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Council Minutes

Shire of Pingelly

Ordinary Council Meeting

Wednesday 21 October 2026

2:00 pm

Pingelly, positive by nature. Let's grow together!

Risk Framework

Consequence Rating

Impact	Health	Financial	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant	Negligible injuries	Less than $2,000	No material service interruption	No noticeable regulatory / statutory impact	Low impact, single complaint, low profile or 'no news' item	Inconsequential or no damage	Contained, reversible impact managed on site response
Minor	First aid injuries	$2,001 - $10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliance	Low impact, a small number of complaints	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Medical type injuries <5 days	$10,001 - $50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Public embarrassment, moderate impact, low or moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Lost time injury >5 days	$50,001 - $200,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than $200,000	Indeterminate prolonged interruption – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages	Public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution. Complete loss of property	Uncontained, irreversible impact

Likelihood Rating

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

Risk Matrix

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	M (5)	H (10)	H (15)	E (20)	E (25)
Likely	L (4)	M (8)	H (12)	H (16)	E (20)
Possible	L (3)	M (6)	M (9)	H (12)	H (15)
Unlikely	L (2)	L (4)	M (6)	M (8)	H (10)
Rare	L (1)	L (2)	L (4)	L (4)	M (5)

Risk Acceptance Criteria

	Description	Criteria	Responsibility
Low (L)	Acceptable	Acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Staff Member
Moderate (M)	Monitor	Acceptable with adequate controls, managed by specific procedures, subject to semi-annual monitoring	Senior Manager
High (H)	Urgent action	Acceptable with effective controls, managed by senior management, subject to monthly monitoring	Senior Manager
Extreme (E)	Unacceptable	Only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by the CEO and subject to continuous monitoring	CEO

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 2.00pm and welcomed Elizabeth Trump, a member of the public observing from the gallery.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Willman Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to Elders past, present and emerging.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Please turn your mobile phones to silent, any calls are to be taken outside of the Chambers.
Thank you.

The Presiding Member welcomed Sheryl Squiers to the role of Governance and Executive Officer.

4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members Present

Cr J McBurney	Shire President
Cr P Wood	Deputy President
Cr B Hotham	
Cr R Howell	
Cr D Summers	
Cr A Trethewey	

Staff in Attendance

Mr A Dover	Chief Executive Officer
Mr M Hudson	Executive Manager Works
Mr L Beretta	Manager Finance
Mrs S Squiers	Administration Officer Technical

Members of Public
Mrs Elizabeth Trump

Absent
Cr C Cheney

Approved Leave
Nil

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. DISCLOSURES OF INTEREST

Name	Item No.	Nature of Interest
Cr Danielle Summers	14.1 – Cats Local Law 2027	Impartial
Cr Danielle Summers	14.1 – Dogs Local Law 2027	Impartial

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1. Confirmation of Minutes of Previous Meetings – 16 September 2026

Statutory Environment:
Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

13799 Cr Danielle Summers moved, Cr Bryan Hotham seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 16 September 2026 be confirmed.

Carried 5 votes to 1

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell & Cr Angela Trethewey
Against:	Cr Danielle Summers

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. ITEMS BROUGHT FORWARD DUE TO PERSONS ATTENDING

Nil

12. REPORTS OF COMMITTEES

12.1. Reports of Committees of Council

• Audit, Risk and Improvement Committee	Full Council
• Bush Fire Advisory Committee	Member – Cr Hotham Deputy – Deputy President
• CEO Performance Review Committee	Member – Shire President Member – Deputy President Member – Cr Hotham

13800 Cr Bryan Hotham moved, Deputy President Peter Wood seconded

Voting Requirements:
Simple Majority required

Committee Recommendation and Council Decision:

That Council authorise the CEO to seek a quotation from Lydia Highfield Consultancy to conduct the CEO Annual Review and accept the quote if within budget.

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

12.2. Reports of Council Delegates on External Committee

• Central Country Zone of WALGA	Delegate – Shire President Delegate – Deputy President Deputy – Full Council Deputy – CEO
• Hotham-Dale Regional Road Sub-Group	Delegate – Deputy President Deputy – Cr Trethewey Alternate Deputy – Cr Hotham
• Pingelly Recreation & Cultural Centre Board	Member – Shire President
• Development Assessment Panel	Delegate – Cr Cheney Delegate – Cr Summers Deputy – Cr Howell Deputy – Cr Trethewey
• Pingelly Tourism Group	Delegate – Cr Hotham Deputy – Cr Trethewey
• Shires of Pingelly and Wandering Joint Local Emergency Management Committee	Delegate – Shire President Delegate – Deputy President Deputy – Cr Cheney
• Pingelly Early Years Network	Delegate – Cr Summers Deputy – Shire President
• Pingelly Community Wellbeing Plan Working Group	Delegate – Shire President Deputy – Cr Howell
• Pingelly Museum and Historical Group	Delegate – Cr Hotham Deputy – Cr Trethewey Deputy – Cr Summers

13. REPORTS OF COUNCILLORS

13.1. Reports of President

SEPTEMBER
16TH WALGA Conference – Mayors and Presidents forum
17TH WALGA Conference
18TH WALGA Conference
23RD Regular catch-up meeting with School Principal
24TH Heritage Festival meeting
24TH Regular catch-up meeting with CEO
25TH Combined Winter Sports Award night

OCTOBER
1ST "Spill the Tea" with community and Cr Trethewey and Cr Hotham
6TH CCZ Executive Meeting
9TH Meeting with Councillor
14TH CEO Performance Review committee meeting
14TH Regular catch meeting with CEO and Deputy President
14TH Project planning with CEO
15TH PRACC Board meeting
21ST Corporate Discussion and Ordinary Council Meeting

13.2. Conference Presentations

Councillors McBurney, Hotham and Howell presented on the 2026 WA Local Government Convention.

- Cr Hotham reported on sessions on understanding and working with Aboriginal communities (relational before transactional, truth-telling and realistic timelines), building connected communities and social cohesion, protecting democracy and building resilience to foreign interference, and State housing priorities.

- Cr Howell reported on the housing priorities session, noting the focus on strata and unit developments rather than freestanding homes in small towns, and on the AI 101 session, including the risks of free accounts, organisational controls, model benchmarking and public attitudes to AI. He noted these points are relevant to future reviews of Council Policy 7.20 Artificial Intelligence (AI) Use.

- Cr McBurney reported on the Mayors and Presidents forum, the address by WALGA President Mark Irwin, the need for untied road funding for rural shires, the State of Play session on amalgamations, and the value of the mentoring relationship established with the Shire President of Katanning.

Mr L Beretta left the Chambers at 2.44pm.

Mr L Beretta returned to the chambers at 2.46pm.

Mr J Hobley entered the chambers at 2.46pm.

13.3. Memorials

The Chairman to ask Councillors if there are any memorials to be noted in the minutes.

- Council send their condolences to the family and friends of Ms Ellie Parsons.
- Council send their condolences to the family and friends of Mr Antony (Tochie) Narducci.
- Council send their condolences to the family and friends of Mr Peter Kinzel.
- Council send their condolences to the family and friends of Mr Josh Tate.
- Council send their condolences to the family and friends of Mr John Carson.
- Council send their condolences to the family and friends of Dr Bukunmi for the loss of his mother.

The Shire President will send a personal card to the families.

13.4. Celebrations

The Chairman to ask Councillors if there are any commemorations to be noted in the minutes.

- Council acknowledge the Warby Transport who transports sheep in and out for the sheepdog trials, which they have done three times a year for several years.
- Council Acknowledge local parent Chelsea Holden and her son Chase for taking part in the Wheatbelt FASD prevention campaign raising awareness of alcohol-free pregnancy.
- 22 October marks the anniversary of the National Apology to Victims and Survivors of Institutional Child Sexual Abuse, delivered by the Australian Government in 2018. Council reflects on the Forgotten Australians, the Stolen Generations and former child migrants, many of whom were sent to institutions in farming towns, and on the effects carried through generations.
- Council celebrate the Shire's successful application for a Lotterywest grant of $25,696 toward the Shire's major events for 2026/27.

Rates Incentive Program:

Early Rates Incentive Prize:

1st Winner:	A2526	Ron O'Brien	$1,202
2nd Winner:	A2855	Ian Prior	$600
3rd Winner:	A195	Barry Morrison	$300

Reliable Rates Incentive Prize:

Winner:	A6328	Shirley Townsend	$1,202

Council acknowledge and thank the sponsors of this year's prizes. Sponsors were listed in this year's rates notice. Their support is appreciated.

Congratulations to the winners!

Council thanks Mr Josh Hobley, Senior Finance Officer, for his attendance and drawing of the winners.

Mr J Hobley left the chambers at 2.56pm.

14. OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1. Making of Local Laws – Section 3.12 Local Government Act 1995

File Reference:	**ADM0103**
Location:	**Not Applicable**
Applicant:	**Not Applicable**
Author:	**Chief Executive Officer**
Disclosure of Interest:	**Nil**
Attachments:	**Draft Local Laws 2027 (Health, Dogs, Public Places, Pest Plants, Cemeteries, Cats and Standing Orders)** **Draft Local Law Determinations and Specifications Policy** **Summary of Key Changes**
Previous Reference:	**OCM 19 August 2020, Item 14.4**

Summary
Council is requested to commence the process under section 3.12 of the Local Government Act 1995 (the Act) to make seven local laws: the Health, Dogs, Public Places, Pest Plants, Cemeteries, Cats and Standing Orders Local Laws 2027, which replace the Shire's existing local laws on those subjects.

Background
Section 3.16 of the Act requires a local government to review its local laws periodically. The Local Government Amendment Act 2024, which commenced on 7 December 2024, extended the review period from 8 years to 15 years.

Council last reviewed its local laws at the Ordinary Council Meeting on 19 August 2020 (Item 14.4), concluding the review with a determination under section 3.16(4) of the Act. Under the transitional provisions in Schedule 9.3 of the Act, the next review is due by 19 August 2035, so a further review under section 3.16 is not a step in making the proposed local laws.

The Health, Dogs, Public Places, Pest Plants and Cemeteries Local Laws were made in 2003. They pre-date the Public Health Act 2016, the Cat Act 2011 and current drafting practice, and do not share a common approach to penalties, determinations or enforcement. Administration has remade each of them in a consistent format. The proposed Standing Orders and Cats Local Laws replace the 2017 and 2024 local laws.

An earlier attempt to repeal the Cats Local Law 2024 was disallowed, so that local law remains in force and the proposed Cats Local Law 2027 repeals it expressly. The Bush Fire Local Law 2023 is not affected.

Comment
The key features of the proposed local laws are:

- A standard approach to permitting and prohibiting activities. Under the Public Places Local Law, Council determines by resolution where activities are permitted or prohibited, and each determination is recorded in a Determination and Specification Register kept under the Local Law Determinations and Specifications Policy. A sign states conditions of use only. The Dogs and Cats Local Laws refer to determinations made under the Public Places Local Law.
- Penalties aligned to the limits in the enabling legislation: $10,000 under the Local Government Act 1995 (Health, Public Places and Pest Plants), $5,000 under the Dog Act 1976 and the Cat Act 2011, and the limits in the Cemeteries Act 1986 for cemeteries.
- A restructured Dogs Local Law. The previous provisions on prohibited places and exercise areas are removed because section 31 of the Dog Act 1976 deals with them directly, and dog exercise areas are instead specified by Council resolution under section 31(3A). The maximum number of dogs that may be kept is clarified.
- A Cats Local Law that provides for the containment of cats throughout the district, anticipating the Cat Amendment (Local Laws) Bill 2026, and which repeals the 2024 local law.
- A longer list of pest plants in the Pest Plants Local Law.

- A Cemeteries Local Law that applies to the Pingelly Cemetery, which is vested in the Shire under section 5 of the Cemeteries Act 1986, and to the Moorumbine Public Cemetery.
- An updated Standing Orders Local Law that repeals the 2017 local law.

The attached summary sets out the important changes to each local law and the reason for each.

The main changes in each local law are summarised below. The purpose and effect of each is set out in the recommendation, for notification to the meeting under section 3.12(2) of the Act.

Local Law	Key changes
Health Local Law 2027	Substantially reduced and remade under the Local Government Act. Obsolete sanitation and trade provisions are removed, poultry and pigeon limits change, and new controls cover illegal dumping, verge collections and feeding wild birds.
Dogs Local Law 2027	Adds an approval process for keeping up to two additional dogs. Exercise areas move to Council resolution under the Dog Act, the fixed list of prohibited places is removed, and key penalties increase.
Public Places Local Law 2027	Consolidates two 2003 local laws into one. Council determinations apply more widely, low-risk signs and small outdoor dining need no permit, and new provisions cover drones, filming, parklets and fireworks.
Pest Plants Local Law 2027	Landholders have a direct, ongoing duty to control listed plants, rather than only after receiving notice. The schedule grows from three species to nine, and selling or supplying listed plants is prohibited.
Cemeteries Local Law 2027	Funeral booking notice rises to 72 hours and the speed limit falls to 20 km/h. Adds registers, pre-need certificates, a memorial-tree program and provisions on exhumation, unsafe memorials and cost recovery.
Cats Local Law 2027	Limits premises to two cats, with approval for up to four. Cats must be under effective control off the premises and are prohibited from reserves and bushland. Adds cat control notices and trap protections.
Standing Orders Local Law 2027	Introduces adoption by exception for non-contentious recommendations, and links electronic attendance to the current Administration Regulations. Updates references to the Local Government Act.

After the purpose and effect of each proposed local law is notified to the meeting, Administration will give local public notice and invite submissions for not less than six weeks. Copies of the proposed local laws and the notice will be given to the Departmental CEO and to the chief executive officer of any other department required by section 3.12(3)(b). A further report on submissions will then be presented to Council. Making the local laws requires an absolute majority, with or without changes that are not significantly different from what was proposed. A significantly different change requires the procedure to start again (section 3.13). Once made, the local laws are published in the Government Gazette and come into operation 14 days later. The shorter three-week process in section 3.12(3C) applies only to model local laws adopted without modification, so it does not apply.

The following matters will be brought to Council with the final report, or before the local laws take effect:

- A resolution by absolute majority under section 31(3A) of the Dog Act 1976 specifying the dog exercise areas, being Linear Park Reserve 34570, Recreation Reserve 23053 (Old School Oval) and Recreation Reserve 23983 (Town Oval), together with consideration of section 31(2A) and (2B) (places where dogs are prohibited) and section 31(3B) (rural leashing areas).
- The initial determinations and specifications for entry in the Register. The places identified so far are Linear Park Reserve 34570, Recreation Reserve 23053 (Old School Oval), Recreation Reserve 23983 (Town Oval), the Rotunda at Memorial Park, the Stage at Gnalla Wangkiny Pocket Park (25 Parade Street), the marked area adjacent to 10 Parade Street, and the Pump Track and Skate Park.
- Any public building at which dogs are currently permitted by signs, which will need a determination or a resolution under section 31 of the Dog Act 1976 to continue.
- Confirmation of the status of the Cat Amendment (Local Laws) Bill 2026 before the Cats Local Law is made.

- Adoption of the Local Law Determinations and Specifications Policy, so that it takes effect when the Public Places Local Law commences.

The State government have announced Standardised Meeting Procedures regulations to be introduced, replacing the Standing Orders Local Laws across the state. This is anticipated within the next 18-24 months. This reduces need and impact of adopting a new Standing Orders Local Law at this stage.

Consultation
Local public notice will be given in accordance with sections 1.7 and 3.12(3) of the Act, on the Shire's website and in at least three of the other ways set out in regulation 3A(2) of the Local Government (Administration) Regulations 1996, inviting submissions for not less than six weeks. Copies will be available at the administration office, on the website and on request. Submissions will be summarised in a report to Council.

Statutory Environment
Local Government Act 1995, section 3.12 – Procedure for making local laws, including notice to the meeting of the purpose and effect (subsection (2)), local public notice and a submission period of not less than six weeks (subsection (3)), and making of the local law by absolute majority (subsection (4)). Sections 3.13 and 3.14 deal with significant changes and commencement.

Local Government Act 1995, sections 1.7, 3.5 and 3.10, and Local Government (Administration) Regulations 1996, regulation 3A – local public notice, legislative power, and offences and penalties.

Local Government Act 1995, section 3.16 and Schedule 9.3 – periodic review of local laws. Council's determination of 19 August 2020 under section 3.16(4) concluded the most recent review.

Dog Act 1976, sections 31, 49 and 50; Cat Act 2011, sections 79 and 84; Cemeteries Act 1986, sections 54 and 55; Biosecurity and Agriculture Management Act 2007, section 193 – enabling provisions for the proposed local laws.

Policy Implications
The draft Local Law Determinations and Specifications Policy provides for the making, recording and review of determinations under the Public Places Local Law and specifications under the Dog Act 1976. It is attached for information, and will be presented for adoption when the local laws are made.

Financial Implications
The costs of giving local public notice of the proposed local laws and of publishing the made local laws in the Government Gazette are to be met from the existing budget allocation. There are no other financial implications at this stage.

Local law	Words	Est. Gazette pages	Est. cost
Pest Plants	1,500	about 1.3	about $1,000
Cats	2,500	about 2.1	about $1,600
Dogs	4,700	about 3.9	about $3,000
Health	5,000	about 4.2	about $3,200
Cemeteries	6,100	about 5.1	about $3,900
Standing Orders	9,300	about 7.8	about $6,000
Public Places	12,200	about 10.2	about $7,800
Total		about 35	**about $26,500**

Strategic Implications

Outcome 10. Effective leadership and governance.
Objective 10.2. Govern Shire finances, assets, and operations responsibly.

Risk Framework

Risk:	The Shire continues to operate under local laws that pre-date current legislation, contain duplicated provisions and apply inconsistent penalties, which may affect the Shire's ability to enforce them.		
Consequence Theme:	Compliance	**Impact:**	Moderate
Consequence:	Reduced ability to enforce local standards and recover costs, and potential challenge to infringements or prosecutions.		
Likelihood Rating:	Possible	**Risk Matrix:**	Moderate (9)
Action Plan:	Proceed to local public notice of the proposed local laws, consider submissions, and bring the local laws back to Council to be made by absolute majority.		

Health Local Law 2027

13801 Deputy President Peter Wood moved, Cr Angela Trethewey seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Health Local Law 2027*:**

Purpose – to regulate public health and sanitation matters in the district that are not dealt with by the Public Health Act 2016.

Effect – replaces the Health Local Laws 2003. Provides for sanitation, housing, waste and refuse, nuisances, pest control and lodging houses, with consistent enforcement provisions and penalties.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

Dogs Local Law 2027

13802 Cr Robert Howell moved, Deputy President Peter Wood seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to sections 49 and 51 of the Dog Act 1976 and section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Dogs Local Law 2027*:**

Purpose – to provide for the impounding and keeping of dogs and approved kennel establishments in the district.

Effect – replaces the Dogs Local Law of 2003. Limits the number of dogs kept on a property, sets the requirements for kennel establishments and sets penalties of up to $5,000.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

Cats Local Law 2027

13803 Cr Angela Trethewey moved, Cr Bryan Hotham seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to section 79 of the Cat Act 2011 and section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Cats Local Law 2027*:**

Purpose – to regulate the keeping and control of cats in the district.

Effect – repeals the Cats Local Law 2024. Requires cats to be contained, limits the number of cats that may be kept and sets penalties of up to $5,000.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

The meeting adjourned at 3.20pm for a presentation.

The meeting resumed at 4.45pm

Public Places Local Law 2027

13804 Cr Bryan Hotham moved, Cr Robert Howell seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Public Places Local Law 2027*:**

Purpose – to regulate behaviour in, and the use of, public places, local government property and thoroughfares, including by determinations of Council.

Effect – repeals the Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law and the Local Government Property Local Law of 2003. Establishes the determination process, permits for specified activities and the standards of behaviour in public places.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

Pest Plants Local Law 2027

13805 Cr Angela Trethewey moved, Cr Bryan Hotham seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to section 193 of the Biosecurity and Agriculture Management Act 2007 and section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Pest Plants Local Law 2027*:**

Purpose – to control locally significant pest plants in the district.

Effect – replaces the Pest Plant Local Laws 2003. Requires owners and occupiers to control the plants listed in the Schedule, which is expanded.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, to the Chief Executive Officer of the Department of Primary Industries and Regional Development (as the department assisting in the administration of the Biosecurity and Agriculture Management Act 2007), and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

Cemeteries Local Law 2027

13806 Cr Robert Howell moved, Deputy President Peter Wood seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council:

1. **Pursuant to sections 54 and 55 of the Cemeteries Act 1986 and section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Cemeteries Local Law 2027*:**

Purpose – to regulate the Pingelly Cemetery and the Moorumbine Public Cemetery.

Effect – replaces the Cemeteries Local Law 2003. Provides for interments, funerals, memorials and conduct in the cemeteries.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

Standing Orders Local Law 2027

The Presiding Member noted that the State Government is introducing mandated standardised meeting procedures that will replace standing orders local laws, and that making this local law would cost about $6,000 in Government Gazette publication.

No mover or seconder

Voting Requirements:
Simple Majority Required

Recommendation and Council Decision:

That Council:

1. **Pursuant to section 3.5(1) of the Local Government Act 1995, and in accordance with section 3.12(2) and (3) of the Local Government Act 1995, give local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following *Shire of Pingelly Standing Orders Local Law 2027*:**

Purpose – to regulate the conduct of meetings of Council, its committees and electors.

Effect – repeals the Standing Orders Local Law 2017. Sets the rules for the conduct of meetings and the behaviour of members.

2. **Provide copies of the proposed local law and the notice, in accordance with section 3.12(3) of the Local Government Act 1995, to the Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety, and to any other person requesting them.**

Lapsed

For:	Nil
Against:	Nil

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

SHIRE OF PINGELLY

HEALTH LOCAL LAW 2027

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

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PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Health Local Law 2027.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the Government Gazette.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Pingelly Health Local Laws 2003, made under section 342 of the Health Act 1911 and published in the Government Gazette on 22 July 2003, are repealed.

1.5 Relationship with other written law

(1) This local law is made under the Local Government Act 1995.

(2) This local law is to be read together with, and does not limit, the Public Health Act 2016, the Health (Miscellaneous Provisions) Act 1911 (to the extent it remains in force) and any other applicable written law.

(3) If a provision of this local law is inconsistent with a written law, the written law prevails and this local law is to be read down, or if necessary severed, to the extent of the inconsistency.

1.6 Definitions

Act means the Local Government Act 1995.

adequate means fit for purpose or, if there is any doubt, as determined by an authorised officer.

approved means approved in writing by the local government.

authorised officer means a person appointed by the CEO under section 9.10 of the Act, or designated by the local government under section 24 of the Public Health Act 2016.

Building Code means the National Construction Code published from time to time by, or on behalf of, the Australian Building Codes Board.

CEO means the Chief Executive Officer of the local government.

Chief Health Officer means the person holding that office under the Public Health Act 2016.

district means the district of the Shire of Pingelly.

drinking water means water that meets the health-related guideline values in the Guidelines for Drinking Water Quality in Australia, published by the National Health and Medical Research Council, as amended from time to time.

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

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

event includes a fair, function or festival.

habitable room means a room used for normal domestic activities, and excludes a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, or other space of a specialised nature occupied neither frequently nor for extended periods.

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

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

keeper means the person whose name appears in the register of keepers as the keeper of a lodging house.

large animal means a horse, cow (including an ox, calf or bull), pig, sheep, goat, alpaca, llama, deer or camel, but does not include a miniature horse or miniature pig.

local government means the Shire of Pingelly.

lodging house means a building, or part of a building, in which more than 6 unrelated persons are lodged or boarded for hire or reward, and includes a recreational campsite, a serviced apartment and a short-term hostel, but does not include a hotel or motel licensed under the Liquor Control Act 1988.

miniature horse means a horse which meets the standard and height for a miniature horse as described by the Miniature Horse Association of Australia Inc.

miniature pig means a pig that does not exceed 650 millimetres in height as an adult and weighs less than 55 kilograms.

nuisance means an activity or state of affairs which, in the opinion of an authorised person, unreasonably interferes with the health, safety, comfort or convenience of the public at large or a person's use and enjoyment of land.

occupier includes any person in control of any premises.

organiser means a person to whom approval has been granted by the local government to conduct an event, or who is responsible for the conduct of an event.

owner has the meaning given in the Local Government Act 1995.

poultry includes fowls, ducks, chickens and bantams.

premises includes land, buildings and any other place, whether enclosed or not.

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

sanitary convenience includes toilets, urinals, sinks, baths, wash troughs and apparatus for the treatment of sewage.

street includes any highway, road, lane, footway or thoroughfare, whether or not open to the public.

toilet means a water closet or urinal, and includes the room or cubicle in which it is located.

townsite means the townsite of Pingelly constituted under section 26(2) of the Land Administration Act 1997.

vermin includes rats, mice, cockroaches and other animals known to be vectors of disease or a nuisance to human food, habitation or possessions.

waste includes refuse, rubbish, and any substance discarded or rejected as no longer required.

1.7 Interpretation

(1) Where this local law imposes a duty or liability on an owner or occupier, that duty or liability is imposed jointly and severally on each of them.

(2) Where this local law requires an act to be done, or forbids an act, in relation to any premises, the owner or occupier of those premises has the duty of causing that act to be done, or of preventing it from being done, as the case requires.

1.8 Fees and charges

The local government may impose and recover a fee or charge for anything done under this local law, including an application, registration or renewal, in accordance with sections 6.16 to 6.19 of the Local Government Act 1995.

PART 2 — SANITATION

2.1 Sanitary conveniences

(1) A person must not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet, provided with adequate lighting.

(2) The owner of premises other than a dwelling house must ensure the premises have sanitary conveniences and hand wash basins in accordance with the Building Code, situated within a reasonable distance of, and easily accessible to, the persons for whom they are provided.

2.2 Maintenance of sanitary conveniences

(1) The occupier of premises must keep all sanitary conveniences clean and in good repair, and disinfect them when directed by an authorised officer.

(2) The owner of premises must maintain an adequate supply of water to all sanitary conveniences.

2.3 Bathrooms

A person must not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that is equipped with a hand wash basin and either a shower or a bath, each provided with an adequate supply of hot and cold water, and floored and drained in accordance with the Building Code.

2.4 Laundries

Where a dwelling house has a laundry, it must conform with the Building Code and, where situated adjacent to a kitchen or food storage area, be separated from it by a wall extending from floor to ceiling.

2.5 Kitchens

A person must not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen equipped with a cooking facility and a sink, each in accordance with the Building Code and provided with an adequate supply of hot and cold water.

The occupier must keep the stove, oven and sink clean, in good order and fit for use.

2.6 Events

An organiser of an outdoor event must provide sanitary conveniences in accordance with the Department of Health's current guidelines for concerts, events and organised gatherings.

PART 3 — HOUSING AND GENERAL

3.1 Dwelling house maintenance

The owner or occupier of a dwelling house must maintain it in sound, weatherproof condition and, in particular, must —

(a) maintain all roofs, guttering and downpipes in sound weatherproof condition;

(b) maintain footings, foundations and walls in a sound condition, replacing any decayed or termite-eaten material with material of sound quality;

(c) maintain all doors, windows and ventilators in good working order;

(d) maintain all pipes, fittings and fixtures connected with water supply, drainage or sewerage in accordance with the Water Services Act 2012 and the Building Code; and

(e) maintain all electrical wiring and gas fittings in accordance with the requirements of the relevant regulatory authority.

3.2 Overcrowding

The owner or occupier of a dwelling house must not permit a habitable room to be used for sleeping purposes unless there is at least 14 cubic metres of air space for each person aged over 10 years, and 8 cubic metres for each person aged between 1 and 10 years, in the room.

3.3 Water supply

The owner of a dwelling house must ensure it is connected to an adequate and continuous supply of drinking water, whether from the mains of a licensed water service provider, an underground bore, or a rainwater storage system, to the satisfaction of the local government.

3.4 Rainwater tanks

The owner or occupier of a dwelling house supplied in whole or part by a rainwater tank must keep the catchment roof and guttering clean, fit the tank with a mosquito-proof cover, and clean the tank at least once every two years.

3.5 Wells and pollution

A person must not use, or permit the use of, water from a well or bore for human consumption unless it is at least 30 metres from any source of pollution and fitted with a tight cover.

A person must not deposit sewage or other offensive matter on or under land so as to pollute, or render unfit for consumption, water from a well or underground source.

PART 4 — WASTE AND REFUSE

4.1 Storage and disposal of waste

(1) An owner or occupier of premises must store domestic and commercial waste in a manner that prevents odour, the attraction of vermin, scattering by wind, and other insanitary conditions.

(2) An owner or occupier must —

(a) store waste in receptacles with close-fitting lids;

(b) not allow receptacles to be overfilled or to overflow; and

(c) keep the area around receptacles clean and free of spillage.

4.2 Verge collections

(1) An owner or occupier must place a receptacle for collection only in the position, and at the time, directed by the local government, and must remove it from the verge within a reasonable time after collection.

(2) A person must not deposit prohibited or hazardous material for collection unless authorised by the local government, and must not interfere with a receptacle placed for collection by another premises.

4.3 Use of recycling receptacles

A person must not deposit in a recycling receptacle any material other than material the local government has designated as acceptable for recycling collection.

4.4 Illegal dumping

A person must not deposit waste on any land, or in any public place, without the authorisation of the owner or the local government, as applicable.

4.5 Storage of materials likely to harbour vermin

A person must not store, or permit to be stored, on any premises any material which, in the opinion of an authorised officer, is likely to harbour or attract vermin.

4.6 Disposal of hazardous or offensive waste in a public place

A person must not deposit or leave in a public place any material capable of causing injury or being a health hazard, including a used condom, a hypodermic syringe or needle, or broken glass, unless it is placed in a sealed, puncture-resistant or impervious container as appropriate to the material, and disposed of in a sanitary manner or as otherwise directed by an authorised officer.

4.7 Animal faeces in public places

The owner or person in charge of an animal, including a dog, horse or bird, must not permit the animal to deposit faeces in a public place without immediately removing the faeces and disposing of it in a sanitary manner.

PART 5 — NUISANCES AND GENERAL

5.1 General nuisance

(1) An owner or occupier of premises must take reasonable measures to prevent the escape of smoke, dust, fumes or offensive odours from the premises which, in the opinion of the authorised officer, causes a nuisance.

(2) An authorised officer may direct an owner or occupier to take specified measures to prevent smoke, dust, fumes or odours from causing a nuisance.

5.2 Keeping of animals — general duties

An owner or occupier of premises on which an animal or bird is kept must —

(a) keep the premises free from excrement, filth and food waste which, in the opinion of the authorised officer, is likely to become offensive or attract vermin;

(b) clean and disinfect the premises when directed by an authorised officer; and

(c) ensure the animal or bird does not create a nuisance by noise or odour.

5.3 Large animals and stables

(1) An owner or occupier must not keep a large animal on premises within the townsite without the approval of the local government.

(2) An owner or occupier of premises on which a large animal is kept must ensure the animal is kept in an enclosure that effectively prevents it from escaping, having regard to the species, age, size and condition of the animal.

(3) A stable, yard or enclosure for a large animal must not be situated within 15 metres of a dwelling house on another lot, and must be maintained in a clean condition, effectively drained, and kept free of accumulated manure, to the satisfaction of the authorised officer.

(4) The owner or person in charge of a large animal must not permit it to stray or be at large in a street, public place, or on private property, without the consent of the owner of that property.

(5) An owner or occupier lawfully keeping a large animal immediately before this local law commences is not required to obtain approval under this clause, but may not replace that animal without approval once it dies or is permanently removed.

5.4 Poultry and pigeons

(1) Within the townsite, an owner or occupier must not keep a combined total of more than 12 poultry and 12 pigeons on any one lot, unless approved by an authorised officer.

(2) This clause does not apply to land outside the townsite.

(3) All poultry and pigeons must be kept in a clean, properly constructed enclosure, and must not be kept so as to create a nuisance, to the satisfaction of the authorised officer.

(4) An authorised officer may direct that the number of poultry or pigeons kept on a lot be reduced, or may approve a greater number, having regard to whether a nuisance exists.

5.5 Roosters, geese, turkeys and peafowl

(1) Within the townsite, an owner or occupier must not keep a rooster, goose, gander, turkey, peacock or peahen without the written approval of the local government.

(2) This clause does not apply to land outside the townsite.

(3) The local government may grant approval under this clause with or without conditions, and may withdraw approval if the keeping of the bird causes a nuisance.

5.6 Bees

(1) A person must be registered as a beekeeper under the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013, where required, before keeping bees within the district.

(2) A person must not keep more than two hives on a lot of less than 2,000 square metres, unless approved by an authorised officer.

(3) Each hive must be kept at least 10 metres from any building on another lot, 10 metres from any street or public place, and 5 metres from the boundary of the lot.

(4) A person must not keep bees so as to create a nuisance, and an authorised officer may direct the removal of a hive that does.

5.7 Approvals under this Part

(1) In deciding whether to grant an approval under clause 5.3, 5.4, 5.5 or 5.6, the local government or an authorised officer must have regard to —

(a) whether the keeping of the animal, bird or hive is likely to cause a nuisance or risk to public health;

(b) the size, layout and location of the premises;

(c) the number and kind of animals, birds or hives already kept on the premises; and

(d) any other matter the local government or authorised officer considers relevant.

(2) An approval under this Part may be granted subject to any conditions the local government or authorised officer considers appropriate, including as to numbers, enclosures or management practices, and a person must not contravene a condition of an approval granted to them under this Part.

(3) Unless earlier cancelled, an approval under this Part remains in force for 3 years from the date it is granted, and may be renewed on application in the form and manner determined by the local government.

(4) The local government may cancel an approval under this Part where satisfied that a condition of the approval has been breached, or that the keeping of the animal, bird or hive is causing a nuisance or risk to public health, but must first give the holder a reasonable opportunity to show cause why the approval should not be cancelled.

5.8 Restrictions on feeding wild birds

A person must not feed a wild bird so as to cause a nuisance, or with food that is not a natural food of that bird.

PART 6 — PEST CONTROL

6.1 Mosquitoes

An owner or occupier of premises must keep the premises free of water or matter liable to become a breeding place for mosquitoes, and an authorised officer may direct further measures to control, eradicate or prevent mosquito breeding.

6.2 Rodents

An owner or occupier of premises must take effective measures to eradicate rodents, including storing food in a rodent-proof receptacle, and an authorised officer may direct further measures under this clause.

6.3 Cockroaches and other vermin

An owner or occupier of premises must take effective measures to eradicate cockroaches and other vermin, and an authorised officer may direct further measures under this clause.

6.4 Flies

An owner or occupier of premises must not leave matter liable to attract or breed flies uncovered or untreated, and an authorised officer may direct further measures to control fly breeding.

6.5 Feral cats, foxes, wild dogs and rabbits

(1) In this clause, feral animal means a cat, fox, wild dog or European rabbit that is a declared pest under the Biosecurity and Agriculture Management Act 2007, and does not include a cat kept in accordance with the Cat Act 2011 or a dog kept in accordance with the Dog Act 1976.

(2) An owner or occupier of land on which feral animals are present must take reasonable and lawful steps to control the feral animals, in accordance with the Biosecurity and Agriculture Management Act 2007 and the Animal Welfare Act 2002, and an authorised officer may direct further measures under this clause.

6.6 Termites

An owner or occupier of premises must take effective measures to treat and contain termite activity that is causing, or is likely to cause, damage to a structure on adjoining land.

6.7 General responsibility

An owner or occupier of premises must take reasonable steps to keep the premises free of vectors of disease, and an authorised officer may direct treatment of the premises for that purpose.

6.8 Interference with pest control measures

A person must not disturb, damage, remove or otherwise interfere with a trap, bait station or other device lawfully placed for the purposes of pest control under this Part, without the approval of the local government or the person who placed it.

PART 7 — LODGING HOUSES

7.1 Registration required

(1) A person must not keep, or permit to be kept, a lodging house unless it is registered with the local government.

(2) An application for registration must be in the form determined by the local government, accompanied by the prescribed fee and plans of the premises.

(3) In deciding whether to approve an application for registration, the local government must have regard to —

(a) whether the premises comply with the Building Code and this local law;

(b) whether adequate sanitary, fire safety and health standards can be maintained at the premises; and

(c) any other matter the local government considers relevant to the health, safety or amenity of lodgers or the surrounding area.

(4) The local government may approve an application, with or without conditions, and issue a certificate of registration.

(5) Registration must be renewed annually, in the month of June, on payment of the prescribed fee, and the local government may impose, vary or revoke conditions of registration at the time of renewal.

7.2 Duties of keeper

The keeper of a lodging house must —

(a) maintain the premises in a clean, sanitary and safe condition;

(b) ensure lodgers have access to adequate, well-maintained sanitary and bathing facilities;

(c) ensure any bedding and linen provided are kept clean and in good repair; and

(d) keep a register of lodgers, and produce it to an authorised officer or the Police Service on request.

7.3 Construction and fire safety

A lodging house must be constructed, and maintained, in accordance with the Building Code, including in respect of sleeping room floor area, ventilation, and fire and evacuation requirements.

7.4 Infectious disease in a lodging house

(1) A keeper must notify an authorised officer as soon as practicable after becoming aware that a lodger or resident is suffering from a notifiable infectious disease.

(2) Any cleaning, disinfection or remediation of a lodging house arising from an infectious disease is to be carried out in accordance with the Public Health Act 2016 and any direction given by the Chief Health Officer or an authorised officer under that Act.

(3) Where the local government incurs costs carrying out or arranging work under subclause (2), it may recover those costs from the keeper as a debt.

7.5 Suspension or cancellation of registration

The local government may suspend or cancel the registration of a lodging house where it is not kept free from vermin or in a clean and sanitary condition, where the keeper has breached this local law or a condition of registration, or where the premises present a public health risk. Before doing so, the local government must give the keeper a reasonable opportunity to show cause why registration should not be suspended or cancelled.

PART 8 — NOTICES, ENFORCEMENT AND PENALTIES

8.1 Notices

(1) Where the local government or an authorised officer is satisfied that a condition on any premises constitutes, or is likely to constitute, a nuisance or breach of this local law, a written notice may be given to the owner or occupier requiring specified measures to be taken within a stated time, being not less than 14 days unless the notice states the matter is urgent.

(2) A person given a notice under this clause must comply with it.

(3) Where a person fails to comply with a notice, the local government may carry out the work required and recover the cost as a debt due from that person.

8.2 Directions

(1) Where this local law empowers or requires an authorised officer to give a direction, the direction may specify the action to be taken and the manner or method by which it is to be carried out, including a requirement that specified work be carried out by, or in accordance with the advice of, a suitably qualified or licensed person.

(2) A person to whom a direction is given under this local law must comply with it.

8.3 Offences and general penalty

(1) A person who fails to do anything required under this local law, fails to comply with a notice or direction issued under it, or does anything this local law prohibits, commits an offence.

(2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding $10,000 and, if the offence is of a continuing nature, to a further penalty not exceeding $500 for each day or part of a day the offence continues after notice has been given.

8.4 Modified penalties

(1) An offence specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act, and may be dealt with by infringement notice.

(2) The modified penalty for a prescribed offence is the amount specified opposite that offence in Schedule 1.

8.5 Powers of entry

A power of entry exercised for the purposes of this local law is subject to Part 3, Division 3, Subdivision 3 of the Local Government Act 1995, or the Public Health Act 2016, as applicable.

8.6 Form of infringement notices

(1) Where a vehicle is involved in the commission of an offence, the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

(2) The infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

(3) The notice withdrawing an infringement notice under section 9.20 of the Act is that of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

8.7 Severability

If a provision of this local law is held to be invalid or unenforceable, that invalidity or unenforceability does not affect the remaining provisions, which continue in full force and effect.

8.8 Objections and appeals

Division 1 of Part 9 of the Local Government Act 1995 applies to a decision of the local government under this local law to grant, renew, vary or cancel an approval or registration, and the holder of, or applicant for, the approval or registration is an affected person for the purposes of that Division.

SCHEDULE 1 — MODIFIED PENALTIES

[Clause 8.4]

Clause	Description of offence	Modified penalty
2.1	Failure to provide or maintain adequate sanitary conveniences	$500
2.3	Failure to maintain a compliant bathroom	$500
3.1	Failure to maintain a dwelling house in sound condition	$500
3.2	Overcrowding of a dwelling house	$300
4.1	Failure to store or dispose of waste as required	$300
4.2	Non-compliance with verge collection requirements	$150
4.3	Contaminating a recycling receptacle with non-permitted material	$300
4.4	Illegal dumping of waste	$1,000
4.5	Storing material likely to harbour vermin	$500
4.6	Depositing hazardous or offensive waste in a public place	$1,000
4.7	Failure to remove animal faeces from a public place	$300
5.1	Causing a nuisance by smoke, odour, fumes or dust	$300
5.2	Failure to keep animal-keeping premises free from offensive matter	$500
5.3(1)	Keeping a large animal within the townsite without approval	$300
5.3(4)	Permitting a large animal to stray or be at large	$1,000
5.4	Exceeding the permitted number of poultry or pigeons in the townsite	$500
5.5	Keeping a rooster, goose, turkey or peafowl in the townsite without approval	$500
5.6	Failure to comply with beehive keeping requirements	$300
5.7	Contravening a condition of an approval under Part 5	$500
6.1–6.4	Failure to take measures to control mosquitoes, rodents, cockroaches or flies	$300
6.5	Failure to take reasonable and lawful steps to control feral cats, foxes, wild dogs or rabbits present on land	$500
6.6	Failure to treat or contain termite activity threatening an adjoining property	$300
6.8	Interference with lawfully placed pest control measures	$500
7.1	Keeping an unregistered lodging house	$500
7.4	Failure to notify an authorised officer of a notifiable infectious disease in a lodging house	$1,000
8.1	Failure to comply with a notice issued under this local law	$500
8.2	Failure to comply with a direction of an authorised officer	$300

DECLARATION

Dated this ___ day of _____ 20__.

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

_____
Shire President

_____
Chief Executive Officer

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

DOG ACT 1976

SHIRE OF PINGELLY

DOGS LOCAL LAW 2027

Under the powers conferred by the Dog Act 1976, the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Pingelly resolved on [date] to make the following local law.

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PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Dogs Local Law 2027.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the Government Gazette.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Pingelly Dogs Local Law, made under the Dog Act 1976 and published in the Government Gazette on 22 July 2003, is repealed.

1.5 Definitions

In this local law, unless the context otherwise requires —

Act means the Dog Act 1976.

adjoining includes land or premises which have a portion of a common boundary with a lot, or is separated from that lot by a public reserve, road, right-of-way, pedestrian access way, access leg of a battle-axe lot or the equivalent not more than 6 metres in width.

authorised person means a person appointed by the CEO under section 9.10 of the Local Government Act 1995 to perform all or any of the functions conferred on an authorised person under this local law.

CEO means the Chief Executive Officer of the local government.

dangerous dog has the meaning given to it by section 3(1) of the Act.

district means the district of the Shire of Pingelly.

dog management facility has the meaning given to it in section 3(1) of the Act, and includes a kennel establishment.

infringement notice means the notice referred to in clause 6.5.

kennel establishment means any premises where more than the number of dogs permitted under clause 3.2, over the age of three months, are kept, boarded, trained or bred temporarily, usually for profit, and where the occupier of the premises is not the ordinary keeper of the dogs.

licence means a licence to keep an approved kennel establishment on premises, granted under clause 4.7.

licensee means the holder of a licence granted under clause 4.7.

local government means the Shire of Pingelly.

local planning scheme means a planning scheme of the local government made under the Planning and Development Act 2005.

notice of withdrawal means the notice referred to in clause 6.5.

nuisance means 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, an unreasonable interference with the use and enjoyment of a person's ownership or occupation of land, or interference which causes material damage to land or other property on the land affected by the interference.

occupier includes any person in control of any premises.

owner in relation to a dog, has the same meaning as in section 3(1) and (2) of the Act.

person liable for the control of the dog has the same meaning as in section 3(1) of the Act.

premises in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence made under clause 4.1.

public place has the meaning given to it by section 3(1) of the Act.

Regulations means the Dog Regulations 2013.

Schedule means a schedule to this local law.

set fee means a fee or charge made by the local government under sections 6.16 to 6.19 of the Local Government Act 1995.

thoroughfare has the meaning given to it in section 1.4 of the Local Government Act 1995.

townsite means the townsite of Pingelly constituted under section 26(2) of the Land Administration Act 1997.

transferee means a person who applies for the transfer of a licence to them under clause 4.12.

1.6 Transitional provisions

Any licence, approval, condition, notice, application or other thing issued, granted, imposed, given or made under the repealed local law, and in force or in progress immediately before the commencement of this local law, continues to have effect, or continues to be dealt with, as if it had been issued, granted, imposed, given or made under this local law.

PART 2 — IMPOUNDING OF DOGS

2.1 Fees and charges

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 29(4) of the Act relating to the seizure and impounding of a dog;

(b) the additional set fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and

(c) the additional costs of the destruction and disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of authorised person at dog management facility

An authorised person is to be in attendance at the dog management facility for the release of dogs at the times and on the days of the week determined by the CEO.

2.3 Release of impounded dog

(1) A claim for the release of a dog seized and impounded is to be made to an authorised person.

(2) An authorised person is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of an authorised person, evidence for the purposes of section 29(8) of the Act —

(a) of their ownership of the dog or of their authority to take delivery of it; or

(b) that they are the person identified as the owner on a microchip implanted in the dog.

2.4 Interference with dog management facility

A person who, not being an authorised person or a person authorised to do so —

(a) releases or attempts to release a dog from a dog management facility; or

(b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof any dog management facility, or any vehicle or container used for the purpose of catching, holding or conveying a seized dog, commits an offence.

PART 3 — KEEPING OF DOGS

3.1 Dogs to be confined

(1) An occupier of premises on which a dog is kept must —

(a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;

(b) ensure the fence used to confine the dog, and every gate or door in the fence, is of a type, height and construction which, having regard to the breed, age, size and physical condition of the dog, is capable of preventing the dog at all times from passing over, under or through it;

(c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless temporarily opened in a manner that ensures the dog remains confined) and is fitted with a proper latch or other means of fastening it;

(d) maintain the fence and all gates and doors in the fence in good order and condition; and

(e) where no part of the premises consists of open space, yard or garden of which the occupier has exclusive use, ensure that other means exist on the premises (other than tethering) for effectively confining the dog.

(2) Where an occupier fails to comply with subclause (1), they commit an offence.

(3) An authorised officer may direct an owner or occupier to undertake specific measures to effectively confine a dog on premises, in addition to the requirements of subclause (1).

(4) A person who fails to comply with a direction given under subclause (3) commits an offence.

(5) Subclauses (1) to (4) apply to a dangerous dog in addition to any requirement imposed on the owner or occupier under the Act or the Regulations in relation to that dog.

3.2 Limitation on the number of dogs

(1) This clause does not apply to premises which have been —

(a) licensed under Part 4 as an approved kennel establishment; or

(b) granted an exemption under section 26(3) of the Act.

(2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act —

(a) 2 dogs over the age of 3 months, and the young of those dogs under that age, if the premises are situated within the townsite; or

(b) 4 dogs over the age of 3 months, and the young of those dogs under that age, if the premises are situated outside the townsite.

(3) This clause does not apply to a dangerous dog (declared) or a dangerous dog (restricted breed), the keeping of which is governed by section 26(2)(d) and (4)(b) of the Act.

3.3 Application to keep additional dog or dogs

(1) Subject to clause 3.5, the local government may consider an application to keep an additional dog or dogs where —

(a) the authorised person is reasonably satisfied that the property is suitable, having regard to — sufficient space capable of confining all dogs; effective control of noise, odour and other vectors of disease; and the adequacy of the care and welfare of the dogs;

(b) the details of every dog proposed to be kept on the premises are provided, including name, age, description, breed, registration number, microchip details, and whether the dog is, or is proposed to be registered as, a dangerous dog; and

(c) sufficient reason has been provided, including — to replace an elderly or sick dog not expected to live; a family emergency resulting in the dog being inherited; the merging of two households; where the applicant has had approval to keep an additional dog or dogs in another local government district; or, on premises outside the townsite, that the dog or dogs are required for stock management.

(2) In the case of a tenanted property, the application must be accompanied by the written consent of the landowner or their appointed property manager.

3.4 Determination of application

(1) In determining an application under clause 3.3, the local government is to have regard to —

(a) the matters referred to in clause 3.3;

(b) the effect which approval may have on the environment or amenity of the neighbourhood;

(c) whether approval will create a nuisance for the owners and occupiers of adjoining premises;

(d) the size of the lot and the adequacy of fencing on the premises;

(e) the applicant's history of compliance with the Act, the Regulations and this local law;

(f) any previous nuisance complaints relating to a dog kept on the premises; and

(g) whether the dog proposed to be kept, or any dog already kept on the premises, is a dangerous dog.

(2) The grant of an approval under this Part is at the discretion of the local government, and an applicant who satisfies the matters in this clause is not, for that reason alone, entitled to approval.

3.5 Where application cannot be approved

The local government will not approve an application to keep an additional dog or dogs where more than 2 additional dogs would, as a result, be kept on the premises.

3.6 Conditions of approval

(1) The local government may approve an application to keep an additional dog or dogs subject to any conditions considered appropriate.

(2) Approval is not transferable to successive owners or occupiers of the premises.

(3) A person who fails to comply with a condition imposed under subclause (1) commits an offence.

(4) Unless earlier cancelled, an approval to keep an additional dog or dogs remains in force for 3 years from the date it is granted, and may be renewed on application in the form and manner determined by the local government.

3.7 Revocation of approval to keep additional dogs

The local government may revoke an approval to keep an additional dog or dogs —

(a) where a person does not comply with a condition of approval under clause 3.6; or

(b) on any other ground that the local government considers relevant to the purposes of this local law.

PART 4 — APPROVED KENNEL ESTABLISHMENTS

4.1 Application for licence for approved kennel establishment

An application for a licence must be made in the form of Schedule 1, and must be lodged with the local government together with —

(a) plans and specifications of the kennel establishment, including a site plan;

(b) copies of the notices to be given under clause 4.2;

(c) written evidence that the applicant, or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and ensure their health and welfare;

(d) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and

(e) the set fee for the application referred to in clause 4.8(1).

4.2 Notice of proposed use

(1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment, after the application has been lodged — once in a newspaper circulating in the district, and to the owners and occupiers of any adjoining premises.

(2) The notices must specify that written submissions are to be lodged with the local government within 14 days of the date the notice is given, and that the application, plans and specifications may be inspected at the offices of the local government.

(3) The local government may refuse to determine the application until notice is given in accordance with its directions, where a notice does not clearly identify the premises or fails to serve its purpose.

4.3 Exemption from notice requirements

The requirements of clause 4.2 do not apply where, under a local planning scheme, an approved kennel establishment is a permitted use, or a use the local government may approve subject to compliance with specified notice requirements, on the premises concerned.

4.4 When application can be determined

An application for a licence is not to be determined until the applicant has complied with clause 4.1, has submitted proof that the notices under clause 4.2 have been given, and the local government has considered any written submissions received within the time specified.

4.5 Determination of application

In determining an application for a licence, the local government is to have regard to —

(a) the matters referred to in clause 4.6;

(b) any written submissions received within the time specified in clause 4.2(2);

(c) any economic or social benefits which may be derived by any person in the district if the application is approved;

(d) the effect the kennel establishment may have on the environment or amenity of the neighbourhood;

(e) whether it will create a nuisance for the owners and occupiers of adjoining premises;

(f) whether appropriate conditions of a licence will mitigate any adverse effects identified; and

(g) whether any dog proposed to be kept at the kennel establishment is, or is proposed to be registered as, a dangerous dog.

4.6 Where application cannot be approved

The local government cannot approve an application for a licence where an approved kennel establishment cannot be permitted on the premises under a local planning scheme, or where the applicant, or the person who will have charge of the dogs, will not reside on or sufficiently close to the premises so as to control the dogs and ensure their health and welfare.

4.7 Conditions of approval

(1) The local government may approve an application for a licence subject to the conditions in Schedule 2, and any other conditions considered appropriate.

(2) The local government may vary any of the conditions in Schedule 2 in respect of a particular application.

(3) A person who fails to comply with a condition imposed under this clause commits an offence.

4.8 Fees

(1) On lodging an application for a licence, the applicant is to pay a set fee to the local government.

(2) On the issue or renewal of a licence, the licensee is to pay a set fee to the local government.

(3) On lodging an application for the transfer of a valid licence, the transferee is to pay a set fee to the local government.

4.9 Form of licence

The licence is to be in the form determined by the local government from time to time, and is to be issued to the licensee.

4.10 Period of licence

(1) The period of effect of a licence is set out in section 27(5) of the Act.

(2) A licence is to be renewed if —

(a) the set fee is paid to the local government prior to expiry; and

(b) the local government is satisfied that the premises continue to comply with the conditions in Schedule 2, and with any written law applicable to the keeping of an approved kennel establishment.

(3) On renewal, the local government may vary the conditions of the licence to ensure compliance with any written law in force at the time of renewal.

(4) Subject to any variation under subclause (3), the conditions of the licence at the time of renewal continue to have effect.

4.11 Variation or cancellation of licence

(1) The local government may vary the conditions of a licence.

(2) The local government may cancel a licence —

(a) on the request of the licensee;

(b) following a breach of the Act, the Regulations or this local law;

(c) if the licensee is not a fit and proper person;

(d) if the licence was obtained by a false or misleading statement;

(e) if the premises no longer comply with the conditions in Schedule 2;

(f) if the person required to reside on, or sufficiently close to, the premises to control the dogs is no longer doing so;

(g) if the kennel establishment presents a risk to public health or safety; or

(h) on any other ground that the local government considers relevant to the purposes of this local law.

(3) The cancellation of a licence under subclause (2) is to be effected by written notice to the licensee specifying the day on which the cancellation takes effect, being a day not less than 3 months after the notice is given.

(4) If a licence is cancelled, the set fee paid for that licence is not refundable for the unexpired term of the licence.

4.12 Transfer

(1) A written application for the transfer of a valid licence must be made by the transferee, with the written consent of the licensee, and lodged with the local government together with written evidence that a

person will reside at or within reasonably close proximity to the premises, the set fee, and any other relevant information required.

(2) The local government may approve, with or without conditions, or refuse to approve an application for transfer.

4.13 Notification

The local government is to give written notice of its decision to an applicant for a licence, a transferee, and a licensee, in respect of the grant, refusal, variation, renewal or cancellation of a licence under this Part.

4.14 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

PART 5 — MISCELLANEOUS

5.1 Offence to excrete

(1) A dog must not excrete on any thoroughfare or other public place, or on any land which is not a public place without the consent of the occupier.

(2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

(3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

5.2 Dogs not to approach, chase or menace

(1) A person in charge of a dog in a dog exercise area specified under section 31(3A) of the Act must ensure the dog does not approach, chase or menace a person who has not consented to the dog's presence.

(2) A person who fails to comply with subclause (1) commits an offence.

5.3 False or misleading statement

A person must not make a false or misleading statement in connection with an application, notice or other thing given under this local law.

5.4 Objections and appeals

Division 1 of Part 9 of the Local Government Act 1995 applies to a decision of the local government under Part 3 or Part 4 to grant, renew, vary or cancel an approval or licence, and the holder of, or applicant for, the approval or licence is an affected person for the purposes of that Division.

PART 6 — ENFORCEMENT

6.1 Offences

A person who fails to do anything required under this local law, or directed to be done by an authorised officer under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

6.2 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding $5,000, being the maximum penalty permitted by section 50(2) of the Act, 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 continues.

6.3 Modified penalties

(1) An offence specified in Schedule 3 is a prescribed offence for the purposes of section 9.16(1) of the Local Government Act 1995, and may be dealt with by infringement notice.

(2) The amount appearing in the third column of Schedule 3 opposite an offence is the modified penalty payable if the dog is not a dangerous dog, or if the dog is a dangerous dog but no amount appears in the fourth column.

(3) The amount appearing in the fourth column of Schedule 3 opposite an offence is the modified penalty payable if the dog is a dangerous dog.

6.4 Powers of entry

A power of entry exercised for the purposes of this local law is subject to Part 3, Division 3, Subdivision 3 of the Local Government Act 1995, or section 12A of the Dog Act 1976, as applicable.

6.5 Form of infringement notices

(1) The infringement notice given under section 9.16 of the Local Government Act 1995 is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

(2) The notice withdrawing an infringement notice under section 9.20 of the Local Government Act 1995 is that of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

6.6 Severability

If a provision of this local law is held to be invalid or unenforceable, that invalidity or unenforceability does not affect the remaining provisions, which continue in full force and effect.

SCHEDULE 1 — APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

[Clause 4.1]

1. Full name(s) of applicant(s), postal address, telephone number and email address.
2. Address of proposed kennel premises.
3. Number and breed of dogs to be kept, and whether any dog is, or is proposed to be registered as, a dangerous dog.
4. Name and contact details of the person who will reside on, or sufficiently close to, the premises to control the dogs.
5. Signature of applicant(s) and date.

SCHEDULE 2 — CONDITIONS OF A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

[Clause 4.7]

(a) Each kennel, unless fully enclosed, must have a yard attached to it.

(b) Each kennel and yard must be at least 25 metres from the front boundary and 5 metres from any other boundary of the premises, at least 10 metres from any dwelling, and at least 25 metres from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption.

(c) Each yard must be kept securely fenced with link mesh, netting, or other material approved by the local government.

(d) The minimum floor area for each kennel is 2.5 times the length of the breed of dog (fully grown), squared, times the number of dogs housed in the kennel.

(e) The floor area of the yard attached to any kennel must be at least twice the floor area of the kennel.

(f) The kennel floor must be constructed, drained and finished in accordance with the health requirements of the local government, and connected to an approved apparatus for the treatment of sewage.

(g) The lowest internal height of a kennel must be the lesser of 2 metres, or four times the height of the breed of dog when fully grown.

(h) Kennel walls must be constructed of concrete, brick, stone, or framing sheeted with durable material approved by the local government, and kept in good external condition.

(i) The roof of each kennel must be constructed of impervious material.

(j) All kennels, yards and drinking vessels must be maintained in a clean condition, and cleaned and disinfected when directed by an authorised person.

(k) All refuse, faeces and food waste must be disposed of daily by an approved method, which may include an approved apparatus for the treatment of sewage, a contracted waste collection service, or an approved composting system.

(l) Noise, odours, fleas, flies and other vectors of disease must be effectively controlled.

(m) Suitable water must be available at the kennel via a properly supported standpipe and tap.

(n) The licensee, or the person nominated in the application, must continue to reside at, or sufficiently close to, the premises so as to control the dogs and ensure their health and welfare.

SCHEDULE 3 — PRESCRIBED OFFENCES

[Clause 6.3]

Clause	Nature of offence	Modified penalty	Dangerous dog modified penalty
2.4	Interfering with, or causing the unauthorised release of a dog from, a dog management facility or seizure vehicle	$1,000	$2,000
3.1(2)	Failing to provide means for effectively confining a dog	$300	$1,000
3.1(4)	Failure to comply with a direction to undertake specific containment measures	$500	$1,000
3.2	Exceeding the number of dogs permitted to be kept on premises	$300	$600
3.6(3)	Failure to comply with conditions of approval to keep an additional dog or dogs	$300	$500
4.7(3)	Failure to comply with the conditions of a licence	$1,000	$2,000
5.1(2)	Dog excreting in a prohibited place	$300	—
5.2(2)	Failure to prevent a dog approaching, chasing or menacing a person in a dog exercise area	$300	$600
5.3	Making a false or misleading statement	$500	$500

DECLARATION

Dated this ___ day of _____ 20__.

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

_____
Shire President

_____
Chief Executive Officer

WESTERN AUSTRALIA

CAT ACT 2011

LOCAL GOVERNMENT ACT 1995

SHIRE OF PINGELLY

CATS LOCAL LAW 2027

Under the powers conferred by the Cat Act 2011, the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Pingelly resolved on _____ to make the following local law.

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PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Cats Local Law 2027.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the Government Gazette.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Pingelly Cats Local Law 2024, published in the Government Gazette on 14 June 2024, is repealed.

1.5 Interpretation

(1) In this local law, unless the context otherwise requires —

Act means the Cat Act 2011;

application means an application for a permit;

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

authorised person means a person appointed by the CEO under section 9.10 of the Local Government Act 1995 to perform the functions conferred on an authorised person under this local law;

bushland means uncultivated land that is covered with trees, shrubs, or other natural vegetation, whether native or not;

cat has the meaning given to it in the Act;

cat management facility has the meaning given to it in the Act;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

effective control means, in relation to a cat, that the cat is restrained by a leash, harness, cage, container or other physical means that is under the direct and immediate control of a person and is sufficient to prevent the cat leaving that person's immediate presence;

local government means the Shire of Pingelly;

nuisance means 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, an unreasonable interference with the use and enjoyment of a person's ownership or occupation of land, or interference which causes material damage to land or other property on the land affected by the interference;

occupier has the meaning given to it in the Local Government Act 1995;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under Part 3;

permit holder means a person who holds a valid permit under Part 3;

premises has the meaning given to it in the Act;

prescribed premises has the meaning given to it in the Cat (Uniform Local Provisions) Regulations 2013;

public place has the meaning given to it in the Act; and

standard number of cats has the meaning given to it in the Cat (Uniform Local Provisions) Regulations 2013.

(2) A term used in this local law that is not defined in subclause (1) has the meaning given to it in the Act or, if not defined in the Act, the meaning given to it in the Cat Regulations 2012, the Cat (Uniform Local Provisions) Regulations 2013 or the Local Government Act 1995.

PART 2 — CONTROL OF CATS

2.1 Cat not to be a nuisance

(1) An owner must not allow a cat to be, or to create, a nuisance.

(2) Where the local government receives a complaint from a person, in accordance with the notice of complaint form in Schedule 1, and an authorised person is of the opinion that a cat is creating a nuisance, the local government may give a cat control notice, under section 26 of the Act, to the owner of the cat requiring that person to abate the nuisance.

(3) A cat control notice remains in force for the period specified in the notice, which must not exceed 28 days.

(4) A person given a cat control notice must comply with it within the period specified.

(5) A cat control notice given under subclause (2) is to be in the form of Schedule 1, Form 3 of the Cat Regulations 2012.

2.2 Cats in prohibited areas

(1) A cat must not be outside the premises at which it is ordinarily kept unless the cat is, in the opinion of an authorised person, under the effective control of a person.

(2) For the purposes of section 79(3)(f) of the Act, a cat must not be in any of the following places at any time, whether or not under effective control —

(a) an enclosed public place;

(b) any nature reserve; or

(c) any bushland.

(3) If a cat is at any time in a place in contravention of subclause (1) or (2) —

(a) the owner of the cat commits an offence; and

(b) an authorised person may seize and impound the cat in accordance with the Act.

2.3 Interference with cat traps

(1) A person, other than the landowner, land manager, the local government, or their delegate, who releases a cat from a lawfully placed cat trap commits an offence.

(2) A person, other than the landowner, land manager, the local government, or their delegate, who removes or wilfully damages a lawfully placed cat trap commits an offence.

2.4 Effect of a determination

Where this local law prohibits or restricts a person, or an animal in the charge of a person, from being present, or engaging in an activity, in or at a place, that prohibition or restriction does not apply to the extent that a determination made under Part 2 of the Public Places Local Law 2027 provides otherwise.

PART 3 — NUMBER OF CATS THAT MAY BE KEPT

3.1 Interpretation

For the purposes of this Part, a cat does not include a cat less than 6 months old.

3.2 Prescribed premises

(1) This local law limits the number of cats that may be kept at prescribed premises within the district, except at —

(a) a cat management facility operated by a body prescribed as a cat management facility operator under the Cat Regulations 2012;

(b) a cat management facility operated by the local government; or

(c) a veterinary practice business or veterinary premises as defined under section 2 of the Veterinary Practice Act 2021.

3.3 Standard number of cats

(1) For the purposes of the definition of standard number of cats in regulation 4(1) of the Cat (Uniform Local Provisions) Regulations 2013, no more than 2 cats may be kept on prescribed premises.

(2) A person who keeps more than the standard number of cats on prescribed premises without approval commits an offence.

3.4 Application for additional cats

(1) Approval may be given to keep up to 2 additional cats, where the total number of cats kept on the prescribed premises will not exceed 4.

(2) An application for a permit to keep additional cats at prescribed premises must be —

(a) made in writing by an occupier of the premises in relation to those premises;

(b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises; and

(c) accompanied by the written consent of the owner of the premises where the occupier is not the owner.

3.5 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 3.4.

3.6 Factors relevant to the 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;

(b) the environmental sensitivity and general nature of the location surrounding the premises;

(c) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;

(d) any submissions received under subclause (2) within the time specified in subclause (2); and

(e) any other factor the local government considers relevant in the circumstances of the particular case.

(2) Before determining an application for a permit, the local government may —

(a) consult with nearby residents; or

(b) advise nearby residents that they may make submissions to the local government on the application within 14 days of receiving that advice.

(3) The local government may specify the extent of consultation with nearby residents under subclause (2)(a), and may specify which properties are to be consulted.

3.7 Decision on application

(1) The local government may —

(a) approve an application for a permit as submitted, subject to the conditions in clause 3.8 and any other conditions it sees fit;

(b) approve an application but specify an alternative number of cats permitted to be kept at the premises; or

(c) refuse to approve an application for a permit.

(2) If the local government approves an application under subclause (1), it must issue a permit to the applicant in the form determined by the CEO.

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

3.8 Conditions

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

(a) each cat kept on the premises to which the permit relates must comply with the requirements of the Act, the Cat Regulations 2012 and the Cat (Uniform Local Provisions) Regulations 2013; and

(b) without the consent of the local government, the permit holder must not substitute or replace a cat that is the subject of a permit once that cat —

(i) dies; or

(ii) is permanently removed from the premises.

(2) In addition to the conditions in subclause (1), a permit may be issued subject to any other conditions the local government considers appropriate.

3.9 Compliance with conditions of permit

A permit holder must comply with each condition of a permit.

3.10 Duration of a permit

Unless otherwise specified in a condition of a permit, a permit commences on the date of issue and expires —

(a) if it is revoked; or

(b) if the permit holder ceases to reside at the premises to which the permit relates.

3.11 Revocation

The local government may revoke a permit if the permit holder fails to observe a provision of this local law or a condition of a permit.

3.12 Permit not transferable

A permit is not transferable, either in relation to the permit holder or the premises.

3.13 Permit to be kept at premises and available for view

A permit issued by the local government must be kept at the premises to which it applies and produced to an authorised person on demand.

PART 4 — MISCELLANEOUS

4.1 Giving of a notice

(1) A notice given under this local law may be given to a person —

(a) personally;

(b) by postal mail addressed to the person; or

(c) by leaving it for the person at their address.

PART 5 — OBJECTIONS AND APPEALS

5.1 Objections and appeal rights

A person who is aggrieved by a condition imposed in relation to a permit, the revocation of a permit, or the refusal of the local government to grant a permit, may object or appeal against the decision under Division 1 of Part 9 of the Local Government Act 1995.

PART 6 — OFFENCES AND PENALTIES

6.1 Offences

(1) A 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) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding $5,000, being the maximum penalty permitted by section 84 of the Act, and, if the offence is of a continuing nature, to a further penalty not exceeding $500 for each day or part of a day during which the offence has continued.

6.2 Prescribed offences

(1) An offence against a provision of this local law is a prescribed offence for the purposes of section 62(1) of the Act.

(2) The amount appearing in the final column of Schedule 2, opposite an offence described in that Schedule, is the modified penalty for that offence.

6.3 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 in respect of an offence against this local law may be given under section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the Cat Regulations 2012.

(3) A notice given under section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the Cat Regulations 2012.

SCHEDULE 1 — FORMS

[Clause 2.1(2)]

Form 1 — Nuisance Complaint Form

TAKE NOTICE THAT a cat, believed to be a _____ (1), has created a nuisance by _____ (2). The cat is believed to belong to _____ (3) and is kept at _____ (4).

I, _____ (5), of _____, request the local government to institute proceedings if the nuisance does not stop, and undertake —

(a) to give full information to the local government as to this matter; and

(b) to appear in court and give evidence as a witness to the truth of this complaint.

DATED this _____ day of _____ 20____

_____

(to be signed by the complainant)

SCHEDULE 2 — PRESCRIBED OFFENCES AND MODIFIED PENALTIES

[Clause 6.2(2)]

Clause	Description	Modified Penalty
2.1(1)	Cat causing a nuisance	$250
2.1(4)	Failure to comply with a cat control notice	$250
2.2(1)	Cat not confined to premises without effective control	$250
2.2(2)	Cat in a place where absolutely prohibited	$250
2.3(1)	Release of a cat from a lawfully placed cat trap	$250
2.3(2)	Removal of, or damage to, a lawfully placed cat trap	$500
3.3(2)	Keeping more than the standard number of cats without a permit	$250
3.9	Failure to comply with a condition of a permit	$250

DECLARATION

Dated this _____ day of _____ 2027.

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

_____

JACKIE MCBURNEY, Shire President

_____

ANDREW DOVER, Chief Executive Officer

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

SHIRE OF PINGELLY
PUBLIC PLACES LOCAL LAW 2027

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Pingelly resolved on _____ to make the following local law.

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PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Public Places Local Law 2027.

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 following local laws are repealed—

(a) the Shire of Pingelly Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law, made 10 June 2003; and

(b) the Shire of Pingelly Local Government Property Local Law, made 10 June 2003.

1.5 Transitional provisions

(1) An application for, or the renewal of, a permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is to be dealt with and determined as if it were an application under this local law.

(2) A permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a permit under this local law and may be dealt with accordingly.

(3) A verge treatment which was installed prior to the commencement day, and which was a type of verge treatment permitted under, and complied with, the corresponding provisions of a repealed local law, is to be taken to be a permitted verge treatment for so long as it remains of the same type and continues to so comply.

(4) Where a sign erected in a public place has been erected under a repealed local law, it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1 or 2.2, and clause 2.6 does not apply to such a sign.

1.6 Terms used

In this local law unless the context otherwise requires—

Act means the Local Government Act 1995;

applicant means a person who applies for a permit;

application means an application for a permit;

authorised person means a person appointed by the CEO under section 9.10 of the Act to perform any of the functions of an authorised person under this local law, and includes the CEO;

carriageway has the meaning given to it in the Road Traffic Code 2000;

CEO means the Chief Executive Officer of the local government;

commencement day means the day on which this local law comes into operation;

Council means the council of the local government;

crossover means a crossing giving access from a public thoroughfare to—

(a) private land; or

(b) a private thoroughfare serving private land;

determination means a determination made under clause 2.1 or 2.2;

district means the district of the local government;

dwelling means a building, or portion of a building, used or intended to be used for human habitation as a self-contained residence, but does not include a caravan, tent or other structure not permanently fixed to the land;

entertainment means—

(a) the action of providing or being provided with amusement or enjoyment; or

(b) an event, performance, or activity designed to entertain others, and includes busking;

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes, in relation to any such animal, any class of animal or individual member, the eggs or larvae, or the carcass, skin, plumage or fur;

firework means a device such as a Catherine wheel, a roman candle, a rocket or the like, in which combustible materials are ignited and produce coloured smoke, flames and (sometimes) an explosion or loud noise;

flora means all vascular plants, seeds and other flora, whether living or dead;

footpath has the meaning given to it in the Road Traffic Code 2000;

function means an organised event or activity for which local government property is set aside, whether or not a fee is charged for admission;

garden means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;

intersection has the meaning given to it in the Road Traffic Code 2000;

kerb includes the edge of a carriageway;

lawn means any part of a thoroughfare which is planted only with grass or a similar plant, but includes any other plant provided that it has been planted by the local government;

licence means a permit issued under this local law;

liquor has the meaning given to it in section 3 of the Liquor Control Act 1988;

local government means the Shire of Pingelly;

local government property means anything, except a thoroughfare—

(a) which belongs to or is leased by the local government;
(b) of which the local government is the management body under the Land Administration Act 1997; or
(c) which is an otherwise unvested facility within section 3.53 of the Act;

lot has the meaning given to it in the Planning and Development Act 2005;

MRWA means Main Roads Western Australia;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which—

(a) is injurious or dangerous to the health or safety of another person of normal susceptibility; or
(b) has a disturbing effect on the state of reasonable physical, mental or social wellbeing of another person;

owner or occupier in relation to land, has the meaning given to it in section 1.4 of the Act, but does not include the local government;

parklet means a temporary or semi-permanent structure installed in a thoroughfare, generally within a former on-street parking bay, providing public seating, greenery or other similar amenity;

performance includes a speech, address, or spoken presentation to an audience, and busking;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

permitted performance area means an area designated under clause 2.1(2)(a), being an area in which performance is permitted without a permit;

permitted verge treatment means any one of the treatments described in clause 5.4, and includes any reticulation pipes and sprinklers;

person does not include the local government;

prohibited drug means a prohibited drug or a prohibited plant as those terms are defined in the Misuse of Drugs Act 1981;

protected flora and "threatened flora" have the meanings given to specially protected flora and threatened flora, respectively, in section 5(1) of the Biodiversity Conservation Act 2016;

public place means—

(a) a thoroughfare;
(b) any local government property; or
(c) any place to which the public have access;

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

repealed local law means a local law repealed under clause 1.4;

restricted local government property means local government property which, by its nature or by a sign erected by the local government, does not have public access, and includes—

(a) a building used as a residence and the whole of the land on which it is situated;
(b) a non-residential building occupied under an agreement with the local government and the whole or an identified portion of the land on which it is situated;
(c) land occupied under an agreement with the local government; and
(d) buildings or land restricted by the local government for municipal purposes to ensure public safety, or for community interest or benefit;

Roadside Conservation Committee means the Roadside Conservation Committee appointed by the responsible Minister;

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

smoke or smoking means to—

(a) smoke, hold or otherwise have control over an ignited tobacco product;
(b) light a tobacco product; or
(c) use an e-cigarette or other vaping device;

stall means a movable or temporarily fixed structure, stand, table or vehicle (including a food van or other mobile food business) in, on or from which trading is conducted;

street display means the display of goods for sale, associated with an abutting business, on a footpath or other public place;

thoroughfare has the meaning given to it in the Act;

townsite means the townsite of Pingelly constituted under section 26(2) of the Land Administration Act 1997;

trading means—

(a) the selling or hiring of, the offering for sale or hire of, or the soliciting of orders for, goods or services in a public place;
(b) displaying goods in a public place for the purpose of offering, inviting offers for, or soliciting orders for their sale or hire; and
(c) going from place to place offering goods or services for sale or hire;

UAV means an unmanned aircraft, other than a balloon or kite, and includes a drone;

vehicle includes every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise, and an animal being ridden or driven, but excludes a wheelchair or similar device designed for use by a physically impaired person, and a pram, stroller or similar device;

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

1.7 Interpretation

In this local law, a reference to local government property, or to a public place, includes a reference to any part of that local government property or public place.

1.8 Assistance animals

This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in section 9(2) of the Disability Discrimination Act 1992 (Commonwealth).

1.9 Exemption for the local government and its agents

This local law does not apply to the local government, or to a person acting on behalf of, or under the direction of, the local government, including an employee, contractor, volunteer or event organiser, in connection with an activity conducted by or on behalf of the local government.

1.10 Assignment of numbers

An authorised person may assign a number to a lot in the district and may assign another number to the lot instead of one previously assigned.

PART 2 — DETERMINATIONS IN RESPECT OF PUBLIC PLACES

2.1 Activities which may be pursued in a specified public place

(1) The Council may make a determination setting aside a specified public place, or a class of public place, as an area in which a person may pursue a specified activity or class of activity.

(2) Without limiting subclause (1), a determination under that subclause may, for example, set aside an area as one in which—

(a) a performance or busking activity is permitted without a permit, for the purposes of clause 6.2;

(b) a stall may be conducted, or trading carried on, without a permit, for the purposes of clause 6.4(1)(a); or

(c) a class of sign, or a sign in a specified location, is permitted without a permit, for the purposes of clause 6.1(10).

2.2 Activities which may be prohibited in a specified public place

The Council may make a determination prohibiting a person from pursuing a specified activity, or class of activity, in a specified public place, or class of public place.

2.3 Effect and conditions of a determination

(1) A determination under clause 2.1 or 2.2 is the only means by which the local government may permit an activity that would otherwise be prohibited under this local law, or prohibit an activity that would otherwise be permitted under this local law.

(2) A determination under clause 2.1 or 2.2 may specify the extent to which and the manner in which an activity may be pursued or is prohibited and, in particular—

(a) the days and times during which the activity may be pursued or is prohibited;

(b) that an activity may be pursued, or is prohibited, in a class of public place, a specified public place or all public places;

(c) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things; and

(d) may distinguish between different classes of the activity.

(3) The Council may make a determination as to any matter ancillary or necessary to give effect to a determination under clause 2.1 or 2.2.

2.4 Making a determination

(1) A determination is made by resolution of the Council. The local government may advertise its intention to make the determination before it is made, and the decision is not to be delegated by the Council.

(2) A determination has effect on and from the date it is made, or a later date specified in the determination.

2.5 Compliance with a determination

A person must comply with a determination, including any conditions specified in or under a determination.

2.6 Determinations to be recorded in a determination register

The local government is to record a determination, and any amendment or revocation of a determination made under clause 2.7, in a determination register maintained as part of a policy of the local government.

2.7 Amendment or revocation of a determination

(1) The Council may amend or revoke a determination made under clause 2.4.

(2) The provisions of clause 2.4 apply to an amendment of a determination as if the amendment were the making of a determination.

(3) If the Council revokes a determination, the determination ceases to have effect on the date the Council decides to revoke it, or a later date specified in the decision.

PART 3 — BEHAVIOUR IN PUBLIC PLACES

3.1 Application

In this Part, local government property includes any structure, facility or item constructed or owned by the local government which may be situated on land not under the local government's management.

DIVISION 1 — GENERAL CONDUCT

3.2 Behaviour which interferes with others

In or on any public place, a person must not behave in a manner which—

(a) is likely to interfere with the enjoyment of a person, including an employee, contractor or authorised person, who might use or who might be in the public place; or

(b) interferes with the enjoyment of a person, including an employee, contractor or authorised person, using the public place.

3.3 Behaviour detrimental to property

A person must not behave in a public place in a way which is or might be detrimental to the public place, including but not limited to—

(a) removing anything from the public place, including a rock, a plant or a seat provided for the use of any person; or

(b) destroying, defacing or damaging anything in the public place, including a plant, a seat provided for the use of any person, or a building or other structure.

(2) Subclause (1) does not apply to anything lawfully done by an owner or occupier in accordance with Part 5 in relation to a permitted verge treatment.

3.4 Taking or injuring fauna or flora

(1) A person must not, on or above any public place, unless authorised under a written law to do so—

(a) take, injure, kill or attempt to take, injure or kill any fauna; or

(b) remove, prune, damage or attempt to remove, prune or damage any flora.

(2) Subclause (1) does not apply to a person acting in accordance with the Biosecurity and Agriculture Management Act 2007 or the Shire of Pingelly Pest Plants Local Law, or to anything lawfully done by an owner or occupier in accordance with Part 5 in relation to a permitted verge treatment.

3.5 Threatening or abusive behaviour

A person must not, in a public place, engage in behaviour towards an employee, contractor, authorised person, or another person, which is threatening, abusive, intimidating, or which puts that person in fear for their safety.

3.6 Intoxicated persons and prohibited drugs

(1) A person must not enter or remain on local government property while under the influence of liquor or a prohibited drug, unless, in the case of liquor, the liquor is being consumed or possessed in accordance with the Liquor Control Act 1988, or under a permit issued under clause 6.9(1)(a).

(2) A person must not take a prohibited drug on to, or consume or use a prohibited drug on, local government property.

3.7 Smoking and vaping prohibited

A person must not smoke on any local government property that is a building, within 5 metres of the entrance to such a building, within 5 metres of a gate providing pedestrian entry to local government property, or within 10 metres of a children's playground.

DIVISION 2 — ACCESS AND USE OF PUBLIC PLACES

3.8 Restricted local government property

Nothing in this local law is to be construed as—

(a) permitting access to or activities by the public on restricted local government property without the express approval of the occupier or an authorised person, as applicable; or

(b) limiting the right of the occupier of restricted local government property to full use of that property for their private enjoyment as permitted by law or by agreement with the local government.

3.9 No unauthorised entry to function

(1) A person must not enter local government property on such days or during such times as the property is set aside for a function for which a charge for admission is authorised, except—

(a) through the proper entrance for that purpose; and

(b) on payment of any fee chargeable for admission at the time.

(2) An authorised person may exempt a person from compliance with subclause (1)(b).

3.10 Vehicles on local government property

(1) Unless authorised by a permit or determination, a person must not take or cause a vehicle to be taken onto or driven on local government property unless—

(a) the local government property is clearly designated as a road, access way, or car park;

(b) the vehicle is driven by a local government employee, authorised person, contractor, or lease or licence holder (or their staff), engaged in the course of providing a service to, or maintaining, or exercising rights over, the property; or

(c) the vehicle is a motorised wheelchair driven by a person with a disability.

(2) A person must not drive a vehicle on local government property at a speed exceeding 20 kilometres per hour, or as otherwise indicated by a sign, or in a manner as to cause danger to any person.

(3) A person must not park a vehicle on local government property that is designated as a car park otherwise than in accordance with any time limit, restriction on the class of vehicle or person, or other parking requirement specified by a sign or a policy of the local government.

3.11 UAVs

(1) A person must not use a UAV on or from local government property except in accordance with a determination or permit.

(2) A person must not use a UAV to overfly any public place during an emergency, or where an emergency vehicle is in attendance, without the specific approval of an authorised person.

DIVISION 3 — ENFORCEMENT AND ADMINISTRATION

3.12 Refusal of entry and removal

(1) If an authorised person reasonably suspects that a person is breaching, or has just breached, a provision of this local law or any other written law, an authorised person may—

(a) refuse to allow that person to enter local government property;

(b) if the person is on local government property, direct the person to leave; and

(c) specify a period of up to 30 calendar days within which the person is not to re-enter the local government property.

(2) A person who has been refused entry or directed to leave under subclause (1) must immediately leave the local government property quickly and peaceably.

(3) If a person fails to comply with subclause (2), an authorised person may remove the person, or arrange for the person to be removed, from the local government property.

(4) A person given a direction under subclause (1)(c) may apply in writing to the CEO for a review of that direction, and the CEO may confirm, vary or revoke it.

3.13 Signs in public places

(1) The local government may erect a sign in a public place specifying conditions for the use of that place.

(2) A sign under subclause (1) must not have an effect referred to in clause 2.3(1); a determination is the only means by which such an effect may be achieved.

(3) A person must comply with a sign erected under subclause (1).

3.14 Authorised person to be obeyed

A person in a public place must obey a lawful direction of an authorised person, and must not obstruct or hinder an authorised person in the exercise of their duties.

3.15 Disposal of unclaimed property

(1) An article left on local government property which is not claimed within 3 days may be disposed of by the local government in any manner it considers appropriate.

(2) Subclause (1) does not apply to a vehicle, animal or other goods removed or impounded under Part 3, Division 3, Subdivision 4 of the Local Government Act 1995, which are to be dealt with in accordance with that Subdivision.

3.16 Request for identification

(1) Where an authorised person reasonably believes that a person is committing, or has committed, a breach of this local law, the authorised person may request the person to state their name, place of residence and date of birth and, where reasonably available, to produce evidence of their identity.

(2) A person must not, without lawful excuse—

(a) fail to comply with a request made under subclause (1); or

(b) in response to a request made under subclause (1), give information that is false or misleading in a material particular.

(3) This clause does not confer a power of arrest, and is in addition to, and does not limit, section 9.11 of the Act.

PART 4 — MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

4.1 When entry to pool area may be refused

(1) An authorised person may refuse admission to a pool area to a person who, in their opinion—

(a) is suffering from a contagious, infectious or cutaneous disease or complaint, or is in an unclean condition;

(b) is behaving in a manner contrary to clause 3.2; or

(c) is under the influence of liquor or a prohibited drug;

(d) is an unaccompanied child under the age of 10 years; or

(e) does not comply with a sign specifying an age, supervision or other requirement for the pool area.

(2) If a person referred to in subclause (1) is in a pool area, an authorised person may direct the person to leave and, if the person refuses or fails to leave, remove the person or arrange for the person to be removed.

4.2 Compliance with signage designating use of toilet block or change room

(1) Where a sign on a toilet block, change room or similar facility designates that the facility, or a specified entry to it, is for use by a specified purpose or user group, a person must not use that facility, or that entry, other than in accordance with the sign.

(2) Without limiting subclause (1), a sign may designate an entry for use by families, in which case only an immediate member of that family, a guardian, or a caregiver may use that entry.

(3) Subclause (1) does not prevent a child under the age of 8 years, or a person with a disability or special need, from being accompanied, at any entry, by a parent, guardian, caregiver or carer.

4.3 No entry to fenced, closed or after-hours property

A person must not enter or remain on local government property which has been fenced off or closed to the public, or which is outside its hours of operation as specified by a sign or determination, unless authorised to do so by an authorised person.

PART 5 — ACTIVITIES IN THOROUGHFARES

DIVISION 1 — GENERAL

5.1 General prohibitions

A person must not—

(a) plant, or allow to remain, in a thoroughfare a plant that is or may become an obstruction to a reasonable sight line for a driver of any vehicle using the thoroughfare;

(b) damage, destroy, or remove a tree planted or maintained by the local government in a thoroughfare, other than in accordance with clause 5.5 or with the approval of the local government;

(c) damage a lawn or a garden, or remove any plant or part of a plant from a lawn or a garden, in a thoroughfare unless the person is the owner or occupier of the lot abutting that portion of the thoroughfare and the lawn, garden or plant has not been installed or planted by the local government, or the person is acting under the authority of a written law;

(d) place, or allow to be placed or remain, on a thoroughfare anything (except water) that obstructs the thoroughfare or results in a hazard for any person using it;

(e) unless at the direction of an authorised person, damage, remove or interfere with any part of a thoroughfare, or any structure erected on a thoroughfare, by the local government or a person acting under the authority of a written law;

(f) interfere with or modify a drainage system in a thoroughfare, including a drain, culvert, table drain or soakwell, without the approval of the local government;

(g) play or participate in any game or sport so as to cause danger to any person or thing, or unreasonably impede the movement of vehicles or persons on a thoroughfare;

(h) light any fire or burn anything on a thoroughfare, other than in a stove or fireplace provided for that purpose; or

(i) without a permit, dig or otherwise create a trench through or under a kerb or footpath, or interfere with the soil of a thoroughfare, or take or remove sand, soil, gravel, rocks or other material from a thoroughfare, including a verge; or

(j) interfere with any utility service, conduit, pipe, pit or other infrastructure of a service provider, including a telecommunications, electricity, gas or water infrastructure provider, located in a public place, unless authorised under a written law to do so.

5.2 No driving on closed thoroughfare

A person must not drive or take a vehicle on a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act unless it is in accordance with any limit or exception specified in the closure order, or the person has first obtained a permit.

5.3 Power to carry out public works on verge

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

(a) is not liable to compensate any person for that disturbance;

(b) may backfill with sand, if necessary, any garden or lawn; and

(c) is not liable to replace or restore any verge treatment, plant, hard surface, sprinklers, pipes or other reticulation equipment.

DIVISION 2 — VERGE TREATMENTS

5.4 Permitted verge treatments

(1) An owner or occupier of land which abuts a verge may install a permitted verge treatment on that part of the verge directly in front of the land.

(2) A permitted verge treatment is—

(a) the planting and maintenance of a lawn;

(b) the planting and maintenance of a garden, provided that clear sight visibility is maintained for a person using the abutting thoroughfare or a driveway near an intersection or bend, and, where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2 metres along the verge adjacent to the kerb; or

(c) any other verge treatment, including a hard surface, gravel, paving or synthetic material, provided it complies with the obligations in clause 5.5; or

(d) any treatment carried out in accordance with a policy of the local government relating to verge treatments.

(3) The owner and occupier of a lot abutting a verge treatment are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 5.5.

5.5 Obligations of owner or occupier

An owner or occupier who installs or maintains a permitted verge treatment must—

(a) keep the verge treatment in a good and tidy condition;

(b) keep the verge treatment free of weeds, and not include a species of plant that is invasive or declared under the Biosecurity and Agriculture Management Act 2007;

(c) ensure a footpath on the verge and a carriageway adjoining the verge is not obstructed by the treatment;

(d) ensure clear sight visibility is maintained for a person using the abutting thoroughfare or a driveway near an intersection or bend;

(e) not place any obstruction on or around the verge treatment or disturb a footpath on the verge;

(f) ensure the verge treatment does not damage or obstruct a drain, manhole, gully, inspection pit, channel, kerb, service pit or tree planted by the local government; and

(g) ensure any sprinklers or pipes do not protrude above the level of the verge treatment when not in use, are not used so as to cause unreasonable inconvenience to pedestrians, and do not otherwise present a hazard.

5.6 Removal of verge treatment

The local government may, at its discretion, remove or require the removal of a verge treatment that does not comply with clause 5.4 or 5.5, or that the local government considers it necessary to remove for the purpose of works, maintenance, or public safety, and is not liable to compensate any person for doing so.

5.7 Roadside memorials

(1) A person must not erect, place or maintain a memorial on a thoroughfare except with the approval of the local government and in accordance with a policy of the local government relating to roadside memorials, unless a policy of the local government specifies that approval is not required.

(2) The local government may remove a memorial that is not approved under subclause (1), or that does not comply with a policy referred to in that subclause.

DIVISION 3 — VEHICLE CROSSOVERS

5.8 Temporary crossovers

Where building, construction, demolition or similar works on a lot will involve heavy vehicles or machinery leaving a thoroughfare and entering the lot on a temporary basis, and a crossover does not exist, or exists but is likely to be damaged by the weight or frequency of those vehicles or machinery, the person responsible for the works may, without a permit, construct a temporary crossover, provided the crossover—

(a) protects the existing carriageway, kerb, drains and footpath;

(b) does not obstruct a reasonable sight line for a driver of any vehicle, or for a pedestrian, using the thoroughfare;

(c) is kept in good repair, and in a condition that does not create danger or obstruction to persons using the thoroughfare, for as long as it remains in place; and

(d) is removed, and the kerb, drain, footpath and verge affected are reinstated to the satisfaction of an authorised person, once the works are complete.

(2) A person who wishes to construct a temporary crossover otherwise than in accordance with subclause (1) must obtain a permit under clause 6.10(1)(f).

5.9 Permanent crossovers

(1) A person may, without a permit, construct a permanent crossover servicing a single residential dwelling, not exceeding 6 metres in width, provided the crossover—

(a) protects, and does not damage or obstruct, a drain, manhole, gully, inspection pit, channel, kerb, service pit or tree planted by the local government;

(b) does not obstruct a reasonable sight line for a driver of any vehicle, or for a pedestrian, using the thoroughfare; and

(c) is constructed in accordance with a specification approved by the local government.

(2) A person who wishes to construct a permanent crossover exceeding 6 metres in width, servicing more than a single residential dwelling, or otherwise than in accordance with subclause (1), must obtain a permit under clause 6.10(1)(f).

5.10 Removal of redundant crossover

Where works on a lot will result in a crossover no longer giving access to the lot, the crossover is to be removed, and the kerb, drain, footpath and verge affected are to be reinstated, to the satisfaction of an authorised person, within the period specified in a notice given to the owner or occupier.

5.11 Crossovers in unsafe or duplicate locations

(1) Where a crossover is in an unsafe location, or is a duplicate crossover no longer reasonably required for access to the lot, the local government may give notice to the owner or occupier to remove the crossover or make it safe.

(2) In determining whether a crossover is in an unsafe location, the local government is to have regard to any guidelines published by Main Roads Western Australia, the usage of the thoroughfare, and alternative treatments available to make the crossover safe.

DIVISION 4 — VERGE STORAGE

5.12 Bulk waste collection

(1) The local government may make available a bulk waste trailer, skip or container for use by residents on a rostered basis, to be delivered to and collected from a verge by the local government's employees or contractors.

(2) A person who wishes to use the service under subclause (1) may apply to the local government to be added to the roster.

(3) A bulk waste trailer, skip or container placed on a verge under subclause (1) does not require a permit under this local law, provided it—

(a) remains on the verge only for the period rostered by the local government;

(b) does not obstruct a footpath, or a reasonable sight line for a driver of any vehicle using the thoroughfare; and

(c) where there is no footpath, is set back at least 2 metres from the kerb.

(4) A person who wishes to place a bulk container, skip or bulk rubbish bin on a verge otherwise than under the local government's service under subclause (1) must obtain a permit.

DIVISION 5 — ANIMALS

5.13 Obstructing animal or vehicle in a public place

(1) A person must not leave an animal, or a vehicle or part of a vehicle, in a public place so that it obstructs the use of that public place, unless the person has first obtained a permit or is otherwise authorised to do so under a written law.

(2) A person does not contravene subclause (1) where—

(a) the animal is secured or tethered for a period not exceeding 1 hour; or

(b) the vehicle is left for a period not exceeding 24 hours.

5.14 Prohibitions relating to animals on thoroughfares

(1) In this clause, owner, in relation to an animal, includes a person in possession of it, a person who has control of it, and a person who ordinarily occupies the premises where the animal is kept.

(2) An owner of an animal must not—

(a) allow the animal to enter or remain on a thoroughfare, except for the use of the thoroughfare as a thoroughfare and while it is led, ridden or driven;

(b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place; or

(c) train or race the animal on a thoroughfare.

(3) An owner of a horse must not lead, ride or drive the horse on a thoroughfare within the townsite so as to damage a footpath or any other part of the thoroughfare.

5.15 Fencing of public place

A public place, as defined in clause 1.6, is specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act.

DIVISION 6 — FLORA ROADS

5.16 Declaration of flora road

The Council may, by determination, declare a thoroughfare, other than within the townsite, which has, in its opinion, high quality roadside vegetation, to be a flora road.

5.17 Construction works on flora roads

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

5.18 Signposting of flora roads

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

5.19 Driving only on carriageway of flora roads

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

(2) Subclause (1) does not apply where conditions on the thoroughfare do not reasonably permit a vehicle to remain on the carriageway, there is no carriageway, or an exemption has been obtained from the local government.

PART 6 — ACTIVITIES REQUIRING A PERMIT

DIVISION 1 — ACTIVITIES PERMITTED WITHOUT A PERMIT

6.1 Signs permitted without a permit

(1) A person may, without a permit, place one sign (a minor sign) at the frontage of the business or premises to which the sign relates, provided the minor sign—

(a) does not exceed 1,000 millimetres in height nor 0.8 square metres in area on any side, and does not have more than 2 sides (an A-frame sign);

(b) does not obstruct a footpath, and leaves a minimum unobstructed pedestrian path of 1,200 millimetres between the sign and the kerb, or the edge of the carriageway where there is no kerb;

(c) is not illuminated and does not incorporate reflective or fluorescent materials;

(d) is removed each day at the close of business and not re-erected until the business next opens for trading; and

(e) is secured so as not to be readily moved by wind, and is maintained in good condition.

(2) This clause, and clause 6.7, do not apply to a sign affixed flush to the facade of a building, which is regulated under the local planning scheme.

(3) A person may, without a permit, suspend a sign beneath a verandah attached to the business or premises to which the sign relates, provided the sign—

(a) does not exceed 0.4 square metres in area on any side;

(b) provides a minimum clearance of 2,500 millimetres between the underside of the sign and the footpath; and

(c) is maintained in good condition, and is not illuminated other than by ambient lighting.

(4) A person who wishes to display more than one sign per building or business, or a sign that does not meet the conditions in subclause (1) or (3), must obtain a permit under clause 6.7.

(5) A person may, without a permit, display 2 real estate signs advertising land or premises for sale, lease or valuation, on the land or premises to which the sign relates, provided the signs are removed within 7 days of the sale, lease or valuation being finalised.

(6) A person may, without a permit, display 2 open house signs directing persons to a property open for inspection, provided each sign—

(a) does not exceed 0.5 square metres in area;

(b) is displayed only during the hours of the open inspection, and is removed at the conclusion of the inspection; and

(c) does not obstruct a footpath, or a reasonable sight line for a driver of any vehicle using the thoroughfare.

(7) A person may, without a permit, display up to 4 garage sale signs directing persons to a garage sale conducted on private property, provided each sign—

(a) does not exceed 0.5 square metres in area;

(b) is displayed only on the day before, and the day or days, of the garage sale, and is removed by the end of the last such day; and

(c) does not obstruct a footpath, or a reasonable sight line for a driver of any vehicle using the thoroughfare.

(8) This clause does not apply to a notice of a community, charitable or not-for-profit nature displayed on a noticeboard designated by the local government for that purpose.

(9) A person may, without a permit, erect or place a portable direction sign to direct attention to a place, activity or event, provided each sign—

(a) does not exceed 500 millimetres in height nor 0.75 square metres in area;

(b) is displayed only during the hours of that place, activity or event, and is removed at the conclusion of those hours; and

(c) does not obstruct a footpath, or a reasonable sight line for a driver of any vehicle using the thoroughfare.

(10) A person may, without a permit, display a sign of a class, or in a location, approved by a determination made under clause 2.1(2)(c), subject to any condition specified in that determination.

(11) A club or organisation conducting activities at an oval or other sporting facility under a permit, or a written agreement with the local government, may display a sponsorship sign, whether facing outward or facing internally within the facility, without a further permit, provided the sign—

(a) relates to a sponsor of the club or organisation;

(b) is affixed to existing fencing or an existing structure, and does not involve the erection of a new freestanding structure; and

(c) is maintained in good condition by the club or organisation.

(12) This clause does not apply to a sign displayed as part of a function or entertainment event for which a permit has been granted under clause 6.4(1)(d), provided the sign is displayed in accordance with any condition of that permit relating to signage.

6.2 Performance permitted without a permit

(1) A person may perform in a public place without a permit if the performance—

(a) takes place within a permitted performance area;

(b) does not involve amplified sound, other than a battery-operated amplifier not exceeding a reasonable volume having regard to the location;

(c) does not obstruct pedestrian or vehicle access, or the frontage of any business;

(d) is not conducted for a continuous period exceeding 2 hours at the one location without moving to another location within the permitted performance area, or without the prior agreement of an authorised person; and

(e) does not involve the use of fire, blades, or other dangerous materials or implements,

unless the sign designating the permitted performance area specifies a condition to the contrary, in which case that condition applies instead.

(2) A person who wishes to perform outside a permitted performance area, or otherwise than in accordance with subclause (1), must obtain a permit under clause 6.4(1)(d).

(3) If an authorised person reasonably believes that a performance under this clause is causing a nuisance, or is not being conducted in accordance with subclause (1), the authorised person may direct the person performing to cease, or to move to another location, and that person must comply with the direction.

DIVISION 2 — ACTIVITIES REQUIRING A PERMIT

6.3 General exemptions from permit requirements

(1) An authorised person may, on the application of a person, exempt that person from compliance with a provision of clauses 6.4 to 6.10, other than clause 6.6(2) (release of balloons).

(2) Clauses 6.4 to 6.10 do not apply to a person who uses or occupies local government property under a written agreement with the local government for that purpose, to the extent that the activity is authorised under that agreement.

DIVISION 3 — EVENTS, STALLS AND DISPLAYS

6.4 Events, stalls and displays needing a permit

(1) Subject to clauses 2.1, 6.1 and 6.2, a person must not, without a permit—

(a) conduct a stall or carry on trading in a public place;

(b) conduct or set up a market in a public place;

(c) erect a structure for public amusement or for any performance, whether for gain or otherwise, in a public place;

(d) conduct a function or entertainment event in a public place, other than a performance under clause 6.2;
(e) establish or conduct an outdoor eating facility;
(f) establish or conduct a street display of goods for sale on a footpath directly in front of the business to which the goods relate; or
(g) install or maintain a parklet in a thoroughfare.

(2) A person is not required to obtain a permit under subclause (1)(a) to sell, or offer for sale, a newspaper only.

(3) Subclause (1)(d) does not apply to—
(a) a wedding, funeral, or private family occasion; or
(b) any other function or entertainment event that is not open to the public by general invitation and is attended by fewer than 50 people.

(4) Subclause (1)(e) and (f) do not apply to an outdoor eating facility or a street display that—
(a) is conducted as an extension of, and directly abuts, the business to which it relates;
(b) does not extend more than 2 metres from the frontage of that business;
(c) maintains a clear and safe pedestrian path of at least 1.5 metres along the footpath;
(d) does not obstruct a reasonable sight line for a driver of any vehicle, or for a pedestrian, using the thoroughfare; and
(e) is removed, or its furniture and goods stored, at the close of business each day.

(5) Subclause (1)(a) does not apply to a person conducting a stall or trading within an area designated under clause 2.1(2)(b), in accordance with any conditions specified in the determination designating that area, and with clause 6.5.

(6) This clause, and clause 6.6, 6.7, 6.8, 6.9 or 6.10 as applicable, do not apply to an activity conducted as part of a function or entertainment event for which a permit has been granted under subclause (1)(d), other than an activity referred to in clause 6.10(1)(b), (c), (d) or (e), provided the activity is conducted in accordance with clause 6.5 (where applicable) and any condition of that permit relating to the activity.

6.5 Conduct of stallholders and traders

A stallholder or trader must—
(a) display the permit in a conspicuous place on the stall, vehicle or structure or, if there is none, carry the permit while trading;
(b) when selling goods by weight, carry and use scales tested and certified in accordance with the National Measurement Act 1960 of the Commonwealth;
(c) not deposit or store anything on a thoroughfare so as to obstruct pedestrians or vehicles; and
(d) not act in an offensive manner or create a nuisance.

DIVISION 4 — DISPLAYS, SIGNAGE AND OTHER REGULATED USES

6.6 Public displays and effects requiring a permit

(1) A person must not, without a permit—
(a) film or make a recording, by any means or device (including a UAV), as part of or for commercial gain, in a public place;
(b) light or set off any fireworks, or conduct a fireworks display, in a public place; or
(c) erect, install, operate or use any broadcasting equipment, public address system, loudspeaker or sound amplification device in a public place.

(2) A person must not, without a permit, release, or cause to be released, 20 or more gas-inflated balloons at or about the same time in a public place.

6.7 Signage requiring a permit

A person must not, without a permit, erect, place or display a sign on local government property or a thoroughfare, other than a minor sign under clause 6.1.

6.8 Property, vehicle and business use requiring a permit

(1) A person must not, without a permit—
(a) hire local government property or use it for a profit purpose;

(b) drive, ride or take a vehicle onto, or park or stop a vehicle on, local government property otherwise than in accordance with clause 3.10; or

(c) teach, coach or train any person, for profit, in a public place.

6.9 Liquor and camping

(1) A person must not, without a permit—

(a) consume, or have in possession or control, any liquor in a public place, unless the liquor is consumed or possessed in accordance with the Liquor Control Act 1988, or the liquor is in a sealed container; or

(b) camp, lodge, or occupy any structure (including a tent, caravan or vehicle) at night for the purpose of sleeping in a public place, other than at a facility operated by the local government.

(2) For the purposes of subclause (1)(b), a person occupies a tent, caravan or vehicle for the purpose of sleeping if it is used for that purpose at any time between sunset and sunrise.

6.10 Works and infrastructure requiring a permit

(1) A person must not, without a permit—

(a) plant any plant or sow any seeds in a public place, other than a permitted verge treatment installed in accordance with clause 5.4;

(b) erect a building, refuelling site or permanent structure on local government property or within a thoroughfare;

(c) make an excavation on, or erect or remove a fence on, local government property;

(d) erect or install any structure above or below ground in a public place for the purpose of supplying water, power, sewer, communication or a similar service;

(e) depasture a horse, sheep, cattle, goat, camel, ass, mule, pig or other grazing animal in a public place; or

(f) construct a temporary or permanent crossover otherwise than in accordance with clause 5.8 or 5.9, as applicable.

DIVISION 5 — OUTDOOR EATING FACILITIES, STREET DISPLAYS AND PARKLETS

6.11 Matters considered in determining application for outdoor eating facility or street display

In addition to clause 7.2, in determining an application for a permit to conduct an outdoor eating facility or a street display, the local government may consider—

(a) whether the facility or display is conducted as an extension of a business which abuts it, and, in the case of an outdoor eating facility, whether that business is registered under the Food Act 2008;

(b) whether users will have access to proper and sufficient sanitary facilities;

(c) whether the facility or display would obstruct visibility or sightlines at an intersection, or impede pedestrian access;

(d) the type, appearance and structural integrity of the tables, chairs, furniture, shelving or other equipment to be used, and whether it may obstruct the use of the public place for the purpose for which it was designed; and

(e) where alcohol is to be served or consumed at the facility, whether the applicant holds, or has applied for, a licence or permit required under the Liquor Control Act 1988 for that purpose.

6.12 Obligations of licence holder for outdoor eating facility or street display

The permit holder for an outdoor eating facility or a street display must—

(a) ensure the facility or display is conducted in accordance with this local law and any applicable health or liquor licensing legislation;

(b) keep the eating area, display, chairs, tables and other equipment in a clean, tidy and serviceable condition at all times; and

(c) be solely responsible for the costs of removing, repairing or reinstating any part of the public place arising from the conduct of the facility or display.

6.13 Requirements for parklets

A permit must not be granted under clause 6.4(1)(g) for a parklet unless the parklet—

(a) is set back from the edge of the carriageway by a distance the local government considers sufficient, having regard to the speed and volume of traffic;

(b) is protected from vehicles by a barrier, bollards or other physical protection approved by the local government;
(c) does not obstruct a reasonable sight line for a driver of a vehicle, or for a pedestrian, using the thoroughfare;
(d) is certified by a suitably qualified person as structurally sound and safe for its intended use; and
(e) is to be maintained by the permit holder in a safe and tidy condition for the duration of the permit.

DIVISION 6 — SHOPPING TROLLEYS

6.14 Shopping trolley to be marked

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

6.15 Person not to leave trolley in public place

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

6.16 Retailer to remove abandoned trolley

(1) If a shopping trolley is found in a public place other than an area set aside for storage, the local government may advise the retailer whose name is marked on the trolley of its location.

(2) A retailer must remove a shopping trolley within 24 hours of being so advised, unless the retailer requests the local government to collect and deliver it and pays any applicable fee.

6.17 Impounding of abandoned trolley

A shopping trolley that is not marked in accordance with clause 6.14, or not removed by a retailer after being advised under clause 6.16, may be removed, impounded or disposed of in accordance with Subdivision 4 of Division 3 of Part 3 of the Act and regulation 29 of the Regulations.

DIVISION 7 — SIGNS

6.18 Absolute restrictions on signs requiring a permit

A permit must not be granted under clause 6.7 for a sign to be erected, placed or displayed—

(a) on a footpath, in a manner that does not leave a minimum unobstructed pedestrian path of 1,200 millimetres between the sign and the kerb, or the edge of the carriageway where there is no kerb;
(b) over a footpath where the resulting vertical clearance would be less than 2,500 millimetres;
(c) on or within 3 metres of a carriageway;
(d) on a natural feature, including a rock or tree, on a thoroughfare, or on a bridge or its structural approaches;
(e) advertising a forthcoming Commonwealth, State or local government election; or
(f) in any other location where the local government reasonably considers the sign is likely to obstruct a reasonable sight line along a thoroughfare or cause danger to a person using the thoroughfare.

DIVISION 8 — MOBILE FOOD BUSINESSES

6.19 Matters considered in determining application for a mobile food business

(1) In addition to clause 7.2, in determining an application for a permit for a mobile food business (including a food van, or a mobile fish, fruit or vegetable van), the local government may consider—

(a) traffic and pedestrian safety impacts arising from the location and manner of operation;
(b) the availability of parking in the vicinity;
(c) the cumulative impact of mobile food businesses already operating at or near the proposed location;
(d) impacts on the amenity of nearby residents; and
(e) whether the business will operate within 400 metres of a fixed business selling substantially similar goods, while that fixed business is open for trading.

(2) The local government may impose, as a condition of a permit for a mobile food business, a fee that reflects the business's use of local government infrastructure and public places, having regard to the rates and other charges payable in respect of premises used by a fixed business in the district.

(3) The local government may limit the number of permits granted for mobile food businesses to operate at a specified location or time.

PART 7 — PERMITS

DIVISION 1 — APPLYING FOR A PERMIT

7.1 Application for permit

(1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).

(2) An application for a permit must—

(a) be in the form determined by the local government;

(b) be signed by the applicant;

(c) provide the information required by the form; and

(d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

(3) The local government may require an applicant to provide additional information reasonably related to an application before determining it.

(4) The local government may refuse to consider an application which is not in accordance with subclause (2).

7.2 Decision on application for permit

(1) The local government, acting reasonably and having regard to the objectives of this local law, may—

(a) approve an application for a permit unconditionally or subject to conditions; or

(b) refuse to approve an application, including on any of the following grounds—

(i) that within the preceding 5 years the applicant has committed a breach of any provision of this local law or a condition of a previous permit;

(ii) that the applicant has demonstrated a pattern of non-compliance with a permit, this local law, or another written law relating to the activity for which the permit is sought, whether or not that non-compliance resulted in a conviction or modified penalty;

(iii) that the activity is not, in the opinion of the local government, appropriate for the local government property or thoroughfare concerned; or

(iv) such other grounds as the local government considers relevant.

(2) If the local government approves an application, it is to issue the applicant a permit in the form determined by the local government.

(3) If the local government refuses to approve an application, it is to give written notice of the refusal, and the reasons for it, to the applicant.

DIVISION 2 — CONDITIONS

7.3 Conditions which may be imposed on a permit

Without limiting clause 7.2(1)(a), the local government may approve an application for a permit subject to conditions relating to—

(a) the payment of a fee, and the payment of a deposit or bond against damage to a public place;

(b) the duration and commencement of the permit;

(c) the area of the district, or the thoroughfare or property, to which the permit applies;

(d) the days and hours during which the permit holder may conduct the activity;

(e) compliance with a standard or policy of the local government;

(f) the rectification of any circumstance reasonably related to the application;

(g) restrictions on noise, amplification, or lighting;

(h) the preparation of a plan, or the provision of a certification, approval or accreditation, that the local government reasonably requires having regard to the nature, scale or location of the activity — for example, in relation to traffic, risk or emergency management, the structural safety of a temporary structure, the expected attendance or capacity of an event, or a commercial UAV operation;

(i) the obtaining of public liability insurance in an amount, and on terms, reasonably required by the local government, and not less than any minimum amount specified by a policy of the local government; and

(j) the provision of an indemnity from the permit holder in respect of any injury or damage that may occur in connection with the activity.

7.4 Compliance with and variation of conditions

(1) Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions.

(2) The local government may vary the conditions of a permit by written notice to the permit holder, and the permit holder must comply with those conditions as varied.

(3) Where a bond has been paid as a condition of a permit, the local government may apply the bond towards the cost of rectifying any damage to a public place arising from the permitted activity.

DIVISION 3 — GENERAL

7.5 Duration of permit

A permit is valid for one year from the date on which it is issued, unless otherwise stated in this local law or in the permit, or cancelled under clause 7.9.

7.6 Renewal of permit

A permit holder may apply in writing prior to expiry of a permit for its renewal, and the provisions of this Part apply to such an application as though it were an application for a permit.

7.7 Transfer of permit

(1) An application for the transfer of a valid permit is to be made in writing, signed by the permit holder and the proposed transferee, and forwarded to the CEO together with any applicable fee.

(2) The local government may approve an application for the transfer of a permit, refuse to approve it, or approve it subject to conditions.

7.8 Production of permit

A permit holder must produce their permit to an authorised person immediately upon being required to do so or, if the permit is not available at that time, within 24 hours at the offices of the local government.

7.9 Cancellation of permit

(1) Subject to clause 9.1, a permit may be cancelled by the local government if the permit holder—

(a) has not complied with a condition of the permit or a provision of this local law relating to the activity regulated by the permit;

(b) has been convicted of an offence against this local law; or

(c) conducts the activity in a manner which the local government reasonably considers constitutes an unacceptable risk to public health, safety or amenity.

(2) On the cancellation of a permit, the permit holder must return the permit as soon as practicable to the local government, and is to be taken to have forfeited any fees paid in respect of it.

7.10 Waiver of fee for certain activities

(1) In this clause—

charitable organisation means an institution, association, club, society or body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or similar nature, and from which no member receives a pecuniary profit, except as an employee or by way of honorarium.

(2) The local government may waive or refund a fee otherwise payable for a permit under clause 6.4(1)(a) where the stall or trading is conducted—

(a) on a portion of a public place adjoining the applicant's own normal place of business; or

(b) by a charitable organisation, provided no part of the activity is conducted for personal gain or profit by any individual involved.

7.11 General responsibilities of permit holder

A permit holder must, in respect of the local government property or thoroughfare to which the permit relates—

(a) ensure that an authorised person has unobstructed access to the property for the purpose of inspecting it or enforcing this local law;
(b) leave the property in a clean and tidy condition after use;
(c) report any damage to, or defacement of, the property to the local government; and
(d) not permit the consumption of liquor on the property, unless the permit allows it and any licence required under the Liquor Control Act 1988 has been obtained.

PART 8 — NOTICES

8.1 Notice to remedy non-compliance

Where anything is required to be done, or is not permitted to be done, by this local law and is not done or is done in contravention of this local law, an authorised person may give written notice to the owner or occupier of the property concerned, or to any other person responsible, requiring the person to remedy the non-compliance within the time specified in the notice.

This clause does not limit the local government's power to give a notice under section 3.25 of the Local Government Act 1995 in respect of a matter prescribed in Schedule 3.1 to that Act, which remains available as an alternative to this clause.

8.2 Notice regarding damage

(1) Where a person unlawfully damages a thoroughfare or local government property, the local government may give written notice to that person requiring them, within the time specified, to at the option of the local government, pay the cost of reinstating the property or thing to the state it was in prior to the damage, or replacing it.

(2) Unless there is proof to the contrary, a person is to be taken to have damaged local government property or a thoroughfare where a vehicle caused the damage and the person was responsible for the control of the vehicle at the time, or the damage occurred under a permit and the person is the permit holder.

8.3 Offence to fail to comply with notice

A person who fails to comply with a notice given under this local law commits an offence.

8.4 Local government may undertake requirements of notice

Where a person fails to comply with a notice given under this local law, the local government may do the thing specified in the notice and recover the costs incurred, as a debt, from the person to whom the notice was given.

PART 9 — OBJECTIONS AND REVIEW

9.1 Application of Division 1, Part 9 of the Act

When the local government makes a decision as to whether it will grant, renew, vary or cancel a permit or consent under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

PART 10 — OFFENCES AND PENALTIES

10.1 Offences and general penalty

(1) A 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) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding $10,000 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.

10.2 Prescribed offences

(1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

10.3 Form of infringement notices

For the purposes of this local law, the forms referred to in sections 9.13, 9.16 and 9.20 of the Act are those of Forms 1, 2 and 3 respectively in Schedule 1 of the Regulations.

10.4 Evidence of a determination

(1) In any legal proceedings, evidence of a determination may be given by tendering the determination register referred to in clause 2.6 or a certified copy of an extract from the register.

(2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.

SCHEDULE 1 — PRESCRIBED OFFENCES

[clause 10.2]

Clause	Description	Modified Penalty
2.5	Failure to comply with a determination	$500
3.2	Behaviour which interferes with others	$500
3.3	Behaviour detrimental to property	$500
3.4	Taking or injuring fauna or flora	$500
3.5	Threatening or abusive behaviour towards staff or another person	$1,000
3.6(1)	Under the influence of liquor or a prohibited drug	$500
3.6(2)	Possession or use of a prohibited drug	$500
3.7	Smoking or vaping in a prohibited area	$300
3.9(1)	Unauthorised entry to function	$300
3.10(1)	Unauthorised vehicle on local government property	$300
3.10(2)	Exceeding speed limit on local government property	$500
3.10(3)	Failure to comply with parking time limit or requirement	$100
3.11(1)	Unauthorised use of a UAV	$300
3.11(2)	Unauthorised overflight of a public place by a UAV during an emergency	$1,000
3.12(2)	Failure to leave when directed	$500
3.13(3)	Failure to comply with a sign	$500
3.14	Failure to obey, or obstruction of, an authorised person	$1,000
3.16(2)	Failure to identify, or giving false or misleading identification, to an authorised person	$1,000
4.2(1)	Non-compliance with signage designating use of toilet block or change room	$200
4.3	Unauthorised entry to fenced, closed or after-hours local government property	$200
5.1	Contravention of a general prohibition in a thoroughfare	$200
5.1(b)	Damaging, destroying or removing a street tree	$1,000
5.2	Driving or taking a vehicle on a closed thoroughfare	$500
5.5	Failure to comply with obligations for a verge treatment	$200
5.7(1)	Unauthorised roadside memorial	$200
5.8	Failure to comply with conditions for a temporary crossover	$200
5.9	Failure to comply with conditions for a permanent crossover	$200
5.12(4)	Non-compliant bulk container, skip or bin on verge without a permit	$200

5.13(1)	Obstructing animal or vehicle in a public place	$200
5.14(2)	Animal on a thoroughfare not led, ridden or driven, diseased, or being trained or raced	$200
5.14(3)	Horse damaging a footpath or thoroughfare within the townsite	$200
5.19(1)	Driving other than on the carriageway of a flora road	$500
6.1	Non-compliant sign displayed without a permit	$300
6.2(1)	Non-compliant performance without a permit	$300
6.2(3)	Failure to comply with a direction relating to performance	$1,000
6.4(1)(a)	Trading or conducting a stall without a permit	$500
6.5	Failure of stallholder or trader to comply with conduct obligations	$500
6.6(1)(a)	Filming or recording for commercial gain without a permit	$500
6.6(1)(b)	Fireworks let off without a permit	$1,000
6.6(2)	Unauthorised mass balloon release	$500
6.7	Sign displayed without a permit	$500
6.9(1)(a)	Unlawful consumption or possession of liquor in a public place	$1,000
6.9(1)(b)	Camping in a public place without a permit	$500
6.10(1)(b)	Erecting a building or permanent structure without a permit	$500
6.10(1)(c)	Making an excavation, or erecting or removing a fence, without a permit	$500
6.10(1)(d)	Installing infrastructure for a utility service without a permit	$500
6.10(1)(e)	Depasturing an animal without a permit	$300
6.12	Failure of outdoor eating facility permit holder to comply with obligations	$500
6.14	Failure to mark shopping trolley	$500
6.15	Leaving a shopping trolley in a public place	$300
6.16(2)	Failure of retailer to remove abandoned trolley	$300
7.4(1)	Failure to comply with a condition of a permit	$500
7.8	Failure to produce permit on request	$300
7.9(2)	Failure to return a cancelled permit	$300
7.11	Failure of permit holder to comply with general responsibilities	$500
8.3	Failure to comply with a notice	$1,000

DECLARATION

Dated this _____ day of _____ 2027.

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

_____
JACKIE MCBURNEY, Shire President

_____
ANDREW DOVER, Chief Executive Officer

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

SHIRE OF PINGELLY
PEST PLANTS LOCAL LAW 2027

Under the powers conferred by the Local Government Act 1995, the Biosecurity and Agriculture Management Act 2007 and under all other powers enabling it, the Council of the Shire of Pingelly resolved on _____ to make the following local law.

PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Pest Plants Local Law 2027.

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 Pingelly Pest Plant Local Laws 2003, published in the Government Gazette on 10 June 2003, are repealed.

1.5 Relationship with the Act

(1) This local law is made under, and gives effect to, section 193 of the Act.

(2) This local law does not apply to an organism that is a declared pest under section 22 of the Act, to the extent that Division 3 of Part 2 of the Act applies to that organism.

(3) For the avoidance of doubt, this local law is intended to operate in respect of plants that are locally significant weeds within the district, whether or not they are declared pests under the Act.

1.6 Terms used

In this local law unless the context otherwise requires—

Act means the Biosecurity and Agriculture Management Act 2007;

authorised person means a person appointed by the CEO under section 9.10 of the Local Government Act 1995 to perform any of the functions of an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

control in relation to a pest plant, includes to destroy, eradicate, contain, suppress or otherwise prevent the establishment or spread of the pest plant;

declared pest has the meaning given to it in the Act;

district means the district of the local government;

land means any land within the district, and includes a thoroughfare and other local government property;

local government means the Shire of Pingelly;

notice means a notice given under clause 2.5;

occupier has the meaning given to it in section 1.4 of the Local Government Act 1995;

owner has the meaning given to it in section 1.4 of the Local Government Act 1995;

pest plant means a plant described in Schedule 1;

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

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;

Schedule means a Schedule to this local law.

PART 2 — PEST PLANTS

2.1 Pest plants

Every plant described in Schedule 1 is a pest plant for the purposes of this local law.

2.2 Declaration of pest plants

(1) Schedule 1 may be amended, in accordance with section 3.12 of the Local Government Act 1995, to add or remove a plant, where the local government considers that the plant is likely to adversely affect—

(a) the environment of the district;

(b) the value of property in the district; or

(c) the health, comfort or convenience of the inhabitants of the district.

(2) The CEO is to keep Schedule 1 up to date and make a current copy available for inspection by members of the public during the ordinary office hours of the local government.

2.3 Duty to control a pest plant

(1) The owner and occupier of land on which a pest plant is growing must control the pest plant.

(2) A duty imposed on an owner and an occupier of land under subclause (1) is imposed on each of them jointly and severally.

(3) Subclause (1) does not require a person to control a pest plant that is growing on land in a manner, or to an extent, approved by the local government for the purpose of research, education or another purpose the local government considers appropriate.

2.4 Prohibition on sale or supply

A person must not sell, offer for sale, or otherwise supply, a pest plant, or a seed or other propagating material of a pest plant, unless the sale, offer or supply is authorised by, or under, the Act.

2.5 Notice to treat a pest plant

(1) Where the local government reasonably believes that a pest plant is growing on land, the local government may give a notice to the owner or occupier of the land requiring the owner or occupier to control the pest plant within the period, and in the manner, specified in the notice.

(2) A notice given under subclause (1) is to specify—

(a) the pest plant to which the notice relates;

(b) the land on which the pest plant is growing;

(c) the action required to be taken to control the pest plant; and

(d) a reasonable period, being not less than 14 days from the date of the notice, within which the action is to be taken, unless the local government reasonably considers a shorter period is necessary because of the risk of the pest plant seeding or spreading.

(3) The local government may extend the period specified in a notice given under subclause (1), on the application of the owner or occupier, where the local government considers it reasonable to do so.

PART 3 — ENFORCEMENT

3.1 Powers of entry

(1) An authorised person may, at any reasonable time, enter land for the purpose of—

(a) determining whether a pest plant is growing on the land;

(b) determining whether a notice given under clause 2.5 has been complied with; or

(c) exercising a power under clause 3.2.

(2) A power of entry exercised under this clause is subject to sections 3.25 and 3.27 and Schedules 3.1 and 3.2 of the Local Government Act 1995.

3.2 Failure to comply with a notice

(1) If an owner or occupier does not comply with a notice given under clause 2.5 within the period specified in the notice (or that period as extended under clause 2.5(3)), an authorised person may enter the land to which the notice relates and control the pest plant, or arrange for the pest plant to be controlled.

(2) Before exercising a power under subclause (1), an authorised person is to give the owner or occupier reasonable notice of the intention to do so, unless the local government reasonably considers that the risk of the pest plant seeding or spreading before that notice could be given and acted upon outweighs the giving of that notice.

3.3 Recovery of expenses

The local government may recover, as a debt, from the owner or occupier of land, the expense reasonably incurred by the local government in controlling a pest plant under clause 3.2.

3.4 Objections and review

Division 1 of Part 9 of the Local Government Act 1995 applies to a decision of the local government to give a notice under clause 2.5.

PART 4 — OFFENCES AND PENALTIES

4.1 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything that under this local law the person is prohibited from doing, commits an offence.

4.2 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding $10,000 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.

4.3 Prescribed offences

(1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the Local Government Act 1995.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.

4.4 Form of notices

For the purposes of this local law—

(a) the form of the infringement notice referred to in section 9.17 of the Local Government Act 1995 is Form 2 in Schedule 1 of the Regulations; and

(b) the form of the withdrawal of an infringement notice referred to in section 9.20 of the Local Government Act 1995 is Form 3 in Schedule 1 of the Regulations.

SCHEDULE 1 — PEST PLANTS

[Clause 2.1]

Common name	Scientific name
Caltrop	*Tribulus terrestris*
Afghan Thistle	*Solanum hoplopetalum*
Common Heliotrope	*Heliotropium europaeum*
Skeleton Weed	*Chondrilla juncea*
Paterson's Curse	*Echium plantagineum*
Doublegee	*Emex australis*
Horehound	*Marrubium vulgare*
Watsonia	*Watsonia meriana var. bulbillifera*
African Lovegrass	*Eragrostis curvula*

SCHEDULE 2 — PRESCRIBED OFFENCES

[Clause 4.3]

Clause	Nature of offence	Modified penalty
2.3(1)	Failure to control a pest plant	$300
2.4	Sale, offer for sale, or supply of a pest plant	$500
2.5	Failure to comply with a notice to treat a pest plant	$500

DECLARATION

Dated this _____ day of _____ 2027.

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

_____
JACKIE MCBURNEY, Shire President

_____
ANDREW DOVER, Chief Executive Officer

WESTERN AUSTRALIA

CEMETERIES ACT 1986

LOCAL GOVERNMENT ACT 1995

SHIRE OF PINGELLY
CEMETERIES LOCAL LAW 2027

Under the powers conferred by the Cemeteries Act 1986 and the Local Government Act 1995, and under all other powers enabling it, the Council of the Shire of Pingelly resolved on _____ to make the following local law.

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PART 1 — PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Pingelly Cemeteries Local Law 2027.

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 to the Pingelly Cemetery (Reserve 1835, Lots 684 and 821) and the Moorumbine Public Cemetery (Avon Location 1176).

1.4 Repeal

The Shire of Pingelly Cemeteries Local Law 2003, published in the Government Gazette on 10 June 2003, is repealed.

1.5 Definitions

In this local law, unless the context otherwise requires—

Act means the Cemeteries Act 1986;

ashes means so much of the remains of a dead body after the due processes of cremation as may be contained in a standard sized cremation urn;

authorised person means a person appointed by the local government under section 9.10 of the Local Government Act 1995 to perform any function or exercise any power conferred on an authorised person by this local law;

business day means a day other than a Saturday, Sunday or public holiday in Western Australia;

cemetery means the Pingelly Cemetery or the Moorumbine Public Cemetery, as the context requires;

CEO means the chief executive officer for the time being of the local government;

coffin means a coffin or other receptacle used for the transportation of a dead body to the gravesite, or the receptacle used for the burial of a dead body in a grave;

funeral director means a person holding a current funeral director's licence;

grant of right of burial means a right granted under clause 2.3 for burial of a dead body, and includes placement of ashes in a grave, memorial garden or under a memorial plaque, or scattering of ashes within the cemetery;

local government means the Shire of Pingelly;

mausoleum means a building or construction wholly above, or partially above and below, ground level, so constructed as to allow the deposition of dead bodies into a compartment in the wall or floor and being sealed from view;

memorial has the meaning given to it in the Act;

memorial tree means a tree planted in an area designated by the local government under clause 7.9 to commemorate a deceased person;

monumental mason means a person holding a current monumental mason's licence;

personal representative means—

(a) the administrator or executor of an estate of a deceased person;
(b) the person who, by law or practice, has the right to apply for administration of the estate of a deceased person; or
(c) a person having lawful custody of a dead body;

pre-need certificate means a certificate issued under clause 2.4;

set fee refers to fees and charges set by a resolution of the local government and published in the Government Gazette under section 53 of the Act;

single funeral permit means a permit issued by the local government under section 20 or 21 of the Act which entitles the holder to conduct at the cemetery a funeral of a person named in the permit;

State Administrative Tribunal means the State Administrative Tribunal established under the State Administrative Tribunal Act 2004;

utility services means municipal or public services and includes the supply of water, electrical power, gas, and refuse, building waste and sewerage disposal services;

vault means a below ground lined grave with one or more sealed compartments constructed to specifications approved from time to time by the local government; and

vehicle includes every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise, and an animal being ridden or driven, but excludes a wheelchair or similar device designed for use by a physically impaired person, and a pram, stroller or similar device.

PART 2 — ADMINISTRATION

2.1 Powers and functions of CEO

Subject to any direction given by the local government, the CEO is to exercise all the powers and functions of the local government in respect of the cemetery.

2.2 Cemetery records and plans

(1) The local government is to maintain the registers and plans required under section 40 of the Act, whether in written or electronic form, and is to keep those registers and plans up to date.

(2) The local government is to establish and maintain a plan of each cemetery showing—

(a) the location of areas set aside for burials, a memorial garden, and placement of ashes;

(b) the location of an area to be used only for burials of persons of a particular religious denomination, where applicable;

(c) the location of different areas of the cemetery to which different requirements for memorials apply;

(d) the location of an area designated for memorial trees under clause 7.9; and

(e) the location of areas set aside for works and other uses specified in section 24(2)(a) and (b) of the Act.

(3) The plans referred to in subclause (2) are to be open for inspection by members of the public during the ordinary office hours of the local government.

2.3 Grant of right of burial

(1) On payment of the set fee, a grave, niche compartment or memorial location is to be granted right of burial for a period in accordance with section 25(1) of the Act.

(2) On payment of the set fee, a grant of right of burial may be extended for a further period in accordance with section 25(2) or (4) of the Act.

(3) If the local government refuses an application under subclause (1) or (2), written notice of the refusal is to be given to the applicant.

2.4 Pre-need certificate

(1) Prior to the issue of a grant of right of burial, and on payment of the set fee, a person may apply to the local government for a pre-need certificate reserving a specific gravesite, niche compartment or memorial location for a period not exceeding 5 years.

(2) On payment of the set fee, a pre-need certificate may be renewed for a further period not exceeding 5 years.

(3) A pre-need certificate may be cancelled at any time by the person holding it, or their authorised representative.

(4) For the avoidance of doubt, a pre-need certificate is not a grant of right of burial.

(5) If the local government refuses an application under subclause (1) or (2), written notice of the refusal is to be given to the applicant.

2.5 Local government may enter into an agreement for maintenance

The local government may enter into an agreement with the holder of a grant of right of burial under clause 2.3, or the holder of a pre-need certificate under clause 2.4, for the maintenance of an area of the cemetery at the expense of the holder.

2.6 Electronic communications

Where this local law requires or permits an application, notice, consent, approval or other communication to be given, it may be given by electronic means, in a form and manner approved by the local government.

2.7 Historical records

(1) An applicant for a grant of right of burial, or for the interment of a dead body or ashes under clause 3.1, is to provide biographical or historical information about the deceased person, in a form determined by the local government, for inclusion in an online memorial or historical record system maintained or approved by the local government, and pay the set fee for that purpose.

(2) The local government may waive the requirement in subclause (1) in a particular case.

PART 3 — APPLICATION FOR INTERMENT

3.1 Application for burial

(1) A person may apply for approval to bury a dead body in the cemetery in the form determined by the local government from time to time.

(2) An application under subclause (1) is to be accompanied by the set fee.

3.2 Applications to be accompanied by certificates etc

An application referred to in clause 3.1 is to be accompanied by either a medical certificate of death or a Coroner's order of burial, and a certificate issued under clause 3.3, in respect of the body.

3.3 Certificate of identification

(1) Before a dead body is removed to the cemetery, the funeral director is to identify the dead body and complete a certificate of identification, in the form determined by the local government.

(2) Where the funeral director is unable to identify the dead body under subclause (1), the funeral director is to complete a certificate, in the form determined by the local government, dispensing with identification.

3.4 Minimum notice required

A booking to hold a funeral is to be made with the local government at least 72 hours prior to the time proposed for burial, otherwise an extra charge may be made.

3.5 Refusal of application

(1) The local government may refuse an application for a single funeral permit or a grant of right of burial—

(a) if, in the opinion of the local government, the coffin specifications or the details of the vehicle transporting the dead body to the gravesite are not structurally sound or are otherwise inadequate or inappropriate; or

(b) on any other reasonable grounds, including grounds relating to public safety, the operation of the cemetery, compliance with the Act, or the preservation of cemetery infrastructure.

(2) If the local government refuses an application under subclause (1), written notice of the refusal, and the reasons for it, is to be given to the applicant.

PART 4 — FUNERAL DIRECTORS

4.1 Funeral director's licence expiry

A funeral director's licence expires on 30 June in each year.

4.2 Single funeral permits

An application for a single funeral permit made under section 20 or 21 of the Act is to include coffin specifications and details of the vehicle transporting the dead body to the gravesite.

4.3 Application refusal

The local government may refuse an application for a single funeral permit if, in the opinion of the local government, the coffin specifications or the details of the vehicle transporting the dead body to the gravesite are not structurally sound or are otherwise inadequate or inappropriate, or on any other reasonable grounds, including grounds relating to public safety, the operation of the cemetery, compliance with the Act, or the preservation of cemetery infrastructure.

PART 5 — FUNERALS

DIVISION 1 — GENERAL

5.1 Requirements for funerals and coffins

A person must not bring a dead body into the cemetery unless—

(a) the local government has approved an application for the burial of that dead body in accordance with Part 3;

(b) it is enclosed in a coffin which, in the opinion of the local government, is structurally sound and bears the name of the deceased person indelibly inscribed in legible characters on a plate on the coffin's lid; and

(c) under the plate referred to in paragraph (b) there is a substantive lead strip bearing the surname of the deceased person stamped in legible characters, each character being not less than 10 millimetres in height.

5.2 Funeral processions

The time fixed by the local government for a burial is the time at which the funeral procession is to arrive at the cemetery gates, and, if not punctually observed, the applicant who applied to hold the funeral under clause 3.1 is liable for a late fee, in addition to the fee already paid or payable for the funeral, calculated as one-half of that fee.

5.3 Vehicle entry restricted

(1) Subject to subclause (2), a funeral procession is to enter by the principal entrance, and no vehicle except the hearse and official mourning coaches is permitted to enter the cemetery.

(2) Subclause (1) does not apply to a person using a wheelchair or motorised wheelchair.

5.4 Vehicle access and speed limitation

(1) A person must drive a vehicle only on a vehicular access way, the constructed roadway, or other area designated for the use of vehicles within the cemetery, unless otherwise authorised by the CEO.

(2) A person driving a vehicle within a cemetery must not exceed a speed of 20 kilometres per hour, and must comply with the signs and directions in the cemetery.

5.5 Offenders may be ordered to leave

(1) A person committing an offence under clause 5.4 may be ordered to leave the cemetery by the CEO or an authorised person.

(2) A person ordered to leave the cemetery under subclause (1) must leave immediately in a peaceful manner, and must not cause a disturbance to a funeral congregation, ceremony or procession.

5.6 Conduct of funeral by local government

When conducting a funeral under section 22 of the Act, the local government may—

(a) require a written request for it to conduct a funeral to be lodged with it;

(b) in its absolute discretion, charge the set fee for the conduct of that funeral;

(c) where no fee or a reduced fee has been charged for the conduct of the funeral, determine the manner in which the funeral is to be conducted;

(d) specify an area in the cemetery where the dead body is to be buried or the ashes placed;

(e) conduct the funeral notwithstanding the failure of a person to make an application or obtain a consent required under this local law; and

(f) do or require anything it considers necessary or convenient for the conduct of the funeral.

5.7 Recording

A person must not record or film a funeral or memorial service within the cemetery without the prior approval of the personal representative of the deceased person whose funeral or memorial service is being held, or the local government.

DIVISION 2 — PLACEMENT OF ASHES

5.8 Disposal of ashes

(1) The personal representative of a deceased person whose body has been cremated may apply, in an application under clause 3.1 or otherwise, for permission to dispose of the ashes in the cemetery, and, on payment of the set fee, the local government may grant permission for the ashes to be disposed of by one of the following methods—

(a) niche wall;

(b) family grave;
(c) memorial garden;
(d) scattering to the winds; or
(e) another method approved by the local government.

(2) Subject to subclauses (3) and (4), a person must not place the ashes of a deceased person in the cemetery.

(3) An authorised person may place the ashes of a deceased person in a cemetery in accordance with a local government approval, provided the person requesting the placement has the permission of the local government and the ashes are placed within an area set aside for that purpose.

(4) An authorised person may place the ashes of a deceased person within a grave in accordance with a local government approval, provided the person requesting the placement has the written permission of the local government and the approval of the holder of the right of burial of the grave.

5.9 Ashes not to be held by the local government

The local government is not required to accept custody of the ashes of a deceased person.

PART 6 — BURIALS

6.1 Depth of graves

(1) A person must not bury a coffin within the cemetery so that the distance from the top of the coffin to the original surface of the ground is—
(a) subject to paragraph (b), less than 750 millimetres, unless that person has the permission of an authorised person; or
(b) in any circumstances, less than 600 millimetres.

(2) The permission referred to in subclause (1)(a) is only to be granted where, in the opinion of the authorised person, exceptional circumstances require it.

6.2 Mausoleum, vault etc

(1) A person other than the local government must not construct a brick grave, crypt, vault or mausoleum within the cemetery.

(2) A person may request the local government to construct a vault or mausoleum within the cemetery, which is to at all times remain the property of the local government.

(3) An application under subclause (2) is to be in writing and accompanied by payment of the set fee.

(4) A person must not place a dead body in a mausoleum except—
(a) in a closed coffin;
(b) in a soundly constructed and sealed chamber; and
(c) in accordance with subclause (5).

(5) The number of burials in a chamber must not exceed the number for which the chamber was designed.

6.3 Re-opening a grave

(1) A person must not reopen a grave without the approval of the local government.

(2) If, for the purpose of re-opening a grave, the local government finds it necessary to remove plants, grass, shrubs or similar matter from the grave, the person who ordered the re-opening is liable for the cost of removal and any necessary reinstatement.

6.4 Exhumation of a coffin

(1) Subject to subclause (2), a person must not exhume a coffin in the cemetery for the purpose of reburial within 12 months after the date of its interment.

(2) Subclause (1) does not apply where the exhumation is ordered or authorised under the Act.

(3) Subject to subclauses (1) and (2), and to the Act and any other written law, before any other exhumation, the holder of the grant of right of burial must apply in writing to the CEO requesting the exhumation, and the CEO must have authorised it.

PART 7 — MEMORIALS AND OTHER WORK

DIVISION 1 — GENERAL

7.1 Application for monumental work

(1) The local government may require the written consent of the holder of the right of burial of the grave to accompany an application for a permit to carry out monumental work under section 30 of the Act.

(2) The local government may approve an application referred to in subclause (1) unconditionally or subject to conditions, including conditions restricting the materials, dimensions or design of the memorial so as not to detract from the amenity of the cemetery, or refuse to approve the application.

(3) If the local government refuses to approve an application, written notice of the refusal, and the reasons for it, is to be given to the applicant.

7.2 Placement of monumental work

A memorial is to be placed on proper and substantial foundations.

7.3 Removal of rubbish

All refuse, rubbish or surplus material remaining after memorial work is completed under a permit issued under section 30 of the Act is to be immediately removed from the cemetery by the person carrying out the work.

7.4 Operation of work

Material required for the erection and completion of memorial work is, as far as possible, to be prepared before being taken to the cemetery, and is to be admitted only at the entrance directed by the CEO or an authorised person.

7.5 Removal of sand, soil or loam

A person must not take sand, earth or other material from any part of the cemetery for use in memorial work, or otherwise remove it from the cemetery, except with the written approval of the local government.

7.6 Hours of work

A person must not carry out memorial or other work on a grave within the cemetery other than between 8.00am and 6.00pm on weekdays, and 8.00am and noon on Saturdays, without the written permission of the local government.

7.7 Unfinished work

Work not completed before 6.00pm on a weekday, or noon on a Saturday, is to be left in a neat and safe condition to the satisfaction of the CEO or an authorised person.

7.8 Use of wood

A wooden fence, railing, cross or other wooden erection must not be placed on or around a grave, other than as a temporary marker with the prior approval of the local government.

7.9 Memorial trees

(1) The local government may designate an area of the cemetery in which a person may apply to plant a memorial tree to commemorate a deceased person.

(2) A person must not plant a memorial tree, or any other tree or shrub, on a grave or within the cemetery, except with the approval of the local government.

(3) An application to plant a memorial tree is to specify the species proposed, and the local government may approve the application unconditionally or subject to conditions, including conditions as to species, location and ongoing maintenance, having regard to the amenity and long-term management of the cemetery.

(4) A memorial tree approved under this clause may be planted by the applicant or, on payment of the set fee, by the local government on behalf of the applicant.

(5) The local government is to keep a record of each memorial tree approved under this clause, and the person it commemorates.

7.10 Supervision

A worker, whether employed by the local government or another person, is at all times while within the cemetery subject to the supervision of the CEO or an authorised person, and must obey their directions.

7.11 Australian War Graves

Despite anything in this local law to the contrary, the Office of Australian War Graves—

(a) may place a memorial on a military grave; and

(b) is not required to pay the set fee for a memorial placed on a military grave.

7.12 Placing of glass domes and vases

A person must not place a glass dome, vase or other grave ornament outside the perimeter of a grave, as defined in the plans kept under section 40(2) of the Act.

7.13 Offensive material on memorials

(1) A person must not display, or cause to be displayed, material, wording, symbols or images on a sign, memorial or other object visible within the cemetery that are reasonably likely to offend, intimidate, vilify, threaten or harass a person.

(2) Where, in the opinion of the local government, a person does not comply with subclause (1), the local government may remove or require the removal of the material, wording, symbol or image.

DIVISION 2 — LICENSING OF MONUMENTAL MASONS

7.14 Monumental mason's licence

The local government may, on receipt of a written application and payment of the set fee, issue a monumental mason's licence, authorising the holder to carry out monumental work within the cemetery subject to this local law and any conditions specified by the local government.

7.15 Expiry date, non-transferability

A monumental mason's licence—

(a) is, subject to clause 7.18, valid from the date specified in it until the following 30 June; and

(b) is not transferable.

7.16 Carrying out monumental work

A person must not carry out monumental work within the cemetery unless that person—

(a) holds a current monumental mason's licence issued under clause 7.14, or is the employee of a person who holds such a licence; or

(b) is otherwise authorised by the local government to do so.

7.17 Responsibilities of the holder of a monumental mason's licence

The holder of a monumental mason's licence is responsible for compliance, by every person purporting to carry out monumental work within the cemetery under that licence, with the requirements and conditions of the licence, this local law, the Act, and any other written law affecting the carrying out of monumental work.

7.18 Cancellation of a monumental mason's licence

(1) The local government may, by notice in writing to the holder of a monumental mason's licence, terminate the licence on any of the following grounds—

(a) that the holder has committed a breach of the requirements or conditions of the licence, this local law, the Act, or any other written law affecting the carrying out of monumental work;

(b) that, in the opinion of the local government, the conduct of the holder, or a person in the holder's employ, in carrying out or attempting to carry out work within the cemetery is inappropriate or unbecoming; or

(c) that the holder has purported to transfer the licence.

(2) On the termination of a monumental mason's licence under this clause, no part of a fee paid for the issue of that licence is refundable.

(3) A person aggrieved by a decision under subclause (1) may apply to the State Administrative Tribunal for a review of the decision.

DIVISION 3 — UNSAFE MEMORIALS

7.19 Unsafe memorials

(1) Where the local government reasonably believes that a memorial is unsafe, unstable or in a state of disrepair such that it may present a risk to a person, the local government may, without further notice, take any action it considers necessary to secure the memorial, including laying it flat or fencing off the area.

(2) Where the local government takes action under subclause (1), it is to give written notice to the holder of the grant of right of burial of the grave, if known, requiring the holder to repair or restore the memorial within 28 days from receiving the notice, in accordance with section 32 of the Act.

(3) If the holder does not comply with a notice given under subclause (2), the local government may repair, restore or remove the memorial, and clause 9.1 applies to the recovery of the local government's costs in doing so.

PART 8 — GENERAL

8.1 Animals

A person must not bring an animal into, or permit an animal to enter or remain in, the cemetery, other than an assistance animal as defined in section 9(2) of the Disability Discrimination Act 1992 (Commonwealth), or with the approval of the CEO or an authorised person.

8.2 Damaging and removing of objects

Subject to clause 8.3, a person must not damage, remove or pick a tree, plant, shrub or flower in the cemetery, or any other object or thing on a grave or memorial or which is the property of the local government, without the permission of the local government.

8.3 Withered flowers

A person may remove withered flowers from a grave or memorial, and is to place them in a receptacle provided by the local government for that purpose.

8.4 Littering and vandalism

A person must not—

(a) break, or cause to be broken, glass, ceramic or other material in or on the cemetery; or

(b) discard, deposit or leave, or cause to be discarded, deposited or left, refuse or litter in or on the cemetery, other than in a receptacle provided for that purpose.

8.5 Advertising

(1) A person must not advertise or carry on a trade, business or profession within the cemetery without the prior written approval of the local government.

(2) The local government may grant approval under subclause (1) subject to any conditions it thinks fit.

(3) This clause does not apply to an activity carried out under, and in accordance with, a licence, permit or approval granted under Part 4 or Division 2 of Part 7 of this local law.

8.6 Obeying signs and directions

A person must obey a sign displayed, marked, placed or erected by the local government within the cemetery, and any other lawful direction of the CEO or an authorised person.

8.7 Removal from the cemetery

A person failing to comply with a provision of this local law, or behaving in a manner that, in the opinion of the local government, the CEO or an authorised person is inappropriate in the cemetery — including behaviour that is disruptive, threatening, unlawful or unsafe — may, in addition to any penalty provided by this local law, be ordered to leave the cemetery by the local government, the CEO or an authorised person.

8.8 Utility services

(1) A person must not, other than with the approval of the local government—

(a) connect a device or equipment to utility services supplied at the cemetery; or

(b) alter or interfere with utility services infrastructure located in the cemetery.

(2) The local government may recover from a person the reasonable costs incurred by the local government for the supply to, and use by, that person of utility services at the cemetery.

8.9 Local government may close cemetery

(1) The local government may—

(a) temporarily close the cemetery, or part of it;

(b) exclude from the cemetery members of the public, or so many as the local government considers necessary;
(c) regulate, prohibit or restrict access to the cemetery, or part of it; or
(d) direct a person to leave the cemetery, or part of it,

for the purpose of a funeral, public convenience, maintenance, redevelopment or extension of the cemetery, public safety, or another operational reason.

(2) A person must comply with a closure, exclusion, restriction or direction under subclause (1).

PART 9 — LIABILITY AND NOTICES

9.1 Liability for damage or works required to comply

(1) Where a person—
(a) causes damage to a grave, memorial, structure, building, furniture, plant or other item or thing in the cemetery;
(b) does a thing not authorised by this local law; or
(c) fails to do a thing required by this local law,

the local government may, by notice in writing, require that person, within the time specified in the notice, to, at the option of the local government, pay the cost of reinstating or replacing the property, pay the cost of works required to comply with this local law, or carry out those works.

(2) Before giving a notice under subclause (1), the local government is to give the person a reasonable opportunity to make a submission in relation to the matter, unless the local government reasonably believes that urgent action is required for public safety or to prevent further damage.

(3) On a failure to comply with a notice given under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it.

9.2 Offence to fail to comply with notice

A person who fails to comply with a notice given under this local law requiring the person to do a thing commits an offence.

9.3 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 9.2, the local government may do the thing specified in the notice and recover, as a debt from the person to whom the notice was given, the costs incurred in doing so.

PART 10 — OBJECTIONS AND REVIEW

10.1 Application of Division 1, Part 9 of the Local Government Act 1995

Where the local government makes a decision as to whether it will grant, renew, vary or cancel an approval, licence, permit, certificate or grant of right of burial under this local law, or refuses to do so, the provisions of Division 1 of Part 9 of the Local Government Act 1995 and regulation 33 of the Local Government (Functions and General) Regulations 1996 apply to that decision.

PART 11 — OFFENCES AND MODIFIED PENALTIES

11.1 General

A person who commits a breach of a provision of this local law commits an offence and is liable, on conviction, to a penalty not exceeding $500, being the maximum penalty permitted by section 55 of the Act, and, if the offence is a continuing one, to a further penalty not exceeding $20 for every day or part of a day during which the offence has continued.

11.2 Modified penalties

(1) The offences specified in Schedule 1 are offences which may be dealt with under section 63 of the Act.

(2) The modified penalty payable in respect of an offence specified in Schedule 1 is that set out in Schedule 1.

(3) The prescribed form of the infringement notice referred to in section 63(1) of the Act is set out in Schedule 2.

(4) The prescribed form of the notice withdrawing an infringement notice referred to in section 63(3) of the Act is set out in Schedule 3.

SCHEDULE 1 — MODIFIED PENALTIES

[clause 11.2]

Clause	Nature of Offence	Modified Penalty
5.4(1)	Driving other than on a designated vehicular access way	$50
5.4(2)	Exceeding the speed limit within the cemetery	$50
5.7	Recording a funeral or memorial service without approval	$50
6.3(1)	Unauthorised re-opening of a grave	$50
6.4(1)	Unauthorised exhumation of a coffin	$50
7.3	Failure to remove rubbish and surplus material	$50
7.5	Unauthorised removal or use of sand, soil or loam	$50
7.6	Carrying out memorial or other work outside permitted hours	$50
7.7	Leaving uncompleted work in an untidy or unsafe condition	$50
7.9(2)	Unauthorised planting of a tree or shrub	$50
7.12	Unauthorised placement of a glass dome, vase or grave ornament	$50
7.13(1)	Displaying offensive material on a memorial	$50
8.1	Unauthorised animal in the cemetery	$50
8.4	Littering or vandalism within the cemetery	$50
8.5	Unauthorised advertising or trading within the cemetery	$50
8.6	Failure to obey a sign or lawful direction	$50
8.8(1)	Unauthorised interference with utility services	$50
8.9(2)	Failure to comply with closure, exclusion, restriction or direction	$50
9.2	Failure to comply with a notice	$50

SCHEDULE 2 — INFRINGEMENT NOTICE

[clause 11.2(3)]

To: _____ (Name)

_____ (Address)

It is alleged that at _____ hours on _____ day of _____ 20____ at

_____

you committed the offence indicated below, being an offence against clause ____ of the Shire of Pingelly Cemeteries Local Law 2027.

Offence: _____

Modified penalty: $_____

You may dispose of this matter by payment of the penalty shown within 21 days of the date of this notice to the Chief Executive Officer, Shire of Pingelly, 17 Queen Street, Pingelly, between 8.30am and 4.30pm Monday to Friday. Please make cheques payable to the Shire of Pingelly.

If the penalty is not paid within the time specified, a complaint of the alleged offence may be made and heard and determined by a court.

_____ (Authorised Person)

SCHEDULE 3 — WITHDRAWAL OF INFRINGEMENT NOTICE

[clause 11.2(4)]

No. _____ Date ____/____/_____

To: _____ (Name and address of alleged offender)

Infringement Notice No. _____ dated ____/____/_____ for the alleged offence of

_____

Penalty $_____ is withdrawn.

(Delete whichever does not apply)

* No further action will be taken.

* It is proposed to institute court proceedings for the alleged offence.

_____ (Authorised Person)

DECLARATION

Dated this _____ day of _____ 2027.

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

_____
JACKIE MCBURNEY, Shire President

_____
ANDREW DOVER, Chief Executive Officer

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

SHIRE OF PINGELLY

STANDING ORDERS LOCAL LAW 2027

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Pingelly resolved on _____ to make the following local law.

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PART 1 — INTERPRETATIONS AND STANDING ORDERS

1.1 Citation

This local law may be cited as the Shire of Pingelly Standing Orders Local Law 2027.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the Government Gazette.

1.3 Application

This local law provides rules and guidelines which apply to the conduct of meetings of the Council, its committees and to meetings of electors.

1.4 Repeal

The Shire of Pingelly Standing Orders Local Law 2017, published in the Government Gazette on 8 May 2017, is repealed.

1.5 Proceedings Conducted According to Standing Orders

The proceedings and business of the Council are to be conducted in accordance with the Local Government Act 1995, the Regulations and any other law.

Where a matter is not specifically prescribed by the Act, the Regulations or any other law, it is to be conducted in accordance with this local law, the clauses of which are referred to as "the Standing Orders".

1.6 All Meetings Governed by Standing Orders

(1) The proceedings of all Council meetings, committee meetings and other meetings of the Council are governed by these Standing Orders unless otherwise provided in the Act, the Regulations, or any other law.

(2) Except where the context otherwise requires, a reference in these Standing Orders to the Council, or to a meeting of the Council, extends to a Committee, or to a meeting of a Committee, respectively.

1.7 Interpretations

The following interpretations apply in these Standing Orders, unless the context otherwise requires:

Absolute majority is more than 50% of the current number of elected Council positions, whether they are vacant or not, regardless of the number actually present. For example, if the Council comprises 7 offices of Councillor, an absolute majority requires at least 4 votes in favour, whether or not all 7 offices are filled or all 7 Councillors are present;

Act means the Local Government Act 1995 and its amendments and successors;

Chief Executive Officer means the Chief Executive Officer employed by the Shire under the Act;

Clause means a clause of these Standing Orders;

Committee means any committee appointed in accordance with the provisions of the Act;

Council means the Council of the Shire of Pingelly;

Councillor means the President, or a Councillor of the Council;

Meeting includes any Ordinary or Special Meeting of the Council or any other meeting held in accordance with the Act and properly convened as the Act requires;

Officer is an employed member of the staff of the Council;

President includes the Deputy President, in the absence of the President, and any Councillor chosen to preside in place of the President or Deputy President at any meeting of the Council in the manner prescribed in the Act;

Presiding Member includes the Deputy Presiding Member, in the absence of the Presiding Member, and any member chosen to preside at any meeting in the manner prescribed in the Act;

Regulations means the Local Government (Administration) Regulations 1996;

Simple majority is more than 50% of the Councillors present and voting. For example, if 7 Councillors are present and voting, a simple majority requires at least 4 votes in favour;

Substantive motion means any motion other than an amendment or a procedural motion.

PART 2 — MEETINGS - NOTICE AND BUSINESS

2.1 Notice of Meetings – Councillors to Receive Notice

Before any Ordinary or Special Meeting of the Council, a notice signed by the Chief Executive Officer, stating the place, date and hour of holding the meeting and specifying the business to be transacted with an agenda and supporting committee reports, is to be transmitted by email or other electronic means capable of being printed out in its entirety, to the last known or provided email address for each Councillor.

2.2 Special Meetings

(1) A special meeting of the Council may be called by the President, or by at least one-third of the Councillors, in a notice to the Chief Executive Officer setting out the date and purpose of the proposed meeting, in accordance with section 5.4 of the Act.

(2) The Chief Executive Officer is to convene the special meeting by giving each Councillor notice, before the meeting, of the date, time, place and purpose of the meeting, in accordance with section 5.5(2) of the Act.

2.3 Business to be Specified on Notice Paper

No business is to be transacted at any meeting other than that specified in the notice without the approval of the President or, if there is dissent by any Councillor to the President's ruling, with the approval of the majority of Councillors present determined by vote, except—

(a) matters which the Act permits to be dealt with without notice; or

(b) matters which this local law (clause 5.5) permits to be dealt with without notice.

2.4 Specified Papers

Councillors may request, at least two days before any meeting of the Council or Committee, in writing to the Chief Executive Officer, that any specified papers be prepared and laid upon the table at the meeting. The written request is to state the reason for the specified papers, and the meeting name, date, time and location.

2.5 Papers Relating to Matter Under Discussion

At any meeting of the Council, or of any Committee of the Council, the President or any Councillor may require the production of any specified papers, documents, books or records, books of accounts, plans, or any other record or matter whatsoever relating to any question then under discussion, provided that, wherever possible, the notice prescribed in clause 2.4 is given. Where notice has not been given, the proceedings of the Council are not to be unreasonably delayed while documents are obtained.

2.6 Public Notice of Meetings

(1) The Chief Executive Officer is to give reasonable local public notice, where practical, of Council and Committee meetings, as required by regulation 12 of the Regulations.

(2) The requirement to publish meeting details under regulation 12 of the Regulations does not apply to a meeting, or a part of a meeting, that is not open, or not proposed to be open, to members of the public.

2.7 Public Inspection of Certain Documents

The Chief Executive Officer is to ensure that the notice papers and agenda relating to any Council or Committee meeting, and reports and other documents which—

(a) are to be tabled at the meeting; or

(b) have been produced by the local government or Committee for presentation at the meeting and which have been made available to Councillors or the Committee,

are available for inspection by members of the public at the same time as they were made available to the Council or Committee members, in accordance with regulation 14 of the Regulations.

Members of the public are not entitled to inspect the information referred to above if, in the Chief Executive Officer's opinion, the meeting, or that part of the meeting to which the information relates, is likely to be closed to the public.

2.8 Recording of Council Meetings

The livestreaming, recording and publication of Council meetings is dealt with in Part 2A of the Regulations. Part 2A of the Regulations does not apply to meetings of Committees.

2.9 Attendance by Electronic Means

(1) Attendance at a meeting of the Council or a Committee by electronic means by an individual member, and the authorisation required for this, is dealt with in regulations 14C and 14CA of the Regulations.

(2) The holding of a meeting of the Council or a Committee by electronic means is dealt with in regulations 14D and 14E of the Regulations.

PART 3 — MEETINGS - QUORUM

3.1 Quorum at Meetings

The quorum required for a meeting of the Council or a Committee is dealt with in section 5.19 of the Act.

3.2 Count-out/Adjournment

(1) If a quorum has not been established within 30 minutes after a Council or Committee meeting is due to begin, then the meeting is to be adjourned in accordance with regulation 8 of the Regulations.

(2) At any time during a meeting, any Councillor or the Chief Executive Officer may call the attention of the Presiding Member to the fact that a quorum is not present. The Presiding Member is immediately to suspend the proceedings of the meeting for a period of five minutes. If a quorum is not present at the end of this period, the meeting is deemed to have been counted out, and the Presiding Member is to adjourn it to a later hour of the same day or to any other time, not more than seven days from the date of adjournment.

Where a meeting is counted out, and an absence of a quorum noted, the circumstances, together with the names of the Councillors present, are to be recorded in the Minute Book.

PART 4 — MEETINGS - MINUTES

4.1 Recording of Minutes

The keeping, content and confirmation of minutes of Council and Committee meetings are dealt with in section 5.22 of the Act, and regulation 11 of the Regulations.

4.2 Confirmation of Minutes

(1) Reading of the minutes of a previous meeting at a meeting of the Council or a Committee may be dispensed with, provided that a copy of those minutes has been supplied to each Councillor at least 48 hours prior to the date of the meeting at which they are presented for confirmation.

(2) The minutes of any preceding meeting or meetings of the Council or a Committee, not previously confirmed, are to be submitted for confirmation to the next ordinary meeting of the Council or the Committee, as the case requires, and no discussion of them is permitted except as to their accuracy as a record of the proceedings. The last page of the minutes must be signed and dated by the person presiding at the meeting, certifying that the minutes have been confirmed.

(3) The public inspection of unconfirmed minutes of each Council and Committee meeting is dealt with in regulation 13 of the Regulations.

PART 5 — MEETINGS - ORDER OF BUSINESS

5.1 Ordinary Meeting - Order of Business

The order of business at meetings of the Council, unless altered by Council resolution to that effect, is to be as nearly as practicable as follows:

(1) Declaration of opening / announcement of visitors;
(2) Acknowledgement of country;
(3) Announcements by the presiding member;
(4) Record of attendance / apologies / approved leave of absence;
(5) Response to previous public questions taken on notice;
(6) Public question time;
(7) Applications for leave of absence;
(8) Disclosure of interest;
(9) Confirmation of minutes of previous meeting(s);
(10) Petitions, deputations, presentations / submissions;
(11) Items brought forward due to persons attending or by decision of the presiding member;
(12) Reports of Committees of Council;
(13) Reports of Councillors;
(14) Reports of the Office of the Chief Executive Officer;

(15) Reports of the Directorate of Corporate and Community Services;
(16) Reports of the Directorate of Works;
(17) Elected members' motions of which previous notice has been given;
(18) New or urgent business introduced by decision of the meeting;
(19) Matters for which the meeting may be closed;
(20) Closure of meeting.

5.2 Order of Business at Special Meeting

The order of business (clause 5.1) at any special meeting is the order in which that business stands in the notice of the meeting unless the Council, by resolution, alters the order of business to that effect.

5.3 Unacceptable Business

If the Presiding Member is of the opinion that any motion or business proposed to be made or transacted at a meeting is disrespectful, the Presiding Member may, either before or after the matter is brought forward at any meeting, declare that the motion or business is not to be entertained. Any Councillor may move dissent from such a declaration made from the Chair, and if the dissent is carried by a majority of the Councillors present, the business referred to is then to be considered immediately, but if the motion is lost, the ruling of the Presiding Member stands.

5.4 Business at Adjourned Meeting

At an adjourned meeting of the Council, no business is to be transacted other than that specified on the notice of the meeting of which it is an adjournment and which remains undisposed of, except that where the adjournment is to the next Ordinary Meeting of the Council, the business undisposed of at the adjourned meeting has precedence at that ordinary meeting.

5.5 Urgent Business

(1) A Councillor may move a motion involving urgent business that is not included in the notice paper for that meeting, provided that the Presiding Member has agreed to the business being raised and the Presiding Member considers that either—
  (a) the urgency of the business is such that the business cannot wait for inclusion in the notice paper for the next meeting of the Council or Committee; or
  (b) the delay in referring the business to the next meeting of the Council or Committee could have adverse legal or financial implications for the Council;

(2) Any Councillor may move, without notice, a procedural motion of dissent in respect of the Presiding Member's ruling that the business is not worthy of inclusion as urgent business. If the motion of dissent is agreed to at the meeting by the majority of Councillors present, the business must then be included as a matter of urgent business.

5.6 Meeting of Electors

This local law applies, so far as is practicable, to any meeting of electors, but where there is any inconsistency between this local law and the provisions of the Act, the Act prevails.

5.7 Adoption by Exception Resolution

(1) The Council may adopt, en bloc by a single resolution, any number of recommendations of a Committee, or contained in an officer's report, in respect of which no Councillor has requested that the recommendation be dealt with separately.

(2) An adoption by exception resolution must not be used for a recommendation—
  (a) in respect of which a Councillor has disclosed an interest; or
  (b) that requires an absolute majority to be carried.

(3) A recommendation excluded from an adoption by exception resolution under subclause (2) is to be dealt with separately, in accordance with this local law.

PART 6 — PUBLIC PARTICIPATION

6.1 Admission and Removal of the Public

(1) The public is admitted to Council meetings on the basis that no expression of dissent or approval, conversation, or interruption to the proceedings of the Council is to take place. Where such an interruption

occurs, the Presiding Member may use discretion and, without a vote of the Council, require those interrupting to withdraw. The person or persons concerned are immediately to withdraw from the meeting. This direction by the Presiding Member may not be challenged by moving dissent with the ruling, and the Presiding Member's ruling is final.

(2) Any person, not being a member of the Council, who interrupts the orderly conduct of the business of the Council, and who does not withdraw immediately upon being called by the Presiding Member to withdraw from the meeting place, may, by order of the Presiding Member, be removed from the meeting place.

6.2 Public Question Time

Public question time, the meetings at which it is to be made available, and the minimum time to be allocated for it, are dealt with in section 5.24 of the Act and regulations 5 and 6 of the Regulations.

6.3 Procedures for Public Question Time

(1) Procedures for public question time are dealt with in regulation 7 of the Regulations.

(2) A member of the public who raises a question during question time is to—

(a) be in attendance at the meeting;

(b) first state their name and address;

(c) direct the question to the Presiding Member;

(d) ask the question briefly and concisely;

(e) limit any preamble to matters directly relevant to the question; and

(f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where it is necessary to explain the question.

6.4 Community Forum

(1) This clause provides for public question time at Committee meetings, to which regulations 5 to 7 of the Regulations do not apply.

(2) A member of the public may, at a Committee meeting only, during the community forum segment of the agenda, and with the consent of the Presiding Member, speak on any matter either on the agenda for the meeting or that comes under the jurisdiction of the Council, provided that—

(a) the member of the public's speaking rights are to be exercised before the meeting debates the particular item, if it is on the agenda;

(b) a member of the public speaking during community forum is limited to a maximum period of three (3) minutes, unless extended by the consent of the meeting, which is to be signified without debate; and

(c) the meeting may, by resolution (which may be moved without notice), bring forward and deal with any item listed on the agenda immediately following the conclusion of a person's address to the meeting during community forum.

PART 7 — ROLE OF PRESIDING MEMBER

7.1 Directions by the Presiding Member

(1) At any meeting of the Council, the Presiding Member may direct attention to any matter of interest or relevance to the business of the Council, or propose a change to the order of business.

(2) Any member may move that a change in order of business proposed by the Presiding Member not be accepted, and if carried by a majority of Councillors present, the proposed change in order does not take place.

7.2 The Presiding Member to Take Part in Debates

Subject to the provisions of the Act and this local law, the Presiding Member may take part in a discussion upon any question before the Council, provided that, like other Councillors, the Presiding Member may only speak once in accordance with these Standing Orders, and provided this is done before the right of reply is exercised.

7.3 Precedence of the Presiding Member

When the Presiding Member speaks during the progress of a debate, any Councillor then speaking, or offering to speak, is immediately to cease speaking, and every Councillor present is to preserve strict silence so that the Presiding Member may be heard without interruption. This clause must not be used by the Presiding Member to exercise the right provided in clause 7.2, but to preserve order.

7.4 Dissent with the Presiding Member's Ruling

Except where expressly denied in this local law or the Act, a Councillor may move a procedural motion to disagree with a ruling given by the Presiding Member. The Presiding Member must immediately call for a seconder and put the motion without debate.

PART 8 — QUESTIONS FROM COUNCILLORS

8.1 Questions of Which Due Notice Has to be Given

(1) A Councillor seeking to ask a question at any meeting of the Council, other than Committee meetings, is to give written notice of the specific question to the Chief Executive Officer at least 24 hours before commencement of the meeting.

(2) All questions and answers are to be submitted as briefly and concisely as possible.

8.2 Questions Not to Involve Argument or Opinion

In putting any question, no argument or expression of opinion is to be used or offered, nor any facts stated, except those necessary to explain the question.

PART 9 — PETITIONS AND DEPUTATIONS

9.1 Petitions

(1) Any petition to be submitted to the Council is to be in writing.

A Ratepayer or Councillor presenting a petition is limited to a statement of the parties from whom it comes, the number of signatures attached to it, the material issues contained in it, and the reading of the petition's request.

A Ratepayer presenting a petition is to be familiar with the nature and contents of the petition and to ascertain that it does not contain language disrespectful to the Council or other persons.

The only question to be considered by the Council on the presentation of any petition is—

(a) that the petition be accepted; or

(b) that the petition not be accepted; or

(c) that the petition be accepted and referred to the Chief Executive Officer or a Committee for consideration and to provide a report that Council can deal with.

9.2 Deputations

(1) A deputation wishing to be received by the Council is required, in the first instance, to send or deliver to the Chief Executive Officer, in writing, the subject matter to be raised by the deputation, and the Chief Executive Officer is to arrange to have the written subject matter and deputation visit included on the agenda of the appropriate Council or Committee meeting at the first possible opportunity.

(2) If the Committee having received the deputation is of the opinion that the deputation matter is one that should be brought before the Council, the Chief Executive Officer is to arrange for the deputation's written subject matter and deputation visit to be placed on the ordinary or special Council meeting agenda at the first possible opportunity.

(3) A deputation is not to exceed five in number, and any member of the deputation is at liberty to address the Council or a Committee of the Council.

PART 10 — NOTICES OF MOTION

10.1 Notices of Motion to be in Writing

Unless the Act or this local law otherwise provides, a Councillor may only bring forward at a meeting such business as is referred to in this clause in the form of a motion of which notice has been given, in writing, to the Chief Executive Officer.

10.2 Notice of Motion to the Chief Executive Officer

Notice of motion is to be given to the Chief Executive Officer either—

(a) at the last previous Council meeting; or

(b) at least seven (7) business days before the meeting at which it is to be brought forward.

10.3 Subject of Notice of Motion

Every notice of motion is to relate to business affecting the constitution, administration or condition of the Shire of Pingelly or the Council, and the Chief Executive Officer is to rule out of order any notice of motion which does not comply with this clause.

10.4 Motion to Lapse

Every such motion as is mentioned in subclause 10.1 lapses unless—

(a) the Councillor who gave notice, or another Councillor authorised by that Councillor in writing, is present to move the motion when called on; or

(b) the Council, by resolution, agrees to defer consideration of the motion to a later stage or date.

PART 11 — CONDUCT OF MEMBERS

11.1 Official Titles to be Used

Councillors are to address each other in the Council during the transaction of business by their respective titles of President or Councillor. Councillors speaking of, or addressing, officers are to designate them by their respective official title.

11.2 Leaving Meetings

After a meeting of the Council has been formally constituted and the business commenced, a Councillor or officer of the Council is not to enter or leave the meeting without first paying due respect by deferring to the Presiding Member.

11.3 Debate - Maintenance of Order - Imputations - Offensive Expressions

No member may impute motives or use offensive or objectionable expressions in reference to any Councillor, officer of the Council, or any other person.

11.4 Members to Occupy Own Seats

(1) At the first ordinary meeting attended by a Councillor after election, the Chief Executive Officer shall allot, by random draw, a position at the Council table to each Councillor, allocated clockwise, with the Deputy President automatically being allocated the seventh seat, and the Councillor shall, until such time as there is a call by a majority of Councillors for a re-allotment of positions, occupy that position when present at meetings of the Council.

(2) No Councillor is deemed to be present unless occupying that member's allotted place within the Council Chambers.

11.5 Alcohol

Consumption of alcohol in Council or Committee meetings is prohibited.

11.6 Smoking and Vaping

Smoking and the use of e-cigarettes or other vaping devices in Council or Committee meetings is prohibited.

PART 12 — CONDUCT OF MEMBERS DURING DEBATE

12.1 Councillors Wishing to Speak

Every Councillor wishing to speak during a Council meeting is to indicate this by show of hand or other method agreed upon by the Council. When invited by the President to speak, Councillors are to address the Council through the President.

12.2 Priority

Where two or more Councillors wish to speak at the same time, the President is to decide which Councillor is entitled to priority to be heard. The decision is not open to discussion or dissent.

12.3 Relevance

Every Councillor is to restrict remarks to the motion or amendment under discussion, or to an explanation or point of order.

12.4 Speaking Twice/Right of Reply

Except where this clause is suspended in accordance with Part 14, a Councillor is not to speak twice on the same motion or amendment except—

(a) in reply, upon an original motion of which the Councillor was the mover;

(b) in reply, upon an amendment last debated of which the Councillor was the mover of the original motion; or

(c) by way of personal explanation, in accordance with clause 19.

12.5 Limit of Speeches

(1) A Councillor may speak on any motion or amendment for a period that, in the discretion of the President, is appropriate, but not for a period longer than five (5) minutes without the consent of the Council.

(2) The Council's consent under subclause (1) is to be signified without debate, and an extension is not to be permitted beyond a total of ten (10) minutes.

12.6 Councillors not to Speak After Conclusion of Debates

No Councillor may speak to any motion or amendment after—

(a) the mover has replied; or

(b) the question has been put.

12.7 Irrelevance, Repetition, Imputations, Offensive Expressions

(1) Any Councillor may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order on the part of a Councillor. The President may then direct the offending Councillor to cease the activity brought to the attention of the Council.

(2) If, after having been directed by the President in accordance with subclause (1) to cease speaking, a Councillor continues to speak, any other Councillor may move the procedural motion in clause 14.1(g) that the Councillor be no longer heard. The President shall immediately call for a seconder, but there shall be no debate. If the motion is carried by a majority of Councillors present, the offending Councillor may take no further part in any debate on the question before the meeting, in accordance with clause 15.7.

12.8 Councillors Not to Interrupt

No Councillor is to interrupt another Councillor who is speaking unless—

(a) to raise a point of order;

(b) to call attention to the absence of a quorum;

(c) to move a permissible procedural motion, as set out in clause 14.1.

12.9 Presiding Member's Right to Adjourn to Regain Order

Where a meeting ceases to operate in an orderly manner, the President may adjourn the meeting for up to fifteen (15) minutes, without explanation, to regain order. This action cannot be challenged by any Councillor. On resumption, debate continues from the point at which the meeting was adjourned. Where the President has cause to adjourn a meeting on two occasions, the President may adjourn it for a period of no longer than seven (7) days.

PART 13 — PROCEDURES FOR DEBATE OF MOTIONS

13.1 Motions and Amendments to be Presented

A Councillor who intends moving a substantive motion or amendment to a substantive motion is to present its substance before speaking to it, and if required by the President, is to cause the motion or amendment to be put and submitted in writing.

13.2 Motion or Amendment to be Seconded

A motion or amendment to a motion is not to be discussed or put to the vote unless there is a seconder.

13.3 Only One Substantive Motion Considered

When a substantive motion is under debate at any meeting of the Council, no further substantive motion is to be accepted.

13.4 Order of Call in Debate

The President will call speakers to a substantive motion in the following order—

(a) the mover to state the motion;

(b) a seconder to the motion;
(c) the mover to speak to the motion;
(d) the seconder to speak to the motion;
(e) a speaker against the motion;
(f) a speaker for the motion;
(g) other speakers against and for the motion, alternating in view, if any;
(h) mover takes right of reply, which closes debate.

13.5 Limit of Debate

The President may offer the right of reply and put the motion to the vote if the President considers sufficient discussion has taken place, even though all members may not have spoken.

13.6 Seconder Requesting Right to Speak

A seconder may request the right to speak at a later time in the debate; however, the moving of any procedural motion which will close debate, or any amendment to the substantive motion, if carried, automatically denies the seconder the right to speak to the substantive motion.

13.7 Negated Motions

A motion to the same effect as any motion that has been negated by the Council, except those motions provided for in clause 14.1 of this local law, is not to be entertained again within a period of three (3) months except with the consent of an absolute majority of the Councillors.

PART 14 — PROCEDURAL MOTIONS

14.1 Permissible Procedural Motions

In addition to proposing a properly worded amendment to a substantive motion, a Councillor may move the following procedural motions—

(a) that the Council proceed to the next business;
(b) that the question be adjourned;
(c) that the Council now adjourn;
(d) that the question be put;
(e) that the Council move into Committee;
(f) that the Council move out of Committee;
(g) that the Councillor be no longer heard;
(h) that the ruling of the President (or person chairing the meeting) be disagreed with;
(i) that the motion lie on the table;
(j) that the Council meet behind closed doors;
(k) that the Council meet with open doors;
(l) that Standing Orders be suspended.

14.2 Procedural Motions Not Required in Writing

Procedural motions are not required to be presented in writing.

14.3 Procedural Motions - Recording in Minutes

The mover, seconder and result of all procedural motions are to be recorded in the minutes of the meeting.

14.4 Procedural Motions - Majority Required

A procedural motion is carried upon the majority of Councillors voting.

14.5 Procedural Motions - Closing Debate - Who May Move

A person who has moved, seconded, or spoken for or against the substantive motion, may not move a procedural motion which, once moved, would deny others the right to speak or, if carried, would close the debate on the substantive motion or amendment.

14.6 Procedural Motions - Right of Reply

There is no right of reply on any procedural motion.

14.7 Procedural Motions - Right of Reply on Substantive Motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

PART 15 — EFFECT OF PROCEDURAL MOTIONS

15.1 That the Council Proceed to the Next Business - Effect of Motion

The motion that the Council proceed to the next business, having been carried, will cause the debate to cease immediately and for the Council to move to the next item on the agenda of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be placed on any future notice paper.

15.2 That the Question be Adjourned - Effect of Motion

The motion that the question be adjourned, having been carried, will cause all debate on the substantive motion or amendment to cease but to continue when the discussion is reconvened.

15.3 That the Council now Adjourn - Effect of Motion

The motion that the Council now adjourn, having been carried, will cause the meeting to stand adjourned until it is re-opened, at which time the meeting continues from the point at which it was adjourned, unless the President or the majority of Councillors, by voting, determine otherwise.

15.4 That the Question be Put - Effect of Motion

(1) The motion that the question be put, having been carried during discussion on a substantive motion without amendment, will cause the President to offer the right of reply and then immediately put the question under consideration without further debate.

(2) The motion that the question be put, having been carried during discussion on an amendment, will cause the President to put the amendment to the vote without further debate.

(3) The motion that the question be put, having been lost, will allow debate to continue.

15.5 That the Council Move into Committee - Effect of Motion

The motion that the Council move into Committee, having been carried, will allow free and open discussion on the matter before the meeting. There will be no restrictions on the number of times each Councillor may speak, provided that normal courtesy and order is maintained.

15.6 That the Council Move Out of Committee - Effect of Motion

The motion that the Council move out of Committee, having been carried, will see the meeting resume its former status, and any decisions made during the time that the Council sits in Committee must be formally agreed to by the carrying of a substantive motion when the Council moves out of Committee.

15.7 That the Councillor Be No Longer Heard - Effect of Motion

The motion that the Councillor be no longer heard, having been carried, will cause the President not to allow the Councillor against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

15.8 That the Ruling of the President be Disagreed with - Effect of Motion

(1) The motion that the ruling of the President be disagreed with, having been carried, will cause the ruling of the President about which this motion was moved to be reversed and for the meeting to proceed accordingly.

(2) Where the President has adjourned the meeting in accordance with clause 12.9 of this local law, the motion that the President be disagreed with may not be moved.

15.9 That the Motion Lie on the Table - Effect of Motion

(1) The motion that the motion lie on the table, having been carried, will cause debate on the substantive motion and any amendment to cease immediately, and for the meeting to proceed to the next business.

(2) Any Councillor may raise the motion from the table by giving appropriate notice of motion for any meeting in the future.

(3) When a motion is raised from the table, the mover of the original substantive motion, or, in the absence of the original mover, the person moving this procedural motion, is given the opportunity to reintroduce the matter, after which debate shall continue according to this local law.

15.10 That the Council Meet Behind Closed Doors - Effect of Motion

(1) In accordance with the Act, the motion that Council meet behind closed doors, if carried, will cause the public and any officers or employees of the Shire of Pingelly, as the Council determines, to leave the room.

(2) No person shall in any way publish, or make public, any of the discussion taking place on a matter discussed behind closed doors, but this prohibition shall not extend to the actual resolution or resolutions carried as a result of such discussion and recorded in the minute book.

15.11 That the Council Meet with Open Doors - Effect of Motion

The motion that Council now meet with open doors, if carried, will revert the meeting to its former status, being open to the public.

15.12 That Standing Orders be Suspended - Effect of Motion

The motion that Standing Orders be suspended, having been carried, will suspend the operation of the clause or subclause specified by the mover, until the Council, by a further motion, resolves that the suspension ceases to have effect.

PART 16 — DECISION MAKING PROCEDURES

16.1 Voting and Decisions - Majority to Determine

All acts of the Council, and all questions coming before the Council, may be decided by a simple majority of the Councillors present and voting, at a properly constituted meeting, unless otherwise provided for in this local law or the Act.

16.2 Breaking Down of Complex Questions

The President may order a complex question to be broken down and put in the form of several motions, which are to be put in sequence.

16.3 Councillor May Require Questions to be Read

A Councillor may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Councillor whilst speaking.

16.4 Order of Amendments

Any number of amendments may be proposed to a motion, but whenever an amendment is proposed to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been disposed of.

16.5 Substantive Motion

If an amendment to a substantive motion is carried, the motion as amended is then submitted as the substantive motion, and becomes the question before the Council upon which any member may speak and any further amendment may be moved.

16.6 Repetition of Motions

No motion or amendment is to be proposed which is the same in substance as a motion or amendment which has been resolved during the same sitting of Council or during the last three (3) months, unless agreed by an absolute majority.

16.7 Consent of Seconder Required to Accept Alteration of Wording

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

16.8 Withdrawal of Motion and Amendments

Council may, without debate, grant leave to withdraw a motion or amendment upon the request of the mover of the motion or amendment and with the approval of the seconder, provided that no Councillor raises an objection, in which case discussion on the motion or amendment does not continue.

16.9 Limitation of Withdrawal

Subject to clause 10, where an amendment has been moved to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of Councillors present, until the amendment proposed has been withdrawn or lost.

16.10 Authority for Withdrawal

A motion or amendment to a motion is not to be withdrawn in the absence of the Councillor who proposed it, except with their written authority.

16.11 Right of Reply

(1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other Councillor may speak on the question.

(2) The right of reply must be confined to rebutting arguments raised by previous speakers, and no new matters may be introduced.

16.12 Right of Reply Provisions

The right of reply is governed by the following provisions—

(a) if there is no amendment to the substantive motion, the mover may reply at the conclusion of the discussion on the motion;

(b) if there is an amendment, the mover of the substantive motion takes the right of reply at the conclusion of the vote on any amendments;

(c) the mover of any amendment does not have a right of reply;

(d) once the right of reply has been taken as the mover of the substantive motion, there can be no further discussion, nor any other amendment, and the substantive motion as amended is immediately put to the vote.

16.13 Amendments to be Relevant

Every amendment is to be relevant to the motion upon which it is moved and be framed to show precisely which words need to be deleted, added or altered.

16.14 Amendments Must Not Negate Original Motion

No amendment to a motion may be moved which negates the original motion or the intent of the original motion.

16.15 Mover of Motion Not to Speak on Amendment

On an amendment being moved, any Councillor may speak to the amendment, except the person who moved the substantive motion, who is only entitled to a right of reply, except that if that person does choose to speak to the amendment, their right of reply is forfeited.

16.16 Question - When Put

When the debate upon any question is concluded and the right of reply has been exercised, the President is immediately to put the question to the Council and, if so desired by any Councillor, is to state it again.

16.17 Method of Taking Vote

(1) In putting the question to the Council, the President is to ask whether there is any objection to the motion, and if not, the motion is carried unanimously.

(2) If objection is raised to the motion, the President is to put the question as often as necessary to determine the decision from a show of hands before declaring the decision.

(3) If the votes of members present at a Council meeting are equally divided, the person presiding may cast a second vote.

16.18 Recording of Votes

The recording of votes on a matter decided at a meeting of the Council or a Committee is dealt with in section 5.21(4) of the Act.

16.19 Revoking or Changing Decisions Made at Council or Committee Meetings

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

16.20 All Councillors to Vote

Save where the Act otherwise provides, at every meeting of the Council every member is to vote, and if a member who is entitled to vote fails to vote, the President is to call upon the member to vote.

PART 17 — POINTS OF ORDER

17.1 Points of Order - When to Raise - Procedure

Upon a matter of order arising during the progress of a meeting, a Councillor may raise a point of order, including interrupting the speaker. A Councillor who is speaking when a point of order is raised is immediately to cease while the President listens to the point of order.

17.2 Points of Order - Definitions

Expressing a difference of opinion or contradicting a speaker is not recognised as raising a point of order, but the following are recognised as valid points of order—

(a) that the discussion is of a question not before the Council;

(b) that offensive or insulting language is being used;

(c) drawing attention to the violation of any local law or standing order of the Council, provided that the Councillor raising the point of order states the local law or standing order believed to be breached.

17.3 Points of Order - Ruling

The President is to give a decision on any point of order after the point has been raised, by either upholding or rejecting the point of order.

17.4 Points of Order - Ruling Conclusive, Unless Dissent Motion is Moved

The ruling of the President upon any point of order is final, unless a majority of the Councillors support a motion of dissent with the President's ruling.

17.5 Points of Order - Motion Against Ruling Procedure

Where an objection has been taken to the ruling of the President, the Councillor objecting may immediately move dissent with the ruling. Where the motion is seconded, it is to be put to the vote immediately, and the result of the vote, whether in support of the ruling or otherwise, determines the action of the Council.

17.6 Points of Order Take Precedence

Despite anything else in these Standing Orders, all points of order take precedence over any other discussion and, until decided, suspend the consideration and decision of every other matter.

PART 18 — ADJOURNMENT OF MEETING

18.1 Meeting May be Adjourned

The Council may, upon a motion moved and seconded, adjourn any meeting to a later hour of the same day, or to any other time not more than seven (7) days from the date of adjournment.

18.2 Notice of Adjourned Meeting

Where a meeting is adjourned, if time permits, notice of the adjourned meeting is to be forwarded to each Councillor in the manner provided in clause 2 of this local law.

18.3 Business at Adjourned Meeting

At an adjourned meeting, no additional business is to be discussed except that which was on the original notice paper for that meeting.

18.4 Limit to Moving Adjournment of Council

No Councillor is to move or second more than one motion of adjournment during the same sitting of the Council.

18.5 Unopposed Business - Motion for Adjournment of Council

On a motion for the adjournment of the Council, the President, before putting the motion, may seek leave of the Council to proceed to the transaction of unopposed business.

18.6 Withdrawal of Motion for Adjournment of Council

A motion or an amendment relating to the adjournment of the Council may be withdrawn by the mover, with the consent of the seconder, except that if any Councillor objects to the withdrawal, the motion must continue to be debated.

PART 19 — PERSONAL EXPLANATION

19.1 Personal Explanation

No Councillor may speak, except upon the question before the Council, unless it is to make a personal explanation confined to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When giving an explanation, a Councillor must not—

(a) make reference to matters not strictly necessary for that purpose;
(b) endeavour to strengthen the former position by introducing new argument or matter; or
(c) reply to other Councillors of the Council.

19.2 Personal Explanation - When Heard

A Councillor wishing to make a personal explanation of matters referred to by another Councillor then speaking is entitled to be heard immediately if the Councillor then speaking consents, but if that Councillor declines to give way, the personal explanation must be offered at the conclusion of that speech.

19.3 Ruling on Questions of Personal Explanation

The ruling of the President on the admissibility of a personal explanation is final, unless a motion of dissent with the ruling is moved before any other business proceeds.

PART 20 — COMMITTEES OF COUNCIL

20.1 Committees

Committees of the Council are to operate in accordance with the Act and its Regulations.

20.2 Standing Orders to Apply to Committees

This local law applies to the proceedings of Committees of the Council in accordance with clause 1.6, except that—

(a) the requirement for Councillors to speak only once does not apply in meetings of Committees; and
(b) at meetings of Committees of the Council only, in addition to the petitions and deputations segment of the meeting agenda, there is to be a community forum segment as set out in clause 6.4 of this local law.

20.3 Attendance by Councillors as Observers

Councillors have the right to attend meetings of Committees to which they are not appointed, as observers, and may be permitted by the Presiding Member to speak on any matter under consideration by the Committee, but are not entitled to vote.

20.4 Resignation of Committee Members

The resignation of committee members is dealt with in regulation 4 of the Regulations.

PART 21 — ADMINISTRATIVE MATTERS

21.1 Custody and Use of Common Seal

The Chief Executive Officer has charge of the common seal of the Council and is responsible for its safe custody and proper use.

21.2 Seal Not to be Improperly Used

Except as required by law, or in the exercise of the express authority of the Council, the Chief Executive Officer is not to use the common seal of the Council.

21.3 Cases not Provided for in the Standing Orders

The Presiding Member is to decide all questions of order, procedure, debate or otherwise where no provision, or insufficient provision, is made in this local law.

21.4 Decisions of the Presiding Member

All decisions of the Presiding Member are final unless a majority of the Councillors then present, by resolution made forthwith and without discussion, dissent from them.

21.5 Penalty for Breach of Standing Orders

A person who breaches this local law or any of the provisions hereof is liable, upon conviction, to a penalty not exceeding $1,000.00.

21.6 Duty of Chief Executive Officer

It is the duty of the Chief Executive Officer to draw the attention of the Council to any breach or likely breach of this local law, even if it requires interrupting any person speaking, including the President.

21.7 Enforcement

(1) The Presiding Member of any Council or Committee meeting is authorised to enforce this local law during the course of the meeting.

(2) The Shire may only institute legal proceedings for an alleged breach of this local law if authorised by a resolution of the Council.

DECLARATION

Dated this _____ day of _____ 2027.

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

_____
President

_____
Chief Executive Officer

This consolidated version incorporates substantial administrative and drafting updates across Parts 1, 2, 5, 6, 7, 8, 9, 11, 12, 14, 16, 20 and 21 — see accompanying changelog.

Council Policy

X.X Local Law Determinations and Specifications

1. PURPOSE

The purpose of this Policy is to establish a consistent and transparent process for:

- proposing, making, recording, publishing, reviewing and revoking determinations under Part 2 of the *Shire of Pingelly Public Places Local Law 2027*;
- recording, publishing and reviewing specifications made under section 31(3A) of the *Dog Act 1976*; and
- maintaining a publicly accessible Determination and Specification Register that identifies the authority and effect of each recorded decision.

2. SCOPE

2.1. This Policy is applicable to the Shire of Pingelly and its operations.

2.2. This Policy applies to all determinations made under Part 2 of the *Shire of Pingelly Public Places Local Law 2027* or another Local Law by resolution of Council.

2.3. This Policy applies to specifications made by the local government under section 31(3A) of the Dog Act 1976, which this Policy requires to be recorded in the Register.

3. DEFINITIONS

Determination means a determination made by Council under clause 2.1 or 2.2 of the *Shire of Pingelly Public Places Local Law 2027* and includes a determination that modifies the application of a prohibition or restriction under another local law.

Determination and Specification Register (the Register) means the register maintained under clause 2.6 of the Shire of Pingelly Public Places Local Law 2027, and under this Policy in respect of specifications made under section 31(3A) of the Dog Act 1976.

Local Law means the Shire of Pingelly Public Places Local Law 2027.

Specification means a specification made by the local government under section 31(3A) of the Dog Act 1976 identifying an area as a dog exercise area.

4. POLICY STATEMENT

4.1. A determination must be made, amended or revoked in accordance with the Local Law. A specification must be made by absolute majority in accordance with the Dog Act 1976 and the Shire of Pingelly Dogs Local Law 2027.

4.2. Recording a specification in the Determination and Specification Register does not cause it to become a determination under the Local Law.

4.3. A resolution of Council to made, amend or revoke a determination or specification is taken to include 'and update Policy XX. *Local Law Determinations and Specifications'*.

4.4. Council may advertise its intention to make, amend or revoke a determination or specification at their discretion.

4.5. A decision to make, change or revoke a determination or specification is to be made by Council and is not to be delegated.

4.6. The below Determination and Specification Register is made in accordance with clause 2.6 of the Local Law that determinations made by resolution be recorded in a determination register maintained as part of a policy of the Shire:

Determination and Specification Register

Ref. No. (SPEC/DET)	Description of Public Place / Class of Public Place	Activity Permitted or Prohibited, and Conditions	Date Made / Effective Date	Council Resolution Reference
SPEC-2027-01	Linear Park Reserve 34570	Permitted: dogs off-leash under effective control at all times	[date]	[OCM resolution no.]
SPEC-2027-02	Recreation Reserve 23053 (Old School Oval)	Permitted: dogs off-leash under effective control at all times	[date]	[OCM resolution no.]
SPEC-2027-03	Recreation Reserve 23983 (Town Oval)	Permitted: dogs off-leash under effective control at all times	[date]	[OCM resolution no.]
DET-2027-01	Rotunda at Memorial Park	Permitted: Performances in accordance with signage requirements.	[date]	[OCM resolution no.]
DET-2027-02	Stage at Gnalla Wangkiny Pocket Park, 25 Parade Street, Pingelly	Permitted: Performances in accordance with signage requirements.	[date]	[OCM resolution no.]
DET-2027-03	Marked area adjacent to 10 Parade Street, Pingelly	Permitted: Trading in accordance with signage requirements.	[date]	[OCM resolution no.]
DET-2027-04	Pump Track & Skate Park	Permitted: Skateboards, scooters, BMX bicycles and similar recreational devices.	[date]	[OCM resolution no.]
DET-2027-04	Pingelly Railway Station Platform	Permitted: Markets – maximum 4 hours per week.	[date]	[OCM resolution no.]

4.7. The Register contains all current determinations and specifications. Where a determination or specification is changed, the existing entry is to be updated to show the decision as it then applies. Where a determination or specification is revoked, the entry is to be removed from the Register.

5. RELATED DOCUMENTATION / LEGISLATION

Shire of Pingelly Public Places Local Law 2027

Shire of Pingelly Dogs Local Law 2027

Shire of Pingelly Cats Local Law 2027

Local Government Act 1995

Dog Act 1976

6. REVIEW DETAILS

Review Frequency	Biennially
Council Adoption	[Pending adoption]

SHIRE OF PINGELLY

Local Laws Review 2027

Summary of Key Changes - For Council

The Shire has reviewed its local laws. This paper identifies material policy, regulatory and administrative differences between the proposed 2027 instruments and the current local laws supplied for comparison. It excludes renumbering, modernised language and other drafting changes that do not alter practical effect. The Cats Local Law 2027 repeals and replaces the Cats Local Law 2024, so its principal provisions are summarised rather than compared.

The proposed instruments also update statutory references to current legislation, including the Local Government Act 1995, Public Health Act 2016, Health (Miscellaneous Provisions) Act 1911, Dog Act 1976, Dog Regulations 2013, Cat Act 2011, Cat Regulations 2012, Cat (Uniform Local Provisions) Regulations 2013, Biosecurity and Agriculture Management Act 2007, Cemeteries Act 1986 and Local Government (Administration) Regulations 1996. These legislative updates are identified below where they materially affect the basis or operation of a local law.

Health Local Law 2027

Replaces the Health Local Laws 2003. The proposed law is made under the Local Government Act 1995 and is to be read with the Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911.

Change (effect)	Reason
The law is remade under the Local Government Act 1995 rather than the repealed Health Act 1911 framework.	Places the local law on a current legislative basis and recognises the Public Health Act 2016 and remaining Health (Miscellaneous Provisions) Act 1911 requirements.
The current law is substantially reduced. Detailed provisions on sanitation, housing, feedlots, piggeries, infectious diseases, offensive trades, commercial laundries, flock factories and fat rendering are removed or consolidated.	Removes obsolete, duplicated or non-applicable requirements and focuses the law on matters administered locally.
The lodging-house regime is retained but simplified. Registration, annual renewal, sanitation, fire safety, lodger records and enforcement remain, while extensive prescriptive detail is removed.	Maintains a workable public-health framework without duplicating contemporary building, fire and health legislation.
Within the townsite, the combined limit of 20 poultry and pigeons changes to 12 poultry and 12 pigeons. The affiliated-person concession for up to 150 is removed, with approval available for greater numbers.	Replaces the existing concession with clearer standard limits and case-by-case approval.
Written approval in the townsite is extended from roosters to roosters, geese, turkeys and peafowl.	Applies a consistent approval process to birds with similar amenity impacts.
Rainwater tanks used for human consumption must be cleaned at least every 2 years rather than annually, and the defined minimum hot-water temperature changes from 75°C to 65°C.	Updates prescriptive operating standards.
New express controls address illegal dumping, recycling contamination, verge collections, animal faeces in public places, termites affecting adjoining property, interference with pest-control devices, feeding wild birds and reasonable control of specified feral animals.	Addresses contemporary health and nuisance matters not expressly dealt with in the current law.
Modified penalties are set as a flat amount for each prescribed offence rather than escalating according to prior offences.	Simplifies infringement administration.

Dogs Local Law 2027

Replaces the Dogs Local Law 2003 and operates with the Dog Act 1976 and Dog Regulations 2013. Existing limits of 2 dogs in the townsite and 4 outside the townsite are retained.

Change (effect)	Reason
A detailed process is added for applications to keep additional dogs, including assessment criteria, conditions, a maximum of 2 additional dogs (i.e. up to 4 in the townsite or 6 outside it), a 3-year approval period and revocation powers.	Provides consistent criteria for exemption applications under section 26 of the Dog Act 1976.
An authorised officer may direct an owner or occupier to undertake specific measures to effectively confine a dog.	Adds a targeted compliance tool where general confinement requirements are not met.
The existing kennel licensing framework is retained, with expanded renewal and cancellation grounds and express consideration of dangerous-dog status.	Strengthens ongoing oversight of kennel establishments.
The dog exercise areas named in the current law are replaced by areas specified under section 31(3A) of the Dog Act 1976 and recorded in the Determination and Specification Register.	Allows dog exercise areas to be updated without remaking the local law, while preserving a public record.
The fixed list of places where dogs are prohibited absolutely (public buildings, theatres, food premises, public swimming pools) is removed from the local law. Only the duty to prevent a dog approaching, chasing or menacing a person in an exercise area is retained as a standalone provision.	The Dog Act 1976 already lets Council prohibit dogs from a place under its own care, control or management by resolution, with its own offence and penalty (sections 31(2A) and (2B) of the Dog Act 1976), making the local law provision redundant. This narrows the power to places the Shire controls; it no longer reaches privately-owned premises such as a café or theatre.
Modified penalties are increased for key offences, including confinement failures, breach of approvals or kennel licence conditions, dogs in prohibited places and failure to remove excreta.	Updates infringement amounts under the Local Government Act 1995 enforcement framework.

Public Places Local Law 2027

Replaces and consolidates the Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2003 and the Local Government Property Local Law 2003. It is made under the Local Government Act 1995.

Change (effect)	Reason
Two current local laws are consolidated into one instrument covering thoroughfares, public places and local government property.	Removes duplication and provides a consistent permit, notice, review and enforcement framework.
The existing determination mechanism is extended beyond local government property and simplified. A determination may take effect from the date resolved or a later specified date.	Provides more flexible place-specific rules while retaining Council decision-making and public recording.
A determination may only override a prohibition or restriction under this local law. The draft previously allowed a determination to override a prohibition or restriction under this local law or any other written law.	A local law cannot validly claim to override another written law it is not made under (section 3.7 of the Local Government Act 1995, and the general principle that subsidiary legislation cannot override its enabling Act or another written law). The determination power now only reaches what this local law itself regulates.
A compliant single A-frame business sign and specified real-estate, open-house, garage-sale and sporting sponsorship signs may be displayed without a permit.	Removes permit administration for lower-risk signs while retaining placement and safety controls.
A small compliant outdoor eating facility or street display adjoining a business may operate without a permit, subject to dimensional, access and daily-removal requirements.	Reduces red tape for low-impact verge use while protecting pedestrian access.
New provisions address parklets, commercial filming and photography, UAVs, fireworks, mass balloon releases and mobile food businesses.	Covers activities not expressly regulated in the current laws.
The verge-treatment framework extends from the townsite to the whole district, allows broader treatment options and adds controls for drainage, service pits, weeds, invasive plants, Shire trees and sprinklers.	Modernises verge management and clarifies safety, access and asset-protection obligations.

Change (effect)	Reason
Authorised persons gain powers to refuse entry, prohibit re-entry for up to 30 days, remove a non-compliant person and request identifying information, with CEO review of a re-entry prohibition.	Adds graduated enforcement options beyond the current direction-to-leave power.
The holding period for unclaimed property before disposal changes from 3 months to 3 days, except for a vehicle, animal or other goods removed or impounded under the Local Government Act 1995, which remain subject to that Act's own timeframes.	Provides a faster process for ordinary lost property, while preserving the longer statutory timeframes (up to 2 months) that apply to impounded goods under Part 3, Division 3, Subdivision 4 (sections 3.42 to 3.47) of the Local Government Act 1995.
Vehicle access to the Shire off-road riding area is regulated within this law.	Consolidates vehicle-access controls within the principal law governing Shire property.
Flora roads are declared by Council determination and recorded in the Determination and Specification Register.	Replaces an unspecified administrative declaration with a recorded Council decision.

Supporting document: Local Law Determinations and Specifications Policy

The supporting Council policy establishes a consolidated Determination and Specification Register. It provides for determinations made under Part 2 of the Shire of Pingelly Public Places Local Law 2027, including determinations that modify a prohibition or restriction under another local law, and specifications of dog exercise areas made under section 31(3A) of the Dog Act 1976, which the Policy requires to be recorded in the Register. The policy is also supported by the Cat Act 2011 context for the new Cats Local Law.

Pest Plants Local Law 2027

Replaces the Pest Plant Local Laws 2003. The enabling framework is updated from the Agriculture and Related Resources Protection Act 1976 to the Biosecurity and Agriculture Management Act 2007 and Local Government Act 1995.

Change (effect)	Reason
Owners and occupiers have a direct ongoing duty to control listed pest plants; under the current law the enforceable obligation arises after notice.	Moves from reactive notice enforcement to ongoing landholder responsibility.
The schedule expands from 3 species to 9, retaining caltrop, Afghan thistle and heliotrope and adding skeleton weed, Paterson's curse, doublegee, horehound, watsonia and African lovegrass.	Extends local control to additional listed plants.
Selling or supplying a listed pest plant, seed or propagating material is prohibited.	Reduces the risk of spread.
Prescribed offences and modified penalties are introduced.	Allows suitable breaches to be dealt with by infringement notice.
Notice, entry, remedial work and cost-recovery powers are retained.	Preserves an enforcement pathway for unresolved non-compliance.

Cemeteries Local Law 2027

Replaces the Cemeteries Local Law 2003 and continues to operate under the Cemeteries Act 1986.

Change (effect)	Reason
Minimum notice for a funeral booking increases from 24 hours to 72 hours.	Provides additional preparation and administration time.
The cemetery vehicle speed limit reduces from 25 km/h to 20 km/h.	Introduces a lower uniform speed limit.
Express provisions are added for cemetery registers and plans, grants of right of burial, renewable 5-year pre-need certificates, electronic communications and historical records.	Modernises cemetery administration and recordkeeping, consistent with the registers and plans required under section 40 of the Cemeteries Act 1986.
New provisions address recording or filming funerals, reopening graves, exhumation, temporary closure, utility services, unsafe memorials, offensive material, notices, cost recovery and review rights.	Fills operational and enforcement gaps, with removal of a morial in disrepair aligned to the 28-day notice period in tion 32 of the Cemeteries Act 1986.
A formal memorial-tree program is introduced.	Replaces the general power to approve trees or shrubs with a defined memorial option.

Change (effect)	Reason
The range of prescribed offences expands, while the $50 modified penalty capped by section 55 of the Cemeteries Act 1986 is retained.	Allows more provisions to be enforced by infringement notice within the statutory limit.

Cats Local Law 2027

This local law repeals and replaces the Cats Local Law 2024 and is made under the Cat Act 2011 and Local Government Act 1995, and operates with the Cat Regulations 2012 and Cat (Uniform Local Provisions) Regulations 2013. Its principal provisions are summarised below.

Change (effect)	Reason
Limits prescribed premises to 2 cats aged 6 months or older, with approval available for up to 2 additional cats so the total does not exceed 4.	Establishes the local cat-number limit permitted by regulation 4 of the Cat (Uniform Local Provisions) Regulations 2013.
Applications for additional cats must be made by an occupier and include the owner's consent where the occupier is not the owner. The local government may consider premises suitability, environmental sensitivity, likely nuisance and nearby-resident submissions.	Provides a structured process for additional-cat approvals.
Cats must not be outside the premises where ordinarily kept unless under effective control. Cats are prohibited at all times from enclosed public places, nature reserves and bushland.	Establishes containment and place-based controls intended to reduce roaming and protect sensitive areas (sections 79(1) and 79(3)(f) and (g) of the Cat Act 2011).
A new standalone clause (2.4) provides that any prohibition or restriction in the Cats Local Law does not apply to the extent a determination under Part 2 of the Public Places Local Law 2027 provides otherwise.	Uses the same standard mechanism as the Dogs Local Law, so both animal laws defer to Council determinations in the same way.
A written complaint may lead to a cat control notice, issued under section 26 of the Cat Act 2011, requiring a nuisance to be abated for a specified period not exceeding 28 days.	Creates an enforceable process for substantiated nuisance complaints.
Releasing a cat from, removing or wilfully damaging a lawfully placed cat trap is prohibited, subject to stated exceptions for the landowner, land manager, local government or delegate.	Protects lawful trapping activity.
Additional-cat permits may include conditions, are not transferable, cease if revoked or when the permit holder leaves the premises, and must be kept at the premises for inspection.	Creates an administrative framework for ongoing permit compliance.
Objection and appeal rights apply to permit conditions, refusal and revocation under Part 9 of the Local Government Act 1995. Prescribed offences carry modified penalties under sections 62 and 84 of the Cat Act 2011.	Provides review and infringement mechanisms for the new controls.

Standing Orders Local Law 2027

Replaces the Standing Orders Local Law 2017 and updates references to the Local Government Act 1995 and Local Government (Administration) Regulations 1996.

Change (effect)	Reason
Introduces adoption by exception for groups of non-contentious committee or officer recommendations, excluding matters involving a disclosed interest or an absolute-majority requirement.	Allows routine recommendations to be considered efficiently while preserving separate consideration of specified matters.
Updates electronic attendance and meetings by electronic means by linking them to the Local Government (Administration) Regulations 1996.	Aligns the Standing Orders with the current statutory framework for electronic participation under regulations 14C to 14E of the Local Government (Administration) Regulations 1996.

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1. Monthly Statement of Financial Activity – September 2026

File Reference: **ADM0075**
Location: **Not Applicable**
Applicant: **Not Applicable**
Author: **Manager Finance**
Disclosure of Interest: **Nil**
Attachments: **15.1 (i) Monthly Statement of Financial Activity**
15.1 (ii) Variances at Sub Program Level
15.1 (iii) 2026 2027 Rates Levied
Previous Reference: **Nil**

Summary
In Accordance with the *Local Government Act 1995* Section 5.25 (1) and *Local Government (Financial Management) Regulations 1996*, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statement of Financial Activity for the month of September 2026 is attached for Council consideration and adoption. This report now incorporates new Australian Accounting Standards Board (AASB) requirements effective from 1 July 2019. AASB 15 Revenue from Contracts with Customers (IFRS 15), AASB 1058 Income for Not-for-Profit Entities, AASB 16 Lease replaces AASB 117 (IFRS 16).

Background
In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services;
- Reconciliation of all shire's bank accounts, including term deposits;
- Reconciliation of rates, including outstanding debtors;
- Reconciliation of sundry creditors and debtors;

Comment
The Monthly Financial Report has been prepared in accordance with statutory requirements and provides Council with the financial position of the Shire as at 30 September 2026.

The Shire has been successful for a LotteryWest Grant toward the running of the Shire's major events for this financial year for the amount of $25,696 excluding GST. An additional line to the resolution has been provided to allow this grant funding to be expended prior to the mid-year budget review.

A comparative cash position against last year is shown below:

	30/09/2026	30/09/2025
Current Position	4,549,370	3,316,148
Municipal Bank	3,271,716	2,078,098
Reserve Bank	1,277,654	1,238,050
Rates Collected	1,057,995	1,715,596

Consultation
Nil

Statutory Environment
Local Government Act 1995;
Local Government (Financial Management) Regulations 1996
Section 34: Financial Reports to be prepared
(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -

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

(2) Each statement of financial activity is to be accompanied by documents containing -

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

(3) The information in a statement of financial activity may be shown -

(a) According to nature and type classification;
(b) By program; or
(c) By business unit.

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -

(a) Presented to the council -
    (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
    (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
(b) Recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

Policy Implications
There are no policy implications.

Financial Implications
The report and Officer recommendation is consistent with Council's adopted Budget 2026/27.

Strategic Implications
Business as usual.

Risk Implications

Risk:	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position. As the monthly report is a legislative requirement, non-compliance may result in a qualified audit.		
Consequence Theme:	Reputational / Compliance	**Impact:**	Minor
Consequence:	Low impact, a small number of complaints. Some temporary non-compliance		
Likelihood Rating:	Unlikely	**Risk Matrix:**	Low (4)
Action Plan:	Risk is acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.		

13807 Cr Angela Trethewey moved, Cr Robert Howell seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

1. **That with respect to the Monthly Statements of Financial Activity for the month ending 30 September 2026 be accepted and material variances be noted; and**

2. **Adopts a budget amendment to receive and expend a grant of $25,696 excluding GST for Shire's 2026/2027 major events.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

SHIRE OF PINGELLY

MONTHLY FINANCIAL REPORT

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

For the period ended 30 September 2026

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF PINGELLY
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

	Note	Adopted Budget Estimates (a)	YTD Budget Estimates (b)	YTD Actual (c)	Variance* $ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
		$	$	$	$	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates		2,796,189	2,796,189	**2,796,188**	(1)	(0.00%)	
Grants, subsidies and contributions		927,897	231,966	**303,466**	71,500	30.82%	▲
Fees and charges		454,747	256,153	**279,936**	23,783	9.28%	
Interest revenue		82,366	20,583	**7,824**	(12,759)	(61.99%)	▼
Other revenue		77,900	19,461	**43,984**	24,523	126.01%	▲
Profit on asset disposals		69,000	17,250	**0**	(17,250)	(100.00%)	▼
		4,408,099	**3,341,602**	**3,431,398**	**89,796**	2.69%	
Expenditure from operating activities							
Employee costs		(2,461,662)	(621,135)	**(572,301)**	48,834	7.86%	
Materials and contracts		(1,955,218)	(486,099)	**(497,945)**	(11,846)	(2.44%)	
Utility charges		(222,254)	(55,512)	**(39,881)**	15,631	28.16%	▲
Depreciation		(3,360,000)	(839,985)	**0**	839,985	100.00%	▲
Finance costs		(74,380)	(18,588)	**0**	18,588	100.00%	▲
Insurance		(240,746)	(59,874)	**(123,766)**	(63,892)	(106.71%)	▼
Other expenditure		(79,381)	(19,833)	**(2,683)**	17,150	86.47%	▲
Loss on asset disposals		(18,522)	(4,629)	**0**	4,629	100.00%	
		(8,412,163)	**(2,105,655)**	**(1,236,576)**	**869,079**	41.27%	
Amounts excluded from operating activities	2(c)	3,309,522	827,364	**388**	(826,976)	(99.95%)	▼
Amount attributable to operating activities		**(694,542)**	**2,063,311**	**2,195,210**	**131,899**	6.39%	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions		1,803,673	450,912	**344,942**	(105,970)	(23.50%)	▼
Proceeds from disposal of property, plant and equipment		165,457	0	**0**	0		
Proceeds from financial assets at amortised cost - self supporting loans		25,699	0	**0**	0		
		1,994,829	**450,912**	**288,274**	**(162,638)**	(36.07%)	
Outflows from investing activities							
Acquisition of property, plant and equipment		(1,166,435)	(328,493)	**(12,990)**	315,503	96.05%	▲
Acquisition of infrastructure		(2,086,955)	(521,694)	**(109,108)**	412,586	79.09%	▲
Payments for financial assets at amortised cost - self supporting loans		(25,699)	0	**0**	0		
		(3,279,089)	**(850,187)**	**(122,098)**	**728,089**	85.64%	
Amount attributable to investing activities		**(1,284,260)**	**(399,275)**	**222,844**	**622,119**	155.81%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Transfer from reserves		167,000	0	**0**	0		
		167,000	**0**	**0**	**0**		
Outflows from financing activities							
Repayment of borrowings		(252,607)	0	**0**	0		
Payments for principal portion of lease liabilities		(22,196)	0	**0**	0		
Transfer to reserves		(90,627)	0	**0**	0		
		(365,430)	**0**	**0**	**0**		
Amount attributable to financing activities		**(198,430)**	**0**	**0**	**0**		
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	2(a)	2,166,789	2,166,789	**2,218,569**	51,780	2.39%	
Amount attributable to operating activities		(694,542)	2,063,311	**2,195,210**	131,899	6.39%	
Amount attributable to investing activities		(1,284,260)	(399,275)	**222,844**	622,119	155.81%	▲
Amount attributable to financing activities		(198,430)	0	**0**	0		
Surplus or deficit after imposition of general rates		**(10,443)**	**3,830,825**	**4,636,623**	**805,798**	21.03%	▲

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.
▲ Indicates a variance with a positive impact on the financial position.
▼ Indicates a variance with a negative impact on the financial position.
Refer to Note 3 for an explanation of the reasons for the variance.

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

SHIRE OF PINGELLY
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

	Actual 30 June 2026	Actual as at 30 September 2026
	$	$
CURRENT ASSETS		
Cash and cash equivalents	3,972,986	4,580,280
Trade and other receivables	518,567	2,285,910
Other financial assets	85,414	116,383
Inventories	31,805	57,442
Other assets	0	0
Non-current assets classified as held for s	0	0
TOTAL CURRENT ASSETS	4,608,772	7,040,015
NON-CURRENT ASSETS		
Trade and other receivables	72,645	72,257
Other financial assets	0	0
Inventories	0	0
Investment in associate	0	0
Property, plant and equipment	29,024,074	29,037,064
Infrastructure	84,114,990	84,223,012
Right-of-use assets	266,589	266,589
Investment property	0	0
Intangible assets	0	0
TOTAL NON-CURRENT ASSETS	113,478,298	113,598,922
TOTAL ASSETS	118,087,070	120,638,937
CURRENT LIABILITIES		
Trade and other payables	453,541	384,279
Other liabilities	589,762	589,762
Lease liabilities	22,197	22,197
Borrowings	252,607	252,607
Employee related provisions	251,808	251,808
Other provisions	0	0
TOTAL CURRENT LIABILITIES	1,569,915	1,500,653
NON-CURRENT LIABILITIES		
Other liabilities	0	0
Lease liabilities	0	0
Borrowings	1,517,242	1,517,242
Employee related provisions	109,090	109,090
Other provisions	0	0
TOTAL NON-CURRENT LIABILITIES	1,626,332	1,626,332
TOTAL LIABILITIES	3,196,247	3,126,985
NET ASSETS	**114,890,823**	**117,511,952**
EQUITY		
Retained surplus	30,976,907	33,598,103
Reserve accounts	1,277,654	1,277,654
Revaluation surplus	82,636,194	82,636,194
TOTAL EQUITY	**114,890,755**	**117,511,951**

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

2 NET CURRENT ASSETS INFORMATION

(a) Net current assets used in the Statement of Financial Activity

	Note	Adopted Budget Opening 1 July 2026	Actual as at 30 June 2026	Actual as at 30 September 2026
Current assets		$	$	$
Cash and cash equivalents		3,972,986	3,972,986	4,580,280
Trade and other receivables		518,567	518,567	2,285,910
Other financial assets		85,414	85,414	116,383
Inventories		31,805	31,805	57,442
		4,608,772	4,608,772	7,040,015
Less: current liabilities				
Trade and other payables		(453,541)	(453,541)	(384,279)
Other liabilities		(589,762)	(589,762)	(589,762)
Lease liabilities		(22,197)	(22,197)	(22,197)
Borrowings		(252,607)	(252,607)	(252,607)
Employee related provisions		(251,808)	(251,808)	(251,808)
		(1,569,915)	(1,569,915)	(1,500,653)
Net current assets		3,038,857	3,038,857	5,539,362
Less: Total adjustments to net current assets	2(b)	(825,288)	(820,288)	(794,589)
Closing funding surplus / (deficit)		**2,213,569**	**2,218,569**	**4,744,773**

(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets				
Less: Reserve accounts		(1,277,654)	(1,277,654)	(1,277,654)
Less: Current assets not expected to be received at end of year				
- Financial assets at amortised cost - self supporting loans		(25,699)	(25,699)	0
- Other liabilities Investment		(5,000)		
Add: Current liabilities not expected to be cleared at the end of the year				
- Current portion of lease liabilities		22,197	22,197	22,197
- Current portion of borrowings		252,607	252,607	252,607
Add: Current liabilities covered by funds held in reserve account				
- Current portion of employee benefit provisions		208,261	208,261	208,261
Total adjustments to net current assets	2(a)	**(825,288)**	**(820,288)**	**(794,589)**

(c) Amounts excluded from operating activities

	Adopted Budget Estimates 30 June 2027	YTD Budget Estimates 30 September 2026	YTD Actual 30 September 2026
	$	$	$
Less: Profit on asset disposals	(69,000)	(17,250)	0
Add: Loss on disposal of assets	18,522	4,629	0
Add: Depreciation	3,360,000	839,985	0
Non-cash movements in non-current assets and liabilities:			
- Pensioner deferred rates			388
Total amounts excluded from operating activities	**3,309,522**	**827,364**	**388**

CURRENT AND NON-CURRENT CLASSIFICATION

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

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

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

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

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 13 October 2026

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

All monies held in the Trust Fund are excluded from the financial statements.

Material accounting policies
Material accounting policies utilised in the preparation of these statements are as described within the 2026-27 Annual Budget. Please refer to the adopted budget document for details of these policies.

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

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

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

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:
- Fair value measurement of assets carried at reportable value including:
  - Property, plant and equipment
  - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease accounting

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The material variance adopted by Council for the 2026-27 year is $10,000 and 10.00% whichever is the greater.

Description	Var. $	Var. %	
	$	%	
Revenue from operating activities			
Grants, subsidies and contributions Timing	**71,500**	**30.82%**	▲
Interest revenue Timing	**(12,759)**	**(61.99%)**	▼
Other revenue Timing	**24,523**	**126.01%**	▲
Profit on asset disposals Timing - sale of Queen Street lots, CEO vehicle	**(17,250)**	**(100.00%)**	▼
Expenditure from operating activities			
Utility charges Timing - will even over time	**15,631**	**28.16%**	▲
Depreciation Timing - Depreciation not to be run until audit finalised	**839,985**	**100.00%**	▲
Finance costs Timing	**18,588**	**100.00%**	▲
Insurance Timing - budget spread 1st instalment paid	**(63,892)**	**(106.71%)**	▼
Other expenditure Timing - Training, Sitting fees	**17,150**	**86.47%**	▲
Amounts excluded from operating activities Timing - Depreciation not to be run until audit finalised	**(826,976)**	**(99.95%)**	▼
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions Timing - grants yet to be received	**(105,970)**	**(23.50%)**	▼
Outflows from investing activities			
Acquisition of property, plant and equipment Timing - Loader; Traffic lights, CEO vehicle, tourist park, cardboard recycling	**315,503**	**96.05%**	▲
Acquisition of infrastructure Timing of capital works (sealing pgm, HVRA, Oval, Youth Pcnt)	**412,586**	**79.09%**	▲
Surplus or deficit after imposition of general rates Depreciation	**805,798**	**21.03%**	▲

SHIRE OF PINGELLY

SUPPLEMENTARY INFORMATION

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BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

SHIRE OF PINGELLY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)

	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
Opening	$2.17 M	$2.17 M	$2.22 M	$0.05 M
Closing	($0.01 M)	$3.83 M	$4.64 M	$0.81 M

Refer to Statement of Financial Activity

Cash and cash equivalents

	$4.58 M	% of total
Unrestricted Cash	$3.30 M	72.1%
Restricted Cash	$1.28 M	27.9%

Payables

	$0.38 M	% Outstanding
Trade Payables	$0.07 M	
0 to 30 Days		100.0%
Over 30 Days		0.0%
Over 90 Days		0.0%

Refer to 9 - Payables

Receivables

	$0.34 M	% Collected
Rates Receivable	$1.95 M	35.2%
Trade Receivable	$0.34 M	% Outstanding
Over 30 Days		14.4%
Over 90 Days		(71.4%)

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities

Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
($0.69 M)	$2.06 M	$2.20 M	$0.13 M

Refer to Statement of Financial Activity

Rates Revenue

YTD Actual	$2.80 M	% Variance
YTD Budget	$2.80 M	(0.0%)

Grants and Contributions

YTD Actual	$0.30 M	% Variance
YTD Budget	$0.23 M	30.8%

Fees and Charges

YTD Actual	$0.28 M	% Variance
YTD Budget	$0.26 M	9.3%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities

Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
($1.28 M)	($0.40 M)	$0.22 M	$0.62 M

Refer to Statement of Financial Activity

Proceeds on sale

YTD Actual	$0.00 M	%
Adopted Budget	$0.17 M	(100.0%)

Refer to 6 - Disposal of Assets

Asset Acquisition

YTD Actual	$0.11 M	% Spent
Adopted Budget	$2.09 M	(94.8%)

Refer to 5 - Capital Acquisitions

Capital Grants

YTD Actual	$0.34 M	% Received
Adopted Budget	$1.80 M	(80.9%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities

Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
($0.20 M)	$0.00 M	$0.00 M	$0.00 M

Refer to Statement of Financial Activity

Borrowings

Principal repayments	$0.00 M
Interest expense	$0.00 M
Principal due	$1.77 M

Refer to 10 - Borrowings

Reserves

Reserves balance	$1.28 M
Net Movement	$0.00 M

Refer to 4 - Cash Reserves

Lease Liability

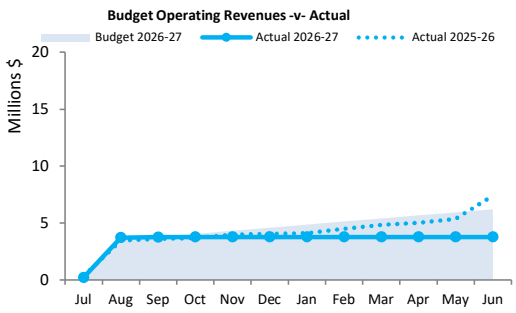
Principal repayments	$0.00 M
Interest expense	$0.00 M
Principal due	$0.02 M

Refer to Note 11 - Lease Liabilites

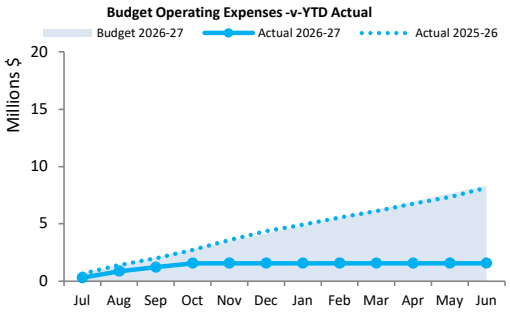
2 KEY INFORMATION - GRAPHICAL

OPERATING ACTIVITIES

OPERATING REVENUE

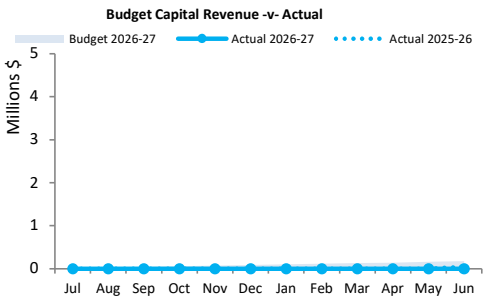


OPERATING EXPENSES

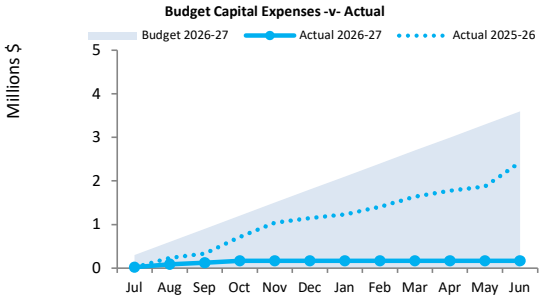


INVESTING ACTIVITIES

CAPITAL REVENUE

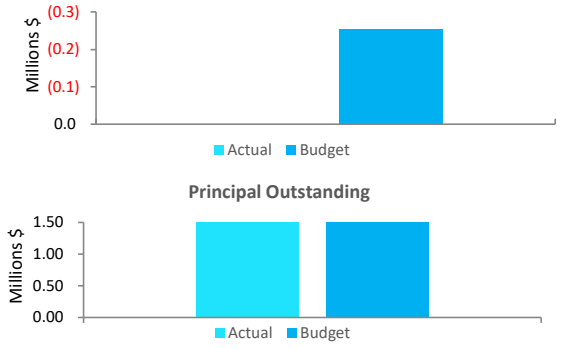


CAPITAL EXPENSES

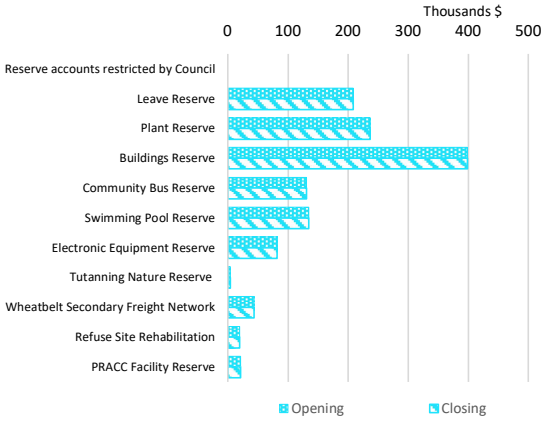


FINANCING ACTIVITIES

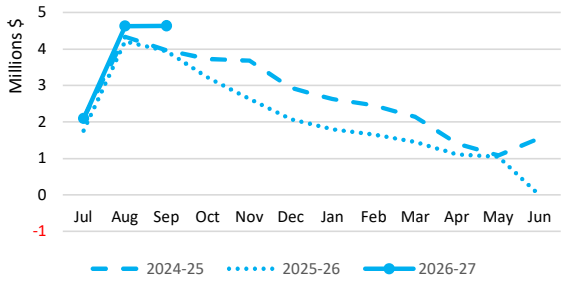
BORROWINGS



RESERVES



Closing funding surplus / (deficit)



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

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Institution	Interest Rate	Maturity Date
		$	$	$	$			
Cash at Municipal Bank	Cash and cash equivalents	1,967,582		1,967,582				
Municipal Cash Management	Cash and cash equivalents	1,304,134		1,304,134				
Till Float SES	Cash and cash equivalents	50		50				
Till Float Office	Cash and cash equivalents	200		200				
Petty cash on hand - office	Cash and cash equivalents	300		300				
Reserve Fund Bank	Financial assets at amortised cost	0	1,277,654	1,277,654				
Trust fund bank - Other	Cash and cash equivalents	25,360		25,360	25,360			
Shares	Cash and cash equivalents	5,000		5,000				
Total		**3,302,626**	**1,277,654**	**4,580,280**	**25,360**			
Comprising								
Cash and cash equivalents		3,302,626	0	3,302,626	25,360			
Financial assets at amortised cost - Term Deposits		0	1,277,654	1,277,654	0			
		3,302,626	**1,277,654**	**4,580,280**	**25,360**			

KEY INFORMATION

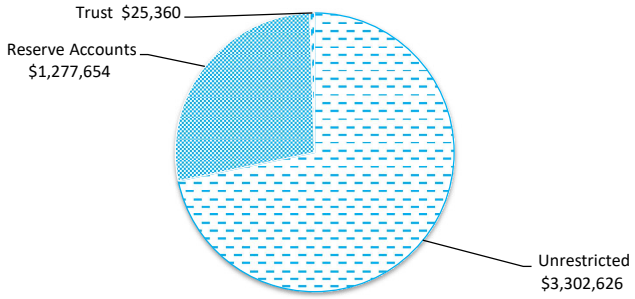
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of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

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



4 RESERVE ACCOUNTS

	Budget				Actual			
Reserve account name	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
	$	$	$	$	$	$	$	$
Reserve accounts restricted by Council								
Leave Reserve	208,261	6,165	0	214,426	208,261	0	0	208,261
Plant Reserve	236,680	27,988	(85,000)	179,668	236,680	0	0	236,680
Buildings Reserve	398,626	24,300	0	422,926	398,626	0	0	398,626
Community Bus Reserve	130,753	2,550	0	133,303	130,753	0	0	130,753
Swimming Pool Reserve	134,139	3,971	(82,000)	56,110	134,139	0	0	134,139
Electronic Equipment Reserve	81,665	2,417	0	84,082	81,665	0	0	81,665
Tutanning Nature Reserve	3,880	115	0	3,995	3,880	0	0	3,880
Wheatbelt Secondary Freight Network	43,608	1,291	0	44,899	43,608	0	0	43,608
Refuse Site Rehabilitation	19,402	574	0	19,976	19,402	0	0	19,402
PRACC Facility Reserve	20,640	21,256	0	41,896	20,640	0	0	20,640
	1,277,654	**90,627**	**(167,000)**	**1,201,281**	**1,277,654**	**0**	**0**	**1,277,654**

5 CAPITAL ACQUISITIONS

Capital acquisitions		Adopted Budget	YTD Budget	YTD Actual	YTD Variance
		$	$	$	$
Buildings - Specialised	130	570,120	150,842	12,990	(137,852)
Plant and equipment	134	253,315	63,327	0	(63,327)
Off road vehicle redevelopment	147	343,000	114,324	0	(114,324)
Acquisition of property, plant and equipment		**1,166,435**	**328,493**	**12,990**	**(315,503)**
Infrastructure - Roads	136	1,578,369	394,572	101,907	(292,665)
Infrastructure - Footpaths	165	35,000	8,745	0	(8,745)
Infrastructure - Kerbs & Drainage	167	200,000	49,995	0	(49,995)
Infrastructure - Parks & Ovals	169	222,745	55,677	592	(55,085)
Infrastructure - Other	138	50,841	12,705	6,609	(6,096)
Acquisition of infrastructure		**2,086,955**	**521,694**	**109,108**	**(412,586)**
Total capital acquisitions		**3,253,390**	**850,187**	**122,098**	**(728,089)**
Capital Acquisitions Funded By:					
Capital grants and contributions		1,803,673	450,912	344,942	(105,970)
Other (disposals & C/Fwd)		165,457	0	0	0
Reserve accounts					
Plant Reserve		85,000		0	0
Swimming Pool Reserve		82,000		0	0
Contribution - operations		1,117,260	399,275	(222,844)	(622,119)
Capital funding total		**3,253,390**	**850,187**	**122,098**	**(728,089)**

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

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

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

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

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2).* Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2),* the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total
Level of completion indicators

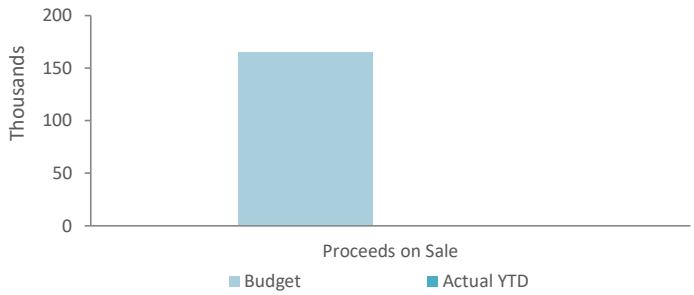
0%
20%
40%
60%
80%
100%
Over 100%

Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

	Account Description	Adopted Budget	YTD Budget	YTD Actual	Variance (Under)/Over
		$	$	$	$
Buildings					
11CH	Craft Hub	85,366	21,336	0	21,336
1350	Purchase Buildings - Schedule 13	316,115	79,026	0	79,026
11HH	Heritage Hub	100,000	24,999	0	24,999
BU023	Swimming Pool Buildings Capital	67,229	16,800	0	16,800
		568,710	142,161	0	142,161
Furniture & Equipment					
		0	0	0	0
Plant & Equipment					
COM1	Community Bus	93,315	23,328	0	23,328
EP026	Capex - Traffic Lights 24/25 Budget	45,000	11,250	0	11,250
4APE	Capex - Admin Plant Purchases	75,000	18,750	0	18,750
		213,315	53,328	0	53,328
Infrastructure - Roads					
CA152	North Bannister Road	32,762	8,190	2,167	6,023
CC106	Monger Street - Council Constr	0	0	489	(489)
CC11	Moorumbine Road - Council Constr	0	0	9,488	(9,488)
CC160	Heavy Vehicle Rest Area	135,008	33,750	50,640	(16,890)
CC25	Bulyee Road - Council Constr	233,135	58,281	22,307	35,974
CC3	Aldersyde - Pingelly Council Constr	80,972	20,241	0	20,241
RRG09	Capex - Rrg Yenellin Road Upgrade	108,839	27,207	0	27,207
RRG10	Capex - Rrg North Bannister Pingelly Road	45,000	11,250	0	11,250
RRG25	Rrg Bulyee Road	233,530	58,377	7,254	51,123
RRG26	Milton Road	709,123	177,276	9,563	167,713
		1,578,369	394,572	101,908	292,664
Footpaths					
FP999	Footpath Annual Allocation	35,000	8,745	0	8,745
		35,000	8,745	0	8,745
Infrastructure - Parks & Ovals					
IP006	Capex - Infra Parks & Ovals	129,745	32,430	592	31,838
IP008	Youth Precinct	73,000	18,249	0	18,249
IP009	Solar Lighting Rec And Culture	5,000	1,248	0	1,248
IP014	Memorial Park	15,000	3,750	0	3,750
		222,745	55,677	592	55,085
Infrastructure - Other					
1093	Oval Flood Lights	30,798	7,695	6,565	1,130
DW01	Depot Wash Down Bay	0	0	45	(45)
45IP	Infrastructure Other - Tourism	20,043	5,010	0	5,010
11OV	Capex Off-Road Vehicle Redevelopment	343,000	85,743	0	85,743
		393,841	98,448	6,610	91,838
Infrastructure - Kerbs & Drains					
					0
Total		**3,211,980**	**802,926**	**109,110**	**693,816**

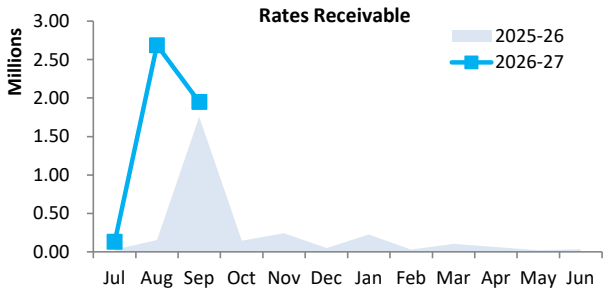
6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget Net Book Value	Budget Proceeds	Budget Profit	Budget (Loss)	YTD Actual Net Book Value	YTD Actual Proceeds	YTD Actual Profit	YTD Actual (Loss)
		$	$	$	$	$	$	$	$
	Buildings								
	Buildings - specialised	54,000	120,000	66,000	0			0	0
	Plant and equipment								
	Plant and equipment	35,022	16,500	0	(18,522)			0	0
	Plant and equipment	25,957	28,957	3,000	0			0	0
		114,979	**165,457**	**69,000**	**(18,522)**	**0**	**0**	**0**	**0**



7 RECEIVABLES

Rates receivable	30 Jun 2026	30 Sep 2026
	$	$
Opening arrears previous year		208,671
Levied this year		2,796,188
Less - collections to date	208,671	(1,057,995)
Net rates collectable	**208,671**	**1,946,864**
% Collected	0.0%	35.2%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Receivables - general	(1,234)	152,434	147,019	4,371	(126,069)	176,521
Percentage	(0.7%)	86.4%	83.3%	2.5%	(71.4%)	
Balance per trial balance						
Trade receivables						176,521
GST receivable						131,665
Prepayments						5,161
Total receivables general outstanding						**339,046**

Amounts shown above include GST (where applicable)

KEY INFORMATION

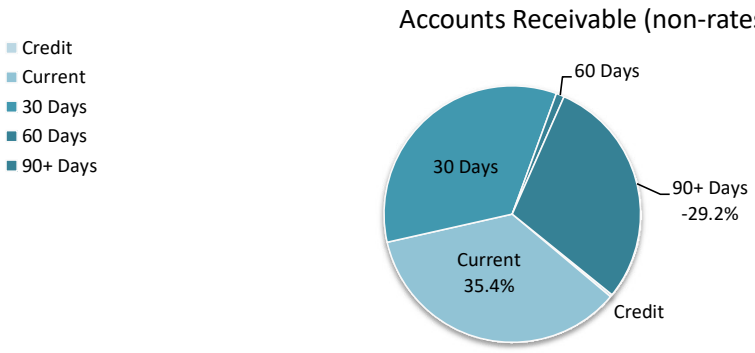
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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

Classification and subsequent measurement

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

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



8 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2026	Asset Increase	Asset Reduction	Closing Balance 30 September 20
	$	$	$	$
Other financial assets at amortised cost				
Financial assets at amortised cost - term deposits	59,715	56,668	0	116,383
Financial assets at amortised cost - self supporting loans	25,699	0	(25,699)	0
Inventory		0	0	
Fuel	31,805	25,637	0	57,442
Total other current assets	**117,219**	**82,305**	**(25,699)**	**173,825**

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

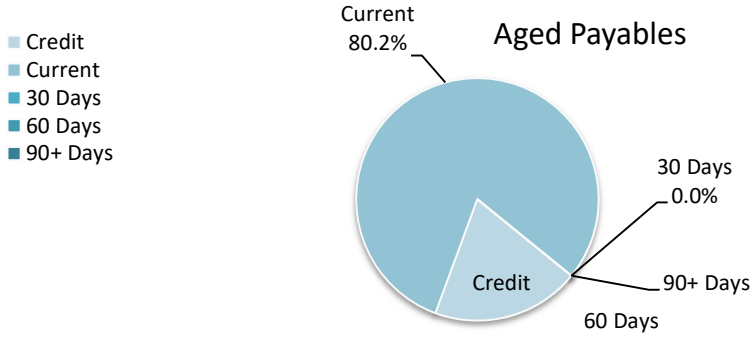
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Payables - general	(2,449)	9,930	0	0	0	7,481
Percentage	(32.7%)	132.7%	0.0%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors						69,891
Accrued salaries and wages						50,351
ATO liabilities						195,504
ESL Liability						(648)
Accrued Expenses						0
Accrued Interest on Loans						0
Bonds and Deposits						25,429
Other Payables						5,535
Prepaid Rates Liability						38,217
Total payables general outstanding						**384,279**

Amounts shown above include GST (where applicable)

KEY INFORMATION

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



10 BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.	1 July 2026	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		$	$	$	$	$	$	$	$	$
Recreation & Cultural Centre	123	1,382,671			0	(129,298)	1,382,671	1,253,374	0	(56,864)
Transport Fleet Replacement	125	361,479			0	(97,610)	361,479	263,869	0	(15,155)
		1,744,150	0	0	0	(226,908)	1,744,150	1,517,243	0	(72,019)
Self supporting loans										
Pingelly Cottage Homes	120	25,699	0	0	0	(25,699)	25,699	(0)	0	(1,254)
		25,699	0	0	0	(25,699)	25,699	0	0	(1,254)
Total		**1,769,849**	**0**	**0**	**0**	**(252,607)**	**1,769,849**	**1,517,243**	**0**	**(73,273)**
Current borrowings		252,607					252,607			
Non-current borrowings		1,517,242					1,517,242			
		1,769,849					**1,769,849**			

All debenture repayments were financed by general purpose revenue.
Self supporting loans are financed by repayments from third parties.

KEY INFORMATION
The City has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases			New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Lease No.	1 July 2026	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		$	$	$	$	$	$	$	$	$
Photocopier	001	2,262			0	(2,262)	2,262	0	0	(100)
Loader Lease	007	19,934			0	(19,934)	19,934	0	0	(1,008)
Total		**22,196**	**0**	**0**	**0**	**(22,196)**	**22,196**	**0**	**0**	**(1,108)**
Current lease liabilities		22,197					22,197			
		22,197					**22,197**			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

12 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2026	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 0 September 202
		$	$	$	$	$
Other liabilities						
Contract liabilities		364,023	0			364,023
Capital grant/contributions liabilities		225,739	0	0	0	225,739
Total other liabilities		589,762	0	0	0	589,762
Employee Related Provisions						
Provision for annual leave		179,830	0			179,830
Provision for long service leave		71,978	0			71,978
Total Provisions		251,808	0	0	0	251,808
Total other current liabilities		**841,570**	**0**	**0**	**0**	**841,570**

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

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

Other long-term employee benefits

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

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

Contract liabilities

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

Capital grant/contribution liabilities

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

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability 1 July 2026	Increase in Liability	Decrease in Liability (As revenue)	Liability 30 Sep 2026	Current Liability 30 Sep 2026	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	$	$	$	$	$	$	$	$
Grants and subsidies								
General Purpose Grant FAGS (LGGC)				0		312,501	78,123	83,770
Local Roads Grant FAGS (LGGC)				0		115,485	28,869	19,247
ESL Grant - BFB				0		88,980	22,245	22,245
ESL Grant - SES				0		30,880	7,719	7,720
MRWA Direct Grant				0		145,008	36,252	145,008
Reimbursements Others				0		0	0	3,099
Grants, Reimbursements & Contributions				0		220,043	55,008	22,377
Small Grants Income SCH 11				0		15,000	3,750	0
	0	**0**	**0**	**0**	**0**	**927,897**	**231,966**	**303,466**

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue					
Provider	Liability 1 July 2026	Increase in Liability	Decrease in Liability (As revenue)	Liability 30 Sep 2026	Current Liability 30 Sep 2026	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	$	$	$	$	$	$	$	$	$	$	$
Capital grants and subsidies											
Off-Road Vehicle Redevelopment Contributrions & Subsidies				0		243,320	60,828			0	0
Regional Road Group Funding				0		575,383	143,844			0	0
Roads to Recovery				0		350,007	87,501			0	216,505
Other Grants				0		235,416	58,854			0	128,437
Wheatbelt Secondary Freight Network				0		103,400	25,848			0	0
WATER SUPPLY PARKS & OVALS WATERCORP GRANT				0		43,814	10,953			0	0
Grants, Contributions & Subsidies				0		252,333	63,084			0	0
	0	**0**	**0**	**0**	**0**	**1,803,673**	**450,912**	**0**	**0**	**0**	**344,942**

15 TRUST FUND

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2026	Amount Received	Amount Paid	Closing Balance 30 September 2026
	$	$	$	$
Dept of Transport Licensing	500	43,835	(41,503)	**2,832**
Bonds	9,960	500	0	**10,460**
Sundry Trust	11,928	0	0	**11,928**
Nomination Deposits	100	0	0	**100**
	22,488	**44,335**	**(41,503)**	**25,320**



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDED, 30 SEPTEMBER 2026

Variance Reported at Sub Program Level

Operating Income

Prog	Code	Name	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)		Comments
			$	$	$	$	%		
03	01	RATE REVENUE	2,829,735	2,804,565	2,805,070	505	0%		
03	02	GENERAL PURPOSE FUNDING	432,486	108,114	103,083	(5,031)	(5%)		
03	03	OTHER GENERAL PURPOSE INCOME	69,645	17,409	3,245	(14,164)	(81%)	▼	Timing - Investment and reserve interest
04	04	MEMBERS OF COUNCIL	0	0	0	0			
05	06	FIRE PREVENTION	88,980	22,245	22,245	0	0%		
05	07	ANIMAL CONTROL	5,100	1,269	968	(302)	(24%)		
05	08	OTHER LAW,ORDER,PUBLIC SAFETY	250,923	62,727	30,565	(32,162)	(51%)	▼	Timing - Fire Mitigation Activity funding yet to be received
07	14	HEALTH INSP AND ADMINISTRATION	2,000	498	228	(270)	(54%)		
07	17	OTHER HEALTH	1,000	249	0	(249)	(100%)		
08	21	OTHER AGED & DISABLED SERVICES	9,554	2,385	1,955	(430)	(18%)		
10	25	SANITATION-HOUSEHOLD REFUSE	190,100	190,024	194,790	4,766	3%		
10	26	OTHER SANITATION	47,000	11,748	35,954	24,206	206%	▲	Commercial Tip Fees higher than expected
10	30	TOWN PLANNING & REG DEVELOPMNT	3,000	750	3,951	3,201	427%		
10	31	OTHER COMMUNITY AMENITIES	23,000	5,748	8,857	3,109	54%		
11	32	PUBLIC HALLS.CIVIC CENTRES	7,500	1,875	3,167	1,292	69%		
11	33	SWIMMING AREAS AND BEACHES	8,000	1,998	1,391	(607)	(30%)		
11	34	OTHER RECREATION AND SPORT	557,467	139,365	1,024	(138,341)	(99%)	▼	Youth Precinct & oval light funding yet to be received
11	36	OTHER CULTURE	0	0	3,100	3,100			
12	37	CONST. STS,RDS,BRIDGES,DEPOTS	1,409,214	352,299	489,950	137,651	39%	▲	Timing of grants received vs budget profile
12	38	MTCE STS,RDS,BRIDGES,DEPOTS	2,200	549	0	(549)	(100%)		
12	39	ROAD PLANT PURCHASES	0	0	0	0			
13	45	TOURISM AND AREA PROMOTION	76,000	18,996	14,627	(4,369)	(23%)		
13	46	BUILDING CONTROL	10,000	2,499	1,853	(646)	(26%)		
13	49	OTHER ECONOMIC SERVICES	13,000	3,249	179	(3,070)	(94%)		
04	4A	ADMINISTRATION	133,400	33,339	22,227	(11,112)	(33%)	▼	Timing disposal of assets
14	52	PUBLIC WORKS OVERHEADS	0	0	0	0			
14	56	UNCLASSIFIED	22,000	5,499	0	(5,499)	(100%)		
			3,926,523	**3,221,233**	**3,198,103**	**(23,130)**	**(0.72%)**		

Operating Expenditure

Prog	Code	Name	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)		Comments
			$	$	$	$	%		
04	04	MEMBERS OF COUNCIL	(407,472)	(101,856)	(103,712)	(1,856)	(2%)		
04	05	OTHER GOVERNANCE	(2,500)	(621)	(45)	576	93%		
05	06	FIRE PREVENTION	(156,603)	(39,120)	(31,971)	7,149	18%		
05	07	ANIMAL CONTROL	(50,535)	(12,624)	(19,010)	(6,386)	(51%)		
05	08	OTHER LAW,ORDER,PUBLIC SAFETY	(534,088)	(133,491)	(31,029)	102,462	77%	▲	Timing - SES, bushfire mitigation
08	09	EDUCATION	(68,609)	(17,136)	(4,102)	13,034	76%	▲	Timing - maintenance activities
07	14	HEALTH INSP AND ADMINISTRATION	(22,264)	(5,559)	(5,328)	231	4%		
07	15	PREVENTIVE SVES - PEST CONTROL	0	0	0	0			
07	16	PREVENTIVE SERVICES - OTHER	(500)	(123)	0	123	100%		
07	17	OTHER HEALTH	(200,364)	(50,076)	(51,712)	(1,636)	(3%)		
08	21	OTHER AGED & DISABLED SERVICES	(8,773)	(2,184)	(2,990)	(806)	(37%)		
08	22	OTHER WELFARE	(66,630)	(16,656)	(17,227)	(571)	(3%)		
10	25	SANITATION-HOUSEHOLD REFUSE	(200,391)	(50,091)	(60,767)	(10,676)	(21%)	▼	Timing - refuse site maintenance
10	26	OTHER SANITATION	(8,000)	(1,998)	(890)	1,108	55%		
10	29	PROTECTION OF ENVIRONMENT	(38,760)	(9,681)	(12,452)	(2,771)	(29%)		
10	30	TOWN PLANNING & REG DEVELOPMNT	(70,963)	(17,739)	(15,860)	1,879	11%		
10	31	OTHER COMMUNITY AMENITIES	(152,986)	(38,226)	(28,112)	10,114	26%	▲	Timing - Cemetery expenses
11	32	PUBLIC HALLS.CIVIC CENTRES	(229,381)	(57,279)	(149,884)	(92,605)	(162%)	▼	Timing - Maintenance activities and insurance
11	33	SWIMMING AREAS AND BEACHES	(183,856)	(45,945)	(31,252)	14,693	32%	▲	Timing - Maintenance activities and insurance
11	34	OTHER RECREATION AND SPORT	(633,233)	(158,211)	(114,146)	44,065	28%	▲	Timing - Parks and ovals maintenance and insurance
11	35	LIBRARIES	(21,500)	(5,373)	(5,336)	37	1%		
11	36	OTHER CULTURE	(873,056)	(218,223)	(18,821)	199,402	91%	▲	Timing - events, fireworks, australia day
12	38	MTCE STS,RDS,BRIDGES,DEPOTS	(3,442,876)	(860,637)	(308,421)	552,216	64%	▲	Timing - routine and specified road maintenance
12	39	ROAD PLANT PURCHASES	0	0	0	0			
13	45	TOURISM AND AREA PROMOTION	(150,227)	(37,530)	(13,989)	23,541	63%	▲	Timing - maintenance activities, CCTV grant exp, commission to craft centre
13	46	BUILDING CONTROL	(74,764)	(18,684)	(18,071)	613	3%		
13	49	OTHER ECONOMIC SERVICES	(358,346)	(89,571)	(73,249)	16,322	18%	▲	Timing - Depn, standpipe charges, community grant pgm
04	4A	ADMINISTRATION	(48,290)	(11,994)	2,558	14,552	121%	▲	Timing - various administrative costs
14	50	PRIVATE WORKS	0	0	0	0			
14	52	PUBLIC WORKS OVERHEADS	46,260	11,589	(10,745)	(22,334)	193%		
14	53	PLANT OPERATION COSTS	(98,377)	(24,591)	5,981	30,572	124%	▲	Timing of works
14	56	UNCLASSIFIED	(1,929)	(477)	(384)	93	19%		
			(8,332,891)	**(2,082,570)**	**(1,195,355)**	**887,215**	**42.60%**		

SHIRE OF PINGELLY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

General rate revenue

				Budget			YTD Actual		
	Rate in $ (cents)	Number of Properties	Rateable Value	Rate Revenue	Reassessed Rate Revenue	Total Revenue	Rate Revenue	Reassessed Rate Revenue	Total Revenue
RATE TYPE				$	$	$	$	$	$
Gross rental value									
GRV General	0.130487	321	4,528,011	590,847		590,847	590,846		590,846
GRV Rural Residential	0.130487	67	1,016,860	132,687		132,687	132,687		132,687
GRV Commercial Industrial	0.130487	23	382,175	49,869		49,869	49,869		49,869
GRV Townsites	0.130487	13	178,100	23,240		23,240	23,240		23,240
Unimproved value									
UV Broadacre Rural	0.004755	209	374,760,000	1,781,984		1,781,984	1,781,984		1,781,984
Sub-Total		**633**	**380,865,146**	**2,578,626**	**0**	**2,578,626**	**2,578,626**	**0**	**2,578,626**
Minimum payment	**Minimum Rate**								
Gross rental value									
GRV General	1,202.00	58	91,428	69,716		69,716	69,716		69,716
GRV Rural Residential	1,202.00	17	50,270	20,434		20,434	20,434		20,434
GRV Commercial Industrial	1,202.00	17	78,260	20,434		20,434	20,434		20,434
GRV Townsites	1,202.00	8	18,685	9,616		9,616	9,616		9,616
Unimproved value									
UV Broadacre Rural	1,202.00	81	14,799,517	97,362		97,362	97,362		97,362
Sub-total		**181**	**15,038,160**	**217,562**	**0**	**217,562**	**217,562**	**0**	**217,562**
Total general rates		**814**	**395,903,306**	**2,796,188**	**0**	**2,796,188**	**2,796,188**	**0**	**2,796,188**

15.2. Accounts Paid by Authority – September 2026

File Reference: **ADM0066**
Location: **Not Applicable**
Applicant: **Not Applicable**
Author: **Finance Officer**
Disclosure of Interest: **Nil**
Attachments: **Nil**
Previous Reference:

Summary
Council is requested to receive the list of accounts paid by authority for the month of September 2026.

Background
In accordance with *Local Government (Financial Management) Regulations 1996 Clause 13*
(1) schedules of all payments made through Council's bank accounts are presented to the Committee and to Council.

Comment
Unless otherwise identified, all payments have been made in accordance with Council's adopted 2026/2027 Budget.

Consultation
Nil

Statutory Environment
Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:
(2) A payment may only be made from the municipal fund or the trust fund —
(b) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
(b) otherwise, if the payment is authorised in advance by a resolution of the council.

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:
(3) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
(b) the payee's name;
(b) the amount of the payment;
(b) the date of the payment; and
(b) sufficient information to identify the transaction.

(3) A list of accounts for approval to be paid is to be prepared each month showing —
(b) for each account which requires council authorisation in that month —
(iii) the payee's name;
(iii) the amount of the payment; and
(iii) sufficient information to identify the transaction; and
(b) the date of the meeting of the Council to which the list is to be presented.

(3) A list prepared under sub regulation (1) or (2) is to be —
(b) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Policy Implications
There are no policy implications associated with this report.

Financial Implications
There are no known financial implications upon either the Council's current budget or long-term financial plan.

Strategic Implications
This is a statutory requirement.

Risk Implications

Risk:	Failure to present a detailed listing of payments in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.		
Consequence Theme:	Reputational / Compliance	**Impact:**	Minor
Consequence:	Low Impact, a small number of complaints. Some temporary non-compliance		
Likelihood Rating:	Unlikely	**Risk Matrix:**	Low (4)
Action Plan:	Risk is acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.		

13808 Cr Bryan Hotham moved, Deputy President Peter Wood seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That Council receive the Accounts for Payments for September 2026 as authorised under delegated authority and in accordance with the Local Government (Financial Management) Regulations 1996:

To 30 September 2026:

Municipal Account	**$199,985.60**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

SHIRE OF PINGELLY

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT SEPTEMBER 2026

EFT NUMBER	DATE	CREDITOR	INVOICE DESCRIPTION	BANK CODE	INVOICE AMOUNT	TOTAL
EFT13517	**04/09/2026**	**GOLDSTONE MECHANICAL PTY LTD**	**DIAGNOSE ENGINE OIL OVERFULL & REPAIR**	**1**		**$ 1,078.00**
INV 0040	28/08/2026	GOLDSTONE MECHANICAL PTY LTD	DIAGNOSE ENGINE OIL OVERFULL & REPAIR - MITSUBISHI TRITON GRADER		$ 1,078.00	
EFT13518	**04/09/2026**	**BUNNINGS BUILDING SUPPLIES**	**ASSORTED CONSUMABLES**	**1**		**$ 380.12**
INV 2182/00376533	29/07/2026	BUNNINGS BUILDING SUPPLIES	DRILL HAMMER MAKITA SKIN		-$ 199.00	
INV 2182/00388873	10/08/2026	BUNNINGS BUILDING SUPPLIES	DYNA BOLTS, ALUMINIUM FENCE PANELS & POSTS - HEAVY VEHICLE REST AREA		$ 567.92	
INV 2182/00389933	11/08/2026	BUNNINGS BUILDING SUPPLIES	DYNABOLTS - COMMUNITY SHEARING SHED		$ 11.20	
EFT13519	**04/09/2026**	**GREAT SOUTHERN FUEL SUPPLIES**	**FUEL CARD CHARGES**	**1**		**$ 1,035.15**
INV 31072026	31/07/2026	GREAT SOUTHERN FUEL SUPPLIES	FUEL CARD CHARGES - TOYOTA FORTUNER, FUEL CARD CHARGES - TOYOTA COROLLA, FUEL CARD CHARGES - SMALL PLANT, FUEL CARD CHARGES - KIA CERATO		$ 1,035.15	
EFT13520	**04/09/2026**	**BEST OFFICE SYSTEMS**	**COPIER CHARGES**	**1**		**$ 1,621.71**
INV 662408	28/07/2026	BEST OFFICE SYSTEMS	ADMIN COPIER CHARGES & CESM COPIER CHARGES - 20/06/2026 TO 20/07/2026		$ 805.07	
INV 662573	29/07/2026	BEST OFFICE SYSTEMS	ISSUE WITH SCANNER JAMMING - ADMIN COPIER		$ 69.93	
INV 663645	27/08/2026	BEST OFFICE SYSTEMS	ADMIN PHOTOCOPIER CHARGES & EMERGENCY SERVICES PHOTOCOPIER CHARGES 20/07/26 - 20/08/26		$ 746.71	
EFT13521	**04/09/2026**	**OFFICEWORKS LTD**	**STATIONERY**	**1**		**$ 756.58**
INV 631389030	11/08/2026	OFFICEWORKS LTD	VARIOUS STATIONERY ITEMS		$ 756.58	
EFT13522	**04/09/2026**	**SHIRE OF BEVERLEY**	**REIMBURSEMENT - ERP DEMONSTRATION**	**1**		**$ 52.36**
INV 12308	30/06/2026	SHIRE OF BEVERLEY	REIMBURSEMENT - ERP DEMONSTRATION		$ 52.36	
EFT13523	**04/09/2026**	**SHIRE OF BROOKTON**	**CESM - MEMORANDOM OF UNDERSTANDING**	**1**		**$ 989.50**
INV 13046	23/07/2026	SHIRE OF BROOKTON	CESM - MEMORANDOM OF UNDERSTANDING		$ 989.50	
EFT13524	**04/09/2026**	**PINGELLY GP UNITY TRUST**	**PRE-EMPLOYMENT MEDICAL**	**1**		**$ 330.00**
INV 93772	20/07/2026	PINGELLY GP UNITY TRUST	PRE EMPLOYMENT MEDICAL		$ 165.00	
INV 94083	06/08/2026	PINGELLY GP UNITY TRUST	PRE EMPLOYMENT MEDICAL - FINANCE OFFICER		$ 165.00	
EFT13525	**04/09/2026**	**E & MJ ROSHER PTY LTD**	**KUBOTA BLADE**	**1**		**$ 337.92**
INV 1512563	12/08/2026	E & MJ ROSHER PTY LTD	KUBOTA BLADE & SPRING PLATE		$ 337.92	
EFT13526	**04/09/2026**	**PATH WEST LABORATORY MEDICINE WA**	**PRE-EMPLOYMENT DRUG SCREEN**	**1**		**$ 49.50**

INV SOP2026007	31/07/2026	PATH WEST LABORATORY MEDICINE WA	PRE EMPLOYMENT DRUG & ALCOHOL SCREENING		$ 49.50	
EFT13527	**04/09/2026**	**DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS**	**BOLTS**	**1**		**$ 115.80**
INV DI25051615	11/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	BOLTS		$ 115.80	
EFT13528	**04/09/2026**	**ANDREW DOVER**	**FUEL REIMBURSEMENT**	**1**		**$ 151.41**
INV 184912	08/08/2026	ANDREW DOVER	FUEL REIMBURSEMENT		$ 151.41	
EFT13529	**04/09/2026**	**DUFFY ELECTRICS**	**INVESTIGATE & REPAIR RCD**	**1**		**$ 958.05**
INV 0951	27/08/2026	DUFFY ELECTRICS	INVESTIGATE AND REPAIR TRIPPING RCD		$ 958.05	
EFT13530	**04/09/2026**	**STORM LEE NYSSEN**	**REIMBURSEMENT REFRESHMENTS**	**1**		**$ 65.60**
INV 6643013648834	21/08/2026	STORM LEE NYSSEN	REIMBURSEMENT REFRESHMENTS		$ 65.60	
EFT13531	**04/09/2026**	**LG BEST PRACTICES PTY LTD**	**RATES SERVICES JUNE 2026**	**1**		**$ 19,822.00**
INV 23442	30/06/2026	LG BEST PRACTICES PTY LTD	MAY 25/26 FINANCIALS SUPPORT (TO BE ACCRUED INTO 25/26)		$ 2,112.00	
INV 23443	30/06/2026	LG BEST PRACTICES PTY LTD	FINANCIALS SUPPORT, BAS BACKLOG WORK, RATES, BUDGET (TO BE ACCRUED TO 25/26)		$ 3,212.00	
INV 23441	30/06/2026	LG BEST PRACTICES PTY LTD	RATES SERVICES - JUNE 2026 (TO BE ACCRUED TO 25/26)		$ 5,632.00	
INV 23504	31/07/2026	LG BEST PRACTICES PTY LTD	RATES SERVICES - EOFY ASSISTANCE		$ 2,970.00	
INV 23502	31/07/2026	LG BEST PRACTICES PTY LTD	JUNE 25/26 FINANCIALS SUPPORT (TO BE ACCRUED TO 25/26)		$ 1,496.00	
INV 23503	31/07/2026	LG BEST PRACTICES PTY LTD	EOFY SUPPORT		$ 1,892.00	
INV 23501	31/07/2026	LG BEST PRACTICES PTY LTD	RATES SERVICES - PENSIONER APPLICATION TRAINING AND RECORDS		$ 2,508.00	
EFT13532	**04/09/2026**	**XL2**	**MANAGED ICT SUPPORT AGREEMENT**	**1**		**$ 3,767.93**
INV 40192	30/06/2026	XL2	SET UP LAPTOP		$ 26.75	
INV 40350M	15/07/2026	XL2	MANAGED ICT SUPPORT AGREEMENT AUGUST		$ 3,741.18	
EFT13533	**08/09/2026**	**GRAVEL CREATIONS**	**FIRE MITIGATION SERVICES**	**1**		**$ 1,402.50**
INV 0012	30/08/2026	GRAVEL CREATIONS	FIRE MITIGATION ADVISORY SERVICES 27/08/2026, 29/08/2026 & 30/08/2026		$ 1,402.50	
EFT13534	**08/09/2026**	**DUFFY ELECTRICS**	**ELECTRICAL SERVICES**	**1**		**$ 7,220.95**
INV 0957	27/08/2026	DUFFY ELECTRICS	REMOVE PINGELLY OVAL LIGHTS, TRAVEL, RUBBER FLEX CABLE ORDER		$ 7,220.95	
EFT13535	**11/09/2026**	**NARROGIN PETS AND VETS**	**ANIMAL WELFARE CHECK**	**1**		**$ 115.50**
INV 1009411	13/08/2026	NARROGIN PETS AND VETS	ANIMAL WELFARE CHECK		$ 115.50	
EFT13536	**11/09/2026**	**GRAVEL CREATIONS**	**FIRE MITIGATION ADVISORY SERVICES 03/09/26 - 06/09/26**	**1**		**$ 1,870.00**
INV 0013	08/09/2026	GRAVEL CREATIONS	FIRE MITIGATION ADVISORY SERVICES 03/09/26 - 06/09/26		$ 1,870.00	
EFT13537	**11/09/2026**	**CAROLE JEAN KICKETT**	**RATES REFUND A4782 66 RAGLAN STREET PINGELLY 6308**	**1**		**$ 1,450.95**
INV A4782	10/09/2026	CAROLE JEAN KICKETT	RATES REFUND A4782 66 RAGLAN STREET PINGELLY 6308		$ 1,450.95	

EFT13538	**11/09/2026**	**STATE LIBRARY OF WESTERN AUSTRALIA**	**BETTER BEGINNINGS 26/27**	**1**		**$ 58.71**
INV RI043602	27/08/2026	STATE LIBRARY OF WESTERN AUSTRALIA	BETTER BEGINNINGS 2026/27		$ 58.71	
EFT13540	**11/09/2026**	**BUNNINGS BUILDING SUPPLIES**	**CONSUMABLES**	**1**		**$ 75.98**
INV 2182/00256259	14/08/2026	BUNNINGS BUILDING SUPPLIES	BLADE CIRCULAR SAW - SHIRE DEPOT		$ 75.98	
EFT13541	**11/09/2026**	**GREAT SOUTHERN FUEL SUPPLIES**	**FUEL CARD - TOYOTA FORTUNER**	**1**		**$ 1,606.19**
INV 31082026	31/08/2026	GREAT SOUTHERN FUEL SUPPLIES	FUEL CARD - TOYOTA FORTUNER, TOYOTA COROLLA, SMALL PLANT EQUIPMENT & KIA CERATO		$ 1,606.19	
EFT13542	**11/09/2026**	**K & E FAIRHEAD AND SON**	**SPIT ROAST LAMB FOR COMMUNITY EVENT**	**1**		**$ 1,200.00**
INV 260615	27/08/2026	K & E FAIRHEAD AND SON	SPIT MEAT SUPPLY & SERVE FOR INCLUSIVITY EVENT		$ 1,200.00	
EFT13543	**11/09/2026**	**OFFICEWORKS LTD**	**OFFICE CHAIR**	**1**		**$ 273.95**
INV 631391895	13/08/2026	OFFICEWORKS LTD	OFFICE CHAIR		$ 273.95	
EFT13544	**11/09/2026**	**SYNERGY**	**STREET LIGHTING**	**1**		**$ 5,196.14**
INV 2172537393	05/08/2026	SYNERGY	STREET LIGHTING		$ 3,472.13	
INV 2380016369	26/08/2026	SYNERGY	POWER CHARGES - SWIMMING POOL		$ 1,724.01	
EFT13545	**11/09/2026**	**SHIRE OF WICKEPIN**	**LGIS GOLF TOURNAMENT**	**1**		**$ 340.00**
INV 9118	20/08/2026	SHIRE OF WICKEPIN	LGIS GOLF TOURNAMENT FEES FOR THE SHIRE OF PINGELLY		$ 340.00	
EFT13546	**11/09/2026**	**DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS**	**PARTS FOR SMALL PLANT**	**1**		**$ 217.85**
INV DI25051760	17/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	PAINT - COMMUNITY SHEARING SHED		$ 45.00	
INV DI25051757	17/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	NITTO FEM & MALE SOCKETS - COMMUNITY SHEARING SHED		$ 33.30	
INV DI25051785	18/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	BLADES FOR HANDMOWER - P100		$ 95.00	
INV DI25051774	18/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	NARVA BAY BULBS - DEPOT WORKSHOP		$ 44.55	
EFT13547	**11/09/2026**	**PICKLE CONTRACTING**	**LAWN MAINTENANCE**	**1**		**$ 3,582.50**
INV 000621	23/06/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - POOL		$ 415.00	
INV 000642	21/07/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	

INV 000663	18/08/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000671	01/09/2025	PICKLE CONTRACTING	LAWN MAINTENANCE		$ 140.00	
INV 000682	15/09/2025	PICKLE CONTRACTING	LABOUR AT WASTE FACILITY		$ 522.50	
INV 000687	22/09/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000721	27/10/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000763	30/12/2025	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000795	10/02/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000814	12/03/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000835	10/04/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - POOL		$ 415.00	
INV 000844	20/04/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000859	11/05/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - POOL		$ 415.00	
INV 000860	11/05/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - CHILDCARE CENTRE		$ 140.00	
INV 000932	25/08/2026	PICKLE CONTRACTING	LAWN MAINTENANCE - POOL		$ 415.00	
EFT13548	**11/09/2026**	**STORM LEE NYSSEN**	**REIMBURSEMENT FOR REFRESHMENTS**	**1**		**$ 93.97**
INV 10082026	10/08/2026	STORM LEE NYSSEN	REIMBURSMENT FOR REFRESHMENTS		$ 93.97	
EFT13549	**11/09/2026**	**LG BEST PRACTICES PTY LTD**	**RATES SERVICES - 26/27 MODELLING & BILLING**	**1**		**$ 6,396.50**
INV 23579	31/08/2026	LG BEST PRACTICES PTY LTD	RATES SERVICES - HANDOVER		$ 704.00	
INV 23580	31/08/2026	LG BEST PRACTICES PTY LTD	RATES SERVICES - MODELLING & BILLING		$ 3,316.50	
INV 23576	31/08/2026	LG BEST PRACTICES PTY LTD	EOFY TRAINING, EOFY SUPPORT		$ 1,056.00	
INV 23577	31/08/2026	LG BEST PRACTICES PTY LTD	EOFY TRAINING, EOFY SUPPORT		$ 1,320.00	
EFT13550	**11/09/2026**	**XL2**	**MANAGED ICT SUPPORT AGREEMENT**	**1**		**$ 3,741.18**
INV 40790M	17/08/2026	XL2	MANAGED ICT SUPPORT AGREEMENT SEPTEMBER		$ 3,741.18	
EFT13551	**11/09/2026**	**LYNETTE E MUTTON**	**PSYCHOLOGIST CONSULTATIONS JUN/JUL/AUG 2026**	**1**		**$ 800.00**
INV 01092026	01/09/2026	LYNETTE E MUTTON	PSYCHOLOGIST CONSULTATIONS JUN/JUL/AUG 2026		$ 800.00	
EFT13554	**11/09/2026**	**PINGELLY COMMUNITY CRAFT CENTRE**	**CARAVAN PARK COMMISSION**	**1**		**$ 1,752.15**
INV 12072026	12/07/2026	PINGELLY COMMUNITY CRAFT CENTRE	CARAVAN PARK COMMISSION		$ 706.25	
INV 02082026	02/08/2026	PINGELLY COMMUNITY CRAFT CENTRE	CARAVAN PARK COMMISSION		$ 1,045.90	
EFT13555	**17/09/2026**	**NARROGIN PETS AND VETS**	**ANIMAL WALFARE CHECK**	**1**		**$ 231.00**

INV 1009570	20/08/2026	NARROGIN PETS AND VETS	WELFARE CHECK		$ 115.50	
INV 1009663	25/08/2026	NARROGIN PETS AND VETS	WELFARE CHECK		$ 115.50	
EFT13556	**17/09/2026**	**GRAVEL CREATIONS**	**FIRE MITIGATION ADVISORY SERVICES 11/09/2026 - 13/09/2026**	**1**		**$ 1,402.50**
INV 0014	16/09/2026	GRAVEL CREATIONS	FIRE MITIGATION ADVISORY SERVICES 11/09/2026 - 13/09/2026		$ 1,402.50	
EFT13557	**17/09/2026**	**PINGELLY ARTS & CRAFTS GROUP INC**	**CATERING FOR THE 19 AUGUST OCM COUNCIL DINNER - 10X**	**1**		**$ 350.00**
INV 74	27/08/2026	PINGELLY ARTS & CRAFTS GROUP INC	CATERING FOR THE 19 AUGUST OCM COUNCIL DINNER - 10X		$ 350.00	
EFT13558	**17/09/2026**	**TELSTRA**	**MOBILE PHONE CHARGES**	**1**		**$ 679.92**
INV 9900000113260	12/07/2026	TELSTRA	MOBILE PHONE CHARGES X5		$ 339.96	
INV 9900000115806	12/08/2026	TELSTRA	MOBILE PHONE CHARGES X5		$ 339.96	
EFT13559	**17/09/2026**	**ARROW BRONZE**	**PLAQUE FOR "PANTING"**	**1**		**$ 561.17**
INV 781770	24/08/2026	ARROW BRONZE	PLAQUE FOR "PANTING"		$ 561.17	
EFT13560	**17/09/2026**	**BUNNINGS BUILDING SUPPLIES**	**PAINT & ACCESSORIES**	**1**		**$ 511.78**
INV 2440/00275031	01/08/2026	BUNNINGS BUILDING SUPPLIES	GAP FILLA AND TAPPING BLOCK		$ 32.83	
INV 2182/00381794	03/08/2026	BUNNINGS BUILDING SUPPLIES	DOWNPIPE, RIVETS, SCREWS, DRESSED PINE		$ 170.21	
INV 2182/00423102	17/08/2026	BUNNINGS BUILDING SUPPLIES	PAINT & ACCESORIES		$ 273.97	
INV 2182/00305052	25/08/2026	BUNNINGS BUILDING SUPPLIES	TURPENTINE & GARDEN TAP		$ 34.77	
EFT13561	**17/09/2026**	**WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA**	**ASSOCIATION SUBSCRIPTION - SHIRE OF PINGELLY - 2026/27**	**1**		**$ 20,482.52**
INV SC-00804	16/10/2024	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	WALGA COUNCILLOR TRAINING - SERVING ON COUNCIL 2 DAY COURSE - 28/08/24-29/08/24		-$ 3,267.00	
INV SI-012177	16/10/2024	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	WALGA COUNCILLOR TRAINING 2024 - SERVING ON COLUNCIL		$ 3,267.00	
INV SI-019532	20/07/2026	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	ASSOCIATION SUBSCRIPTION - EMPLOYEE RELATIONS, PROCUREMENT SERVICES & GOVERNANCE - SHIRE OF PINGELLY - 2026/27		$ 20,482.52	
EFT13562	**17/09/2026**	**SYNERGY**	**STREET LIGHTING - POWER**	**1**		**$ 3,611.19**
INV 2408019875	03/09/2026	SYNERGY	STREET LIGHTING - POWER		$ 3,611.19	
EFT13563	**17/09/2026**	**SHIRE OF BROOKTON**	**CESM - MEMORANDUM OF UNDERSTANDING SALARY APR-JUN 2026**	**1**		**$ 5,292.55**
INV 12981	03/07/2026	SHIRE OF BROOKTON	CESM - MEMORANDUM OF UNDERSTANDING SALARY APR-JUN 2026		$ 5,292.55	
EFT13564	**17/09/2026**	**G. CARSTAIRS & CO**	**1.6 CUBIC METRES CONCRETE FOR FENCE POSTS**	**1**		**$ 809.60**
INV 0945	06/09/2026	G. CARSTAIRS & CO	1.6 CUBIC METRES CONCRETE FOR FENCE POSTS		$ 809.60	
EFT13565	**17/09/2026**	**NUTRIEN AG SOLUTIONS**	**TRICLOPYR, METSULFURON, MCPA & SONIC SURFACTANT**	**1**		**$ 1,470.70**

INV 914935483	07/08/2026	NUTRIEN AG SOLUTIONS	2 X D SHACKLES, 2 X D SHACKLES, PHIL ELBOW 90D		$ 90.20	
INV 914961599	13/08/2026	NUTRIEN AG SOLUTIONS	TRICLOPYR, METSULFURON, MCPA & SONIC SURFACTANT AS PER QUOTE		$ 1,380.50	
EFT13566	**17/09/2026**	**QUICKFIT WINDSCREENS**	**REPAIRS TO DOOR**	**1**		**$ 150.00**
INV 00067175	31/08/2026	QUICKFIT WINDSCREENS	REPAIRS TO DOOR		$ 150.00	
EFT13567	**17/09/2026**	**PINGELLY TYRE SERVICE**	**4WD TYRE REPAIR**	**1**		**$ 3,931.40**
INV 2298	01/04/2026	PINGELLY TYRE SERVICE	4 X TYRES MITSUBISHI TRITRON 1ICD723		$ 1,251.80	
INV 2638	30/06/2026	PINGELLY TYRE SERVICE	TWO NEW BATTERIES		$ 338.80	
INV 2666	01/08/2026	PINGELLY TYRE SERVICE	TWO BATTERIES		$ 679.80	
INV 2683	01/08/2026	PINGELLY TYRE SERVICE	TWO TYRES PN172		$ 616.00	
INV 2708	01/08/2026	PINGELLY TYRE SERVICE	TWO NEW TYRES ON PN569		$ 583.00	
INV 2709	01/08/2026	PINGELLY TYRE SERVICE	TWO TYRES FOR PN6349		$ 462.00	
EFT13568	**17/09/2026**	**DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS**	**HOSE/TAIL AIR FITTING, STORAGE CONTAINER & GUN SPRAY**	**1**		**$ 176.11**
INV DI25051756	17/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	TOOLKING - JAMEC ADAPTOR HOSE/TAIL 3/8" AIR FITTING, TOOLKING - NITTO ADAPTOR FEMALE 1/4" AIR FITTING, STORAGE CONTAINER 120LT COLOURS, GUN SPRAY AIR HIGH PRESSURE SUCT		$ 106.16	
INV DI25051780	18/08/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	GUN SPRAY AIR HIGH PRESSURE SUCT		$ 69.95	
EFT13569	**17/09/2026**	**ELDERS RURAL SERVICES**	**BOOTS & OIL**	**1**		**$ 1,226.49**
INV 6226-10011001327	26/08/2026	ELDERS RURAL SERVICES	4LTR CASTROL 2STROKE OIL		$ 89.09	
INV 101-SI001584680	26/08/2026	ELDERS RURAL SERVICES	676697 BOOT ARGYLE ZIP WHEAT TPU SZ 10 S/BLUE, 797429 BOOT ARGYLE ZIP WHEAT BCAP SZ 9 S/BLUE, 989386 BOOT ARGYLE ZIP BLACK BCAP SZ 11 S/BLUE, 268694 BOOT LADIES STHN X PINK ZIP SZ 10 S/BLUE, 453543 BOOT ARGYLE LADIES TPU SCUFF SZ 9 S/BLUE,		$ 1,137.40	
EFT13570	**17/09/2026**	**NARROGIN QUARRY OPERATIONS**	**RIP RAP**	**1**		**$ 6,002.82**
INV 00008215	12/08/2026	NARROGIN QUARRY OPERATIONS	RIP RAP		$ 6,002.82	
EFT13571	**17/09/2026**	**DUFFY ELECTRICS**	**BOARD UPGRADE - TOWN POOL PUMP ROOM**	**1**		**$ 5,560.12**
INV 0961	08/09/2026	DUFFY ELECTRICS	BOARD UPGRADE, INDEPENDENT POWER OUTLET INSTALL AND CONNECTION OF NEW FLOW METER AT TOWN POOL PUMP ROOM 17/9/26		$ 1,935.34	
INV 0972	14/09/2026	DUFFY ELECTRICS	ADDITIONAL POWERPOINTS AT PINGELLTY ARTS AND CRAFT HUB 27/8/26		$ 1,705.28	
INV 0974	14/09/2026	DUFFY ELECTRICS	FIX FAULTY ETHERNET/PHONE POINTS IN COUNCIL CHAMBERS, FIX FAULTY ETHERNET/PHONE POINTS REPLACE KITCHEN LIGHTS INSTALL POWER POINT FOR NBN		$ 1,919.50	
EFT13572	**17/09/2026**	**ZONE 50 ENGINEERING SURVEYS PTY LTD**	**WSFN DESIGN NORTH BANISTER PINGELLY ROAD**	**1**		**$ 2,383.92**

INV 1991	24/08/2026	ZONE 50 ENGINEERING SURVEYS PTY LTD	WSFN DESIGN NORTH BANISTER PINGELLY ROAD		$ 2,383.92	
EFT13573	**17/09/2026**	**RED DUST REMOTE PLUMBING AND PUMPS**	**REPLACE UNSERVICABLE COPPER MAIN AT SWIMMING POOL**	**1**		**$ 997.70**
INV 504	16/09/2026	RED DUST REMOTE PLUMBING AND PUMPS	REPLACE UNSERVICABLE COPPER MAIN AT SWIMMING POOL		$ 997.70	
EFT13574	**17/09/2026**	**XAV GROUP PTY LTD T/A CONTRACT AQUATIC**	**SUPPLY & INSTALL SUMP PUMP**	**1**		**$ 4,066.57**
INV 0303	20/08/2026	XAV GROUP PTY LTD T/A CONTRACT AQUATIC	SUPPLY & INSTALL SUMP PUMP		$ 4,066.57	
EFT13575	**17/09/2026**	**ASHMAN FINE CABINETS**	**PACKING SHEETS**	**1**		**$ 88.00**
INV 2436	08/09/2026	ASHMAN FINE CABINETS	16MM PACKING SHEETS		$ 88.00	
EFT13576	**17/09/2026**	**PRINT MEDIA GROUP**	**VEHICLE IDENTIFIER STICKERS**	**1**		**$ 182.64**
INV 2405050	24/08/2026	PRINT MEDIA GROUP	4 x DFSZZLAB0041 - LAB Vehicle Identifier Sticker 2026-2028		$ 182.64	
EFT13577	**17/09/2026**	**STORM LEE NYSSEN**	**REIMBURSMENT - REFRESHMENTS**	**1**		**$ 95.54**
INV 14092026	14/09/2026	STORM LEE NYSSEN	REIMBURSEMENT - REFRESHMENTS		$ 95.54	
EFT13578	**24/09/2026**	**GOLDSTONE MECHANICAL PTY LTD**	**BROKEN HOSE REPAIR ON CASE LOADER**	**1**		**$ 4,605.70**
INV 0042	18/09/2026	GOLDSTONE MECHANICAL PTY LTD	BROKEN HOSE REPAIR ON CASE LOADER		$ 4,605.70	
EFT13579	**24/09/2026**	**ROADFORM SERVICES PTY LTD**	**3,000L EMULSION**	**1**		**$ 8,745.00**
INV 0195	26/08/2026	ROADFORM SERVICES PTY LTD	3000L EMULSION		$ 8,745.00	
EFT13580	**24/09/2026**	**TRILITY SOLUTIONS PTY LTD**	**MINOR SERVICE - EFFLUENT POND**	**1**		**$ 4,990.80**
INV 75058342	19/08/2026	TRILITY SOLUTIONS PTY LTD	RECYCLED EFFLUENT SYSTEM MINOR SERVICE JULY 2026		$ 4,990.80	
EFT13581	**24/09/2026**	**HERSEY'S SAFETY PTY LTD**	**BLUE GUM STAKES & WET WEATHER JACKET**	**1**		**$ 544.01**
INV 5545	07/08/2026	HERSEY'S SAFETY PTY LTD	WET WEATHER JACKET, BLUEGUM STAKES		$ 544.01	
EFT13582	**24/09/2026**	**SULLIVAN LOGISTICS PTY LTD**	**GRADER - FREIGHT CHARGE**	**1**		**$ 768.02**
INV 196198	14/08/2026	SULLIVAN LOGISTICS PTY LTD	12/08/2026 FROM E & MJ ROSHER		$ 59.55	
INV 197054	21/08/2026	SULLIVAN LOGISTICS PTY LTD	GRADER - FREIGHT CHARGE		$ 708.47	
EFT13584	**24/09/2026**	**BUNNINGS BUILDING SUPPLIES**	**INSECT SCREEN, VACUUM FILTER, TURPS & PAINT BRUSHES**	**1**		**$ 616.66**
INV 2182/00423916	20/08/2026	BUNNINGS BUILDING SUPPLIES	GRINDING & CUTTING DISCS		$ 193.84	

INV 2182/00426878	30/08/2026	BUNNINGS BUILDING SUPPLIES	INSECT SCREEN & PAINTING CONSUMABLES		$ 312.09	
INV 2182/00311431	31/08/2026	BUNNINGS BUILDING SUPPLIES	GATE LATCH & FLY SCREEN		$ 110.73	
EFT13585	**24/09/2026**	**WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA**	**COUNCILLOR TRAINING**	**1**		**$ 5.50**
INV SC-00806	16/10/2024	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	WALGA COUNCILLOR TRAINING - UNDERSTANDING FINANCIAL REPORTS AND BUDGETS - 30/08/24		-$ 2,178.00	
INV SI-012175	16/10/2024	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	WALGA TRAINING 2024 COUNCILLOR TRAINING - UNDERSTANDING FINANCIAL REPORTS AND BUDGETS - 18 OCTOBER 2024		$ 1,633.50	
INV SI-019622	27/07/2026	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION - WALGA	CENTRAL COUNTRY ZONE - ANNUAL SUBSCRIPTION 2026/2027		$ 550.00	
EFT13586	**24/09/2026**	**SYNERGY**	**ELECTRICITY 24 SHARROW STREET 21/07/2026 - 18/08/2026**	**1**		**$ 1,953.52**
INV 2352016858	20/08/2026	SYNERGY	ELECTRICITY 24 SHARROW STREET - 21/07/2026 TO 18/08/2026		$ 1,953.52	
EFT13587	**24/09/2026**	**NARROGIN PACKAGING & MOTORCYCLES, NARROGIN HIRE & RETIC**	**RETIC HOSE - HEAVY VEHICLE REST AREA**	**1**		**$ 192.50**
INV 00103665	17/09/2026	NARROGIN PACKAGING & MOTORCYCLES, NARROGIN HIRE & RETIC	RETIC HOSE - HEAVY VEHICLE REST AREA		$ 192.50	
EFT13588	**24/09/2026**	**NUTRIEN AG SOLUTIONS**	**GAS BOTTLE FOR BBQ - SENIORS EVENT**	**1**		**$ 52.47**
INV 915023570	26/08/2026	NUTRIEN AG SOLUTIONS	8.5KG GAS BOTTLE FOR BBQ		$ 52.47	
EFT13589	**24/09/2026**	**PATH WEST LABORATORY MEDICINE WA**	**PRE EMPLOYMENT DRUG & ALCOHOL SCREENING - FO**	**1**		**$ 49.50**
INV SOP2026008	01/09/2026	PATH WEST LABORATORY MEDICINE WA	PRE EMPLOYMENT DRUG & ALCOHOL SCREENING - FO		$ 49.50	
EFT13590	**24/09/2026**	**PINGELLY TYRE SERVICE**	**TYRE REPAIR - MITSUBISHI TRITON (PC25)**	**1**		**$ 55.00**
INV 2543	01/06/2026	PINGELLY TYRE SERVICE	TYRE REPAIR - MITSUBISHI TRITON (PC25)		$ 55.00	
EFT13591	**24/09/2026**	**STRATAGREEN**	**TREE GUARDS**	**1**		**$ 401.93**
INV 194952	07/08/2026	STRATAGREEN	TREE GUARDS FOR NEW STREET TREES, SHIPPING		$ 401.93	
EFT13592	**24/09/2026**	**DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS**	**PINE & CUTTING BLADE**	**1**		**$ 397.31**

INV DI25052122	02/09/2026	DELTA AGRIBUSINESS WA PTY LTD T/A BROOKTON RURAL TRADERS	PINE & CUTTING BLADE		$ 397.31	
EFT13593	**24/09/2026**	**ITR PACIFIC PTY LTD**	**PARTS FOR PLANT**	**1**		**$ 3,719.62**
INV 919102	19/08/2026	ITR PACIFIC PTY LTD	GRADER PG9		$ 2,133.12	
INV 919105	19/08/2026	ITR PACIFIC PTY LTD	MOTOR GRADER PG8		$ 1,586.50	
EFT13594	**24/09/2026**	**TEAM GLOBAL EXPRESS PTY LTD**	**FREIGHT - STATE LIBRARY**	**1**		**$ 61.69**
INV 0583-S658780	30/08/2026	TEAM GLOBAL EXPRESS PTY LTD	STATE LIBRARY - FREIGHT		$ 61.69	
EFT13595	**24/09/2026**	**ELDERS RURAL SERVICES**	**CLAMP W/DRIVE - HEAVY VEHICLE REST AREA**	**1**		**$ 21.65**
INV 6226-10011001425	18/09/2026	ELDERS RURAL SERVICES	CLAMP W/DRIVE - HEAVY VEHICLE REST AREA		$ 21.65	
EFT13596	**24/09/2026**	**PICKLE CONTRACTING**	**LAWN MAINTENANCE - REED CHILDCARE CENTRE**	**1**		**$ 370.00**
INV 000943	14/09/2026	PICKLE CONTRACTING	WHIPPER SNIPPING LAWN MOWING AND RUBBISH REMOVAL		$ 370.00	
EFT13597	**24/09/2026**	**URL NETWORKS PTY LTD**	**TELEPHONE CHARGES 01/08/26 - 31/08/26**	**1**		**$ 76.63**
INV 127394	01/09/2026	URL NETWORKS PTY LTD	TELEPHONE 01/08/26 - 31/08/26		$ 76.63	
EFT13600	**24/09/2026**	**LANDGATE**	**REGIONAL VALUATION**	**1**		**$ 159.24**
INV 78597624	01/09/2026	LANDGATE	REGIONAL VALUATION		$ 159.24	
EFT TOTAL						**$ 156,957.64**

PAYROLL	DATE	CREDITOR	INVOICE DESCRIPTION	BANK CODE	INVOICE AMOUNT	TOTAL
DD14942.1	**08/09/2026**	**AWARE SUPER**	**PAYROLL DEDUCTIONS**	**1**		**$ 7,743.53**
DD14942.2	**08/09/2026**	**BT PANORAMA SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 484.62**
DD14942.3	**08/09/2026**	**AUSTRALIAN ETHICAL RETAIL SUPERANNUATION FUND**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 101.88**
DD14942.4	**08/09/2026**	**MLC**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 577.77**
DD14942.5	**08/09/2026**	**AUSTRALIAN SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 872.46**
DD14942.6	**08/09/2026**	**PRIME SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 650.90**
DD14942.7	**08/09/2026**	**AMP SUPER FUND**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 317.81**
DD14942.8	**08/09/2026**	**AUSTRALIAN RETIREMENT TRUST**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 193.24**
DD14942.9	**08/09/2026**	**HOSTPLUS**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 427.81**
DD14942.10	**08/09/2026**	**HESTA SUPERANNUATION**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 294.12**
DD14942.11	**08/09/2026**	**WEST STATE SUPER AND GESB SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 188.01**

EFT13552	**11/09/2026**	**LOCAL GOVERNMENT, RACING AND CEMETERIES EMPLOYEES UNION (WA) LGRCEU**	**PAYROLL DEDUCTIONS**	**1**		**$ 44.00**
EFT13553	**11/09/2026**	**AUSTRALIAN SERVICES UNION OF WA**	**PAYROLL DEDUCTIONS**	**1**		**$ 27.50**
EFT13539	**11/09/2026**	**CHILD SUPPORT AGENCY**	**PAYROLL DEDUCTIONS**	**1**		**$ 1,152.50**
DD14960.1	**22/09/2026**	**AWARE SUPER**	**PAYROLL DEDUCTIONS**	**1**		**$ 7,561.75**
DD14960.2	**22/09/2026**	**BT PANORAMA SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 484.62**
DD14960.3	**22/09/2026**	**AUSTRALIAN ETHICAL RETAIL SUPERANNUATION FUND**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 101.88**
DD14960.4	**22/09/2026**	**MLC**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 577.77**
DD14960.5	**22/09/2026**	**AUSTRALIAN SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 872.46**
DD14960.6	**22/09/2026**	**PRIME SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 650.90**
DD14960.7	**22/09/2026**	**AMP SUPER FUND**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 317.81**
DD14960.8	**22/09/2026**	**AUSTRALIAN RETIREMENT TRUST**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 193.24**
DD14960.9	**22/09/2026**	**HOSTPLUS**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 427.81**
DD14960.10	**22/09/2026**	**HESTA SUPERANNUATION**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 299.76**
DD14960.11	**22/09/2026**	**WEST STATE SUPER AND GESB SUPER**	**SUPERANNUATION CONTRIBUTIONS**	**1**		**$ 188.58**
EFT13598	**24/09/2026**	**LOCAL GOVERNMENT, RACING AND CEMETERIES EMPLOYEES UNION (WA) LGRCEU**	**PAYROLL DEDUCTIONS**	**1**		**$ 44.00**
EFT13599	**24/09/2026**	**AUSTRALIAN SERVICES UNION OF WA**	**PAYROLL DEDUCTIONS**	**1**		**$ 27.50**
EFT13583	**24/09/2026**	**CHILD SUPPORT AGENCY**	**PAYROLL DEDUCTIONS**	**1**		**$ 1,154.60**
PAYROLL TOTAL						**$ 25,978.83**

DIRECT DEBIT	DATE	CREDITOR	INVOICE DESCRIPTION	BANK	INVOICE	TOTAL
DD14963.1	**24/09/2026**	**PENTANET LTD**	**BUSINESS FIBRE INTERNET - SET UP**	**1**		**$ 8,820.65**
INV P813168	18/09/2026	PENTANET LTD	BUSINESS FIBRE - SET UP	1	$ 8,820.65	
DD14969.1	**14/09/2026**	**BENDIGO BANK CREDIT CARDS**	**CEO CREDIT CARD TRANSACTIONS - AUGUST 2026**	**1**		**$ 6,676.58**
INV 31082026	31/08/2026	BENDIGO BANK CREDIT CARDS	02/08/2026 AMAZON - STATIONARY ITEMS $18.44	1	$ 6,676.58	
			04/08/2026 ANTHROPIC CLAUDE AI - CLAUDE PRO SUBSCRIPTION 02/08/2026 - 02/09/2026 $28.62			
			04/08/2026 INTERNATIONAL TRANSACTION - FEE $0.86			
			18/08/2026 FOXIT SOFTWARE - FOXIT PDF SUITE PRO FOR TEAMS YEARLY PLAN 16/08/2026 - 16/09/2026 $42.80			
			18/08/2026 INTERNATIONAL TRANSACTION - FEE $1.28			
			20/08/2026 HEIDI WA - REFRESHMENTS FOR STAFF FAREWELL $96.98			

			20/08/2026 AMAZON MUSIC CHARGE TO CC IN ERROR - REIMBURSED BY DEBTOR 268 $23.99			
			20/08/2026 COLES - SUPPLIES & REFRESHMENTS VOLUNTEER EVENT & STAFF FAREWELL 364.95			
			20/08/2026 WALGA EVENTS - WHEATBELT FORUM GENERAL REGISTRATIONS -$390.00			
			20/08/2026 THE REJECT SHOP - CONSUMABLES VOLUNTEER EVENT $33.00			
			20/08/2026 STEELO'S GUNS & OUTDOORS - STAFF FAREWELL GIFT $50.00			
			21/08/2029 SHIRE OF PINGELLY - VEHICLE PLATE CHANGE DUE TO LOST PLATE - FROM PN568 TO PN6391 $32.00			
			21/08/2026 ANTHROPIC CLAUDE AI - PREPAID EXTRA USAGE, INDIVIDUAL PLAN $28.31			
			21/08/2026 INTERNATIONAL TRANSACTION - FEE $0.85			
			22/08/2026 PINGELLY IGA - SUPPLIES FOR STAFF FAREWELL $15.50			
			26/08/2026 COLES - REFRESHMENTS FOR VOLUNTEER EVENT $127.80			
			26/08/2026 KMART - LOLLIES FOR PARTY ON THE OVAL 2026 $94.00			
			26/08/2026 DAN MURPHY'S - REFRESHMENTS FOR VOLUNTEER EVENT $322.82			
			27/08/2026 BENARA NURSERIES - PLANTS FOR VOLUNTEER GIFTS $129.27			
			27/08/2026 PINGELLY IGA - SUPPLIES FOR VOLUNTEER EVENT $83.20			
			27/08/2026 FOR SALE BY OWBER - REALESTATE SERVICES - SELLING OF 21 & 21 QUEEN STREET $818.97			
			28/08/2026 SPUDSHED - SUPPLIES FOR VOLUNTEER EVENT $133.43			
			28/08/2026 WALGA EVENTS - WALGA CONVENTION 2026 TICKETS FOR CEO, EMW & SHIRE PRESIDENT $3971.00			
			30/08/2026 WATER CORPORATION - RENEWAL OF TRADE WASTE PERMIT 59682 - 16 SOMERSET STREET $374.96			
			30/08/2026 WATER CORPORATION - RENEWAL OF TRADE WASTE PERMIT - LOT 151-1 QUADRANT STREET $269.55			
			30/08/2026 BENDIGO BANK - CREDIT CARD FEE $4.00			
DD14978.1	**14/09/2026**	**BENDIGO BANK CREDIT CARDS**	**EMW CREDIT CARD RECONCILIATION AUGUST 2026**	**1**		**$ 365.89**
INV 31082026	31/08/2026	BENDIGO BANK CREDIT CARDS	10/08/2026 AI EXPERTS - SUBSCRIPTION TO MY HAZMATE 09/08/2026 - 09/09/2026 $29.99	1	$ 365.89	
			22/08/2026 TELSTRA - 6 MOTHS PHONE CREDIT - RANGER $200.00			
			24/08/2026 TOTAL TOOLS, MANDURAH - PARTS FOR REPAIRS TO SIDE TIPPING TRAILER $131.90			
			30/08/2026 BENDIGO BANK - CREDIT CARD FEE $4.00			
DD14951.1	**14/09/2026**	**BENDIGO BANK CREDIT CARDS**	**MF CREDIT CARD RECONCILIATION AUGUST 2026**	**1**		**$ 1,186.01**
INV 31082026	31/08/2026	BENDIGO BANK CREDIT CARDS	14/08/2026 PLANNING INSTITUTE MEMBERSHIP 01/07/26 - 30/06/27 $762.00	1	$ 1,186.01	
			16/08/2026 PENTANET - NBN COMMERCIAL BUSINESS $119.00			
			20/08/2026 REFRESHMENTS FOR COUNCIL CHAMBERS $149.48			
			20/08/2026 SUPPLIES FOR ADMIN OFFICE & AUGUST COUNCIL MEETING $123.44			
			30/08/2026 CREDIT CARD FEE $4.00			
			31/08/2026 CHATGPT MONTHLY SUBSCRIPTION FEE $27.27			
			31/08/2026 INTERNATIONAL TRANSACTION FEE $0.82			
DD TOTAL						**$ 17,049.13**
GRAND TOTAL						**$ 199,985.60**

Shire of Pingelly **Sep-26**

Credit card transactions for current month

CEO

Date	Transaction	Description	Amount
2/09/2026	Mercure Perth	WALGA	$ 1,768.00
4/09/2026	Anthropic Claud	Subscription	$ 28.09
4/09/2026	International Transaction	Fee	$ 0.84
7/09/2026	Department of Primary	PIC Registration for Sheepyard	$ 90.83
7/09/2026	Anthropic	Subscription	$ 62.74
7/09/2026	International Transaction	Fee	$ 1.88
12/09/2026	Big W	Consumables	$ 295.90
14/09/2026	Coles	Morning Tea for Tidy Towns Judging	$ 34.73
15/09/2026	Petro Fuels	Fuel	$ 151.58
18/09/2026	Alibaba	Promotional Items for Area Promotion	$ 477.86
18/09/2026	Foxit	Subscription	$ 47.08
18/09/2026	International Transaction	Fee	$ 1.41
19/09/2026	Tony Rama's	WALGA	$ 203.00
22/09/2026	Mercure Perth	WALGA	$ 106.47
23/09/2026	Shire of Brookton	Bus Hire for Tutanning Walk	$ 361.00
24/09/2026	Coles	Christmas Village - Gingerbread Supplies	$ 130.20
25/09/2026	Pingelly Hotel	Refreshments	$ 97.43
26/09/2026	Bentley Spices	Christmas Village - Gingerbread Supplies	$ 39.96
27/09/2026	Costco	Christmas Village - Gingerbread Supplies	$ 483.08
29/09/2026	Bendigo Bank	Card Fee	$ 4.00
		Total September 2026	**$ 4,386.08**

EMW

Date	Transaction	Description	Amount
10/09/2026	AI Experts	Subscription	$ 29.99
29/09/2026	Bendigo Bank	Card Fee	$ 4.00
		Total September 2026	**$ 33.99**

MF

Date	Transaction	Description	Amount
3/09/2026	Costco	Christmas Village - Gingerbread Supplies & Lollies	$ 431.54
15/09/2026	Pingelly IGA	Morning Tea for Tidy Towns Judging	$ 15.80
15/09/2026	Coles	Consumables & Refreshments for September OCM	$ 172.10
15/09/2026	The Reject Shop	Consumables & storage for Council Chambers kitchen	$ 115.45
16/09/2026	Pentanet	Internet Subscription	$ 119.00
29/09/2026	Bendigo Bank	Card Fee	$ 4.00
		Total September 2026	**$ 857.89**

Fuel card transactions for current month

CEO

Date	Litres	Amount
5/09/2026	46.72	$ 114.70
11/09/2026	64.87	$ 162.50
19/09/2026	66.39	$ 176.27
25/09/2026	50.07	$ 136.44
	228.05	**$ 589.91**

EMW

Date	Litres	Amount
10/09/2026	42.36	$ 90.44
16/09/2026	32.7	$ 71.12
24/09/2026	40.66	$ 94.94
	115.72	**$ 256.50**

MF

Date	Litres	Amount
3/09/2026	30.14	$ 68.27
6/09/2026	18.12	$ 41.40
	48.26	**$ 109.67**

DEPOT

Date	Litres	Amount
30/09/2026	114.16	$ 266.56
	114.16	**$ 266.56**

Invoice Total September 2026 **$ 1,222.64**

16. DIRECTORATE OF WORKS
Nil

17. ELECTED MEMBERS' MOTIONS WITH PREVIOUS NOTICE
Nil

18. NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING
Nil

19. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13809 President Jackie McBurney moved, Cr Angela Trethewey seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That pursuant to Section 5.23 of the Local Government Act 1995 these items be dealt with, with the public excluded as the item deals with matters of a confidential nature.

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

19.1. Confidential Item - 21 and 23 Queen Street Pingelly – Sale of Land

Reasons for Confidentiality
This report is confidential in accordance with section 5.23(4)(g) of the *Local Government Act 1995*, which permits the meeting to be closed to members of the public for prescribed information. Regulation 4A(a) of the *Local Government (Administration) Regulations 1996* prescribes the price, or potential price, for the sale or purchase of property by the local government, and any information relating to the price or potential price.

13810 Cr Robert Howell moved, Deputy President Wood seconded

Voting Requirements:
Absolute Majority required

Recommendation and Council Decision:

That Council:

1. **Note that the previous sale of 21 and 23 Queen Street, Pingelly approved at the Ordinary Council Meeting held on 21/05/2025 did not proceed to settlement;**
2. **Pursuant to Section 3.58 of the Local Government Act 1995, accept the highest offers received through the Expression of Interest process to purchase 21 Queen Street and 23 Queen Street, Pingelly on an 'as is' basis;**
3. **Make the sales in point 2 subject to a covenant being placed on each title requiring at least one dwelling to be constructed within 2 years of settlement, and to local public notice being given in accordance with Section 3.58(3) and (4), with the matter referred back to Council should any submissions be received;**
4. **Decline the remaining offers received for 23 Queen Street, Pingelly;**
5. **Agree that all parties bear their own costs for settlement; and**
6. **Following settlement, place the proceeds of the sales into the Land Development Reserve.**

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

13811 President Jackie McBurney moved, Cr Bryan Hotham seconded

Voting Requirements:
Simple Majority required

Recommendation and Council Decision:

That the meeting be re-opened to the public.

Carried Unanimously 6 votes to 0

For:	President Jackie McBurney, Deputy Peter Wood, Cr Bryan Hotham, Cr Robert Howell, Cr Danielle Summers & Cr Angela Trethewey
Against:	Nil

20. CLOSURE OF MEETING

The Chairman declared the meeting closed at 5.00pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on

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Signed……
Presiding Person at the meeting at which the minutes were confirmed.