodja Place Rose Maze Grounds Maint	\$30,360	\$26,555	58%	\$0	\$45,542
8192	Misc Expenses	\$3,333	\$2,820	56%	\$0	\$5,000
8358	Kodja Place Website	\$2,000	\$0	0%	\$0	\$3,000
8444	Retail Stock - COGS	\$33,332	\$32,671	65%	\$0	\$50,000
8394	Events	\$13,333	\$3,494	17%	\$0	\$20,000
8412	General Administration Allocated Cash	\$99,291	\$84,030	56%	\$0	\$148,942
8422	General Administration Allocated Non-Cash	\$1,517	\$0	0%	\$0	\$2,275
022D	Depreciation	\$52,665	\$0	0%	\$0	\$79,000
055D	Depreciation	\$467	\$0	0%	\$0	\$700
Sub Total - TOURISM & AREA PROMOTION KODJA OP/EXP		\$510,450	\$460,963		\$0	\$752,279
OPERATING INCOME						
8205	Kodja Place - Visitor Fees	(\$3,333)	(\$3,380)	68%	(\$5,000)	\$0
8203	Kodja Place - Hire Fees	(\$1,033)	(\$1,032)	67%	(\$1,550)	\$0
8204	Tour Groups	(\$667)	(\$2,324)	232%	(\$1,000)	\$0
8207	Kodja Place - Activity Fees	(\$667)	(\$1,119)	112%	(\$1,000)	\$0
8123	Mature Aged Noongar Traineeship	\$0	\$0	0%	\$0	\$0
8213	Cafe Lease Fees	(\$9,521)	(\$7,035)	49%	(\$14,282)	\$0
8223	Membership Fees & Brochure Racking	(\$333)	\$0	0%	(\$500)	\$0
8233	Events	(\$13,333)	(\$5,340)	27%	(\$20,000)	\$0
8243	Retail Sales	(\$46,665)	(\$45,715)	65%	(\$70,000)	\$0
8253	Sales - Goods on Consignment	\$0	\$0	0%	\$0	\$0
8263	Sales - Commissions	(\$1,333)	(\$4,702)	235%	(\$2,000)	\$0
8333	Grant for Oral Histories	\$0	\$0	0%	\$0	\$0
8334	Grant for Story Area (Digital)	\$0	\$0	0%	\$0	\$0
8283	Donations	(\$500)	(\$978)	130%	(\$750)	\$0
8484	Rose Maze Book Revenue	\$0	\$0	0%	\$0	\$0
Sub Total - TOURISM & AREA PROMOTION KODJA OP/INC		(\$77,385)	(\$74,360)		(\$116,082)	\$0
Total - TOURISM & AREA PROMOTION KODJA PLACE		\$433,065	\$386,603		(\$116,082)	\$752,279

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
TOURISM & AREA PROMOTION OTHER						
OPERATING EXPENDITURE						
8101	Kojonup Marketing & Promotions	\$1,333	\$6,325	316%	\$0	\$2,000
8107	Hidden Treasures	\$8,066	\$11,000	91%	\$0	\$12,100
8414	Wool Wagon	\$133	\$0	0%	\$0	\$200
8354	Subscriptions, Accreditation, etc.	\$2,667	\$2,719	68%	\$0	\$4,000
8374	Australia Day Breakfast	\$1,400	\$0	0%	\$0	\$2,100
8371	EV Charging Station	\$3,333	\$3,965	79%	\$0	\$5,000
8432	Railway Station Building Maintenance	\$1,333	\$172	9%	\$0	\$2,000
8403	Tourist Railway - Upgrade to Farrar	\$0	\$0	0%	\$0	\$0
8402	Railway Station Building - Operating	\$500	\$401	80%	\$0	\$500
029D	Depreciation	\$63,997	\$0	0%	\$0	\$96,000
Sub Total - TOURISM & AREA PROM OTHER OP/EXP		\$82,763	\$25,585		\$0	\$123,900
OPERATING INCOME						
8494	EV Charging Station	(\$3,333)	(\$4,407)	88%	(\$5,000)	\$0
Sub Total - TOURISM & AREA PROM OTHER OP/INC		(\$3,333)	(\$4,407)		(\$5,000)	\$0
Total - TOURISM & AREA PROMOTION OTHER		\$79,430	\$21,178		(\$5,000)	\$123,900
BUILDING CONTROL						
OPERATING EXPENDITURE						
8552	Building Admin. Salaries	\$26,832	\$32,772	81%	\$0	\$40,250
8572	Superannuation	\$3,750	\$8,763	156%	\$0	\$5,625
8602	Other Emp Costs (Bldg)	\$2,558	\$2,581	98%	\$0	\$2,625
8612	Vehicle Operating Bld Svyr	\$7,333	\$12,050	110%	\$0	\$11,000
8622	Building Control Expenses	\$1,333	\$0	0%	\$0	\$2,000
8672	Admin Realloc Cash (Bldg)	\$11,283	\$9,549	56%	\$0	\$16,925
8682	Admin Realloc Non Cash (Bldg)	\$607	\$0	0%	\$0	\$910
8684	Loan Guarantee Fee	\$0	\$1,525	0%		
Sub Total - BUILDING CONTROL OP/EXP		\$53,696	\$67,239		\$0	\$79,335
OPERATING INCOME						
8653	Building Licence Fees	(\$4,000)	(\$4,356)	73%	(\$6,000)	\$0
8663	Bcitr & Brb Commissions	(\$167)	(\$374)	149%	(\$250)	\$0
8633	Private Pool Inspection Charges	\$0	\$0	0%	\$0	\$0
8643	Shared Resources	\$0	\$0	0%	\$0	\$0
Sub Total - BUILDING CONTROL OP/INC		(\$4,167)	(\$4,730)		(\$6,250)	\$0
Total - BUILDING CONTROL		\$49,530	\$62,510		(\$6,250)	\$79,335

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
OTHER ECONOMIC SERVICES						
OPERATING EXPENDITURE						
014P	Profit/Loss (Sch 13)	\$0	\$0	0%	\$0	\$0
033D	Depreciation (Sch 13 - Saleyards)	\$567	\$0	0%	\$0	\$850
8011	Wash Down Bay - Repairs	\$2,853	\$731	17%	\$0	\$4,200
8801	Wash Down Bay - Other	\$70	\$342	326%	\$0	\$105
8807	Wash Down Bay - Utility Charges	\$7,000	\$4,236	40%	\$0	\$10,500
8800	Saleyards - Ground Maintenance	\$5,533	\$2,206	27%	\$0	\$8,300
8808	Saleyards - Insurances	\$400	\$380	95%	\$0	\$400
8802	Saleyards - Other	\$580	\$127	15%	\$0	\$870
8872	Loan Guarantee Fee	\$0	\$0	0%	\$0	\$2,660
8862	Subdivision - Interest on Loans	\$0	\$14,181	96%	\$0	\$14,811
	Land Development Expenses	\$0	\$0	0%	\$0	\$0
Sub Total - OTHER ECONOMIC SERVICES OP/EXP		\$17,003	\$22,203		\$0	\$42,696
OPERATING INCOME						
8013	Washdown Bay Fees	(\$13,333)	(\$12,385)	62%	(\$20,000)	\$0
8803	Saleyards - Income	\$0	\$0	0%	\$0	\$0
Sub Total - OTHER ECONOMIC SERVICES OP/INC		(\$13,333)	(\$12,385)		(\$20,000)	\$0
Total - OTHER ECONOMIC SERVICES		\$3,670	\$9,818		(\$20,000)	\$42,696
Total - ECONOMIC SERVICES		\$571,001	\$488,418		(\$286,138)	\$1,041,170

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET	
MONTHLY FINANCIAL REPORT					2022-23	
Details By function Under The Following Programme Titles					Income	Expense
And Type Of Activities Within The Programme						
ACCOUNT		Budget	Actual			
OTHER PROPERTY AND SERVICES						
PRIVATE WORKS						
OPERATING EXPENDITURE						
9002	Private Works	\$3,500	\$16,043	306%	\$0	\$5,250
9008	Pte Works-Other Councils-Roads	\$3,500	\$0	0%	\$0	\$5,250
Sub Total - PRIVATE WORKS OP/EXP		\$7,000	\$16,043		\$0	\$10,500
OPERATING INCOME						
9003	Private Works Income	(\$6,666)	(\$12,880)	129%	(\$10,000)	\$0
9009	Pte Works-Income-Other Councils-Roads	(\$1,333)	\$0	0%	(\$2,000)	\$0
Sub Total - PRIVATE WORKS OP/INC		(\$8,000)	(\$12,880)		(\$12,000)	\$0
Total - PRIVATE WORKS		(\$1,000)	\$3,163		(\$12,000)	\$10,500

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
PUBLIC WORKS OVERHEADS						
OPERATING EXPENDITURE						
9022	Salaries-Works-Supervisors; Assistance	\$299,988	\$335,689	75%	\$0	\$450,000
9042	Superannuation (Supervisors)	\$13,299	\$15,368	77%	\$0	\$19,950
9052	Conferences & Training (Super)	\$1,539	\$1,168	51%	\$0	\$2,309
9062	Emp Insurances (Supervisors)	\$2,425	\$2,078	86%	\$0	\$2,425
9072	Other Staff Expenses (Inc. Fbt)	\$7,333	\$18,582	169%	\$0	\$11,000
9502	Allowances	\$8,400	\$11,317	90%	\$0	\$12,600
9081	Staff Housing Subsidy (Public Works)	\$2,667	\$2,850	71%	\$0	\$4,000
9082	Vehicle Operating	\$13,999	\$13,826	66%	\$0	\$21,000
9084	Consulting Technical	\$10,500	\$0	0%	\$0	\$15,750
9092	Office Expenses	\$7,700	\$13,538	117%	\$0	\$11,550
9094	Minor Equipment/Consumables	\$5,250	\$3,693	47%	\$0	\$7,875
9095	RAMM Inventory	\$13,999	\$1,000	5%	\$0	\$21,000
9101	ICT program development for Depot	\$56,831	\$2,026	2%	\$0	\$85,250
9102	Training	\$62,997	\$132,223	140%	\$0	\$94,500
9112	Meetings	\$21,699	\$26,992	83%	\$0	\$32,550
9122	Annual Leave	\$90,996	\$97,942	72%	\$0	\$136,500
9132	Public Holidays	\$58,798	\$58,856	67%	\$0	\$88,200
9142	Sick Leave	\$45,498	\$34,343	50%	\$0	\$68,250
9152	Superannuation	\$111,996	\$126,901	76%	\$0	\$168,000
9162	Workers Comp Ins	\$45,335	\$81,589	180%	\$0	\$45,335
9172	Staff Functions	\$1,750	\$8,348	318%	\$0	\$2,625
9182	INSURANCE ON WORKS	\$5,900	\$6,088	103%	\$0	\$5,900
9192	Long Service Leave	\$27,999	\$27,692	66%	\$0	\$42,000
9202	Safety Equipment & P.P.E.	\$13,999	\$20,230	96%	\$0	\$21,000
9262	Emp Insurances - Pwo	\$4,600	\$4,836	105%	\$0	\$4,600
9280	Cleaners - Annual Leave	\$3,850	\$5,680	98%	\$0	\$5,775
9281	Cleaners - Long Service Leave	\$2,100	\$2,264	72%	\$0	\$3,150
9282	Cleaners - Sick Leave	\$1,400	\$2,120	101%	\$0	\$2,100
9284	Cleaners - Public Holidays	\$2,100	\$1,766	56%	\$0	\$3,150
9286	Cleaners - Superannuation	\$3,500	\$2,423	46%	\$0	\$5,250
9254	Cleaners - Administration	\$7,800	\$1,212	10%	\$0	\$11,700
021A	Annual Leave Accrual	\$0	\$0	0%	\$0	\$0
021L	Long Service Leave Accrual	\$0	\$0	0%	\$0	\$0
9302	Admin Realloc - Cash (Pwo)	\$225,660	\$190,978	56%	\$0	\$338,504
9332	Admin Non Cash Realloc (Pwo)	\$32,152	\$0	0%	\$0	\$48,230
9421	Small Items (Chainsaws, Mowers, etc)	\$2,100	\$490	16%	\$0	\$3,150
9422	Sundry Plant Recovery - Automatic Recoveries	\$13,333	\$9,437	47%	\$0	\$20,000
9312	Less Allocated To Works & Services	(\$1,210,070)	(\$1,199,825)	66%	\$0	(\$1,815,178)
Sub Total - PUBLIC WORKS O/HEADS OP/EXP		\$19,422	\$63,720		\$0	\$0
OPERATING INCOME						
9323	Sundry Misc Income - Pwo	(\$333)	\$0	0%	(\$500)	\$0
Sub Total - PUBLIC WORKS O/HEADS OP/INC		(\$333)	\$0		(\$500)	\$0
Total - PUBLIC WORKS OVERHEADS		\$19,088	\$63,720		(\$500)	\$0

SHIRE OF KOJONUP
MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
PLANT OPERATION COSTS						
OPERATING EXPENDITURE						
9372	Wages & Overheads	\$125,995	\$91,082	48%	\$0	\$189,000
9352	Tyres & Tubes	\$5,333	\$428	5%	\$0	\$8,000
9344	Vehicle Tracking	\$33,332	\$0	0%	\$0	\$50,000
9362	Parts,Ext Work & Sundries	\$67,564	\$71,446	70%	\$0	\$101,350
9382	Vehicles - Insurance	\$65,300	\$62,994	96%	\$0	\$65,300
9386	Vehicles - Licences	\$19,599	\$1,400	5%	\$0	\$29,400
9342	Fuels & Oils	\$186,659	\$169,605	61%	\$0	\$280,000
9363	Purchase of Tools	\$2,100	\$805	26%	\$0	\$3,150
9406	Administration Allocated	\$0	\$0	0%	\$0	\$0
112P	Loss On Sale Of Assets	\$26,000	\$0	0%	\$0	\$26,000
9402	Less Poc Allocated To W. & S.	(\$501,447)	(\$459,397)	61%	\$0	(\$752,200)
9404	Loss on Revaluation of Assets	\$0	\$0	0%	\$0	\$0
021D	Depreciation (Sch 12)	\$256,656	\$0	0%	\$0	\$385,000
025D	Depreciation W/Back	(\$256,656)	(\$282,875)	73%	\$0	(\$385,000)
Sub Total - PLANT OPERATIONS COSTS OP/EXP		\$30,436	(\$344,512)		\$0	\$0
OPERATING INCOME						
9393	Income - Diesel Fuel Rebates	(\$12,000)	(\$13,176)	73%	(\$18,000)	\$0
012P	Profit On Sale Of Assets	(\$9,000)	\$0	0%	(\$9,000)	\$0
Sub Total - PLANT OPERATIONS COSTS OP/INC		(\$21,000)	(\$13,176)		(\$27,000)	\$0
Total - PLANT OPERATIONS COSTS		\$9,436	(\$357,688)		(\$27,000)	\$0
MATERIALS AND STOCK						
OPERATING EXPENDITURE						
9452	Stock Variance A/C	\$67	\$0	0%	\$0	\$100
Sub Total - MATERIALS AND STOCK		\$67	\$0		\$0	\$100
Total - MATERIALS AND STOCK		\$67	\$0		\$0	\$100
OTHER PROPERTY AND SERVICES						
SALARIES AND WAGES						
OPERATING EXPENDITURE						
9482	Salaries & Wages Drawn	\$3,333,200	\$3,230,921	65%	\$0	\$5,000,000
9492	Workers Compensation	\$33,332	\$3,355	7%	\$0	\$50,000
New	Wages & Allowanced Default	\$0	\$0	0%	\$0	\$0
9512	Salary & Wage Alloc To W. & S.	(\$3,333,200)	(\$3,168,861)	63%	\$0	(\$5,000,000)
Sub Total - SALARIES AND WAGES OP/EXP		\$33,332	\$65,415		\$0	\$50,000
OPERATING INCOME						
9493	Workers Compensation Income	(\$53,331)	(\$51,972)	65%	(\$80,000)	\$0
9543	APPRENTICESHIP/TRAINEE GRANTS	\$0	(\$2,975)	0%		
Sub Total - SALARIES AND WAGES OP/INC		(\$53,331)	(\$54,947)		(\$80,000)	\$0
Total - SALARIES AND WAGES		(\$19,999)	\$10,468		(\$80,000)	\$50,000

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	UNCLASSIFIED					
	OPERATING EXPENDITURE					
9572	Land Survey & Leasing	\$0	\$0	0%	\$0	\$0
9682	Misc Expenses-Other Property	\$8,933	\$2,443	19%	\$0	\$12,600
024D	Depreciation on Assets	\$15,333	\$0	0%	\$0	\$23,000
9862	Interest - Loans - Council	\$0	\$0	0%	\$0	\$0
9872	Interest - Loans - Self Support	\$0	\$0	0%	\$0	\$0
9882	LOAN GUARENTEE FEE	\$0	\$0	0%	\$0	\$0
9562	EQUIP PURCHASES - Non Cap	\$0	\$0	0%	\$0	\$0
	Sub Total - UNCLASSIFIED OP/EXP	\$24,266	\$2,443		\$0	\$35,600
	OPERATING INCOME					
9625	SMALL ITEMS INSUR INCOME	(\$1,333)	(\$1,608)	80%	(\$2,000)	\$0
9626	Sundry Misc Income - Other Property	(\$18,666)	\$0	0%	(\$28,000)	\$0
9627	Sundry Inc - Insurance Premium Refund	(\$3,333)	\$0	0%	(\$5,000)	\$0
9683	Lease Of Ksc Properties	(\$9,333)	\$0	0%	(\$14,000)	\$0
9684	PROFIT ON LG HOUSE UNIT TRUST	\$0	\$0	0%	\$0	\$0
9695	Recoverable Costs	(\$1)	(\$620)	62006%	(\$1)	\$0
	Sub Total - UNCLASSIFIED OP/INC	(\$32,666)	(\$2,228)		(\$49,001)	\$0
	Total - UNCLASSIFIED	(\$8,400)	\$215		(\$49,001)	\$35,600
	Total - OTHER PROPERTY AND SERVICES	(\$808)	(\$280,122)		(\$168,501)	\$96,200

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT	YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
	Budget	Actual		Income	Expense
FUND TRANSFERS					
EXPENDITURE					
Tfr to Employee Leave Res.	\$0	\$1,271	12%	\$0	\$10,236
Transfer To Plant Res.	\$0	\$3,142	0%	\$0	\$0
Transfer to Gravel Pits Res.	\$0	\$177	0%	\$0	\$0
Transfer To Economic Dev Res.	\$0	\$477	536%	\$0	\$89
Transfer to Building Res.	\$0	\$0	0%	\$0	\$0
Transfer to Historical Buildings Res.	\$0	\$86	0%	\$0	\$0
Transfer To Staff Housing Res.	\$0	\$0	0%	\$0	\$0
Transfer to Springhaven Lodge Res.	\$0	\$0	0%	\$0	\$0
Transfer to Springhaven Building Res.	\$0	\$11,189	509%	\$0	\$2,197
Transfer to Low Income Housing Res.	\$0	\$450	4%	\$0	\$11,583
Transfer to Sporting Facility Res.	\$0	\$304	483%	\$0	\$63
Transfer to Drainage & Water Re-use Res.	\$0	\$0	0%	\$0	\$0
Transfer to Res.	\$0	\$0	0%	\$0	\$0
Transfer to Bushfire Communications Res.	\$0	\$482	541%	\$0	\$89
Transfer to Landfill Waste Mgmt Res.	\$0	\$432	2%	\$0	\$26,550
Transfer to Kodja Place Tourist Precinct Res.	\$0	\$54	540%	\$0	\$10
Transfer to Res.	\$0	\$0	0%	\$0	\$0
Transfer to Information & Communication Tech Res	\$0	(\$2)	0%	\$0	\$0
Transfer to Day Care Building Maint Res.	\$0	\$95	634%	\$0	\$15
Transfer To Energy Efficiency Res.	\$0	\$0	0%	\$0	\$0
Transfer To Land Acquisition & Dev Res.	\$0	\$203	548%	\$0	\$37
Transfer to Community Grants Res.	\$0	\$53	530%	\$0	\$10
Transfer To Independent Living Units Res.	\$0	\$853	540%	\$0	\$158
Transfer to Youth Reserve	\$0	(\$8)	-27%	\$0	\$31
Transfer to Natural Resource Mgmt Res.	\$0	\$526	1%	\$0	\$60,097
Transfer to Res.	\$0	\$0	0%	\$0	\$0
Transfer To Swimming Pool Res.	\$0	\$218	546%	\$0	\$40
Transfer To Springhaven Equipment Res.	\$0	\$89	524%	\$0	\$17
Transfer To Saleyards Res.	\$0	\$213	0%	\$0	\$0
Transfer to RSL Hall Building Res.	\$0	\$56	556%	\$0	\$10
Transfer to Benn Parade Multi Facility Res.	\$0	\$69	493%	\$0	\$14
Transfer to Townscape Res.	\$0	\$269	537%	\$0	\$50
Transfer to Playgrounds & Parks Res.	\$0	\$108	540%	\$0	\$20
Transfer to Memorial & Lesser Hall Res.	\$0	\$39	550%	\$0	\$7
Transfer to Kodja Place Building Res.	\$0	\$80	442%	\$0	\$18
Transfer to Shire Office/Library Building Res.	\$0	\$0	0%	\$0	\$1
Transfer to Sporting Complex Building Upgrade Res.	\$0	\$46	4597%	\$0	\$1
Transfer to Netball Court Surfacing Res.	\$0	\$0	0%	\$0	\$3,501
Transfer to The Spring Res.	\$0	\$0	0%	\$0	\$16
Transfer to Trails Network Construction Res.	\$0	\$2	30%	\$0	\$6
Transfer to Works Depot Building Upgrade Res.	\$0	\$0	0%	\$0	\$1
Transfer to Kodja Place Masterplan Implement Res.	\$0	\$0	0%	\$0	\$0
Sub Total - TRANSFERS TO RESERVE	\$0	\$20,972		\$0	\$114,867

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT	YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
	Budget	Actual		Income	Expense
INCOME					
Transfer from Employee Reserve	\$0	\$0	0%	\$0	\$0
Transfer from Plant Reserve	\$0	\$0	0%	(\$202,470)	\$0
Transfer from Gravel Pits Reserve	\$0	\$0	0%	\$0	\$0
Transfer from Economic Dev. Reserve	\$0	\$0	0%	(\$64,000)	\$0
Transfer from Building Maintenance Reserve	\$0	\$0	0%	\$0	\$0
Transfer from Historical Buildings Reserve	\$0	\$0	0%	\$0	\$0
Transfer from Staff Housing Res	\$0	\$0	0%	\$0	\$0
Transfer from Springhaven Lodge Res	\$0	(\$250,000)	0%	\$0	\$0
Transfer from Springhaven Building Res	\$0	\$0	0%	\$0	\$0
Transfer from Low Income Housing Reserve	\$0	\$0	0%	(\$10,000)	\$0
Transfer from Sporting Facility Reserve	\$0	\$0	0%	(\$42,178)	\$0
Transfer from Drainage & Water Re-Use Res	\$0	\$0	0%	\$0	\$0
Transfer from Springhaven Building Maint Res	\$0	\$0	0%	\$0	\$0
Transfer from Bushfire Communications Res	\$0	\$0	0%	(\$89,346)	\$0
Transfer from Landfill Waste Mgmt Res	\$0	\$0	0%	(\$50,000)	\$0
Transfer from Kodja Place Tourist Precinct Res.	\$0	\$0	0%	(\$10,000)	\$0
Transfer from Res.	\$0	\$0	0%	\$0	\$0
Transfer from Information & Communications Technology Res.	\$0	\$0	0%	\$0	\$0
Transfer from Day Care Building Maint Res.	\$0	\$0	0%	(\$7,000)	\$0
Transfer from Energy Efficiency Res.	\$0	\$0	0%	\$0	\$0
Transfer from Land Acquisition & Dev. Res.	\$0	\$0	0%	(\$37,000)	\$0
Transfer from Community Grants Res.	\$0	\$0	0%	\$0	\$0
Transfer from Independent Living Units Res.	\$0	\$0	0%	(\$18,793)	\$0
Transfer from Youth Res.	\$0	\$0	0%	(\$20,000)	\$0
Transfer from Natural Resource Mgmt Res.	\$0	\$0	0%	(\$83,164)	\$0
Transfer from Res.	\$0	\$0	0%	\$0	\$0
Transfer from Swimming Pool Res.	\$0	\$0	0%	\$0	\$0
Transfer from Springhaven Equipment Res.	\$0	\$0	0%	(\$10,000)	\$0
Transfer from Saleyards Res.	\$0	\$0	0%	(\$9,570)	\$0
Transfer from RSL Hall Building Res.	\$0	\$0	0%	\$0	\$0
Transfer from Benn Parade Multi Facility Res.	\$0	\$0	0%	(\$14,301)	\$0
Transfer from Townscape Res.	\$0	\$0	0%	(\$49,801)	\$0
Transfer from Playgrounds & Parks Res.	\$0	\$0	0%	(\$10,000)	\$0
Transfer from Memorial & Lesser Hall Upgrade Res.	\$0	\$0	0%	\$0	\$0
Transfer from Kodja Place Building Upgrade Res.	\$0	\$0	0%	(\$10,000)	\$0
Transfer from Shire Office/Library Building Res.	\$0	\$0	0%	\$0	\$0
Transfer from Sporting Complex Building Res.	\$0	\$0	0%	\$0	\$0
Transfer from Netball Court Surfacing Res.	\$0	\$0	0%	\$0	\$0
Transfer from The Spring Res.	\$0	\$0	0%	(\$16,000)	\$0
Transfer from Trails Network Construction Res.	\$0	\$0	0%	(\$6,000)	\$0
Transfer from Works Depot Building Res.	\$0	\$0	0%	\$0	\$0
Transfer from Kodja Place Masterplan Implement Res.	\$0	\$0	0%	\$0	\$0
Sub Total - TRANSFERS FROM RESERVE	\$0	(\$250,000)		(\$759,623)	\$0
Total - TRANSFERS	\$0	(\$229,028)		(\$759,623)	\$114,867
Total - FUND TRANSFER	\$0	(\$229,028)		(\$759,623)	\$114,867

SHIRE OF KOJONUP					
MONTHLY FINANCIAL REPORT					
Details By function Under The Following Programme Titles					
And Type Of Activities Within The Programme					
ACCOUNT		YEAR TO DATE		% of Annual Budget	BUDGET 2022-23
		Budget	Actual		Income Expense
	NEW - (Surplus) / Deficit - Opening 1 July	\$0	(\$475,454)		(\$475,454) \$0
	Sub Total - SURPLUS C/FWD	\$0	(\$475,454)		(\$475,454) \$0
	Total - SURPLUS	\$0	(\$475,454)		(\$475,454) \$0
	LIABILITY LOANS - PRINCIPAL REPAYMENT				
	EXPENDITURE				
New	Loan 149 - Communications tower	\$0	\$0	0%	\$0 \$0
New	Loan 137 - Medical Centre	\$8,551	\$8,551	100%	\$0 \$8,551
New	Loan 135 - Bagg St House	\$4,868	\$4,868	50%	\$0 \$9,811
New	Loan 139 - Aged Units	\$10,008	\$10,008	100%	\$0 \$10,008
New	Loan 140 - Staff Housing	\$59,246	\$59,246	100%	\$0 \$59,246
New	Loan 138 - GROH Housing	\$110,979	\$110,979	100%	\$0 \$110,979
New	Loan 144 - Staff Housing	\$5,272	\$5,272	50%	\$0 \$10,594
New	Loan 145 - GROH Housing	\$5,272	\$5,272	50%	\$0 \$10,594
New	Loan 148 - Staff Housing renovations	\$7,118	\$7,159	50%	\$0 \$14,396
New	Loan 134 - Sports Complex	\$8,476	\$8,476	49%	\$0 \$17,162
New	Loan 136 - Sports Complex Wall	\$4,822	\$4,822	50%	\$0 \$9,692
New	Loan 143 - Netball Courts & Roof	\$25,947	\$25,947	50%	\$0 \$52,268
New	Loan 142 - Oval Lighting	\$12,066	\$12,066	50%	\$0 \$24,220
New	Loan 146 - Harrison Place Toilets & Park	\$16,530	\$16,531	50%	\$0 \$33,385
New	Loan 150 - Harrison Place Toilets & Park	\$0	\$0	0%	\$0 \$0
New	Loan 141 - Airstrip Lighting	\$10,005	\$10,005	100%	\$0 \$10,005
New	Loan 147 - Land Development	\$15,955	\$15,955	50%	\$0 \$32,223
	Sub Total - LOAN REPAYMENTS	\$305,115	\$305,159		\$0 \$413,134
	INCOME				
New	Loan 133 - Kojonup Bowls Club S/S Principal Repayment				\$0 \$0
	Sub-Total - LOAN PRINCIPAL REIMBURSEMENTS				\$0 \$0
	Total - NON CURRENT LIABILITIES	\$305,115	\$305,159		\$0 \$413,134
	NEW LOANS RAISED				
	INCOME				
9967	New Loan 149 - Communications Tower	(\$400,000)	\$0	0%	(\$400,000) \$0
9968	New Loan 150 - Harrison Place Toilets & Park	(\$200,000)	\$0	0%	(\$200,000) \$0
	Sub Total - New Loans Raised	(\$600,000)	\$0		(\$600,000) \$0
	Total - NEW LOANS - CURRENT LIABILITIES	(\$600,000)	\$0		(\$600,000) \$0
	NON CASH ITEMS WRITTEN BACK				
	Depreciation Written Back	\$0	\$0		\$0 (\$3,774,415)
	Profit on Sale of Assets Written Back	\$0	\$0		\$16,000 \$0
	Loss on Sale of Assets Written Back	\$0	(\$3,809)		\$0 (\$26,000)
	Movement in Springhaven Lodge Bonds Reserve Bank Account	\$0	\$250,000		\$0 \$0
	Movement in Doubtful Debts	\$0	\$0		\$0 (\$2,000)
	Sub Total - DEPRECIATION WRITTEN BACK		\$0		\$16,000 (\$3,802,415)
	Total - NON CASH ITEMS	\$0	\$246,191		\$16,000 (\$3,802,415)

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT	YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
	Budget	Actual		Income	Expense
FURNITURE AND EQUIPMENT					
GOVERNANCE					
CAPITAL EXPENDITURE					
C137 ICT Plan Implementation	\$0	\$0	0%	\$0	\$0
C312 Office Equipment - Furniture	\$0	\$0	0%	\$0	\$0
C265 Council Chambers/Reception Lounge	\$0	\$0	0%	\$0	\$0
Sub Total - CAPITAL WORKS	\$0	\$0		\$0	\$0
Total - GOVERNANCE	\$0	\$0		\$0	\$0
FURNITURE AND EQUIPMENT					
HOUSING					
EXPENDITURE					
C147 Springhaven - Furniture	\$10,000	\$237	2%	\$0	\$10,000
Sub Total - CAPITAL WORKS	\$10,000	\$237		\$0	\$10,000
Total - HOUSING	\$10,000	\$237		\$0	\$10,000
FURNITURE AND EQUIPMENT					
RECREATION & CULTURE					
CAPITAL EXPENDITURE					
C430 Sporting Complex - Audio Visual	\$0	\$2,575	0%	\$0	\$0
Sub Total - CAPITAL WORKS	\$0	\$2,575		\$0	\$0
Total - RECREATION & CULTURE	\$0	\$2,575		\$0	\$0
Total - FURNITURE AND EQUIPMENT	\$10,000	\$2,813		\$0	\$10,000

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

<div>SHIRE OF KOJONUP</div> <div>MONTHLY FINANCIAL REPORT</div> <div>Details By function Under The Following Programme Titles</div> <div>And Type Of Activities Within The Programme</div>		YEAR TO DATE		% of Annual Budget	BUDGET	
ACCOUNT		28 FEBRUARY 2023			2022-23	
		Budget	Actual		Income	Expense
C310	LAND					
	COMMUNITY AMENITIES					
	CAPITAL EXPENDITURE					
	Subdivision Construction	\$94,000	\$18,861	20%	\$0	\$94,000
	Sub Total - CAPITAL WORKS	\$94,000	\$18,861		\$0	\$94,000
	Total- COMMUNITY AMENITIES	\$94,000	\$18,861		\$0	\$94,000
	Total - LAND	\$94,000	\$18,861		\$0	\$94,000
C191	BUILDINGS					
	GOVERNANCE					
	EXPENDITURE					
	Office Building Capital Renewal	\$14,989	\$3,402	23%	\$0	\$14,989
	Sub Total - CAPITAL WORKS	\$14,989	\$3,402		\$0	\$14,989
	TOTAL - GOVERNANCE	\$14,989	\$3,402		\$0	\$14,989
	BUILDINGS					
C440	LAW ORDER AND PUBLIC SAFETY					
	EXPENDITURE					
	Cat Pound	\$16,000	\$0	0%	\$0	\$16,000
	Sub Total - CAPITAL WORKS	\$16,000	\$0		\$0	\$16,000
	TOTAL - LAW ORDER AND PUBLIC SAFETY	\$16,000	\$0		\$0	\$16,000
	BUILDINGS					
	EDUCATION & WELFARE					
C107	CAPITAL EXPENDITURE					
	Playgroup/Toy Library	\$39,000	\$0	0%	\$0	\$39,000
	Sub Total - CAPITAL WORKS	\$39,000	\$0		\$0	\$139,000
	TOTAL - EDUCATION & WELFARE	\$39,000	\$0		\$0	\$139,000

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

SHIRE OF KOJONUP		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET	
MONTHLY FINANCIAL REPORT					2022-23	
Details By function Under The Following Programme Titles And Type Of Activities Within The Programme					Income	Expense
ACCOUNT		Budget	Actual			
	BUILDINGS					
	HOUSING					
	EXPENDITURE					
C157	CEO Residence - 15 Loton Close	\$50,000	\$0	0%	\$0	\$50,000
C140	Staff - 34 Katanning Road	\$112,500	\$6,121	4%	\$0	\$150,000
C141	39 Vanzuilecom St	\$112,500	\$0	0%	\$0	\$150,000
C195	Springhaven - Building	\$200,000	\$0	0%	\$0	\$200,000
C427	Springhaven - Building - ACAR Grant	\$285,000	\$129,309	45%	\$0	\$285,000
C313	Jean Sullivan Units	\$10,000	\$7,700	77%	\$0	\$10,000
C145	Loton Close Units	\$18,793	\$0	0%	\$0	\$18,793
	Sub Total - CAPITAL WORKS	\$788,793	\$143,130		\$0	\$863,793
	Total - HOUSING	\$788,793	\$143,130		\$0	\$863,793
	BUILDINGS					
	COMMUNITY AMENITIES					
	CAPITAL EXPENDITURE					
C442	Mens Shed - Construction of New	\$750,000	\$8,929	1%	\$0	\$1,000,000
	Sub Total - CAPITAL WORKS	\$750,000	\$8,929		\$0	\$1,000,000
	Total - COMMUNITY AMENITIES	\$750,000	\$8,929		\$0	\$1,000,000
	BUILDINGS					
	RECREATION AND CULTURE					
	CAPITAL EXPENDITURE					
C198	Historic Buildings - Capital Improvement	\$30,000	\$25,595	85%	\$0	\$30,000
C408	Harrison Place Toilets & Park	\$200,000	\$113,425	57%	\$0	\$200,000
C428	Sub-division - Harness Display Shed	\$12,000	\$7,720	64%	\$0	\$12,000
	Sub Total - CAPITAL WORKS	\$242,000	\$146,740		\$0	\$242,000
	Total - RECREATION AND CULTURE	\$242,000	\$146,740		\$0	\$242,000

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

ACCOUNT	YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
	Budget	Actual		Income	Expense
BUILDINGS					
ECONOMIC SERVICES					
CAPITAL EXPENDITURE					
C177 Kodja Place Capital Renewal	\$10,000	\$0	0%	\$0	\$10,000
Sub Total - CAPITAL WORKS	\$10,000	\$0		\$0	\$10,000
Total - ECONOMIC SERVICES	\$10,000	\$0		\$0	\$10,000
BUILDINGS					
OTHER PROPERTY AND SERVICES					
CAPITAL EXPENDITURE					
C286 Chemical Shed - replacement/upgrade	\$34,647	\$34,655	100%	\$0	\$34,647
Sub Total - CAPITAL WORKS	\$34,647	\$34,655		\$0	\$34,647
Total - OTHER PROPERTY AND SERVICES	\$34,647	\$34,655		\$0	\$34,647
Total - BUILDINGS	\$1,895,429	\$336,856		\$0	\$2,320,429

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

<i>SHIRE OF KOJONUP</i>						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
	PLANT AND EQUIPMENT					
	TRANSPORT					
	CAPITAL EXPENDITURE					
7604	Major Plant Purchases	\$380,000	\$275,865	73%	\$0	\$380,000
C404	Signage - Electronic Speed Signs	\$0	\$770	0%	\$0	\$0
	Sub Total - CAPITAL WORKS	\$380,000	\$276,635		\$0	\$380,000
	Total - TRANSPORT	\$380,000	\$276,635		\$0	\$380,000
	PLANT AND EQUIPMENT					
	ECONOMIC SERVICES					
	CAPITAL EXPENDITURE					
C456	Kodja Place - Equipment Upgrade	\$60,000	\$37,450	62%	\$0	\$60,000
	Sub Total - CAPITAL WORKS	\$60,000	\$37,450		\$0	\$60,000
	Total - ECONOMIC SERVICES	\$60,000	\$37,450		\$0	\$60,000
	Total - PLANT AND EQUIPMENT	\$440,000	\$314,085		\$0	\$440,000

SHIRE OF KOJONUP		YEAR TO DATE		% of Annual Budget	BUDGET	
MONTHLY FINANCIAL REPORT Details By function Under The Following Programme Titles And Type Of Activities Within The Programme		28 FEBRUARY 2023			2022-23	
ACCOUNT		Budget	Actual		Income	Expense
INFRASTRUCTURE ASSETS - ROAD RESERVES						
CAPITAL EXPENDITURE						
Roads to Recovery Projects						
CJ451	Bitumen Reseal - Boscabel Road (western end)	\$21,000	\$23,265	111%	\$0	\$21,000
CJ452	Bitumen Reseal - Boscabel Road (town)	\$65,000	\$0	0%	\$0	\$65,000
CJ453	Seal - Balgarup Road	\$176,500	\$285,498	162%	\$0	\$176,500
CJ454	Seal - Samson Road	\$0	\$0	0%	\$0	\$120,000
CJ455	Floodway - Pearce Road	\$20,000	\$0	0%	\$0	\$20,000
C308	Wooden Culvert Replacement - Carlecatup Road	\$30,000	\$3,882	13%	\$0	\$30,000
RRG Projects						
C414	Reconstruct - Kojonup-Frankland Road	\$19,374	\$20,220	104%	\$0	\$19,374
C417	Widening - Shamrock Road	\$600,000	\$139,357	23%	\$0	\$600,000
C436	Widening - Shamrock Road (2021/2022 Project)	\$111,229	\$111,724	100%	\$0	\$111,229
C248	Widening - Broomehill Kojonup Road	\$154,681	\$154,381	100%	\$0	\$154,681
C450	Widening - Tambellup West Road	\$180,000	\$82,662	28%	\$0	\$300,000
C319	Bitumen Reseal - Kojonup-Frankland Road	\$150,000	\$150,349	100%	\$0	\$150,000
C320	Bitumen Reseal - Kojonup Darkan Road	\$0	\$125,302	104%	\$0	\$120,000
C321	Bitumen Reseal - Broomehill-Kojonup Road	\$0	\$119,165	99%	\$0	\$120,000
C460	Road Widening - Jingalup Rd 22/23	\$0	\$438,486	0%	\$0	\$0
Commodity Route Projects						
C172	Seal - Riverdale Road	\$413,000	\$35,160	9%	\$0	\$413,000
Municipal Fund Projects						
C246	Widening - Kojonup Darkan Rd	\$0	\$297	0%		
C361	Signage Upgrades	\$10,000	\$794	8%	\$0	\$10,000
C434	Spring Street	\$0	\$0	0%	\$0	\$54,203
C449	Parking Bays	\$0	\$0	0%	\$0	\$50,000
Sub Total - CAPITAL WORKS		\$1,950,784	\$1,690,543		\$0	\$2,534,987
Total - ROADS		\$1,950,784	\$1,690,543		\$0	\$2,534,987
Total - INFRASTRUCTURE ASSETS ROAD RESERVES		\$1,950,784	\$1,690,543		\$0	\$2,534,987
INFRASTRUCTURE - FOOTPATHS						
C433	Footpaths - Albany Highway Ramps	\$20,000	\$0	0%	\$0	\$20,000
Sub Total - CAPITAL WORKS		\$20,000	\$0		\$0	\$20,000
Total - INFRASTRUCTURE ASSETS FOOTPATHS		\$20,000	\$0		\$0	\$20,000
INFRASTRUCTURE - PARKS						
RECREATION & CULTURE						
C357	Apex Park Playground	\$0	\$0	0%	\$0	\$27,330
C274	Sporting Complex - Netball Court Resurface & Roof	\$258,815	\$203,485	79%	\$0	\$258,815
C443	Showgrounds Retaining Wall	\$6,000	\$0	0%	\$0	\$6,000
C411	Sporting Complex - Playground & Outdoor Gym	\$0	\$208,781	1392%	\$0	\$15,000
C446	Newstead Park - Shade Sail	\$10,000	\$0	0%	\$0	\$10,000
C447	Contribution to Bowling Club New Green	\$114,500	\$116,162	101%	\$0	\$114,500
C448	Trails Hub Construction	\$40,000	\$0	0%	\$0	\$40,000
C413	Trails Construction	\$33,886	\$0	0%	\$0	\$33,886
Sub-Total - CAPITAL WORKS		\$463,201	\$534,152		\$0	\$505,531
Total - RECREATION & CULTURE		\$463,201	\$534,152		\$0	\$505,531
Total - INFRASTRUCTURE PARKS		\$463,201	\$534,152		\$0	\$505,531

SHIRE OF KOJONUP

MONTHLY FINANCIAL REPORT

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

<i>SHIRE OF KOJONUP</i>						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles		YEAR TO DATE		% of	BUDGET	
And Type Of Activities Within The Programme		28 FEBRUARY 2023		Annual	2022-23	
ACCOUNT		Budget	Actual	Budget	Income	Expense
	OTHER INFRASTRUCTURE					
	LAW, ORDER & PUBLIC SAFETY					
	CAPITAL EXPENDITURE					
C138	Bushfire Repeater Tower	\$0	\$2,273	0%	\$0	\$489,346
	Sub-Total - CAPITAL WORKS	\$0	\$2,273		\$0	\$489,346
	Total - LAW, ORDER & PUBLIC SAFETY	\$0	\$2,273		\$0	\$489,346
	OTHER INFRASTRUCTURE					
	COMMUNITY AMENITIES					
	CAPITAL EXPENDITURE					
C355	Town Furniture	\$0	\$26,264	66%	\$0	\$40,000
C407	Refuse Site Development	\$0	\$4,520	9%	\$0	\$50,000
	Sub Total - CAPITAL WORKS	\$0	\$30,784		\$0	\$90,000
	Total - OTHER COMMUNITY AMENITIES	\$0	\$30,784		\$0	\$90,000
	OTHER INFRASTRUCTURE					
	RECREATION & CULTURE					
	CAPITAL EXPENDITURE					
C445	Turkey Nest Dam	\$0	\$0	0%	\$0	\$5,000
C409	Swimming Pool - New Fence Eastern Boundary	\$0	\$8,685	0%	\$0	\$0
C444	Sporting Complex - Hall of Fame Signage	\$0	\$0	0%	\$0	\$8,000
7104	POOL INFRASTRUCTURE OTHER	\$0	\$248	0%	\$0	\$0
	Sub Total - CAPITAL WORKS	\$0	\$8,933		\$0	\$13,000
	Total - OTHER RECREATION	\$0	\$8,933		\$0	\$13,000

SHIRE OF KOJONUP**MONTHLY FINANCIAL REPORT**

Details By function Under The Following Programme Titles

And Type Of Activities Within The Programme

<i>SHIRE OF KOJONUP</i>						
MONTHLY FINANCIAL REPORT						
Details By function Under The Following Programme Titles						
And Type Of Activities Within The Programme						
ACCOUNT		YEAR TO DATE 28 FEBRUARY 2023		% of Annual Budget	BUDGET 2022-23	
		Budget	Actual		Income	Expense
	OTHER INFRASTRUCTURE					
	ECONOMIC SERVICES					
	CAPITAL EXPENDITURE					
C435	Kodja Place Rose Maze	\$19,000	\$1,287	7%	\$0	\$19,000
C054	Promotional Signage at Airstrip	\$0	\$0	0%	\$0	\$30,000
CJ457	EV Charger Parking Bay	\$0	\$0	0%	\$0	\$15,000
C424	Water Harvesting & Re-use Muradup Standpipe	\$0	\$51,277	93%	\$0	\$55,000
	Sub Total - CAPITAL WORKS	\$19,000	\$52,700		\$0	\$119,000
	Total - ECONOMIC SERVICES	\$19,000	\$52,700		\$0	\$119,000
	INFRASTRUCTURE ASSETS OTHER					
	OTHER PROPERTY & SERVICES					
C458	Radios - Communication	\$40,000	\$0	0%	\$0	\$40,000
C459	Traffic Counters	\$21,500	\$3,544	16%	\$0	\$21,500
	Sub Total - CAPITAL WORKS	\$61,500	\$3,544		\$0	\$61,500
	Total - OTHER PROPERTY & SERVICES	\$61,500	\$3,544		\$0	\$61,500
	Total - INFRASTRUCTURE ASSETS - OTHER	\$80,500	\$98,235		\$0	\$772,846

SHIRE OF KOJONUP

Detailed February 2023 Creditors List

Cheque Payments 1/02/23 - 28/02/23				
Chq/EFT	Date	Name	Description	Amount
14353	23/02/2023	Water Corporation	Water Usage	-891.48
0106	31/01/2023	Water Corporation	a/c9009365808 for Trade Waste 320L Barracks PI - 01/10/22 - 31/12/22	508.07
0077	10/02/2023	Water Corporation	a/c9022358960 for Standpipe at Albany Hwy Cnr Stock Rd - 11/01/23 - 08/02/23	383.41
14354	23/02/2023	Sandra Cowie	Gift	-1000.00
210223	21/02/2023	Sandra Cowie	Gift as per Policy 2.2.5 - Presentations - Departing Gift	1000.00
14355	23/02/2023	Archie Michael	Gift	-1000.00
210223	21/02/2023	Archie Michael	Gift as per Policy 2.2.5 - Presentations - Departing Employees	1000.00
				2,891.48

EFT Payments 1/02/23 - 28/02/23				
Chq/EFT	Date	Name	Description	Amount
EFT31605	06/02/2023	Payroll Deductions - Shire of Kojonup	Payroll deductions	-1915.00
DEDUCTION	31/01/2023	Payroll Deductions - Shire of Kojonup	Payroll Deduction	1255.00
DEDUCTION	31/01/2023	Payroll Deductions - Shire of Kojonup	Payroll Deduction	660.00
EFT31606	06/02/2023	Child Support Agency	Payroll deductions	-311.97
DEDUCTION	31/01/2023	Child Support Agency	Payroll Deduction	311.97
EFT31607	06/02/2023	Australian Services Union (LGO)	Payroll deductions	-51.80
DEDUCTION	31/01/2023	Australian Services Union (LGO)	Payroll Deduction	51.80
EFT31608	06/02/2023	Australian Services Union (MEU)	Payroll deductions	-51.80
DEDUCTION	31/01/2023	Australian Services Union (MEU)	Payroll Deduction	51.80
EFT31609	06/02/2023	EasiSalary	Payroll deductions	-1392.72
DEDUCTION	31/01/2023	EasiSalary	Payroll Deduction	787.20
DEDUCTION	31/01/2023	EasiSalary	Payroll Deduction	605.52
EFT31610	08/02/2023	Craig Jamie Mcvee	Goods For Sale	-30.00
010223	01/02/2023	Craig Jamie Mcvee	Goods Sold on Consignment	30.00
EFT31611	08/02/2023	Department of Biodiversity, Conservation and Attractions	Goods For Sale	-269.10
P1-01-031725	18/01/2023	Department of Biodiversity, Conservation and Attractions	30x Lanscope Calenders, For Sale in Visitor Centre Shop	269.10
EFT31612	08/02/2023	Roger Frederick Bilney	Councillor Fees	-3895.50
OCT - DEC 2022	31/12/2022	Roger Frederick Bilney	Claim for Councillor Fees and Reimbursements 01/10/22 - 31/12/22	3895.50
EFT31613	08/02/2023	Alan Richard Goodall	Goods For Sale	-35.75
010223	01/02/2023	Alan Richard Goodall	Goods Sold on Consignment	35.75
EFT31614	08/02/2023	Hi-Way Sales & Service	Engineering Supplies	-99.24
242954	11/01/2023	Hi-Way Sales & Service	2 x lengths of steel for new litter bin installations	99.24
EFT31615	08/02/2023	Kleenheat Gas Pty Ltd	Gas	-211.84
22057435	12/01/2023	Kleenheat Gas Pty Ltd	LPG Bulk Sporting Complex	211.84
EFT31616	08/02/2023	BK Thomson Electrical Service	Electrical Services	-782.98
2387	03/10/2022	BK Thomson Electrical Service	Springhaven Electrical Maintenance	210.15
2518	23/01/2023	BK Thomson Electrical Service	Rerouting the swimming pool main pump power feed	572.83
EFT31617	08/02/2023	Kojonup Auto Electrical Services	Auto Electrics	-8.10
10664	19/01/2023	Kojonup Auto Electrical Services	Connector 2 Pole 50a	8.10
EFT31618	08/02/2023	Kojonup Supermarket	Groceries	-6414.95
JAN 2023	31/01/2023	Kojonup Supermarket	Springhaven Meals and refreshments January 2023	5908.43
JAN 23	31/01/2023	Kojonup Supermarket	a/c617 Swimming Pool kiosk running order 2022/2023	180.85
JAN 23	31/01/2023	Kojonup Supermarket	a/c617 for Council, a/c617 for Admin, a/c617 for Play Cafe, a/c617 for Play Cafe, a/c617 for Swimming Pool, a/c617 for Swimming Pool, a/c617 for Depot, a/c617 for Depot	325.67
EFT31619	08/02/2023	Westrac Equipment	Truck Parts	-20.77

PI7853702	19/01/2023	Westrac Equipment	plug for flashing beacons	20.77
EFT31620	08/02/2023	BOC Gases	Industrial Gases	-32.79
4033108405	29/01/2023	BOC Gases	1x Oxygen Industrial Size G	32.79
EFT31621	08/02/2023	Egabva Plumbing & Gas Service	Plumbing	-211.85
4317	30/01/2023	Egabva Plumbing & Gas Service	Fix water leak (Mains feed water line) at Bagg street units	211.85
EFT31622	08/02/2023	Wurth Australia Pty Ltd	Workshop Supplies	-783.79
4320358981	20/01/2023	Wurth Australia Pty Ltd	tec bit set, file set, oil spill kit, 300 piece pot rivot set	783.79
EFT31623	08/02/2023	Winc Australia Pty Ltd	Stationary	-110.48
9041505568	25/01/2023	Winc Australia Pty Ltd	Batteries, Clipboards, Hole Punch,, Pens, Note Books	110.48
EFT31624	08/02/2023	Synergy - Street Lights	Electricity	-5558.97
2089716917	01/02/2023	Synergy - Street Lights	a/c131337630 for 289 Street Lights - 25/12/22 - 24/01/23	5558.97
EFT31625	08/02/2023	Stewart & Heaton Clothing Co.	PPE	-520.05
SIN-3654747	12/01/2023	Stewart & Heaton Clothing Co.	Jacket FR Gold WABFB	520.05
EFT31626	08/02/2023	John Kinnear and Associates	Consulting Surveyors	-3905.00
F768E	20/12/2022	John Kinnear and Associates	Lot 9999 Thornbury Close Site Soil Evaluation,	3905.00
EFT31627	08/02/2023	Kojonup Aboriginal Corporation	Goods For Sale	-568.39
JAN 23	31/01/2023	Kojonup Aboriginal Corporation	Goods Sold on Consignment	568.39
EFT31628	08/02/2023	CGS ENGINEERS	Engineering Supplies	-925.75
24678	01/02/2023	CGS ENGINEERS	Security Sheet for Canteen Door at Swimming Pool	315.80
24683	02/02/2023	CGS ENGINEERS	10 x round locks for street bins with keys.	37.95
24684	02/02/2023	CGS ENGINEERS	Repair Kiosk entry door and hinges	572.00
EFT31629	08/02/2023	Toll Transport	Freight	-635.81
0311-80774145	22/01/2023	Toll Transport	From Sunny Signs on 13/01/23, From SLWA on 16/01/23, From Westrac on 19/01/23	582.38
0521-S104118	22/01/2023	Toll Transport	From The Sandalwood on 13/01/23	18.56
0522-S104118	29/01/2023	Toll Transport	From Stewart and Heaton on 09/01/23, From Stewart and Heaton on 16/01/23	34.87
EFT31630	08/02/2023	Optus Billing Services Pty Ltd	Telecommunications	-314.40
331052527	20/01/2023	Optus Billing Services Pty Ltd	Phone and internet charges - Admin, Phone and internet charges - Swimming Pool, Phone and internet charges - Kodja Place, Phone and internet charges - Springhaven, Phone and internet charges - Depot	314.40
EFT31631	08/02/2023	Elders Limited - Kojonup	Agricultural Supplies	-1870.00
CW67919	24/01/2023	Elders Limited - Kojonup	Metsulfuron, Metsulfuron, Metsulfuron, Metsulfuron, Metsulfuron	319.00
CW67920	24/01/2023	Elders Limited - Kojonup	10 x 20lt spreadwet 1000 wetting agent	1551.00
EFT31632	08/02/2023	Warren Blackwood Waste	Waste and Recycling	-23242.53
18436	01/02/2023	Warren Blackwood Waste	Kojonup 1.5m3 Front Lift Bins - January 2023	240.00
18454	03/02/2023	Warren Blackwood Waste	1x Skip Bins Delivered to Depot	230.00
18469	05/02/2023	Warren Blackwood Waste	240Lt Bins Pick Up, KJP St Bins Pickup, 240 Lt Recycling Bins Pick Up, KJP Service Townsite Area Bins	14137.33
18468	05/02/2023	Warren Blackwood Waste	KJP Transfer Station Management - January 2023	8635.20
EFT31633	08/02/2023	Public Transport Authority	Bus Fares	-190.46
JAN 2023	31/01/2023	Public Transport Authority	Fare Values for January 2023	190.46
EFT31634	08/02/2023	Jamie Rose McVee	Goods For Sale	-300.00
010223	01/02/2023	Jamie Rose McVee	Goods Sold on Consignment	300.00
EFT31635	08/02/2023	BEST OFFICE SYSTEMS	Printing	-194.38
612127	23/01/2023	BEST OFFICE SYSTEMS	Kodja Place Konica Minolta C250i Photocopier Charges, Period 20/12/2022 - 20/01/2023	194.38
EFT31636	08/02/2023	ST BERNARDS P&F	Goods For Sale	-20.00
010223	01/02/2023	ST BERNARDS P&F	Goods Sold on Consignment	20.00
EFT31637	08/02/2023	PFD Foodservices (Southway Distributors)	Food and Dry Goods	-1383.80
LF597957	11/01/2023	PFD Foodservices (Southway Distributors)	Springhaven Meals and refreshments January 2023	898.30
LF665867	18/01/2023	PFD Foodservices (Southway Distributors)	Swimming Pool Kiosk order 2022/2023 season	701.10
LF257689	18/02/2023	PFD Foodservices (Southway Distributors)	Credit Note: Springhaven Meals and refreshments January 2023	-215.60
EFT31638	08/02/2023	Christie Leanne McVee	Goods For Sale	-413.35
010223	01/02/2023	Christie Leanne McVee	Goods Sold on Consignment	413.35

EFT31639	08/02/2023	KODJA PLACE COMMUNITY FUND INC.	Goods For Sale	-13.00
010223	01/02/2023	KODJA PLACE COMMUNITY FUND INC.	Goods Sold on Consignment	13.00
EFT31640	08/02/2023	The Cott Family Trust t/a FueleX	Diesel	-19189.50
22794	01/02/2023	The Cott Family Trust t/a FueleX	Supply 10000L @ 174.45cpl on 01/02/23	19189.50
EFT31641	08/02/2023	Ramped Technology & Management Systems Pty Ltd	Subscription	-72.72
INV-6342	01/02/2023	Ramped Technology & Management Systems Pty Ltd	Sophos XG 135 Monthly Subscription 01/02/23 - 28/02/23	72.72
EFT31642	08/02/2023	ALBANY LOCK & SECURITY	Lock Services	-61.00
31148	18/01/2023	ALBANY LOCK & SECURITY	2 x System HA 25 Master keys for Kojonup Shire	61.00
EFT31643	08/02/2023	Clarke's Furniture & Kitchen Design	Building Maintance	-544.90
3044	01/02/2023	Clarke's Furniture & Kitchen Design	January Routine Maintenance	544.90
EFT31644	08/02/2023	Leonie Jane Smith	Goods For Sale	-15.00
010223	01/02/2023	Leonie Jane Smith	Goods Sold on Consignment	15.00
EFT31645	08/02/2023	Quintis Sandalwood t/a The Sandalwood Shop	Goods For Sale	-428.34
SI-297372	13/01/2023	Quintis Sandalwood t/a The Sandalwood Shop	Assorted Toiletries, Mosquito Sticks and Beauty Products, For Sale in Visitor Centre Shop	428.34
EFT31646	08/02/2023	Thurlby Herb Farm Pty Ltd	Goods For Sale	-1032.60
12205	11/01/2023	Thurlby Herb Farm Pty Ltd	Assorted Clothing Protectors, Bug Busters, Drawer Sachets, , Soap and Heat Packs For Sale in Visitor Centre Shop	1032.60
EFT31647	08/02/2023	Green Eleven Pty Ltd	Strategic Comminuty Plan	-11618.75
#2223068	02/02/2023	Green Eleven Pty Ltd	Strategic Planning overhaul - 2022/2023	11618.75
EFT31648	08/02/2023	OFFICE OF THE AUDITOR GENERAL	Auditor Services	-1100.00
INV-0490	16/01/2023	OFFICE OF THE AUDITOR GENERAL	Fee for the Certification of the Road to Recovery Funding Under the National Land Transport Act 2014 for the Year Ended 30 June 2022	1100.00
EFT31649	08/02/2023	ITR	Truck Parts	-3465.26
556939	09/12/2022	ITR	set of new block skid tracks	3465.26
EFT31650	08/02/2023	Terrance John Joyce	Goods For Sale	-24.50
010223	01/02/2023	Terrance John Joyce	Goods Sold on Consignment	24.50
EFT31651	08/02/2023	Data#3 Limited	Software	-1117.78
SIN000089677	30/01/2023	Data#3 Limited	4x Acrobat Pro DC Team Subscription 28/02/23 - 27/02/24 Licences issued to EA, SRO, WAO, RSAdmin	1117.78
EFT31652	08/02/2023	3E Advantage Pty Ltd	Printing	-2214.85
INV-83404-P4L2Y2	01/02/2023	3E Advantage Pty Ltd	Printing charges February Admin Depot Springhaven	2214.85
EFT31653	08/02/2023	Mathwin Transport	Freight	-205.70
2150	06/01/2023	Mathwin Transport	From Sigma Chemicals on 12/01/23, From Startrack on 07/01/23	205.70
EFT31654	08/02/2023	Wendy Thorn Photography	Goods For Sale	-22.58
010223	01/02/2023	Wendy Thorn Photography	Goods Sold on Consignment	22.58
EFT31655	08/02/2023	Monarch Ventures Pty Ltd T/A Roadtech Civil and Construction	Civil & Construction	-74822.99
315	17/01/2023	Monarch Ventures Pty Ltd T/A Roadtech Civil and Construction	Jingalup Road - sealing, supply and spray emulsion 1,350litres and hire of posi track loader	4820.75
316	17/01/2023	Monarch Ventures Pty Ltd T/A Roadtech Civil and Construction	Variation to initial quantity quoted on 11/1/23, Jingalup Road sealing SLK 0.00 - 4.00	11667.24
314	17/01/2023	Monarch Ventures Pty Ltd T/A Roadtech Civil and Construction	Supply and lay 2 coats 14/7 emulsion seal., Roadtech to supply Traffic Contol, Plant, Equipment and Materials	58335.00
EFT31656	08/02/2023	Lauren Wright	Goods For Sale	-35.00
010223	01/02/2023	Lauren Wright	Goods Sold on Consignment	35.00
EFT31657	08/02/2023	KVS (WA) Pty Ltd T/A R&R Fencing	Fencing	-782.00
INV-12852	19/01/2023	KVS (WA) Pty Ltd T/A R&R Fencing	Replacement of fence - 8C Newton	782.00
EFT31658	20/02/2023	Payroll Deductions - Shire of Kojonup	Payroll deductions	-1975.00

DEDUCTION	14/02/2023	Payroll Deductions - Shire of Kojonup	Payroll Deduction	1185.00
DEDUCTION	14/02/2023	Payroll Deductions - Shire of Kojonup	Payroll Deduction	790.00
EFT31659	20/02/2023	Child Support Agency	Payroll deductions	-311.97
DEDUCTION	14/02/2023	Child Support Agency	Payroll Deduction	311.97
EFT31660	20/02/2023	Australian Services Union (LGO)	Payroll deductions	-51.80
DEDUCTION	14/02/2023	Australian Services Union (LGO)	Payroll Deduction	51.80
EFT31661	20/02/2023	Australian Services Union (MEU)	Payroll deductions	-25.90
DEDUCTION	14/02/2023	Australian Services Union (MEU)	Payroll Deduction	25.90
EFT31662	20/02/2023	EasiSalary	Payroll deductions	-1392.72
DEDUCTION	14/02/2023	EasiSalary	Payroll Deduction	787.20
DEDUCTION	14/02/2023	EasiSalary	Payroll Deduction	605.52
EFT31663	23/02/2023	MARINA JANE MURRAY	Reimbursement	-58.00
090223	09/02/2023	MARINA JANE MURRAY	Telephone, Internet and Data Usage 06/01/23 - 05/02/23	58.00
EFT31664	23/02/2023	DL Consulting	Consulting Services	-858.00
1046	31/01/2023	DL Consulting	End of Year Financial Assitance as required.	858.00
EFT31665	23/02/2023	Australia Post	Postage	-373.85
1012164971	03/02/2023	Australia Post	Postage & Freight costs for January 2023	373.85
EFT31666	23/02/2023	Hi-Way Sales & Service	Engineering Supplies	-31.50
243539	02/02/2023	Hi-Way Sales & Service	100x12 Alloy Flat, 12mm Rod (Round), Cutting	31.50
EFT31667	23/02/2023	Carony Pty Ltd	January 2023 Account	-3849.82
03-098210	09/01/2023	Carony Pty Ltd	Mr Fothergills Code B & C Seeds	38.50
03-098365	11/01/2023	Carony Pty Ltd	3mm HSS Jobber Drills - Cement Drill	26.75
03-098522	12/01/2023	Carony Pty Ltd	Quick Dry Concrete, Pallet Hire Cement	722.00
03-098532	13/01/2023	Carony Pty Ltd	Trio Hinge Door Butt 70x50x1.6	43.00
01-232713	16/01/2023	Carony Pty Ltd	Bolts Hex ZP 5/8x6, Washer Metric ZP M16 Box 200	61.60
03-098791	17/01/2023	Carony Pty Ltd	Deli Utility Knife (Box Cutter)	1.85
03-098839	17/01/2023	Carony Pty Ltd	Priming Fluid PVC Red 500ml, Sol PVC Cement Green 500ml	20.50
03-098770	17/01/2023	Carony Pty Ltd	Bracket Angle ZP 250x200mm, Screw Wafer Galv 10-16x22mm SP25, Pryda Minigrip 57x35mm Box 1000	16.55
01-232729	18/01/2023	Carony Pty Ltd	Mesh reo SL62 BLK D500I 2.4x6m	310.00
03-098896	18/01/2023	Carony Pty Ltd	Trio Hinge Door Butt 70x50x1.6	21.50
03-098911	18/01/2023	Carony Pty Ltd	14 Day Mask Tape BI 48mm x 50m	20.00
01-232758	18/01/2023	Carony Pty Ltd	Baracuda Liquid Chlorine 20Lt	51.00
04-405702	18/01/2023	Carony Pty Ltd	Anch Nyl Rnd 6.5mmx50, Screw Wafer Galv 10-16c22mm, 6.5mm Jobber Drill Bit, Drill Masonary 6.5x150mm, Multigrip No Nails x100	62.86
01-232770	19/01/2023	Carony Pty Ltd	Float Cement Finishing Soft, Cement Brickies Lite 17.85kg-60, Cement G/P Grey 20kg	60.65
01-232824	20/01/2023	Carony Pty Ltd	Westinghouse WDE 132 WCL Oven Cooker - 6 Loton Close	2198.00
03-099182	23/01/2023	Carony Pty Ltd	Collins Essentials Diary	10.50
03-099334	25/01/2023	Carony Pty Ltd	Duck Original Duct Tape 48mm	19.50
03-099583	30/01/2023	Carony Pty Ltd	Antex Granuels 3kg	68.00
03-099722	31/01/2023	Carony Pty Ltd	Cement G/P Grey 20kg, Cement Marvelime Swan 20kg	29.90
03-099668	31/01/2023	Carony Pty Ltd	Bondcrete 4lt	67.16
EFT31668	23/02/2023	Synergy	Electricity	-4062.66
2073737014	15/02/2023	Synergy	a/c375598810 for 26 Kojonup-Katanning Rd - 10/12/22 - 14/02/23	325.51
2073737015	15/02/2023	Synergy	a/c375598950 for 28 Kojonup-Katanning Rd - 12/12/22 - 14/02/23	206.75
2013762992	15/02/2023	Synergy	a/c647537230 for 111 Albany Hwy - 11/01/23 - 07/02/23	168.03
2057724111	15/02/2023	Synergy	a/c375969790 for Benn Pde - 21/12/22 - 16/01/23	3362.37
EFT31669	23/02/2023	Stirling Freight	Freight	-50.13
CISF537261	31/01/2023	Stirling Freight	From Nedlands on 10/01/23	50.13
EFT31670	23/02/2023	BK Thomson Electrical Service	Electrical Services	-187.00
2540	03/02/2023	BK Thomson Electrical Service	Installation of a benchtop oven/ hotplate for 6 Loton Close	187.00
EFT31671	23/02/2023	R & A Mort Smash Repairs	Abandoned Vehicle	-575.00
7141	18/01/2023	R & A Mort Smash Repairs	Remove abandoned vehicle from Blackwood Road, 12 kms West of Kojonup - White Nissan Utility	300.00
7160	24/01/2023	R & A Mort Smash Repairs	Removal of abandoned vehicle - Albany Higway	275.00
EFT31672	23/02/2023	Syd Matthews & Co Pty Ltd	Blue Metal	-6387.37
C11028	13/01/2023	Syd Matthews & Co Pty Ltd	Blue metal carting - Jingalup Rd	6387.37
EFT31673	23/02/2023	Kojonup Supermarket	Rates Incentive	-260.00
85	31/01/2023	Kojonup Supermarket	Kojonup Dollars 279-300. 477, 484-485, 495	260.00
EFT31674	23/02/2023	Westrac Equipment	Truck Parts	-67.42

PI7902066	02/02/2023	Westrac Equipment	hose bracket	67.42
EFT31675	23/02/2023	Kojonup Country Kitchen	Catering	-280.13
2968	07/02/2023	Kojonup Country Kitchen	Catering - 7/02/23 - for 9 people and Afternoon Tea including savoury and sweet for 14 people	280.13
EFT31676	23/02/2023	BOC Gases	Industrial Gases	-129.58
5005971319	29/01/2023	BOC Gases	Supply of industrial gases for Depot, Supply of industrial gases for Springhaven, Supply of industrial gases for Springhaven, Supply of industrial gases for Fire Truck, Supply of industrial gases for Fire Truck, Supply of industrial gases for Fire Truck, Supply of industrial gases for Fire Truck, Supply of industrial gases for Fire Truck, Supply of industrial gases for Fire Truck	129.58
EFT31677	23/02/2023	Winc Australia Pty Ltd	Stationary	-565.27
9041609206	06/02/2023	Winc Australia Pty Ltd	Scissors	14.12
9041678663	13/02/2023	Winc Australia Pty Ltd	Whiteboard Markers, Whiteout, Stapler	328.50
9041692722	14/02/2023	Winc Australia Pty Ltd	Highlighters, Permanent Markers, blu Tack, pens, Batteries, Stickytape	208.37
9041738116	17/02/2023	Winc Australia Pty Ltd	stickytape dispenser	14.28
EFT31678	23/02/2023	The West Australian	Advertising	-350.00
1016838820230131	31/01/2023	The West Australian	Springhaven Lodge Expression of Interest - Public Notice - Great Southern Herald 12 January 2023 - as per Order ID 4709154	350.00
EFT31679	23/02/2023	CGS ENGINEERS	Engineering Supplies	-8085.00
24685	02/02/2023	CGS ENGINEERS	Balance of Chemical Shed Doors	8085.00
EFT31680	23/02/2023	Avdata Australia	Standpipe	-1231.95
8983	03/02/2023	Avdata Australia	4G Modem for Kojonup Stock Road Potable, 4G Modem for Kojonup Saleyard/Washdown, Freight for 2 modems	1231.95
EFT31681	23/02/2023	Western Australian Treasury Corporation	Loan Repayment	-115422.98
FEB 2023	28/02/2023	Western Australian Treasury Corporation	Capital Repayment on Loan 137, Interest Repayment on Loan 137, Capital Repayment on Loan 138, Interest Repayment on Loan 138, Capital Repayment on Loan 139, Interest Repayment on Loan 139, Capital Repayment on Loan 140, Interest Repayment on Loan 140, Capital Repayment on Loan 141, Interest Repayment on Loan 141	115422.98
EFT31682	23/02/2023	HARMONY ALICE ORMSBY	SPORTING COMPLEX BOND REFUND	-300.00
T148	23/02/2023	HARMONY ALICE ORMSBY	Sporting Complex Hire Bond 18/02/23	300.00
EFT31683	23/02/2023	McLeods Barristers and Solicitors	Legal Services	-910.62
128178	31/01/2023	McLeods Barristers and Solicitors	Legal advice - WANSLEA lease agreement, Legal advice - WANSLEA lease agreement	910.62
EFT31684	23/02/2023	Toll Transport	Freight	-131.88
0312-80774145	05/02/2023	Toll Transport	From Afgri on 30/01/23, From Westrac on 01/02/23, From Sunny Signs on 31/01/23	47.06
0523-S104118	12/02/2023	Toll Transport	From Surgical House on 07/02/23, From Stewart and Heaton on 03/02/23	38.80
0314-80774145	19/02/2023	Toll Transport	From Westrac on 14/02/23	46.02
EFT31685	23/02/2023	Cemeteries & Crematoria Association of WA (CCAWA)	Seminar	-240.00
MARCH 2023	17/02/2023	Cemeteries & Crematoria Association of WA (CCAWA)	CCAWA AGM & Seminar Attendance, Accomodation and Meals	240.00
EFT31686	23/02/2023	Optus Billing Services Pty Ltd	Telecommunications	-2370.32
335238189	07/02/2023	Optus Billing Services Pty Ltd	Optus Loop for Admin 07/01/23 - 06/02/23	1202.31
335238190	07/02/2023	Optus Billing Services Pty Ltd	Optus Loop for Springhaven 07/01/23 - 06/02/23	497.00
335971837	10/02/2023	Optus Billing Services Pty Ltd	Optus Loop for Kodja Place 10/01/23 - 09/02/23	403.00
336643922	13/02/2023	Optus Billing Services Pty Ltd	Optus Loop for Depot 13/01/23 - 12/02/23	268.01
EFT31687	23/02/2023	Elders Limited - Kojonup	Agricultural Supplies	-836.00
CW67921	13/02/2023	Elders Limited - Kojonup	Propiconazole 625 20L Titan Ag	836.00
EFT31688	23/02/2023	Sunny Signs	Signage	-242.83
491323	10/01/2023	Sunny Signs	Chronical QR Code Signage & post - Kojonup Cemetery, Chronical QR Code Signage & post - Boscabel Cemetery, Chronical QR Code Signage & post - Muradup Cemetery, Posts, Brackets, Post Caps	185.63
492293	30/01/2023	Sunny Signs	Toilet blade signage - Harrison place toilets.	57.20
EFT31689	23/02/2023	Watson's Liquid Waste	Liquid Waste Removal	-452.00
2483	15/02/2023	Watson's Liquid Waste	Springhaven Grease Trap Pumping out Feb 2023, Springhaven Grease Trap Pumping out Feb 2023	452.00

EFT31690	23/02/2023	Sigma Chemicals	Pool Supplies	-1256.20
166174/01	02/02/2023	Sigma Chemicals	20Lt Liquid Chlorine, 20Lt Poly drum fee, Pallet Fee, Photometer DPD 1 Box 250 Tabs	1168.20
552930	06/02/2023	Sigma Chemicals	Delivery 1 Pallet	88.00
EFT31691	23/02/2023	AUSTRALIAN TAXATION OFFICE	BAS	-67862.00
JAN 2023	21/01/2023	AUSTRALIAN TAXATION OFFICE	January 2023, January 2023, January 2023, January 2023, January 2023	67862.00
EFT31692	23/02/2023	HELEN BIGNELL PHYSIOTHERAPY	Physiotherapy	-6435.00
OCT 2022	30/10/2022	HELEN BIGNELL PHYSIOTHERAPY	Springhaven Physiotherapist October 2022	2145.00
NOV 2022	30/11/2022	HELEN BIGNELL PHYSIOTHERAPY	Springhaven Physio November 2022	2210.00
DEC 2022	30/12/2022	HELEN BIGNELL PHYSIOTHERAPY	Springhaven Physio December 2022	2080.00
EFT31693	23/02/2023	PFD Foodservices (Southway Distributors)	Food and Dry Goods	-136.65
LF665852	18/01/2023	PFD Foodservices (Southway Distributors)	Springhaven Meals and refreshments January 2023	136.65
EFT31694	23/02/2023	HAYLEY NICOLE CLARKE	Reimbursement	-29.00
040223	04/02/2023	HAYLEY NICOLE CLARKE	Floating Shelf for Springhaven	29.00
EFT31695	23/02/2023	AFGRI (greenline)	Agricultural Supplies	-50.20
2680812	25/01/2023	AFGRI (greenline)	v belt	50.20
EFT31696	23/02/2023	ROYAL LIFE SAVING SOCIETY WA	RLSSWA Labour Hire	-17297.50
189965	06/12/2022	ROYAL LIFE SAVING SOCIETY WA	Contract Aquatic Facility Manager - end November 2022 to end December 2022	17297.50
EFT31697	23/02/2023	The Cott Family Trust t/a FueleX	Diesel	-12851.30
22916	18/02/2023	The Cott Family Trust t/a FueleX	Supply 7000L @ 166.9cpl on 18/02/23	12851.30
EFT31698	23/02/2023	Marketforce	Advertising	-2749.56
46561	25/01/2023	Marketforce	Classified Advertisement - The Albany Advertiser (24/01/23) and Great Southern Herald (26/01/23) - Springhaven management Expression of Interest	745.56
46563	25/01/2023	Marketforce	Classified Advertisement - The West Australian - Saturday, 21/01/23 - Springhaven management Expression of Interest	834.34
46562	25/01/2023	Marketforce	Lineage advertising - West Australian - as per proforma invoice 166093	528.59
46560	25/01/2023	Marketforce	Lineage advertising - Great Southern Herald - as per proforma invoice 166078	654.28
40939	01/02/2023	Marketforce	Credit Note: Early Settlement Discount for Invoice 46259	-13.21
EFT31699	23/02/2023	Ramped Technology & Management Systems Pty Ltd	IT Support	-308.00
INV-6416	31/01/2023	Ramped Technology & Management Systems Pty Ltd	Technical Telephone Support 03/01/23 - 17/01/23	308.00
EFT31700	23/02/2023	St John Ambulance WA	First Aid Kit Servicing	-72.03
FAINV01039309	31/01/2023	St John Ambulance WA	Springhaven first aid kits servicing	72.03
EFT31701	23/02/2023	Nightingale's Nest Nursery	Plants	-25.95
504	01/02/2023	Nightingale's Nest Nursery	Citizenship Ceremony Plants - Kangaroo Paws x2	25.95
EFT31702	23/02/2023	Koster's Outdoor	Garage Doors	-1407.00
12731	14/02/2023	Koster's Outdoor	Depot - 4 Commercial Roll-A-Doors, 13 Loton close - Roll-A-Doors, 15 Loton close - Roll-A-Doors, 30 Katanning Road - Roll-A-Doors	1407.00
EFT31703	23/02/2023	AMGROW Australia (NUTURF)	Turf Maintenance	-55.00
291945	07/12/2022	AMGROW Australia (NUTURF)	nuturf - 2 x 10l spearhead	517.00
295318	25/01/2023	AMGROW Australia (NUTURF)	Credit Note: nuturf - 2 x 10l spearhead	-462.00
EFT31704	23/02/2023	WA Tool and Trade Supply Co	Workshop Supplies	-181.98
6158	31/01/2023	WA Tool and Trade Supply Co	2x cans of cut and drill spray, assorted nuts and bolts	181.98
EFT31705	23/02/2023	Claire Daniella Servaas	Reimbursement	-50.64
230223	23/02/2023	Claire Daniella Servaas	Police Clearance	50.64
EFT31706	23/02/2023	Gemtek Group Pty Ltd	EV Charger	-61.88
34603	30/09/2022	Gemtek Group Pty Ltd	1x CCS2 and 1x Chademo Rubber Grommet for the Cable Holders	61.88

EFT31707	23/02/2023	Bladon WA Pty Ltd	Goods For Sale	-621.50
BWAI54255	02/02/2023	Bladon WA Pty Ltd	500x Assorted Colour Twist Pens with Promotional Print, For Sale in Visitor Centre Shop	621.50
EFT31708	23/02/2023	Kojonup Concrete	Concrete	-1922.80
1621	19/02/2023	Kojonup Concrete	Concrete floor in chemical shed at depot	1922.80
EFT31709	23/02/2023	3E Advantage Pty Ltd	Printing	-122.10
INV-84182-P6D9P9	05/02/2023	3E Advantage Pty Ltd	Printing charges 05/02/23 - 05/03/23 Kodja Place	122.10
EFT31710	23/02/2023	Tonya Pearce	Reimbursement	-446.00
140223	14/02/2023	Tonya Pearce	First Aid Allowance, Refer to EBA 13.5, Clause 17.4	446.00
EFT31711	23/02/2023	Estelle Lottering	Reimbursement	-429.51
200223	20/02/2023	Estelle Lottering	Fuel & Meals for 5 Day Training in Albany 13-17/02/23	360.87
210223	21/02/2023	Estelle Lottering	WHS A Management Guide With Student Access Textbook	68.64
EFT31712	23/02/2023	Jill Watkin	Reimbursement	-194.00
310123	31/01/2023	Jill Watkin	Gorilla Folding Safety Step Ladder	119.00
010223	01/02/2023	Jill Watkin	Goods Sold on Consignment	75.00
EFT31713	23/02/2023	Rural Locum Scheme Ltd	Agency Staff	-7507.54
AC 1JAN-01	25/01/2023	Rural Locum Scheme Ltd	Registered Nurse cover over Christmas Glenda George	7507.54
EFT31714	23/02/2023	J B Lawn Care	Yard Maintenance	-880.00
20	17/02/2023	J B Lawn Care	Fire hazard reduction work - Lot 44 Haggerty Street Muradup - 30 January 2023	440.00
21	17/02/2023	J B Lawn Care	Fire hazard reduction work - Lot 46 Haggerty Street Muradup - 30 January 2023	440.00
EFT31715	23/02/2023	Russel Bailey	SPORTING COMPLEX BOND REFUND	-300.00
T192	17/02/2023	Russel Bailey	Sporting Complex Hire Bond	300.00
EFT31716	23/02/2023	AXYN Solutions	Agency Staff	-275.00
IC-3604	20/02/2023	AXYN Solutions	RN Visa discussion Feb 2023	275.00

449,034.83

<u>Direct Deposits 1/02/23 - 28/02/23</u>				
Ref	Date	Name	Description	Amount
DD23200.1	14/02/2023	Aware Super	Payroll deductions	-15741.36
SUPER	14/02/2023	Aware Super	Super	13139.30
SUPER	14/02/2023	Aware Super	Super	344.98
DEDUCTION	14/02/2023	Aware Super	Payroll Deduction	139.08
DEDUCTION	14/02/2023	Aware Super	Payroll Deduction	102.45
DEDUCTION	14/02/2023	Aware Super	Payroll Deduction	1375.76
DEDUCTION	14/02/2023	Aware Super	Payroll Deduction	550.00
DEDUCTION	14/02/2023	Aware Super	Payroll Deduction	89.79
DD23200.2	14/02/2023	Prime Super	Superannuation contributions	-1754.72
SUPER	14/02/2023	Prime Super	Super	1754.72
DD23200.3	14/02/2023	HUB24 Superannuation Fund	Superannuation contributions	-151.45
SUPER	14/02/2023	HUB24 Superannuation Fund	Super	151.45
DD23200.4	14/02/2023	Hesta Superannuation	Superannuation contributions	-854.61
SUPER	14/02/2023	Hesta Superannuation	Super	854.61
DD23200.5	14/02/2023	ANZ Smart Choice Super	Superannuation contributions	-191.05
SUPER	14/02/2023	ANZ Smart Choice Super	Super	191.05
DD23200.6	14/02/2023	Australian Catholic Superannuation & Retirement Fund Compliance	Superannuation contributions	-57.30
SUPER	14/02/2023	Australian Catholic Superannuation & Retirement Fund Compliance	Super	57.30
DD23200.7	14/02/2023	Fraser Coast Super Fund	Payroll deductions	-577.86
SUPER	14/02/2023	Fraser Coast Super Fund	Super	436.92
DEDUCTION	14/02/2023	Fraser Coast Super Fund	Payroll Deduction	140.94
DD23200.8	14/02/2023	Spirit Super	Superannuation contributions	-239.26
SUPER	14/02/2023	Spirit Super	Super	239.26
DD23200.9	14/02/2023	Essential Super -Enzo Del Testa	Superannuation contributions	-181.41
SUPER	14/02/2023	Essential Super -Enzo Del Testa	Super	181.41
DD23210.1	21/02/2023	Ampol (Formerly Caltex Star Card)	Ampol Fuel Card Usge January 2023	-2357.12

109384137	21/02/2023	Ampol (Formerly Caltex Star Card)	Fuel card purchases	2357.12
DD23212.1	21/02/2023	Motorcharge Limited (Puma)	Fuel Card usage for January 2022 Puma	-1729.54
98	21/02/2023	Motorcharge Limited (Puma)	Fuel Card usage for January 2022 Puma	1729.54
DD23219.1	28/02/2023	Aware Super	Payroll deductions	-15568.34
SUPER	28/02/2023	Aware Super	Super	12981.05
SUPER	28/02/2023	Aware Super	Super	336.31
DEDUCTION	28/02/2023	Aware Super	Payroll Deduction	139.08
DEDUCTION	28/02/2023	Aware Super	Payroll Deduction	102.61
DEDUCTION	28/02/2023	Aware Super	Payroll Deduction	1370.06
DEDUCTION	28/02/2023	Aware Super	Payroll Deduction	550.00
DEDUCTION	28/02/2023	Aware Super	Payroll Deduction	89.23
DD23219.2	28/02/2023	HUB24 Superannuation Fund	Superannuation contributions	-119.14
SUPER	28/02/2023	HUB24 Superannuation Fund	Super	119.14
DD23219.3	28/02/2023	Hesta Superannuation	Superannuation contributions	-827.56
SUPER	28/02/2023	Hesta Superannuation	Super	827.56
DD23219.4	28/02/2023	ANZ Smart Choice Super	Superannuation contributions	-216.61
SUPER	28/02/2023	ANZ Smart Choice Super	Super	216.61
DD23219.5	28/02/2023	Australian Catholic Superannuation & Retirement Fund Compliance	Superannuation contributions	-48.02
SUPER	28/02/2023	Australian Catholic Superannuation & Retirement Fund Compliance	Super	48.02
DD23219.6	28/02/2023	Fraser Coast Super Fund	Payroll deductions	-577.86
SUPER	28/02/2023	Fraser Coast Super Fund	Super	436.92
DEDUCTION	28/02/2023	Fraser Coast Super Fund	Payroll Deduction	140.94
DD23219.7	28/02/2023	Spirit Super	Superannuation contributions	-62.87
SUPER	28/02/2023	Spirit Super	Super	62.87
DD23219.8	28/02/2023	Essential Super -Enzo Del Testa	Superannuation contributions	-272.88
SUPER	28/02/2023	Essential Super -Enzo Del Testa	Super	272.88
DD23219.9	28/02/2023	Commonwealth Superannuation Savings Account	Superannuation contributions	-76.52
SUPER	28/02/2023	Commonwealth Superannuation Savings Account	Super	76.52
DD23237.1	21/02/2023	Ampol (Formerly Caltex Star Card)	Ampol Fuel Card - January	-2357.12
0109384137	21/02/2023	Ampol (Formerly Caltex Star Card)	Fuel card purchases	2357.12
DD23200.10	14/02/2023	Colonial First State FirstChioce Superannuation Trust	Payroll deductions	-571.79
SUPER	14/02/2023	Colonial First State FirstChioce Superannuation Trust	Super	432.33
DEDUCTION	14/02/2023	Colonial First State FirstChioce Superannuation Trust	Payroll Deduction	139.46
DD23200.11	14/02/2023	Australian Super Pty Ltd	Payroll deductions	-1846.41
SUPER	14/02/2023	Australian Super Pty Ltd	Super	1610.67
DEDUCTION	14/02/2023	Australian Super Pty Ltd	Payroll Deduction	235.74
DD23200.12	14/02/2023	HOSTPLUS	Superannuation contributions	-626.83
DEDUCTION	14/02/2023	HOSTPLUS	Payroll Deduction	64.69
SUPER	14/02/2023	HOSTPLUS	Super	562.14
DD23200.13	14/02/2023	MTAA SUPERANNUATION FUND	Superannuation contributions	-108.63
SUPER	14/02/2023	MTAA SUPERANNUATION FUND	Super	108.63
DD23200.14	14/02/2023	REST SUPERANNUATION	Superannuation contributions	-717.44

SUPER	14/02/2023	REST SUPERANNUATION	Super	717.44
DD23200.15	14/02/2023	IOOF Superannuation	Superannuation contributions	-287.95
SUPER	14/02/2023	IOOF Superannuation	Super	287.95
DD23200.16	14/02/2023	Panorama Super	Superannuation contributions	-84.81
SUPER	14/02/2023	Panorama Super	Super	84.81
DD23200.17	14/02/2023	Australian Retirement Trust	Superannuation contributions	-1179.70
SUPER	14/02/2023	Australian Retirement Trust	Super	1179.70
DD23219.10	28/02/2023	Colonial First State FirstChioce Superannuation Trust	Payroll deductions	-1072.33
SUPER	28/02/2023	Colonial First State FirstChioce Superannuation Trust	Super	432.33
DEDUCTION	28/02/2023	Colonial First State FirstChioce Superannuation Trust	Payroll Deduction	139.46
DEDUCTION	28/02/2023	Colonial First State FirstChioce Superannuation Trust	Payroll Deduction	500.54
DD23219.11	28/02/2023	Australian Super Pty Ltd	Payroll deductions	-1951.68
SUPER	28/02/2023	Australian Super Pty Ltd	Super	1715.94
DEDUCTION	28/02/2023	Australian Super Pty Ltd	Payroll Deduction	235.74
DD23219.12	28/02/2023	HSTPLUS	Superannuation contributions	-899.03
DEDUCTION	28/02/2023	HSTPLUS	Payroll Deduction	85.60
SUPER	28/02/2023	HSTPLUS	Super	813.43
DD23219.13	28/02/2023	MTAA SUPERANNUATION FUND	Superannuation contributions	-137.06
SUPER	28/02/2023	MTAA SUPERANNUATION FUND	Super	137.06
DD23219.14	28/02/2023	REST SUPERANNUATION	Superannuation contributions	-717.44
SUPER	28/02/2023	REST SUPERANNUATION	Super	717.44
DD23219.15	28/02/2023	IOOF Superannuation	Superannuation contributions	-249.60
SUPER	28/02/2023	IOOF Superannuation	Super	249.60
DD23219.16	28/02/2023	Australian Retirement Trust	Superannuation contributions	-1263.31
SUPER	28/02/2023	Australian Retirement Trust	Super	1263.31
DD23219.17	28/02/2023	Prime Super	Superannuation contributions	-1661.72
SUPER	28/02/2023	Prime Super	Super	1661.72
FEES	06/02/2023	WESTNET	Westnet	-786.29
FEES	15/02/2023	MESSAGE MEDIA	Sms Messages	-339.64
FEES	31/02/2023	NAB	MISCELLANEOUS BANK CHARGES	-100.72
FEES	31/02/2023	2023	Centrelink Charge : 	-5.94
2424	01/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-2733.65
2424	08/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-3188.80
2424	09/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1861.20
2424	10/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1551.80
2424	13/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-2043.15
2424	14/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-4524.40
2424	15/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1912.55
2424	16/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-2627.35
2424	16/02/2023	013B - PAYROLL CREDITORS MUN	PAYROLL CREDITORS MUN	-141375.17
2424	17/03/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1757.15
2424	20/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-6472.15
2424	21/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-902.00
2424	22/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-4613.00

2424	23/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-377.45
2424	22/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-3234.10
2424	27/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1202.80
2424	28/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-2675.95
2424	02/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-12869.20
2424	02/02/2023	013B - PAYROLL CREDITORS MUN	PAYROLL CREDITORS MUN	-154893.30
2424	03/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1348.55
2424	06/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-3177.70
2424	07/02/2023	Trans Lice - TRANSPORT LICENCING (DEC) MUN	TRANSPORT LICENCING (DEC) MUN	-1881.20
2424	07/02/2023	013B - PAYROLL CREDITORS MUN	PAYROLL CREDITORS MUN	-4330.50

420,124.04

SUMMARY FOR FEBRUARY 2023	
Cheque 14353 - 14355	2,891.48
EFT 31605 - 31716	449,034.83
Direct Debits	420,124.04
Total	872,050.35