



13 NOVEMBER 2025

Shire of Esperance

NOTICE OF MEETING AND AGENDA

An Agenda Briefing Session of the Shire of Esperance will be held at Council Chambers on 18 November 2025 commencing at 1:00pm to brief Council on the matters set out in the attached agenda.

An Ordinary Council meeting of the Shire of Esperance will be held at Council Chambers on 25 November 2025 commencing at 4:00pm to consider the matters set out in the attached agenda.

S Burge

Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Esperance for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Esperance disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Esperance during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Esperance. The Shire of Esperance warns that anyone who has any application lodged with the Shire of Esperance must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Esperance in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

RECORDINGS

The Meeting will be live streamed. The recording will be made publicly available as soon as practical following the meeting.

Disclosure of Interest

☐ Agenda Briefing

☐ Ordinary Council Meeting

☐ Special Meeting

Details

Name of Person Declaring an Interest

Position

Date of Meeting

This form is provided to enable elected members and officers to disclose an interest in the matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

Interest Disclosed

Item Number

Item Title

Nature of Interest

Type of Interest

☐ Financial

☐ Proximity

☐ Impartiality

Interest Disclosed

Item Number

Item Title

Nature of Interest

Type of Interest

☐ Financial

☐ Proximity

☐ Impartiality

Interest Disclosed

Item Number

Item Title

Nature of Interest

Type of Interest

☐ Financial

☐ Proximity

☐ Impartiality

Declaration

I understand that the above information will be recorded in the minutes of the meeting and recorded by the Chief Executive Officer in an appropriate register.

Signature

Date

Disclosure of Interest

Notes for Your Guidance



Financial Interest (Sections. 5.65. & 5.67. Local Government Act 1995)

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- a. in a written notice given to the Chief Executive Officer before the Meeting; or
- b. at the Meeting immediately before the matter is discussed.

A member, who makes a disclosure under section 5.65 must not:

- a. preside at the part of the meeting relating to the matter; or
- b. participate in, or be present during, any discussion or decision making procedure relative to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Sections 5.68 or 5.69 of the *Local Government Act 1995*.

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter.

1. A Financial Interest, pursuant to s. 5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it must be given when the matter arises in the Agenda, and immediately before the matter is discussed. Under s. 5.65 of the *Local Government Act 1995* failure to notify carries a penalty of imprisonment for 24 months and a fine of \$24 000.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:

- 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
- 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1955*, with or without conditions.

Proximity Interest (*Section. 5.60B Local Government Act 1995*)

1. For the purposes of this subdivision, a person has a proximity interest in a matter if the matter concerns;
 - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - b. a proposed change to the zoning or use of land that adjoins the person's land; or
 - c. a proposed development (as defined in s 5.63(5) *Local Government Act 1995*) of land that adjoins the person's land.
2. In this section, land (the proposal land) adjoins a person's land if;
 - a. the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
 - b. the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.
3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Impartiality Interest

An interest, pursuant to *Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021*,

- a) That could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- b) Arising from kinship, friendship or membership of an association.

It does not include an interest as referred to in s. 5.60 *Local Government Act 1995*.

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the meeting continues as if no interest existed.

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SHIRE OF ESPERANCE

AGENDA

**ORDINARY COUNCIL MEETING
TO BE HELD IN COUNCIL CHAMBERS ON 25 NOVEMBER 2025
COMMENCING AT 4:00 PM**

1. OFFICIAL OPENING

The Shire of Esperance acknowledges the Kepa Kurl Wudjari people of the Nyungar nation and Ngadju people who are the Traditional Custodians of this land and their continuing connection to land, waters and community. We pay our respects to Elders past, present and emerging and we extend that respect to other Aboriginal Australians today

.2. ATTENDANCE

Members

Pres. R Chambers	President	
Cr J Obourne	Deputy President	Town Ward
Cr G Johnston		Town Ward
Cr G McWilliams		Town Ward
Cr L de Haas		Town Ward
Cr W Graham		Rural Ward
Cr S Starceвич		Rural Ward
Cr G Harp		Town Ward
Cr C Davies		Town Ward

Shire Officers

Mr S Burge	Chief Executive Officer
Mr M Walker	Director Asset Management
Mr R Greive	Director External Services
Mrs F Baxter	Director Corporate & Community Services
Mrs C Hoffrichter	Executive Assistant

Members of the Public & Press

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

4. APPLICATIONS FOR LEAVE OF ABSENCE

5. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6. DECLARATION OF MEMBERS INTERESTS

6.1 Declarations of Financial Interests – Local Government Act Section 5.60a

6.2 Declarations of Proximity Interests – Local Government Act Section 5.60b

6.3 Declarations of Impartiality Interests – Admin Regulations Section 34c

7. PUBLIC QUESTION TIME

8. PUBLIC ADDRESSES / DEPUTATIONS

9. PETITIONS

Nil

10. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Council Meeting of the 28 October 2025, and the Special Council Meeting of the 4 November 2025 be confirmed as true and correct records.

Voting Requirement

Simple Majority

11. DELEGATES' REPORTS WITHOUT DISCUSSION

From October 2025 to September 2027				
	Agenda Briefing Sessions (1)	Ordinary Council Meetings (1)	Special Council Meetings (2)	Annual Electors Meeting (0)
Ron Chambers Shire President	1	1	2	
Cr Jennifer Obourne Deputy Shire President	1	1	2	
Cr Gerry Harp	1	1	2	
Cr Connor Davies		1	1	
Cr Garry McWilliam			2	
Cr Leonie de Haas	1	1	2	
Cr Wes Graham	1	1	2	
Cr Sam Starcevich	1	1	2	
Cr Gemma Johnston			1	

12. MATTERS REQUIRING A DETERMINATION OF COUNCIL

12.1 EXTERNAL SERVICES

Nil

12.2 ASSET MANAGEMENT

Item: 12.2.1

Lost at Sea Memorial Web Page Policy

Author/s	Jeanette Appleby Sarah Walsh Dylan Gleave	Supervisor Asset Administration Coordinator Governance & Corporate Support Manager Parks and Environment
Authorisor/s	Mathew Walker	Director Asset Management

File Ref: D25/21149

Applicant

Asset Management

Location/Address

N/A

Executive Summary

For Council to consider a new Lost at Sea, Memorial Web Page Policy.

Recommendation in Brief

That Council adopt the Lost at Sea, Memorial Web Page Policy.

Background

The Shire has recently completed the Lost at Sea memorial sculpture located on the Esperance foreshore at the Brazier Street Node. Working with the Lost at Sea Memorial reference group, it was determined that instead of having individual plaques for those that were lost at sea, it would be best to have this information on a web site that people could access from a code on the memorial sculpture. With the two main benefits being; there would be no limit to the number of people that could be recognised and more information about those that were lost at sea could be included than a plaque could contain.

It is prudent for Council to define the conditions for acceptance for those lost at sea to be included on the web page through a Policy. The proposed Policy seeks to establish the processes and procedures by which Council govern and assess requests, to memorialise those that were lost at sea from the Esperance coastline and waters, on the Shire's Lost and Sea, Memorial Web Page. The proposed Lost at Sea Memorial Web Page Policy is included in attachment A.

The Web Page will provide a place of remembrance for families, friends and the community to grieve, reflect and pay tribute without further requests for plaques to be placed along the beaches or in public open space on street furniture and coastal infrastructure to remember those lost at sea.

Officer's Comment

The Policy sets out the requirements for the public to place Memorials on the Shire of Esperance Lost at Sea Memorial Web Page. The platform allows individuals to create a memorial page for lost loved ones, share stories, images and tributes. The Web Page will be available to the general public by way of a QR Code on the Lost at Sea Memorial located on the Esperance foreshore at the Brazier Street Node.

Consultation

There has been extensive consultation with the Lost at Sea Reference Group for the creation of the Lost at Sea Memorial Sculpture as well as the Lost at Sea Memorial Web Page Policy. Media have created the Memorial Web Page and have also consulted in the creation of the Policy for the Shire's Lost and Sea, Memorial Web Page.

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

The statutory implications associated with this item are *Local Government Act 1995* s.2.7(2)(b) 'Determine the Local Government's policies'

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Community Connection

A Community where everyone feels welcome, involved and connected to each other

Provide services, facilities and information that are inclusive and accessible

Environmental Considerations

Nil

Attachments

A₁. Lost and Sea Memorial Web Page Policy

Officer's Recommendation

That Council adopt the Lost at Sea, Memorial Web Page Policy, as attached.

Voting Requirement

Simple Majority



POL #: Lost at Sea Memorial Web Page

COUNCIL POLICY

Purpose

The policy establishes the processes and procedures by which the Shire will govern and assess requests to memorialise those that were lost at sea from the Esperance coastline and waters, on the Shires Lost at Sea Memorial Web Page, providing a place of remembrance for families, friends and the community to grieve, reflect and pay tribute.

Scope

The Policy sets out the requirements for the public to place Memorials on the Shire of Esperance Lost at Sea Memorial Web Page.

The Policy allows individuals to create a memorial page for lost loved ones, share stories, images and tributes and memorialise family, friends and members of the Shire of Esperance community individuals, and visitors who were lost at sea, from the Esperance coastline and coastal waters.

The Web Page will be available to the general public by way of a QR Code on the Lost at Sea Memorial Sculpture located on the Esperance Foreshore at the Brazier Street Node.

This policy does not extend to the following areas or other memorials within the Shire –

1. Any Cemetery or Niche Wall;
2. Roadside memorials near the location of a fatality: or
3. Memorials in Public Places

Definitions

Person Lost at Sea: A person who has died or is presumed dead as a result of an incident at sea and/or within the coastal jurisdiction within the Shire of Esperance. Evidence of the circumstances of their loss (e.g., incident reports, death certificates) must be provided and verified.

Applicant: A family member, next of kin, or authorized representative who applies.

Lost at Sea Memorial Web Page: The designated Web Page maintained by the Shire of Esperance to honour those lost at sea.

Practice

Subject to the provisions within this policy, the Shire will only support the community to memorialise family, friends and community members, that have been lost at sea within the Shire of Esperance coastal waters and coastal jurisdiction.

Approval will be at the discretion of an Authorised Officer who will assess eligible applications for memorials in accordance with the Policy following verification that the individual meets the definition and criteria to be considered Person Lost at Sea. If the

application is approved, the Authorised Officer will also scrutinise the information that will be placed on the Lost at Sea Memorial Web Page to ensure it is appropriate and in line with applicable standards.

Memorials on the Shire of Esperance Lost at Sea Memorial Web Page Requirements –

1. A family member, next of kin, or authorized representative may apply to the Shire to memorialise a members of the Shire of Esperance community individuals, and visitors who were lost at sea, from the Esperance coastline and coastal waters.
2. Applications must be submitted using the official “Lost at Sea Memorial Application Form,” and be submitted in writing to the Shire of Esperance.
3. Approval will be at the discretion of Authorised Officer and may approve eligible applications for memorials in accordance with the Policy following verification that the individual meets the definition and criteria to be considered Lost at Sea.
4. Applicants will be advised in writing of the outcome. Successful applicants will be informed of the anticipated timeframe for inclusion on the Lost at Sea, Memorial Web Page.
5. The information provided in the application will be used solely for the purpose of assessing eligibility for inclusion on the Lost at Sea, Memorial Web Page.

.....End.....

Document Information

Responsible Position	Director Asset Management
Risk Rating	Low

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
(MM/YYYY)					(MM/YYYY)

Item: 12.2.2

Esperance SES Off-Road ATV

Author/s	Paul Farmilo	Technical Officer Fleet
Authorisor/s	Mathew Walker	Director Asset Management

File Ref: D25/32487

Applicant

Internal

Location/Address

Asset Management

Executive Summary

That Council to consider a budget variation to purchase an off-road ATV for Esperance SES funded by DFES.

Recommendation in Brief

That Council approve a budget variation for the replacement of an off-road ATV for Esperance SES.

Background

As part of the State Government election commitments, Esperance SES have received \$150,000 for the upgrade to the SES off-road ATV and the upgrade the Emergency Services Hub, see attached letter. The arrangement for the off-road ATV is the funding is given to the Shire of Esperance to purchase the asset on behalf of the Esperance SES, which requires a budget amendment. The remaining funding will go towards the upgrade the Emergency Services Hub, as the Co-Location building that Esperance SES are in, is a Department of Fire and Emergency Services (DFES) owned facility, DFES will manage this side of the funding.

The current off-road ATV, a 2008 Polaris ATV, was donated to the Shire of Esperance by BHP for the Esperance SES. The Shire has had to maintain the 2008 Polaris ATV over its life, at the Shires cost, as this wasn't a recognised asset by DFES. Given this this arrangement, it is proposed the funds from the disposal of the 2008 Polaris ATV are transferred to the Shire's Plant Replacement Reserve, which DFES has agreed to. The new off-road ATV will be recognised by DFES as an Esperance SES asset and as such maintenance costs of the off-road ATV will be covered by DFES going forward.

Officer's Comment

Officers have been working with DFES to deliver the election commitment to Esperance SES. DFES have chosen an off-road from Great Southern Motorcycle Centre Albany ATV for \$43,300 Ex GST that meets the requirements of Esperance SES. To proceed with the purchase of the off-road ATV for Esperance SES, Council are required to make a budget amendment.

Consultation

DFES Department of Asset Planning and Services

Financial Implications

The financial implications arising from this report are detailed in the below table:

Description	Budget Figure	Amended Figure	Variation
Esperance SES Off-road ATV	0	43,300	43,300
DFES Reimbursement	0	(43,300)	(43,300)
Disposal of 2008 Polaris ATV	0	(10,000)	(10,000)
Plant Repayment Reserve		10,000	10,000
Net result			Nil

Asset Management Implications

The asset will be the responsibility of DFES / Esperance SES to maintain. The Shire of Esperance will register and insure the new unit. The current ICV3 – 220050 - E25624 – 2008 Polaris ATV will be auctioned and funds added to the reserve fund.

Statutory Implications

Local Government Act 1995, Section 6.8 - Expenditure from municipal fund not included in annual budget.

Policy Implications

Purchasing Policy

Strategic Implications

Council Plan 2022 – 2032

Performance - Outcome 15. Operational excellence and financial sustainability

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Environmental Considerations

Nil

Attachments

A₁. Correspondence emailed to CEO Mr Burge

Officer's Recommendation

That Council approve a budget variation for the replacement of an off-road ATV for Esperance SES, as per the table below:

Description	Budget Figure	Amended Figure	Variation
Esperance SES Off-road ATV	0	43,300	43,300
DFES Reimbursement	0	(43,300)	(43,300)
Disposal of 2008 Polaris ATV	0	(10,000)	(10,000)
Plant Repayment Reserve		10,000	10,000
Net result			Nil

Voting Requirement

Absolute Majority



Government of **Western Australia**
Department of **Fire & Emergency Services**



Our Ref: D39799; 25/171157

Mr Shane Burge
Chief Executive Officer
Shire of Esperance
PO Box 507
ESPERANCE
WA 6450

Via email: shire@esperance.wa.gov.au

Dear Mr Burge

State Government 2025-26 Small Election Commitments

The Department of Fire and Emergency Services (DFES) is pleased to advise that the Shire of Esperance has been granted one-off funding through the State Government's 2025-26 Election Commitments program to support your volunteers.

The Small Election Commitment grants, administered in accordance with Section 5.4.1 of the Local Government Grant Scheme (LGGS) Capital and Operating Grants Manual, are approved as follows:

Recipient	Esperance State Emergency Service
Scope	Upgrade the SES offroad ATV and upgrade the Emergency Services Hub
Amount	\$150,000.00

In order to manage the communities' expectations and the intent of the grants, the approved funding for each recipient must only be used for the purpose specified. Where specific items are not detailed, consideration should be given to the use of public monies, ensuring items purchased are fit for purpose and offer value for money.

It must be noted, as these are one-off Small Election Commitment grants, there is no avenue for overspend reimbursements, either through DFES or the LGGS. Additionally, items deemed ineligible under the LGGS will not be supported into the future, by DFES or the LGGS.

In accordance with Treasury Instruction, the approved funding must be expended and acquitted by 30 June 2026. To acquit the grant, your office is required to submit to DFES an invoice accompanied by supporting evidence (copy of paid invoices) detailing the expenditure. This acquittal process provides transparency and accountability to all

stakeholders in the use of government funds. DFES is required to report to Treasury on the Small Election Commitment grant funding.

Should you require any further information regarding the Shire of Esperance funding allocation, please contact Acting Manager Asset Planning Suzanne Saunders via email at assetplanningandservices@dfes.wa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Sutton', with a stylized, flowing script.

Peter Sutton AFSM
ASSISTANT COMMISSIONER ASSET MANAGEMENT

5 August 2025

Item: 12.2.3

BOILC Air Handling Units

Author/s	Mathew Walker	Director Asset Management
Authorisor/s	Shane Burge	Chief Executive Officer

File Ref: D25/33583

Applicant

Internal

Location/Address

Bay of Isles Leisure Centre

Executive Summary

For Council to consider a budget amendment to upgrade the air handling system for the Bay of Isles Leisure Centre.

Recommendation in Brief

That Council approve a budget variation to upgrade the AHU at the BOILC over the Lagoon Pool.

Background

There are two air handling units (AHU) that provides heating to the pool area at the Bay of Isles Leisure Centre (BOILC). Currently the AHU over the Lagoon Pool has failed and is not repairable and the AHU of the Lap Pool is in very poor condition. At last year's mid-year budget review, Council allocated \$90,000 to replace both units like for like.

During the preliminary planning to replace these units, it became apparent that the building has been experiencing ongoing issues with humidity, which have contributed to early signs of deterioration in newly installed ceiling infrastructure and interference with electrical and security systems. In response to this, the further investigations into a solution that would better manage internal humidity levels and improve the building's overall energy performance was undertaken. See attached report.

The resulting report recommended upgrading from the current standard AHU's to an AHU's with a hexagonal heat exchanger (HEX) that would improve air quality, energy efficiency and humidity control.

An AHU with HEX will:

- Automatically modulate the incoming air with recycled air to optimise efficiency and air quality;
- Address the ongoing humidity issues within the pool area by continually regulating the climate conditions within the pool area;
- Heat exchange out going air with incoming air recovering 60%-80% of wasted energy; and
- Potentially save \$46,000 per year in electricity costs, based on:
 - The current AHU heat pumps costing approximately \$66,000 per year to run; and
 - A 70% recovery on wasted energy.

The estimated total cost to upgrade to the AHU with HEX is \$415,000, which exceeds the original budget allocation, see attached confidential proposal. There is the option of a staged approach for the works

given that the Lap Pool AHU seems to be operating okay and has not suffered the same issues of the Lagoon Pool AHU. The work to replace both units can be staged over 2 years with the first year costing \$215,000 and second year \$200,000.

Officer's Comment

Shire Officers have been working to replace the AHU's at the BOILC pool, upon further investigations the original plan to replace the units like for like is no longer the Officers preferred recommendation. Upgrading the AHU with HEX offers significant advantages to improve air quality, energy efficiency and humidity control. Given the above identified cost savings Vs capital outlay, the additional investment in capital would have a payback period of 7.1 years purely in direct operating savings. There will also be a saving in extended life of infrastructure in the pool area that have not been quantified.

The two options that Officer have considered are:

Option 1 – Replace AHU like for like

Replace the failed Lagoon Pool AHU like for like for \$45,000, consider upgrading to a AHU with HEX in future budgets. Considerations:

- Easiest option to get back up and running
- Does not improve the air quality
- Will not be able to recover the \$45,000 investment if we upgrade in the future

Option 2 – Upgrade the AHU with HEX

Upgrade the failed Lagoon Pool AHU to an AHU with HEX for \$215,000 and upgrade the other AHU in future budgets. Considerations:

- Best long-term solution
- Will resolve the humidity issue
- Will provide ongoing utility savings
- Is \$125,000 over this year's budget and \$325,000 more expensive overall
- Will need a budget amendment to proceed

Officers recommend that the best long-term solution is to proceed with Option 2. With consideration for the upgrade of the AHU over the Lap Pool in next year's budget.

Consultation

Air Handling Contractors and Consultants

Financial Implications

The financial implications arising from this report require a budget amendment to proceed with the upgrade to AHU with HEX over the Lagoon Pool this financial year. The amended budget of \$228,000 is made up of \$8,000 in reports and consultation undertaken to date, \$215,000 for the upgrade to AHU with HEX over the Lagoon Pool and a \$5,000 contingency. This is proposed to be funded by the Building Maintenance Reserve. The table below details the proposed amendment.

Description		Budget Figure	Amended Figure	Variation
BOILC AHU Replacement	7730-705-663	89,610	228,000	(138,390)
Building Maintenance Reserve			(138,390)	138,390
Net result				Nil

Asset Management Implications

The failed AHU over the BOILC Lagoon Pool requires immediate replacement and the other AHU will require replacement in the short term to maintain the building function of the BOILC pool area.

Statutory Implications

Local Government Act 1995, Section 6.8 - Expenditure from municipal fund not included in annual budget.

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 9. Attractive and welcoming places

Objective 9.3. Provide quality community facilities, parks and spaces.

Environmental Considerations

The environmental considerations arising from this report are the saving in electricity, which will have a reduction in our corporate carbon emissions.

Attachments

- A. BSC - BOILC AHU Report
- B. Coastal Climate Choice - BOILC AHU Proposal - *Confidential*

Officer's Recommendation

That Council approve a budget variation to upgrade the AHU at the BOILC over the Lagoon Pool as per the table below:

Description		Budget Figure	Amended Figure	Variation
BOILC AHU Replacement	7730-705-663	89,610	228,000	(138,390)
Building Maintenance Reserve			(138,390)	138,390
Net result				Nil

Voting Requirement

Absolute Majority



**Bay of Isles Leisure Centre
Air Handling Unit(s)
UPGRADE / REPLACEMENT**

21 BLACK STREET,
ESPERANCE WA 6450

REPORT

Mechanical Services

Ref: 10757-R02

Date: 18/07/2025

ADADRA





**RE: REPORT – OVERVIEW OF EXISTING AIR HANDLING UNIT(s) CONFIGURATION, POSSIBLE UPGRADE & OR INFRASTRUCTURE REPLACEMENT
22 BLACK STREET ESPERANCE WA 6450.**

Ref: 10757-R02

Attention: Jason McArthur – Director

P: 0406 743774

W: www.coastclimatechoice.com.au

SCOPE

Building Services Group (BSG) have been asked to review the installation of the **Existing** Ventilation System for the Indoor Lap Pool & Indoor Leisure Pool facilities. This Ventilation System(s) comprise of Two (2) x AHU's (Air Handling Unit's) consisting of fan(s), heating coil(s) filters & dampers. Distributing treated supply air throughout the exposed spiral ductwork.

The **Existing** Air Handling Unit(s) One (1) of which is inoperable & the other deemed to be unreliable.

Our initial objective is to review the existing configuration, appreciating its age 1998 (>26yrs) be objective as to the system suitability in today's marketplace.

There are various levels of rectification & or upgrading that could be recommended & in-turn applied, based on age of gear, technology changes & research carried out over the past 26 years.

RESOURCES USED

- 1) Existing building DESIGN – Original as built documentations.
 - (a) Floor Plan A04 Rev B November 1998.
 - (b) Part Roof Plan M1 Rev B July 1999.
 - (c) Mechanical Services Layout M02, 63065-1A
- 2) Photos of existing internal spaces throughout the centre - marketing.
- 3) Aerial photo from **GOOGLE**-maps.
- 4) Discussions with building HVAC service / maintenance personnel.
- 5) Guidelines – from ASHRAE Handbook & AIRAH. Standards
- 6) Industry papers/lectures highlighting the latest recommendations.
- 7) Design Conditions: (average peaks)
 - Summer 32.1°CDB / 21.4°CWB
 - Winter 7°CDB

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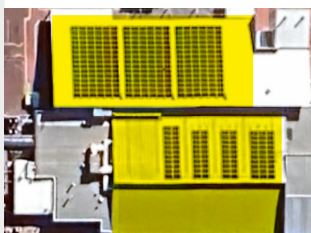
Aerial - Site Overall:

This is the overall site of the Bay of Isles Leisure Centre 21 Black Street, Esperance WA 6450



Part Aerial highlighting Aquatic Areas:

This **Yellow** highlighted portion below represents the portion of the leisure centre that utilises the Aquatic areas (indoor heated pools). Approximately 1800 – 2000sqm of tempered indoor space.



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FINDINGS – Existing AHU system(s).

From perusing of the limited drawings, Aerial views, publicity photos & site description from Mechanical Service persons we have been able to establish the following.

Area Served – 1800 – 2000 m².

Volume 7700 – 8000 m³

Two (2) Air Handling Units (AHU) delivering supply air – 6800L/s each.

- AHU has Heating Hot Water Coils = 98kW (approx.) each.
- AHU has modulating outside/return air dampers for controlling of mix proportions throughout the climate changes of the year.
- Wall air relief dampers are noted on the external walls, these are barometric dampers, maintaining a balanced relief air base on pressure. Relieving up to 100% of supply air ONLY when conditions suit.

By just observing the design notation on the limited drawings, combined with the above fundamental summary of data, tells us that the system when fully operational as designed back in 1998 would be suitable / appropriate.

System controls, as we do not have a description of the original controls, but an understanding of the principals, a minimum would be as follows:

- An indoor room temperature (say 27-28°CDB) being maintained greater than that of the majority of pool volume temperature (say 25-26°C).
- The ability to utilise the ambient when suitable to flush (purge) the indoor envelope.
- An indoor room pressure greater (in positive) than outside or adjacent spaces.
- The volume (2 x 6800L/s) delivered from the AHU's is inline with the required 6 – 8 air changes per hour.

INITIAL QUESTIONS

The writer is of the understanding that one of the AHU's is currently inoperable & requires replacing. Prior to spending funds replacing this AHU, the questions are:

- What state (operable condition) is the other AHU?
- Is the system configuration that is currently installed appropriate?
- Are the assumptions made in the **FINDINGS** as is?

History - assume that the system(s) operated adequately (at one time), meaning the theory of maintaining air quality by maintaining an indoor temperature 2° (approx.) above the mean average pool temp combined with modulating outside air percentages based on ambient.

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INITIAL CONCLUSION

Put simply, there has been no inspection of the existing ductwork & or the miscellaneous fittings associated with the original installation.

Assuming that all is in reasonably good order, and the intent is to re-instate the existing, like for like, that being upgrade the aged or deteriorated components ONLY, would:

1. The system be appropriately designed in today's market?
OR
2. Is there room for improvement modifications & can they be justified?

*Just looking at the system from an "AIR ONLY" point of view, achieving desired conditions the answer to **Question 1** is YES. BUT is it energy efficient, NO. What generates the heat for the coil? Does the system(s) capture the heat loss when generating wasted energy? NO.*

***Question 2 YES.**, BUT how much do you want to spend. Dehumidifier? HEX? Method of recovery (runaround coils). What is the capital, was is the monetary return payback? If we were to enhance the system with additional plant, what is the spare electrical capability for the sight.*

RECOMMENDATION

On the face of this report, subject to a lot of questions being answered, including energy usage in the long term, we recommended that as a base price you provide a reinstatement of like for like, with that price you apply a value for the inefficiencies that will be an ongoing negative.

Example:

- Establish a base price for reinstatement of existing system(s), highlight the operating costs
- Add componentry for an extra capital outlay, highlight saving % in operating costs.
 - Dehumidification enhancement.
 - Heat Exchanger(s)
 - Etc.

The system design & its resurrection, from a day-to-day deliverable point of view (maintain suitable conditions) is a worthy investment from a performance point of view, BUT depending on other factors such as, operation efficiency etc more can be added

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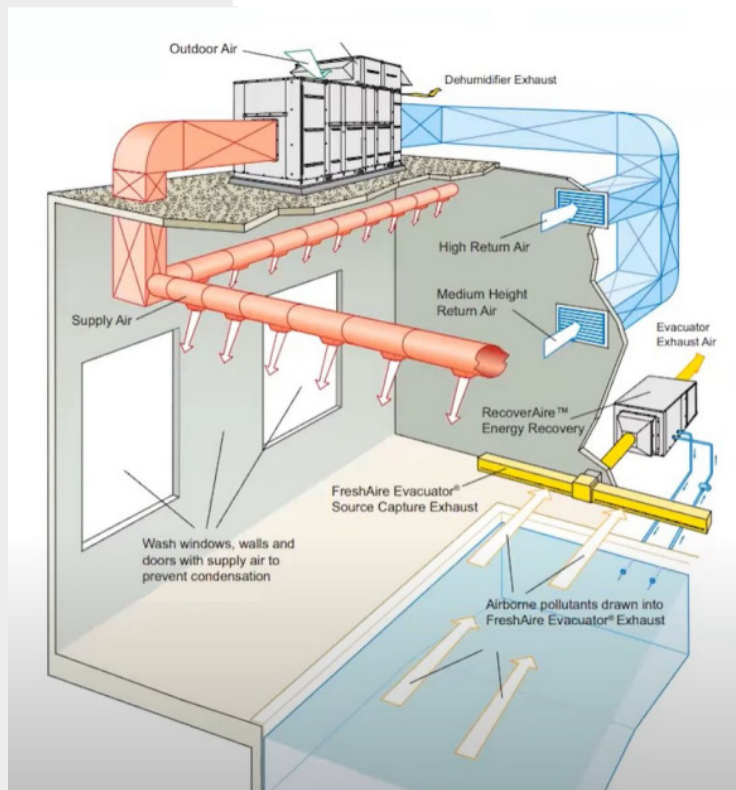
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SAMPLE ONLY – Design considerations today.

Sketch below is a 3D view of a typical 2025 installation of a Aquatic Centre, whereby all the supply air being delivered to the space is managed. Its temperature (wet & dry bulb), percentage of outside air (maximising advantages) being delivered, building pressures etc, all automated from the Packaged Plant (formerly referred as an Air Handling Unit).



- Configuration of air distribution (limited due to structure).
- Distribution should focus on washing wall / windows with air.
- Dehumidification of air mass.
- Maintain very low velocity across pool surface.
- Provision of a low level, low velocity chemical capture exhaust.

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There are suppliers/manufacturers that provided what is referred to as the **pool-pack**, a packaged portion of plant / combination that provides the complete package, that being dehumidifier, HEX etc, that you, plug & play subject to specials.

SUMMARY

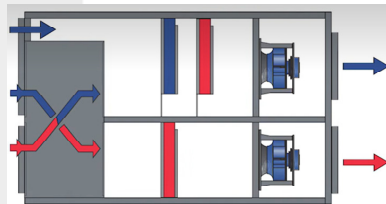
As a minimum a dehumidification module could be considered / offered & form part of the replacement of the AHU, capital costs verses running cost savings.

This report was commissioned to confirm whether the like-for-like upgrade of the existing air distribution system's air handling unit(s) was appropriate?

There are so many (site) factors to consider, that are outside of the knowledge of the writer, photographs indicate that there is slightly different configuration of ductwork distribution exposed in the lap pool area, this addition/modification may or may not have been changed due to inadequate wall/window washing occurrence.

Subject to Capital costs, Electrical resources (power Supply) & Spacial limitations the ideal scenario would be to replace the 2off 6,800L/s 98kW AHU with a combined pool pack.

The graphics below represents only one of many sequence/combinations, when ideal, whereby heat is captured from wasted air & picked up by outside air that is required to be introduced.



Further discussions may need to be undertaken prior to a firm decision be made regarding level of upgrade to AHU plant.

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Based on the configuration of the existing installation, where the relief of excess air is via wall mounted Louvres, which will no doubt be an important / integral part of the building envelopes air movement. Washing of air over the glass & wall/roof surfaces. Therefore, adding the Poolpac combination without ensuring that there is adequate air flow discharging via the relief air louvres. This balance of maintaining design distribution & introducing enhancement to the design can & will be important balancing act, whilst doing so, minimise the alterations of the ductwork distribution, to the roof plant area only.

PEACE OF MIND

It is important to understand that if the existing system(s) in full operation, maintained conditions, that the design reinstated upgraded like for like, with possibly a small control change, will be suitable.

A small low level, low velocity chemical capture exhaust system(s) may need to be added.

RECOMMENDED CHANGES

Replacing the standard heating only AHU's with HEX Poolpac, which combined heating (same source as AHU) with an air to air heat exchanger, or if air to air is impractical, achieving similar energy gains via water run around coils.

UNJUSTIFIED AT THIS STAGE

Incorporation of a Dehumidification (DX) coil with remote condenser in theory is great BUT, without a detailed engineering analysis seems to be a very expensive addition with little savings.

DETAIL ENGINEERING

For the production of a report that confirms the suitability of the 1998 design, with like for like replacement / upgrade, we can confirm that this option is satisfactory as a minimum. Adding as low level, low velocity chemical capture exhaust systems may be a important addition, subject to the air flow characteristics of the man AHU system(s). Assuming that of the 13,600L/s of supply air, a percentage of this must be released via the installed wall mounted relief air damper/louvre(s), referred to as a set minimum, to ensure cross flow of air movement in the space. Pending what that volume is balanced too, we are then able to determine the percentage of supply air that can be dragged back over the HEX.

- 7700 – 8000 m³ @ 13,600L/s (6,800L/s per AHU)
- Minus other exhausts & required volume to pressurize the building envelope. Say 5,000L/s.
- Our HEX captures the heat loss of the remainder of the air 4300L/s of Return /Relief air captured.

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FINAL RECOMMENDATIONS

We have looked at the Poolpac offerings from AIRCHANGE, the AHU offerings from GJWALKER, the options of modifying the existing installation with various combinations.

- Our role was to review the existing system(s).
- Appreciating that the systems is +25 yrs old.
- Suitability & enhancements.

I believe that we can provide enough information to obtain a scope of work, knowing that you (the contractor) have attended site and are fully familiar with the lay of the land & limitations. Enabling a D&C price to be obtained.

Consisting of a Pool pack as described below.

GJWALKER to provide two identical AHU's complete with run-a-round (HEX) as per the attached sketch, nominal capacity of the AHU (L/s & kW) are identical to that nominated in the conventional AHU (earlier).

Presented by:

- Daryl R Ryan
M-AIRAH

Building Services Group (BSG)

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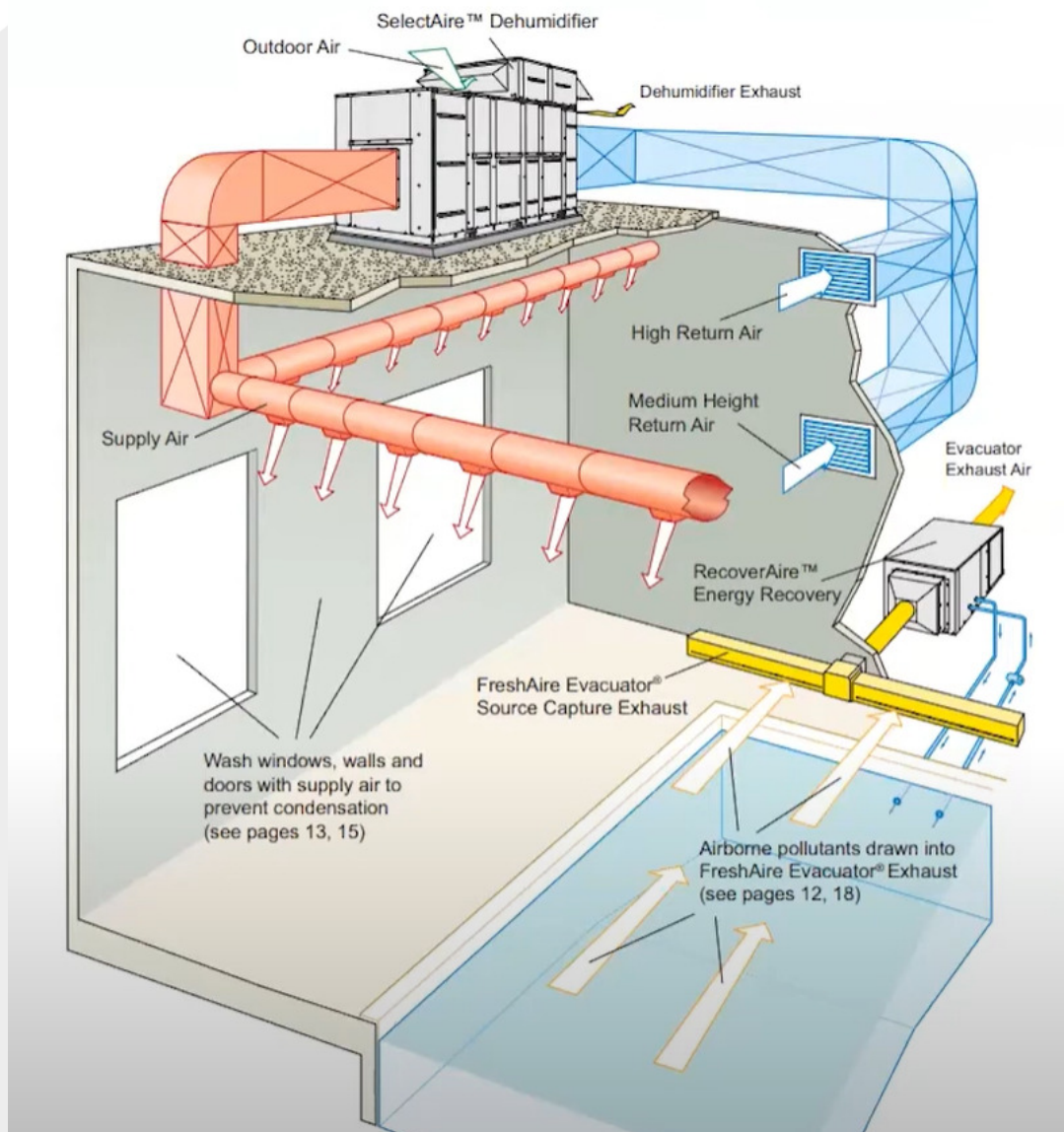
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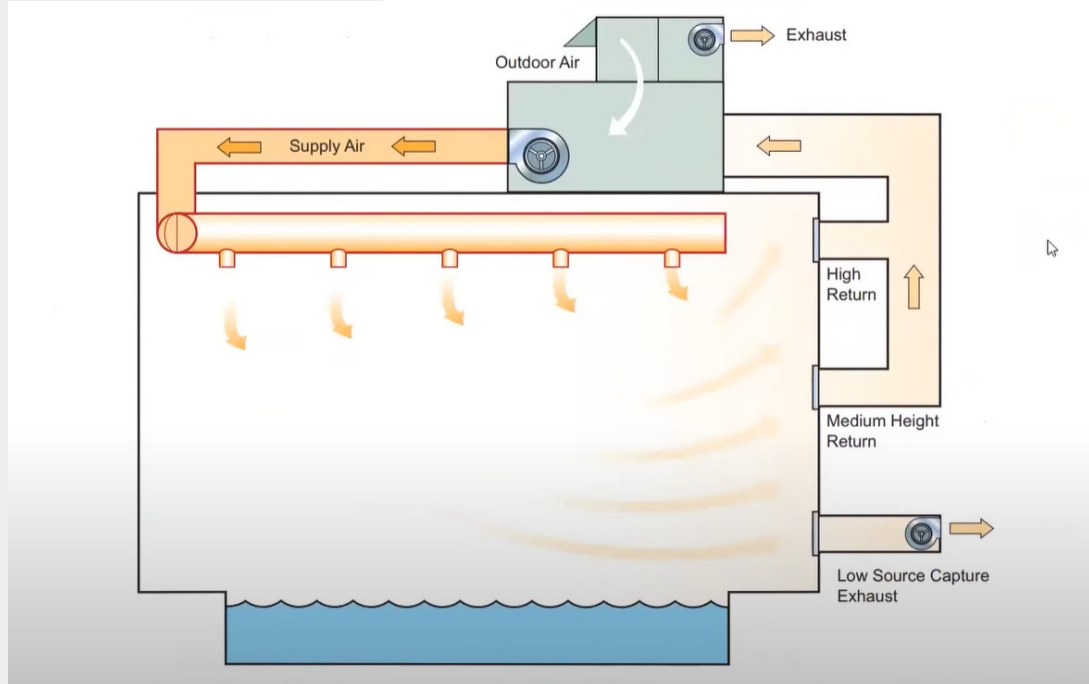
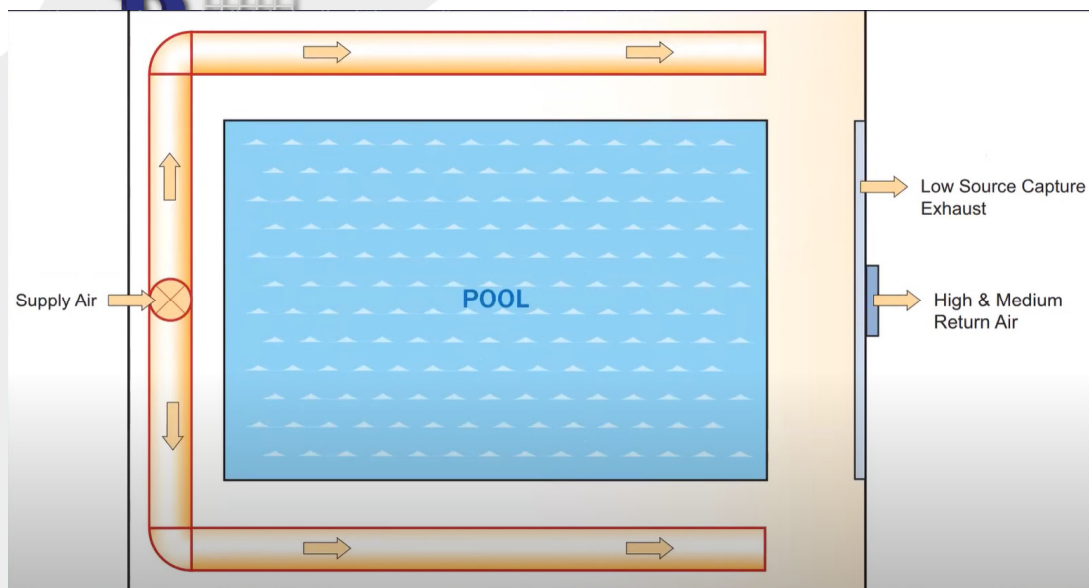
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Item: 12.2.4

Rural Roads Working Group

Author/s	Mathew Walker	Director Asset Management
Authorisor/s	Shane Burge	Chief Executive Officer

File Ref: D25/33999

Applicant

Internal

Location/Address

N/A

Executive Summary

For Council to consider establishing a Rural Roads Working Group.

Recommendation in Brief

That Council;

1. Approve the new Rural Roads Working Group as per the Terms of Reference; and
2. Appoint Rural Ward Councillors to the Rural Roads Working Group.

Background

At the 28 October Ordinary Council Meeting, Council resolved the following motion:

That Council;

3. *Request the CEO to develop Terms of Reference to consider introducing a Roads Working Group to provide opportunity for community input into the road maintenance and improvement program.*

A proposed Rural Roads Working Group has been developed for Council to consider and is included in attachment A. The intention of the proposed Rural Roads Working Group is to go out into the various rural communities to discuss, give feedback and input into the rural roads improvement, renewal and maintenance programs.

Officer's Comment

Shire officers have developed a proposed Terms of Reference that it considers best meets the objectives of the Council resolution, that will enable two-way communication between the Shire and the rural road users.

It is anticipated that the Rural Roads Working Group, that is made up of the Rural Wards Councillors and Shire Officers, will develop a schedule to go out to each of the Rural Communities, potentially based around the Fire Sub-Zones or similar, to hold a forum into the rural roads used by them. The feedback from these forums can then be used to inform and test long term road upgrade strategies, guide future road capital works programs, assess road maintenance effectiveness and address other issues brought up.

Consultation

Councillor Catch-up 4 November 2025

Financial Implications

There are no direct financial implications arising from this report. Future road works will be considered as part of the annual budget process.

Asset Management Implications

The proposed Rural Roads Working Group will help provide community input into our rural road construction and maintenance programs, helping make them more robust.

Statutory Implications

Local Government Act 1995

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 10. Safe, affordable, accessible and sustainable transport systems

Objective 10.2. Deliver an efficient and safe road network

Environmental Considerations

Nil

Attachments

A¹. Proposed Rural Roads Working Group

Officer's Recommendation

That Council;

1. Approve the new Rural Roads Working Group as per the Terms of Reference; and
2. Appoint Rural Ward Councillors to the Rural Roads Working Group:
 - Cr Graham
 - Cr Starceвич

Voting Requirement

Simple Majority



RURAL ROADS WORKING GROUP

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

For the Rural Roads Working Group to meet with the Rural Communities to discuss, give feedback and input into:

- Long term rural road upgrade strategies
- Rural roads improvement program
- Rural roads renewal program
- Rural roads maintenance

Membership

Shire Representatives

- 2 x Rural Ward Elected Members
- Director Asset Management
- Manager Asset Operations

Other Representatives

- Nil

Responsible Officer

- Director Asset Management

Meeting Frequency

As required

.....End.....

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Oct 2025	1	D25/	New Working Group	Oct 2027

12.3 CORPORATE & COMMUNITY SERVICES

Item: 12.3.1

Adoption of Activities in Thoroughfares and Public Places and Trading Local Law

Author/s	Sarah Walsh Zoe Sheffield-van Mierlo Blaise Graham	Coordinator Governance & Corporate Support Manager Development Services Governance and Corporate Support Officer
Authorisator/s	Roy Greive	Director External Services

File Ref: D25/32847

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to consider adoption of the Activities in Thoroughfares and Public Places and Trading Local Law.

Recommendation in Brief

That Council adopt the Activities in Thoroughfares and Public Places and Trading Local Law.

Background

The purpose of the Shire of Esperance Activities in Thoroughfares and Public Places and Trading Local Law is to provide control on activities within the public domain.

The effect of this Local Law is to acknowledge that some activities are prohibited, and some activities are permitted only under permit on thoroughfares and public places. This will provide consistency throughout the Shire of Esperance

The proposed Activities in Thoroughfares and Public Places and Trading Local Law was put to Council in March 2025, and was then put out for public comment.

Officer's Comment

The submission period was open between 4 April 2025 and 24 May 2025, with one submission being received in addition to feedback from the Department of Local Government.

Minor changes were made to the local law, one of which was initiated by the former Manager Development Services relating to the placement of any thing other than water that obstructs a thoroughfare or verge or results in a hazard, by the addition of Part 4 Division1 Clause 4.1(3)(a) and 4.1(4). As a result, a modified penalty has been added in respect to the addition of Clause 4.1(4).

On the suggestion of the Department of Local Government, the terms 'protected flora' and 'rare flora' were reviewed and have been deleted because the Act in which they were defined has been repealed and replaced by the *Biodiversity Conservation Act 2016*. The terms 'specially protected flora' and 'threatened flora' have been added and have the meanings given to them by the *Biodiversity*

Conservation Act 2016. These changed terms do not alter the intention of the clauses in which the terms are included.

In addition to the changes made in respect to the Department of Local Government's comments, the Department noted that Part 4 Division 2 Clause 4.8 may not be enforceable with the Joint Standing Committee on Delegated Legislation having expressed doubt that such clauses are enforceable, as it purports to reverse the onus of proof upon the prosecutor. The Department further notes that the Committee has not taken action in relation to this clause due to its relative lack of importance, and that the Shire should prepare for the possibility that it might be challenged if ever enforced. Upon consideration, this clause has remained.

Minor formatting changes have been made throughout the local law.

When the Activities in Thoroughfares and Public Places and Trading Local Law was put to Council in March, the resolution included the repeal of the Private Property Local Law 2003. It has since been determined that the Private Property Local Law will remain in place, and will be put forward to a subsequent council meeting. Therefore the resolution from the March 2025 council meeting will need to be amended to no longer include the repeal of this local law.

Consultation

Department of Local Government
Manager Development Services

Financial Implications

The financial implications arising from this report are relevant advertising and gazettal costs.

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995 – s.3.16 Periodic review of Local Laws

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 9. Attractive and welcoming places

Objective 9.1. Develop an attractive and welcoming town centre.

Environmental Considerations

Nil

Attachments

- A¹. Activities in Thoroughfares and Public Places and Trading Local Law 2025
- B¹. DLG Response - Proposed Activities in Public Places Local Law
- C¹. Manager Development Services Response - Proposed Activities in Public Places Local Law

Officer's Recommendation

That Council;

1. **Makes the Activities in Thoroughfares and Public Places and Trading Local Law 2025, as per Attachment A, in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to the Chief Executive Officer –**
 - a) **Publishing the Activities in Thoroughfares and Public Places and Trading Local Law 2025 in the Government Gazette in accordance with section 3.12(5) of the *Local Government Act 1995*;**
 - b) **Following gazettal, providing local public notice of the Activities in Thoroughfares and Public Places and Trading Local Law 2025 in accordance with section 3.12(6) of the *Local Government Act 1995*; and**
 - c) **Following local public notice, providing an Explanatory Memorandum, signed by the Shire President and Chief Executive Officer, and a copy of the Activities in Thoroughfares and Public Places and Trading Local Law 2025 to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation in accordance with section 3.12(7) of the *Local Government Act 1995*.**
2. **Amend resolution O0325-043 to no longer repeal the Private Property Local Law 2003.**

Voting Requirement

Absolute Majority



Shire of Esperance

***ACTIVITIES IN THOROUGHFARES AND PUBLIC
PLACES AND TRADING LOCAL LAW 2025***

Local Government Act 1995

Shire of Esperance
ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING
LOCAL LAW 2025

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Local Government Act 1995

Shire of Esperance

***ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND
TRADING LOCAL LAW 2025***

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

PART 1 PRELIMINARY

1.1 Short title

This local law may be cited as the Shire of Esperance *Activities in Thoroughfares and Public Places and Trading Local Law 2025*.

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 Esperance *Activities in Thoroughfares and Public Places and Trading Local Law 2016* published in the *Government Gazette* on 9 February 2017 is repealed.

1.5 Definitions

In this local law—

Act means the *Local Government Act 1995*;

applicant means a person who applies for a permit;

authorised person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

built-up area has the meaning given to it in the *Road Traffic Code 2000*;

bulk rubbish container means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government's regular domestic rubbish collection service;

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 Shire of Esperance;

crossing means a crossing giving access from a public thoroughfare to -

- (a) private land; or
- (b) a private thoroughfare serving private land;

district means the district of the local government;

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 with a similar plant, but will include any other plant provided that it has been planted by the local government;

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

local government means the Shire of Esperance;

local government property means anything except a thoroughfare –

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

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

local public notice has the meaning given to it in the Act;

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

owner or occupier in relation to land does not include the local government;

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

permissible verge treatment means any one of the 4 treatments described in clause 2.8(2), and includes any reticulation pipes and sprinklers;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person does not include the local government;

premises for the purpose of the definition of "public place" in both this clause and clause 6.1, means a building or similar structure, but does not include a carpark or a similar place;

public place includes any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include –

- (a) premises on private property from which trading is lawfully conducted under a written law; and
- (b) local government property;

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

Schedule means a schedule to this Local Law

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

thoroughfare has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;

townsite means the townsites of Esperance, Cascade, Condingup, Gibson, Grass Patch, Scaddan and Salmon Gums which are –

- (a) constituted under section 26(2) of the *Land Administration Act 1997*; or
- (b) referred to in clause 37 of Schedule 9.3 of the Act;

vehicle includes –

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,
but excludes –
- (c) a wheel-chair or any device designed for use by a physically impaired person on a path; and
- (d) a pram, a stroller or a similar device;
- (e) a shopping trolley

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

written law has the same meaning given to it by section 5 of the *Interpretation Act 1984* and includes this local law.

PART 2 ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES

DIVISION 1 GENERAL

2.1 General prohibitions

A person shall not -

- (a) plant any plant which exceeds or which may exceed 0.75m in height on a thoroughfare so that the plant is within 6m of an intersection;
- (b) damage a lawn or a garden or remove any plant or part of a plant from a lawn or a garden unless –
 - (i) the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) plant any plant (except grass or a similar plant) on a thoroughfare so that it is within 2m of a carriageway;
- (d) place on any path any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the path;

- (e) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;
- (f) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a thoroughfare; or
- (g) within a mall, arcade or verandah of a shopping centre, ride any bicycle, skateboard, rollerblades or similar device.

2.2 Activities allowed with a permit – general

- (1) A person shall not, without a permit -
 - (a) dig or otherwise create a trench through or under a kerb or path;
 - (b) subject to Division 3 of this Part, throw, place or deposit anything on a verge except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;
 - (d) cause any obstruction to a water channel or a water course in a thoroughfare;
 - (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (f) damage a thoroughfare;
 - (g) deposit or discharge any material including dust, sand, wastewater, waste, mud, concrete, paint, oil or chemicals (but excluding water) in or on a thoroughfare whether by hand, vehicle or otherwise;
 - (h) light any fire or burn anything on a thoroughfare other than in a stove or fireplace provided for that purpose or under a permit issued under clause 5.13;
 - (i) fell any tree onto a thoroughfare;
 - (j) unless installing, or in order to maintain, a permissible verge treatment -

- (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install anything on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
- (k) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
- (l) on a public place use anything or do anything so as to create a nuisance;
- (m) place or cause to be placed on a thoroughfare a bulk rubbish container; or
- (n) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare.
- (2) Clause 2.2(1) does not apply to an activity being undertaken by a person who –
 - (a) is an employee or contractor of the local government and is authorised or engaged to undertake that activity; or
 - (b) is otherwise lawfully authorised to undertake that activity.
 - (c) The local government may exempt a person from compliance with subclause (1) on the application of that person.

2.3 No possession and consumption of liquor on thoroughfare

- (1) A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless –
 - (a) that is permitted under the *Liquor Control Act 1988* or under another written law; or
 - (b) the person is doing so in accordance with a permit.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

DIVISION 2 VEHICLE CROSSING

SUBDIVISION 1 TEMPORARY CROSSINGS

2.4 Permit required

- (1) Where it is likely that works on a lot will involve vehicles leaving a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and path, where –
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The “person responsible for the works” in subclause (1) is to be taken to be –
 - (a) the person named on the building permit issued under the *Building Act 2011*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building permit has been issued under the *Building Act 2011* in relation to the works.
- (3) If the local government approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

SUBDIVISION 2 REDUNDANT VEHICLE CROSSINGS

2.5 Removal of redundant crossing

- (1) Where works on a lot will result in a crossing no longer giving access to a lot, the crossing is to be removed and the kerb, drain, path, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the local government.
- (2) The local government may give written notice to the owner or occupier of a lot requiring her or him to –
 - (a) remove any part of or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, path, verge and any other part of the thoroughfare, which may be affected by the removal,

within the period of time stated in the notice, and the owner or occupier of the lot shall comply with that notice.

DIVISION 3 VERGE TREATMENTS

SUBDIVISION 1 PRELIMINARY

2.6 Definitions

In this Division, unless the context otherwise requires -

acceptable material means any material approved by the local government.

2.7 Application

This Division only applies to the townsite.

SUBDIVISION 2 PERMISSIBLE VERGE TREATMENTS

2.8 Permissible verge treatments

- (1) An owner or occupier of land which abuts on a verge may on that part of the verge directly in front of her or his land install a permissible verge treatment.
- (2) The permissible verge treatments are –
 - (a) the planting and maintenance of a lawn;
 - (b) the planting and maintenance of a garden provided that –
 - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare;
 - (ii) where there is no path, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - (iii) it does not include a wall or built structure;
 - (iv) it is not thorny, poisonous or hazardous nature; and
 - (v) no plant (except grasses or a similar plant) is within 6m of an intersection or within 2m of a carriageway;
 - (c) the installation of an acceptable material; or

- (d) the installation over no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).

2.9 Only permissible verge treatments to be installed

- (1) A person shall not install or maintain a verge treatment which is not a permissible verge treatment.
- (2) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 2.10.

2.10 Obligations of owner or occupier

An owner or occupier who installs or maintains a permissible verge treatment, or who installs or maintains verge treatment under the authority of a permit, shall -

- (a) keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a path on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;
- (b) ensure that the verge treatment does not cause a sight distance obstruction to any person using a path on the verge or a carriageway or crossing adjoining the verge or in proximity to it;
- (c) not place any obstruction on or around the verge treatment; and
- (d) not disturb a path on the verge;
- (e) ensure that the verge treatment does not damage or obstruct a drain, manhole, gully, pit, pipe, channel, kerb, public utility service or tree planted by the local government;
- (f) ensure that any sprinklers or pipes installed to irrigate a verge treatment -

- (i) are not used at such times so as to cause unreasonable inconvenience to pedestrians or other persons; and
- (ii) do not otherwise present a hazard to pedestrians or other persons.

2.11 Notice to owner or occupier

The local government may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Division.

SUBDIVISION 3 EXISTING VERGE TREATMENTS

2.12 Transitional provision

- (1) In this clause –

former provisions means the local law of the local government which permitted certain types of verge treatments, whether with or without the consent of the local government, and which was repealed by this local law.

- (2) A verge treatment which –

- (a) was installed prior to the commencement day; and
- (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,

is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

SUBDIVISION 4 PUBLIC WORKS

2.13 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 –

- (i) verge treatment and, in particular, any plant or any acceptable material or other hard surface; or
- (ii) sprinklers, pipes or other reticulation equipment.

DIVISION 4 PROPERTY NUMBERS

SUBDIVISION 1 PRELIMINARY

2.14 Definitions

In this Division, unless the context requires otherwise -

number means a number of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

SUBDIVISION 2 ASSIGNMENT AND MARKING OF NUMBERS

2.15 Assignment of numbers

The local government may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.

DIVISION 5 FENCING

2.16 Public place – Item 4(1) of Division 1, Schedule 3.1 of Act

The following places are specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act –

- (a) a public place, as that term is defined in clause 1.2; and
- (b) local government property.

DIVISION 6 SIGNS ERECTED BY THE LOCAL GOVERNMENT

2.17 Signs

- (1) The local government may erect a sign on a public place specifying any conditions of use which apply to that place.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this local law.

2.18 Transitional

Where a sign erected on a public place has been erected under a local law of the local government repealed by this local law, then on and from the commencement day, it is to be taken to be a sign erected under clause 2.17 if –

- (a) the sign specifies a condition of use relating to the public place which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

DIVISION 7 DRIVING ON A CLOSED THOROUGHFARE

2.19 No driving on closed thoroughfare

- (1) A person shall not drive or take a vehicle on a closed thoroughfare unless –
 - (a) that is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained a permit.
- (2) In this clause –

closed thoroughfare means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

PART 3 ADVERTISING SIGNS ON THOROUGHFARES

DIVISION 1 PRELIMINARY

3.1 Definitions

In this Part, unless the context otherwise requires -

advertising sign means a sign used for the purpose of advertisement or to draw attention to a product, business, person or event and includes a home open sign and a garage sale sign;

direction sign means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;

election sign means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election;

home open sign means a portable free standing sign used to direct persons to a home for sale that is open for inspection by the public;

garage sale sign means a portable free standing sign used to direct persons to a garage sale at a residential premises.

portable direction sign means a portable free standing direction sign; and

portable sign means a portable free standing advertising sign.

DIVISION 2 PERMIT

3.2 Advertising signs and portable direction signs

- (1) A person shall not, without a permit, erect, place or maintain an advertising sign -
 - (a) on or above a thoroughfare;
 - (b) on a path;
 - (c) over any path where the resulting vertical clearance between the sign and the path is less than 2.5m;
 - (d) on or within 1.5m of a carriageway;
 - (e) in any other location where the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (f) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a home open sign or a garage sale sign, provided that -
 - (a) the signs neither exceeds 500mm in height nor 0.5m² in area;
 - (b) the sign is placed or erected on a thoroughfare no more than half an hour prior to the garage sale or home open and is removed within half an hour of the close of the garage sale or home open; and
 - (c) there is no more than one home open sign or garage sale sign at any road intersection and no more than six separate signs which delineate no more than 2 alternative routes to the home open or garage sale.

3.3 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clause 3.2(1), the local government is to have regard to -

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare;
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant; and
- (f) any other matter it considers relevant.

3.4 Exemption

- (1) The local government may exempt the holder of a valid stallholder's permit, trader's permit, facility permit, or other event authorisation issued by the local government, from all or part of the prohibitions in clause 3.2 in relation to an advertisement that directly relates to the goods or services which are the subject of the permit or authorisation.
- (2) Signs erected by the local government or an authority empowered to do so under a written law are exempted from the requirement to obtain a permit.

3.5 Impounding of advertising signs

Any sign which contravenes clause 3.2 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 3—CONDITIONS ON PERMIT

3.6 Conditions on portable sign

- (1) If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions –
 - (a) the portable sign shall -
 - (i) not exceed 1.2m in height;
 - (ii) not exceed an area of 1m² on any side;
 - (iii) relate only to the business activity described on the permit;
 - (iv) contain letters not less than 200mm in height;
 - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;

- (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
 - (vii) be secured in position in accordance with any requirements of the local government;
 - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
 - (ix) be maintained in good condition;
- and
- (b) no more than one portable sign shall be erected in relation to the one building or business.
- (2) The permit holder of a permit for the erection or placement of a portable sign shall comply with each of the conditions in subclause (1).

3.7 Conditions on election sign

- (1) If the local government approves an application for a permit for the erection or placement of an election sign on a thoroughfare, the application is to be taken to be approved subject to the sign –
 - (a) being erected at least 30m from any intersection;
 - (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
 - (c) being placed so as not to obstruct or impede the reasonable use of a thoroughfare, or access to a place by any person;
 - (d) being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
 - (e) being maintained in good condition;
 - (f) not being erected until the election to which it relates has been officially announced;
 - (g) being removed within 24 hours of the close of polls on voting day;
 - (h) not being placed within 100m of any works on the thoroughfare;
 - (i) being securely installed;
 - (j) not being an illuminated sign;
 - (k) not incorporating reflective or fluorescent materials; and
 - (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.
- (2) The permit holder of a permit for the erection or placement of an election sign shall comply with each of the conditions in subclause (1).

3.8 Signs in Road Reserves and Open Space Reserves Under the Care and Control of the Local Government

- (1) The local government may grant a permit for the erection of an advertisement sign on a road or open space reserve under its care and control.
- (2) In assessing a request for approval of an advertisement sign the local government shall have due regard to the preservation of public safety and the visual amenity of the locality.
- (3) The local government may impose such conditions or enter into any contract or agreement with the owner or licensee of the advertisement sign as it sees fit to ensure the proper control and maintenance of any such sign. In addition to any other conditions the local government may require the owner or licensee to provide public liability insurance and an indemnity in respect to the placement of an advertisement sign in a road or open space reserve.
- (4) The local government may grant a license for a directional sign that refers to a place of business provided that—
 - (a) the sign has a maximum depth of 200mm and a maximum length of 1200mm;
 - (b) the business referred to has been approved by the local government; and
 - (c) the applicant shall pay to the local government in addition to any license fee the costs associated with the provision, installation and maintenance of the sign.

3.9 Revocation of Permit

Where anything purporting to be done pursuant to a permit issued under this local law is not done in conformity with this local law or where the licensee is guilty of an offence under this local law, the Council may, without derogating from any penalty to which that person may be liable, by notice in writing, revoke the permit.

3.10 Removal of Signs from Public Property

- (1) The local government may remove to an appointed place any sign, advertisement, or other advertising device, placed or erected on any thoroughfare or public place unless placed or erected in accordance with the provisions of this local law.

- (2) Where a sign, hoarding advertisement, or other advertising device is removed to an appointed place in accordance with sub clause (1) and where it is possible to identify the name of the owner of the sign or advertising device, a notice shall be served on the owner advising -
 - (a) the location of the appointed place to where the sign has been removed; and
 - (b) that the sign may be collected during such hours and on payment of such fees and charges as may be specified in the notice.
- (3) If after the expiration of 7 days from the day the sign was removed, the local government, after taking reasonable efforts to locate the offender, has been unable to issue a notice to the alleged offender (under clause 3.10(2), the local government is deemed to have issued that notice).
- (4) The local government may dispose of impounded signs that have not been collected within 2 months of notice having being given.

3.11 Limit on Liability

- (1) A person, owner, or licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government -
 - (a) to carry out all or part of the works and do all things necessary that the owner, or licensee was required to do to comply with this local law; or
 - (b) in respect of a sign removed and dealt with under the provisions of these clauses or against any person who purchases a sign sold by the local government;

except in the case of negligence or breach of statutory duty by the Council.

3.12 Public Liability Insurance and Indemnity

- (1) Where, as a condition of a sign licence or permit, the owner, licensee or permit holder is required to provide a public liability insurance policy, indemnifying the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected in accordance with the licence and keep that insurance policy current for the duration of the licence, the owner or licensee shall:

- (a) enter into an agreement with the local government to provide the required public liability insurance protection;
 - (b) take out a public liability insurance policy in the name of the owner or licensee and the local government, for a minimum value of \$20,000,000.00 or such other amount as considered appropriate to the risk involved;
 - (c) include a clause in the policy which prevents the policy from being cancelled without the written consent of the local government;
 - (d) include a clause in the public liability insurance policy which requires the owner or licensee and the insurance company, to advise the local government if the policy lapses, is cancelled or is no longer in operation;
 - (e) on the request of an authorised person, provide for inspection, a certificate of currency for the required insurance policy.
- (2) In the event an owner or licensee refuses or cannot provide a current certificate of insurance within 2 working days as requested in accordance with sub clause (1) then the licence is deemed to be revoked and the sign is to be removed immediately.
- (3) An owner or licensee who fails to remove a sign in compliance with sub clause (2) commits an offence.

PART 4 OBSTRUCTING ANIMALS, VEHICLES OR SHOPPING TROLLEYS

DIVISION 1 ANIMALS AND VEHICLES

4.1 Leaving animals or vehicles in a public place or on local government property

- (1) A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours unless;

- (a) Place or allow to be placed or remain on a thoroughfare or verge any thing (except water) that –
- (i) Obstructs the thoroughfare or verge; or
- (ii) results in a hazard for any person the thoroughfare or verge-
- (3)(4) A person shall not leave any thing (except water) in contravention of subclause (3)

4.2 Prohibitions relating to animals

- (1) In subclause (2), "owner" in relation to an animal includes –
 - (a) an owner of it;
 - (b) a person in possession of it;
 - (c) a person who has control of it; and
 - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal shall not –
 - (a) allow the animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare as a thoroughfare and unless 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 shall not lead, ride or drive a horse on a thoroughfare in a built-up area, unless that person does so under a permit or under the authority of a written law.

4.3 Impounding of vehicle or animal

Any animal or vehicle left in contravention of clause 4.1 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 2 SHOPPING TROLLEYS

4.4 Definitions

In this Division –

retailer means a proprietor of a shop in respect of which shopping trolleys are provided for the use of customers of the shop; and

shopping trolley means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

4.5 Shopping trolley to be marked

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

4.6 Person not to leave trolley in public place

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

4.7 Retailer to remove abandoned trolley

- (1) If a shopping trolley is found in a public place, other than in an area set aside for the storage of shopping trolleys, the local government may advise (verbally or in writing) a retailer whose name is marked on the trolley of the location of the shopping trolley.
- (2) A retailer shall remove a shopping trolley within 24 hours of being so advised under subclause (1), unless the retailer -
 - (a) requests the local government to collect and deliver the shopping trolley to the retailer; and
 - (b) pays any fee for that collection and delivery (imposed and determined under and in accordance with sections 6.16 to 6.19 of the Act) within the period specified by the local government.

4.8 Retailer taken to own trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

4.9 Impounding of abandoned trolley

Any shopping trolley that is—

- (a) left on a thoroughfare or public place that is not marked in accordance with clause 4.5; or
- (b) not removed by a retailer after having been so advised under clause 4.7(1), 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.

PART 5 ROADSIDE CONSERVATION

DIVISION 1 PRELIMINARY

5.1 Definitions

In this Part -

MRWA means Main Roads Western Australia;

specially protected flora has the meaning given to it in section 56(1) of the Biodiversity Conservation Act 2016~~Wildlife Conservation Act 1950~~;

threatened rare flora has the meaning given to it in section 523F of the Biodiversity Conservation Act 2016~~Wildlife Conservation Act 1950~~;

Roadside Conservation Committee is comprised of members representing relevant agencies and the community. The Committee reports to the Minister for Environment (who appoints its members), and is chaired by a nominee from Parks and Wildlife.

special environmental area means an area designated as such under clause 5.7.

5.2 Application

This Part does not apply to the town-site.

DIVISION 2 FLORA ROADS

5.3 Declaration of flora road

The local government may declare a thoroughfare which has, in the opinion of the local government, high quality roadside vegetation to be a flora road.

5.4 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 Practise for Road Construction and Road Maintenance Works' prepared by the Roadside Conservation Committee.

5.5 Signposting of flora roads

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

5.6 Driving only on carriageway of flora roads

- (1) A person driving or riding a vehicle on a flora road shall only drive or ride the vehicle on the carriageway.
- (2) Subclause (1) does not apply where -
 - (a) conditions on the thoroughfare do not reasonably permit a vehicle to remain on the carriageway;
 - (b) there is no carriageway;
 - (c) there is a requirement for emergency access; or
 - (d) an exemption from the application of subclause (1) has been obtained from the local government.

DIVISION 3 SPECIAL ENVIRONMENTAL AREAS

5.7 Designation of special environmental areas

The local government may designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which -

- (a) has ~~protected flora~~ specially protected flora or threatened rare flora; or
- (b) in the opinion of the local government, has environmental, aesthetic or cultural significance.

5.8 Marking of special environmental areas

The local government is to mark and keep a register of each thoroughfare, or part of a thoroughfare, designated as a special environmental area.

DIVISION 4 PLANTING IN THOROUGHFARES

5.9 Permit to plant

A person shall not plant any plant or sow any seeds in a thoroughfare without first obtaining a permit.

5.10 Relevant considerations in determining application

In determining an application for a permit for the purpose of clause 5.9, the local government is to have regard to -

- (a) existing vegetation within that part of the thoroughfare in which the planting is to take place; and
- (b) the diversity of species and the prevalence of the species which are to be planted or sown.

DIVISION 5 CLEARANCE OF VEGETATION

5.11 Permit to clear

A person shall not clear and maintain in a cleared state, the surface of a thoroughfare within 1m of that person's land without first obtaining a permit and any other approvals which may be required under any written law.

5.12 Application for permit

In addition to the requirements of clause 7.1(2), a person making an application for a permit for the purpose of clause 5.11 shall submit a sketch plan clearly showing the boundary of the person's land and the portions of the thoroughfare joining that person's land which are to be cleared.

DIVISION 6 FIRE MANAGEMENT

5.13 Permit to burn thoroughfare

A person shall not burn part of a thoroughfare without first obtaining a permit or unless acting under the authority of any other written law.

5.14 Application for permit

In addition to the requirements of clause 7.1(2), an application for a permit for the purposes of clause 5.13 shall –

- (a) include a sketch plan showing the portions of a thoroughfare which are proposed to be burned; and
- (b) advise of the estimated fire intensity and the measures to be taken to protect upper storey vegetation from the burn.

5.15 When application for permit can be approved

The local government may approve an application for a permit for the purpose of clause 5.13 only if the burning of the particular part of the thoroughfare will -

- (a) reduce a fire hazard and alternative means of reducing that hazard, such as slashing or the use of herbicides, are considered by the local government to be not feasible or more detrimental to native flora and fauna than burning; or
- (b) in the opinion of the local government, be beneficial for the preservation and conservation of native flora and fauna.

5.16 Prohibitions on burning

Notwithstanding anything to the contrary in this local law, an application for a permit for the purpose of clause 5.13 is not to be approved by the local government -

- (a) for burning between 31 August and 1 May of the following year where the intensity of the burn could damage native flora and fauna; or
- (b) in any year to any person for any part of a thoroughfare which is on the opposite side of the carriageway to that portion of the thoroughfare for which a permit to burn has been approved in the same year.

DIVISION 7 FIREBREAKS

5.17 Permit for firebreaks on thoroughfares

A person shall not construct a firebreak on a thoroughfare without first obtaining a permit.

5.18 When application for permit cannot be approved

- (1) The local government is not to approve an application for a permit for the purpose of clause 5.17 where the thoroughfare is less than 20m wide.
- (2) Subclause (1) does not apply where the firebreak is, in the opinion of the local government, desirable for the protection of roadside vegetation.

DIVISION 8 COMMERCIAL WILDFLOWER HARVESTING ON THOROUGHFARES

5.19 General prohibition on commercial wildflower harvesting

Subject to clause 5.20, a person shall not commercially harvest native flora on a thoroughfare.

5.20 Permit for revegetation projects

- (1) A person shall not collect seed from native flora on a thoroughfare without first obtaining a permit.
- (2) The local government may approve an application for a permit under subclause (1) only where-
 - (a) the seed is required for a revegetation project in any part of the district; and

- (b) the thoroughfare, or the relevant part of it, is not a special environmental area.
- (3) Unless the local government specifically provides to the contrary on a permit, if the local government approves an application for a permit for the purpose of subclause (1) it is to be taken to be approved subject to the following conditions -
 - (a) the collection of the seed is to be carried out so as not to endanger the long time survival of the native flora on the thoroughfare; and
 - (b) any license or approval which may be required under any other written law is to be obtained by the applicant.

PART 6 TRADING IN THOROUGHFARES AND PUBLIC PLACES

DIVISION 1 STALLHOLDERS AND TRADERS

SUBDIVISION 1 PRELIMINARY

6.1 Definitions

In this Division, unless the context otherwise requires -

Competition Principles Agreement means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995;

public place includes -

- (a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property; and
- (b) local government property;

but does not include premises on private property from which trading is lawfully conducted under a written law;

stall means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire;

stallholder means a person in charge of a stall;

stallholder's permit means a permit issued to a stallholder;

trader means a person who carries on trading;

trader's permit means a permit issued to a trader; and

trading includes –

- (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 any public place for the purpose of –
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for them; or
 - (iv) carrying out any other transaction in relation to them; and
- (c) the going from place to place, whether or not public places, and –
 - (i) offering goods or services for sale or hire; or
 - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services.

SUBDIVISION 2 PERMITS

6.2 Stallholder's permit

- (1) A person shall not conduct a stall on a public place unless that person is –
 - (a) the holder of a valid stallholder's permit; or
 - (b) an assistant specified in a valid stallholder's permit.
- (2) Every application for a stallholder's permit shall –
 - (a) state the full name and address of the applicant;
 - (b) specify the proposed number of assistants to be engaged by the applicant in conducting the stall, as well as their names and addresses if already engaged;
 - (c) specify the proposed location of the stall;
 - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of operation;
 - (e) specify the proposed goods or services to be sold or hired or offered for sale or hire from the stall; and
 - (f) be accompanied by an accurate plan and description of the proposed stall.

6.3 Trader's permit

- (1) A person shall not carry on trading unless that person is –
 - (a) the holder of a valid trader's permit; or
 - (b) an assistant specified in a valid trader's permit.
- (2) Every application for a trader's permit shall –

- (a) state the full name and address of the applicant;
- (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
- (c) specify the location or locations in which the applicant proposes to trade;
- (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;
- (e) specify the proposed goods or services which will be traded; and
- (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.

6.4 No permit required to sell newspaper

Notwithstanding any other provision of this local law, a person who sells, or offers for sale, a newspaper only is not required to obtain a permit.

6.5 Relevant considerations in determining application for permit

- (1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to –
 - (a) any relevant policies of the local government;
 - (b) the desirability of the proposed activity;
 - (c) the location of the proposed activity;
 - (d) the principles set out in the Competition Principles Agreement; and
 - (e) such other matters as the local government may consider to be relevant in the circumstances of the case.
- (2) The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds –
 - (a) that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought;
 - (b) that the applicant is not a desirable or suitable person to hold a permit; or
 - (c) that –

- (i) the applicant is an undischarged bankrupt or is in liquidation;
 - (ii) the applicant has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property.
- (d) Such other grounds as the local government may consider relevant in the circumstances.

6.6 Conditions of permit

- (1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include –
- (a) the place, the part of the district, or the thoroughfare to which the permit applies;
 - (b) the days and hours during which a permit holder may conduct a stall or trade;
 - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;
 - (d) the goods or services in respect of which a permit holder may conduct a stall or trade;
 - (e) the number of persons and the names of persons permitted to conduct a stall or trade;
 - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;
 - (g) whether and under what terms the permit is transferable;
 - (h) any prohibitions or restrictions concerning the -
 - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
 - (ii) the use of amplifiers, sound equipment and sound instruments;
 - (iii) the use of signs; and
 - (iv) the use of any lighting apparatus or device;
 - (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
 - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;

- (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
 - (l) the acquisition by the stallholder or trader of public risk insurance;
 - (m) the period for which the permit is valid;
 - (n) the designation of any place or places where trading is wholly or from time to time prohibited by the local government; and
 - (o) any other conditions as the local government may apply.
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorize another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.

6.7 Exemptions from requirement to pay fee or to obtain a permit

- (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 other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium; and

commercial participant means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit.

- (2) The local government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on –
- (a) on a portion of a public place adjoining the normal place of business of the applicant; or
 - (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.
- (3) The local government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division.

- (4) Notwithstanding any other provisions of this local law, a requirement to obtain a permit under this local law does not apply to-
 - (a) a special event or trading authorised by the local government under written law or agreement; or
 - (b) a person trading in a street market authorised by the local government.

SUBDIVISION 3 CONDUCT OF STALLHOLDERS AND TRADERS

6.8 Conduct of stallholders and traders

- (1) A stallholder while conducting a stall or a trader while trading shall –
 - (a) display her or his permit to do so in a conspicuous place on the stall, vehicle or temporary structure or if there is no stall, vehicle or temporary structure, carry the permit with her or him while conducting a stall or trading;
 - (b) not display a permit unless it is a valid permit; and
 - (c) when selling goods by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the *National Measurements Act 1960* (Cth).
- (2) A stallholder or trader shall not –
 - (a) deposit or store any box or basket containing goods on any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles;
 - (b) act in an offensive manner;
 - (c) use or cause to be used any apparatus or device including any flap or shelf, whereby the dimensions of a stall, vehicle or structure are increased beyond those specified in the permit; or
 - (d) in the case of a trader, carry on trading from a public place, unless there is adequate parking for customers' vehicles reasonably close to the place of trading.

DIVISION 2 STREET ENTERTAINERS

SUBDIVISION 1 PRELIMINARY

6.9 Definitions

In this Division, unless the context otherwise requires –

perform includes to play a musical instrument, sing, mime, dance, give an acrobatic or aerobic display or entertain, but does not include public speaking;

permit means a permit issued for the purpose of clause 6.10;

permitted area means the area or areas, specified in a permit, in which the permit holder may perform;

permitted time means the time or times, specified in a permit, during which the permit holder may perform.

SUBDIVISION 2 PERMITS

6.10 Permit required to perform

A person shall not perform in a public place without a permit.

6.11 Variation of permitted area and permitted time

(1) The local government may by notice in writing to a permit holder vary –

- (a) the permitted area;
- (b) the permitted time; or

both the permitted area and the permitted time, shown on a permit.

(2) The local government may direct a permit holder to move from one permitted area to another permitted area, if more than one area is specified in a permit.

6.12 Duration of permit

A permit is valid for a period of 3 months after the date on which it is issued unless it is sooner cancelled under this local law.

6.13 Cancellation of permit

The CEO may cancel a permit if in her or his opinion the volume of sound caused by the permit holder in connection with the performance adversely affects the enjoyment, convenience or comfort of other persons in a public place, or if, in her or his opinion, or in the opinion of an authorised person, the performance otherwise constitutes a nuisance.

6.14 Obligations of permit holder

A permit holder shall not in a public place –

- (a) perform wearing dirty, torn or ragged clothing;
- (b) act in an offensive manner; or

- (c) place, install, erect, play or use any musical instrument or any device which emits music, including a loud speaker or an amplifier -
 - (i) other than in the permitted area; and
 - (ii) unless the musical instrument or device is specified in the permit.

DIVISION 3 OUTDOOR EATING FACILITIES ON PUBLIC PLACES

6.15 Definitions

In this Division -

Facility means an outdoor eating facility or establishment on any part of a public place, but does not include such a facility or establishment on private land;

permit holder means the person to whom a permit has been issued for the purpose of clause 6.16; and

public place has the meaning given to it in clause 6.1.

6.16 Permit required to conduct Facility

A person shall not establish or conduct a Facility without a permit.

6.17 Matters to be considered in determining application

In determining an application for a permit for the purpose of clause 6.16, the local government may consider in addition to any other matter it considers relevant, whether or not-

- (a) the Facility is conducted in conjunction with and as an extension of a food business which abut on the Facility, and whether the applicant is the person conducting such food business;
- (b) any abutting food business is registered in accordance with the Food Act 2008 and whether the food business is a use permitted under the local planning scheme;
- (c) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;
- (d) the Facility would -

- (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person; or
- (ii) impede pedestrian access; and
- (e) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose for which it was designed.

6.18 Obligations of permit holder

- (1) The permit holder for a Facility shall –
 - (a) ensure that the Facility is conducted at all times in accordance with the provisions of this local law;
 - (b) ensure that the eating area is kept in a clean and tidy condition at all times;
 - (c) maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times; and
 - (d) be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility.
- (2) Whenever, in the opinion of the local government, any work is required to be carried out to a Facility, the local government may give a notice to the permit holder for the Facility to carry out that work within the time limited by the notice.
- (3) In subclause (2), “work” includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of a Facility.

6.19 Duration of permit

A permit is valid for a period of 3 years after the date on which it is issued unless it is sooner cancelled under this local law.

6.20 Removal of Facility unlawfully conducted

Where a Facility is conducted without a permit, or in contravention of a condition of a permit, any tables, chairs, umbrellas or other equipment may be removed by an authorised person and impounded in accordance with the Act.

6.21 Use of Facility by public

- (1) A person shall not occupy a chair or otherwise use the equipment in a Facility the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the Facility.

- (2) A person shall leave a Facility when requested to do so by the permit holder.

6.22 Temporary removal of Facility may be requested

- (1) The permit holder for a Facility is to temporarily remove the Facility when requested to do so on reasonable grounds by an authorised person or a member of the Police Service or an emergency service.
- (2) The permit holder may replace the Facility removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

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 shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law shall -
 - (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 an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

7.2 Decision on application for permit

- (1) The local government may –
 - (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.

- (2) If the local government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).
- (5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).

DIVISION 2 CONDITIONS

7.3 Conditions which may be imposed on a permit

The local government may approve an application for a permit subject to conditions relating to -

- (a) the payment of a fee;
- (b) the duration and commencement of the permit;
- (c) the commencement of the permit being contingent on the happening of an event;
- (d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (e) the approval of another application for a permit which may be required by the local government under any written law;
- (f) the area of the district to which the permit applies;
- (g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage;
- (h) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government;
- (i) the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder; and
- (j) any other matter it considers relevant.

7.4 Imposing conditions under a policy

- (1) In this clause –

policy means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 7.2(1)(a).

- (2) Under clause 7.2(1)(a) the local government may approve an application subject to conditions by reference to a policy.
- (3) The local government is to give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 7.2(2).
- (4) An application for a permit is to be taken not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy is to be taken to be information within section 5.94(u)(i) of the Act.

7.5 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this local law, the permit holder shall comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

DIVISION 3 GENERAL

7.6 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 7.10.

7.7 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of –

- (a) this Part; and
- (b) any other provision of this local law relevant to the permit which is to be renewed,

shall apply to an application for the renewal of a permit.

7.8 Transfer of permit

- (1) An application for the transfer of a valid permit is to –
 - (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; 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.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by –
 - (a) an endorsement on the permit signed by the CEO; or
 - (b) issuing to the transferee a permit in the form determined by the local government.
- (4) Where the local government approves an application for the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

7.9 Production of permit

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

7.10 Cancellation of permit

- (1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a –
 - (a) condition of the permit; or
 - (b) provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder –

- (a) shall return the permit as soon as practicable to the local government; and
- (b) is to be taken to have forfeited any fees paid in respect of the permit.

PART 8 OBJECTIONS AND APPEALS

8.1 Application of Part 9 Division 1 of Act

When the local government makes a decision -

- (a) under clause 7.2(1); or
- (b) as to whether it will renew, vary, or cancel a permit,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

PART 9 MISCELLANEOUS NOTICES

9.1 Notice to redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the local government may give a notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.

9.2 Hazardous plants

- (1) Where a plant in a garden creates or may create a hazard for any person using a thoroughfare, the local government may give a notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.
- (2) Subclause (1) does not apply where the plant was planted by the local government.

9.3 Notice to repair damage to thoroughfare

Where any portion of a thoroughfare has been damaged, the local government may by notice to the person who caused the damage order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.

9.4 Notice to remove thing unlawfully placed on thoroughfare

Where anything is placed on a thoroughfare in contravention of this local law, the local government may by notice in writing to the owner or the occupier of the property which abuts on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, require the relevant person to remove the thing.

PART 10 ENFORCEMENT

DIVISION 1 NOTICES GIVEN UNDER THIS LOCAL LAW

10.1 Offence to fail to comply with notice

Whenever the local government gives a notice under this local law requiring a person to do anything, if the person fails to comply with the notice, the person commits an offence.

10.2 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 10.1, the local government may do the thing specified in the notice and recover from that person, as a debt, the costs incurred in so doing.

DIVISION 2 OFFENCES AND PENALTIES

SUBDIVISION 1 GENERAL

10.3 Offences

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

SUBDIVISION 2 INFRINGEMENT NOTICES AND MODIFIED PENALTIES

10.4 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.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

10.5 Forms

Unless otherwise specified, for the purposes of this local law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

SCHEDULE 1 PRESCRIBED OFFENCES

[clause 10.4]

Clause	Description	Modified Penalty \$
2.1(a)	Plant of 0.75m in height on thoroughfare within 6m of intersection	350
2.1(b)	Damaging lawn or garden	150
2.1(c)	Plant (except grass) on thoroughfare within 2m of carriageway	150
2.1(d)	Placing hazardous substance on path	150
2.1(e)	Damaging or interfering with signpost or structure on thoroughfare	350
2.1(f)	Playing games so as to impede vehicles or persons on thoroughfare	200
2.1(g)	Riding of skateboard or similar device on mall or verandah of shopping centre	200
2.2(1)(a)	Digging a trench through a kerb or path without a permit	200
2.2(1)(b)	Throwing or placing anything on a verge without a permit	200
2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	200
2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	250
2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	350
2.2(1)(f)	Damage a thoroughfare	150
2.2(1)(g)	Allow material to be blown, conveyed, deposited in or on a thoroughfares	150
2.2(1)(h)	Lighting a fire on a thoroughfare without a permit	350
2.2(1)(i)	Felling tree onto thoroughfare without a permit	350
2.2(1)(j)	Installing pipes or stone on thoroughfare without a permit	150
2.2(1)(k)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	350
2.2(1)(l)	Creating a nuisance on a thoroughfare without a permit	200
2.2(1)(m)	Placing a bulk rubbish container on a thoroughfare without a permit	150
2.2(1)(n)	Interfering with anything on a thoroughfare without a permit	150
2.3(1)	Consumption or possession of liquor on thoroughfare	150
2.4(1)	Failure to obtain permit for temporary crossing	250
2.5(2)	Failure to comply with notice to remove crossing and reinstate kerb	350

2.9(1)	Installation of verge treatment other than permissible verge treatment	250
2.10	Failure to maintain permissible verge treatment or placement of obstruction on verge	200
2.11	Failure to comply with notice to rectify default	200
2.17(2)	Failure to comply with sign on public place	150
2.19(1)	Driving or taking a vehicle on a closed thoroughfare	350
3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	200
3.6(2)	Noncompliance with conditions for a portable sign	100
3.7(2)	Noncompliance with conditions for an election sign	100
3.12(2)	Failure to remove a sign when ordered	100
4.1(1)	Animal or vehicle obstructing a public place or local government property	200
<u>4.1(4)</u>	<u>Place or allow to be placed or remain on a thoroughfare or verge and thing (except water)</u>	<u>150</u>
4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	200
4.2(2)(b)	Animal on public place with infectious disease	200
4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	200
4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	150
4.6	Person leaving shopping trolley in public place other than trolley bay	150
4.7(2)	Failure to remove shopping trolley upon being advised of location	150
5.6(1)	Driving a vehicle on other than the carriageway of a flora road	250
5.9(a)	Planting in thoroughfare without a permit	250
5.11	Failure to obtain permit to clear a thoroughfare	750
5.13	Burning of thoroughfare without a permit	750
5.17	Construction of firebreak on thoroughfare without a permit	750
5.19	Commercial harvesting of native flora on thoroughfare	750
5.20(1)	Collecting seed from native flora on thoroughfare without a permit	350
6.2(1)	Conducting of stall in public place without a permit	350
6.3(1)	Trading without a permit	350
6.8(1)(a)	Failure of stallholder or trader to display or carry permit	200
6.8(1)(b)	Stallholder or trader not displaying valid permit	200
6.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	150
6.8(2)	Stallholder or trader engaged in prohibited conduct	150
6.10	Performing in a public place without a permit	150
6.11(2)	Failure of performer to move onto another area when directed	150
6.14	Failure of performer to comply with obligations	150

6.16	Establishment or conduct of outdoor eating facility without a permit	500
6.18	Failure of permit holder of outdoor eating facility to comply with obligations	150
6.20(1)	Use of equipment of outdoor eating facility without purchase of food or drink from facility	100
6.20(2)	Failure to leave outdoor eating facility when requested to do so by permit holder	100
7.5	Failure to comply with a condition of a permit	200
7.9	Failure to produce permit on request of authorised person	150
10.1	Failure to comply with notice given under local law	200

Dated _____ day of _____.

The Common Seal of the Shire of Esperance was hereunto affixed by the authority of a resolution of the Council in the presence of -

Ronald Chambers
SHIRE PRESIDENT

Shane Burge
CHIEF EXECUTIVE OFFICER

Archived: Tuesday, 28 October 2025 6:57:02 PM
From: [REDACTED]
Mail received time: Fri, 27 Jun 2025 08:24:50
Sent: Fri, 27 Jun 2025 08:24:23
To: [Corporate Support](#)
Subject: FW: Comments on proposed activities in public places local law
Importance: Normal
Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Good afternoon,

This email is regarding the Shire's proposed Activities in Public Places Local Law. Some comments are provided below:

Activities in Public Places Local Law 2025

1. Clause 4.8 – Reversing onus of proof

Clause 4.8 provides that in the absence of proof to the contrary, a trolley belongs to whatever retailer is advertised on the trolley.

The Parliament's Joint Standing Committee on Delegated Legislation has expressed doubt that this clause is enforceable, as it purports to reverse the onus of proof. In most legal proceedings, the onus of proof lies upon the prosecutor.

While the Committee has not taken action in relation to this clause due to its relative lack of importance, the Shire should prepare for the possibility that it might be challenged if ever enforced.

2. Clause 5.1 – Obsolete citations and definitions

Clause 5.1 refers to the Wildlife Conservation Act 1950, which is no longer in force.

The legislation has been replaced by the Biodiversity Conservation Act 2016 and many old terms have been replaced with new terms (e.g. "rare flora" is replaced with "protected flora").

It is suggested that the Shire review and update the definitions in clause 5.1 and update the terminology in clauses 5.3 to 5.8 to ensure it is consistent with the new legislation. If there are any concerns or doubts, the Department of Biodiversity, Conservation and Attractions should be contacted for guidance.

3. Minor comments

Some minor comments are provided below.

- It is suggested that page numbers not be included in the draft submitted to the Government Gazette, as it may clash with the Gazette's existing page system. So long as the local law has a contents and clause numbers, this should be sufficient to navigate the document. If the Shire intends to keep an administrative version of the local law on its website, the page numbers can be retained in that version without issue.
- Clause 2.1(b)(i) and (ii) – increase font size for consistency. This issue also appears throughout the local law particularly in subparagraphs.
- Clause 5.9 – the designator "(a)" can be removed as there are no other paragraphs in the clause.

The Shire should also ensure that all references and cross references are checked for accuracy, particularly if any further changes are made to the draft.

Archived: Tuesday, 28 October 2025 7:00:09 PM
From: [REDACTED]
Sent: Thursday, 8 May 2025 3:20:16 PM
To: [Sarah Walsh](#)
Subject: Submission on Activities in Thoroughfares and Public Places and Trading Local Law 2025
Importance: Normal
Sensitivity: None

Hi Sarah,

Proposed modifications are below:

1. Amend Clause 4.1 (3) by replacing the full stop with ' unless:'
2. Insert a new sub clause (a) under Clause 4.1 (3) as follows:
 - (a) Place or allow to be placed or remain on a thoroughfare or verge any thing (except water) that –
 - (i) Obstructs the thoroughfare or verge; or
 - (ii) Results in a hazard for any person the thoroughfare or verge:
3. Add to Schedule 1

Clause	Description	Modified Penalty \$
2.1(h)	Place or allow to be placed or remain on a thoroughfare or verge any thing (except water)	150

4. Also add a point (4) to Cl 4.1 stating

'(4) A person shall not leave any thing (except water) in contravention of Clause 2.1(h)'

Regards



Richard Hindley
Manager Development Services
Shire of Esperance | Administration Building
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Item: 12.3.2

Adoption of Bush Fire Brigades Local Law

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
	Zoe Sheffield-van Mierlo	Manager Development Services
	Blaise Graham	Governance and Corporate Support Officer
Authorisor/s	Roy Greive	Director External Services

File Ref: D25/32848

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to consider adoption of the Bush Fire Brigades Local Law 2025.

Recommendation in Brief

That Council adopt the Bush Fire Brigades Local Law 2025.

Background

The Purpose of the Bush Fire Brigades Local Law is to provide information about the forming, running and operations of a bush fire brigade in the Shire of Esperance.

The Effect of the Bush Fire Brigades Local Law is to ensure adequate preparedness of fire brigades to respond to emergency situations as they arise.

The proposed Bush Fire Brigades Local Law was put to Council in November 2024 and was then put out for public comment.

Officer's Comment

A submission period was open between 6 December 2024 and 1 February 2025 with no public submissions being received. Responses were received from the Department of Fire and Emergency Services, and the Department of Local Government.

Minor changes were made in respect to comments provided by Department of Fire and Emergency Services and Department of Local Government. These changes include defining the Code of Conduct within Schedule 1; including additional prescribed duties of Captains and Lieutenants; inserting Proxy Form in Schedule 1 Part 8 Clause 8.2, and minor formatting changes.

Consultation

Department of Fire and Emergency Services
Department of Local Government

Financial Implications

The financial implications arising from this report are advertising and gazettal costs.

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995 – s.3.16 Periodic review of Local Laws

Bush Fire Act 1954

Policy Implications

Bushfire Management Policy

Strategic Implications

Council Plan 2022 – 2032

Planet - Outcome 6. Greater community readiness and resilience to cope with natural disasters and emergencies.

Objective 6.1. Minimise risk and support recovery from bushfires, storms, drought and other natural disasters.

Environmental Considerations

Nil

Attachments

- A¹. Bush Fire Brigades Local Law 2025
- B¹. DFES Response - Proposed Bush Fire Brigade Local Law 2025
- C¹. DLG Response - Proposed Bush Fire Brigade Local Law 2025

Officer's Recommendation

That Council makes the Bush Fire Brigades Local Law 2025, as per Attachment A, in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to the Chief Executive Officer;

1. Publishing the Bush Fire Brigades Local Law 2025 in the Government Gazette in accordance with section 3.12(5) of the *Local Government Act 1995*;
2. Following gazettal, providing local public notice of the Bush Fire Brigades Local Law 2025 in accordance with section 3.12(6) of the *Local Government Act 1995*; and
3. Following local public notice, providing an Explanatory Memorandum, signed by the Shire President and Chief Executive Officer, and a copy of the Bush Fire Brigades Local Law 2025 to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation in accordance with section 3.12(7) of the *Local Government Act 1995*.

Voting Requirement

Absolute Majority



Shire of Esperance

BUSH FIRE BRIGADES LOCAL LAW 2024

Bush Fires Act 1954

Shire of Esperance
BUSH FIRE BRIGADES LOCAL LAW 2024

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Local Government Act 1995

Bush Fires Act 1954

Shire of Esperance

BUSH FIRE BRIGADES LOCAL LAW 2024

Under the powers conferred on it by the *Bush Fires Act 1954* and the *Local Government Act 1995* and under all other enabling powers, the Council of the Shire of Esperance resolved on [date] to make the following local law.

PART 1 PRELIMINARY

1.1 Short title

This local law may be cited as the Shire of Esperance *Bush Fire Brigades Local Law 2024*.

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 Esperance *Bush Fire Brigades Local Law* published in the *Government Gazette* on 6 September 2022 is repealed.

1.5 Definitions

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

Act means the *Bush Fires Act 1954*;

brigade area is defined in clause 2.2(a)(b);

brigade member means a fire fighting member, associate member or a cadet member of a bush fire brigade;

brigade officer means a person holding a position referred to in clause 2.2 (1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

bush fire brigade is defined in section 7 of the Act;

Bush Fire Operating Procedures means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the Shire of Esperance;

Department means the Department of Fire and Emergency Services of Western Australia;

district means the district of the local government;

fire fighting member is defined in clause 4.2;

local government means the Shire of Esperance;

LG Act means the *Local Government Act 1995*;

normal brigade activities is defined by section 35A of the Act

- (1) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.
- (2) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

Regulations means Regulations made under the Act; and

Rules means the Rules Governing the Operation of Bush Fire Brigades set out in Schedule 1.

- (1) In this local law, unless the context otherwise requires, a reference to –
 - (a) a Captain;
 - (b) a First Lieutenant;
 - (c) any additional Lieutenants;
 - (d) an Equipment Officer;
 - (e) a Secretary.
 - (f) a Treasurer; or
 - (g) a Secretary / Treasurer combined;means a person holding that position in a bush fire brigade.

PART 2 ESTABLISHMENT OF BUSH FIRE BRIGADES

DIVISION 1 ESTABLISHMENT OF BUSH FIRE BRIGADES

2.1 Establishment of a bush fire brigade

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

2.2 Name and officers of bush fire brigade

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to –
 - (a) give a name to the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the **brigade area**); and
 - (c) appoint –
 - (i) a Captain;
 - (ii) a First Lieutenant;
 - (iii) additional Lieutenants if the local government considers it necessary, ranked by seniority;
 - (iv) an Equipment Officer;
 - (v) a Secretary; and
 - (vi) a Treasurer; or
 - (vii) a Secretary/Treasurer combined.
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2)

DIVISION 2 COMMAND AT A FIRE

2.3 Ranks within the bush fire brigade

- (1) In the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.
- (2) Where a bush fire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the most senior bush fire control officer has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.

DIVISION 3 APPLICATION OF RULES TO A BUSH FIRE BRIGADE

2.4 Rules

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules as set out in Schedule 1.

DIVISION 4 TRANSITIONAL

2.5 Existing Bush Fire Brigades

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day –
 - (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;
 - (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
 - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.
- (2) In this clause –
commencement day means the day on which this local law comes into operation.

DIVISION 5 DISSOLUTION OF BUSH FIRE BRIGADE

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If the local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

DIVISION 1 LOCAL GOVERNMENT RESPONSIBILITY

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Officers to be supplied with Act

The local government is to supply each brigade officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made from time to time.

DIVISION 2 CHIEF BUSH FIRE CONTROL OFFICER

3.3 Managerial role of Chief Bush Fire Control Officer

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

3.4 Chief Bush Fire Control Officer may attend meetings

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

3.5 Duties of Chief Bush Fire Control Officer

The duties of the Chief Bush Fire Control Officer include –

- (1) provide leadership to volunteer bush fire brigades;
- (2) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;
- (3) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers;
- (4) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

DIVISION 3 ANNUAL GENERAL MEETINGS OF BUSH FIRE BRIGADES

3.6 Holding of annual general meeting

A bush fire brigade is to hold an annual general meeting each year.

3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee

At the annual general meeting of a bush fire brigade, at least one brigade member, to a maximum of five members, is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

3.8 Nomination of bush fire control officer to the local government

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

DIVISION 4 BUSH FIRE ADVISORY COMMITTEE

3.9 Functions of Advisory Committee

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as is determined by the local government.

3.10 Advisory Committee to nominate bush fire control officers

As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.

3.11 Local government to have regard to nominees

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

3.12 Advisory Committee to consider bush fire brigade motions

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

PART 4 TYPES OF BUSH FIRE BRIGADE MEMBERSHIP

4.1 Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following –

- (1) fire fighting members;
- (2) associate members;
- (3) cadet members; and
- (4) honorary life members.

4.2 Fire fighting members

- (1) Fire fighting members are those persons being at least 17 years of age who undertake all normal bush fire brigade activities.
- (2) Fire fighting members aged 17 years and under 18 years old must –
 - (a) Have the written consent of a parent/guardian, and;
 - (b) The Captain is satisfied that the member is able to perform an activity, and;
 - (c) Is accompanied by a member over the age of 18 during an activity to undertake normal bush fire brigade activities.

4.3 Associate members

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

4.4 Cadet members

Cadet members are –

- (1) to be aged 11 to 16 years;
- (2) to be admitted to membership only with the consent of their parent or guardian;
- (3) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (4) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (5) ineligible to vote at bush fire brigade meetings;
- (6) not to be assigned ranks under the Department's rank structure.

4.5 Honorary life member

- (1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.
- (2) No membership fees are to be payable by an honorary life member.

4.6 Notification of membership

When a change of membership occurs, the bush fire brigade is to report to the Shire of Esperance the name, contact details and type of membership of each brigade member.

PART 5 APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS

5.1 Rules to govern

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

PART 6 EQUIPMENT OF BUSH FIRES BRIGADES

6.1 Funding from Local Government Grant Scheme

- (1) The local government provides funding to bush fire brigades via the Local Government Grant Scheme (LGGS) for the purchase of protective clothing, equipment, appliances and other operational needs.
- (2) Expenditure of funds under the LGGS shall be managed by the Local Government in accordance with the Local Government Grant Scheme Manual

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6.2 Funding from local government budget

- (1) Where an item is not eligible or is not otherwise able to be funded through the LGGS, a bush fire brigade may submit a request to the Local Government for funding from the Local Government budget.
- (2) A request for funding must be received, in writing, no later than 28th February each year, for consideration in the upcoming budget deliberations for the coming financial year.
- (3) The local government may approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question.

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SCHEDULE 1

RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

PART 1 PRELIMINARY

1.1 Interpretation

- (1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be.
- (2) In these Rules, unless the context otherwise requires –
absolute majority means a majority of more than 50% of the number of -
 - (a) brigade members of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the bush fire brigade; or
 - (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee.

Code of Conduct means the Shire of Esperance's Code of Conduct which outlines standards of conduct for employees or volunteers;

Committee means the Committee of the bush fire brigade;

local law means the Shire of Esperance *Bush Fire Brigades Local Law 2024*; and

normal brigade activities is defined by section 35A of the Act

- (3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.
- (4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

PART 2 OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE

2.1 Objects of bush fire brigade

The objects of the bush fire brigade are to carry out –

- (1) the normal brigade activities; and
- (2) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.2 Committee to determine applications

Applications for membership are to be determined by the Committee.

2.3 Conditions of membership

In relation to any type of membership, as described in Part 4 of the local law, the bush fire brigade may establish policies pertaining to –

- (1) the qualifications required;
- (2) fees payable, if any;
- (3) a requirement to serve a probationary period;
- (4) procedures to be employed by the Committee prior to approval of an application for membership,

and the Committee is to act within the parameters of any such policy in determining applications for membership.

2.4 Applications for membership

An application for membership is to be in writing and is to be accompanied with a completed Emergency Services Volunteer Membership Application Form and submitted to the Shire.

2.5 Decision on application for membership

- (1) The Committee may –
 - (a) approve an application for membership unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for membership.
- (2) If the Committee refuses to approve an application for membership, it is to give written reasons for the refusal, as soon as practicable after the decision is made, to the applicant and the advice that the applicant has the right to object to the local government.

2.6 DFES to be notified of registrations

If any application for membership is approved, the Secretary of the bush fire brigade is to supply registration details to the Shire who are to inform the Department within 14 days of a person being admitted to membership in the form required by the Department from time to time.

2.7 Termination of membership

- (1) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the Secretary;
 - (c) is, in the opinion of the Committee, permanently incapacitated by mental or physical ill-health;
 - (d) is dismissed by the Committee; or
 - (e) ceases to be a member or is taken to have resigned under subclause (2); or
 - (f) is found to have breached the Code of Conduct.
- (2) Where a membership is terminated, all property owned by the bush fire brigade or the local government that is held by or in the possession of the person whose membership has been terminated, shall be returned on demand to the bush fire brigade or local government.

2.8 Suspension of membership

- (1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Committee, circumstances warrant suspending the member.
- (2) The period of suspension shall be at the discretion of the Committee.
- (3) Upon the expiry of the period of suspension the Committee may -
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) reinstate the membership.

2.9 Existing liabilities to continue

The resignation, or dismissal of a member under clause 2.7 does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

2.10 Member has right of defence

A brigade member is not to be dismissed under clause 2.7(1)(d) without being given the opportunity to meet with the Committee and answer any charges which might give grounds for dismissal.

2.11 Objection Rights

A person whose -

(a) application for membership is refused under clause 2.5(1)(b);

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~~(2)(b)~~ membership is terminated under clause 2.7(1)(c), clause 2.7(1)(d) or clause 2.8(3)(b); or

~~(2)(c)~~ membership is suspended under clause 2.8(1) or clause 2.8(3)(a), has the right of objection to the local government which may dispose of the objection by –

~~(1)(d)~~ dismissing the objection;

~~(2)(e)~~ varying the decision objected to; or

~~(2)(f)~~ revoking the decision objected to, with or without –

~~(a)(i)~~ substituting for it another decision; or

~~(b)(ii)~~ referring the matter, with or without directions, for another decision by the Committee.

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PART 3 FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the local government's Bush Fire Operating Procedures.

3.2 Duties of Captain

The Captain is the most senior operational member of the brigade.

(1) The Captain is –

(a) ~~to~~ manage brigade operations; and

(b) ~~be~~ responsible for the efficient administration of the brigade.

(2) Subject to subclause ~~(32)~~ below, the Captain is to preside at all meetings.

(3) In the absence of the Captain, the meeting may elect another person to preside at the meeting.

3.3 Duties of Lieutenants

(1) Lieutenants shall be ranked numerically according to seniority.

(a) The first lieutenant is the second most senior operational member of the brigade, and so on.

(2) A Lieutenant is to –

(a) ~~p~~Provide support to the Captain and assist with the management of the brigade;

- (b) ~~e~~Effectively guide, manage and mentor fire fighting members during direct fire fighting incident response activities and normal brigade activities;
- (c) maintain a personal incident diary with a record of events that occur during all incidents attended; and
- ~~(a)~~(d) ~~a~~Actively support other appointed Lieutenants.

3.4 Secretary

- (1) The Secretary is to –
 - (a) be in attendance at all meetings and keep a correct minute and to record an account of the proceedings of the bush fire brigade, to which shall be made available for inspection by brigade members at any reasonable time;
 - (b) answer all correspondence or direct it appropriately, and keep a record of the same;
 - (c) prepare and send out all necessary notices of meetings;
 - (d) receive donations and other monies on behalf of the bush fire brigade, and remit them to the Treasurer upon receipt;
 - (e) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership.
 - (f) to provide reports to the Local Government on membership updates as required and from time to time, detailing the name, contact details, and type of membership.

3.5 Treasurer

The Treasurer is to –

- (1) receive donations and deposits from the Secretary, and deposit all monies to the credit of the bush fire brigade's bank account;
- (2) pay accounts as authorized by the Committee;
- (3) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
- (4) be the custodian of all monies of the bush fire brigade; and
- (5) report on the financial position at meetings of the bush fire brigade or Committee.

3.6 Equipment Officer

(1) The Equipment Officer is responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade).

(2) A captain or secretary/treasurer may act as an equipment officer should a brigade elect not to appoint an equipment officer.

3.7 Storage of equipment

- (1) The Equipment Officer may store all of the equipment of the bush fire brigade at a place approved by the Captain (the "station").
- (2) If there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.

3.8 Equipment Officer to report

The Equipment Officer is to provide, no later than 31 May of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade).

PART 4 COMMITTEE

4.1 Management of bush fire brigade

- (1) Subject to the provisions of these Rules, the administration and management of the affairs of the bush fire brigade are vested in the Committee.
- (2) Without limiting the generality of subclause (1), the Committee is to have the following functions –
 - (a) to recommend to the local government amendments to these Rules;
 - (b) to draft the annual budget for the bush fire brigade and present it at the annual general meeting of the bush fire brigade;
 - (c) to propose a motion for consideration at any meeting of the bush fire brigade;
 - (d) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;

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- (e) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
- (f) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
- (g) to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
- (h) deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Committee

- (1) The Committee of the bush fire brigade is to consist of the brigade officers being the Captain, Secretary, Treasurer, Equipment Officer and the Lieutenants of the bush fire brigade.
- (2) The brigade officers are to -
 - (a) be elected at the annual general meeting of the bush fire brigade;
 - (b) hold office until the next annual general meeting; and
 - (c) be eligible for re-election at the next annual general meeting.
- (3) Any brigade officer may be removed from office by an absolute majority decision of the brigade members present in person or by proxy at a special meeting called for such a purpose.
- (4) The Committee may appoint a brigade member to fill a vacancy in any office arising from a resolution under subclause (3) or which has arisen for any other reason.

PART 5 MEETINGS OF BUSH FIRE BRIGADE

5.1 Ordinary meetings

- (1) Ordinary meetings may be called at any time by the Secretary by giving at least 7 days notice to all brigade members and to the Chief Bush Fire Control Officer, for the purpose of –
 - (a) organising and checking equipment;
 - (b) requisitioning new or replacement equipment;
 - (c) organising field excursions, training sessions, hazard reduction programs, and the preparation of fire-breaks;
 - (d) establishing new procedures in respect of any of the normal brigade activities; and

- (e) dealing with any general business.
- (2) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (3) Business may be conducted at an ordinary meeting of the bush fire brigade notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.2 Special meetings

- (1) The Secretary is to call a special meeting when 5 or more brigade members request one in writing.
- (2) At least 2 days notice of a special meeting is to be given by the Secretary, to all brigade members and to the Chief Bush Fire Control Officer.
- (3) In a notice given under subclause (2) the Secretary is to specify the business which is to be conducted at the meeting.
- (4) No business is to be conducted at a special meeting beyond that specified in a notice given under subclause (2) in relation to that meeting.

5.3 Annual general meeting

- (1) At least 7 days notice of the annual general meeting is to be given by the Secretary to all brigade members and to the Chief Bush Fire Control Officer.
- (2) At the annual general meeting the bush fire brigade is to –
 - (a) elect the brigade officers from among the brigade members;
 - (b) consider the Captain's report on the year's activities;
 - (c) adopt the annual financial statements;
 - (d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6; and
 - (e) deal with any general business.
- (3) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (4) Business may be conducted at an annual general meeting notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.4 Quorum

- (1) The quorum for a meeting of the bush fire brigade is at least 50% of the number of offices (whether vacant or not) of member of the bush fire brigade.

- (2) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person or by proxy.

5.5 Voting

Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

5.6 Auditor

- (1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.
- (2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.

PART 6 MEETINGS OF COMMITTEE

6.1 Meetings of Committee

- (1) The Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or Secretary may convene a meeting of the Committee at any time.

6.2 Quorum

No business is to be transacted at a meeting of the Committee unless a quorum of 3 brigade officers are present in person.

6.3 Voting

Each brigade officer is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

PART 7 GENERAL ADMINISTRATION MATTERS

7.1 Fees

- (1) The membership fees, if any, for each type of member for the ensuing 12 months are to be determined by the bush fire brigade at the annual general meeting.
- (2) Subject to subclause (3), a member is to pay the membership fees for her or his type of membership on or before 1 May.

- (3) The bush fire brigade may exempt a brigade member, or a class of membership, from the payment of membership fees, for such period and on such conditions as the bush fire brigade may determine.

7.2 Funds

The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.

7.3 Financial year

The financial year of the bush fire brigade is to commence on 1 July and is to end on 30 June of the following year.

7.4 Banking

- (1) The funds of a bush fire brigade are to be placed in the bush fire brigade's bank account and are to be drawn on only by authorised use of electronic banking by the Secretary or Treasurer in accordance with subclause (2)
- (2) For the purposes of subclause (1)(b), any 2 of the President, Captain, Secretary or Treasurer may authorise in writing the use of electronic banking to draw on the brigade's funds for transactions greater than \$1500.

7.5 Disclosure of interests

- (1) A brigade member shall disclose to the bush fire brigade or Committee any financial interest (whether direct or indirect) he or she may have in any matter being considered by the bush fire brigade or Committee, as appropriate.
- (2) If a financial interest has been disclosed under subclause (1), then the bush fire brigade or Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.
- (3) Where the bush fire brigade or Committee, as appropriate, decides under subclause (2), that a brigade member is not to be permitted to vote on a matter, and the brigade member votes on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

7.6 Disagreements

- (1) Any disagreement between brigade members may be referred to either the Captain or to the Committee.

- (2) Where a disagreement in subclause (1) is considered by the Captain or the Committee to be of importance to the interests of the bush fire brigade, then the Captain or the Committee, as the case may be, is to refer the disagreement to the annual general meeting, an ordinary meeting or a special meeting of the bush fire brigade.
- (3) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement which is not resolved under subclause (1) or (2).

PART 8 NOTICES AND PROXIES

8.1 Notices

- (1) Notices of meetings of the bush fire brigade are to be in writing and sent by ordinary post or other means in 8.1(1)(4) to each brigade member.
- (2) Notices of meetings of the Committee may be given in writing in accordance with subclause (1) or by such other means as the Committee may decide (by an absolute majority) at a meeting of the Committee.
- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting the subject of the notice or any resolutions passed at the meeting.
- (4) Where any notice other than a notice of meeting is to be given under these Rules, the notice is to be –
 - (a) in writing;
 - (b) unless otherwise specified, given to or by the Secretary;
 - (c) given by –
 - (i) personal delivery;
 - (ii) post;
 - (iii) email;
 - (iv) Short Message Service (SMS) or the like;
 - (v) facsimile transmission; or
 - (vi) any other method approved by the local government.
 - (d) taken to have been received, as the case may be –

- (i) at the time of personal delivery;
- (ii) 2 business days after posting; or
- (iii) on the printing of the sender's transmission report.

8.2 Proxies

- (1) Where under these Rules a brigade member may vote by proxy, in order for the proxy to so vote, the brigade member or the proxy shall give a notice in the form of that appearing in this clause, to the Secretary or the person presiding at the meeting before the start of the meeting at which the proxy is to be used.
- (2) A proxy is to be valid for the meeting for which it is given and for any adjournments of that meeting.
- (3) A proxy shall be valid for the number of votes to which the brigade member is entitled.
- (4) If the donor of the proxy does not give any indication of the manner in which the proxy is to vote, the proxy shall be entitled to vote or not vote as he or she thinks fit.
- (5) A proxy shall be entitled to speak on behalf of the donor of the proxy.
- (6) All forms appointing proxies deposited under subclause (1) are to be retained by the Secretary for not less than 28 days after the conclusion of the meeting to which they relate but if there is any objection to the validity of any vote at the meeting, they are to be retained until the determination of that objection.
- (7) The form appointing a proxy shall be in writing and signed by the brigade member appointing the proxy and shall be in or substantially in the form set out below -

PROXY

SHIRE OF ESPERANCE BUSH FIRE BRIGADE

[ANNUAL] [EXTRAORDINARY] GENERAL MEETING

TO BE HELD ON [DATE]

I, _____,

Being a brigade member appoint _____

to be my proxy and vote on my behalf at the meeting of
the bush fire brigade to be held on [insert date] and at any
adjournment of it. The proxy shall vote as follows:

MOTION _____ FOR AGAINST ABSTAIN _____

1.

2.

If there is no instruction to the proxy as to the way to vote,
the proxy shall exercise her or his discretion as to how to
vote or whether to vote at all. In respect of any vote taken
at the meeting on a matter which does not appear on the
agenda, the proxy shall exercise her or his discretion as to
the way he or she casts the vote or whether it is cast at all.

Date: _____

Signed: _____

NOTE: To be valid this proxy must be completed and
returned to the Secretary of the bush fire brigade (or the
presiding member) prior to the commencement of the
meeting for which the proxy is valid.

Dated this _____ day of _____ 20

Dated _____ day of _____.

The Common Seal of the Shire of Esperance was hereunto affixed by the authority
of a resolution of the Council in the presence of -

Ronald Chambers
SHIRE PRESIDENT

Shane Burge
CHIEF EXECUTIVE OFFICER



Government of **Western Australia**
Department of **Fire & Emergency Services**



Our Ref: D27965/ 25/043799

Mr Shane Burge
Chief Executive Officer
Shire of Esperance
77 Windich Street
ESPERANCE WA 6450

By email: CorporateSupport@esperance.wa.gov.au
Attention: Sarah Walsh

Dear Mr Burge

SHIRE OF ESPERANCE BUSH FIRE BRIGADES LOCAL LAW 2025

I refer to the Shire's correspondence to the Minister for Emergency Services dated 26 February 2025 regarding the Shire's proposed Bush Fire Brigades Local Law 2025 (**Proposed Law**). The Minister has referred a copy of the Proposed Law to me for review and to provide direct comment.

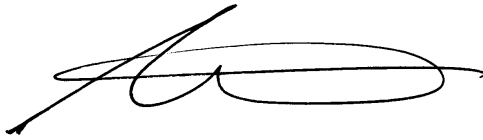
I acknowledge the previous recommendations sent by Acting FES Commissioner Pexton on 17 May 2024 in relation to the Shire's Bush Fire Brigades Local Law 2024, as well as the Shire's Ordinary Council Meeting Minutes of 26 November 2024 and amendments made to the Proposed Law.

While DFES is unable to provide legal advice, I make the following further general comments and recommendations for the Shire's consideration, with the Shire to obtain its own independent legal advice as it determines necessary:

- Section 43 of the *Bush Fires Act 1954* (WA) provides that a local government which establishes a Bush Fire Brigade is to "provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officer of the bush fire brigade, *and prescribe their respective duties*" (emphasis added). I note that while the Captain has a duty to preside at meetings under clause 3.2 of the Rules, no further duties are specified, and no duties are prescribed for Lieutenants.
- While clause 8.2(1) states that notice is to be "in the form of that appearing in this clause", no proxy form is included in the document.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a loop.

**DARREN KLEMM AFSM
COMMISSIONER**

/4 April 2025

Archived: Tuesday, 28 October 2025 7:31:50 PM
From: [REDACTED]
Mail received time: Tue, 8 Jul 2025 01:38:11
Sent: Tuesday, 8 July 2025 9:38:13 AM
To: [REDACTED]
Subject: RE: Comments on proposed bush fire brigades local law
Importance: Normal
Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Sarah,

Apologies – in relation to the comments below, the issue with Schedule 1 Clause 2.11 is that the first three paragraphs should be redesignated (a) to (c) and the other three as to (d) to (f).

Also, the final minor comment should read Schedule 1 rather than 7.

In regard to the health local laws, we noted that the draft already had notes making reference to DLGSC comments and presumed that we had already provided a preliminary assessment. We had nothing further critical to raise, apart from the standard comments on page numbers and double checking references.

Regards
Steven Elliott
Principal Strategy Officer
Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844
Telephone [REDACTED]
Email [REDACTED]
Web www.dlgsc.wa.gov.au

The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.

From: Sarah Walsh [REDACTED]
Sent: Monday, 7 July 2025 3:18 PM
To: Steven Elliott [REDACTED]
Subject: RE: Comments on proposed bush fire brigades local law

Hi Steven,

Could you please clarify your meaning on Schedule 1 Clause 2.11 listed below in the 'minor comments' section as it looks like the comment is missing on this one?

Kind regards,

 **Sarah Walsh**
Coordinator Governance and Corporate Support
(08) 9071 0672 | esperance.wa.gov.au
77 Windich Street, Esperance, WA 6450 | PO Box 507

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Please note my work hours are Monday to Thursday 8:00am - 5:00pm and Friday 8:00am - 12:00pm

From: Steven Elliott [REDACTED]
Sent: Friday, 27 June 2025 3:47 PM
To: Corporate Support <corporate.support@esperance.wa.gov.au>
Subject: Comments on proposed bush fire brigades local law

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Good afternoon,

This email is regarding the Shire's proposed bush fire brigade local law. No significant issues were identified, but some minor suggestions are provided below.

Bush Fire Brigades Local Law 2025

-

1. Local law made under multiple legislation – additional notification required

The Department is aware that this local law is partially made under the Bush Fires Act 195 in addition to the Local Government Act 1995. Accordingly, this means that a copy of the local law will need to be provided to the Minister for Emergency Services so that they have the opportunity to comment on the draft. The Shire should ensure that this occurs, presuming it hasn't already. If it does not occur, it may potentially impact the local law's validity.

-

2. Potential DFES feedback

Once a draft of the local law is provided to the Minister for Emergency Services, it is likely to be forwarded to the Department of Fire and Emergency Services (DFES). It is possible that DFES may provide feedback or suggestions in relation to the local law. This guidance should be followed, as DFES are the subject matter experts in relation to local laws of this kind.

3. Minor comments

Some minor comments are provided below.

In the event that any of these comments conflict with advice given by DFES, the Shire should treat the DFES comments as having priority.

- It is suggested that page numbers not be included in the draft submitted to the Government Gazette, as it may clash with the Gazette's existing page system. So long as the local law has a contents and clause numbers, this should be sufficient to navigate the document. If the Shire intends to keep an administrative version of the local law on its website, the page numbers can be retained in that version without issue.
- In clauses 6.1 and 6.2, it is suggested that each paragraph be designated with a subclause number.
- Schedule 1 Clause 2.11
- Schedule 1 Clause 2.7(1)(f) refers to the Shire of Esperance Code of Conduct. It is suggested that this term be defined.
- Schedule 7 Clause 3.6 – Renumber paragraph "(1)" to "(2)" and then redesignate the preceding paragraph as "(1)".

The Shire should also ensure that all references and cross references are checked for accuracy, particularly if any further changes are made to the draft.

-

Kind regards

Steven Elliott

Principal Strategy Officer
Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

Telephone - [REDACTED]

Email - [REDACTED]

Web www.dlgsc.wa.gov.au

The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.

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From: Corporate Support <CorporateSupport@esperance.wa.gov.au>

Sent: Friday, 27 June 2025 11:26 AM

To: Legislation <legislation@dlgsc.wa.gov.au>

Subject: RE: Local Law Review Enquiries

Thanks Steven,

Appreciate the update.

Kind regards,
Sarah Walsh



Corporate Support

(08) 9071 0603 esperance.wa.gov.au
77 Windich Street, Esperance, WA 6450 | PO Box 507

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From: Steven Elliott [REDACTED] **On Behalf Of** Legislation

Sent: Friday, 27 June 2025 9:52 AM

To: Corporate Support <CorporateSupport@esperance.wa.gov.au>

Subject: RE: Local Law Review Enquiries

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Good morning,

I apologise for the delay in reply. We have experienced a surge in activity these last few months, and this has only grown larger as we get closer to budget time.

I am in the process of finalising all the sets of comments and will email them to you today as I complete the final checks on each one.

Regards

-Steven Elliott
Principal Strategy Officer

Legislation



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



DLGSC
PO Box 8349, Perth Business Centre WA 6849

legislation@dlgsc.wa.gov.au
www.dlgsc.wa.gov.au

The Department of Local Government, Sport and Cultural Industries acknowledges Aboriginal people throughout Western Australia as the Traditional Owners and Custodians of the lands, waters, and communities in which we operate.

We pay our respects to all Aboriginal people and their cultures, and to Elders past and present.

As part of the WA Government's [Public Sector Reform](#), from 1 July 2025 the Department of Local Government, Sport and Cultural Industries will be renamed the Department of Creative Industries, Tourism and Sport. The portfolio functions of Racing and Gaming (Liquor), Local Government and Regulatory Reform are moving to the Department of Local Government, Industry Regulation and Safety.

From: Corporate Support <CorporateSupport@esperance.wa.gov.au>

Item: 12.3.3

Adoption of Parking and Parking Facilities Local Law

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
	Zoe Sheffield-van Mierlo	Manager Development Services
	Blaise Graham	Governance and Corporate Support Officer
Authorisor/s	Roy Greive	Director External Services

File Ref: D25/32849

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to consider adoption of the Parking and Parking Facilities Local Law.

Recommendation in Brief

That Council adopt the Parking and Parking Facilities Local Law.

Background

The purpose of this local law is to provide for the management and regulation of parking within the district.

The effect of this local law is to manage parking throughout the district to ensure safe, fair and equitable use and access of parking facilities under the care and management of the local government.

The proposed Parking and Parking Facilities Local Law was put to Council in May 2025 and was then put out for public comment.

Officer's Comment

A submission period was open between 6 June 2025 and 26 July 2025, with no public submissions being received. The Department of Local Government has provided feedback.

Minor changes were made to the Local Law based on the feedback from the Department of Local Government, and these include a change to the definition for 'taxi', reflecting amendments to this term when the *Taxi Act 1994* was repealed and replaced by the *Transport (Road Passenger Services) Act 2018*.

Changes to Part 2 Clause 2.1 were made in accordance with the Department of Local Government's suggestion. The Department advised that in the past, the Joint Standing Committee on Delegated Authority has expressed concern about the use of determination devices. Therefore, Part 2 Clause 2.1 was modified, with 'by resolution' added and Clause 2.1(2) added to provide for the erection of signs to give effect to the determination or resolution. It is noted that this is in line with WALGA's Model Local Law.

A change to Part 6 Clause 6.15 was made based on the suggestion of the Department of Local Government, and subclause 6.15(2)(d) was added to provide clarity on which parking areas the Shire can enforce as parking areas for people with disabilities by referencing Clause 1.7(2). This

overcomes potential erroneous perceptions that the Shire can enforce ACROD parking in private areas, even when it has no agreement to manage those areas.

Based on the Department's comment, Schedule 4 Deemed Parking Stations has been deleted as this Schedule did not include any information.

Minor wording change from 'these Local Laws' to 'this local law' throughout and minor formatting changes were also made.

Consultation

Department of Local Government

Financial Implications

The financial implications arising from this report are advertising and gazettal costs.

Asset Management Implications

There are minor asset management implications arising from the provisions of the local law relating to signage and parking related infrastructure.

Statutory Implications

Local Government Act 1995 – s.3.16 Periodic review of Local Laws

Road Traffic Code 2000

Local Government (Parking for People with Disabilities) Regulations 2014

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 10. Safe, affordable, accessible and sustainable transport systems

Objective 10.3. Improve access to parking.

Environmental Considerations

Nil

Attachments

A₁. Parking and Parking Facilities Local Law 2025

B₁. DLG Response - Proposed Parking and Parking Facilities Local Law 2025

Officer's Recommendation

That Council makes the Parking and Parking Facilities Local Law 2025, as per Attachment A, in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to the Chief Executive Officer;

- 1. Publishing the Parking and Parking Facilities Local Law 2025 in the Government Gazette in accordance with section 3.12(5) of the *Local Government Act 1995*;**
- 2. Following gazettal, providing local public notice of the Parking and Parking Facilities Local Law 2025 in accordance with section 3.12(6) of the *Local Government Act 1995*; and**
- 3. Following local public notice, providing an Explanatory Memorandum, signed by the Shire President and Chief Executive Officer, and a copy of the Parking and Parking Facilities Local Law 2025 to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation in accordance with section 3.12(7) of the *Local Government Act 1995*.**

Voting Requirement

Absolute Majority



Shire of Esperance

***PARKING AND PARKING FACILITIES LOCAL
LAW 2025***

Local Government Act 1995

Shire of Esperance
PARKING AND PARKING FACILITIES LOCAL LAW 2025

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Local Government Act 1995

Shire of Esperance

PARKING AND PARKING FACILITIES LOCAL LAW 2025

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

PART 1 PRELIMINARY

1.1 Short title

This local law may be cited as the Shire of Esperance *Parking and Parking Facilities Local Law 2025*.

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 Esperance *Parking and Parking Facilities Local Law 2002* published in the *Government Gazette* on 21 June 2002 is repealed.

1.5 Definitions

In this local law—

Act means the *Local Government Act 1995*;

Authorised Person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an Authorised Person under this Local Law.

authorised vehicle means a vehicle authorised by the local government, Chief Executive Officer, Authorised Person or by any written law to park on a thoroughfare or parking facility.

bicycle has the meaning given to it by the Code;

bicycle path has the meaning given to it by the Code;

bus has the meaning given to it by the Code;

bus embayment has the meaning given to it by the Code;

bus stop has the meaning given to it by the Code;

bus zone has the meaning given to it by the Code;

caravan means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

carriageway has the meaning given to it by the Code;

centre in relation to a carriageway, means a line or a series of lines, marks or other indications -

- (a) for a two-way carriageway – placed so as to delineate vehicular traffic travelling in different directions; or
- (b) in the absence of any such lines, marks or other indications – the middle of the main, travelled portion of the carriageway;

children's crossing has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

Code means the *Road Traffic Code 2000*;

commercial vehicle means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

Council means the Council of the Shire of Esperance;

Disability parking permit has the meaning given to in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

driver means any person driving or in control of a vehicle;

edge line has the meaning given to it by the Code;

emergency vehicle has the meaning given to it by the Code;

footpath has the meaning given to it by the Code;

GVM (which stands for 'gross vehicle mass') has the meaning given to it by the Code;

Loading Zone has the meaning given to it by the Code;

district means the district of the local government;

LG Act means the *Local Government Act 1995*;

local government means the Shire of Esperance;

mail zone has the meaning given to it by the Code;

median strip has the meaning given to it by the Code;

motorcycle has the meaning given to it by the Code;

motor vehicle means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;

no parking area has the meaning given to it by the Code;

no parking sign as defined in Section 141 of the Code;

no stopping area has the meaning given to it by the Code;

no stopping sign as defined in Section 140 of the Code;

occupier has the meaning given to it by the Act;

owner

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Road Traffic Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

park, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of -

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

parking area has the meaning given to it by the Code;

parking facilities includes land, buildings, shelters, parking bays and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles;

parking region means the area described in Schedule 1;

parking bay means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

parking station means any land, or structure provided for the purpose of accommodating vehicles;

pedestrian crossing has the meaning given to it by the Code;

public place means any place to which the public has access whether or not that place is on private property;

reserve means any land -

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

Road Traffic Act means the *Road Traffic Act 1974*;

Schedule means a Schedule to this Local Law;

shared zone has the meaning given to it by the Code;

sign includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

special purpose vehicle has the meaning given to it by the Code;

stop has the meaning given to it by the Code;

symbol includes any symbol specified by Australian Standard AS 1742.11:2016 (or its replacement) and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;

taxi means a [passenger transport service vehicle, as defined in the Transport \(Road Passenger Services\) Act 2018](#); ~~taxi within the meaning of the Taxi Act 1994 or a taxi-car in section 47Z of the Transport Co-ordination Act 1966~~;

taxi zone has the meaning given to it by the Code;

thoroughfare has the meaning given to it by the Act;

traffic island has the meaning given to it by the Code;

trailer means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

vehicle has the meaning given to it by the Code;

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

1.6 Application of Particular Definitions

- (1) For the purposes of the application of the definitions 'no parking area' and 'parking area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this Local Law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

1.7 Application and pre-existing signs

- (1) Subject to subclause (2), this Local Law applies to the parking region.
- (2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station shall be deemed to be a parking station to which this Local Law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that -
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this Local Law; and

- (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this Local Law to have been erected by the local government under the authority of this Local Law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this Local Law to operate and have effect as if it related to the parking of vehicles.
- (7) The provisions of Parts (2), (3), (4) and (5) do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.8 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows

-

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.9 Part of thoroughfare to which sign applies

Where under this Local Law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which -

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

1.10 Powers of the local government

The local government may prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

PART 2 PARKING BAYS AND PARKING STATIONS

2.1 Determination of parking bays and parking stations

- (1) The local government by resolution may constitute, determine and vary and also indicate by signs -

- (a) parking bays;
 - (b) parking stations;
 - (c) permitted time and conditions of parking in parking bays and parking stations which may vary with the locality;
 - (d) permitted classes of vehicles which may park in parking bays and parking stations;
 - (e) permitted classes of persons who may park in specified parking bays or parking stations; and
 - (f) the manner of parking in parking bays and parking stations.
- (2) Where the local government makes a resolution under this clause, it shall erect signs to give effect to the determination or resolution.

2.2 Vehicles to be within parking bay on thoroughfare

- (1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking bay in a thoroughfare otherwise than -
 - (a) parallel to and as close to the kerb as is practicable;
 - (b) wholly within the bay; and
 - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the bay is situated.
- (2) Subject to subclause (3) where a parking bay in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that bay wholly within it.
- (3) Subject to subclause (4), if a vehicle is too long or too wide to fit completely within a single parking bay then the person parking the vehicle shall do so within the minimum number of parking bays needed to park that vehicle.
- (4) A vehicle too long or too wide to fit completely within a single parking bay is prohibited from parking across multiple bays, within -
 - (i) a parking facility or parking area to which a time limit applies; and,
 - (ii) all angle parking bays; or,
 - (iii) where prohibited by signage.
- (5) A person shall not park a vehicle partly within and partly outside a parking area.

2.3 Parking prohibitions and restrictions

- (1) A person shall not -

- (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
 - (b) except with the permission of the local government or an Authorised Person, park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (c) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
 - (d) park or attempt to park a vehicle in a parking bay in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a bay marked 'M/C', if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle -
 - (a) in a parking bay other than in a bay marked 'M/C'; and
 - (b) in such bay other than against the kerb.
- (3) Notwithstanding the provisions of subclause (1)(b) -
 - (a) a driver may park a vehicle in a permissive parking bay, parking bay or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that -
 - (i) the driver's vehicle displays an disability parking permit; and
 - (ii) a person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the vehicle.
 - (b) a person may park a motorcycle in a parking bay set apart for other vehicles, other than a parking bay set aside for buses, commercial vehicles and taxis.

PART 3 PARKING GENERALLY

3.1 Restrictions on parking in particular areas

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station -
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) (a) This subclause applies to a driver if -

- (i) the driver's vehicle displays a disability parking permit; and
 - (ii) a disabled person to which the disability parking permit relates is either the driver of the vehicle or a passenger in the vehicle.
- (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle -
 - (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this Local Law;
 - (c) in a bay marked 'M/C' unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
 - (d) in a bay set apart for the parking of long vehicles when the vehicle is less than 6m in length.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking bay unless the bay is marked 'M/C'.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an Authorised Person, park a vehicle in an area designated by a sign stating 'Authorised Vehicles Only'.
- (6) Notwithstanding the provisions of subclauses (1)(a), (3)(b) and (4) a person may park a motorcycle in a parking bay set apart for other vehicles, other than a parking bay set aside for buses, commercial vehicles and taxis.

3.2 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway other than in a parking bay shall park it -
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;

- (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
- (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this Local Law; and
- (e) so that it does not obstruct any vehicle on the carriageway,

unless otherwise indicated on a parking regulation sign or markings on the roadway.

- (2) In this clause, 'continuous dividing line' means –

- (a) a single continuous dividing line only;
- (b) a single continuous dividing line to the left or right of a broken dividing line; or
- (c) 2 parallel continuous dividing lines.

3.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is -

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

3.4 When angle parking applies

- (1) This clause does not apply to –
- (2)
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
 - (b) a person parking either a motor cycle without a trailer or a bicycle.

- (3) Where a sign associated with a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

3.5 General prohibitions on parking

- (1) (a) This clause does not apply to a vehicle parked in a parking bay nor to a bicycle in a bicycle rack.
- (b) Subclauses (2)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (2) A person shall not park a vehicle so that any portion of the vehicle is -
- (a) between any other stationary vehicles and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
- (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (f) on any footpath, shared path, bike path or pedestrian crossing, or part thereof;
- (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 3 metres of a public letter box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or

- (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked,

unless a sign or markings on the carriageway indicate otherwise.

- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of –
 - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children's crossing or pedestrian crossing.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of –
 - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a children's crossing or pedestrian crossing.unless a sign or markings on the carriageway indicate otherwise.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.6 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this Local Law after an Authorised Person has directed the driver to move it.

3.7 Authorised person may mark tyres

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

3.8 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.

- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least two hours.

3.9 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any portion of a thoroughfare -

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle;
or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

3.10 Parking on private land

- (1) In this clause a reference to 'land' does not include land -
 - (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*;
 - (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;
 - (d) which is the subject of an agreement referred to in clause 1.6(2); or
 - (e) which is identified in Schedule 4.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

3.11 Parking on reserves

No person, other than an employee of the local government in the course of his or her duties or a person authorised by the local government, shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.12 Suspension of parking limitations for urgent, essential or official duties

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an Authorised Person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

PART 4 PARKING AND STOPPING GENERALLY

4.1 No stopping and no parking signs, and yellow edge lines

- (1) No stopping
A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.
- (2) No parking
A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is -
 - (a) dropping off, or picking up, passengers or goods;
 - (b) does not leave the vehicle unattended; and
 - (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

unattended, in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

- (3) No stopping on a carriageway with yellow edge lines
A driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

PART 5 STOPPING IN ZONES FOR PARTICULAR VEHICLES

5.1 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone unless it is -

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or

(b) a motor vehicle taking up or setting down passengers,
but, in any event, shall not remain in that loading zone -

- (a) for longer than a time indicated on the 'loading zone' sign; or
- (b) longer than 30 minutes (if no time is indicated on the sign).

5.2 Stopping in a taxi zone or a bus zone

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

5.3 Stopping in a mail zone

A person shall not stop a vehicle in a mail zone.

5.4 Other limitations in zones

A person shall not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

PART 6 OTHER PLACES WHERE STOPPING IS RESTRICTED

6.1 Stopping in a shared zone

A driver shall not stop in a shared zone unless -

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~this local law;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under ~~these Local Laws~~this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

6.2 Double parking

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to -
 - (a) a driver stopped in traffic; or

- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with ~~these Local Laws~~this local law.

6.3 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

6.4 Stopping on a bridge or in a tunnel, etc.

- (1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless -
 - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~this local law.
- (2) A driver shall not stop a vehicle in a tunnel or underpass unless -
 - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

6.5 Stopping on crests, curves, etc.

- (1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~this local law.

6.6 Stopping near a fire hydrant etc

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless -

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle 'unattended' if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

6.7 Stopping at or near a bus stop

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10m of the departure side of a bus stop, unless -
- (a) the vehicle is a public bus stopped to take up or set down passengers; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~this local law.
- (2) In this clause -
- (a) distances are measured in the direction in which the driver is driving; and
 - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

6.8 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~this local law.

6.9 Stopping on verge

- (1) A person shall not -
- (a) stop a vehicle (other than a bicycle);
 - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
 - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,
- so that any portion of it is on a verge.

- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

6.10 Obstructing access to and from a path, driveway, etc.

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless -
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under ~~these Local Laws~~[this local law](#).
- (2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless -
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under ~~these Local Laws~~[this local law](#).

6.11 Stopping near a letter box

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver -

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under ~~these Local Laws~~[this local law](#).

6.12 Stopping on a carriageway – heavy and long vehicles

- (1) A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes -
 - (a) on a carriageway in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or

- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this clause mitigates the limitations or conditions imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

6.13 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a 'bicycle parking' sign applies, unless the driver is dropping off, or picking up, passengers.

6.14 Stopping on a carriageway with motor cycle parking sign

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a 'motor cycle parking' sign applies, or an area marked 'M/C' unless -

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

6.15 Stopping in a parking bay for people with disabilities

- (1) A driver shall not stop in a parking area for people with disabilities unless -
 - (a) the driver's vehicle displays a disability parking permit; and
 - (b) either the driver or the passenger in that vehicle is a person with disabilities.
- (2) In this clause a 'parking area for people with disabilities' is a length or area -
 - (a) to which a 'permissive parking' sign displaying a people with disabilities symbol applies;
 - (b) to which a 'people with disabilities parking' sign applies;
 - (c) indicated by a road marking (a 'people with disabilities road marking') that consists of, or includes, a people with disabilities symbol;
 - ~~(e)(d)~~ Where a private car park has set aside one or more parking spaces for people with disabilities and the parking area falls under clause 1.7(2); or
 - ~~(e)(e)~~ set aside within a parking region as a 'permit parking area' under the Local Government (Parking for People with Disabilities) Regulations 2014.

- (3) Offences under this clause attract penalties as set by *Local Government (Parking for People with Disabilities) Regulations 2014*.

PART 7 MISCELLANEOUS

7.1 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an Authorised Person.

7.2 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government -

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this Local Law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this Local Law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this Local Law.

7.3 Signs must be complied with

Except as provided in clauses 2.3(3)(b) and 3.1(6), and inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this Local Law.

7.4 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this Local Law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

7.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this Local Law, the driver of -

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and

- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

7.6 Vehicles not to obstruct a public place

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

7.7 Parking Areas not to be obstructed without a permit

- (1) Unless in accordance with a valid permit for temporary closure of a thoroughfare or use of public land, parking areas and facilities are not to be utilised for general storage purposes.
- (2) Unless a valid permit issued by the local government applies, a person shall not leave a vehicle, any part of a vehicle, a trailer, or any part of a trailer, or any other type of wheeled conveyance in a parking bay or parking facility for the purposes of advertising or in or for the conduct of a commercial activity.
- (3) Unless contrary to any other provision of this Local Law, a person will not contravene subclause (2) where a vehicle, part of a vehicle, a trailer, or any part of a trailer, or any other type of wheeled conveyance is left for a period not exceeding 24 hours.
- (4) The driver, owner, or custodian of a vehicle must produce any permit held relevant to subclause (1) and subclause (2) as requested by the local government, the CEO, or an Authorised Person, when requested to do so.

PART 8 PENALTIES

8.1 Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this Local Law is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (3) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

8.2 Averment on complaint as to clause 1.6(2) agreement

An averment on a complaint that this Local Law applies to a parking facility or a parking station under an agreement referred to in clause 1.6(2), shall be sufficient proof that this Local Law applies to that facility or station, unless there is proof to the contrary that such an agreement does not exist.

8.3 Form of notices

For the purposes of this Local Law -

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

SCHEDULE 1 PARKING REGION

The parking region is the whole of the district, but excludes the following portions of the district -

- (1) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (2) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (3) any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road has been delegated by the Commissioner of Main Roads to the local government.

SCHEDULE 2 PRESCRIBED OFFENCES

cl 8.1

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to park wholly within parking bay	70
2	2.2(4)	Parking long or wide vehicle across multiple bays	70
3	2.2(5)	Failure to park wholly within parking area	70
4	2.3(1)(a)	Causing obstruction in parking station	100
5	2.3(1)(b)	Parking contrary to sign in parking station	70
6	2.3(1)(c)	Parking contrary to directions of Authorised Person	100
7	2.3(1)(d)	Parking or attempting to park a vehicle in a parking bay occupied by another vehicle	70
8	3.1(1)(a)	Parking wrong class of vehicle	70
9	3.1(1)(b)	Parking by persons of a different class	70
10	3.1(1)(c)	Parking during prohibited period	70
11	3.1(3)(a)	Parking in no parking area	100
12	3.1(3)(b)	Parking contrary to signs or limitations	70
13	3.1(3)(c)	Parking vehicle in motor cycle only area	70 35
14	3.1(4)	Parking motor cycle in bay not marked 'M/C'	70 35
15	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	100
16	3.2(1)(a)	Failure to park on the left of two-way carriageway	70
17	3.2(1)(b)	Failure to park on boundary of one-way carriageway	70
18	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	70
19	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	70
20	3.2(1)(d)	Parking closer than 1 metre from another vehicle	70
21	3.2(1)(e)	Causing obstruction	100
22	3.3(b)	Failure to park at approximate right angle	70
23	3.4(2)	Failure to park at an appropriate angle	70
24	3.5(2)(a) & 6.2	Double parking	70
25	3.5(2)(b)	Parking on or adjacent to a median strip	70
26	3.5(2)(c)	Denying access to private drive or right of way	100
27	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	100
28	3.5(2)(e)	Parking within 10 metres of traffic island	70

29	3.5(2)(f)	Parking on footpath/pedestrian crossing	100
30	3.5(2)(g)	Parking contrary to continuous line markings	70
31	3.5(2)(h)	Parking on intersection	70
32	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	100
33	3.5(2)(j)	Parking within 3 metres of public letter box	70
34	3.5(2)(k)	Parking within 10 metres of intersection	100
35	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	100
36	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	100
37	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	100
38	3.6	Parking contrary to direction of Authorised Person	100
39	3.7(2)	Removing mark of Authorised Person	100
40	3.8	Moving vehicle to avoid time limitation	70
41	3.9(a)	Parking in thoroughfare for purpose of sale	70
42	3.9(b)	Parking unlicensed vehicle in thoroughfare	70
43	3.9(c)	Parking a trailer/caravan on a thoroughfare	70
44	3.9(d)	Parking in thoroughfare for purpose of repairs	70
45	3.10(1) or (2)	Parking on land that is not a parking facility without consent	100
46	3.10(3)	Parking on land not in accordance with consent	70
47	3.11	Driving or parking on reserve	100
48	4.1(1)	Stopping contrary to a 'no stopping' sign	70
49	4.1(2)	Parking contrary to a 'no parking' sign	70
50	4.1(3)	Stopping within continuous yellow lines	70
51	5.1	Stopping unlawfully in a loading zone	70
52	5.2	Stopping unlawfully in a taxi zone or bus zone	70
53	5.3	Stopping unlawfully in a mail zone	70
54	5.4	Stopping in a zone contrary to a sign	70
55	6.1	Stopping in a shared zone	70
56	6.3	Stopping near an obstruction	70
57	6.4	Stopping on a bridge or tunnel	70
58	6.5	Stopping on crests/curves etc	100
59	6.6	Stopping near fire hydrant	100
60	6.7	Stopping near bus stop	70
61	6.8	Stopping on path, median strip or traffic island	70
62	6.9	Stopping on verge	70
63	6.10	Obstructing path, a driveway etc	100
64	6.11	Stopping near letter box	70
65	6.12	Stopping heavy or long vehicles on carriageway	70

66	6.13	Stopping in bicycle parking area	70
67	6.14	Stopping in motorcycle parking area	70
68	7.6	Leaving vehicle so as to obstruct a public place	100
69	7.7(1)	Parking facility used as storage area	100
70	7.7(2)	Vehicle parked for advertising or commercial activity	100
71	7.7(4)	Failure to produce permit	70
72		All other offences not specified	70

SCHEDULE 3 FORMS

LOCAL GOVERNMENT ACT 1995

FORM 1

PARKING AND PARKING FACILITIES LOCAL LAW

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)

at (4) your vehicle -

make:

model:

registration:

was involved in the commission of the following offence -

.....

.....

.....

contrary to clause of the **Parking and Parking Facilities Local Law**.

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless -

- (a) within 28 days after being served with this notice;

- (i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
- (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5)

(6)

Insert:

- | | | | |
|-----|--------------------------------|-----|--|
| (1) | Name of owner or 'the owner' | (2) | Address of owner (not required if owner not named) |
| (3) | Time of alleged offence | (4) | Location of alleged offence |
| (5) | Signature of authorised person | (6) | Name and title of authorised person giving notice |

LOCAL GOVERNMENT ACT 1995

FORM 2

PARKING AND PARKING FACILITIES LOCAL LAW

INFRINGEMENT NOTICE

Serial No

Date/...../.....

To: (1)

of: (2)

It is alleged that on/...../..... at (3)

at (4) in respect of
your vehicle -

make:

model:

registration:

you committed the following offence -

.....
.....
.....

contrary to clause.....of the **Parking and Parking Facilities Local Law**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

If you take no action you may be prosecuted or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. Under that Act, some or all of the following actions may be taken – your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver's licence or vehicle licence, your vehicle may be immobilized or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately.

(6)

(7)

Insert:

- | | | | |
|-----|---|-----|--------------------------------|
| (1) | Name of alleged offender or 'the owner' | (2) | Address of alleged offender |
| (3) | Time of alleged offence | (4) | Location of alleged offence |
| (5) | Place where modified penalty may be paid | (6) | Signature of authorised person |
| (7) | Name and title of authorised person giving notice | | |

LOCAL GOVERNMENT ACT 1995

FORM 3

PARKING AND PARKING FACILITIES LOCAL LAW

INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)

at (4) in respect of
your vehicle -

make:

model:

registration:

you committed the following offence -

.....
.....
.....

contrary to clause of the **Parking and Parking Facilities Local Law**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice –

- (a) you pay the modified penalty; or
- (b) you -

- (i) inform the Chief Executive Officer or another authorized officer of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or
- (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action you may be prosecuted or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. Under that Act, some or all of the following actions may be taken – your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver's licence or vehicle licence, your vehicle may be immobilized or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately.

(6)

(7)

Insert:

- | | | | |
|-----|---|-----|--------------------------------|
| (1) | Name of alleged offender or 'the owner' | (2) | Address of alleged offender |
| (3) | Time of alleged offence | (4) | Location of alleged offence |
| (5) | Place where modified penalty may be paid | (6) | Signature of authorised person |
| (7) | Name and title of authorised person giving notice | | |

LOCAL GOVERNMENT ACT 1995

FORM 4

PARKING AND PARKING FACILITIES LOCAL LAW

WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

Infringement Notice No Date / /

in respect of your vehicle -

make:

model:

registration:

for the alleged offence of -

.....

.....

.....

has been withdrawn

The modified penalty for the offence is \$

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3)

(4)

Insert:

- | | | | |
|-----|--|-----|---|
| (1) | Name of alleged offender to whom infringement notice was given or 'the owner'. | (2) | Address of alleged offender |
| (3) | Signature of authorised person | (4) | Name and title of authorised person giving notice |

~~Schedule 4 — DEEMED PARKING STATIONS~~
~~PARKING AND PARKING FACILITIES LOCAL LAW~~

Dated _____ day of _____.

The Common Seal of the Shire of Esperance was hereunto affixed by the authority
of a resolution of the Council in the presence of -

Ronald Chambers

SHIRE PRESIDENT

Shane Burge

CHIEF EXECUTIVE OFFICER

Archived: Tuesday, 28 October 2025 7:55:08 PM
From: [REDACTED]
on behalf of: [Legislation](#)
Mail received time: Fri, 27 Jun 2025 06:35:16
Sent: Friday, 27 June 2025 2:35:17 PM
To: [Corporate Support](#)
Subject: RE: Local Law Review Enquiries
Importance: Normal
Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Good afternoon,

This email is regarding the Shire's proposed parking local law. Some suggestions and minor comments are provided below.

Parling and Parking Facilities Local Law 2025

1. Clause 2.1 – Determination of parking rules

In the past, the Joint Standing Committee on Delegated Legislation has expressed concern about the use of determination devices, since it can potentially allow local government staff to effectively modify legislation after it has already been made.

While the Committee has allowed determination devices in parking local laws, this is subject to the condition that:

- a. All decisions must be made by the council and not delegated; and
- b. All decisions must be reflected by appropriate signage.

Accordingly, it is suggested that clause 2.1 be modified as follows:

- In clause 2.1 after "local government" insert "by resolution"
- Add the following subclause to clause 2.1;

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

2. Offences involving ACROD parking

Currently, legislation only provides local government with the power to police ACROD parking in two situations, those being:

- a. When the local government has set aside a permit parking area via the Local Government Parking for People with Disabilities Regulations 2014; or
- b. Where a private car park has set aside one or more parking spaces for people with disabilities and the parking area falls under clause 1.7(2).

It is suggested that clause 6.15 be amended to account for this. Otherwise, it will create the perception that the Shire can enforce ACROD parking in private parking areas, even when it doesn't have an agreement to manage those areas.

3. Minor edits

The following minor edits are suggested:

- It is suggested that page numbers not be included in the draft submitted to the Government Gazette, as it may clash with the Gazette's existing page system. So long as the local law has a contents and clause numbers, this should be sufficient to navigate the document. If the Shire intends to keep an administrative version of the local law on its website, the page numbers can be retained in that version without issue.
- Clause 6.15(2)(d) – remove the italics from "(d)".
- Schedule 2 – The penalties for item 13 and 14 appear to be incorrect.
- Change all instances of "these Local Laws" to "this local law".
- The term "Taxi" was recently amended in State legislation. The Shire may wish to check this legislation and ensure that the term's meaning still suits the Shire's objectives.
- Schedule 4 does not currently contain any information and accordingly, does not serve a purpose. Unless the Shire intends to add to the Schedule in future amendments, it is possible the Schedule can be deleted. If the schedule is deleted, all cross references to it can also be removed.
- The Shire should also ensure that all references and cross references are checked for accuracy, particularly if any further changes are made to the draft.

Regards,

Legislation



DLGSC
PO Box 8349, Perth Business Centre WA 6849

legislation@dlgsc.wa.gov.au
www.dlgsc.wa.gov.au

The Department of Local Government, Sport and Cultural Industries acknowledges Aboriginal people throughout Western Australia as the Traditional Owners and Custodians of the lands, waters, and communities in which we operate.

We pay our respects to all Aboriginal people and their cultures, and to Elders past and present.

As part of the WA Government's [Public Sector Reform](#), from 1 July 2025 the Department of Local Government, Sport and Cultural Industries will be renamed the Department of Creative Industries, Tourism and Sport.

The portfolio functions of Racing and Gaming (Liquor), Local Government and Regulatory Reform are moving to the Department of Local Government, Industry Regulation and Safety.

From: Corporate Support
Sent: Friday, 27 June 2025 11:26 AM
To: Legislation
Subject: RE: Local Law Review Enquiries

Thanks Steven,

Appreciate the update.

Kind regards,

Item: 12.3.4

Appointment of Elected Members to Working Groups & External Committees

Author/s	Sarah Walsh Blaise Graham	Coordinator Governance & Corporate Support Governance and Corporate Support Officer
Authorisor/s	Felicity Baxter	Director Corporate and Community Services

File Ref: D25/33046

Applicant

Internal

Location/Address

N/A

Executive Summary

For Council to appoint members to external committees and working groups.

Recommendation in Brief

That Council appoint members to external committees and working groups.

Background

Under the *Local Government Act 1995* s.5.11, committee membership expires on the Ordinary Election Day of Council which occurs biennially. As a result, all positions on Council Committees are vacant, and Elected Members, organisational representatives and community representatives need to be appointed.

This also provides an opportunity to review the current Terms of Reference for all Council Committees, ensuring they are up to date and relevant.

Elected Members also need to be nominated to working groups, and external committees that Council has a vested interest in.

Officer's Comment

There are currently three Council Committees in place, being the Audit Committee, Bush Fire Advisory Committee and Behaviour Complaints Committee. Members were appointed to these Council Committee during the October 2025 Council Meeting.

Advertising for expressions of interest for committees and working groups was undertaken in the lead up to the elections, with some new nominations being received and processed for working groups.

Elected members must be formally appointed to working groups and external committees.

The Working Group Terms of Reference do not need to be formally endorsed by Council, however, have been included as an attachment to this report for reference.

Elected members appointed to the Development Assessment Panel (DAP) as members or deputies will be required to undergo training if any applications are received for review by the DAP.

The table below outlines Working Groups added or disbanded following this year's review;

Working Group	Comment
Reconciliation Action Plan Working Group	Disbanded as RAP document is no longer current. May be replaced by inclusion working group in future.
Sustainability Working Group	Disbanded as originally set up to look at sustainability initiatives across the Shire of Esperance as an organisation. These initiatives are now in place and are driven by business-as-usual practices so the group is no longer necessary.
Coastal Safety Working Group	Informal group has been in place; however it has now been formalised as a new working group of Council to assist with promoting coastal safety messaging, and advocating for coastal safety programs and infrastructure.

Consultation

Officers responsible for Working Groups
Executive Management Team

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995
Standing Orders Local Law 2015

Policy Implications

External Committee Representation

Strategic Implications

Council Plan 2022 - 2032

Performance - Outcome 16. A well informed and engaged community

Objective 16.1. Provide authentic, relevant and effective engagement with community members

Actively engage and communicate with the community to ensure informed decision making

Environmental Considerations

Nil

Attachments

A¹. Working Groups Terms of Reference

Officer's Recommendation

That Council;

1. Disband the Sustainability Working Group and Reconciliation Action Plan Working Group;
2. Approve the new Coastal Safety Working Group;
3. Approve the amended Working Group Terms of Reference; and
4. Appoint Members to Working Groups and External Committees as follows:

<u>Working Groups</u>		
Working Groups	Members	
Esperance Twin Towns Working Group	Cr Cr	
Museum Working Group	Cr Cr	
Esperance Tourism Stakeholder Working Group	Cr Cr	
Cemetery Working Group	Cr Cr	
Disability Access and Inclusion Working Group	Cr Cr	
Public Health Plan Working Group	Cr Cr	
Coastal Safety Working Group	Cr Cr	
<u>External Committees</u>		
Committee	Members	Deputy
Local Emergency Management Committee	Pres Chambers (Shire President)	Cr
Port of Esperance – Port Consultative Committee	Pres Chambers (Shire President)	Cr
Roadwise	Cr	N/A
Regional Road Group	Cr	Cr
Senior Citizens Centre Management Committee	Cr	Cr
Regional Capitals Alliance Western Australia	Pres Chambers (Shire President) Chief Executive Officer	Cr Obourne (Deputy Shire President)
Development Assessment Panel	Cr Cr	Cr Cr

Voting Requirement

Absolute Majority



Esperance Twin Towns Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

To make recommendations to Council on developing and fostering the relationship with Ill de Re, France, through the promotion of social, cultural and educational links and a student exchange program so as to encourage an understanding of the French culture and the involvement of France in the early history of Esperance.

1. Coordinate the student exchange program in conjunction with the Lions Club of Esperance
2. Raise awareness in the Esperance community of the twin towns relationship through promotion, education and cultural events
3. Identify projects and make recommendations to council on activities and events that will enhance and develop the twin towns relationship
4. Make recommendations to Council and provide regular updates as to the progress of endorsed projects and the student exchange program.

Membership

Shire Representatives

- 2x Elected Members
- Manager Community Development & Events

Other Representatives

- Esperance Senior High School
- Esperance Anglican Community School
- Esperance Lions Club
- Up to 7 Community Representatives

Responsible Position

Manager Community Development & Events

Meeting Frequency

As required

.....End.....

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Museum Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

Stakeholders of the Museum are vital in providing advice, knowledge and assistance with projects within the Esperance Museum. This working group will work with Shire staff to achieve goals and strategies identified in the Esperance Museum Strategic Plan 2017-2023.

Membership

Shire Representatives

- 2x Elected Members
- Director External Services
- Manager Recreation & Culture
- Cultural Officer

Other Representatives

- Esperance Bay Historical Society
- Esperance Mechanical Restoration Group
- Esperance Family History Society
- Esperance Museum volunteer

Responsible Position

Manager Recreation & Culture

Meeting Frequency

6 monthly

.....End.....

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Esperance Tourism Stakeholder Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

To provide feedback on progress towards delivery of the Tourism Strategy Implementation Plan and advocate for the Tourism industry.

1. Review the progress towards delivery of the Tourism Strategy Implementation Plan.
2. Provide feedback and information on tourism generally to assist the industry to continue to grow and thrive.
3. Advocate within and outside of Esperance on behalf of the tourism Industry

Membership

Shire Representatives

- 2x Elected Members
- Chief Executive Officer
- Manager Economic Development

Other Representatives

- Tourism Development Manager
- Tourism Esperance
- Esperance Chamber of Commerce & Industry
- Australia's Golden Outback
- Goldfields Esperance Development Commission

Responsible Position

Manager Economic Development

Meeting Frequency

6 monthly

.....End.....

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
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Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Cemetery Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

To assist with Cemetery matters within the Shire of Esperance and provide input and advice –

1. On concerns regarding the management and development of cemeteries under the jurisdiction of the Shire;
2. Future planning for Cemeteries; and
3. On matters related to protecting the heritage of cemeteries and related infrastructure.

Membership

Shire Representatives

- 2x Elected Members
- Director Asset Management
- Manager Parks & Environment
- Supervisor External Service Customer Experience

Other Representatives

- Esperance Funeral Homes
- Up to 4 Community Representatives

Responsible Position

Manager Parks & Environment

Meeting Frequency

6 monthly, or as required.

.....End.....

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Disability Access and Inclusion Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

The Disability Access and Inclusion Plan (DAIP) provides the strategic direction and framework for the Shire to improve its services and facilities as well as partnering with the community to achieve progress in this field.

The working group will initially assist to develop and then review the progress of the annual implementation plan developed from the aims in the DAIP.

1. Facilitate stakeholder, community and agency feedback relating to the implementation of the DAIP;
2. Contribute to the review and reporting of the DAIP;
3. Contribute to the preparation and review of the DAIP Implementation Plan, including the development of project proposals;
4. Raise awareness and inform the community about matters relating to disability access and inclusion in the Shire.
5. Provide technical/working advice relating to the implementation of the DAIP, including seeking access to funding opportunities

Membership

Shire Representatives

- 2x Elected Members
- Staff from each Directorate
- Manager Development Services

Other Representatives

- At least 3 community members with relevant interest and experience
- Up to 4 relevant community organisations will be represented by 1 representative from each

Responsible Position

Director External Services

Meeting Frequency

Quarterly

.....End.....

Referencing Documents

- *Local Government Act 1995*
- Disability Access and Inclusion Plan

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Public Health Plan Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

The group will meet review the current Shire of Esperance Public Health Plan 2021 - 2026.

1. Review the Public Health Plan 2021-2026
2. Discuss strategies to facilitate the implementation of the plan
3. Facilitate community education and awareness of the plan.
4. Identify what should be included in the next plan

Membership

Shire Representatives

- 2x Elected Members
- Director External Services
- Manager Development Services
- Manager Recreation & Culture
- Manager Parks & Environment
- Manager Community Development & Events
- Coordinator Environmental Health
- Manager Sustainability & Resource Recovery

Other Representatives

- Community Representatives
- Aboriginal and Torres Strait representatives
- WA Health representatives
- Cancer Council Representative
- Industry experts
- Other representatives for Esperance demographic groups

Responsible Position

Manager Development Services

Meeting Frequency

As required.

.....End.....

Referencing Documents

- *Local Government Act 1995*
- *Public Health Act 2016*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Dec 2021	1	D21/43980	Adoption of Terms of Reference for Working Groups	Dec 2023
Nov 2023	2	D21/43980[v2]	Biennial review of terms of reference	Nov 2025



Coastal Safety Working Group

TERMS OF REFERENCE

Committee Type

Working Group

Purpose

Multi-agency membership to promote coastal safety messaging, and advocate for coastal safety programs and infrastructure

Membership

Shire Representatives

- 2x Elected member
- Manager Ranger & Emergency Services
- Manager Marketing & Communications
- Manager Parks & Environment
- Manager Development Services

Other Representatives

- WA Police
- Department of Transport and Major Infrastructure
- Department of Primary Industries and Regional Development
- Department of Biodiversity, Conservation and Attractions
- Surf Life Saving WA
- St John Ambulance
- State Emergency Services/Marine Rescue

Responsible Position

Manager Ranger & Emergency Services

Meeting Frequency

At least quarterly, and as required throughout high visitation season.

.....End.....

Referencing Documents

- *Local Government Act 1995*
- *Local Government Property Local Law 2001*

Revision History

Date	Version	CM Reference	Reason for Change	Next Review
Oct 2025	1		Working Group formalised.	Oct 2027

Item: 12.3.5

Financial Services Report - November 2025

Author/s	Sarah Bridge Roselyn Hamilton	Corporate Accountant Manager Financial Services
Authorisor/s	Felicity Baxter	Director Corporate and Community Services

File Ref: D25/33667

Executive Summary

To present to Council the Monthly Financial Report for the period ending 31 October 2025.

Strategic Implications

Council Plan 2022 – 2032

Leadership

A financially sustainable and supportive organisation achieving operational excellence

Attachments

A¹. Monthly Financial Report October 2025

Officer's Recommendation

That Council receive the attached report entitled Monthly Financial Report for the month of October 2025.

Voting Requirement Simple Majority



SHIRE OF ESPERANCE

MONTHLY FINANCIAL MANAGEMENT REPORTS

(Incorporating Statement of Financial Activity)

OCTOBER 2025

CORPORATE & COMMUNITY SERVICES

MANAGER FINANCIAL SERVICES COMPILATION REPORT

MEETING DATE:	25 NOVEMBER 2025
ACCOUNTING PERIOD:	PERIOD ENDED 31 OCTOBER 2025
MATERIALITY THRESHOLD:	\$100,000 OR 10%

OVERVIEW

The Statement of Financial Activity shows a surplus at 31 October of \$27,150,244.

RATES COLLECTED

Rates collected at the end of October were 75.43%. Collections at the same time last year were 75.59%. The due date for the second instalment is 19 November 2025.

2025-2026 FINANCIAL YEAR

Audit attended the Shire of Esperance from 16 - 19 September. This final audit will review the last 5 months of transactions, end of financial year reconciliations as well as the draft financial statements. The finance team are continuing to communicate with the auditors to finalise this process.

Due to amendments made when preparing the financials, there is additional surplus of circa \$14,598.

Following completion of audit, this movement will be put forward for Council's review.

REGIONAL EXPRESS PTY LTD

The Shire is in communication with the administrators of Regional Express Pty Ltd. A proof of debt has been lodged to the value of \$440,587.41 up to the 30th July 2024, when administration commenced. On November 04, 2025, Federal Government announced a \$5 million support program for regional and remote airports affected by Rex Airlines' voluntary administration. The Shire will monitor this program and apply for funding where able.

WORKING CAPITAL

The Council is solvent and I do not consider there any matters of liquidity affecting business continuity that I would bring to Council's attention.

Current surplus at the end of October is \$27,150,244. The surplus is shown on the bottom of the Statement of Financial Activity and also on the Composition of Net Current Assets. It represents our ability to meet the short-term demands of our suppliers.

Liquidity (surplus) is circa \$1.1m down compared to the same time last year, this is due to an increase in capital expenditure year to date in comparison with previous year mainly attributable to the replacement of Graham Mackenzie Stadium. Grant funding is expected to be received later in the financial year and a loan is budgeted and will be actioned when the total cost of the project is known.

Unrestricted cash at bank is \$52,651,196 and this is shown on the Statement of Financial Position. Reserve balance is \$30,956,857, also shown on the Statement of Financial Position.

Sarah Bridge
Corporate Accountant

**SHIRE OF ESPERANCE
STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD ENDED 31 OCTOBER 2025**

	2025-26 Budget	2025-26 Budget YTD	2025-26 Actual YTD
	\$	\$	\$
Revenue			
Rates	28,077,679	27,660,374	27,973,527
Grants, subsidies and contributions	11,778,094	3,703,067	2,779,189
Fees and charges	12,565,051	5,629,118	6,735,661
Interest revenue	1,801,500	344,497	578,251
Other revenue	2,058,999	296,039	469,366
	56,281,323	37,633,095	38,535,994
Expenses			
Employee costs	(25,013,978)	(8,586,028)	(8,149,765)
Materials and contracts	(19,777,450)	(3,595,887)	(4,574,021)
Utility charges	(1,476,201)	(397,463)	(374,801)
Depreciation	(23,684,722)	(6,730,803)	-
Finance costs	(83,670)	(8,429)	(11,687)
Insurance	(958,994)	(958,805)	(914,411)
Other expenditure	(865,739)	(480,967)	(518,137)
	(71,860,754)	(20,758,382)	(14,542,822)
	(15,579,431)	16,874,713	23,993,172
Capital grants, subsidies and contributions	36,174,101	4,077,863	4,634,140
Profit on asset disposals	199,233	-	-
Loss on asset disposals	(75,216)	-	-
	36,298,118	4,077,863	4,634,140
Net result for the period	20,718,687	20,952,576	28,627,313
Other comprehensive income for the period			
<i>Items that will not be reclassified subsequently to profit or loss</i>			
Changes in asset revaluation surplus	-	-	-
Total other comprehensive income for the period	-	-	-
Total comprehensive income for the period	20,718,687	20,952,576	28,627,313

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

**SHIRE OF ESPERANCE
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2025**

	2025-26 Budget (a)	2025-26 Budget YTD (b)	2025-26 Actual YTD (c)	2025-26 Variance (c)-(b) ((c)-(b))/(b)	
	\$	\$	\$	\$	%
OPERATING ACTIVITIES					
Revenue from operating activities					
Rates	28,077,679	27,660,374	27,973,527	313,153	1%
Grants, subsidies and contributions	11,778,094	3,703,067	2,779,189	(923,878)	-25%
Fees and charges	12,565,051	5,629,118	6,735,661	1,106,543	20%
Interest revenue	1,801,500	344,497	578,251	233,754	68%
Other revenue	2,058,999	296,039	469,366	173,327	59%
Profit on asset disposals	199,233	-	-	-	
	56,480,556	37,633,095	38,535,994	902,899	2%
Expenditure from operating activities					
Employee costs	(25,013,978)	(8,586,028)	(8,149,765)	436,263	-5%
Materials and contracts	(19,552,450)	(3,595,887)	(4,574,021)	(978,134)	27%
Utility charges	(1,476,201)	(397,463)	(374,801)	22,662	-6%
Depreciation	(23,684,722)	(6,730,803)	-	6,730,803	-100%
Finance costs	(83,670)	(8,429)	(11,687)	(3,258)	39%
Insurance	(958,994)	(958,805)	(914,411)	44,394	-5%
Other expenditure	(865,739)	(480,967)	(518,137)	(37,170)	8%
Loss on asset disposals	(75,216)	-	-	-	
	(71,710,970)	(20,758,382)	(14,542,822)	6,215,560	-30%
TOTAL OPERATING ACTIVITIES	(15,230,414)	16,874,713	23,993,172	7,118,459	42%
NON-OPERATING ACTIVITIES					
Inflows from non-operating activities					
Capital grants, subsidies and contributions	36,174,101	4,077,863	4,634,140	556,277	14%
Proceeds from disposal of assets	1,345,000	-	134,490	134,490	
Proceeds - self supporting loans	107,724	38,608	38,609	1	0%
Proceeds on other loans and receivables	2,734,907	-	-	-	
	40,361,732	4,116,471	4,807,239	690,768	17%
Outflows from non-operating activities					
Right of use assets received - non cash	-	-	-	-	
Payments for land held for resale	(1,000,000)	-	(2,123)	(2,123)	
Payments for property, plant and equipment	(49,532,881)	(3,613,328)	(7,635,946)	(4,022,618)	111%
Payments for construction of infrastructure	(19,865,154)	(4,247,035)	(4,489,121)	(242,086)	6%
Repayment of Borrowings	(167,663)	(38,608)	(38,609)	(1)	0%
	(70,565,698)	(7,898,971)	(12,165,799)	(4,266,828)	54%
TOTAL NON-OPERATING ACTIVITIES	(30,203,966)	(3,782,500)	(7,358,560)	(3,576,060)	95%
NON CASH AMOUNTS EXCLUDED					
Depreciation	23,684,722	6,730,803	-	(6,730,803)	-100%
Loss on asset disposals	75,216	-	-	-	
Profit on asset disposals	(199,233)	-	-	-	
Provisions & accruals	279,652	(2,982)	85,101	88,083	-2954%
Movement of Non-Current Receivables	-	-	300	300	
TOTAL NON-CASH AMOUNTS EXCLUDED	23,840,357	6,727,821	85,401	(6,642,420)	-99%
MOVEMENT IN SURPLUS OR DEFICIT					
Surplus at the start of the financial year	2,795,133	2,795,133	2,809,731	14,598	1%
Amount attributable to operating Activities	(15,230,414)	16,874,713	23,993,172	7,118,459	42%
Amount attributable to non-operating Activities	(30,203,966)	(3,782,500)	(7,358,560)	(3,576,060)	95%
Non-cash amounts excluded	23,840,357	6,727,821	85,401	(6,642,420)	-99%
Reserve Movements	18,754,453	3,380,364	7,620,500	4,240,136	125%
Surplus/(deficit) remaining after the imposition of general rates	(44,437)	25,995,531	27,150,244	1,154,713	4%

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

**SHIRE OF ESPERANCE
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

	2025-26 YTD	2024-25 Actuals
	\$	\$
CURRENT ASSETS		
Cash & cash equivalents	52,651,196	47,273,666
Trade & other receivables	10,473,204	1,261,614
Inventories	1,088,977	958,802
TOTAL CURRENT ASSETS	64,213,377	49,494,082
NON-CURRENT ASSETS		
Other receivables	1,022,896	1,023,196
Inventories	3,859,610	3,859,610
Property, plant & equipment	133,767,622	133,767,622
Infrastructure	596,593,603	596,593,603
TOTAL NON-CURRENT ASSETS	735,243,731	735,244,031
TOTAL ASSETS	799,457,108	784,738,113
CURRENT LIABILITIES		
Trade & other payables	3,182,273	5,476,353
Borrowings	198,648	198,648
Provisions	3,986,758	3,750,937
Other current liabilities	142,642	-
TOTAL CURRENT LIABILITIES	7,510,321	9,425,938
NON-CURRENT LIABILITIES		
Borrowings	1,538,850	1,538,850
Provisions	8,019,947	8,019,947
TOTAL NON-CURRENT LIABILITIES	9,558,797	9,558,797
TOTAL LIABILITIES	17,069,118	18,984,735
NET ASSETS	782,387,990	765,753,378
EQUITY		
Revaluation surplus	402,620,856	402,620,856
Reserve accounts	30,956,857	38,577,357
Retained surplus	348,810,277	324,555,165
TOTAL EQUITY	782,387,990	765,753,378

**SHIRE OF ESPERANCE
COMPOSITION OF NET CURRENT ASSETS
FOR THE PERIOD ENDED 31 OCTOBER 2025**

	2025-26 YTD	2024-25 Actuals
	\$	\$
CURRENT ASSETS		
Cash & cash equivalents	52,651,196	47,273,666
Trade & other receivables	10,473,204	1,261,614
Inventories	1,173,346	1,043,171
TOTAL CURRENT ASSETS	64,297,746	49,578,451
CURRENT LIABILITIES		
Trade & other payables	3,182,272	5,476,353
Borrowings	198,648	198,648
Provisions	3,986,758	3,750,937
Other current liabilities	142,642	-
TOTAL CURRENT LIABILITIES	7,510,320	9,425,938
NET ASSETS	56,787,426	40,152,513
Less: Total adjustments to net current assets	(29,637,182)	(37,342,782)
Closing funding surplus/(deficit)	27,150,244	2,809,731
Current assets and liabilities excluded from budgeted deficiency		
Adjustments to net current assets		
Less: Reserve account	(30,956,856)	(38,577,357)
Less: Financial assets at amortised costs - Self Supporting Loans	(95,696)	(95,696)
Less: Land held for resale	(600,000)	(600,000)
Add: Current liabilities not expected to be cleared at end of year		
-Current portion of lease liabilities	43,013	43,013
-Current portion of borrowings	155,635	155,635
-Current portion of employee benefit expense held in reserve	1,816,722	1,731,623
Toal adjustments to net current assets	(29,637,182)	(37,342,782)

**SHIRE OF ESPERANCE
EXPLANATION OF MATERIAL VARIANCES
FOR THE PERIOD ENDED 31 OCTOBER 2025**

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 2025-26 year is \$100,000 or 10.00%.

Description	Var. \$	Var. %
	\$	%
Revenue from operating activities		
Rates	313,153	1.13%
Ex Gratia rates received earlier than budget expectations.		Timing
Grants, subsidies and contributions	(923,878)	(24.95%)
Home Care Program Federal funding tracking behind budget scheduling.		Timing
Federal Assistance Grants came in below budget expectations.		Permanent
Fees and charges	1,106,543	19.66%
Fees and charges relating to Waste Management, particularly bin pick ups, are tracking above budget expectations for this time of year. Airport fees and charges are also tracking ahead of budget expectations, particularly landing fees.		Timing
Interest revenue	233,754	67.85%
Interest earned on reserves are tracking ahead of budget expectations.		Timing
Other revenue	173,327	58.55%
New insurance payments received during the year.		Permanent
Expenditure from operating activities		
Employee costs	436,263	(5.08%)
Fewer high level Home Care clients are resulting in a reduction in employee costs. Labour oncosts recovery rates and vacancies across multiple areas are also contributing to the variance.		Timing
Materials and contracts	(978,134)	27.20%
Roads and Streets operating costs are tracking ahead of schedule, particularly for town roads. Construction waste crushing works at Wylie Bay Waste Facility completed earlier than budget expectations. Overhead recovery on plant is tracking behind expectations for this time of the year.		Timing
Depreciation	6,730,803	(100.00%)
Depreciation to be completed in November once audit has been finalised and GL has been rolled.		Timing
Finance costs	(3,258)	38.65%
Variance due to self supporting loan interest payments. These are on track as per WATC for 2025/2026 and phasing will be corrected during budget review.		Timing
Inflows from non-operating activities		
Proceeds from capital grants, subsidies and contributions	556,277	13.64%
Revenue relating to GMS building project received earlier than budget expectations.		Timing
Proceeds from disposal of assets	134,490	
Sales of lots in Flinders are ahead of budget expectations.		Timing
Outflows from non-operating activities		
Payments for property, plant and equipment	(4,022,618)	111.33%
Construction of the Graham Mackenzie Stadium is tracking ahead of budget expectations.		Timing
Payments for construction of infrastructure	(242,086)	5.70%
Some road construction works delayed due to weather events, with focus shifted to priority maintenance works.		Timing
Reserve Movements	4,240,136	125.43%
Variance due to budget phasing on transfers to reserves. This will be corrected during budget review.		Timing



OTHER REPORTS AND GRAPHS

OCTOBER 2025

SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.80 M	\$2.80 M	\$2.81 M	\$0.01 M
Closing	(\$0.04 M)	\$26.00 M	\$27.15 M	\$1.15 M

Refer to Statement of Financial Activity

Cash and cash equivalents			Payables			Receivables		
	\$52.65 M	% of total		\$2.29 M	% Outstanding		\$9.21 M	% Collected
Unrestricted Cash	\$21.69 M	41.2%	Trade Payables	\$1.37 M		Rates Receivable	\$7.76 M	75.4%
Restricted Cash	\$30.96 M	58.8%	0 to 30 Days	\$1.37 M	100.0%	Trade Receivable	(\$0.08 M)	% Outstanding
			Over 30 Days	\$0.00 M	0.0%	Over 30 Days	(\$0.52 M)	(5.7%)
			Over 90 Days	\$0.00 M	0.0%	Over 90 Days	\$0.45 M	4.8%

Key Operating Activities

Amount attributable to operating			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$15.23 M)	\$16.87 M	\$23.99 M	\$7.12 M

Refer to Statement of Financial Activity

Rates Revenue			Grants and Contributions			Fees and Charges		
YTD Actual	\$27.97 M	% Variance	YTD Actual	\$2.78 M	% Variance	YTD Actual	\$6.74 M	% Variance
YTD Budget	\$27.66 M	1.1%	YTD Budget	\$3.70 M	(24.9%)	YTD Budget	\$5.63 M	19.7%

Refer to Statement of Financial Activity

Key Non-Operating Activities

Amount attributable to non-operating			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$30.20 M)	(\$3.78 M)	(\$7.36 M)	(\$3.58 M)

Refer to Statement of Financial Activity

Proceeds on sale			Asset Acquisition			Capital Grants		
YTD Actual	\$0.13 M	%	YTD Actual	(\$12.13 M)	% Spent	YTD Actual	\$4.63 M	% Received
Adopted Budget	\$0.00 M		Adopted Budget	(\$7.86 M)	54.3%	Adopted Budget	\$4.08 M	13.6%

Borrowings			Reserves		
Principal repayments	\$0.04 M		Reserves balance	\$30.96 M	
Interest expense	\$0.01 M		Net Movement	(\$7.62 M)	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

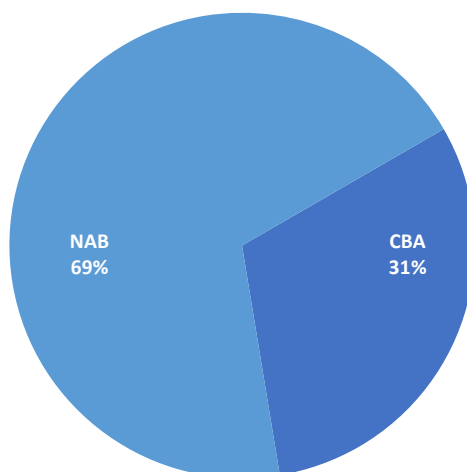
**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

2 KEY INFORMATION - INVESTMENTS

Shire policy directs that a maximum of 80% can be held with any one institution at a time.

(a) Cash investments

Diversification of Investments



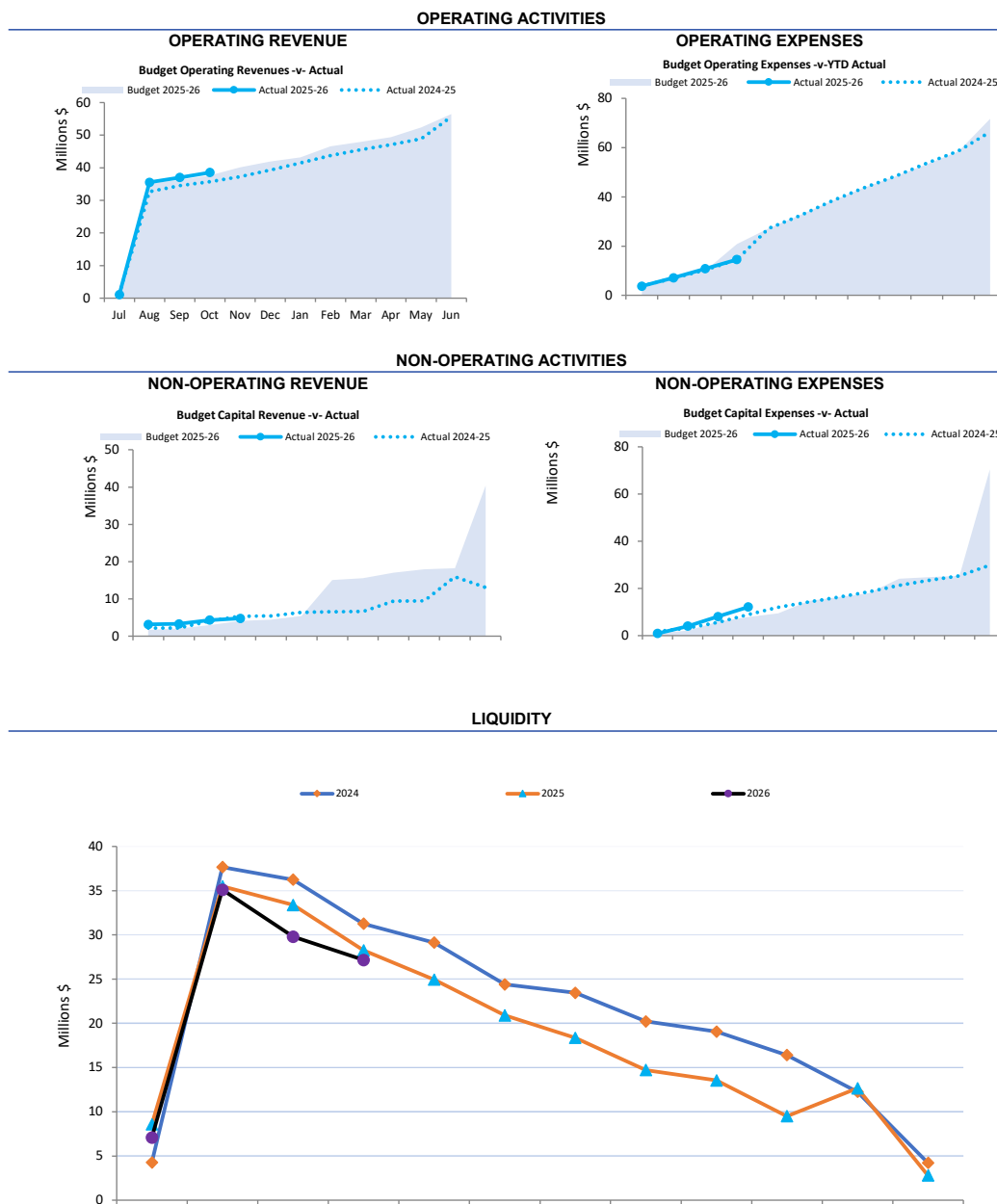
Finance Institution	Amount	Rate	Term	Maturity	Type of Investment
CBA	\$ 3,000,000	3.99%	60	24-Nov-25	Term Deposit - Muni
CBA	\$ 3,000,000	3.99%	60	24-Nov-25	Term Deposit - Muni
NAB	\$ 5,000,000	4.15%	90	11-Dec-25	Term Deposit - Muni
NAB	\$ 5,000,000	4.10%	124	05-Jan-26	Term Deposit - Muni
NAB	\$ 4,000,000	4.10%	120	18-Feb-26	Term Deposit - Reserve
NAB	\$ 4,000,000	4.10%	120	18-Feb-26	Term Deposit - Reserve
NAB	\$ 5,000,000	4.10%	120	18-Feb-26	Term Deposit - Reserve
NAB	\$ 5,000,000	4.20%	180	11-Mar-26	Term Deposit - Reserve
NAB	\$ 5,000,000	4.25%	180	24-Mar-26	Term Deposit - Reserve
NAB	\$ 3,000,000	4.25%	180	24-Mar-26	Term Deposit - Reserve
CBA	\$ 1,712,807	3.45%	N/A	N/A	Business Online Saver - Muni
CBA	\$ -	0.25%	N/A	N/A	Cash Deposit A/C - Muni
CBA	\$ 8,261,644	3.45%	N/A	N/A	Business Online Saver - Reserves
CBA	\$ -	0.25%	N/A	N/A	Cash Deposit A/C - Reserves
	\$ 51,974,451				

(b) Investment Interest Earnings

	Budget	YTD Interest
Municipal	154,091	104,550
Reserve	89,209	366,994

**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

3 KEY INFORMATION - GRAPHICAL



Liquidity is a modified current position which consists of un-restricted cash, debtors and inventories less payables and provisions for annual leave.

A surplus is indicated by a positive figure and a deficit is indicated as a negative number.

The purpose of the graph is to trace the progressive values of the liquidity surplus(deficit) which shows on the "Statement of Financial Activity" in each month's financial report.

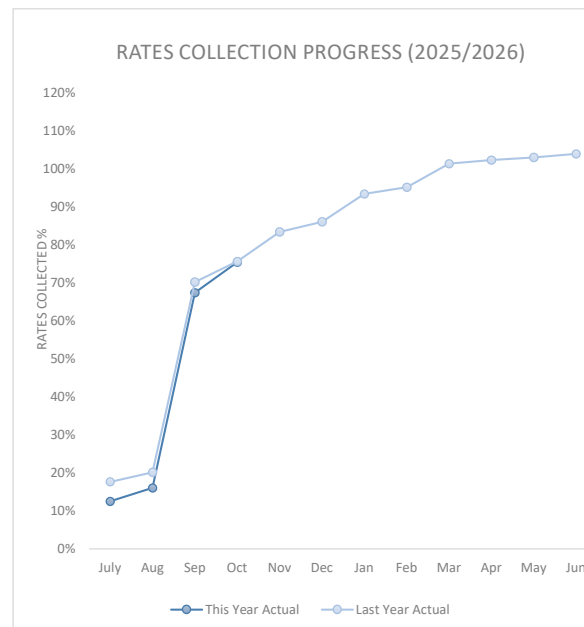
The current year to date value is graphed against the immediate past year as a comparative.

**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

4 SUMMARY OF RATE, RUBBISH AND ESL CHARGE DEBTORS

Outstanding Rates 2025/2026

Arrears at 1st July 2025	279,544
Pensioner Deferred Rates at 1st July 2025	128,148
Rates Levied	26,710,325
Waste Charges Levied	4,343,982
ESL Levied	1,027,799
Other Charges Levied	102,840
Total Levied 2025/2026	32,184,946
Less Collections	(24,634,819)
Total Current and Arrears Outstanding	7,982,026
% Collected	75.43%
Pensioners on Instalments	429,341
Non Pensioners on Instalments	6,544,890
Pensioners with Due Date 30/06/2026	217,684
Outstanding with no Instalment Option	1,105,617
Prepayments	(409,883)
Interims	94,377
Total Current and Arrears Outstanding	7,982,026



**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

5 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Account #	Description	Council Ref	Net Change	Amended Budget Running Balance
	2025/26 Budget Estimated Surplus/(Deficit)			\$ (44,437)
Amended Budget as per Council Resolution				(44,437)

**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

6 GENERAL RECEIVABLES

	Current	30 Days	60 Days	90 Days	90+Days	Total
	\$	\$	\$	\$	\$	\$
General Receivables	289,299	164,351	43,709	4,244	446,706	948,310
Percentage	30.51%	17.33%	4.61%	0.45%	47.11%	

90+Days Represented by:

Government Grants	0
Contributions & Reimbursements	2,901
Loan Repayments	0
Fees and Charges	443,806
Private Works	0
Proceeds Sale of Assets	0
	446,706

Amounts shown above include GST (where applicable)

**SHIRE OF ESPERANCE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 OCTOBER 2025**

7 TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in the financial statements are as follows:

Details	Balance 2024-2025	Balance 31/10/2025
Contributions to Public Open Space	221,039	
Shire of Esperance		52,793
S D Staines		17,862
Fiume Nel Terra Developments Pty Ltd		120,281
Esplanade Investments		32,776
Other	12,136	
Health Department of WA - CLAG Funding		1,124
Shire of Esperance Trust Fund - CLAG Funding		555
Shire of Esperance - Lake Monjigup Development Group		10,457
General Bonds - Interest Bearing	765,645	
Esperance Bay Turf Club - Optus Rent of Land Turf Club		26,371
Activ Foundation Inc - Community Fundraising		21,342
Indoor Sports Stadium Mangement - GMS Funds		0
Adventureland Management Committee Inc		3,528
Telstra Corporation Ltd		11,509
Elsie Cox Testamentary Trust EHC		239,552
Totals	998,820	538,150

Item: 12.3.6

Payment of Accounts Listing - November 2025

Author/s	Sarah Bridge Roselyn Hamilton	Corporate Accountant Manager Financial Services
Authorisor/s	Felicity Baxter	Director Corporate and Community Services

File Ref: D25/33668

Executive Summary

To present the list of accounts paid by the Chief Executive Officer under delegated authority and the list of payments made by authorised employees using credit cards and other purchasing cards for the month 1 – 31 October 2025.

Background

Recent reviews of the *Local Government Financial Management Regulations (1996)* by Moore Australia recommends that the payments listing (*Reg 13*) and the list of payments made by authorised employees using credit cards or other purchasing cards (*Reg 13A*) to be presented to Council in a separate agenda item to the financial reports as they relate to a different part of the Financial Management Regulations.

Consultation

Moore Australia – Chartered Accountants, Auditors and Business Advisors

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Local Government Financial Management Regulations (1996)

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Leadership

A financially sustainable and supportive organisation achieving operational excellence

Attachments

- A¹. Transaction Card Report October 2025
- B¹. Payment of Accounts Listing October 2025

Officer's Recommendation

That Council:

1. **Receive the list of accounts paid for the period 1 – 31 October 2025 as listed in the attachment.**
2. **Receive the list of accounts paid using credit cards and other purchasing cards for the period 1 – 31 October 2025 as listed in the attachment.**

Voting Requirement

Simple Majority

SHIRE OF ESPERANCE CREDIT CARD PAYMENT LISTING

List of accounts direct debited from Council's Municipal Fund submitted to the Ordinary Council Meeting
held on 25/11/2025 for confirmation in respect to accounts already paid via credit cards.

DATE	CREDITOR	PARTICULARS	AMOUNT
6/10/2025	Twilio Sendgrid	Monthly BOILC point of sale subscription	\$ 140.06
9/10/2025	Raeco	Office supplies	\$ 192.23
15/10/2025	Galah Press	Disputed transaction	\$ 60.00
15/10/2025	The Review Guys	Office supplies	\$ 126.65
16/10/2025	Vend Pos	Monthly Visitors Centre point of sale subscription	\$ 279.00
27/10/2025	South Coast Food Service	Catering	\$ 89.75
3/10/2025	Giraffe Bottle	Client purchase - EHC	\$ 423.33
3/10/2025	Amazon Au Marketplace	Client purchase - EHC	\$ 15.59
3/10/2025	Amazon Au Marketplace	Client purchase - EHC	\$ 15.59
3/10/2025	Amazon Au Marketplace	Client purchase - EHC	\$ 15.59
3/10/2025	Amazon Au Marketplace	Client purchase - EHC	\$ 15.59
2/10/2025	Daily Living Prod	Client purchase - EHC	\$ 98.00
7/10/2025	RK Docs Connect Pty	Annual software subscription	\$ 1,600.00
9/10/2025	Netflix.Com	Monthly subscription	\$ 20.99
13/10/2025	Kolor Kode	Office supplies	\$ 60.50
10/10/2025	Xero	Monthly subscription	\$ 75.00
26/09/2025	Qantas Airways Limited	Travel - Relocation - Melbourne	\$ 2,177.04
26/09/2025	Qantas Airways Limited	Travel - Relocation - Melbourne	\$ 2,177.04
29/09/2025	Regional Express	Travel - Relocation - Perth	\$ 1,819.19
13/10/2025	Ezi*Gofax Pty Ltd	Monthly fax licence	\$ 29.85
10/10/2025	Survey Monkey	Annual subscription	\$ 828.00
10/10/2025	Microsoft	Azure cloud storage - Esperance Coastal Safety	\$ 2.05
13/10/2025	Starlink Internet	Remote internet monthly charges	\$ 1,502.00
13/10/2025	Intuit Mailchimp	Monthly media subscription	\$ 336.65
15/10/2025	Sonic Healthplus	Pre-employment medical assessment	\$ 264.00
15/10/2025	Little Green Button	Annual subscription	\$ 350.00
16/10/2025	Garmin	Handheld GPS logger	\$ 358.00
26/09/2025	Airbnb	Accommodation - Planner - Esperance	\$ 5,548.30
26/09/2025	Air Carri	Flights - Conference - Perth	\$ 408.95
26/09/2025	Air Carri	Flights - Conference - Perth	\$ 408.95
29/09/2025	Regional Express	Amended flight - Planner - Esperance	\$ 41.82
7/10/2025	Retravisio Esperance	Staff kitchen appliance	\$ 158.00
8/10/2025	Flickr Esperance	Staff recognition	\$ 20.00
8/10/2025	Woolworths	Catering	\$ 49.44
16/10/2025	Thinktank Media	Training & education	\$ 2,524.50
17/10/2025	Rex	Flight - Refund	-\$ 310.00
26/09/2025	Uber	Uber - LG Week - Perth	\$ 26.56
29/09/2025	Dog Rock Motel Albany	Accommodation - Library Training - Perth	\$ 710.10
3/10/2025	Rydges - Fremantle	Accommodation - WARA Conference - Perth	\$ 819.11
2/10/2025	Uber	Uber - WARA Conference - Perth	\$ 53.25
6/10/2025	Adnate Art Series	Accommodation - LG Week - Perth	\$ 557.70
6/10/2025	Rydges - Fremantle	Accommodation - WARA Conference - Perth	\$ 932.00
6/10/2025	Rydges - Fremantle	Accommodation/Meals - WARA Conference - Perth	\$ 199.96
6/10/2025	Uber	Uber - WARA Conference - Perth	\$ 45.62
10/10/2025	Air Carri	Flights - Playground Safety Inspection Training - Perth	\$ 408.95
10/10/2025	Air Carri	Flights - Playground Safety Inspection Training - Perth	\$ 408.95
10/10/2025	Air Carri	Flights - Visitor Centre Training Academy - Perth	\$ 408.95
13/10/2025	Adnate Art Series	Meals - LG Week - Perth	\$ 76.05
24/10/2025	Rex	Flight - Refund	-\$ 310.00
14/10/2025	Jetty Resort	Accommodation - Relocation - Esperance	\$ 760.00
15/10/2025	Aurea Hotel Perth King	Accommodation - AMaGa Life After Digitisation Project - Perth	\$ 466.90
15/10/2025	Starlink Internet	Electronic and internet equipment	\$ 699.00
14/10/2025	Main Roads WA	Overmass permit	\$ 1,296.00
15/10/2025	Qantas Airways Limited	Flights - Relocation - Esperance	\$ 513.10
17/10/2025	Megatix.Com.Au	Esperance Ag show tickets	\$ 26.65

SHIRE OF ESPERANCE CREDIT CARD PAYMENT LISTING

List of accounts direct debited from Council's Municipal Fund submitted to the Ordinary Council Meeting held on 25/11/2025 for confirmation in respect to accounts already paid via credit cards.

DATE	CREDITOR	PARTICULARS	AMOUNT
17/10/2025	Megatix.Com.Au	Esperance Ag show tickets	\$ 184.71
17/10/2025	Megatix.Com.Au	Esperance Ag show tickets	\$ 105.68
20/10/2025	Megatix.Com.Au	Esperance Ag show tickets	\$ 26.65
20/10/2025	Flightradar24 Ab	Annual airport subscription	\$ 791.25
21/10/2025	Red Dot Stores	Farewell gift	\$ 9.97
21/10/2025	Flickr Esperance	Farewell gift	\$ 166.70
21/10/2025	Liquor Barons Esperance	Farewell gift	\$ 210.00
21/10/2025	Rex	Flights - Commelligence Conference - Perth	\$ 408.95
22/10/2025	Autex Australia Pl	Office supplies	\$ 313.74
22/10/2025	Mccreeds Classique Jewellers	Farewell gift	\$ 600.00
22/10/2025	Rex	Flights - WACMN 2025 WA Coastal Forum - Perth	\$ 408.95
27/10/2025	Flickr Esperance	Community engagement prizes	\$ 50.00
27/10/2025	Sportspower Esperance	Community engagement prizes	\$ 100.00
27/10/2025	Kmart	Community engagement prizes	\$ 50.00
27/10/2025	Woolworths	Community engagement prizes	\$ 50.00
26/09/2025	Airbnb	Accommodation credit - Planner - Esperance	\$- 1,343.61
14/10/2025	Megatix.Com.Au	Esperance Ag tickets	\$ 142.15
26/09/2025	BOC Limited	Dry ice - Mosquito monitoring	\$ 42.18
1/10/2025	Boulevard News Esperance	Farewell gift	\$ 14.99
29/09/2025	Barbeques Galore Esperance	Event supplies - Shades	\$ 279.84
30/09/2025	Our Community Pty Ltd	Annual funding subscription	\$ 250.00
3/10/2025	Amazon Au Marketplace	Event supplies - Games	\$ 124.08
2/10/2025	Amazon Au Marketplace	Event supplies - Games	\$ 109.05
3/10/2025	Amazon Au Marketplace	Event supplies - Games	\$ 94.95
6/10/2025	Woolworths	Event supplies - One & All	\$ 101.40
7/10/2025	Woolworths	Event supplies - Awesome festival music workshop	\$ 106.41
9/10/2025	Subway Esperance	Catering	\$ 62.00
9/10/2025	Bunnings	Event supplies	\$ 139.92
10/10/2025	Aurelias Ice Creamery	Catering	\$ 342.40
10/10/2025	Bistro Louis	Farewell gift	\$ 300.00
14/10/2025	Bunnings	Office supplies	\$ 596.72
15/10/2025	Bunnings	Office supplies	\$ 596.72
15/10/2025	Kmart	Kitchen supplies	\$ 48.00
26/09/2025	ACMA	Radio annual licence fee	\$ 286.00
7/10/2025	Main Roads WA	Oversize permit	\$ 50.00
7/10/2025	Main Roads WA	Oversize permit	\$ 50.00
7/10/2025	Amour Beaute Boutique	Farewell gift	\$ 150.00
9/10/2025	TG & SM Zivillica	Farewell gift	\$ 150.00
8/10/2025	Main Roads WA	Overmass permit	\$ 864.00
13/10/2025	Transport WA Perth	Main Roads fees	\$ 2,300.00
14/10/2025	Shire Of Esperance	Annual jetty licences	\$ 143.10
23/10/2025	Main Roads WA	Special purpose vehicle permit	\$ 50.00
24/10/2025	Shire Of Esperance	Vehicle registration	\$ 170.35
		Total Credit Card Purchases 26/09/2025 - 27/10/2025	\$ 39,717.75

SHIRE OF ESPERANCE
PURCHASING CARDS PAYMENT LISTING

List of accounts due by Council submitted to the Ordinary Council Meeting held on 25/11/2025 for confirmation in respect to accounts already paid via purchasing cards, as summarised in Payment of Accounts Listing.

DATE	CREDITOR	PARTICULARS	AMOUNT
23/09/2025	Bunnings	Hardware & supplies	\$ 943.52
21/10/2025	Bunnings	Hardware & supplies	-\$ 943.51
16/09/2025	Bunnings	Hardware & supplies	\$ 51.17
15/09/2025	Bunnings	Hardware & supplies	\$ 182.93
24/09/2025	Bunnings	Hardware & supplies	\$ 51.50
18/09/2025	Bunnings	Hardware & supplies	\$ 118.53
25/09/2025	Bunnings	Hardware & supplies	\$ 52.25
30/09/2025	Bunnings	Hardware & supplies	\$ 403.06
23/09/2025	Bunnings	Hardware & supplies	\$ 194.02
23/09/2025	Bunnings	Hardware & supplies	\$ 41.87
30/09/2025	Bunnings	Hardware & supplies	\$ 37.40
17/09/2025	Bunnings	Hardware & supplies	\$ 18.33
24/09/2025	Bunnings	Hardware & supplies	\$ 52.48
24/09/2025	Bunnings	Hardware & supplies	\$ 162.06
17/09/2025	Bunnings	Hardware & supplies	\$ 51.33
23/09/2025	Bunnings	Hardware & supplies	\$ 184.65
18/09/2025	Bunnings	Hardware & supplies	\$ 56.42
16/09/2025	Bunnings	Hardware & supplies	\$ 47.33
08/09/2025	Bunnings	Hardware & supplies	\$ 100.70
04/09/2025	Bunnings	Hardware & supplies	\$ 454.15
24/09/2025	Bunnings	Hardware & supplies	\$ 9.50
25/09/2025	Bunnings	Hardware & supplies	\$ 73.14
26/09/2025	Bunnings	Hardware & supplies	\$ 3,938.10
02/09/2025	Bunnings	Hardware & supplies	\$ 36.00
08/09/2025	Bunnings	Hardware & supplies	\$ 83.04
02/09/2025	Bunnings	Hardware & supplies	\$ 90.62
25/09/2025	Bunnings	Hardware & supplies	\$ 39.60
16/09/2025	Bunnings	Hardware & supplies	\$ 45.13
17/09/2025	Bunnings	Hardware & supplies	\$ 233.10
17/09/2025	Bunnings	Hardware & supplies	\$ 37.40
17/09/2025	Bunnings	Hardware & supplies	\$ 204.78
16/09/2025	Bunnings	Hardware & supplies	\$ 108.35
16/09/2025	Bunnings	Hardware & supplies	\$ 61.17
15/09/2025	Bunnings	Hardware & supplies	\$ 28.07
15/09/2025	Bunnings	Hardware & supplies	\$ 51.82
11/09/2025	Bunnings	Hardware & supplies	\$ 57.76
11/09/2025	Bunnings	Hardware & supplies	\$ 71.39
15/09/2025	Bunnings	Hardware & supplies	\$ 21.65
16/09/2025	Bunnings	Hardware & supplies	\$ 14.44
17/09/2025	Bunnings	Hardware & supplies	\$ 604.38
18/09/2025	Bunnings	Hardware & supplies	\$ 16.32
18/09/2025	Bunnings	Hardware & supplies	\$ 235.90
22/09/2025	Bunnings	Hardware & supplies	\$ 213.96
12/09/2025	Bunnings	Hardware & supplies	\$ 228.75
11/09/2025	Bunnings	Hardware & supplies	\$ 21.71
04/09/2025	Bunnings	Hardware & supplies	\$ 113.40
11/09/2025	Bunnings	Hardware & supplies	\$ 10.30
10/09/2025	Bunnings	Hardware & supplies	\$ 29.52
08/09/2025	Bunnings	Hardware & supplies	\$ 53.20
08/09/2025	Bunnings	Hardware & supplies	\$ 38.33
11/09/2025	Bunnings	Hardware & supplies	\$ 3.04
08/09/2025	Bunnings	Hardware & supplies	\$ 13.08
23/09/2025	Bunnings	Hardware & supplies	\$ 126.00
23/09/2025	Bunnings	Hardware & supplies	\$ 943.51

SHIRE OF ESPERANCE
PURCHASING CARDS PAYMENT LISTING

List of accounts due by Council submitted to the Ordinary Council Meeting held on 25/11/2025 for confirmation in respect to accounts already paid via purchasing cards, as summarised in Payment of Accounts Listing.

DATE	CREDITOR	PARTICULARS	AMOUNT
11/09/2025	Bunnings	Hardware & supplies	\$ 26.34
10/09/2025	Bunnings	Hardware & supplies	\$ 70.00
08/09/2025	Bunnings	Hardware & supplies	\$ 97.78
09/09/2025	Bunnings	Hardware & supplies	\$ 32.78
09/09/2025	Bunnings	Hardware & supplies	\$ 39.62
04/09/2025	Bunnings	Hardware & supplies	\$ 842.88
10/09/2025	Bunnings	Hardware & supplies	\$ 32.18
02/09/2025	Bunnings	Hardware & supplies	\$ 364.80
09/09/2025	Bunnings	Hardware & supplies	\$ 764.45
01/09/2025	Bunnings	Hardware & supplies	\$ 54.70
23/09/2025	Bunnings	Hardware & supplies	\$ 23.87
23/09/2025	Bunnings	Hardware & supplies	\$ 24.42
23/09/2025	Bunnings	Hardware & supplies	\$ 34.02
24/09/2025	Bunnings	Hardware & supplies	\$ 329.13
24/09/2025	Bunnings	Hardware & supplies	\$ 76.11
10/09/2025	Bunnings	Hardware & supplies	\$ 57.58
10/10/2025	Woolworths	Consumables & supplies	\$ 77.45
24/10/2025	Woolworths	Consumables & supplies	\$ 102.34
28/10/2025	Woolworths	Consumables & supplies	\$ 93.68
08/10/2025	Woolworths	Consumables & supplies	\$ 166.80
21/10/2025	Woolworths	Consumables & supplies	\$ 74.83
23/10/2025	Woolworths	Consumables & supplies	\$ 252.44
24/10/2025	Woolworths	Consumables & supplies	\$ 157.85
24/10/2025	Woolworths	Consumables & supplies	\$ 19.20
15/10/2025	Woolworths	Consumables & supplies	\$ 450.88
17/10/2025	Woolworths	Consumables & supplies	\$ 14.55
17/10/2025	Woolworths	Consumables & supplies	\$ 57.38
21/10/2025	Woolworths	Consumables & supplies	\$ 58.75
21/10/2025	Woolworths	Consumables & supplies	\$ 15.95
15/10/2025	Woolworths	Consumables & supplies	\$ 36.20
15/10/2025	Woolworths	Consumables & supplies	\$ 31.50
17/10/2025	Woolworths	Consumables & supplies	\$ 93.75
16/10/2025	Woolworths	Consumables & supplies	\$ 146.25
17/10/2025	Woolworths	Consumables & supplies	\$ 24.25
17/10/2025	Woolworths	Consumables & supplies	\$ 12.50
16/10/2025	Woolworths	Consumables & supplies	\$ 14.80
03/10/2025	Woolworths	Consumables & supplies	\$ 80.53
09/10/2025	Woolworths	Consumables & supplies	\$ 55.15
10/10/2025	Woolworths	Consumables & supplies	\$ 121.30
13/10/2025	Woolworths	Consumables & supplies	\$ 54.35
10/10/2025	Woolworths	Consumables & supplies	\$ 33.45
03/10/2025	Woolworths	Consumables & supplies	\$ 146.90
07/10/2025	Woolworths	Consumables & supplies	\$ 76.65
07/10/2025	Woolworths	Consumables & supplies	\$ 4.30
07/10/2025	Woolworths	Consumables & supplies	\$ 11.95
01/10/2025	Woolworths	Consumables & supplies	\$ 178.46
12/09/2025	Woolworths	Consumables & supplies	\$ 56.85
10/09/2025	Woolworths	Consumables & supplies	\$ 39.00
30/09/2025	Woolworths	Consumables & supplies	\$ 80.12
26/09/2025	Woolworths	Consumables & supplies	\$ 87.96
10/09/2025	Woolworths	Consumables & supplies	\$ 8.57
10/09/2025	Woolworths	Consumables & supplies	\$ 311.15
10/09/2025	Woolworths	Consumables & supplies	\$ 27.00
26/09/2025	Woolworths	Consumables & supplies	\$ 7.90

SHIRE OF ESPERANCE
PURCHASING CARDS PAYMENT LISTING

List of accounts due by Council submitted to the Ordinary Council Meeting held on 25/11/2025 for confirmation in respect to accounts already paid via purchasing cards, as summarised in Payment of Accounts Listing.

DATE	CREDITOR	PARTICULARS	AMOUNT
26/09/2025	Woolworths	Consumables & supplies	\$ 41.10
24/09/2025	Woolworths	Consumables & supplies	\$ 55.05
25/09/2025	Woolworths	Consumables & supplies	\$ 84.50
24/09/2025	Woolworths	Consumables & supplies	\$ 43.50
24/09/2025	Woolworths	Consumables & supplies	\$ 226.02
23/09/2025	Woolworths	Consumables & supplies	\$ 85.59
19/09/2025	Woolworths	Consumables & supplies	\$ 131.90
19/09/2025	Woolworths	Consumables & supplies	\$ 84.13
16/09/2025	Woolworths	Consumables & supplies	\$ 216.20
10/09/2025	Red Dot	Office supplies	\$ 39.99
09/09/2025	South East Petroleum	Fuel supplies	\$ 6,589.77
10/09/2025	South East Petroleum	Fuel supplies	\$ 4,169.62
10/09/2025	South East Petroleum	Fuel supplies	\$ 5,212.02
10/09/2025	South East Petroleum	Fuel supplies	\$ 1,389.87
05/09/2025	South East Petroleum	Fuel supplies	\$ 19,067.66
08/09/2025	South East Petroleum	Fuel supplies	\$ 7,343.33
24/09/2025	South East Petroleum	Fuel supplies	\$ 1,441.10
22/09/2025	South East Petroleum	Fuel supplies	\$ 19,721.91
15/09/2025	South East Petroleum	Fuel supplies	\$ 16,596.86
08/09/2025	South East Petroleum	Fuel supplies	\$ 1,120.22
03/09/2025	South East Petroleum	Fuel supplies	\$ 1,500.35
08/09/2025	South East Petroleum	Fuel supplies	\$ 2,684.90
01/09/2025	South East Petroleum	Fuel supplies	\$ 3,958.19
17/09/2025	South East Petroleum	Fuel supplies	\$ 1,034.48
16/09/2025	South East Petroleum	Fuel supplies	\$ 4,568.97
18/09/2025	South East Petroleum	Fuel supplies	\$ 5,167.80
18/09/2025	South East Petroleum	Fuel supplies	\$ 3,789.72
23/09/2025	South East Petroleum	Fuel supplies	\$ 7,249.70
			\$ 129,884.70

SHIRE OF ESPERANCE
THE ACCOUNTS REFERRED TO IN THE SCHEDULE AND SUMMARISED BELOW HAVE BEEN PAID
FOR THE PERIOD ENDING 31 OCTOBER 2025

MUNICIPAL FUND

Cheques

ACTUAL PAYMENTS:	Cheques:	\$0.00
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EFT

ACTUAL PAYMENTS:	Transaction No's: E4837 - E4848	\$10,922,104.09
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Credit Cards

ACTUAL PAYMENTS:	Transactions: 26/09/2025 - 27/10/2025	\$39,717.75
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Paid under the delegated authority to the CEO

MUNICIPAL TOTAL: \$10,961,821.84

Estimated % local payments (including credit cards)

\$5,842,651.04
53.30%

TRUST FUND

Cheques

ACTUAL PAYMENTS:	Cheques : -	\$0.00
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EFT

ACTUAL PAYMENTS:	Transaction No's:	\$0.00
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TRUST TOTAL: \$0.00

TOTAL: \$10,961,821.84

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 25 November 2025 for confirmation in respect to accounts already paid.

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	1	Australian Taxation Office	Payroll deduction	\$ 243,024.98
E4837	02/10/2025	184	Best Western Hospitality Inn Esperance	Bookeasy sales - Accommodation	\$ 581.13
E4837	02/10/2025	304	Triple M Transport (WA) Pty Ltd	Refund	\$ 3,009.24
E4837	02/10/2025	410	Pink Lake Butchers	Consumables	\$ 294.08
E4837	02/10/2025	505	Esperance Plumbing Service	Plumbing services	\$ 207.00
E4837	02/10/2025	571	St John Ambulance Association in WA	First aid equipment supplies	\$ 279.00
E4837	02/10/2025	652	Esperance-Goldfields Surf Lifesaving	Community grant funding	\$ 2,145.00
E4837	02/10/2025	800	Civica Pty Limited	Licence fees	\$ 2,564.47
E4837	02/10/2025	1045	Stewart & Heaton Clothing Co Pty Ltd	Emergency services uniforms	\$ 1,128.85
E4837	02/10/2025	1094	Geofabrics Australia Pty Ltd	Materials & supplies	\$ 6,903.60
E4837	02/10/2025	1215	Shire of Esperance Municipal Fund	Project retention	\$ 113,171.90
E4837	02/10/2025	1400	Bayview Motel Esperance	Bookeasy sales - Accommodation	\$ 306.16
E4837	02/10/2025	1470	Express Yourself Printing Esperance	Printing and stationery supplies	\$ 1,071.00
E4837	02/10/2025	1662	Esperance Trim And Canvas	Canvas supplies	\$ 1,375.00
E4837	02/10/2025	1695	Bay of Isles Mini-Excavators	Plant hire, septic & grease trap services	\$ 1,740.00
E4837	02/10/2025	1863	Zipform Electronic Print & Mail	Rates notices 2025/2026	\$ 9,497.21
E4837	02/10/2025	1981	Esperance Sportspower	Staff uniforms	\$ 4,181.50
E4837	02/10/2025	2496	Professionals Esperance Real Estate	Rent	\$ 3,540.00
E4837	02/10/2025	3227	Esperance Fire Services	Hire & service of fire equipment	\$ 2,201.65
E4837	02/10/2025	3508	Noise and Vibration Measurement System Solutions	Parts & spares	\$ 731.50
E4837	02/10/2025	3835	WA Local Government Association	Consulting services	\$ 1,100.00
E4837	02/10/2025	4321	The Royal Life Saving Society (WA)	Training & education	\$ 356.50
E4837	02/10/2025	4404	Wren Oil	Oil waste disposal services	\$ 5,032.50

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	4553	CFC Holdings Pty Ltd	Parts & spares	\$ 1,477.06
E4837	02/10/2025	4761	Esperance Amateur Swimming Club	Community grant funding	\$ 2,000.00
E4837	02/10/2025	4819	1st Esperance Scout Group	Refund	\$ 110.00
E4837	02/10/2025	4889	City of Albany	Regional WA Library consortium charges	\$ 27,284.40
E4837	02/10/2025	4947	Toll Ipec Pty Ltd	Freight charges	\$ 978.88
E4837	02/10/2025	4989	Woolworths Group Limited*	Consumables & supplies	\$ 1,586.54
E4837	02/10/2025	5165	Driftwood Apartments	Bookeasy sales - Accommodation	\$ 1,597.50
E4837	02/10/2025	5194	Jatek Engineering	Steel supplies & fabrication	\$ 2,948.00
E4837	02/10/2025	5274	Davric Australia	Souvenirs for resale - EVC	\$ 1,553.42
E4837	02/10/2025	5371	WA Naturally Publications	Souvenirs for resale - EVC	\$ 231.74
E4837	02/10/2025	5389	S P Flanagan	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	5444	Reece Australia Pty Ltd	Parts & supplies	\$ 174.59
E4837	02/10/2025	5492	Wajon Publishing Company	Books for resale - EVC	\$ 279.00
E4837	02/10/2025	5604	Esperance Milk Supply	Milk supplies	\$ 130.38
E4837	02/10/2025	5622	Subway Esperance	Catering	\$ 325.00
E4837	02/10/2025	5767	Seek Limited	Advertising positions vacant	\$ 3,327.50
E4837	02/10/2025	5791	W J & F J Graham	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	5943	Red Dot Stores*	Office supplies	\$ 39.99
E4837	02/10/2025	6164	Data 3 Limited	Annual Microsoft licences	\$ 198,134.86
E4837	02/10/2025	6221	PFD Food Services Pty Ltd	Consumables & supplies	\$ 309.65
E4837	02/10/2025	6250	WA Tyre Recovery	Tyre recovery services	\$ 1,983.10
E4837	02/10/2025	6495	MCM Protection Pty Ltd	Monitoring & security services	\$ 836.00
E4837	02/10/2025	6552	Esperance Bird and Animal Park	Bookeasy sales - Accommodation	\$ 292.40
E4837	02/10/2025	7043	Connect Call Centre Services	Monthly call centre service	\$ 174.90
E4837	02/10/2025	7120	Esperance Volleyball Association Inc	Community grant funding	\$ 800.00
E4837	02/10/2025	7376	G R Ryan	Reimbursement	\$ 61.11

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	7425	Esperance Cleaning Service	Cleaning services	\$ 13,145.00
E4837	02/10/2025	7438	Independence Australia	Nursing products & supplies - EHC	\$ 776.65
E4837	02/10/2025	7444	Instant Transportable Offices Pty Ltd	Two new transportable offices	\$ 40,535.00
E4837	02/10/2025	7465	J & S Parsons Holdings Pty Ltd T/A Dome Esperance	Client activities - EHC	\$ 17.70
E4837	02/10/2025	7479	La Cabane Retreat	Bookeasy sales - Accommodation	\$ 559.00
E4837	02/10/2025	7715	TD Contractors	Plant hire and construction	\$ 14,126.50
E4837	02/10/2025	7845	Nespresso Professional	Kiosk supplies - BOILC	\$ 220.00
E4837	02/10/2025	7879	Drillers Ridge Pty Ltd - 8 Taylor St	Bookeasy sales - Accommodation	\$ 1,032.00
E4837	02/10/2025	7945	Choices Flooring Esperance	Building maintenance	\$ 400.00
E4837	02/10/2025	8024	C A Poole	Consignment sales	\$ 44.00
E4837	02/10/2025	8192	S J Vooght-Simpson	Rates draw winner - Week 4	\$ 1,500.00
E4837	02/10/2025	8317	Titan Contracting	Mowing services & traffic control	\$ 26,426.40
E4837	02/10/2025	8459	Condingup Machinery Wreckers	Parts & spares	\$ 52.64
E4837	02/10/2025	8643	Aquamonix Pty Limited	Annual software licence	\$ 12,078.00
E4837	02/10/2025	8644	AM Wreckers Group Pty Ltd	Towing services	\$ 220.00
E4837	02/10/2025	8663	Commercial Aquatics Australia Pty Ltd	Pool parts & supplies	\$ 4,108.50
E4837	02/10/2025	8757	JB Hi-Fi Group Pty Ltd	Electronic supplies	\$ 171.71
E4837	02/10/2025	8783	The Trustee for Recherche Medical	Pre-employment medical assessments	\$ 150.00
E4837	02/10/2025	8800	South Regional TAFE	Training & education	\$ 283.80
E4837	02/10/2025	8914	Cleanaway Pty Ltd	Rubbish & recycling collections	\$ 2,450.06
E4837	02/10/2025	9163	Esperance Combined Tyres & Mechanical	Tyres, repairs & parts	\$ 5,610.00
E4837	02/10/2025	9175	S P McMullen	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	9207	Datacom Systems (AU) Pty Ltd	Printer toners & supplies	\$ 607.66
E4837	02/10/2025	9236	T Stewarts Engineering	Supply, fabricate, materials & parts	\$ 6,852.69
E4837	02/10/2025	9237	Esperance Metaland	Supply, fabricate, materials & parts	\$ 200.73
E4837	02/10/2025	9270	W C Govans	Door servicing & repairs	\$ 9,490.20

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	9306	Drake-Brockman Building and Construction	Construction works	\$ 1,052,452.26
E4837	02/10/2025	9381	Nexxis Pty Ltd	Parts & spares	\$ 321.72
E4837	02/10/2025	9400	Rapid Global Nominee Pty Ltd	Quarterly contractor management licence	\$ 3,960.00
E4837	02/10/2025	9459	Source Separation Systems Pty Ltd	Bags for recycling promotions	\$ 2,754.75
E4837	02/10/2025	9466	Esperance Glass	Building maintenance - BOILC	\$ 10,202.50
E4837	02/10/2025	9468	Hopetoun Community Resource Centre	Community grant funding	\$ 600.00
E4837	02/10/2025	9503	EcoValley Honey - Winton Hughes	Consignment sales	\$ 168.40
E4837	02/10/2025	9531	Esperance Island Cruises	Bookeasy - Tours	\$ 1,467.00
E4837	02/10/2025	9639	Avon Waste	Rubbish & recycling collections	\$ 94,703.67
E4837	02/10/2025	9641	Aussie Broadband Pty Ltd	Monthly internet charges	\$ 507.00
E4837	02/10/2025	9667	R and R Heavy Diesel Services	Servicing, parts and repairs	\$ 4,399.99
E4837	02/10/2025	9690	John Papas Trailers	Three new tandem water tank trailers	\$ 41,124.30
E4837	02/10/2025	9807	R G Chambers	Councillor payment 01/07/2025 - 30/09/2025	\$ 17,890.00
E4837	02/10/2025	9808	J L Obourne	Councillor payment 01/07/2025 - 30/09/2025	\$ 8,514.88
E4837	02/10/2025	9838	Blue Haven Shell Studio Accommodation	Bookeasy sales - Accommodation	\$ 907.30
E4837	02/10/2025	10136	Anything and Everything Esperance	Souvenirs for resale - EVC	\$ 982.78
E4837	02/10/2025	10151	Lucky Bean Cafe	Catering	\$ 695.50
E4837	02/10/2025	10218	D B Ambrose	Gardening services	\$ 260.00
E4837	02/10/2025	10261	B A Barr	Performance fee - Morning Melodies	\$ 200.00
E4837	02/10/2025	10269	Lite N' Easy Pty Ltd	Meal preparation & delivery - EHC	\$ 819.74
E4837	02/10/2025	10299	Esperance Community Singers	Performance fee - Winter Wonderland	\$ 200.00
E4837	02/10/2025	10309	C T Davies	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	10320	Fly Esperance Pty Ltd	Bookeasy - Tours	\$ 340.20
E4837	02/10/2025	10358	Esperance Weekender	Annual marketing package	\$ 11,474.00
E4837	02/10/2025	10389	Total Green Recycling Pty Ltd	E-waste recycling services	\$ 6,209.28
E4837	02/10/2025	10416	J M Smith	Rent	\$ 600.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	10459	Cloud Payment Group	Debt collection services	\$ 241.00
E4837	02/10/2025	10466	35 Degrees South	Consulting services	\$ 8,855.00
E4837	02/10/2025	10517	W.A Temporary Fencing Supplies	Temporary fencing services	\$ 27,628.70
E4837	02/10/2025	10518	Townzies Turf and Gardens	Gardening services	\$ 470.25
E4837	02/10/2025	10554	L P De Haas	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	10649	Bitumen Distribution Pty Ltd	Bitumen emulsion supplies	\$ 17,094.00
E4837	02/10/2025	10675	Archipelago Apartments	Bookeasy sales - Accommodation	\$ 267.30
E4837	02/10/2025	10757	In Motion Esperance	Pre-employment medical assessments	\$ 440.00
E4837	02/10/2025	10859	BM Electrical WA Pty Ltd (Lister Electrical)	Electrical services	\$ 16,564.42
E4837	02/10/2025	10942	Thorp Realty Pty Ltd	Rent	\$ 2,110.00
E4837	02/10/2025	10956	MBL Food & Packaging T/A South Coast Food Service	Consumables & supplies	\$ 3,893.28
E4837	02/10/2025	10976	B K Guest	Jackpot winner - Pay 7	\$ 150.00
E4837	02/10/2025	11022	Dynamic Machining Pty Ltd	Parts & supplies	\$ 146.67
E4837	02/10/2025	11053	David Macdermott T/A Mermaid Leather	Consignment sales	\$ 24.00
E4837	02/10/2025	11058	Howat WA Pty Ltd T/A The Weed Terminator	Trimming, slashing and mulching services	\$ 83,490.00
E4837	02/10/2025	11115	APLOMB Occupational Therapy	Occupational therapy services - EHC	\$ 146.25
E4837	02/10/2025	11206	Fire Front Solutions Pty Ltd	Annual software licence - Firemapper	\$ 3,900.00
E4837	02/10/2025	11244	Motel Brothers Pty Ltd T/as The Jetty Brothers	Bookeasy sales - Accommodation	\$ 900.00
E4837	02/10/2025	11322	G M Johnston	Councillor payment 01/07/2025 - 30/09/2025	\$ 3,839.58
E4837	02/10/2025	11330	S Starceвич	Councillor payment 01/07/2025 - 30/09/2025	\$ 5,759.38
E4837	02/10/2025	11356	Good Chat Designs	Consignment sales	\$ 384.00
E4837	02/10/2025	11384	CNE Ag Innovations Pty Ltd	Oil & filter supplies	\$ 266.86
E4837	02/10/2025	11401	Levi's Woodworking	Consignment sales	\$ 47.20
E4837	02/10/2025	11405	Emperor's Garden Chinese Restaurant	Meals & drinks - EHC	\$ 137.50
E4837	02/10/2025	11413	Apex Building Contractors	Construction works	\$ 124,109.70
E4837	02/10/2025	11431	Southern Suspension & 4x4 Centre	Equipment & repairs	\$ 3,938.93

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	11439	Kath Guest t/as Heart of the Mallee	Consignment sales	\$ 36.00
E4837	02/10/2025	11527	JA Miller & KL Miller T/A Pharkarwee	Wild dog baiting services	\$ 7,128.00
E4837	02/10/2025	11569	Aquatic Projects and Resources Pty	Supply and install UV system and spa upgrades - BOILC	\$ 226,215.00
E4837	02/10/2025	11611	Blue Dog Ag Mechanical PTY LTD	Parts & spares	\$ 358.14
E4837	02/10/2025	11618	Esperance Windscreens	Windscreen replacement	\$ 2,033.61
E4837	02/10/2025	11629	CHG-Meridian Australia Pty Ltd	Lease charges for gym equipment - BOILC	\$ 6,130.27
E4837	02/10/2025	11672	C A Barlow	Reimbursement	\$ 45.90
E4837	02/10/2025	11688	Work Metrics Pty Ltd	Online induction subscription x3 months	\$ 1,320.00
E4837	02/10/2025	11711	Supagas Pty Limited	Gas supplies	\$ 958.45
E4837	02/10/2025	11751	Karli Rae Florisson	Consignment sales	\$ 93.60
E4837	02/10/2025	11762	Apollo Fabrication	Two new trailer bins	\$ 15,022.26
E4837	02/10/2025	11782	Canva Pty Ltd	Marketing subscription	\$ 472.50
E4837	02/10/2025	11803	OGTEC Australia PTY LTD	Myrup Waste Facility equipment and plant	\$ 1,523,186.94
E4837	02/10/2025	11810	H A Greive	Reimbursement	\$ 391.87
E4837	02/10/2025	11844	Daniel Enterprises WA PTY LTD	Parts & supplies	\$ 160.81
E4837	02/10/2025	11851	Pink Lake IGA	Consumables & supplies	\$ 454.06
E4837	02/10/2025	11855	Liquor Merchant Holdings	Refreshments	\$ 127.98
E4837	02/10/2025	11875	Celestial Nature	Consignment sales	\$ 130.40
E4837	02/10/2025	11887	The Actors' Hub Studios Inc	Performance fee - Is There Anybody Out There	\$ 4,400.00
E4837	02/10/2025	11902	Starceвич Electrical	Electrical services	\$ 4,473.82
E4837	02/10/2025	11904	J Cortellino	Reimbursements	\$ 237.09
E4837	02/10/2025	11905	Hempfield Small Engine Services	Parts & materials	\$ 651.15
E4837	02/10/2025	11917	Abbotts Liquid Salvage PTY LTD	Liquid waste services	\$ 4,356.77
E4837	02/10/2025	11919	eSafeKids	Community grant funding	\$ 4,544.34
E4837	02/10/2025	11924	Oak Mechanical TA JK HD Mechanical	Mechanical services	\$ 613.36
E4837	02/10/2025	11925	Site HQ	New mounted portable toilets	\$ 6,250.75

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4837	02/10/2025	11929	S A Taylor	Jackpot winner - Pay 7	\$ 150.00
E4837	02/10/2025	11944	Boharp T/as Esperance Plumbing Services	Plumbing services	\$ 1,094.30
E4837	02/10/2025	11945	Nordic Fitness Equipment	Gym equipment	\$ 372.05
E4837	02/10/2025	11946	L A Sharpe	Rates prize draw - Week 5	\$ 1,000.00
E4837	02/10/2025	11947	Andrew Robert Lindsay	Medical assessments	\$ 1,980.00
E4837	02/10/2025	11948	Studio Shuggi	Light & sound technician - Civic Centre	\$ 1,507.40
E4837	02/10/2025	11949	Trustee for Shalimah Family Trust	Reimbursement	\$ 184.72
E4837	02/10/2025	11951	C M & S D Blanchette	Refund	\$ 732.87
E4837	02/10/2025	11952	A J Hill	Refund	\$ 900.00
E4837	02/10/2025	11953	Holiday Inn West Perth	Accommodation - Local Government Week	\$ 956.00
E4837	02/10/2025	11954	M S & S M Coxall	Rates prize draw - Week 4	\$ 1,000.00
E4837	02/10/2025	11955	D M Maher & B Franklyn	Rates prize draw - Week 4	\$ 2,500.00
E4837	02/10/2025	11956	H J & G B Slade	Refund	\$ 609.66
E4837	02/10/2025	11957	A Nobrega	Refund	\$ 20.00
E4837	02/10/2025	11958	C Byatt	Refund	\$ 20.00
E4837	02/10/2025	11959	R Kempnich	Refund	\$ 47.60
E4837	02/10/2025	11960	A Joy	Refund	\$ 20.00
E4838	06/10/2025	10848	Retravision Esperance - JAPMR Pty Ltd	White goods & equipment	\$ 1,617.00
E4839	07/10/2025	32	Australia Post	Postage	\$ 33.60
E4839	07/10/2025	260	Horizon Power	Electricity charges	\$ 2,828.10
E4839	07/10/2025	290	Telstra	Telephone charges	\$ 3,098.12
E4839	07/10/2025	392	Water Corporation	Water usage charges	\$ 12,572.98
E4839	07/10/2025	2562	Commonwealth Bank of Australia	Merchant fees	\$ 21,732.74
E4839	07/10/2025	7576	Les Mills Asia Pacific	Membership package - September 2025	\$ 739.00
E4839	07/10/2025	7580	BP Australia Pty Ltd (6791)	Air BP refuelling	\$ 641.32
E4839	07/10/2025	8117	Foxtel Cable Television Pty Limited	Foxtel subscription - October 2025	\$ 155.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4839	07/10/2025	8784	Sheriff's Office, Perth	Lodgement fees	\$ 177.00
E4839	07/10/2025	9321	Superchoice Services Pty Limited	Superannuation payment	\$ 167,636.29
E4839	07/10/2025	11364	Ezidebit Pty Ltd	Ezidebit services - BOILC	\$ 1,175.58
E4840	10/10/2025	33	Australian Services Union (ASU)	Payroll deduction	\$ 424.00
E4840	10/10/2025	140	Esperance Shire Staff Jackpot	Payroll deduction	\$ 600.00
E4840	10/10/2025	154	LGRCEU	Payroll deduction	\$ 144.00
E4840	10/10/2025	1963	Child Support Agency	Payroll deduction	\$ 1,756.52
E4840	10/10/2025	4014	Australian Taxation Office	Payroll deduction	\$ 732.06
E4842	16/10/2025	1	Australian Taxation Office	Payroll deduction	\$ 198,749.93
E4842	16/10/2025	62	Building And Construction Industry	BCITF - September 2025	\$ 343.75
E4842	16/10/2025	381	Optus Communications	Monthly charges for CCTV	\$ 59.99
E4842	16/10/2025	395	BOC Gases	Cylinder & gas charges	\$ 131.47
E4842	16/10/2025	571	St John Ambulance Association in WA	Training & education	\$ 797.00
E4842	16/10/2025	1148	Woodlands Distributors and Agencies	Dog waste bag supplies	\$ 1,284.36
E4842	16/10/2025	1189	Esperance Senior High School	Donation	\$ 150.00
E4842	16/10/2025	1215	Shire of Esperance Municipal Fund	Project retention	\$ 2,700.74
E4842	16/10/2025	1257	Sanwest Pty Ltd	One new conveyor	\$ 13,139.50
E4842	16/10/2025	1323	LGIS WA - WALGA Municipal Liability	Insurance premium instalment 2 - 25/26	\$ 843,840.11
E4842	16/10/2025	1330	The Cannery Arts Centre	Community grant funding	\$ 55,000.00
E4842	16/10/2025	1695	Bay of Isles Mini-Excavators	Plant hire, septic & grease trap services	\$ 5,450.00
E4842	16/10/2025	1706	Castletown Primary School	Donation	\$ 75.00
E4842	16/10/2025	1709	Forpark Australia	Playground equipment	\$ 3,004.46
E4842	16/10/2025	1843	Esperance Squash Club Inc	Refund	\$ 1,300.00
E4842	16/10/2025	1968	Esperance Pony Club Inc	Community grant funding	\$ 2,000.00
E4842	16/10/2025	2243	Esperance Community Arts	Community grant funding	\$ 55,000.00
E4842	16/10/2025	2269	Esperance Island View Apartments	Bookeasy sales - Accommodation	\$ 811.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	2352	John Stewart Battery Service	Battery parts & spares	\$ 132.00
E4842	16/10/2025	2496	Professionals Esperance Real Estate	Rent	\$ 3,660.00
E4842	16/10/2025	2763	Esperance Lock & Shoe Service	Key & lock supplies	\$ 786.00
E4842	16/10/2025	2860	Cascade Primary School	Donation	\$ 75.00
E4842	16/10/2025	2864	Esperance Christian Primary School	Donation	\$ 75.00
E4842	16/10/2025	3245	NDY A Tetrattech Company	Upgrade to hot water system - BOILC	\$ 10,312.50
E4842	16/10/2025	3484	Esperance Podiatry	Podiatry services - EHC	\$ 680.00
E4842	16/10/2025	3534	Local Government Professionals	Training & education	\$ 340.00
E4842	16/10/2025	3699	Esperance Brass Band Inc	Community grant funding	\$ 5,000.00
E4842	16/10/2025	3736	Easisalary Pty Ltd	Novated lease employer payment - September 2025	\$ 656.00
E4842	16/10/2025	3752	Securepay Pty Ltd	Monthly charge	\$ 216.26
E4842	16/10/2025	4148	Bay of Isles Community Outreach Inc	Shredding document services	\$ 105.00
E4842	16/10/2025	4404	Wren Oil	Oil waste disposal services	\$ 198.00
E4842	16/10/2025	4798	Australia's Golden Outback	Tourism Manager quarterly funding	\$ 43,771.20
E4842	16/10/2025	4947	Toll Ipec Pty Ltd	Freight charges	\$ 491.37
E4842	16/10/2025	4989	Woolworths Group Limited*	Consumables & supplies	\$ 763.04
E4842	16/10/2025	5042	Officeworks Business Direct	Stationery & office supplies	\$ 4,607.18
E4842	16/10/2025	5307	Tourism Council Western Australia Ltd	Training & education	\$ 195.00
E4842	16/10/2025	5604	Esperance Milk Supply	Milk supplies	\$ 203.81
E4842	16/10/2025	5622	Subway Esperance	Catering	\$ 216.00
E4842	16/10/2025	5767	Seek Limited	Advertising positions vacant	\$ 1,793.00
E4842	16/10/2025	6009	McLeods Barristers & Solicitors	Legal advice	\$ 3,019.28
E4842	16/10/2025	6024	SeatAdvisor Pty Ltd	Ticket sales - September	\$ 33.18
E4842	16/10/2025	6186	Department of Water and Environment	Wylie Bay facility license amendment	\$ 2,176.00
E4842	16/10/2025	6221	PFD Food Services Pty Ltd	Consumables & supplies	\$ 1,127.90
E4842	16/10/2025	6385	Esperance Anglican Community School	Donation	\$ 150.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	6495	MCM Protection Pty Ltd	Monitoring & security services	\$ 1,841.40
E4842	16/10/2025	6777	T C & C S Guest	Rates Prize Draw - Week 2	\$ 200.00
E4842	16/10/2025	6923	P J Wilks	Refund	\$ 1,320.00
E4842	16/10/2025	7373	Analytical Reference Laboratory (WA)	Water analysis services	\$ 374.00
E4842	16/10/2025	7438	Independence Australia	Nursing products & supplies - EHC	\$ 2,258.89
E4842	16/10/2025	7460	Auscoinswest	Souvenir coins for resale - EVC	\$ 602.25
E4842	16/10/2025	7715	TD Contractors	Plant hire & construction	\$ 12,194.88
E4842	16/10/2025	7943	Invarion Rapidplan Pty Ltd	Annual software subscription	\$ 4,395.60
E4842	16/10/2025	8311	Aussie Telecom Pty Ltd	Annual software subscription	\$ 943.48
E4842	16/10/2025	8510	4 Cabling Pty Ltd	Parts & supplies	\$ 630.30
E4842	16/10/2025	8567	Esperance Mobility Sales & Service	Mobility equipment & supplies	\$ 236.00
E4842	16/10/2025	8596	Frontline Fire and Rescue Equipment	Fire equipment	\$ 2,842.18
E4842	16/10/2025	8663	Commercial Aquatics Australia Pty Ltd	Pool parts & supplies - BOILC	\$ 627.00
E4842	16/10/2025	8717	Western Irrigation Pty Ltd	Temporary water supply and bore construction	\$ 51,734.62
E4842	16/10/2025	8783	The Trustee for Recherche Medical	Pre-employment medical assessments	\$ 250.00
E4842	16/10/2025	8800	South Regional TAFE	Training & education	\$ 635.50
E4842	16/10/2025	8914	Cleanaway Pty Ltd	Rubbish & recycling collections	\$ 2,164.41
E4842	16/10/2025	8938	RID (Australia)	Pest control supplies	\$ 162.76
E4842	16/10/2025	8955	Esperance Laundry and Linen	Laundry services	\$ 30.00
E4842	16/10/2025	8972	Dunn's Cleaning Service Pty Ltd	Cleaning services	\$ 8,253.90
E4842	16/10/2025	9028	Terry White Chemmart Esperance	Chemist supplies - EHC	\$ 96.64
E4842	16/10/2025	9029	HK Calibration Technologies Pty Ltd	Calibration of thermometers	\$ 319.00
E4842	16/10/2025	9121	Local Community Insurance Services	Annual insurance premiums - EBA	\$ 2,348.50
E4842	16/10/2025	9147	Key Pest and Weed Control	Pest control inspections & services	\$ 993.30
E4842	16/10/2025	9163	Esperance Combined Tyres & Mechanical	Tyres, repairs & parts	\$ 45.00
E4842	16/10/2025	9218	Avantgarde Technologies Pty Ltd	CCTV maintenance and cloud connect monthly subscription	\$ 3,893.56

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	9237	Esperance Metaland	Supply, fabricate, materials & parts	\$ 219.40
E4842	16/10/2025	9238	Monjینگup Farm Services	Annual windmill services	\$ 4,345.35
E4842	16/10/2025	9298	Lake Gilmore Farms	Limestone supply & delivery	\$ 83,480.60
E4842	16/10/2025	9306	Drake-Brockman Building and Construction	Construction works	\$ 1,684,287.74
E4842	16/10/2025	9330	Coastal Climate Choice Pty Ltd	Airconditioning services	\$ 264.00
E4842	16/10/2025	9362	Lorraine Poulos & Associates Pty Ltd	Consulting services - EHC	\$ 4,396.70
E4842	16/10/2025	9380	G V & V A Warburton	Refund	\$ 212.53
E4842	16/10/2025	9473	Banksia Park Farm Eggs	Consumables	\$ 60.00
E4842	16/10/2025	9558	Mackenzies Electrical Service Pty Ltd	Electrical services	\$ 881.44
E4842	16/10/2025	9578	Department of Mines, Industry Regulation & Safety	Building services levies - September 2025	\$ 4,421.29
E4842	16/10/2025	9645	TPG Network Pty Ltd	Monthly subscription	\$ 130.90
E4842	16/10/2025	9674	Adventure Playgrounds Pty Ltd	Playground equipment	\$ 401.50
E4842	16/10/2025	9787	J J Sortberg	Jackpot winnings - Pay 8	\$ 150.00
E4842	16/10/2025	9808	J L Obourne	Reimbursement	\$ 57.92
E4842	16/10/2025	9894	Calibre Care	Hire of aged care & mobility equipment - EHC	\$ 2,456.00
E4842	16/10/2025	10110	K P McGrinder	Jackpot winnings - Pay 8	\$ 150.00
E4842	16/10/2025	10115	MBIT Technologies Pty Ltd	Monthly business SMS service	\$ 11.00
E4842	16/10/2025	10229	D1 Store Pty Ltd	Annual drone software licence	\$ 2,600.00
E4842	16/10/2025	10237	F A Baxter	Reimbursement	\$ 1,800.00
E4842	16/10/2025	10246	Fun Zone Party Hire	Party hire for Edge of the Bay	\$ 5,900.00
E4842	16/10/2025	10269	Lite N' Easy Pty Ltd	Meal preparation & delivery - EHC	\$ 2,085.27
E4842	16/10/2025	10358	Esperance Weekender	Advertising	\$ 284.00
E4842	16/10/2025	10416	J M Smith	Rent	\$ 600.00
E4842	16/10/2025	10459	Cloud Payment Group	Debt collection rates	\$ 1,394.69
E4842	16/10/2025	10466	35 Degrees South	Consulting services	\$ 3,972.10
E4842	16/10/2025	10518	Townzies Turf and Gardens	Gardening services - EHC	\$ 148.50

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	10554	L P De Haas	Reimbursement	\$ 175.10
E4842	16/10/2025	10613	33 Degrees Esperance	Client activities & meals - EHC	\$ 66.50
E4842	16/10/2025	10649	Bitumen Distribution Pty Ltd	Bitumen supply & delivery	\$ 17,094.00
E4842	16/10/2025	10735	Cabcharge Pty Ltd	Taxi travel charges - September 2025	\$ 259.36
E4842	16/10/2025	10757	In Motion Esperance	Pre-employment medical assessment	\$ 220.00
E4842	16/10/2025	10788	B J Marcon	Refund	\$ 360.00
E4842	16/10/2025	10800	Airport Consultancy Group	Consulting services	\$ 22,705.10
E4842	16/10/2025	10848	Retravision Esperance - JAPMR Pty Ltd	Electronic equipment	\$ 7,250.00
E4842	16/10/2025	10859	BM Electrical WA Pty Ltd (Lister Electrical)	Electrical services	\$ 462.00
E4842	16/10/2025	10888	Insculpo Pty Ltd T/A Sheridan's Badges	Name badge order	\$ 451.28
E4842	16/10/2025	10942	Thorp Realty Pty Ltd	Rent	\$ 1,240.00
E4842	16/10/2025	10946	Materials Handling Pty Ltd	Materials & equipment	\$ 17,653.30
E4842	16/10/2025	10956	MBL Food & Packaging T/A South Coast Food Service	Consumables & supplies	\$ 2,616.59
E4842	16/10/2025	10964	Boulevard News Esperance	Stationery & office supplies	\$ 30.28
E4842	16/10/2025	10981	SuperSealing Pty Ltd	Airport maintenance works	\$ 33,748.00
E4842	16/10/2025	11032	J Franzone	Photography services	\$ 2,250.00
E4842	16/10/2025	11093	Playground Centre Australia Pty Ltd	Playground equipment	\$ 2,435.40
E4842	16/10/2025	11110	Esperance Outdoor Power Equipment	Power tools and equipment	\$ 360.00
E4842	16/10/2025	11167	South East Turf Solutions	Spraying and weed control services	\$ 10,402.15
E4842	16/10/2025	11191	Bay Diversified Pty Ltd	Spraying and weed control services	\$ 3,029.62
E4842	16/10/2025	11271	Coldtrek Distribution Group	Kiosk consumables - BOILC	\$ 376.30
E4842	16/10/2025	11316	BreezeConnect	Monthly subscription	\$ 48.50
E4842	16/10/2025	11334	Laurens Larder	Catering	\$ 885.50
E4842	16/10/2025	11383	KC Distributors (Aust) Pty Ltd	Swim school equipment - BOILC	\$ 1,195.70
E4842	16/10/2025	11384	CNE Ag Innovations Pty Ltd	Parts & spares	\$ 816.05
E4842	16/10/2025	11413	Apex Building Contractors	Construction works	\$ 20,049.16

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	11492	Esperance Luxe Floral & Home Co	Flowers	\$ 80.00
E4842	16/10/2025	11508	Coastmac Pty Ltd T/A Coastmac Trail	One new plant trailer	\$ 5,600.00
E4842	16/10/2025	11518	Mega Phones	Monthly pendant monitoring	\$ 302.50
E4842	16/10/2025	11588	Green Thumb Gardening Esperance	Gardening services	\$ 462.00
E4842	16/10/2025	11618	Esperance Windscreens	Replacement windscreen	\$ 1,982.66
E4842	16/10/2025	11632	West Cobar Metals Limited	Rates prize draw - Week 4	\$ 2,500.00
E4842	16/10/2025	11645	J Schmidt	Reimbursement	\$ 28.45
E4842	16/10/2025	11656	Playground Safety Inspectors Australia	Training & education	\$ 5,335.00
E4842	16/10/2025	11666	D E O'Keefe	Refund	\$ 360.00
E4842	16/10/2025	11698	Bookeasy Australia Pty Ltd	Bookeasy commission - September	\$ 274.00
E4842	16/10/2025	11751	Karli Rae Florisson	Consultancy services	\$ 500.00
E4842	16/10/2025	11815	Esperance Trophies & Laser Engraving	Engraving services	\$ 60.00
E4842	16/10/2025	11839	Absolute Hot Water & Gas	Plumbing services	\$ 1,870.48
E4842	16/10/2025	11844	Daniel Enterprises WA PTY LTD	Filter parts & supplies	\$ 2,327.65
E4842	16/10/2025	11851	Pink Lake IGA	Consumables & supplies	\$ 502.37
E4842	16/10/2025	11855	Liquor Merchant Holdings	Refreshments	\$ 330.93
E4842	16/10/2025	11886	Caladenia Co	Supplier for Edge of the Bay event	\$ 2,398.00
E4842	16/10/2025	11897	Lily Mae Dacay (Dr)	Pre-employment medical assessments	\$ 880.00
E4842	16/10/2025	11899	Kalgoorlie Precast Concrete	Concrete supplies & materials	\$ 12,446.50
E4842	16/10/2025	11902	Starceвич Electrical	Electrical services	\$ 472.41
E4842	16/10/2025	11924	Oak Mechanical TA JK HD Mechanical	Mechanical services	\$ 2,403.50
E4842	16/10/2025	11931	K Lister	Rates prize draw - Week 2	\$ 200.00
E4842	16/10/2025	11933	Good Little Things Esperance	Supplier for Edge of the Bay event	\$ 1,330.00
E4842	16/10/2025	11934	Milcharm PTY LTD	Contractor plant hire	\$ 11,228.25
E4842	16/10/2025	11944	Boharp T/as Esperance Plumbing Services	Plumbing services	\$ 4,647.63
E4842	16/10/2025	11953	Holiday Inn West Perth	Accommodation - Training & education	\$ 989.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4842	16/10/2025	11962	D P Macadam	Reimbursement	\$ 121.02
E4842	16/10/2025	11963	B C Starr	Refund	\$ 662.47
E4842	16/10/2025	11965	C L & S J Petersen	Rates prize draw - Week 4	\$ 625.00
E4842	16/10/2025	11966	C L Hage	Reimbursement	\$ 47.88
E4842	16/10/2025	11967	Rosie O Facepaintersand Entertainers	Supplier for Edge of the Bay event	\$ 14,060.20
E4842	16/10/2025	11970	The Scout Association of Australia	Refund	\$ 103.66
E4842	16/10/2025	11971	J S Jenzen	Reimbursement	\$ 26.64
E4843	22/10/2025	260	Horizon Power	Electricity charges	\$ 89,261.73
E4843	22/10/2025	290	Telstra	Telephone charges	\$ 1,155.00
E4843	22/10/2025	314	WA Treasury Corporation	Loan repayment	\$ 14,864.25
E4843	22/10/2025	392	Water Corporation	Water usage charges	\$ 6,836.36
E4843	22/10/2025	2562	Commonwealth Bank of Australia	Merchant fees	\$ 2,949.60
E4843	22/10/2025	7580	BP Australia Pty Ltd (6791)	Air BP refuelling	\$ 269.61
E4843	22/10/2025	8784	Sheriff's Office, Perth	Lodgement fees	\$ 88.50
E4843	22/10/2025	9321	Superchoice Services Pty Limited	Superannuation payment	\$ 140,725.09
E4843	22/10/2025	9997	Sandwai Pty Ltd	Monthly admin & mobile user fees - EHC	\$ 2,356.20
E4843	22/10/2025	11308	Fleetcare Pty Ltd	Fleet lease - September 2025	\$ 2,580.01
E4843	22/10/2025	11364	Ezidebit Pty Ltd	Ezidebit services - BOILC	\$ 627.22
E4844	22/10/2025	26	Blackwoods Atkins	Parts & equipment	\$ 3,050.16
E4844	22/10/2025	47	B E Stearne & Co Pty Ltd	Reticulation supplies	\$ 2,587.44
E4844	22/10/2025	63	Bunnings Ltd*	Hardware & supplies	\$ 12,987.31
E4844	22/10/2025	77	Cockburn Cement Limited	Cement & pallet charges	\$ 5,285.50
E4844	22/10/2025	112	Esperance Ag Services	Parts & equipment	\$ 1,243.77
E4844	22/10/2025	287	Swans Veterinary Services	Veterinary services	\$ 649.40
E4844	22/10/2025	323	Westrac Equipment Pty Ltd	Plant parts & repairs	\$ 4,544.93
E4844	22/10/2025	707	Haslams	Protective clothing	\$ 4,560.64

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4844	22/10/2025	1259	South East Petroleum*	Fuel supplies	\$ 112,606.47
E4844	22/10/2025	1291	Sharpe Brothers Pty Ltd	Materials & supplies	\$ 1,990.00
E4844	22/10/2025	1307	Feature Paints	Paint supplies	\$ 1,133.75
E4844	22/10/2025	1461	Kip & Steve's Mechanical Repairs	Labour, repairs & parts	\$ 1,080.51
E4844	22/10/2025	1485	Freight Lines Group	Freight charges	\$ 15,143.76
E4844	22/10/2025	1575	GPC Asia Pacific Pty Ltd/Repco	Automotive supplies	\$ 1,979.25
E4844	22/10/2025	2122	Iplex Pipelines Australia P/L	Parts & supplies	\$ 8,925.06
E4844	22/10/2025	2246	Cutting Edges Pty Ltd	Parts & supplies	\$ 3,720.20
E4844	22/10/2025	2333	Winc Australia Pty Limited	Stationery & office supplies	\$ 404.63
E4844	22/10/2025	3366	Bullivants Pty Ltd	Equipment & parts	\$ 1,639.00
E4844	22/10/2025	3774	Goodchild Enterprises	Battery supplies & parts	\$ 585.20
E4844	22/10/2025	3898	Tutt Bryant Equipment	Parts & spares	\$ 3,539.44
E4844	22/10/2025	4210	Farm & General EOPP	Equipment & parts	\$ 6,881.10
E4844	22/10/2025	4647	Marketforce - Omnicom	Advertising services	\$ 969.72
E4844	22/10/2025	4648	Wurth Australia Pty Ltd	Equipment & parts	\$ 745.70
E4844	22/10/2025	5215	Public Transport Authority of WA	TransWA - September 2025	\$ 6,991.98
E4844	22/10/2025	5253	T-Quip	Parts & spares	\$ 811.05
E4844	22/10/2025	5435	Garrards Pty Ltd	Parts & spares	\$ 164.07
E4844	22/10/2025	5503	David Gray & Co Pty Ltd	Waste supplies & equipment	\$ 5,287.26
E4844	22/10/2025	5908	Heatley Sales Pty Ltd	Parts & spares	\$ 1,427.55
E4844	22/10/2025	6183	Kleen West	Cleaning supplies	\$ 9,121.20
E4844	22/10/2025	6407	Dell Australia Pty Limited	Computer equipment & supplies	\$ 45,019.71
E4844	22/10/2025	6714	Holcim Pty Ltd	Aggregate & kerbmix supplies	\$ 158,270.46
E4844	22/10/2025	6823	Instant Weighing	Calibration services	\$ 13,807.77
E4844	22/10/2025	6941	MJB Industries	Headwall supplies	\$ 16,064.92
E4844	22/10/2025	8267	Valvoline (Australia) Pty Ltd	Oil supplies	\$ 16,137.33

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4844	22/10/2025	8959	Topsigns	Various signage supplies	\$ 5,234.46
E4844	22/10/2025	9006	Corsign WA Pty Ltd	Various signage supplies	\$ 11,046.20
E4844	22/10/2025	9022	AFGRI Equipment Australia Pty Ltd	Oil filter parts & spares	\$ 462.49
E4844	22/10/2025	9170	ThermoAir	Air conditioning services	\$ 498.30
E4844	22/10/2025	9188	Agwest Machinery	Parts & spares	\$ 520.34
E4844	22/10/2025	9210	McIntosh & Son W.A.	Parts & spares	\$ 3,454.12
E4844	22/10/2025	9574	Clarke & Stokes Agriservices Pty Ltd	Parts & spares	\$ 584.28
E4844	22/10/2025	9657	Super Cheap Auto Pty Ltd	Automotive supplies	\$ 881.09
E4844	22/10/2025	9948	Rotech Auto-Electrical and Mechanical	Parts, labour & servicing	\$ 19,958.95
E4844	22/10/2025	10116	Settlement Hub WA	Settlement charges	\$ 3,917.79
E4844	22/10/2025	10701	Esperance Truck Pro Pty Ltd	Parts & spares	\$ 1,573.08
E4844	22/10/2025	10993	Etech WA Pty Ltd T/As Esperance Communications	Printing charges, electronics supplies & services	\$ 11,568.50
E4844	22/10/2025	11160	Sigma Telford Group	Pool supplies & materials	\$ 2,093.96
E4844	22/10/2025	11216	Precisionscreen Pty Ltd	Parts & spares	\$ 893.98
E4844	22/10/2025	11298	Alcolizer Technology Pty Ltd	Onsite D&A testing	\$ 1,216.82
E4844	22/10/2025	11418	WAJ & Associates Pty Ltd TA FCAR	Annual software subscription	\$ 1,485.00
E4844	22/10/2025	11512	Spectur Limited	Parts & spares	\$ 2,844.60
E4844	22/10/2025	11527	JA Miller & KL Miller T/A Pharkarwee	Wild dog baiting services	\$ 7,480.00
E4844	22/10/2025	11571	Wyoming Transport	Transport charges	\$ 2,060.90
E4844	22/10/2025	11681	Waglass Pty Ltd	Glass for recycling	\$ 640.64
E4844	22/10/2025	11840	Powerplant Motorcycles	Equipment & parts	\$ 4.05
E4844	22/10/2025	11974	MT & EA Elliott T/A Esperance Timber Flooring	Strip & sand timber flooring	\$ 1,200.00
E4845	27/10/2025	325	Easton WJ & V	Hire of earthmoving plant	\$ 22,671.00
E4845	27/10/2025	1469	Beachwind Enterprises Pty Ltd	Hire of earthmoving plant	\$ 202,122.25
E4845	27/10/2025	2693	Worth Kerbing	Kerbing services	\$ 21,945.00
E4845	27/10/2025	6014	Esperance Tree Lopping	Pruning and removal of trees and stumps	\$ 17,693.50

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4845	27/10/2025	6636	Esperance Earthworks Pty Ltd	Hire of earthmoving plant	\$ 108,031.00
E4845	27/10/2025	7522	Jacka Trenching and Fencing	Traffic control	\$ 18,843.00
E4845	27/10/2025	7679	G & B Haulage	Plant hire	\$ 74,745.00
E4845	27/10/2025	8230	Ballantyne Earthmoving	Hire of earthmoving plant and labour	\$ 123,827.62
E4845	27/10/2025	8317	Titan Contracting	Mowing services & traffic control	\$ 43,392.25
E4845	27/10/2025	10615	Quaintrelle (WA) Pty Ltd	Hire of street sweeper	\$ 54,485.95
E4845	27/10/2025	11537	CB Traffic Solutions Pty Ltd	Plant hire	\$ 22,409.34
E4845	27/10/2025	11590	MLP Civil	Construction & plant hire	\$ 159,322.65
E4846	28/10/2025	32	Australia Post	Postage	\$ 2,738.18
E4846	28/10/2025	260	Horizon Power	Electricity charges	\$ 1,658.07
E4846	28/10/2025	290	Telstra	Telephone charges	\$ 986.34
E4846	28/10/2025	8081	Bond Administrator Department of Commerce	Bond payment	\$ 1,600.00
E4846	28/10/2025	9321	Superchoice Services Pty Limited	Superannuation payment	\$ 139,432.66
E4846	28/10/2025	11364	Ezidebit Pty Ltd	Ezidebit services - BOILC	\$ 265.17
E4847	30/10/2025	1	Australian Taxation Office	Payroll deduction	\$ 212,712.04
E4847	30/10/2025	100	Landgate	Title searches	\$ 592.85
E4847	30/10/2025	126	Esperance Electrical Service	Electrical services	\$ 500.50
E4847	30/10/2025	187	Ixom Operations Pty Ltd	Cylinder & gas charges	\$ 2,839.36
E4847	30/10/2025	410	Pink Lake Butchers	Consumables	\$ 600.83
E4847	30/10/2025	571	St John Ambulance Association in WA	Training & education	\$ 180.00
E4847	30/10/2025	650	Sheldon Paint and Panel	Insurance excess	\$ 1,000.00
E4847	30/10/2025	797	Condingup P&C Association	Community grant funding	\$ 3,000.00
E4847	30/10/2025	985	Scaddan Country Club	Reimbursement	\$ 314.60
E4847	30/10/2025	1045	Stewart & Heaton Clothing Co Pty Ltd	Emergency services uniforms	\$ 138.26
E4847	30/10/2025	1092	Piano Magic	Annual piano tuning - Civic Centre	\$ 750.00
E4847	30/10/2025	1190	Esperance Primary School	Donation	\$ 75.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	1197	Six Mile Hill Bush Fire Brigade	Reimbursement	\$ 65.00
E4847	30/10/2025	1215	Shire of Esperance Municipal Fund	Project retention	\$ 36,006.99
E4847	30/10/2025	1315	Gibson Soak Water Co	Bottled water	\$ 145.00
E4847	30/10/2025	1323	LGIS WA - WALGA Municipal Liability	Insurance adjustment 24/25	\$ 32,156.12
E4847	30/10/2025	1400	Bayview Motel Esperance	Bookeasy sales - Accommodation	\$ 1,170.00
E4847	30/10/2025	1435	Carroll & Richardson - Flagworld	New flags for Bushfire anniversary	\$ 344.25
E4847	30/10/2025	1470	Express Yourself Printing Esperance	Printing & stationery supplies	\$ 2,007.00
E4847	30/10/2025	1550	Comfort Inn Bay of Isles	Bookeasy sales - Accommodation	\$ 251.10
E4847	30/10/2025	1662	Esperance Trim And Canvas	Canvas supplies	\$ 44.00
E4847	30/10/2025	1695	Bay of Isles Mini-Excavators	Plant hire	\$ 520.00
E4847	30/10/2025	1704	Nulsen Primary School	Donation	\$ 75.00
E4847	30/10/2025	1705	Condingup Primary School	Donation	\$ 75.00
E4847	30/10/2025	1787	Cascade Town Recreation Association	Public toilet cleaning	\$ 2,002.00
E4847	30/10/2025	1981	Esperance Sportspower	Staff uniforms	\$ 2,041.00
E4847	30/10/2025	2023	Southern Ports Authority	Refunds	\$ 18,361.05
E4847	30/10/2025	2040	Genpar Medical Services Pty Ltd	Pre-employment medical assessment	\$ 150.00
E4847	30/10/2025	2113	Banksia Medical and Health	Pre-employment medical assessment	\$ 110.00
E4847	30/10/2025	2317	Southern Cross Austereo Pty Ltd	Radio advertising	\$ 715.00
E4847	30/10/2025	2496	Professionals Esperance Real Estate	Rent	\$ 3,800.00
E4847	30/10/2025	2847	Scaddan Primary School	Donation	\$ 75.00
E4847	30/10/2025	3227	Esperance Fire Services	Hire & service of fire equipment	\$ 3,851.86
E4847	30/10/2025	3358	Our Lady Star Of The Sea Primary School	Donation	\$ 75.00
E4847	30/10/2025	3367	Salmon Gums Primary School	Donation	\$ 75.00
E4847	30/10/2025	3478	Avis Car Hire	Car hire	\$ 272.03
E4847	30/10/2025	3990	Avdata Australia Pty Ltd	Airport subscription	\$ 62.70
E4847	30/10/2025	4311	R M & W G Herbert	Painting services	\$ 11,330.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	4321	The Royal Life Saving Society (WA)	Pool supplies - BOILC	\$ 165.00
E4847	30/10/2025	4466	Leisure Institute of Western Australia	Annual membership	\$ 150.00
E4847	30/10/2025	4699	Esperance Care Services Inc	Bags of rags	\$ 75.00
E4847	30/10/2025	4947	Toll Ipec Pty Ltd	Freight charges	\$ 504.01
E4847	30/10/2025	4989	Woolworths Group Limited*	Consumables	\$ 1,901.35
E4847	30/10/2025	5042	Officeworks Business Direct	Stationery	\$ 133.71
E4847	30/10/2025	5123	Top End Takeaways	Client & volunteer meals & activities - EHC	\$ 33.00
E4847	30/10/2025	5251	Esperance Senior Citizen Centre Inc	Advertising	\$ 300.00
E4847	30/10/2025	5267	Hema Maps Pty Ltd	Maps & books for resale - EVC	\$ 1,330.35
E4847	30/10/2025	5295	Komatsu Australia Pty Ltd	Parts & supplies	\$ 2,371.67
E4847	30/10/2025	5604	Esperance Milk Supply	Milk supplies	\$ 69.31
E4847	30/10/2025	5767	Seek Limited	Advertising positions vacant	\$ 522.50
E4847	30/10/2025	5896	Toyota Financial Services	Lease payments	\$ 443.81
E4847	30/10/2025	6164	Data 3 Limited	Electronic equipment & software	\$ 1,521.66
E4847	30/10/2025	6221	PFD Food Services Pty Ltd	Consumables & supplies	\$ 568.85
E4847	30/10/2025	6250	WA Tyre Recovery	Tyre recycling services	\$ 1,550.30
E4847	30/10/2025	6358	Monkey Baa Theatre for Young People	Performance fee - Josephine Wants To Dance	\$ 568.64
E4847	30/10/2025	6363	Esperance Twilight Aerials Gymnastics	Community grant funding	\$ 2,000.00
E4847	30/10/2025	6552	Esperance Bird and Animal Park	Bookeasy sales - Accommodation	\$ 1,917.80
E4847	30/10/2025	7043	Connect Call Centre Services	Monthly call centre service	\$ 186.12
E4847	30/10/2025	7058	Public Libraries Western Australia	Annual membership	\$ 300.00
E4847	30/10/2025	7131	InfoCouncil Pty Ltd	Annual web searching subscription	\$ 1,826.00
E4847	30/10/2025	7188	AUS Active T/A Fitness Australia	Annual membership	\$ 594.15
E4847	30/10/2025	7438	Independence Australia	Nursing products & supplies - EHC	\$ 570.16
E4847	30/10/2025	7704	Vorgee Pty Ltd.	BOILC Proshop stock	\$ 1,511.40
E4847	30/10/2025	7715	TD Contractors	Plant hire and construction	\$ 15,350.50

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	7879	Drillers Ridge Pty Ltd - 8 Taylor St	Bookeasy sales - Accommodation	\$ 1,806.00
E4847	30/10/2025	8024	C A Poole	Consignment sales	\$ 64.00
E4847	30/10/2025	8136	MK Illumination Pty Ltd	Town street Christmas decorations	\$ 8,800.67
E4847	30/10/2025	8317	Titan Contracting	Mowing services & traffic control	\$ 34,557.60
E4847	30/10/2025	8567	Esperance Mobility Sales & Service	Mobility & aged care equipment - EHC	\$ 2,005.00
E4847	30/10/2025	8596	Frontline Fire and Rescue Equipment	Fire equipment	\$ 22.00
E4847	30/10/2025	8717	Western Irrigation Pty Ltd	Irrigation parts & equipment	\$ 1,124.67
E4847	30/10/2025	8783	The Trustee for Recherche Medical	Pre-employment medical assessment	\$ 50.00
E4847	30/10/2025	8800	South Regional TAFE	Training & education	\$ 1,820.33
E4847	30/10/2025	8914	Cleanaway Pty Ltd	Rubbish & recycling collections	\$ 1,515.06
E4847	30/10/2025	8955	Esperance Laundry and Linen	Laundry services	\$ 150.00
E4847	30/10/2025	8972	Dunn's Cleaning Service Pty Ltd	Cleaning services	\$ 24,198.15
E4847	30/10/2025	9028	Terry White Chemmart Esperance	Chemist supplies - EHC	\$ 1,081.10
E4847	30/10/2025	9033	J L Waters	Reimbursement	\$ 216.30
E4847	30/10/2025	9079	Gymcare	Repairs to gym equipment - BOILC	\$ 77.00
E4847	30/10/2025	9138	Department of Biodiversity Conservation	National park passes - EVC	\$ 12,711.00
E4847	30/10/2025	9147	Key Pest and Weed Control	Pest control inspections & services	\$ 1,298.00
E4847	30/10/2025	9156	Bluemar Pty Ltd	Consulting services	\$ 4,158.00
E4847	30/10/2025	9163	Esperance Combined Tyres & Mechanical	Tyres, repairs & parts	\$ 13,691.00
E4847	30/10/2025	9236	T Stewarts Engineering	Supply, fabricate, materials & parts	\$ 2,564.67
E4847	30/10/2025	9237	Esperance Metaland	Supply, fabricate, materials & parts	\$ 478.72
E4847	30/10/2025	9258	N K Lang	Refund	\$ 497.00
E4847	30/10/2025	9302	H & H Architects	Concept design and consultation	\$ 63,342.40
E4847	30/10/2025	9306	Drake-Brockman Building and Construction	Construction works and return of retention	\$ 351,203.51
E4847	30/10/2025	9330	Coastal Climate Choice Pty Ltd	Airconditioning services	\$ 200.00
E4847	30/10/2025	9431	Dudley Newton Optometrists	Safety eyewear	\$ 450.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	9473	Banksia Park Farm Eggs	Consumables	\$ 60.00
E4847	30/10/2025	9503	EcoValley Honey - Winton Hughes	Consignment sales	\$ 152.00
E4847	30/10/2025	9531	Esperance Island Cruises	Bookeasy - Accommodation	\$ 2,492.50
E4847	30/10/2025	9639	Avon Waste	Rubbish & recycling collections	\$ 50,543.46
E4847	30/10/2025	9641	Aussie Broadband Pty Ltd	Monthly internet charges	\$ 507.00
E4847	30/10/2025	9642	Delnorth Pty Ltd	Materials & equipment	\$ 10,667.25
E4847	30/10/2025	9747	Bettercup	Reusable cups	\$ 688.60
E4847	30/10/2025	9829	M A Makse	Reimbursement	\$ 154.00
E4847	30/10/2025	9838	Blue Haven Shell Studio Accommodation	Bookeasy sales - Accommodation	\$ 141.90
E4847	30/10/2025	9894	Calibre Care	Mobility equipment & services - EHC	\$ 20,728.79
E4847	30/10/2025	10115	MBIT Technologies Pty Ltd	Business SMS service	\$ 11.00
E4847	30/10/2025	10136	Anything and Everything Esperance	Souvenirs for resale - EVC	\$ 1,477.61
E4847	30/10/2025	10142	R-Group International Pty Ltd	Teams phone package - September 2025	\$ 3,240.88
E4847	30/10/2025	10146	S & N Creations	Souvenirs for resale - EVC	\$ 534.60
E4847	30/10/2025	10166	GCM Agencies Pty Ltd	One new single drum roller	\$ 15,180.00
E4847	30/10/2025	10218	D B Ambrose	Gardening services - EHC	\$ 715.00
E4847	30/10/2025	10269	Lite N' Easy Pty Ltd	Meal preparation and delivery - EHC	\$ 2,747.86
E4847	30/10/2025	10325	V Reck	Administration fees - EBA	\$ 2,640.00
E4847	30/10/2025	10358	Esperance Weekender	Advertising	\$ 1,693.00
E4847	30/10/2025	10416	J M Smith	Rent	\$ 600.00
E4847	30/10/2025	10444	Ausroad Manufacturing Pty Ltd	Parts & equipment	\$ 1,075.47
E4847	30/10/2025	10518	Townzies Turf and Gardens	Gardening services - EHC	\$ 668.25
E4847	30/10/2025	10564	WA Girl Macrame	Consignment sales	\$ 72.60
E4847	30/10/2025	10570	Allied Forklifts Pty Ltd	Parts & equipment	\$ 920.15
E4847	30/10/2025	10630	Le Grande Distillery Pty Ltd	Farewell gifts	\$ 190.00
E4847	30/10/2025	10752	Thomson Reuters (Professional)	Recruiting software annual licence	\$ 15,410.65

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	10757	In Motion Esperance	Pre-employment medical assessment	\$ 220.00
E4847	30/10/2025	10848	Retravision Esperance - JAPMR Pty Ltd	White goods & equipment	\$ 517.84
E4847	30/10/2025	10859	BM Electrical WA Pty Ltd (Lister Electrical)	Electrical services	\$ 308.00
E4847	30/10/2025	10888	Insculpo Pty Ltd T/A Sheridan's Badges	Name badge order	\$ 314.33
E4847	30/10/2025	10941	R I Henderson	Videography services	\$ 3,487.00
E4847	30/10/2025	10942	Thorp Realty Pty Ltd	Rent	\$ 1,999.00
E4847	30/10/2025	10956	MBL Food & Packaging T/A South Coast Food Service	Consumables & supplies	\$ 6,123.56
E4847	30/10/2025	10958	Newsxpress Esperance Lottery Centre	Stationery & office supplies	\$ 531.00
E4847	30/10/2025	10985	Rebecca Staunton Physiotherapy	Physiotherapy services - EHC	\$ 2,161.50
E4847	30/10/2025	11012	Esperance Fresh Food Pty Ltd T/A Dempster IGA	Consumables & supplies	\$ 87.29
E4847	30/10/2025	11053	David Macdermott T/A Mermaid Leather	Consignment sales	\$ 23.96
E4847	30/10/2025	11110	Esperance Outdoor Power Equipment	Power tools & equipment	\$ 59.25
E4847	30/10/2025	11115	APLOMB Occupational Therapy	Occupational therapy services - EHC	\$ 1,039.35
E4847	30/10/2025	11307	Jonas Leisure Pty Ltd	POS annual maintenance & licence charges	\$ 24,632.26
E4847	30/10/2025	11356	Good Chat Designs	Consignment sales	\$ 205.00
E4847	30/10/2025	11401	Levi's Woodworking	Consignment sales	\$ 105.60
E4847	30/10/2025	11413	Apex Building Contractors	Construction works	\$ 47,210.03
E4847	30/10/2025	11428	Bread Local	Catering	\$ 182.00
E4847	30/10/2025	11439	Kath Guest t/as Heart of the Mallee	Consignment sales	\$ 76.00
E4847	30/10/2025	11486	R K Seinor	Reimbursement	\$ 369.00
E4847	30/10/2025	11618	Esperance Windscreens	Replacement windscreen	\$ 496.94
E4847	30/10/2025	11665	F E Technologies PTY LTD	Self loan station and external locker - Library	\$ 21,868.55
E4847	30/10/2025	11688	Work Metrics Pty Ltd	Online induction subscription	\$ 440.00
E4847	30/10/2025	11700	Bob and Jim's General Store	Consumables & supplies	\$ 54.84
E4847	30/10/2025	11711	Supagas Pty Limited	Bottled gas	\$ 165.00
E4847	30/10/2025	11726	Renewable.bio	Mulch supplies	\$ 2,640.00

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4847	30/10/2025	11815	Esperance Trophies & Laser Engraving	Engraving services	\$ 60.00
E4847	30/10/2025	11839	Absolute Hot Water & Gas	Plumbing services	\$ 1,546.95
E4847	30/10/2025	11844	Daniel Enterprises WA PTY LTD	Oil filter stock & parts	\$ 11,778.50
E4847	30/10/2025	11851	Pink Lake IGA	Consumables & supplies	\$ 577.67
E4847	30/10/2025	11855	Liquor Merchant Holdings	Bar stock - Civic Centre	\$ 1,609.87
E4847	30/10/2025	11875	Celestial Nature	Consignment sales	\$ 176.00
E4847	30/10/2025	11897	Lily Mae Dacay (Dr)	Pre-employment medical assessment	\$ 220.00
E4847	30/10/2025	11902	Starcevich Electrical	Electrical services	\$ 4,937.78
E4847	30/10/2025	11924	Oak Mechanical TA JK HD Mechanical	Mechanical services	\$ 10,815.75
E4847	30/10/2025	11937	B J Willacy	Reimbursement	\$ 98.00
E4847	30/10/2025	11944	Boharp T/as Esperance Plumbing Services	Electrical services	\$ 198.00
E4847	30/10/2025	11961	Ctrl+Create	Marketing services	\$ 400.00
E4847	30/10/2025	11968	HORNER Recruitment Systems Pty Ltd	Recruitment fees	\$ 47,493.60
E4847	30/10/2025	11969	Amazing Christmas	Street Christmas decorations	\$ 16,302.00
E4847	30/10/2025	11975	SCA Transport and Removals Pty Ltd	Re-location costs	\$ 5,148.00
E4847	30/10/2025	11976	Autism Association of WA	Community grant funding	\$ 825.00
E4847	30/10/2025	11981	Topete Pty Ltd	Refund	\$ 326.84
E4847	30/10/2025	11982	H M Creedon	Refund	\$ 57.68
E4847	30/10/2025	11983	D C Gray	Refund	\$ 50.00
E4847	30/10/2025	11986	T V Makwana	Reimbursement	\$ 1,048.81
E4847	30/10/2025	11987	A Arreche	Reimbursement	\$ 308.55
E4847	30/10/2025	11988	K G Warner	Reimbursement	\$ 694.80
E4847	30/10/2025	11989	J Sellar	Refund	\$ 165.00
E4848	31/10/2025	5389	S P Flanagan	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,114.72
E4848	31/10/2025	5791	W J & F J Graham	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,919.79
E4848	31/10/2025	7543	G Harp	Councillor payment 01/10/2025 - 31/10/2025	\$ 805.07

Municipal Fund - EFT Payments

EFT Ref / Cheque No	Date	Creditor	Payee	Description	Amount
E4848	31/10/2025	9175	S P McMullen	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,114.72
E4848	31/10/2025	9807	R G Chambers	Councillor payment 01/10/2025 - 31/10/2025	\$ 5,963.33
E4848	31/10/2025	9808	J L Obourne	Councillor payment 01/10/2025 - 31/10/2025	\$ 2,838.29
E4848	31/10/2025	10309	C T Davies	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,919.79
E4848	31/10/2025	10554	L P De Haas	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,919.79
E4848	31/10/2025	11322	G M Johnston	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,919.79
E4848	31/10/2025	11330	S Starceovich	Councillor payment 01/10/2025 - 31/10/2025	\$ 1,919.79
E4848	31/10/2025	11978	G A McWilliam	Councillor payment 01/10/2025 - 31/10/2025	\$ 805.07
Total Creditor payments made by EFT from Municipal Fund					\$ 10,922,104.09

Item: 12.3.7

Licence Reassignment Request - Airport Vending Machine Sites 3 & 4

Author/s	Blaise Graham Sarah Walsh	Governance and Corporate Support Officer Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate and Community Services

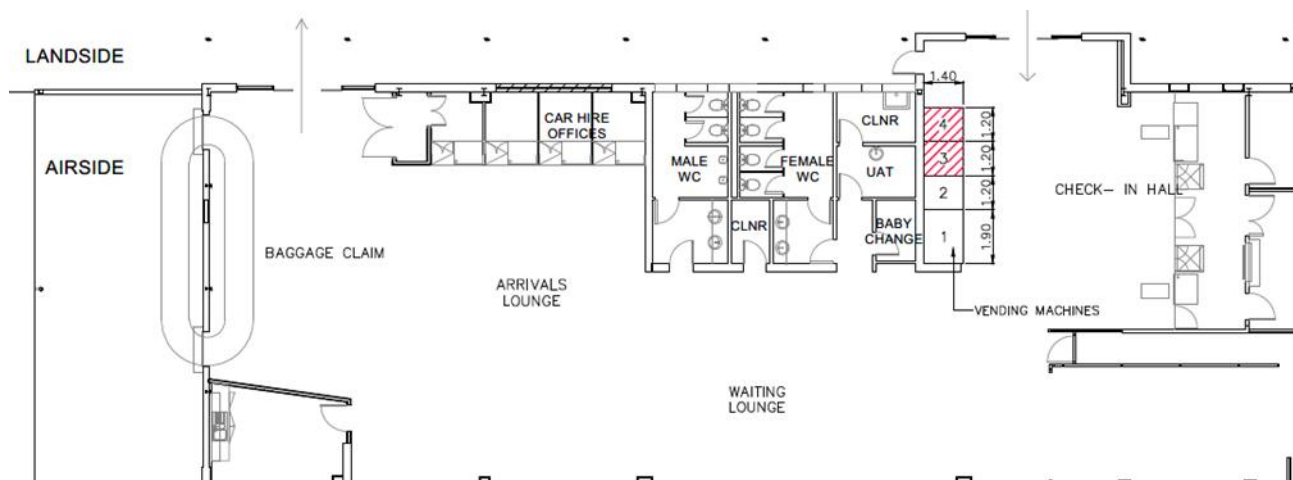
File Ref: D25/34000

Applicant

Cody Smith
Chrysa Fayette Tan

Location/Address

Portion of Esperance Airport Terminal, Lot 15 Coolgardie-Esperance Highway, Gibson



Executive Summary

For Council to consider reassigning the licence for Esperance Airport Vending Machine Sites 3 and 4 from Cody Smith to Chrysa Fayette Tan.

Recommendation in Brief

That Council reassign the license for Esperance Airport Vending Machine Sites 3 and 4 from Cody Smith to Chrysa Fayette Tan.

Background

The Shire has four vending machine sites within the Esperance Airport Terminal building, with Site 3 and Site 4 currently licensed to Cody Smith, following the sale of the business from the previous owner in October 2024. This license is due to expire 31 October 2029.

We have recently been advised that Cody Smith is relocating and that he was interested in transferring the licence to Chrysa Fayette Tan, therefore a request to reassign the license has been received.

Officer's Comment

Discussion with the Airport Operations Coordinator has determined that there are no concerns with this proposal being approved.

Consultation

Cody Smith
Chrysa Fayette Tan
Coordinator Airport Operations

Financial Implications

Licence reassignment fee of \$250 will be payable.

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995

Policy Implications

Building and Property Agreements Policy

Strategic Implications

Council Plan 2022 – 2032

Growth And Prosperity

Support our businesses to grow, adapt and assist in building capacity

Environmental Considerations

Nil

Attachments

A₁. Reassignment Application Vending Machine Site 3 & 4 Cody Smith Chrysa Fayette Tan

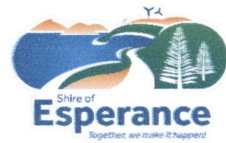
Officer's Recommendation

That Council;

1. Reassign the licence with Cody Smith for Esperance Airport Vending Machine Sites 3 and 4, portion Lot 15 Coolgardie-Esperance Highway Gibson, to Chrysa Fayette Tan; and
2. Charge a reassignment fee of \$250.

Voting Requirement

Simple Majority



Lease Reassignment Application

Reviewed: July 2024

Lease Reassignment Application

FORM 0013

Current Tenant Details

Applicant Name	Cody Smith
Business Name	Cody Smith
Residential Address	[REDACTED]
Postal Address	Same as above
Phone Number	[REDACTED]
Email Address	[REDACTED]

I wish to apply to the Shire of Esperance to reassign the lease for the following property:

Property Details

Esperance Airport 2 x Lease Spots for Vending machines

Please provide the reason for reassigning the lease

Moving to Perth

New Tenant Details

Applicant Name	Chrysa Fayette Tan		
Business Name	Chrysa Fayette Barrameda Tan		
Residential Address	[REDACTED]		
Postal Address	As above		
Phone Number	[REDACTED]	Email Address	[REDACTED]

I have read and agree to the current lease terms and conditions:

☒ Yes ☐ No

Reviewed: July 2024

Lease Reassignment Application

FORM 0013

Provide information on yourself and your business

I have a partnership business (Home-based) but alongside this, I will also operate a separate sole trader business that specialises in vending machine services.

Please provide information on products/services you provide

The vending machine business provides a convenient range of drinks and snacks available for purchase at Esperance Airport. Products include:
Cold beverages such as bottled water, soft drinks, iced tea, and juice.
Snacks including chips, chocolates, lollies, biscuits, and muesli bars.

Any other relevant information

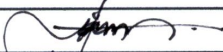
Please note applications may take up to 2 months to finalise due to reporting requirements.



Signature Current Tenant

8/10/25.

Date



Signature New Tenant

22/10/25

Date

Item: 12.3.8

Surrender of Lease - Lot 64 Thompson Street WEST BEACH

Author/s	Blaise Graham Sarah Walsh	Governance and Corporate Support Officer Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate and Community Services

File Ref: D25/32998

Applicant

Esperance Bay Remote Control Car Club Incorporated

Location/Address

Portion of Reserve 27626, Lot 64 Thompson Street, West Beach



Executive Summary

For Council to consider the surrender of the lease with Esperance Bay Remote Control Car Club Incorporated.

Recommendation in Brief

That Council accept the surrender of the lease held by Esperance Bay Remote Control Car Club Incorporated.

Background

The Esperance Bay Remote Control Car Club Inc (Club) began leasing the premises in January 2016.

The lease area has not been utilised by the Club for racing since 2019, following compliance issues identified at the premises. A non-compliant shipping container and viewing platform, miscellaneous items and old truck have been left unattended on site and have become a target for vandalism. The Club has not held meetings for several years.

Following an inspection with several Shire departments in March 2025, where it was raised that the Club are no longer incorporated and compliance issues have not progressed, the Club were provided options for how they may like to proceed with management of the premises and have now chosen to surrender their lease. The Club's membership has reduced substantially and there is no longer appetite to continue or the resources available to rectify the non-compliance concerns or becoming incorporated once more. Remaining members have begun the process of cleaning the lease area in preparation of surrender.

Current lease is due to expire 31 December 2028.

Officer's Comment

Ongoing discussion with Officers has identified no concerns with surrender, only encouragement for the lease being surrendered at this time. Therefore, it is recommended that the surrender application be approved, subject to the lease area being cleared of non-compliant structures, assorted items and rubbish.

During previous discussions with Department of Water and Environmental Regulation, no additional lease or use would be permitted on the Skroly's Park area.

Consultation

The Esperance Bay Remote Control Car Club Inc.
Department of Water and Environmental Regulation
Environmental Services
Environmental Health Services
Building Services
Community Development
Governance and Corporate Support

Financial Implications

Lease Surrender Fee \$250.00 including GST.
Any outstanding invoices being paid prior to the surrender being finalised.

Asset Management Implications

Nil, land only arrangement where Club is responsible for removal and restoration of site.

Statutory Implications

Local Government Act 1995
Land Administration Act 1997

Policy Implications

Building and Property Agreements Policy

Strategic Implications

Council Plan 2022 – 2032
Community Connection

A variety of accessible sport, recreation, arts and cultural activities that can be pursued by all
Facilitate and support sport, recreation, arts and cultural activities

Environmental Considerations

The environmental considerations arising from this report will be addressed with removal of non-compliant buildings and rubbish. No revegetation works are required as a clearing permit was issued at the time the track was cleared.

Attachments

A¹. Confirmation of Lease Intentions - Surrender of Lease

Officer's Recommendation

That Council surrender the lease with the Esperance Bay RC Car Club Incorporated for portion of Reserve 27626, Lot 64 Thompson Street, West Beach subject to;

- 1. Lease surrender fee of \$250 being payable;**
- 2. Any outstanding invoices being paid prior to the surrender being finalised; and**
- 3. Removal of all remaining infrastructure and rubbish from site.**

Voting Requirement

Simple Majority

Blaise Graham

From: [REDACTED]
Sent: Friday, 19 September 2025 11:43 AM
To: Corporate Support; [REDACTED]
Cc: Sarah Walsh
Subject: Re: Confirmation of Intentions - Esperance Bay RC Car Club

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blaise

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Blaise,

We are definitely behind on where I hope to be due to illnesses and me going away for work etc. The hand rails, stairway and extension platform have now been removed. We have some tidying up to do (fence poles, wire etc) so we can organise the removal of the truck and container.

The clubs decided to move away from the block unfortunately due to the lack of interest from current and potential members.

I'll check back in once the truck and container have been removed.

Cheers,
Pat McAleese

From: Corporate Support
Sent: Friday, September 19, 2025 11:09:22 AM
To: [REDACTED]
Cc: Sarah Walsh
Subject: Confirmation of Intentions - Esperance Bay RC Car Club

Hi Pat,

Touching base to see where the club is at with their decision and the removal of handrails and securing the lease site? Have you been able to begin on the larger items?

We will need to start preparing the report for council in the next month if your intention is to surrender the lease in November/ December.

Please don't hesitate to get in touch if you have any further questions or queries.

Kind regards,

Blaise Graham



Corporate Support

(08) 9071 0603|esperance.wa.gov.au
77 Windich Street, Esperance, WA 6450 |PO Box 507

Item: 12.3.9

Health Amendment Local Law

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authorisor/s	Roy Greive	Director External Services

File Ref: D25/34015

Joint Standing Committee Correspondence must remain confidential as per their disclaimer.

Applicant

Internal

Location/Address

N/A

Executive Summary

For Council to consider adoption of the Health Amendment Local Law.

Recommendation in Brief

That Council request the CEO to –

1. Give Local Public Notice of the proposed Shire of Esperance Health Amendment Local Law in accordance with s.3.12(3) of the *Local Government Act 1995*;
2. Forward a copy of the proposed local law and public notices to the Minister for Local Government and the Minister for Health; and
3. Prepare a further report at the conclusion of the public submission period to enable Council to consider submissions.

Background

The Health Local Law 2025 was adopted by Council in August 2025 and gazetted on 15 September 2025.

As part of the local law making process, the Joint Standing Committee on Delegated Legislation (Committee) was notified of the Health Local Law 2025.

The Purpose of the Health Local Law is to provide benefit to the district by enabling greater regulation and control of public health within the Shire of Esperance.

The Effect of the Health Local Law is to protect public health, prevent disease, ensure safety and promote health and wellbeing within the Shire of Esperance.

Officer's Comment

The Committee has now provided their advice regarding this local law, which requires the Shire of Esperance to provide undertakings to the Committee for amendments to the local law by 9 December 2025.

These undertakings will be provided by way of a letter from the Shire President, addressed to the Committee.

Fulfilment of the undertakings must be by making a local law that complies with all mandatory procedural steps contained in s.3.12 of the *Local Government Act 1995*, which will require the law making process to be completed again in order to make an amendment local law.

As such, the proposed amendment local law has been included as Attachment B to this report to make the following amendments to the Health Local Law 2025;

- Amendment to clause 5.12(2)(d); and
- Amendments to Schedule 1, Item 6.

Consultation

Joint Standing Committee on Delegated Legislation
WALGA
Environmental Health Team

Financial Implications

The financial implications arising from this report are advertising and gazettal costs.

Asset Management Implications

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

People - Outcome 2. A healthy and active community

Objective 2.1. Improve access to quality health services.

Environmental Considerations

Nil

Attachments

- A. Proposed Health Amendment Local Law 2026
- B. Joint Standing Committee Advice - Health Local Law 2025 - *Confidential*

Officer's Recommendation

That Council;

1. Undertake to the Joint Standing Committee on Delegated Legislation that Council will within 12 months;
 - a. Amend the drafting errors in subclause 5.12(2)(d) and Schedule 1, Item 6;
 - b. Make all consequential amendments arising from the above amendments;
 - c. Not enforce the Local Law to the contrary before it is amended in accordance with these undertakings; and
 - d. Ensure that a copy of these undertakings accompanies the Local Law wherever the Shire makes it publicly available, whether in hard copy or electronic form.
2. Request the CEO to;
 - a. Give Local Public Notice of the proposed Shire of Esperance Health Amendment Local Law in accordance with s.3.12(3) of the *Local Government Act 1995*;
 - b. Forward a copy of the proposed local law and public notices to the Minister for Local Government and the Minister for Health; and
 - c. Prepare a further report at the conclusion of the public submission period to enable Council to consider submissions.

Voting Requirement

Absolute Majority

Local Government Act 1995

Shire of Esperance

HEALTH AMENDMENT LOCAL LAW 2026

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

PART 1 PRELIMINARY

1.1 Short title

This local law may be cited as the Shire of Esperance *Health Amendment Local Law 2026*.

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 Principal Local Law

This local law amends the *Shire of Esperance Health Local Law 2025* as published in the *Government Gazette* on 15 September 2025.

PART 2 AMENDMENTS

2.1 Clause 5.12 amended

In clause 5.12(2)(d) delete the reference to 11.37 and replace it with 11.4.

2.2 Schedule 1 amended

In Schedule 1 Item 6 –

- (a) Delete the reference to 7.9 and replace it with 7.11;
- (b) Delete 'relevant code' and replace it with '*Environmental Code of Practice for Poultry Farms in Western Australia 2004*'.

Dated _____ day of _____.

The Common Seal of the Shire of Esperance was hereunto affixed by the authority
of a resolution of the Council in the presence of -

Ronald Chambers

SHIRE PRESIDENT

Shane Burge

CHIEF EXECUTIVE OFFICER

12.4 EXECUTIVE SERVICES

Item: 12.4.1

Information Bulletin - November 2025

Author/s	Chantelle Hoffrichter	Executive Assistant
Authorisor/s	Shane Burge	Chief Executive Officer

File Ref: D25/33931

Applicant

Internal

Strategic Implications

Council Plan 2022 – 2032

Performance - Outcome 15. Operational excellence and financial sustainability

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Attachments

- A¹. Information Bulletin - October 2025
- B¹. Council Priorities Summary - Corporate Performance - October 2025
- C¹. Letter - Response to Council Request - Update on FTTP Upgrade in Esperance - NBN
- D¹. Letter - South Coast Demersal Scalefish Resource Stock Assessment - Hon Jackie Jarvis MLC
- E¹. Register - Delegations Discharge - Corporate Resources
- F¹. Small Grants - Community Grants Program

Officer's Recommendation

That Council accepts:

- 1. Information Bulletin – October 2025**
- 2. Council Priorities Summary – Corporate Performance - October 2025**
- 3. Letter – Response to Council Request – Update on FTTP Upgrade in Esperance – NBN**
- 4. Letter – South Coast Demersal Scalefish Resource Stock Assessment – Hon Jackie Jarvis MLC**
- 5. Register – Delegations Discharge – Corporate Resources**
- 6. Small Grants – Community Grants Program**

Voting Requirement

Simple Majority

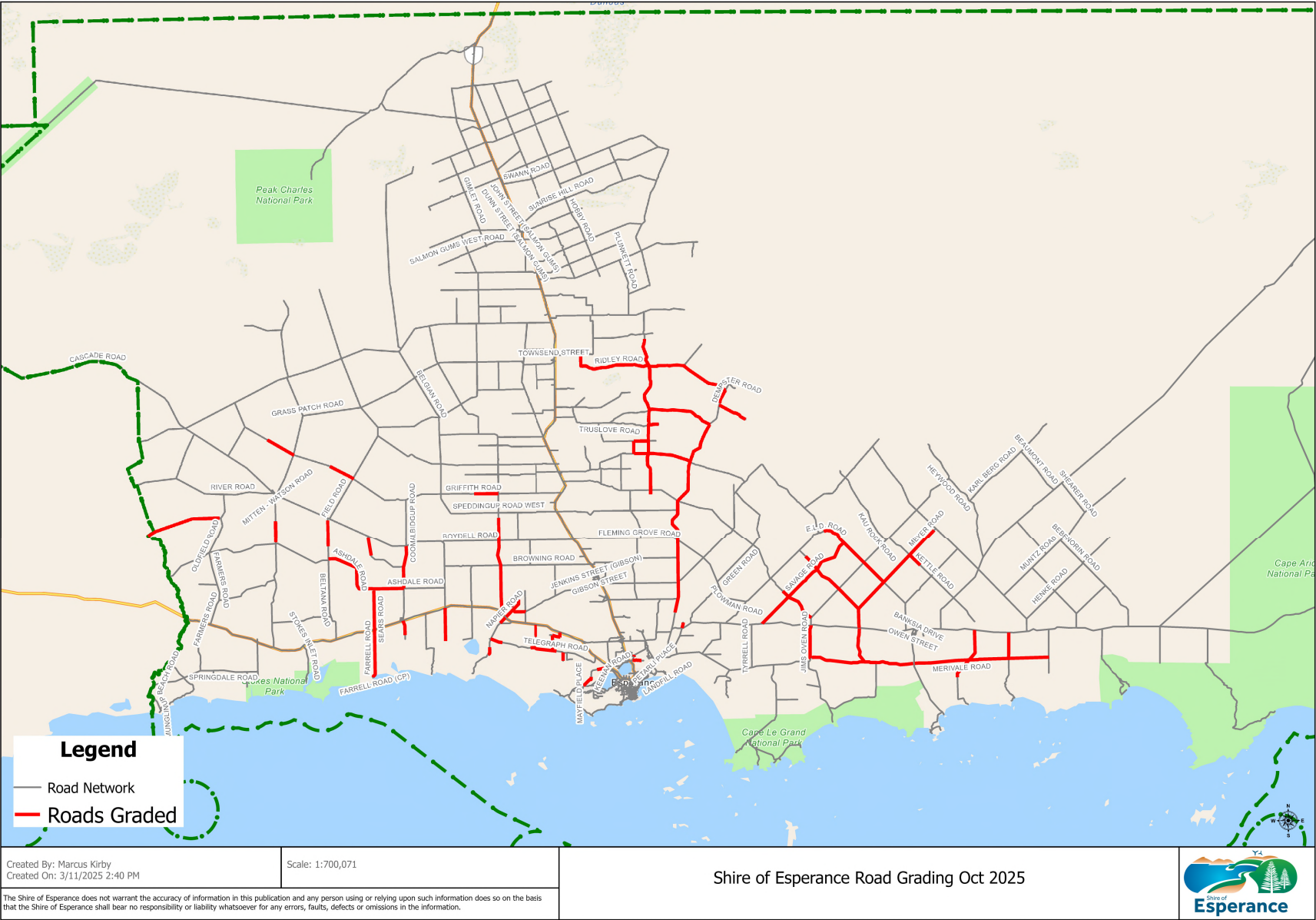


INFORMATION BULLETIN

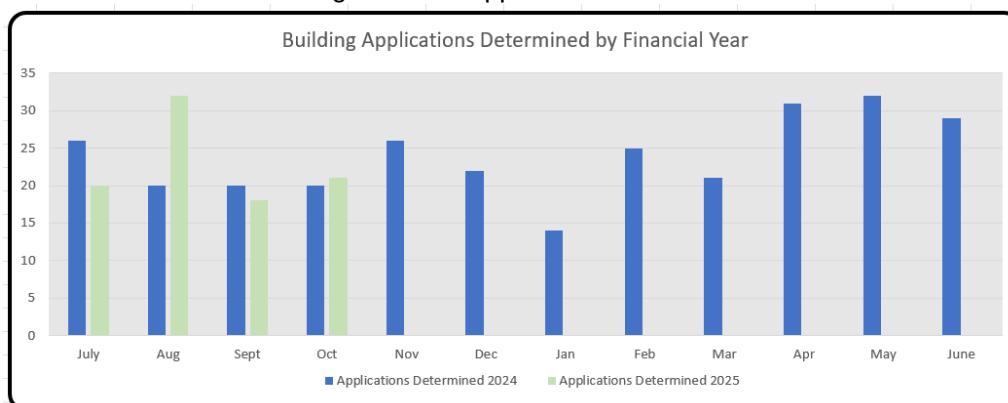
ORDINARY COUNCIL MEETING

October 2025





Building Services Approvals – October 2025

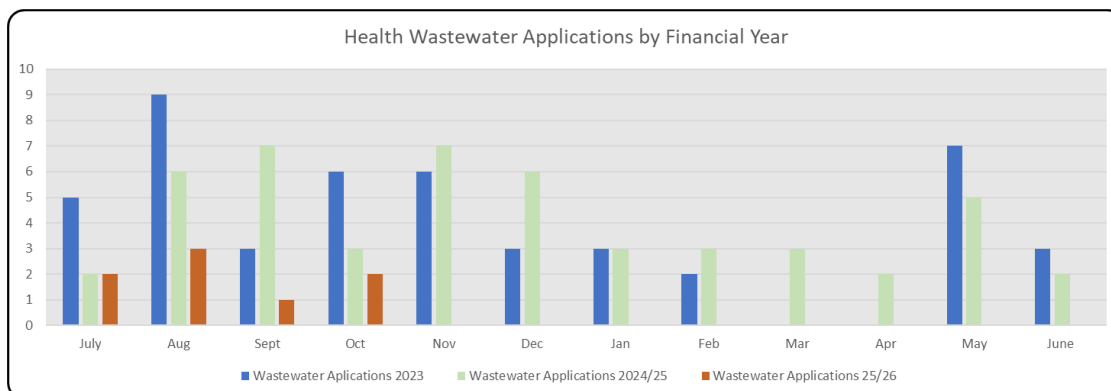


Property	Proposal	Values (\$)
Lot: 144 Carey Street CONDINGUP	Occupancy Permit - Class 7b/5 Fire Station with Water Tank 336m2	0
85 Twilight Beach Road WEST BEACH	Two Storey Dwelling with Alfresco and Swimming Pool 571m2	2,300,000
Lot: 34 Shark Lake Road MONJINGUP	Occupancy Permit - Two Class 7b Storage Sheds 960m2, UAT & Water Tanks	0
13A Phyllis Street CASTLETOWN	Residential Units 347m2 - 2x6 Bedroom & 1x4 Bedroom	500,000
4617 South Coast Highway COOMALBIDGUP	Steel Framed Modular Dwelling 120m2	406,110
30 Peppermint Grove WEST BEACH	Main & Ancillary Dwellings 136m2 with Decks, Garage & Retaining Walls	480,000
20 The Getaway PINK LAKE	Single Dwelling 215m2	350,000
Lot: 1018 Jetty Road CHADWICK	Cannery Flat - Smoke Alarm & Fire Attenuation Screen Installation	10,000
1 Wildcherry Avenue CASTLETOWN	Shed 63m2 & Water Tank 14000L	18,000
20 Daphne Street CASTLETOWN	Dwelling - Group (2) 105m2	190,000
101 Burton Road CASTLETOWN	Alt/Adds to Dwelling & Carport Including Remediation Work & Firewall	20,000
Lot: 802 Amaroo Glade PINK LAKE	Shed 162m2	19,800
Lot: 802 Amaroo Glade PINK LAKE	Water Tanks 3x 27500L 1x 22500L	16,742
52 Ormonde Street CASTLETOWN	Dwelling with Shed and Water Tank 419m2	1,461,662
3 Gunton Circle CASTLETOWN	Steel Framed Patio Addition 36.22m2	8,000
121 Harbour Road CHADWICK	Stand-alone Power System Shed & Laydown Area 288m2 (Class 7b)	288,509
65 Twilight Beach Road WEST BEACH	Removal of Load Bearing Wall	4,500
236 Barook Road PINK LAKE	Internal Alterations to Dwelling & New Retaining Wall	80,000
120 Dempster Street ESPERANCE	Demolition of West End Shopping Centre	100,000

122 Dempster Street ESPERANCE	Demolition of West End Shopping Centre	50,000
124 Dempster Street ESPERANCE	Demolition of West End Shopping Centre	50,000
	Total	\$6,353,323

Specific Comments relating to Monthly Statistics

- 7 Building Permits have been issued but for a total of 11 new dwellings in October.
- Currently there are 40 Building Permit applications awaiting technical assessments or waiting for further information to be provided.



September Wastewater Applications

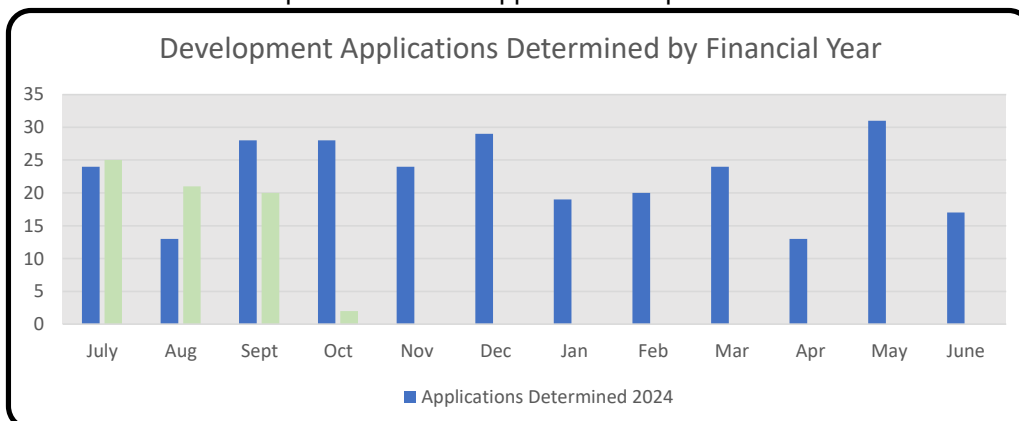
169 Twilight Beach Road WEST BEACH

Lot 1276 Griffiths Road CASCADE

Specific Comments relating to Environmental Health Activities in October

- The consultation period commenced for the Shire of Esperance Public Health Plan with a number of methods to be utilised including short and detailed surveys, workshops and stakeholder engagement. To keep yourself updated go to [Public Health Plan | Shape Esperance](#) and hit the follow button.

Development Services Approvals – September 2025



Property	Proposal
41 Warrington Street ESPERANCE	Holiday House
5 Kemp Street ESPERANCE	Dwelling – Single House

Specific Comments relating to Monthly Statistics

- 1 Holiday House was approved.
- 1 Dwelling was approved.
- Only 2 approvals were issued due to the resignation of former Coordinator Planning Services Peter Wilks and Manager Development Services Richard Hindley. Current Coordinator Planning Services Twinkle Makwana commenced work on 6 October 2025 and is still familiarising herself with Shire of Esperance's planning legislation and internal systems.



Council Plan Summary

October 2025



Shire of Esperance

Council Plan October 2025

People

A safe community

Action Code	Action Name	Comments	Responsible Officer Position
1.1.1	Advocate for increased police presence	Nothing further to report this month.	Chief Executive Officer
1.1.2	Advocate for improved access to safe, affordable accommodation and support services for vulnerable people (such as people affected by domestic violence, homeless people, people with mental health issues and young offenders)	Advocacy on housing continues with all levels of government.	Chief Executive Officer
1.2.1	Advocate for animal welfare organisations, such as RSPCA, to have a greater presence in Esperance to respond to local animal welfare issues		Director External Services

A healthy and active community

Action Code	Action Name	Comments	Responsible Officer Position
2.1.1	Advocate for improved access to health services with a focus on attracting and retaining local GPs, visiting specialists, telehealth services, and mental health support services	Continue to advocate for improved access to health services as the opportunity arises.	Chief Executive Officer
2.2.1	Lead implementation of the Esperance Greater Sports Ground Redevelopment Masterplan		Director Asset Management

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
2.2.2	Provide a third soccer pitch at the Greater Sports Ground		Director Asset Management
2.2.3	Graham Mackenzie Stadium Project	Project works paused over the Ag Show. Works focusing on court yard area and toilet block for the next 2 months. Site footprint to be confirmed to integrate with Overflow grounds. Internal fit out to follow.	Manager Projects and Buildings
2.2.4	Implement the actions from the Bay of Isles Leisure Centre Management Plan	Digital content project progressing well, with view to completing early in new year. Staff changes at the Stadium has left opportunity for reassessment of needs and exploring options to optimise staffing in the area.	Manager Recreation and Culture
2.3.1	Design and construct and pursue further funding for James Street Cultural Precinct Stage 1		Director External Services
2.4.1	Explore sustainable funding sources to attract, manage and support local volunteers	Funding has been sourced for this financial year, so we do not actively need to be searching for additional funds currently. We stay informed of new potential grants from our usual funders, but will put the effort of searching for funds into delivering on our funded project outcomes until we are in the second half of the financial year.	Volunteer Resource Centre Coordinator
2.4.2	Explore options to recognise, reward and incentivise volunteers	Promotion for Thank A Volunteer Day will kick off at the start of November - this year we are hosting a cinema event, free for volunteers to attend. Catering will be provided with an opportunity to meet and network before the various movie options begin. We have run these events in the past (though not for a long while)	Volunteer Resource Centre Coordinator

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
		and they have always been appreciated by Esperance volunteers.	

A welcoming, inclusive and connected community

Action Code	Action Name	Comments	Responsible Officer Position
3.1.1	Provide an Aboriginal Heritage Agreement to guide respectful consultation with Traditional Owners		Director Asset Management
3.1.2	Provide assistance with events and activities within the community	In October, our team supported the Annual Ag Society Show and the preparation for the 10-year Bushfire Memorial due to be held in November.	Community Development & Events Manager
3.1.3	Facilitate Aboriginal dual naming of significant places		Director Asset Management
3.1.4	Partner with traditional custodians to develop cultural trails with maps and interpretive signs to raise awareness, knowledge and understanding about local Aboriginal history and stories		Manager Parks & Environment
3.1.5	Establish and strengthen relationships with local Aboriginal Stakeholders and organisations		Director Corporate and Community Services
3.1.6	Support the Partnership Agreement with Esperance Tjaltrjaak Native Title Aboriginal Corporation	No partnership related events in October.	Community Development & Events Manager

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
3.2.1	Advocate for increased child care services through promotional campaigns	New childcare facility in Castletown should be open by the end of the year.	Chief Executive Officer
3.2.2	Provide regular events and activities to inform and engage the youth within our community	This month's focus was the One & All Community Program and we supported the Ag Society to host the Annual Ag Show.	Community Development & Events Manager
3.2.3	Implement youth precinct concept plan		Director Asset Management
3.3.1	Advocate for improved aged care facilities and palliative care	Nothing further to report this month.	Chief Executive Officer
3.3.2	Advocate for community and care services to support active aging in home		Director External Services
3.3.3	Advocate for local shops, hospitality and entertainment venues to improve access and employment opportunities for people with disability	Ongoing as opportunities arise. Current DAIP is in the final stages of review before being presented to Council for consideration.	Chief Executive Officer
3.3.4	Provide appropriate level of ACROD parking bays		Coordinator Drafting and Design
3.3.5	Provide improved beach access for people with disability		Director Asset Management
3.3.6	Implement actions and initiatives resulting from DAIP discussions and forums	Internal review complete, to be brought to the next working group meeting. Responsible Officer for DAIP still to be finalised.	Manager Ranger & Emergency Services

Shire of Esperance

Council Plan October 2025

Planet

The natural environment is valued, protected and enjoyed

Action Code	Action Name	Comments	Responsible Officer Position
4.1.1	Partner with Traditional Owners to manage culturally sensitive nature reserves		Manager Parks & Environment
4.1.2	Seek Government funding and support for the recovery of the colour and ecological health of Pink Lake and surrounding wetlands		Manager Parks & Environment
4.1.3	Provide a Coastal Hazard Risk Management Adaption Plan (CHRMAP) for West Beach	No updates for this reporting item for the month of October. Noting that, having performed new and old roles since August, the responsible officer will be able to restart this action in the new calendar year now that new Manager of Ranger & Emergency Services has commenced and resourcing levels have improved. This will require investigation in to the geotechnical assessment process and evaluating budget requirements - this geotechnical assessment is a prerequisite to the development of a Coastal Hazard Risk Management Adaption Plan (CHRMAP).	Manager Ranger & Emergency Services
4.1.4	Review the Coastal Management Plan		Manager Parks & Environment
4.1.5	Implement the Dempster Head Management Plan		Manager Parks & Environment

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
4.1.6	Install booster pumps for the sand back-passing pipeline from Bandy Creek Boat Harbour to manage beach erosion in Esperance Bay		Director Asset Management
4.1.7	Implement the Lake Monjigup Reserve Management Plan		Manager Parks & Environment
4.1.8	Provide a new Weed Management Strategy		Manager Parks & Environment
4.1.9	Advocate at every opportunity to ensure that the Marine Park impact is minimised where possible, and that fair and immediate compensation be made available where necessary	DBCA are currently drafting terms of reference for the Community Support and Provision of Information Group.	Chief Executive Officer
4.2.1	Provide a new Trails Master Plan		Director Asset Management

Shared responsibility for climate action and sustainability

Action Code	Action Name	Comments	Responsible Officer Position
5.1.1	Undertake annual carbon emissions audit and carbon emission reduction actions		Director Asset Management
5.1.2	Install renewable energy (solar PV and battery storage) on council buildings where feasible	Awaiting outcome from Community Energy Upgrades Fund Round 2 - expected in November.	Manager Projects and Buildings
5.1.3	Facilitate adoption of best practice energy efficiency measures across all council	Awaiting outcome from Community Energy Efficiency Grant in November - solar and Low E tint to be installed	Manager Projects and Buildings

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
	buildings, and support community facilities to adopt these measures	to various buildings. Investigating AHU options for BOILC. LED lighting upgrades planned for several buildings this financial year.	
5.1.4	Incorporate eco-friendly vehicles into fleet as options become viable	There is always an ongoing evaluation for all vehicles and plant at the time of replacement to consider new technologies for cleaner operation and operating methods as long as it does not hinder the productivity, efficiency, increase infrastructure or compromise safety.	Technical Officer Fleet
5.2.1	Design and construct an Organics processing facility for FOGO		Director Asset Management
5.2.2	Commence construction of the Community Drop Off and Transfer Station at Myrup		Director Asset Management
5.2.3	Manage transition to Myrup waste management facility		Manager Sustainability & Resource Recovery
5.2.4	Advance Esperance's Waste Revolution education platform to improve waste diversion rates and promote a circular waste economy	Display of 3 bins and asbestos awareness at the Ag Show. Garage Sale Trail 2025 has also been promoted extensively.	Manager Sustainability & Resource Recovery

Greater community readiness and resilience to cope with natural disasters and emergencies

Action Code	Action Name	Comments	Responsible Officer Position
6.1.1	Implement the Bush Fire Risk Management Plan including accessing	The outcome of the Mitigation Activity Fund (MAF) Grant Program 2025-2028 application will be announced in mid November.	Bushfire Risk Mitigation Coordinator

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
	funding opportunities within the State Government's Mitigation Activity Fund	The Bushfire Risk Mitigation Coordinator (BRMC) continues to review the Shire of Esperance Bushfire Risk Management Plan 2021-2026, update asset records, and revise associated risk assessments and treatments in the DFES Bushfire Risk Management System. BRMC has begun planning community engagement and consultation to inform updates to the plan's risk matrix, starting with brigades, external stakeholders and internal Shire teams (ongoing 3-6 months). Emergency Services (ES) continue public engagement on the Fire Hazard Reduction Notice 2025/2026, bushfire awareness, and preparedness at the Esperance Agricultural Show. ES also support Rangers by processing firebreak variation applications and providing technical advice.	
6.1.2	Facilitate innovative initiatives and networks to help build drought resistance and resilience		Director Asset Management
6.1.3	Advocate for more emergency services personnel in Esperance	Focus has been on backfilling the Community Emergency Support Managers role in preparation for the summer bushfire season due to personal leave of existing CESM. Water bomber aircraft are positioned in Esperance from early November for early bushfire intervention.	Chief Executive Officer
6.1.4	Facilitate coastal safety measures in partnership with the Coastal Safety Working Group	Coastal Safety Working Group met in October. The group discussed outstanding items from last meeting, including new safety video, Salmon Beach fencing and	Manager Ranger & Emergency Services

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
		mobile repeaters. Discussion included around making the group a formal working group. The group decided that this would be advantageous and developed draft Terms of Reference for Council consideration. The group also reviewed the coastal safety flyer and discussed content of updated flyer, and discussed general preparation for the upcoming season, including agency specific engagement and communication campaigns.	
6.1.5	Advocate for appropriate coastal safety infrastructure and resources	The Shire continues to engage with the Coastal Safety Working Group to identify coastal safety infrastructure and resources.	Manager Ranger & Emergency Services

Shire of Esperance

Council Plan October 2025

Place

Responsible planning and development

Action Code	Action Name	Comments	Responsible Officer Position
7.1.1	Develop Flinders structure plan and report to Council		Director External Services
7.1.2	Advocate for provision of adequate, affordable utilities and communications infrastructure to support population and economic growth	Received written advice from NBN around timing of their FTTP rollout for Esperance once Council resolved to write to them. Response provided in November OCM Information Bulletin.	Chief Executive Officer
7.1.3	Develop an Esperance Cemetery Master Plan		Manager Parks & Environment

Access to adequate, safe and affordable housing for everyone

Action Code	Action Name	Comments	Responsible Officer Position
8.1.1	Advocate for more social and low-income housing for vulnerable people (including seniors, people with disability and low-income earners)	Advice from the local Department of Housing indicates that work is progressing on fixing social housing and a small number of new constructs have been completed recently.	Chief Executive Officer
8.1.2	Advocate for a new lifestyle village for seniors		Chief Executive Officer
8.1.3	Facilitate for greater availability of housing to meet community needs (e.g. land and property owners to build apartments, villas, units, and mixed use developments)	Getting information together to make an application to the Regional Housing Support Fund for the Workers Accommodation Project. Applications close mid December 2025.	Chief Executive Officer

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
	including engagement with State Government on housing management practices (e.g. GROH housing)		
8.1.4	Construct worker accommodation subject to external funding		Director Asset Management

Attractive and welcoming places

Action Code	Action Name	Comments	Responsible Officer Position
9.1.1	Implement the CBD Concept Landscaping Design		Manager Parks & Environment
9.2.1	Provide attractive and welcoming entrances into Esperance		Director Asset Management
9.2.2	Facilitate more tree planting across the Shire		Manager Parks & Environment
9.3.1	Implement Civic Centre improvements	Designs under internal review for building changes. Maxwood have confirmed date for December for site inspection to scope seating & tier replacements. Lotterywest Grant application to be submitted in 2026.	Manager Projects and Buildings
9.3.2	Implement the Playgrounds and Public Open Space Strategic Plan 2015-2025		Manager Parks & Environment
9.3.3	Prepare a new 10 year plan for Playgrounds and Public Open Space Strategic Plan 2025-2035		Manager Parks & Environment

Shire of Esperance

Council Plan October 2025

Safe, affordable, accessible and sustainable transport systems

Action Code	Action Name	Comments	Responsible Officer Position
10.1.1	Implement the Esperance 2050 Cycling Strategy		Coordinator Drafting and Design
10.1.2	Construct sealed shoulders on roads to improve safety for cyclists and vehicles		Rural Construction Supervisor
10.1.3	Provide safety measures along The Esplanade and Fisheries Road to improve pedestrian crossings		Rural Construction Supervisor
10.2.1	Implement Road Safety Management Plan 2024-2030		Director Asset Management
10.2.2	Advocate for Main Roads to provide road upgrades and more passing lanes		Director Asset Management
10.2.3	Advocate with Main Roads WA to undertake a transport corridor upgrade plan for Harbour Road, including South Coast Hwy Intersection upgrade and Pink Lake Road Intersection Upgrade		Director Asset Management
10.2.4	Implement the Shire of Esperance Road Construction and Maintenance Program		Rural Construction Supervisor
10.3.1	Implement the Esperance Town Centre Parking, Traffic and Pedestrian Strategy		Director Asset Management
10.3.2	Pursue opportunities to secure land to link Dempster Street and RSL public car parks		Director Asset Management

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
10.3.4	Provide upgrade to Forrest Street road and streetscape		Coordinator Drafting and Design
10.4.1	Implement the Esperance Airport Masterplan (including an upgrade to the main runway, replacement of the runway lighting system, and additional apron space)	Business case development nearing completion. Once the final draft is received, a briefing with Council will be arranged to consider the recommended preferred option in terms of upgrading the main runway.	Manager Economic Development
10.4.2	Design, Fund and Construct new Airport runway		Director Asset Management

Prosperity

Access to quality education and lifelong learning opportunities

Action Code	Action Name	Comments	Responsible Officer Position
11.1.1	Advocate for South Regional TAFE to develop and promote specialist courses in relevant areas	Nothing further to report this month.	Chief Executive Officer
11.1.2	Advocate for urgent upgrades and a rebuild of Esperance Senior High School	Nothing further to report this month.	Chief Executive Officer
11.1.3	Facilitate discussions with universities to explore options for a remote student services campus in Esperance	Will look to engage in the Federal Governments Remote University Hub when a further grant round opens.	Chief Executive Officer

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
11.1.4	Support reviews of the Goldfields Designated Area Migration Agreement to ensure it remains relevant to the community	Advice from the City of Kalgoorlie outlines that Goldfields DAMA will be transitioned to the WA DAMA on 4th April 2026. Applications for new labor agreements or variations can still be submitted to the City to ensure processing before expiry of the program, expected to be February 2026.	Manager Economic Development

A prosperous and diverse economy

Action Code	Action Name	Comments	Responsible Officer Position
12.1.1	Provide an Economic Development Strategy for the Shire of Esperance	Implementation of actions ongoing.	Manager Economic Development
12.1.2	Support proponents in priority industry sectors to establish businesses and develop projects in Esperance	No further updates this month.	Manager Economic Development
12.1.3	Promote Esperance as a suitable centre for research and development, and pilot projects.	Nothing further to report this month.	Chief Executive Officer
12.1.4	Advocate for a shared work space facility in Esperance where start-ups, small businesses and visitors can be co-located to network and support one another	No further updates.	Manager Economic Development

Shire of Esperance

Council Plan October 2025

A vibrant and welcoming tourism destination

Action Code	Action Name	Comments	Responsible Officer Position
13.1.1	Partner with Australia's Golden Outback to Implement the Esperance Tourism Strategy	Tourism Signage and Pedestrian Wayfinding Strategy endorsed by Council OCM, October 28.	Manager Economic Development
13.1.2	Provide more digital marketing and advertising opportunities to promote local experiences at Council facilities	This is being reviewed with the Council Plan actions.	Manager Marketing & Communications
13.2.1	Advocate for development of a 4 to 5 star accommodation offering.	Providing advice to a potential 4 star accommodation developer on their concept plans.	Chief Executive Officer
13.2.2	Implement the recommendations from the Esperance Accommodation Study	No further updates.	Manager Economic Development
13.2.3	Advocate for Traditional Owners to develop and promote cultural heritage tourism activities		Manager Economic Development
13.2.4	Advocate for the development and promotion of tourism experiences		Manager Economic Development
13.2.5	Implement wayfinding and interpretive tourism signage		Director Asset Management

Shire of Esperance

Council Plan October 2025

Performance

Community confidence and trust in Council

Action Code	Action Name	Comments	Responsible Officer Position
14.1.1	Provide Integrated Planning and Reporting (IPR) framework documents and reviews	Further discussions with Catalyse have been held and amendments made to the draft Council Plan. Document is progressing and will be provided to Council in the lead up to their workshop in November. Advertising for community workshops will commence in early November.	Governance & Corporate Support Coordinator
14.1.2	Provide public reports on progress towards achievement of priority projects and outcomes	Quarterly report provided to Council. Development of the Annual Report is progressing with the draft publication currently being reviewed by staff. Further adjustments will be made during November and will be on track for Council endorsement in December's Council Meeting.	Governance & Corporate Support Coordinator

Operational excellence and financial sustainability

Action Code	Action Name	Comments	Responsible Officer Position
15.1.1	Review the Long Term Financial Plan and informing plans per IPR framework		Director Corporate and Community Services
15.1.2	Review and implement initiatives to improve internal business efficiencies and service delivery (such as more online services and digital forms)	The Firebreak register is still on hold. We are waiting on consultant availability from Civica. The second stage of P2P has been pushed back a month due to staff availability. A separate project to improve the current Purchase Orders, Payslips, Invoices, and Statements has kicked	Manager Information Services

Shire of Esperance

Council Plan October 2025

Action Code	Action Name	Comments	Responsible Officer Position
		off with the aim to improve future compatibility with newer versions of Authority and Civica's Mobile Apps.	

A well informed and engaged community

Action Code	Action Name	Comments	Responsible Officer Position
16.1.1	Review the Communication and Engagement Strategy	Survey was open during October. Online was promoted and in-person consultation was done at Esperance Care Services Pop-up, Salmon Gums 100 years, Esperance Show.	Manager Marketing & Communications
16.1.2	Provide regular forums and events to inform and engage the community about local issues and council decisions (such as pop-up booths at local community events).	Stall was provided at the Esperance Agricultural Show to engage with the community.	Chief Executive Officer
16.1.3	Conduct a biennial community survey to assess community priorities and benchmark performance levels		Manager Marketing & Communications



17 October 2025

Mr Shane Burge
CEO, Shire of Esperance
PO Box 507
ESPERANCE WA 6450

Subject: Response to Council Request – Update on Fibre to the Premises (FTTP) Upgrade in Esperance

Dear Shane

Thank you for your letter dated 8 October 2025 regarding the nbn® Fibre to the Premises (FTTP) upgrade in Esperance. We appreciate the Council's proactive engagement and understand the importance of reliable, high-speed broadband for the region's economic and social development.

I'm pleased to provide the following update on progress to enable Fibre to the Premise access to Esperance.

Upgrade Plans for Esperance:

Esperance's nbn network comprises three Service Area Modules (SAMs) serviced via Fibre to the Node (FTTN) technology. The Esperance SAMs were originally scheduled for release in January 2026. However, due to resource availability, we have reprioritised and fast-tracked the release of the Initial Desktop Design (IDDs). These will now be issued this month, significantly ahead of schedule.

1. Expected Commencement of Construction:

Once the Initial Desktop Design is processed, the nbn website will be updated to reflect build commencement dates in two tranches in June 2027 and September 2027. Customers will be able to check their specific tranche via entering their address into the nbn Check Your Address on the nbn website.

These dates are subject to change as our delivery partner, Genus Services Pty Ltd, update their build schedule. It's also possible that timelines may be brought forward once design and build requirements are fully understood.

2. Anticipated Availability of nbn FTTP Services:

While the exact Ready for Migration (RFM) dates are yet to be confirmed, the acceleration of design work is a positive step toward service availability. We will continue to monitor progress and provide updates as more definitive timelines become available. We encourage residents in the upgrade footprint to regularly check their address via www.nbn.com.au/CheckRegional where you can also register for updates.





We acknowledge the Council's concerns regarding regional equity and note that Hopetoun and Norseman have progressed earlier due to their inclusion in prior design packages. nbn remains focused on delivering access to high-speed broadband across regional Australia, including key centres like Esperance.

I will continue to work closely with your office and provide formal updates as the program advances. Should you require further clarification or wish to discuss this in more detail, please don't hesitate to reach out.

Yours sincerely

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

Bethany Findlay

Regional Development & Engagement Manager, nbn local

bethanyfindlay@nbnc.com.au

0436 014 606



OFFICIAL



**Minister for Agriculture and Food; Fisheries; Forestry;
Small Business; Mid West**

Our ref: 82-06093
Your ref: D25/30501

Mr Ron Chambers
Shire President
Shire of Esperance

Email: shire@esperance.wa.gov.au

Dear Mr Chambers

SOUTH COAST DEMERSAL SCALEFISH RESOURCE STOCK ASSESSMENT

Thank you for your letter dated 7 October 2025, regarding the outcomes of the South Coast Demersal Scalefish Resource (SCDSR) Stock Assessment 2024 and the future management of demersal scalefish in the South Coast bioregion.

Western Australia's (WA's) demersal scalefish resources provide significant social and economic benefits to the WA community. The latest SCDSR stock assessment undertaken by the Department of Primary Industries and Regional Development (DPIRD) indicates significant sustainability concerns.

The science assessment considers a range of information over and above catch information for both sectors including age structure of key indicator species, spawning index and fishing effort data. This represents the best available science to make informed managed decisions.

Following the release of the latest science stock assessments, the WA Government brought together key stakeholders to attend the Fishing Futures Forum on 20 October 2025, to provide input into the future management of demersal scalefish. Outcomes of the forum and results from the online 'Have Your Say' survey will be considered in any management changes to ensure there are demersal fish for the future.

I have committed to announcing any management changes by the end of the year to provide certainty to fishers, small businesses and the community that are reliant on demersal scalefish fishing.

The Department of Biodiversity, Conservation and Attractions (DBCA) is the lead agency for WA's State marine parks, alongside Traditional Owners as joint partners. DPIRD will continue to collaborate with DBCA and Traditional Owners in fisheries-

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related management, science and compliance matters within the South Coast marine parks.

Thank you for sharing your concerns and proposals to support the management of our South Coast demersal fish resources. Ensuring the sustainability of our fish stocks is a shared responsibility and your input is valued.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jackie Jarvis', with a stylized flourish at the end.

Hon Jackie Jarvis MLC
MINISTER FOR FISHERIES

11 NOV 2025

Register - Delegations Discharge - Corporate Resources					Instrument of Delegation Number - D14/15798	
Delegated Authority	Date Exercised	Details	How Authority was exercised or duty discharged	Amount	Person/groups, not part of Council and Committees, directly affected	Authorised Person
1.16 Power to write off debts	21/08/2025	Debtor-write off - Non payment	Wrote off Debt	\$ 319.00	6302-30	Felixity Baxter
1.2 - Agreement to payment of rates & charges	16/07/2025	Payment plan to pay rates by 01/07/2026	Payment arrangement	\$ 1,672.34	A/36038	Sarah Bridge
1.2 - Agreement to payment of rates & charges	16/07/2025	Payment plan to pay rates by 01/07/2026	Payment arrangement	\$ 1,158.39	A/63313	Sarah Bridge
1.2 - Agreement to payment of rates & charges	31/10/2025	Payment plan to pay rates by 26/03/2026	Payment arrangement	\$ 3,354.62	A/28423	Roz Hamilton
1.2 - Agreement to payment of rates & charges	31/10/2025	Payment plan to pay rates by 26/03/2026	Payment arrangement	\$ 1,725.73	A/77891	Roz Hamilton
1.2 - Agreement to payment of rates & charges	31/10/2025	Payment plan to pay rates by 26/03/2026	Payment arrangement	\$ 1,725.73	A/86025	Roz Hamilton
1.2 - Agreement to payment of rates & charges	15/09/2025	Payment plan to pay rates by 26/06/2026	Payment arrangement	\$ 72,369.74	A/80523	Roz Hamilton
1.2 - Agreement to payment of rates & charges	9/10/2025	Payment plan to pay rates by 24/06/2026	Payment arrangement	\$ 1,805.50	A/38083	Roz Hamilton
1.2 - Agreement to payment of rates & charges	8/10/2025	Payment plan to pay rates by 24/06/2026	Payment arrangement	\$ 1,901.31	A/31567	Roz Hamilton
1.2 - Agreement to payment of rates & charges	13/10/2025	Payment plan to pay rates by 19/06/2026	Payment arrangement	\$ 1,727.18	A/73668	Roz Hamilton
1.2 - Agreement to payment of rates & charges	13/10/2025	Payment plan to pay rates by 26/03/2026	Payment arrangement	\$ 2,340.86	A/30817	Roz Hamilton
1.2 - Agreement to payment of rates & charges	13/10/2025	Payment plan to pay rates by 13/03/2026	Payment arrangement	\$ 3,003.47	A/28746	Roz Hamilton
1.2 - Agreement to payment of rates & charges	13/10/2025	Payment plan to pay rates by 04/02/2026	Payment arrangement	\$ 1,957.13	A/71084	Roz Hamilton
1.2 - Agreement to payment of rates & charges	14/10/2025	Payment plan to pay rates by 24/06/2026	Payment arrangement	\$ 2,246.77	A/44891	Roz Hamilton
1.2 - Agreement to payment of rates & charges	14/10/2025	Payment plan to pay rates by 26/06/2026	Payment arrangement	\$ 2,474.79	A/89474	Roz Hamilton
1.2 - Agreement to payment of rates & charges	14/10/2025	Payment plan to pay rates by 26/06/2026	Payment arrangement	\$ 2,486.38	A/57935	Roz Hamilton
1.2 - Agreement to payment of rates & charges	15/10/2025	Payment plan to pay rates by 26/06/2026	Payment arrangement	\$ 7,627.56	A/62356	Roz Hamilton
1.2 - Agreement to payment of rates & charges	16/10/2026	Payment plan to pay rates by 13/03/2026	Payment arrangement	\$ 2,203.41	A/115162	Roz Hamilton
1.2 - Agreement to payment of rates & charges	17/10/2026	Payment plan to pay rates by 13/03/2026	Payment arrangement	\$ 2,372.74	A/37978	Roz Hamilton
1.2 - Agreement to payment of rates & charges	17/10/2026	Payment plan to pay rates by 13/03/2026	Payment arrangement	\$ 862.23	A/119669	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 15/04/2026	Payment arrangement	\$ 2,567.02	A/119123	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 08/12/2025	Payment arrangement	\$ 2,618.88	A/78089	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 08/12/2025	Payment arrangement	\$ 2,429.03	A/68452	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 08/12/2025	Payment arrangement	\$ 3,774.38	A/67587	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 08/12/2025	Payment arrangement	\$ 4,157.00	A/67595	Roz Hamilton
1.2 - Agreement to payment of rates & charges	15/10/2025	Payment plan to pay rates by 19/06/2026	Payment arrangement	\$ 2,250.60	A/119370	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 19/06/2026	Payment arrangement	\$ 2,247.41	A/25957	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 19/06/2026	Payment arrangement	\$ 1,612.03	A/20388	Roz Hamilton
1.2 - Agreement to payment of rates & charges	21/10/2025	Payment plan to pay rates by 12/03/2026	Payment arrangement	\$ 2,699.78	A/23226	Roz Hamilton
1.2 - Agreement to payment of rates & charges	20/10/2025	Payment plan to pay rates by 11/03/2026	Payment arrangement	\$ 2,062.99	A/18507	Roz Hamilton
1.2 - Agreement to payment of rates & charges	21/10/2025	Payment plan to pay rates by 31/10/2025	Payment arrangement	\$ 2,104.65	A/84178	Roz Hamilton
1.2 - Agreement to payment of rates & charges	21/10/2025	Payment plan to pay rates by 31/10/2025	Payment arrangement	\$ 2,104.65	A/84186	Roz Hamilton
1.2 - Agreement to payment of rates & charges	21/10/2025	Payment plan to pay rates by 31/10/2025	Payment arrangement	\$ 2,104.65	A/84152	Roz Hamilton
1.2 - Agreement to payment of rates & charges	21/10/2025	Payment plan to pay rates by 31/10/2025	Payment arrangement	\$ 2,104.65	A/84160	Roz Hamilton
1.2 - Agreement to payment of rates & charges	24/10/2025	Payment plan to pay rates by 28/06/2026	Payment arrangement	\$ 1,732.49	A/47712	Roz Hamilton
1.2 - Agreement to payment of rates & charges	24/10/2025	Payment plan to pay rates by 28/06/2026	Payment arrangement	\$ 2,046.31	A/47720	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 28/06/2026	Payment arrangement	\$ 4,487.78	A/19075	Roz Hamilton
1.2 - Agreement to payment of rates & charges	24/10/2025	Payment plan to pay rates by 03/07/2026	Payment arrangement	\$ 2,454.92	A/37093	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 19/06/2026	Payment arrangement	\$ 2,240.68	A/32391	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 26/03/2026	Payment arrangement	\$ 1,980.74	A/83733	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 13/03/2026	Payment arrangement	\$ 3,243.47	A/61309	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 05/06/2026	Payment arrangement	\$ 2,270.40	A/11999	Roz Hamilton
1.2 - Agreement to payment of rates & charges	23/10/2025	Payment plan to pay rates by 18/03/2026	Payment arrangement	\$ 2,792.45	A/27540	Roz Hamilton
1.2 - Agreement to payment of rates & charges	22/10/2025	Payment plan to pay rates by 10/04/2026	Payment arrangement	\$ 3,058.82	A/118398	Roz Hamilton
1.2 - Agreement to payment of rates & charges	28/10/2025	Payment plan to pay rates by 28/06/2026	Payment arrangement	\$ 2,302.33	A/29686	Roz Hamilton
1.2 - Agreement to payment of rates & charges	28/10/2025	Payment plan to pay rates by 27/03/2026	Payment arrangement	\$ 2,237.85	A/14118	Roz Hamilton
1.2 - Agreement to payment of rates & charges	27/10/2025	Payment plan to pay rates by 20/03/2026	Payment arrangement	\$ 2,902.86	A/19166	Roz Hamilton
1.2 - Agreement to payment of rates & charges	27/10/2025	Payment plan to pay rates by 17/04/2026	Payment arrangement	\$ 2,840.21	A/43893	Roz Hamilton
1.2 - Agreement to payment of rates & charges	29/10/2025	Payment plan to pay rates by 26/06/2026	Payment arrangement	\$ 2,256.35	A/31088	Roz Hamilton
1.2 - Agreement to payment of rates & charges	29/10/2025	Payment plan to pay rates by 10/04/2026	Payment arrangement	\$ 2,044.25	A/36079	Roz Hamilton
1.2 - Agreement to payment of rates & charges	31/11/2025	Payment plan to pay rates by 22/04/2026	Payment arrangement	\$ 2,257.63	A/36053	Roz Hamilton

Organisation	Project	Project timing	Funding Summary
Esperance Volunteer Fire Rescue Service Junior	Junior Fire Brigade Competition	26/10/25	Assist with prizes and catering
Condingup P & C	Condingup Community Fair	21/3/26	Assist with creating free entry to fair

Item: 12.4.2

Shire of Esperance - Australia's Golden Outback, Tourism Partnership and Financial Assistance Agreement.

Author/s	Shane Liddelow	Manager Economic Development
Authorisor/s	Shane Burge	Chief Executive Officer

File Ref: D25/34192

Applicant

Australia's Golden Outback

Location/Address

N/A

Executive Summary

To consider the request from Australia's Golden Outback to extend the Tourism Partnership and Financial Assistance Agreement with the Shire of Esperance, to June 30, 2027.

Recommendation in Brief

For Council to extend the Tourism Partnership and Financial Assistance Agreement with Australia's Golden Outback to 30th June 2027.

Background

Council endorsed the Esperance Tourism Strategy 2021-2026 at the April OCM, 2021. The strategy identified a range of actions to support and enhance the tourism product and experiences Esperance has to offer.

One of the identified options to drive delivery of the strategy was the employment of a dedicated Tourism Officer.

After discussions with Australia's Golden Outback (AGO), the Shire and AGO entered into a partnership and financial funding agreement to employ a full time Tourism Development Manager until June 2026.

The agreement was based on the Shire contributing to the salary of the position whilst AGO are responsible for managing the role. This approach was developed to ensure that AGO remained the lead for tourism and that industry would be more engaged with the position.

AGO have written to the Shire requesting a further extension of the partnership/ financial agreement until 30th June 2027. Attachment A. AGO have been granted an extension to their financial agreement with Tourism WA to 30th June 2027, whilst TWA further review Regional Tourism Associations across the State.

Officer's Comment

The partnership and employment of a Tourism Development Manager has been integral in progressing a number of the actions in the Tourism Strategy to be completed or commenced, leading to further development and strengthening of Esperance as a Tourism Destination.

The Tourism Development Manager has been instrumental in rebranding and refining the marketing of Esperance with a focus on sustainable tourism and responsible visitation. Increased industry and business capacity building, new products and attractions and overall stronger relationships within the sector can be attributed to the partnership and the work of the Tourism Development Manager.

With visitation continuing to grow further management and support will be important to ensure the sector continues to benefit Esperance, whilst preserving our assets and environment for the local community.

Partnering with AGO as the peak Tourism marketing and management body of our region is an important strategic initiative by the Shire, and continuation of the partnership is recommended by the officer.

Consultation

Shire Executive team

Informal Agenda briefing with Council.

Financial Implications

Under the partnership and financial agreement, the Shire of Esperance is responsible for the salary of the Tourism Development Manager role. If Council support extending the partnership and financial assistance agreement, a budget item will be prepared for the 26/27 FY. The budget item will include the currently agreement, plus CPI as of March 2026.

Asset Management Implications

Nil

Statutory Implications

N/A

Policy Implications

N/A

Strategic Implications

Council Plan 2022 – 2032

Growth And Prosperity

Esperance is a vibrant and welcoming destination

Environmental Considerations

N/A

Attachments

- A¹. Request to extend Tourism Partnership and Financial Assistance Agreement to June 30 2027.

Officer's Recommendation

That Council extend the Tourism Partnership and Financial Assistance Agreement between the Shire of Esperance and Australia's Golden Outback to 30 June 2027.

Voting Requirement

Simple Majority



2 October 2025

Shane Burge
CEO
Shire of Esperance
PO Box 507
Esperance WA 6450

Dear Shane

Continuation of strategic tourism partnership and Financial Assistance Agreement with Australia's Golden Outback (AGO)

Following our meeting on 23 September 2025, when we discussed our current partnership, executed through a four-year Financial Assistance Agreement (FAA), which is due to end on 30 June 2026, AGO would like to formally request a one-year extension to the agreement, to commence on 1 July 2026 through to 30 June 2027.

Tourism WA has in the last month confirmed a one-year extension to its current agreement with AGO until 30 June 2027, whilst they continue their RTO review, so it seems logical for the Shire of Esperance and AGO to align to this period, particularly given the successful outcomes the partnership have delivered. Upon confirmation of AGO's next long-term agreement with Tourism WA, AGO would seek to request a similar long-term agreement with the Shire of Esperance.

In its four years, the innovative partnership model between the Shire of Esperance and AGO (building on our previous long-standing collaboration) has created a new Esperance Tourism Manager role, closely supported by AGO's CEO, to implement targeted priority initiatives within the Esperance Tourism Strategy 2021-2026.

I strongly believe that the partnership has been a great success, which has delivered tangible outcomes that are effectively driving Esperance's tourism management, marketing and destination development and raising the destination's profile.

Key achievements in the implementation of the Esperance Tourism Strategy 2021-2026 have included:

- M1 Development of the Esperance tourism place brand, 'Esperance. In Your Element' and subsequent brand implementation initiatives (M1)
- Creation of the responsible tourism, award-winning initiative, 'The Esperance Promise' (to support EC2)
- Development of the Esperance Tourism Events Strategy (I4, PAE1)



- Development and evolution of the Grounded Esperance Hiking Festival (PAE1, PAE3, PAE9)
- Development of the Esperance Strategic Marketing Plan 2025-2028 (M2)
- Development of the Esperance Tourism Signage Strategy (I1) to support associated actions (I2, I3, I6, I7, I10, I12)
- Creation of the Esperance Collective group of tourism operators and their tailored mentoring to a trade ready level (M3, M4, PAE2)
- Esperance's stand-alone representation at the Australian Tourism Exchange over the last three years, to drive future Esperance visits from international markets (M3)
- Attraction of HeliSpirit and Heyscape Tiny Cabins to Esperance (PAE7, PAE10)
- Supported Short Term Accommodation Study, by securing investment from GEDC (I4, PAE5)
- Creation of a new Esperance Tourism Industry Advisory Group to advocate for the industry and to foster collaboration (G1)

During this time, AGO and the Shire have also continued to co-fund destination marketing and destination development activities, contributing \$65k each per annum.

The extension of the Shire's FAA with AGO would allow the continuation of a successful partnership and further implementation of the Esperance Tourism Strategy 2021-2026 and new Esperance Strategic Marketing Plan (ESMP) 2025-2028.

A key recommendation of the ESMP is to improve the effectiveness and efficiency of marketing operations by reviewing the current governance arrangements and clearly defining the roles and responsibilities of the Shire and AGO. I was encouraged in our meeting with the agreement that the Esperance Tourism Manager's skills and resources could be further utilised by being the project lead on key initiatives, such the development of the new Visit Esperance website and strategic management of Visit Esperance's social media channels.

These steps, in addition to being the lead or integral part of other relevant projects such as the proposed Visitor Servicing Strategy are crucial to maximising the effective use of our existing resources.

With the Shire and AGO partnership firmly established, and hopefully extended, as well as the establishment of a new Esperance Tourism Industry Advisory Group, as discussed, I think that the role and composition of the steering committee that the Shire convened to oversee the implementation of the Esperance Tourism Strategy, should be reviewed to maximise its value for all participants and foster increased industry engagement.

With the current FAA due to end on 30 June 2026, AGO would appreciate confirmation or not of an extension of the FAA as soon as possible to ensure continuity and planning and to provide clarity for the Esperance Tourism Manager, whose contract with AGO is contingent [efon](#) funding from the FAA.



If the extension is confirmed, a review of the Esperance Tourism Development Manager job description should be undertaken in advance of FY2026-2027, to clarify updated roles and responsibilities to support the agreed outcomes for tourism in Esperance and ensure that they are fully understood by relevant stakeholders, particularly within the Shire. In effect, the role is an extension of the Shire team and it's essential to foster as much collaboration as possible to maximise synergies.

Thank you for the great partnership that has evolved over the last five years, in particular. It's been a privilege to assist the Shire, the Esperance tourism industry and broader community to manage tourism in such a special place and AGO looks forward to continuing to drive great outcomes with you and your team.

If you require any further information, please don't hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink that reads "Marcus".

Marcus Falconer
Chief Executive Officer

13. REPORTS OF COMMITTEES

Nil

14. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

15. MEMBERS QUESTIONS WITH OR WITHOUT NOTICE

16. URGENT BUSINESS APPROVED BY DECISION

17. MATTERS BEHIND CLOSED DOORS

Officer's Comment:

It is recommended that the meeting is behind closed doors for the following items, in accordance with section 5.23(2) of the Local Government Act 1995.

Item: 17.1

Surrender of Lease and Expressions of Interest - Old Chemist Shop - Museum Village

CONFIDENTIAL ITEM

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government (Section 5.23(2)(e)(iii)).

Item: 17.2

Expression of Interest - Toowacka Campsite

CONFIDENTIAL ITEM

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18. PUBLIC QUESTION TIME

19. CLOSURE