



SHIRE OF WOODANILLING

ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

20 December 2022 at 4pm

INDEX

- 13.1.1** – List of Accounts for Payment – 30 November 2022
- 13.2.1** – Monthly Financial Report 30 November 2022
- 14.1.1** – Reticulation – Woodanilling Oval
- 14.1.2** – Watering Stations – Woodanilling Oval
- 15.1.1** – WWLZ – Information Report for December 2022
- 15.2.1** – New Council Policy 109 – Shire Vehicles – Use Arrangements
- 15.2.2** – New Council Policy 110 – Use of Information Technology
- 15.3.1** – Delegation Register with minor changes (Amended)
- 16.1.1** – Confidential Report - Active Citizen over 25 Award – Under Separate Cover
- 16.1.2** – Confidential Report - Sports Star over 25 Award – Under Separate Cover

Transaction ID	Date	Name	Description	Amount
Municipal Account				
EFT Payments				
EFT6393	04/11/2022	Public Libraries WA	Public Libraries WA Membership for 2022/2023- Subscription Renewal	-130.00
EFT6394	04/11/2022	Asphalt in a Bag	Asphalt Open Grade- 50 x 20kg bags @ \$22.50 each bag	-1237.50
EFT6395	04/11/2022	JBs Quality Meats	BBQ Meat for Council Meeting- Kenmare Hall- 18/10/2022	-230.00
EFT6396	04/11/2022	The Woodanilling Tavern	Council Meeting Refreshments with Community BBQ at Kenmare Hall- 18/10/2022	-324.00
EFT6397	04/11/2022	Geoff John Williamson T/A Katanning Districts Carpet Care	Weekly Cleaning Pavilion- 12/10/2022 Shire Office- 16/10/2022	-630.00
EFT6398	04/11/2022	BGL Solutions	Fertilizer and Wetter Application to Oval plus Renovations Up Front Fertilizer and Stamina 90 Wetting Agent	-2994.75
EFT6399	04/11/2022	Synergy	Power Consumption and Usage- 17/8/2022 to 17/10/2022, Shire Office, Town Hall and Chambers	-3309.22
EFT6400	04/11/2022	Winc	Stationery Supplies- September 2022	-202.97
EFT6401	04/11/2022	PCS	Accountant Abode froze- stopped the program on task manager, Monthly Fee for Daily Monitoring- October 2022	-127.50
EFT6402	04/11/2022	Digga West	Slasha Relief Value for Skid Steer- WO 010	-126.50
EFT6403	04/11/2022	St Lukes Medical Centre	Pre-employment Medical/Health Check- LB 31/10/2022	-132.00
EFT6404	04/11/2022	Staff Christmas Club	Payroll deductions	-220.00
EFT6405	04/11/2022	Ambrose Electrical Contracting	Remove Neutral/Earth Link to Dam Sub Board 7/9/2022 and Replace Link- 21/10/2022	-80.00
EFT6406	04/11/2022	Officeworks	Stationery Supplies- September 2022	-291.96
EFT6407	11/11/2022	Jtagz	Yellow Dog & Cat Tags- 2026, Red Dog & Cat Tags- 2027 Packs of 100 each	-177.10
EFT6408	11/11/2022	Corsign WA Pty Ltd	Speed Limit Signs- 110km/h & 80km/h. 2x Yellow RHS Post with caps	-420.20
EFT6409	11/11/2022	IPEC PTY LTD	Digga West and Winc Freight- October 2022	-24.06
EFT6410	11/11/2022	Geoff John Williamson T/A Katanning Districts Carpet Care	Weekly Cleaning- Pavilion 26/10/2022 Shire Office- 30/10/2022	-315.00
EFT6411	11/11/2022	Murray Cooke	Upgrades to leaking pation at Unit 1/4 Cardigan St- Wattleville	-3369.30
EFT6412	11/11/2022	Mohana Catering	Catering for Regional Road Group and GS Zone Meeting 28/10/2022	-800.00
EFT6413	11/11/2022	Great Southern Fuel Supplies	Bulk Diesel- 4750 litres @ \$2.2876 per litre 28/10/2022	-13007.41
EFT6414	11/11/2022	PCS	2022 Annual Renewal Fee- Trend Anti Virus	-600.00
EFT6415	11/11/2022	Albany Best Office Systems	Photocopier Count- 20/9/2022 to 20/10/2022	-711.06
EFT6416	11/11/2022	Great Southern Waste Disposal	Removal of household rubbish- 25/8/2022 to 29/9/2022, Recycling Rubbish Collection- 1st, 15th & 29th September 2022	-4719.00
EFT6417	11/11/2022	Staff Christmas Club	Payroll deductions	-270.00
EFT6418	21/11/2022	Woodanilling Primary School P & C	Donation towards Woodanilling P & C Christmas Tree Party in the Park- 15/12/2022 as per OCM 114/10/2022 18/10/2022	-500.00
EFT6419	21/11/2022	Southern Stone & Wood	50% Draw for Materials- Kenmare Hall Roof Replacement	-8186.75
EFT6420	21/11/2022	Geoff John Williamson T/A Katanning Districts Carpet Care	Weekly Cleaning- Pavilion 2/11/2022 Shire Office- 6/11/2022	-315.00
EFT6421	21/11/2022	Wagin Mowers	Honda 35cc GX35 Brushcutter, 5 litre fuel container & Buzz .95(2.4mm) 370m Trimmer Line"	-1103.45
EFT6422	21/11/2022	Kellie Bartley	Seniors Week Purchases- Ribbons, Bag Clips, Pot Holders, Spongeballs, Candy & Chocolate, Baking items- flour, coconut, cereal and baking powder. Town/Garden Maintenance- Toilet Brush Set	-193.25

EFT6423	21/11/2022	Sue Dowson	Seniors Week Purchases- Chocolate, Reusable Mesh, Eclipse Mints. Town/Garden Maintenance- Toilet Brush Set	-112.00
EFT6424	21/11/2022	MANDY WYNNE	Complied September 2022 Monthly Statements- Staff Relief for Accountant	-990.00
EFT6425	21/11/2022	Lets Talk Flowers	Remeberance Day Wreath- 11/11/2022	-80.00
EFT6426	21/11/2022	Synergy	Street Lighting- 25/9/2022 to 24/10/2022	-626.52
EFT6427	21/11/2022	Woodanilling Store	Groceries, Fuel and Newspaper purchases for September & October 2022	-490.90
EFT6428	21/11/2022	Blights Auto Electrics	Isolation Switch for Roller- WO 020	-138.00
EFT6429	21/11/2022	Woodanilling CWA	Donation for catering at Seniors Week Health Info Workshop 2022- as per OCM 113/10/2022	-378.90
EFT6430	21/11/2022	Kleenheat Gas	2 x 45kg Cylinder Service Charge/Facility Fee Unit 2 Wattleville	-303.05
EFT6431	21/11/2022	St Lukes Medical Centre	Pre employment Medical- New Staff Member	-132.00
EFT6432	21/11/2022	Staff Christmas Club	Payroll deductions	-320.00
EFT6433	21/11/2022	Widespread Contracting	New Rubbish Tip Cell	-1336.50
EFT6434	30/11/2022	IT Vision Australia	Manual OSR Claim Add On- Rating Module	-552.20
EFT6435	30/11/2022	West Australian Newspaper	Bushfire Contact Directory Advertismet- 13/10/2022	-220.00
EFT6436	30/11/2022	Katanning Betta Home Living	5 metre HDMI cable for Council Chambers	-39.95
EFT6437	30/11/2022	IPEC PTY LTD	Freight for Quality Press and Corsign- October 2022	-97.65
EFT6438	30/11/2022	Geoff John Williamson T/A Katanning Districts Carpet Care	Weekly Cleaning- Pavilion 9/11/2022 Shire Office- 13/11/2022	-315.00
EFT6439	30/11/2022	Hersey's Safety Pty Ltd	Staff Uniforms- Depot October 2022	-1928.91
EFT6440	30/11/2022	Conplant Pty Ltd	Hire of Roller- 1/10/2022 to 28/10/2022, Hire Pickup- 31/10/2022	-5775.00
EFT6441	30/11/2022	Murray Cooke	Improvements to Town Hall-Servery Roof- November 2022	-2817.10
EFT6442	30/11/2022	Smarter Control	Repairs to Boyerine Standpipe- Upgrade to Motorised Valve	-3421.00
EFT6443	30/11/2022	Roadside Products Pty Ltd	1 x Steel guide post including packaging and freight	-3654.20
EFT6444	30/11/2022	DeltaWest Training Pty Ltd	HR License Training- New Staff Member - December 2022	-1550.00
EFT6445	30/11/2022	Shire of Katanning	Traffic Managment Training Course- 15/11/2022 to 17/11/2022	-3422.05
EFT6446	30/11/2022	Beaurepaires Wagin	Puncture Repair to Tyre- WO 010 (Loader)	-92.25
EFT6447	30/11/2022	Shire of Kojonup	Puppy Farm Inspection on 29/8/2022- Ranger & EHO visit for 4 hours	-840.52
EFT6448	30/11/2022	Lotex Filter Cleaning Service	Filter Cleaning- September 2022	-179.20
EFT6449	30/11/2022	Metro Count	3 x 6V Welded Battery Pack- Traffic Monitoring Equipment Replacement	-144.10
EFT6450	30/11/2022	St Lukes Medical Centre	Pre-Employment Medical- New Employee	-132.00
EFT6451	30/11/2022	Hanson Construction Material Pty Ltd	10.18 tonne of 7MM BlueMetal Aggregate- Robinson Road	-470.32
EFT6452	30/11/2022	Katanning Hardware	Pneumatic Wheel for Wheelbarrow & Nylon Line for Whipper Snipper	-311.90
EFT6453	30/11/2022	Kojonup Agricultural Supplies	Chainsaw Parts- Bar RollerMatic, Tungsten, 12bar	-497.00
EFT6454	30/11/2022	Staff Christmas Club	Payroll deductions	-320.00
EFT6455	30/11/2022	Wagin Mechanical Repairs	60,000km service- WO 022	-585.50
EFT6456	30/11/2022	Officeworks	Toilet Paper, Paper Towels, Toilet Cleaner and Stationery Supplies-October 2022	-393.80

EFT Total Payments	-77,415.50
---------------------------	-------------------

Cheque Payments

Total Cheque Payments	0.00
------------------------------	-------------

Direct Debit Payments

DD4516.1	14/11/2022	Water Corporation	Water Usage 19/8/2022- 21/10/2022,Service Charge 1/9/2022-31/10/2022, GS Hwy Standpipe	-4409.13
DD4516.2	04/11/2022	Water Corporation	Water Service Charge 1/9/2022-31/10/2022, Unit 2/3 Cardigan St	-992.66
DD4516.3	10/11/2022	Water Corporation	Water Usage 15/8/2022- 18/10/2022,Service Charge 1/9/2022-31/10/2022, Sports Oval	-546.83
DD4516.4	09/11/2022	Water Corporation	Water Usage 15/8/2022- 18/10/2022,Service Charge 1/9/2022-31/10/2022, Cenetary Park	-64.19
DD4527.1	02/11/2022	Aware Super	Payroll deductions	-1152.82
DD4527.2	02/11/2022	Hesta	Superannuation contributions	-354.81
DD4527.3	02/11/2022	Australian Superannuation	Superannuation contributions	-241.28
DD4527.4	02/11/2022	QSuper - Payclear	Superannuation contributions	-206.04
DD4527.5	02/11/2022	Colonial Select Personnel Super	Superannuation contributions	-112.79
DD4527.6	02/11/2022	REST	Superannuation contributions	-186.36
DD4527.7	02/11/2022	OnePath Custodians	Superannuation contributions	-89.97
DD4527.8	02/11/2022	CBUS Superannuation	Superannuation contributions	-15.22
DD4540.1	04/11/2022	NAB - Credit Card	Refreshments for Council Meeting- 18/10/2022	-512.49
DD4540.2	04/11/2022	NAB - Credit Card	Fraser's Suite Parking for Shire President- WA Local Government Convention- October 2022	-30.39
DD4542.1	21/11/2022	Viva Energy Australia Pty Ltd	Monthly Admin Charge- October 2022	-2.50
DD4546.2	13/11/2022	Telstra	Telstra Mobile Distribution- Usage to 24/10/2022 and Service Charges- 25/10/2022 to 24/11/2022	-236.96
DD4553.1	09/11/2022	Aware Super	Payroll deductions	-1241.29
DD4553.2	09/11/2022	Hesta	Superannuation contributions	-354.81
DD4553.3	09/11/2022	Australian Superannuation	Superannuation contributions	-337.68
DD4553.4	09/11/2022	QSuper - Payclear	Superannuation contributions	-206.04
DD4553.5	09/11/2022	Colonial Select Personnel Super	Superannuation contributions	-112.79
DD4553.6	09/11/2022	REST	Superannuation contributions	-206.67
DD4553.7	09/11/2022	OnePath Custodians	Superannuation contributions	-142.07
DD4553.8	09/11/2022	CBUS Superannuation	Superannuation contributions	-12.68
DD4561.1	30/11/2022	Telstra	Landline Distribution- Usage Charges to 10/11/2022, Service charges 11/11/2022 to 10/12/2022	-216.80
DD4562.1	15/11/2022	3E Advantage Pty Limited	Photocopier Rental- Ricoh IMC3500- November 2022	-165.00
DD4564.1	16/11/2022	Aware Super	Payroll deductions	-1264.97
DD4564.2	16/11/2022	Hesta	Superannuation contributions	-354.81
DD4564.3	16/11/2022	Australian Superannuation	Superannuation contributions	-337.68
DD4564.4	16/11/2022	QSuper - Payclear	Superannuation contributions	-194.88
DD4564.5	16/11/2022	Colonial Select Personnel Super	Superannuation contributions	-112.79
DD4564.6	16/11/2022	REST	Superannuation contributions	-206.67
DD4564.7	16/11/2022	OnePath Custodians	Superannuation contributions	-105.72
DD4564.8	16/11/2022	CBUS Superannuation	Superannuation contributions	-12.68
DD4572.1	20/11/2022	SkyMesh	Internet Contract- 20/11/2022 to 19/12/2022	-125.00
DD4572.2	23/11/2022	ClickSuper	Transaction and Facility Fee- October 2022	-16.61
DD4575.1	23/11/2022	Aware Super	Payroll deductions	-1292.19
DD4575.2	23/11/2022	Australian Superannuation	Superannuation contributions	-714.27
DD4575.3	23/11/2022	QSuper - Payclear	Superannuation contributions	-206.04
DD4575.4	23/11/2022	Hesta	Payroll deductions	-354.81
DD4575.5	23/11/2022	Colonial Select Personnel Super	Superannuation contributions	-112.79
DD4575.6	23/11/2022	REST	Superannuation contributions	-206.67
DD4575.7	23/11/2022	OnePath Custodians	Superannuation contributions	-112.47
DD4578.1	04/11/2022	NAB - Credit Card	BD- Incorrect bank account to be paid from- Not Rabobank- should be Municipal	30.39
DD4578.2	04/11/2022	NAB - Credit Card	Fraser's Suite Parking for Shire President- WA Local Government Convention- October 2022	-30.39
DD4591.1	30/11/2022	Aware Super	Payroll deductions	-1236.28
DD4591.2	30/11/2022	Hesta	Superannuation contributions	-354.81
DD4591.3	30/11/2022	QSuper - Payclear	Superannuation contributions	-206.04
DD4591.4	30/11/2022	Colonial Select Personnel Super	Superannuation contributions	-112.79
DD4591.5	30/11/2022	Australian Superannuation	Superannuation contributions	-175.68
DD4591.6	30/11/2022	REST	Superannuation contributions	-206.67
DD4591.7	30/11/2022	OnePath Custodians	Superannuation contributions	-124.90

DD4591.8	30/11/2022 CBUS Superannuation	Superannuation contributions	-12.68
----------	--------------------------------	------------------------------	--------

Total Direct Debit Payments	-20,311.17
------------------------------------	-------------------

Municipal Account List of Payments Total	-97,726.67
--	-------------------

Credit Card Details	Description	
30/09/2022 Frasers Suite Perth	Accommodation for Chief Executive Officer-WA Local Govt Convention- 2/10/2022 to 3/10/2022	-175.00
03/10/2022 Abode Subscription	Adobe Pro Subscription- 30/9/2022 to 30/10/2022	-149.95
04/10/2022 Frasers Suite Perth	Parking for Shire President- WA Local Government Convention- October 2022	-30.39
11/10/2022 Coles	Refreshments for BFAC meeting- 11/10/2022	-69.76
17/10/2022 Message Media	SMS Service- Bushfire Messaging to 31/10/2022	-42.90
17/10/2022 Woolworths	Refreshments for CD and Council Meeting- 18/10/2022	-34.09
17/10/2022 Zoom	Monthly Fee- 14/10/2022 to 13/11/2022	-20.99
18/10/2022 Gina Nguyen/Johns Bakery	Bread for Council Meeting- 18/10/2022	-7.00
18/10/2022 Woolworths	Refreshments for Council Meeting- 18/10/2022	-3.80
28/10/2022 Card Fee	Card Fee- October 2022	-9.00
GRAND TOTAL		-542.88

CERTIFICATE OF Chief Executive Officer

This schedule of accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to the prices, computations, and costings and the amounts shown are due for payment.

Signed by

Kellie Bartley
Chief Executive Officer





MONTHLY FINANCIAL REPORT

For the period ending 30 November 2022

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

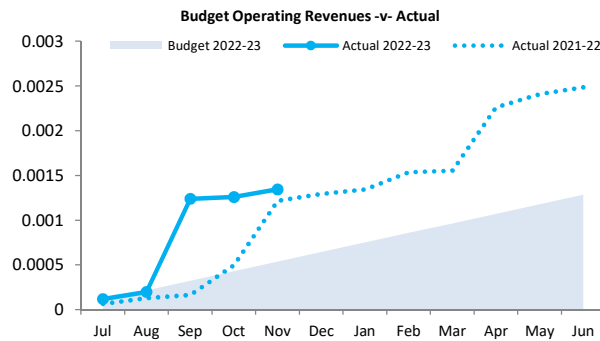
Statement of Financial Activity by Nature or Type	5
Basis of Preparation	6
Note 1 Statement of Financial Activity Information	6
Note 2 Cash and Financial Assets	7
Note 3 Receivables	8
Note 4 Other Current Assets	9
Note 5 Payables	10
Note 6 Disposal of Assets	11
Note 7 Capital Acquisitions	12
Note 8 Reserve Accounts	14
Note 9 Other Current Liabilities	15
Note 10 Operating grants and contributions	16
Note 11 Non Operating grants and contributions	17
Note 12 Budget Amendments	18
Note 13 Explanation of Material Variances	19

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

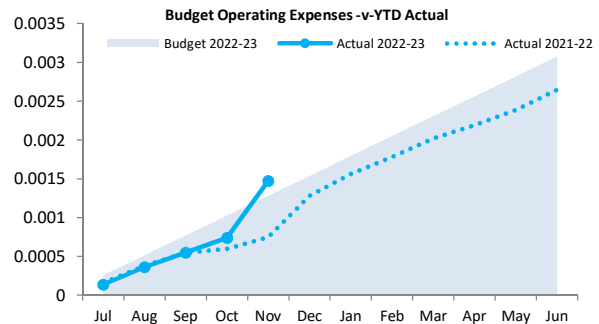
SUMMARY INFORMATION - GRAPHS

OPERATING ACTIVITIES

OPERATING REVENUE

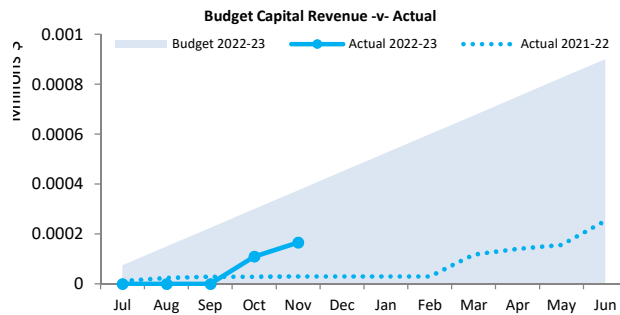


OPERATING EXPENSES

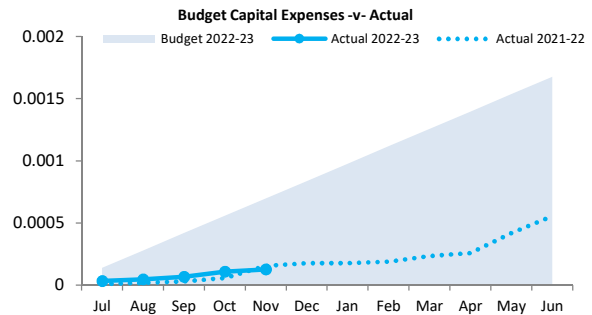


INVESTING ACTIVITIES

CAPITAL REVENUE

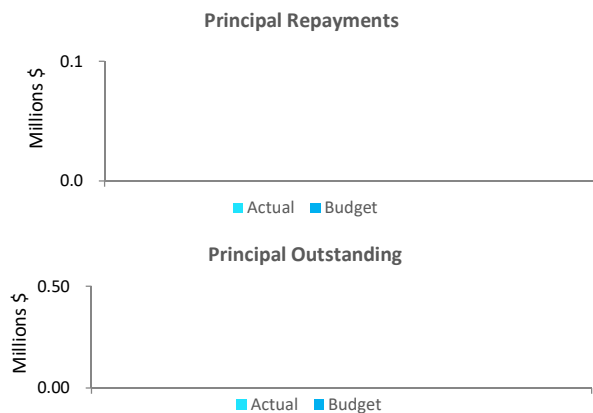


CAPITAL EXPENSES

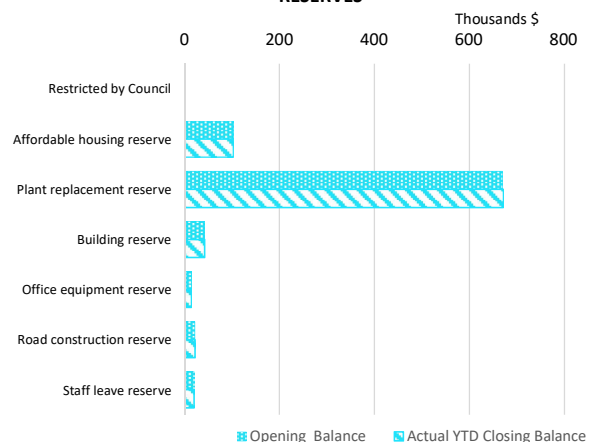


FINANCING ACTIVITIES

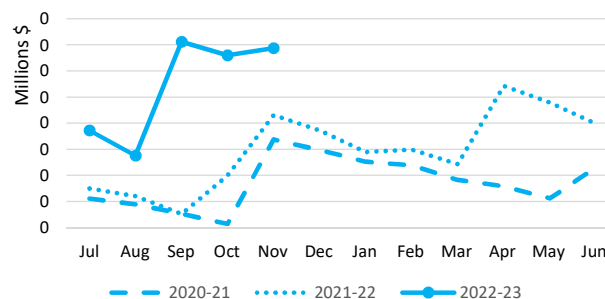
BORROWINGS



RESERVES



Closing funding surplus / (deficit)



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

KEY TERMS AND DESCRIPTIONS**FOR THE PERIOD ENDED 30 NOVEMBER 2022****REVENUE****RATES**

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Excludes administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates, reimbursements etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS**EXPENSES****EMPLOYEE COSTS**

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

	Ref	Amended Budget	YTD Budget	YTD Actual	Variance \$	Var.
	Note	(a)	(b)	(c)	(c) - (b)	
Opening funding surplus / (deficit)	1(c)	\$ 790,605	\$ 790,605	\$ 916,286	\$ 125,681	▲
Revenue from operating activities						
Rates		885,998	369,160	884,955	515,795	▲
Operating grants, subsidies and contributions	10	829,406	215,697	285,885	70,188	▲
Fees and charges		178,994	74,575	152,793	78,218	▲
Interest earnings		4,010	1,675	8,201	6,526	▲
Other revenue		950	395	13,321	12,926	▲
Profit on disposal of assets	6	143,500	59,790	0	(59,790)	▼
		2,042,858	721,292	1,345,155	623,863	
Expenditure from operating activities						
Employee costs		(1,061,377)	(500,575)	(418,609)	81,966	▲
Materials and contracts		(819,080)	(476,070)	(267,747)	208,323	▲
Utility charges		(86,839)	(39,320)	(24,003)	15,317	▲
Depreciation on non-current assets		(907,075)	(377,970)	(8)	377,962	▲
Interest expenses		0	0	0	0	
Insurance expenses		(109,258)	(45,530)	(109,490)	(63,960)	▼
Other expenditure		(79,799)	(33,250)	(104,756)	(71,506)	▼
Loss on disposal of assets	6	0	0	0	0	
		(3,063,428)	(1,472,715)	(924,613)	548,102	
Non-cash amounts excluded from operating activities	1(a)	767,875	318,180	0	(318,180)	▼
Amount attributable to operating activities		(252,695)	(433,243)	420,542	853,785	
Investing activities						
Proceeds from non-operating grants, subsidies and contributions	11	899,695	374,870	166,315	(208,555)	▼
Proceeds from disposal of assets	6	143,500	143,500	0	(143,500)	▼
Payments for property, plant and equipment and infrastructure	7	(1,741,245)	(725,520)	(127,904)	597,616	▲
		(698,050)	(207,150)	38,411	245,561	
Financing Activities						
Transfer from reserves	8	461,000	461,000	0	(461,000)	▼
Transfer to reserves	8	(300,860)	(300,860)	(2,061)	298,799	▲
Amount attributable to financing activities		160,140	160,140	(2,061)	(162,201)	
Closing funding surplus / (deficit)	1(c)	0	310,352	1,373,178	1,062,826	▲

KEY INFORMATION

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

Refer to Note 13 for an explanation of the reasons for the variance.

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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

BASIS OF PREPARATION

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

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

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

THE LOCAL GOVERNMENT REPORTING ENTITY

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

All monies held in the Trust Fund are excluded from the financial statements.

SIGNIFICANT ACCOUNTING POLICIES

CRITICAL ACCOUNTING ESTIMATES

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

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

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 07 December 2022

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022****NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION****(a) Non-cash items excluded from operating activities**

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

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)	Forecast 30 June 2023 Closing
Non-cash items excluded from operating activities		\$	\$	\$	
Adjustments to operating activities					
Less: Profit on asset disposals	6	(143,500)	(59,790)	0	(83,710)
Movement in inventory (non-current)		4,300	0	0	4,300
Add: Depreciation on assets		907,075	377,970	0	529,105
Total non-cash items excluded from operating activities		767,875	318,180	0	449,695

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Amended Budget Opening 30 June 2022	Last Year Closing 30 June 2022	Year to Date 30 November 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	8	(869,086)	(869,086)	(871,147)
Add: Provisions employee related provisions	9	0	154,525	154,525
Total adjustments to net current assets		(869,086)	(714,561)	(716,622)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	1,865,278	1,865,194	2,488,263
Rates receivables	3	78,323	78,323	164,734
Receivables	3	17,487	4,752	10,459
Other current assets	4	28,371	28,371	28,371
Less: Current liabilities				
Payables	5	(119,702)	(111,861)	(131,275)
Contract liabilities	9	(92,837)	(79,407)	(316,227)
Provisions	9	(117,229)	(154,525)	(154,525)
Less: Total adjustments to net current assets	1(b)	(869,086)	(714,561)	(716,622)
Closing funding surplus / (deficit)		790,605	916,286	1,373,178

CURRENT AND NON-CURRENT CLASSIFICATION

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

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash at bank - Municipal	Cash and cash equivalents	1,616,667		1,616,667		NAB	0.00%	NA
Petty Cash & Floats	Cash and cash equivalents	450		450		Cash	0.00%	NA
Cash at investment Reserve	Cash and cash equivalents	0	871,146	871,146		NAB	0.95%	NA
Trust bank account	Cash and cash equivalents			0	0	NAB	0.00%	NA
Total		1,617,117	871,146	2,488,263	0			
Comprising								
Cash and cash equivalents		1,617,117	871,146	2,488,263	0			
		1,617,117	871,146	2,488,263	0			

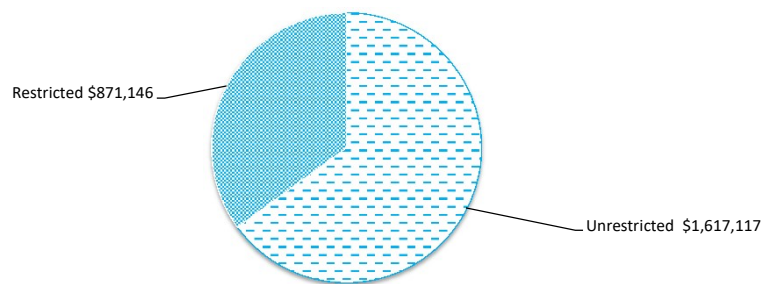
KEY INFORMATION

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

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



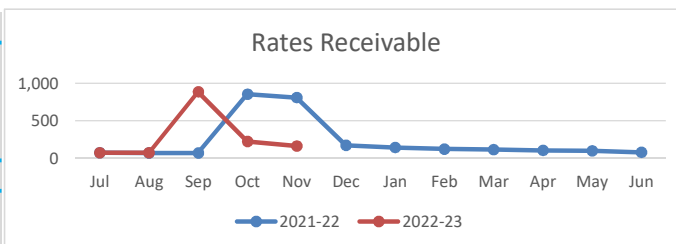
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

OPERATING ACTIVITIES

NOTE 3

RECEIVABLES

Rates receivable	30 Jun 2022	30 Nov 2022
	\$	\$
Opening arrears previous years	66,228	78,323
Levied this year	6,948,262	884,955
Less - collections to date	(6,936,167)	(798,544)
Gross rates collectable	78,323	164,734
Net rates collectable	78,323	164,734
% Collected	98.9%	82.9%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(799)	2,523	448	440	1,537	4,150
Percentage	(19.2%)	60.8%	10.8%	10.6%	37%	
Balance per trial balance						
GST receivable						6,309
Total receivables general outstanding						10,459

Amounts shown above include GST (where applicable)

KEY INFORMATION

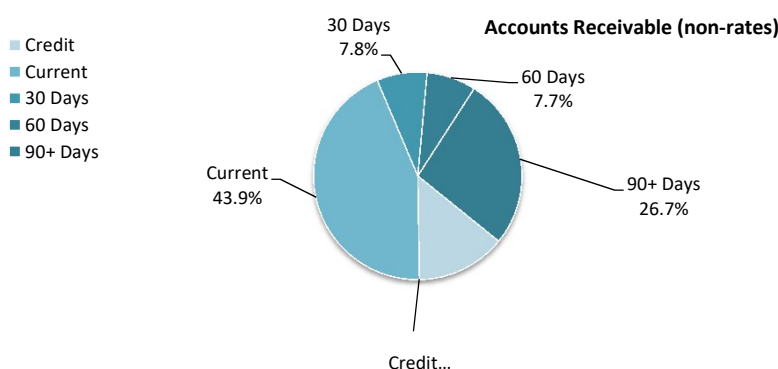
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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

Classification and subsequent measurement

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

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



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 30 November 2022
Other current assets	\$	\$	\$	\$
Inventory				
Fuel and Materials	28,371	0	0	28,371
Total other current assets	28,371	0	0	28,371
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

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

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

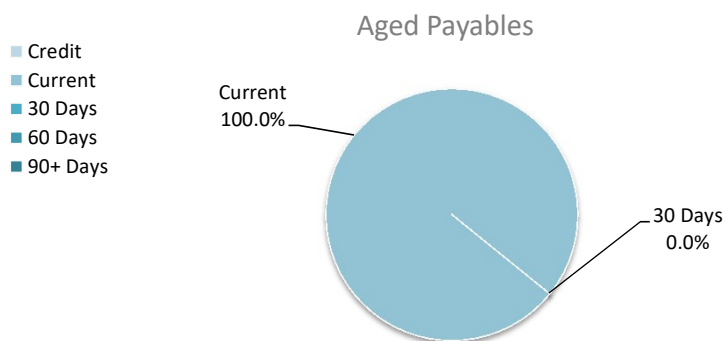
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES
NOTE 5
PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	55,729	0	0	0	55,729
Percentage	0%	100%	0%	0%	0%	
Balance per trial balance						
Accrued salaries and wages						3,890
GST payable						1,100
Payroll creditors						22,241
Accrued expenses						9,032
Bond liability - ex Trust						39,283
Total payables general outstanding						131,275
Amounts shown above include GST (where applicable)						

KEY INFORMATION

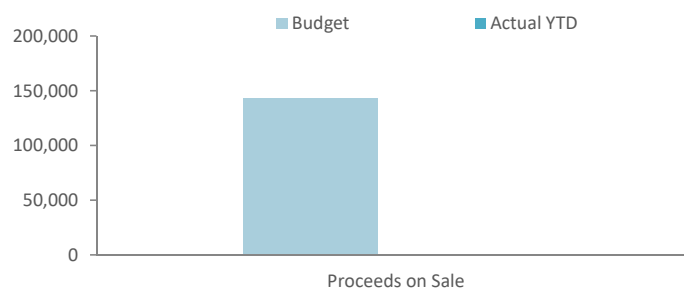
Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised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



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Governance								
	CEO vehicle		28,500	28,500	0	0	0	0	0
	Transport								
	Grader and Roller		115,000	115,000	0	0	0	0	0
		0	143,500	143,500	0	0	0	0	0



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital acquisitions	Amended		YTD Actual	Forecast 30 June Closing	YTD Actual Variance
	Budget	YTD Budget			
	\$	\$	\$		\$
Land and buildings	117,650	49,020	10,506	79,136	(38,515)
Furniture and equipment	17,400	7,250	0	10,150	(7,250)
Plant and equipment	598,500	249,375	0	349,125	(249,375)
Infrastructure - roads	755,159	314,650	117,398	557,907	(197,252)
Infrastructure - other	252,536	105,225	0	147,311	(105,225)
Payments for Capital Acquisitions	1,741,245	725,520	127,904	1,143,629	(597,616)
Capital Acquisitions Funded By:					
	\$	\$	\$		\$
Capital grants and contributions	899,695	374,870	166,315	691,140	(208,555)
Borrowings	0	0	0	0	0
Other (disposals & C/Fwd)	143,500	143,500	0	0	(143,500)
Cash backed reserves					
Affordable housing reserve	(6,000)	0	0	(6,000)	0
Plant replacement reserve	(455,000)	0	0	(455,000)	0
Building reserve	0	0	0	0	0
Office equipment reserve	0	0	0	0	0
Road construction reserve	0	0	0	0	0
Staff leave reserve	0	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0	0
Contribution - operations	1,159,050	207,150	(38,411)	913,489	(245,561)
Capital funding total	1,741,245	725,520	127,904	1,143,629	(597,616)

SIGNIFICANT ACCOUNTING POLICIES

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

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

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

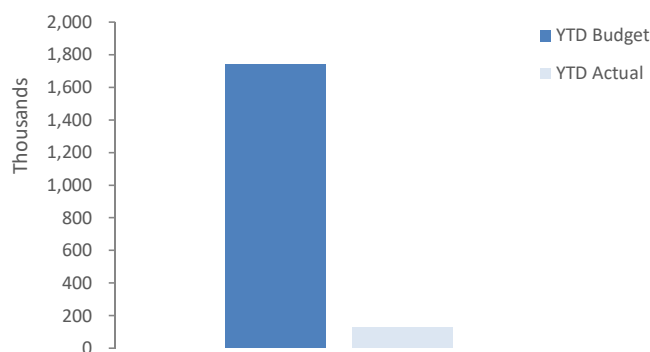
Initial recognition and measurement for assets held at cost

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

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

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

Payments for Capital Acquisitions



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022****INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)****Capital expenditure total****Level of completion indicators**

0%
20%
40%
60%
80%
100%
Over 100%

Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

		Amended		YTD Actual	Variance (Under)/Over
Job	Job Description	Budget	YTD Budget		
		\$	\$	\$	\$
Land and Buildings					
84410	Wattleville - Stage 2 Well Aged Housing	6,000	2,500	3,063	563
LRC11	Railway Station Precinct Upgrades	45,000	18,750	0	(18,750)
91300	Improvements - 3347 Robinson Road	10,000	4,165	0	(4,165)
111310	Improvements - Toilet Block and Lake Signage	16,000	6,665	0	(6,665)
110300	Improvements - Kenmare Hall and Mens Shed Roof	40,650	16,940	7,443	(9,498)
Furniture and Equipment					
41300	Chamber Chairs & Airconditioner	5,400	2,250	0	(2,250)
053300	CCTV and Street Lightings	12,000	5,000	0	(5,000)
Plant and Equipment					
42300	CEO Vehicle	58,500	24,375	0	(24,375)
123300	New Grader & Roller	540,000	225,000	0	(225,000)
Infrastructure Other					
121370	Footpaths	50,000	20,835	0	(20,835)
102300	Drainage	143,000	59,585	0	(59,585)
LRC320	Walking Trails LRCI	25,536	10,640	0	(10,640)
LRC12	Heritage Trails LCRI	9,000	3,750	0	(3,750)
LRC322	Basketball 1/2 Court	25,000	10,415	0	(10,415)
Roads					
121310	RRG Project Construction	220,000	91,665	0	
121320	R2R Construction	196,687	81,955	0	
121340	LRCIP Roads	338,472	141,030		
LRC312	Oxley Road	0	0	25,105	25,105
LRC314	Robinson West	0	0	42,885	42,885
LRC13	Youngs Road (7-9 kms) Phase 2	0	0	49,408	49,408
		1,741,245	725,520	127,904	(282,966)

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

OPERATING ACTIVITIES

NOTE 8

RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council									
Affordable housing reserve	102,311	102	243	0		(6,000)		96,413	102,554
Plant replacement reserve	669,024	660	1,587	250,000		(455,000)		464,684	670,611
Building reserve	42,092	42	100	25,000		0		67,134	42,192
Office equipment reserve	14,031	14	33	0		0		14,045	14,064
Road construction reserve	21,628	22	51	0		0		21,650	21,679
Staff leave reserve	20,000	20	47	25,000		0		45,020	20,047
	869,086	860	2,061	300,000	0	(461,000)	0	708,946	871,147

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**OPERATING ACTIVITIES
NOTE 9
OTHER CURRENT LIABILITIES**

		Opening Balance	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance
Other current liabilities	Note	1 July 2022				30 November 2022
		\$		\$	\$	\$
Other liabilities						
- Contract liabilities		79,407	0	350,256	(113,436)	316,227
Total other liabilities		79,407	0	350,256	(113,436)	316,227
Employee Related Provisions						
Annual leave		88,192	0	0	0	88,192
Long service leave		66,333	0	0	0	66,333
Total Employee Related Provisions		154,525	0	0	0	154,525
Total other current assets		233,932	0	350,256	(113,436)	470,752
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 10

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

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

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

Other long-term employee benefits

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

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

Contract liabilities

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

Capital grant/contribution liabilities

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022NOTE 10
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue				
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	Annual	YTD	Forecast 30
	1 July 2022	Liability	Liability	30 Nov 2022	Liability	Budget	Budget	Budget	Revenue	June
	\$	\$	(As revenue)	\$	\$	Revenue	\$	\$	Actual	Closing
Operating grants and subsidies										
General purpose funding										
Financial assistance grant - general	0	0	0	0	0	400,000	50,458	400,000	100,916	450,458
Financial assistance grant - roads	0	0	0	0	0	200,000	18,658	200,000	37,318	218,660
Law, order, public safety										
MAF Projects				0		8,500	32,790	78,699	0	(24,290)
ESL Grant				0		27,891	11,620	27,891	18,886	35,157
Transport										
RRG Direct Funding Grant	0			0	0	87,416	87,416	87,416	89,297	89,297
	0	0	0	0	0	723,807	200,942	794,006	246,416	769,281
Operating contributions										
General purpose funding										
Legal costs recoverable	0	0	0	0	0	200	85	200	0	115
Education and welfare										
Income related to Well Aged Housing				0		10,000	4,165	10,000	33,969	39,804
Seniors Week grants				0		0	0	0	600	600
Housing										
Staff housing reimbursements	0	0	0	0	0	1,700	710	1,700	431	1,421
Income 13 Cardigan Street	0	0	0	0	0	0	0	0	820	820
Other property and services										
Workers Comp Reimbursements	0	0	0	0	0	5,000	2,085	5,000	0	2,915
Diesel fuel rebates	0	0	0	0	0	18,500	7,710	18,500	3,648	14,438
	0	0	0	0	0	35,400	14,755	35,400	39,469	60,114
TOTALS	0	0	0	0	0	759,207	215,697	829,406	285,885	829,395

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**NOTE 11
NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue				
Provider	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 30 Nov 2022	Amended Budget Revenue	YTD Budget	Annual Budget	YTD Revenue Actual	Forecast 30 June Closing
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies									
General purpose funding									
LRCIP	20,739	350,256	(113,436)	257,559	515,008	214,585	515,008	100,402	400,825
Law, order, public safety									
Fire prevention Grants	0	0	0	0	0	0	0	9,044	9,044
Community amenities									
DWER Grants	0	0	0	0	100,000	41,665	100,000	9,998	68,333
Transport									
Grant - RRG Specific	58,667	0	0	58,667	88,000	36,665	88,000	0	51,335
Grant - R2R		0	0	0	196,687	81,955	196,687	33,837	148,569
Grant - LRCIP		0	0	0	0	0	0	13,034	13,034
	79,406	350,256	(113,436)	316,226	899,695	374,870	899,695	166,315	691,140
TOTALS	79,406	350,256	(113,436)	316,226	899,695	374,870	899,695	166,315	691,140

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022****NOTE 12
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

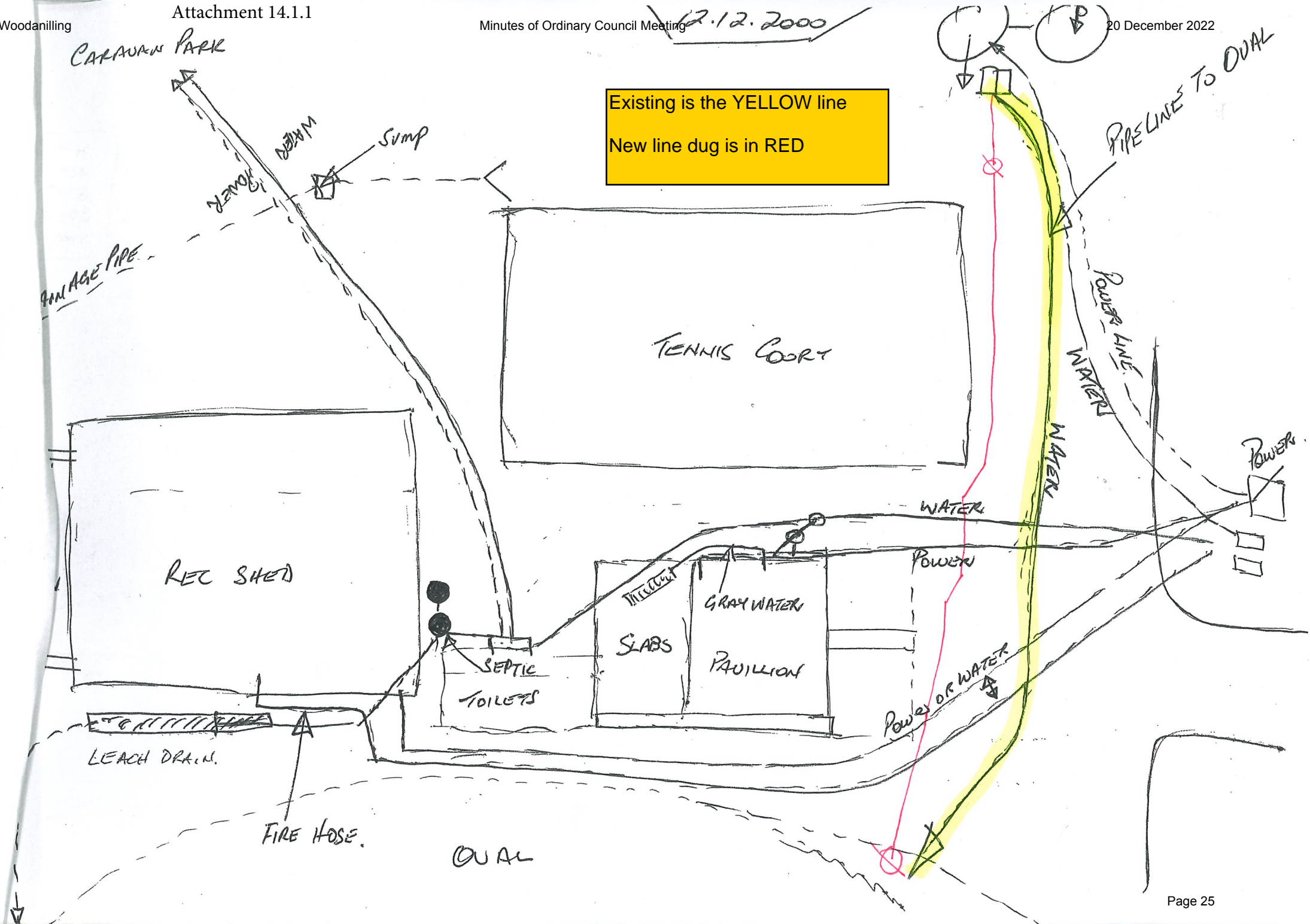
GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Adopted Budget Running Balance
				\$	\$	\$	\$
Budget adoption							790,605
			Opening Surplus(Deficit)				790,605
051030	Townsite Fire Management Plan	OCM111/10/2022	Operating Expenses			(70,199)	720,406
051200	Income relating to MAF projects	OCM111/10/2022	Operating Revenue		70,199		790,605
135010	ES Expenses relating to Standpipes	OCM112/10/2022	Operating Expenses			(7,500)	783,105
144030	OPS Part & Repairs	OCM112/10/2022	Operating Expenses		7,500		790,605
				0	77,699	(77,699)	0

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2022

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 2022-23 year is \$10,000 or 10.00% whichever is the greater.

Nature or type			Explanation of variances	
	Var. \$	Var. %	Timing	Permanent
	\$	%		
Revenue from operating activities				
Operating grants, subsidies and contributions	70,188	32.54%	▲	Additional MAF Grant Income
Fees and charges	78,218	104.89%	▲	Higher fee revenue than YTD budget
Expenditure from operating activities				
Materials and contracts	208,323	43.76%	▲	Substantial contracts yet to commence.
Depreciation on non-current assets	377,962	100.00%	▲	No Deprecation as 2022 yet to be finalised
Non-cash amounts excluded from operating activities	(318,180)	(100.00%)	▼	
Investing activities				
Proceeds from non-operating grants, subsidies and contributions	(208,555)	(55.63%)	▼	Capital Works program underway
Proceeds from disposal of assets	(143,500)	(100.00%)	▼	No Asset transactions as yet
Payments for property, plant and equipment and infrastructure	597,616	82.37%	▲	Capital Works program underway
Financing activities				
Transfer from reserves	(461,000)	(100.00%)	▼	Transfers done at end of financial year or for asset transactions
Transfer to reserves	298,799	99.31%	▲	Transfers done at end of financial year or for asset transactions



PUMP SELECTION:

OPERATING PRESSURE	41.00	
MAINLINE LOSS	4.86	
LATERAL LOSS	4.88	
VALVE LOSS (BERMAD 50)	2.10	
ELEVATION	-2.00	(POS)
SUNDRY	4.00	

TOTAL HEAD 54.84

GRUNDFOS CR 32-4.2 (7.5kW)
21.6m³ @ 63m TOTAL DESIGN HEAD

50mm POLY BALL VALVE
TO ACT AS FLUSHING VA
1419 VALVE BOX

RUN 1 SPARE CABLE & COI
TO END OF MAINLINE

ER I31 POP-UP SPRINKLER
TALL SPRINKLER AT FINISHED GRADE

ARTICULATED RISER

LATERAL PIPE

DETAIL
10T TO SCALE

Highlighted
Issues with
power/water

WATER METER

EXISTING

PAVILION

OVER SPRAY AROUND SWING AREA

WWLZ INFORMATION REPORT – FOR THE PERIOD – OCT 2022–NOV 2022**GLOSSARY**

<i>NRM</i>	- <i>Natural Resource Management</i>
<i>SWCC</i>	- <i>South West Catchments Council</i>
<i>DPIRD</i>	- <i>Department of Primary Industry, Research & Development</i>
<i>DMIRS</i>	- <i>Department of Mining, Industry Regulation & Safety</i>
<i>EOI</i>	- <i>Expression of Interest</i>
<i>FOO</i>	- <i>Food on Offer</i>
<i>TEK</i>	- <i>Traditional Ecological Knowledge</i>

MANAGEMENT COMMITTEE MEETING

Last Meeting: 9th Nov

Next Meeting: Feb 2023

LANDCARE COORDINATION FUNDING 2022/2023

- SWCC Pollinator Project - \$55,500
- State NRM Community Fauna Education Project - \$133,340
- DPIRD – FEED365 – Satellite trial site – \$60,000
- Protecting threatened species from feral pig impacts in the wheatbelt - \$190,500

STRATEGIC PLANNING

- New constitution has been approved at the AGM and has been submitted to the Department of Commerce (DMIRS)

NON-PROJECT COMMUNITY ACTIVITIES

- Financial management
- Snake removal service
- Wildlife rescue

COMPLETED EVENTS

- CRC Birds in nature Art for holidays event
- Field walk with noongar elder on traditional ecological knowledge (TEK)
- Volunteer assisted fauna monitoring for Autumn is finished
- Drainage & Clearing roadshow
- Night stalk
- Feed 365 Field Day
- Spring fauna monitoring
- TEK walk in Woodanilling

COMING EVENTS

- 2023 Field Day Feed 365
- 2023 Night stalk
- 2023 Schools Education program

CURRENT/ONGOING PROJECTS:**SWCC – POLLINATOR PROJECT STAGE 2 \$218,000 (OVER 4 YEARS)**

- Most fencing has been completed for the project one site had to wait until canola is harvested to complete fencing
- Contracted fauna survey has been completed. Currently compiling report for submission
- Final seedling counts still to be completed
- December monitoring and reporting completed.

STATE NRM – HELPING OUR WAGIN-WOODY COMMUNITY TO UNDERSTAND AND PROTECT OUR SPECIES - \$133,340 (OVER 3 YEARS)

- All fencing and reveg has been allocated for this project.
- Currently doing seedling orders for 2023 program
- Surveys completed for Spring. Site visits for Autumn program will commence in new year.

DPIRD – FEED 365 PASTURE TRIALS SATELLITE SITE - \$60,000 (OVER 3 YEARS)

- Second round of grazing has been completed.
- Exit weight and condition score has been measured.
- Pasture analysis has come back.
- Meet with animal ethics representative on site to view the project activities.

STATE NRM – PROTECTING THREATENED SPECIES FROM FERAL PIG IMPACTS IN THE WHEATBELT – \$190,500 (OVER 3 YEARS)

- Contracting completed. Still awaiting schedules for signing.

APPLICATION SUBMITTED**APPLICATIONS UNDERWAY**

Council Policy 109 – Shire Vehicles – Use Arrangements

Objective

This policy outlines the following objectives:

- To ensure equity in the private use of Shire of Woodanilling Vehicles;
- To ensure that drivers are approved and insured;
- To clarify the conditions in which Shire vehicles can be used for private purposes;
- To provide the guidelines for the use of Shire Vehicles; and
- To provide guidelines for the equitable and reasonable private use of Shire Vehicles for inclusion into contracts or terms of employment.

Scope

The Scope of this Policy is to for Elected Members, Chief Executive Officer, Deputy Chief Executive Officer, Executive Manager Infrastructure, Community Emergency Services Manager and all other employees.

Policy

Principles

- Smoking is prohibited in all Shire Vehicles;
- The laws of Western Australia are to be observed at all times;
- Fuels and oils purchase during private use are at the cost of the individual and not the Shire;
- Only approved drivers are to drive the vehicles;
- Any motor vehicle accident or damage to the vehicle must be reported immediately (or as soon as practicable) to the Chief Executive Officer;
- Any traffic infringements incurred, including parking fines, are to be paid by the driver;
- All vehicles shall be appropriately housed and secured at the residence of the employee;
- Vehicles are to be kept clean;
- No confidential material or valuables are to be left in vehicles. Any personal items left in Council vehicles are solely the responsibility of the owner of the personal items;
- Any persons shall immediately advise the Chief Executive Officer if his/her driver's licence is suspended or cancelled; and
- Conditions of vehicle use are to be included in contracts or provided to employees in writing, clearly articulating the principles relevant to the role.

Specific Use Designations

Elected Members

- A pool car may be available to Elected Members for use to travel to Shire related meetings and events.

Chief Executive Officer

- Unlimited private use entitles the CEO and a driver designated by the CEO to use the motor vehicle for both business and private purposes in Western Australia and for business and private travel within the state of Western Australia in accordance with Council Policy;
- The CEO paying the cost of fuel purchased outside the Shire during periods of private use (and providing tax invoices therefor for reimbursement by the Shire if not purchased on the Shire fuel card);
- All private use privileges extend to the spouse/defacto/partner of the Chief Executive Officer outside to normal business hours; and
- Use of vehicle forms part of the Chief Executive Officer Contract of Employment.

Senior Officers

- Full private use of a Shire Vehicle is permitted within 500kms from Woodanilling postcode;
- The approval of the Chief Executive Officer is required for any use outside of this range;
- All private use privileges extends to partner of Senior Employee outside normal office hours however whilst driving with the Senior Employee; and
- Use of vehicle forms part of the Senior Employee Contract of Employment.

Commuter Use Only

- CEO and/or EMI to assign certain positions with commuter use only for certain positions held within the organisation.
- Use of a Shire vehicle is limited to home and work (commuter use only);
- Use of the vehicle extends to spouse/defacto/partner of position for the Shire related transit journey only;
- When the position is on leave the vehicle must remain at the Shire Depot for staff to use; and
- No private use privileges apply without prior approval from the Chief Executive Officer or Executive Manager Infrastructure.

Community Emergency Services Manager (CESM)

Use of the vehicle allocated to the CESM will be in accordance with the Memorandum of Understanding (MOU) between the Department of Fire and Emergency Services (DFES) and the Shire of Katanning, Broomehill-Tambellup and Woodanilling.

All other employees

- A pool car is available for use for employees to travel to Shire related meetings, training and events;
- Use of the vehicle may extend to others travelling with the employee for a Shire related transit journey, with permission of the Chief Executive Officer; and
- All persons must hold a full and current driver's licence.

Important Notice

- An approved driver must be a Shire of Woodanilling employee or Elected Member holding a Western Australia Driver's licence. A driver on P or E plates must be approved by the Chief Executive Officer;

- Where an employee is under Shire supervised driving instruction, L Plates must be used (for example the attainment of a truck licence);
- All drivers other than Shire employees must be full licence holders. Another driver cannot be approved to use a Shire Vehicle if on L, E or P plates; and
- Fuel, gas and chemicals are only transported in the Shire's commercial vehicles.

Roles and Responsibilities

Elected Members

- Utilise Shire provided vehicles where possible.

Chief Executive Officer

- Follow the guidelines in this procedure; and
- Assess and approve applications to drive Shire vehicles as required.

All Employees

- Follow the guidelines in this procedure;
- Keep vehicles clean and tidy;
- Refuel vehicles; and
- Arrange for the service of vehicles where they are responsible officer.

Document Control/References

Name Of Policy	Council Policy 109 – Shire Vehicles – Use Arrangements			
Previous Policy	Nil			
Next Review Date	Annually			
Related Documents	<u>Acts/Regulations</u> <i>Local Government Act 1995, s3.18 3c</i> <u>Plans/Strategies</u> Nil <u>Policies</u> Nil <u>Delegations</u> Nil <u>Work Procedures</u> Nil			
Date Of Adoption And Resolution Number	20 December 2022			
Review Dates And Resolution Numbers				
History:				
Version:	Title No.	OCM Date Res No.	Synopsis	Details
1	Council Policy 109 – Shire Vehicles – Use Arrangements	20 December 2022	New Policy	New policy created for vehicle use

Council Policy 110 – Use of Information Technology

Objective

This policy provides guidelines for the proper use of all information technology facilities, including electronic data exchange, via internal and external data networks. It includes: internet access, internet email, internal email (exchange), facsimile and other electronic data transfer using the Shire of Woodanilling information technology facilities.

Scope

This Policy sets the conditions of use for the Shire of Woodanilling information technology facilities, including the use of the internet and electronic email (Outlook) for all employees, volunteers, contractors and Elected Members.

For the purpose of this Policy “employee” denotes employees, volunteers, contractors and if applicable Elected Members.

Policy

Purpose

This policy applies to;

- All employees of the Shire of Woodanilling, whether they are permanent, temporary or contracted;
- All contractors and volunteers; and
- Elected Members using Council equipment.

It is important therefore that all persons understand and acknowledge their obligations in this area.

Shire of Woodanilling employees are accountable for the use their Shire’s Information Technology (IT) facilities are improperly used, persons found misusing Shire facilities may be subject to formal disciplinary actions and potentially, criminal prosecutions.

The Shire’s IT network and its connections to other networks are to be used only in a manner that is consistent with the Shire’s business purposes and within the principles and guidelines of this policy and associated procedures.

This document sets out the Shire of Woodanilling’s position the proper use of its IT facilities. The principles sustaining the proper use of the Shire of Woodanilling IT facilities are:

- The use of IT Facilities should be consistent with the Shire of Woodanilling business operations.

- Limited personal use is permitted but must not interfere with the Shire of Woodanilling business operations.
- The Shire of Woodanilling will not be responsible for the loss of any personal information and/or data stored on any Shire owned device, including computers, I pads and mobile telephones.
- Improper use of the Shire of Woodanilling IT facilities will be addressed in accordance with this policy and may lead to disciplinary action, criminal prosecution, or both.

The purpose of these guidelines is to safe guard the Shire of Woodanilling as well as the individual from the misuse of the Shire's IT Facilities.

Security

Viruses

- All necessary precautions will be taken by all staff to ensure viruses are not introduced to the Shire of Woodanilling computer systems.
- All CD's, thumb drives and any other data storage devices format from external resources must be checked prior to opening or loading any of the data or programs that it contains.
- Employees should check to ensure the media is virus free by:
 - Right click with the mouse and
 - Select "scan for viruses"

Log in Protocols

- All users must be issued with a unique user identification and a password.
- Employees must not give out their user details or password of the computer system to other Elected Members, employees, volunteers and non-employees.
- Employees must provide a copy of their password for any Shire owned IPads or mobile telephone to the IT Company to be placed on a Register. If the employee updates/changes the password they must inform the IT Company of the change.

Improper Use of IT Facilities

The improper use of IT Facilities may compromise the Shire of Woodanilling's business objectives, expose the Shire to unfavourable publicity and breach of the right of other employees, and therefore have an ethical and legal obligation not to use the IT facilities improperly.

Without limiting its definition, the improper use of IT facilities may entail one or more of the following:

- Use, which is inconsistent with the Shire of Woodanilling's business purposes.
- Excessive access of the internet during work time.
- Use which is outside the scope of an employee's authority or contrary to guidelines and legislation applying to the Shire's IT facilities.

- Use which is contrary to broader requirements of the Shire of Woodanilling employees such as conditions of employment, anti-discrimination legislation, Shire of Woodanilling's policies, etc.

Penalties for Improper Use

Any user violating this policy, applicable state the federal laws or Shire of Woodanilling's policies and procedures are subject to Shire of Woodanilling disciplinary options.

In addition, any unauthorised access or attempted access to the Local Government computer system or attempted access to state or Federal Government computing and/or network system is a violation of Australian law and is subject to criminal prosecution.

Should an employee received an email which breaches the Shire's policy pertaining to emails, they should:

- Reply to the email requesting that the sender refrain from sending any such emails in the future;
- Delete the email and any attachments;
- Under no circumstances forward the email; and
- Report the matter to the CEO.

If the employee becomes aware that there are breaches of the Shire's Policy pertaining to the use of the internet occurring the matter should be reported immediately to the CEO.

Examples of Unethical and Unacceptable Use

Use of the Internet for unethical or unacceptable purposes/activities is not permitted. This includes but is not limited to any of the following activities:

- Violating federal or state laws, in particular Division 6 of the 1995 Censorship Act.
- Violating institutional or third party copyright, licence agreements and other contracts.
- Transmitting, or causing to be transmitted, any communications that may be construed as harassment or disparagement of others based on the criteria of anti-discrimination legislation and the Shire of Woodanilling's relevant policies.

Publishing from a work PC on or over the internet any information which violates or infringes upon the rights of any other person or any information of an abusive, profane nature or material likely to be sexually offensive.

Information published on chat sites, such as Facebook from employee's/volunteer's personal computer.

Copyright/Defamation

Copyright is a set of exclusive rights conferred to be law on authors of original material, such as literary works, dramatic works, films, records and the like. All software has copyright. Software programs, whether public domain "freeware" (owner has given the copyright free),

“shareware” (owner may allow software to be copied and distributed free of charge provided users pay a certain fee), a commercial application or developed by a Government Agency (normally purchased as stand-alone or as multiple copy site licenses) will come with the definition of a “computer program” in the Copyright Act 1968 and will thus qualify as the “literary work” under the Act.

Breaches of copyright legislation can attract severe penalties.

All outgoing mail will include a disclaimer.

Records Management Procedures

All electronic documents are subject to the same record keeping requirements as hard copy documents, ie incoming and outward work related emails will be registered in the Synergy Records System.

Elected Members should forward all electronic documents relation to the business of Council to the CEO.

Document Control/References

Name Of Policy	Council Policy 110 – Use of Information Technology			
Previous Policy	Nil			
Next Review Date	Annually			
Related Documents	<u>Acts/Regulations</u> <i>Local Government Act 1995, s3.18 3c</i> <u>Plans/Strategies</u> Nil <u>Policies</u> Nil <u>Delegations</u> Nil <u>Work Procedures</u> Acceptable Internet Use			
Date Of Adoption And Resolution Number	20 December 2022			
Review Dates And Resolution Numbers				
History:				
Version:	Title No.	OCM Date Res No.	Synopsis	Details
1	Council Policy 110 – Use of Information Technology	20 December 2022	New Policy	New policy created for use of IT



Register of: Delegations, Sub-delegations, Appointments, and Authorisations





Table of Contents

Introduction	5
Delegation No: 1 Annual Electors' Meeting – Setting Dates	10
Delegation No: 2 Appointment of Acting CEO	11
Delegation No: 3 Appointment of Authorised Officers.....	12
Delegation No: 4 Duplication of Services	13
Delegation No: 5 Executing Documents	14
Delegation No: 6 Gifts to Retiring Councillors	15
Delegation No: 7 Local Government Elections.....	16
Delegation No: 8 Private Property – Power of Entry	18
Delegation No: 8A Private Property – Power of Entry – Sub-delegation	22
Delegation No: 9 Tenders and Expressions of Interest	24
Delegation No: 10 Disposal of Property, Plant & Equipment.....	26
Delegation No: 11 Donations, Discounts and Debt Write-offs.....	28
Delegation No: 12 Expenditure in the event of an Emergency	29
Delegation No: 13 Investment of Surplus Funds	30
Delegation No: 14 Legal Representation and Cost Indemnification	31
Delegation No: 15 Payment from Municipal or Trust Funds	32
Delegation No: 15A Payment from Municipal or Trust Funds - Sub-delegation	34
Delegation No: 16 Rates Issues – General Delegation	36
Delegation No: 17 Rates – Recovery where Unpaid	38
Delegation No: 18 Reimbursement of Expenses to Shire President and Councillors	40
Delegation No: 19 Bush Fires Act – General Delegation	41
Delegation No: 20 Bush Fires Act – Prohibited Burning Times.....	42
Delegation No: 21 Bush Fires Act – Variations to Fire Break Orders	43
Delegation No: 22 Cat Act – Duties and Functions.....	44
Delegation No: 22A Cat Act – Duties and Functions - Sub-delegation.....	45
Delegation No: 23 Dog Act – Duties and Functions.....	46
Delegation No: 23A Dog Act – Duties and Functions	47
Delegation No: 24 Graffiti Vandalism Act – General Delegation	48
Delegation No: 24A Graffiti Vandalism Act – Sub-delegation and Appointment Instrument	49
Delegation No: 25 Impounding Abandoned Vehicles and Goods.....	50
Delegation No: 26 Local Laws.....	51





Delegation No: 26A	Local Laws – Sub-Delegations.....	52
Delegation No: 27	Fines, Penalties & Infringement Notices – Appointment of Prosecution Officers.....	53
Delegation No: 28	Health (Miscellaneous Provisions) Act 1911 – Various Functions – Delegation.....	54
Delegation No: 29	Permits for Stall Holder, Trader and/or Outdoor Eating Facilities.....	55
Delegation No: 30	Closure of Streets, Thoroughfares, Control of Reserves and Unvested facilities	56
Delegation No: 30A	Closure of Streets, Thoroughfares, Control of Reserves and Unvested facilities - Sub-Delegation....	58
Delegation No: 31	Roads – Heavy Vehicle Access.....	60
Delegation No: 31A	Roads – Heavy Vehicle Access – Sub-Delegation.....	61
Delegation No: 32	Street Alignment and Related Matters.....	62
Delegation No: 33	Building Act & Regulations – Powers, Duties and Functions	63
Delegation No: 34	Building Act & Regulations – Occupancy Permits and Building Approval Certificates for Strata Plans	65
Delegation No: 35	Town Planning Scheme No. 1 – Various duties, powers and functions	67
Delegation No: 36	Crown Reserves and Street Names	69
Delegation No: 37	Building Incentives.....	71
Delegation No: 37A	Building Incentives – Sub-Delegation	72
Delegation No: 38	Group Values on Contiguous Land	73
Delegation No: 39	Street Stalls/Appeals	75
Appointment No: 1	General Inspectors – Animal Welfare Act	76
Appointment No: 2	Authorised Persons – Caravan Parks and Camping Grounds Act	77
Appointment No: 3	Enforcement – Caravan Parks and Camping Grounds Act.....	78
Appointment No: 4	Control of Vehicles (Off Road Areas) Act 1978	79
Appointment No: 5	Control of Council Property and Facilities	80
Appointment No: 6	Internal Review Officer – Freedom of Information Act 1992	81
Appointment No: 7	Information Coordinator & Principal Decision Maker– Freedom of Information Act 1992.....	82
Appointment No: 8	Authorised Person – Legal Proceedings, Infringements and Enforcements – Local Government Act	83
Appointment No: 9	Authorised Person – Local Government Act.....	84
Appointment No: 10	Public Health Act 2016 – Appointment of Authorised Officers.....	85
Appointment No: 11	Public Interest Disclosure Officer – Public Interest Disclosure Act 2003	86
Appointment No: 12	Review Officer and Determination Officer – Rates and Charges (Rebates and Deferments)	87
Regulation Act 1992	
Appointment No: 13	Authorised Officers – Issue of Infringement Notices, Approved Officer – withdrawal or extension of period, Health (Asbestos) Regulations 1992.	88
Appointment No: 14	Bush Fires Act – Issue of Infringement and Prosecution.....	89
Appointment No: 15	Referral of Proposals – Environmental Protection Act 1986.....	90
Appointment No: 16	Equal Employment Opportunity Management Plans	91





Appointment No: 17	Liquor Control Act 1988 – Issue Certificates, removal of Licences, Application for Extended Trading Permits.....	92
Appointment No: 18	Litter Act 1979 – Authorised Officers	93
Appointment No: 19	Litter Act 1979 – Withdrawal of Infringement Notices	94
Appointment No: 20	Building Act 2011 – General Duties.....	95
Appointment No: 21	Cat Act	96
Appointment No: 22	Dog Act	97
Appointment No: 23	Food Act – General Delegation and Appointment.....	99





Introduction

FORMAT OF REGISTER

This Register includes:

- Delegations from the Council to the Chief Executive Officer, and where appropriate to other employees; and
- Sub delegations from the Chief Executive Officer to other employees

The Register includes the relevant delegation decision followed by a sub delegation decision (where relevant).

As a matter of principle throughout the Register, the Chief Executive Officer is the only employee authorised by the Shire of Woodanilling to commence (or authorise the commencement of) legal proceedings.

TERMINOLOGY AND ACRONYMS

Clause – of the Shire of Woodanilling own Planning Scheme No 1, referenced by ‘cl’, as in cl8.2.1.

Employee – refers to an employee of the Shire of Woodanilling. It should be noted although the Chief Executive Officer may generally only delegate a function or duty to an employee (S5.44 Local Government Act 1995 and others) any ‘person’ may be appointed an Authorised Person (although some Acts, such as the Building Act 2011 and Health Act 1911 require only employees or certain qualified employees to be ‘authorised’ or ‘appointed’). Thus, care needs to be taken to ensure that contractors are not ‘delegated’ functions or duties, although they may be appointed as Authorised Persons.

Regulation – subordinate legislation, referenced by ‘R’, as in R22. *Schedule* – to an Act, referenced as ‘Sch’, as in Sch 3.2.

Section - of an Act, referenced by ‘S’, as in S5.42.

Sub delegation – the terms ‘sub delegate’ and ‘sub delegation’ are used as a style preference, rather than ‘on delegate’ or ‘on delegation’.

DELEGATIONS AND SUB DELEGATIONS

The application of delegated authority is intended to improve the efficiency, effectiveness and timeliness of decision making and is consistent with the Shire’s Strategic Community Plan and commitment to a strong customer service focus.

The use of delegated and sub delegated authority does not ‘undermine’ the roles and responsibilities of elected members constituting the Council as the peak local decision making body of the community. Rather it should be seen as freeing up the Council from some matters to better able to deal with high level strategic matters and in the knowledge that decision making on the former will be made by employees consistent with Council Policy and precedents.

The Council (and the Chief Executive Officer in the case of most sub delegations) will only delegate matters where the relevant employees have the appropriate skills and expertise to implement the delegation or sub delegation within the Shire’s decision making frameworks. At the same time the exercise of all delegated and sub delegated authority is subject to complying with relevant Policies of the Shire, which are cross referenced within each Instrument.

An important safeguard is also the principle that nothing prevents the delegating body or person from taking back a delegation or sub delegation or actually making the relevant decision on a particular issue.

This Register describes:





- the 'head of power' for the exercise of delegation to an elected member, employee, Committee or person,
- the 'head of power' for sub delegation (where such authority exists under the relevant legislation),
- the precise authority being delegated, including any limits, restrictions or conditions,
- relevant Shire policies applicable to the execution of the delegation or sub delegation,
- the statutory requirements for the Council to review all delegations, and others to review sub delegations

In general, for all matters, whether made under the Local Government Act 1995, or otherwise, the requirement of the Local Government Act 1995 to review the Register at least once every financial year will be followed, except where delegations under other Acts have different requirements. Where there is no statutory requirement for review, the provisions of the Local Government Act will be applied to ensure uniformity of approach and outcome.

AUTHORISATIONS

This Register includes authorisations under the Local Government Act 1995 and other legislation. In most cases, authorisations are made by the Chief Executive Officer under delegated authority. In some cases authorisations are made by the Council itself because the relevant statute requires.

Some legislation provides for authorisation of Local Government officers to have powers as are necessary in order for them to perform their required duties as a specific function of the local government. These duties are carried out as 'acting through' functions under s5.45(2) of the Local Government Act 1995.

APPOINTMENTS

Consistent with the aim of providing a single resource, this Register includes appointments under various statutes, in some cases such appointments are "as of right" and in others the Council or the Chief Executive Officer has chosen not to make an appointment at the date of adoption of this Register.

LOCAL GOVERNMENT ACT 1995

The majority of delegations and sub delegations described in this Register originate under the Local Government Act 1995 which permits a local government (by absolute majority decision under s5.42(1)) to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in s5.43, which are:

- any power or duty that requires a decision of an absolute majority or special majority of the local government,
- accepting a tender which exceeds an amount determined by the local government,
- appointing an auditor,
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government,
- any of the local government's powers under s5.98, 5.98A, s5.99, s5.99A and s5.100 of the Act,
- borrowing money on behalf of the local government,
- hearing or determining an objection of a kind referred to in s9.5 of the Act,





- the power under S9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government,
- any power or duty that requires the approval of the Minister or the Governor. In addition, there are several other matters which cannot be delegated to the CEO:
 - under r18G of the Local Government (Administration) Regulations s7.12a, 7.12A(3)(a) and s7.12(4), which relate to meetings with auditors,
 - under r18C and 18D which relate to the recruitment and performance management of the Chief Executive Officer
 - under r16 of the Local Government (Financial Management) Regulations which prevent the delegation of matters relating to internal audit to an employee who has been delegated the duty of maintaining the day to day accounts or financial management operations.

The delegation powers under the Local Government Act 1995 relate to the Act itself, Regulations made under the Act and Local Laws made under the Act.

OTHER LEGISLATION

Legislation other than the Local Government Act 1995, its Regulations and the Shire's Local Laws created under the Act where delegations, authorisations or appointments may occur (and which are relevant to the Shire of Woodanilling) include:

- Animal Welfare Act 2002;
- Australian Citizenship Act 2007;
- Building Act 2011 and Building Regulations 2012
- Bush Fires Act 1954, regulations and local laws created under that Act;
- Cat Act 2011 and regulations;
- Caravan Parks and Camping Grounds Act 1995;
- Control of Vehicles (Off-Road Areas) Act 1978 and regulations;
- Dog Act 1976 and regulations;
- Equal Employment Opportunity Act 1984;
- Environmental Protection Act 1986;
- Food Act 2008;
- Freedom of Information Act 1992;
- Graffiti Vandalism Act 2016
- Health (Miscellaneous Provisions) Act 1911 regulations and local laws created under that Act;
- Health (Asbestos) Regulations 1992
- Land Administration Act 1997, and regulations;
- Litter Act 1979 and regulations;
- Local Government (Miscellaneous Provisions) Act 1960;
- Parks and Reserves Act 1895;





- Planning and Development Act 2005 including regulations, policies and the Town Planning Scheme;
- Public Interest Disclosure Act 2003
- Public Health Act 2016
- Rates and Charges (Rebates and Deferments) Act 1982;
- Road Traffic Act 1974;
- Strata Titles Act 1985

The Shire of Woodanilling Town Planning Scheme No 1 permits delegation by Council to employees (rather than via the Chief Executive Officer as per the Local Government Act). Accordingly, the process defined by the Town Planning Scheme for delegating authority and duties is utilised.

SUB DELEGATION BY THE CHIEF EXECUTIVE OFFICER

The Local Government Act 1995 allows the Chief Executive Officer to delegate any of the powers delegated to the office of Chief Executive Officer to another employee (s5.44(1)), in writing (s5.44(2)) and may include conditions (s5.44(4)).

REVIEW OF DELEGATIONS

The Register of Delegations relevant to the Chief Executive Officer and other employees will be reviewed at least once every financial year (in accordance with the provisions of s5.46(1), (2)).

As a matter of principle, the Shire of Woodanilling will review all delegations, authorisations and appointments at least once in every financial year, whether under the Local Government Act 1995, or another Act. This is despite the varying requirements for review viz:

- Building Act 2011 - no requirement
- Bush Fires Act 1954 - no requirement
- Cat Act 2011 - annual review requirement
- Dog Act 1976 - annual review requirement
- Food Act 2008 - no requirement
- Graffiti Vandalism Act 2016 - no requirement
- Public Health Act 2016 - no requirement
- Planning and Development Act 2005 - annual review requirement

This will include the Chief Executive Officer reviewing all sub delegations, authorisations and appointments made by him or her.

RECORD OF ACTIONS AND DECISIONS

If a person is exercising a power or duty that has been delegated (including sub delegated), the Local Government Act requires that records be kept whenever the delegated authority is utilised (s5.46(3)).

The record is to contain information on:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and





- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty (r19 Local Government (Administration) Regulations 1996)

Departments responsible for a work process are to ensure that data is captured, and records managed in accordance with all legislation, as well as preparing reports to Council where required under a specific delegation.

PRIMARY/ANNUAL RETURNS AND GIFT DISCLOSURES

A person to whom a duty or power is delegated under the Local Government Act 1995 is a 'designated employee' under s5.74(b) of the Act and is required to complete a primary return and an annual return each year. Although these requirements relate only to delegations under the Local Government Act 1995 and not any other Acts, the Council and the CEO have taken the decision to require compliance with those provisions, even where made under other Acts, to ensure all employees are treated equally in such disclosures.

In addition, such designated employees (and by policy decision of the Council and CEO, all other employees with delegated authority under other Acts) have statutory obligations to disclose gifts worth \$200.00 or more, in addition to the standard disclosure provisions relating to gifts and which apply to all employees.

ACTING THROUGH ANOTHER PERSON

The Local Government Act recognises that employees do not always need delegations (or sub delegations) to carry out their tasks and functions on behalf of the Shire. Section 5.45 (2) of the Act states:

Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing:

- a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or
- b) a Chief Executive Officer from performing any of his or her functions by acting through another person.

The key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right. Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to 'act through' another employee.

The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For further information, see Department of Local Government and Communities Guideline No 17 - Delegations.



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Cannot be sub-delegated
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.27(2)</i>	LEGAL (SUBSIDIARY): <i>s5.42 Local Government Act 1995</i>
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to set the date for the annual electors' meeting.

CONDITIONS/NOTES

Chief Executive Officer must consult the Shire President and reach agreement on the proposed date, or it must be submitted to Council for determination.

A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Delegation No: 2

Appointment of Acting CEO

DATE ADOPTED:	
DATE LAST REVIEWED:	
POLICY REFERENCE:	

DELEGATE:	CEO
SUB-DELEGATED:	Cannot be sub-delegated
SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.36(1) (a)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i> <i>Local Government (Administration) Regulations 1996</i>
Conditions	<i>Chief Executive Officer must inform the Shire President of all proposed Acting Chief Executive Officer arrangements.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to appoint an Acting Chief Executive Officer for periods of absence by the Chief Executive Officer not longer than five weeks.

For longer periods of absence, the Chief Executive Officer shall submit a recommendation for the determination by the Council.

In the event that the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council, by absolute majority, in accordance with s5.36(2)(a), (b), s5.39 and s5.40 of the *Local Government Act 1995* and r18A, r18B, r18F and r19A of the *Local Government (Administration) Regulations 1996*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Date: _____

Cr Russel Thomson



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s9.10(1); s9.11; s9.13; s9.16; s9.17; s9.19; s9.20</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Appointed Authorised Persons are to hold a Certificate of Appointment in accordance with s9.10(2).</i> <i>A register of Authorised Persons is to be maintained as a Local Government Record.</i> <i>Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</i>

POWER OR DUTY DELEGATED

1. The Chief Executive Officer is delegated authority to appoint authorised persons for the purposes of Division 2 Sub Division 1 of the *Local Government Act 1995*.
2. The Chief Executive Officer is delegated authority to appoint Authorised Persons under s9.10(1), s9.11, s9.13, s9.16, s9.17, s9.19 and s9.20 of the *Local Government Act 1995*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Delegation No: 4

Duplication of Services

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s3.18(3)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Chief Executive Officer to ensure all agenda items and recommendations to the Council and Committees comply with these provisions.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to ensure that services and facilities that the local government provides:

- Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and
- Do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
- Are managed efficiently and effectively.

REVIEW REQUIREMENTS

At least once every financial year

AUTHORITY

Shire President

Date: _____ *Cr Russel Thomson*





Delegation No: 5

Executing Documents

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s9.49</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>In accordance with s9.49A (3) of the Act, the common seal is to be affixed to a document in the presence of the Shire President and Chief Executive Officer. This duty cannot be delegated.</i>

POWER OR DUTY DELEGATED

Pursuant to s5.42 *Local Government Act 1995* the Chief Executive Officer is delegated authority to execute documents under s9.49A(2) of the *Local Government Act 1995* including:

- The affixing of the Common Seal of the Shire to a document that needs the Shire's Common Seal to be legally effective and that is in one or more of the following categories:
 - Documents required to satisfy conditions of subdivision and/or development approval;
 - Documents required to effect the transfer of land as part of a settlement transaction (sale and purchase);
 - Documents required as part of a funding agreement for an approved grant;
 - Documents required to effect the grant of leasehold interests in the land either by the Shire to a third party, or by a third party to the Shire;
 - Documents required to effect the grant of a licence either by the Shire to a third party, or by a third party to the Shire; and
 - Documents that are necessary or appropriate to enable a CEO to carry out his functions under any written law

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Date: _____

Cr Russel Thomson





Delegation No: 6

Gifts to Retiring Councillors

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.100A; s5.102</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Must have regard to Division 8 of Part 5 of the Local Government Act 1995.</i> <i>The Chief Executive Officer to consult with the Shire President on any proposal for a gift, and if it relates to the Shire President, with the Deputy Shire President.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to make arrangements for a gift to retiring Councillors in accordance with s5.100A of the *Local Government Act 1995* and r34AC of the *Local Government (Administration) Regulations 1996*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Date: _____ *Cr Russel Thomson*





Delegation No: 7

Local Government Elections

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

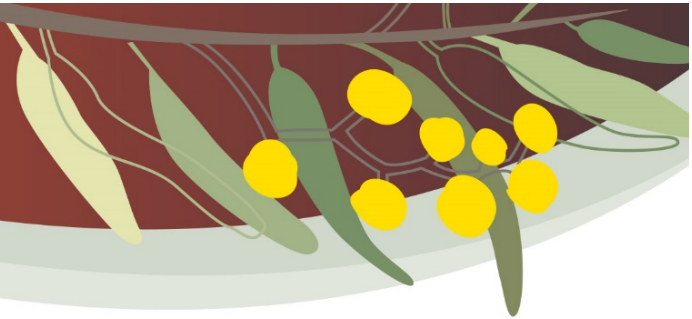
LEGAL (PARENT): <i>Local Government Act 1995 s4.20</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i> <i>Local Government (Elections) Regulations 1997</i>
Conditions	<i>Must comply with Local Government (Elections) Regulations 1997.</i> <i>Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- take necessary actions to promote the conduct of elections and polls within the local government district,
- fix the day on which a poll is held for an extraordinary election if the President has not already done so,
- pay fees and charges to the electoral officers for conducting the election and to pay any expenses incurred by the Electoral Commissioner if a declaration is made under s4.20(2) or (4) of the *Local Government Act 1995*.
- authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].
- authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].
- authority to decide to accept or reject a claim made before the close of enrolments, but less than 14- days before the close of nominations [s.3.42(5A)].
- authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].
- authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].
- authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].





- authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].
- decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
- authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.
- authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].
- authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Date: _____ Cr Russel Thomson
Shire President





Delegation No: 8

Private Property – Power of Entry

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Works Supervisor Ranger Executive Manager Infrastructure Environmental Health Officer Deputy Chief Executive Officer

LEGAL (PARENT): <i>Local Government Act 1995 s4.20 s3.24; s3.25; s3.26(2), (3); s3.27(1); s3.28; s3.31 – s3.36 Sch 3.1, 3.2 and 9.1 Local Government Act 1995</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42 Local Government (Uniform Local Provisions) Regulations 1996</i>
---	---

Conditions	<p><i>In relation to s3.32 (1)</i></p> <p><i>A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered.</i></p> <p><i>The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues.</i></p> <p><i>The notice is to be given not less than 24 hours before the power of entry is exercised.</i></p> <p><i>Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates.</i></p> <p><i>Approvals given are subject to regulation 14(2) of the Local Government (Uniform Local Provisions) Regulations 1996 (where relevant).</i></p> <p><i>In relation to r12, r13, r14, r15, r16, r17 of the Local Government (Uniform Local Provisions) Regulations 1996 due process must be followed for the issuing of a notice under s3.25 of the Act.</i></p> <p><i>Decisions under this Delegation must be exercised in alignment with Obstruction of Footpaths and Thoroughfares (where same exists).</i></p> <p><i>Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.</i></p> <p><i>Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>In relation to r.9 Local Government (Uniform Local Provisions) Regulations 1996: Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) - each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8</i></p>
-------------------	--



	<p><i>In relation to r.11(1), (4), (6) & (8) Local Government (Uniform Local Provisions) Regulations 1996: Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 - Permission may only be granted where, the proponent has:</i></p> <ul style="list-style-type: none"> <i>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</i> <i>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</i> <i>iii. Provided evidence of sufficient Public Liability Insurance.</i> <i>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</i>
--	--

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the powers and duties of the local government, and specifically authorised under s3.24, s3.25, s3.26(2), (3), s3.27(1), s3.28, s3.31, 3.32, 3.33, 3.34, 3.35 & 3.36 and Sch 3.1,3.2 and 9.1 of the *Local Government Act 1995* in relation to notices requiring certain things to be done by owner or occupier of land and additional powers when notice is given.

The Chief Executive Officer is delegated the power to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, subject to Regulation 11(1) of the *Local Government (Uniform Local Provisions) Regulations 1996* and Schedule 3.1, Division 2, item 2:

Schedule 3.1, Division 1 Things a notice may require to be done

1. Prevent water from dripping or running from a building on the land onto any other land.
2. Place in a prominent position on the land a number to indicate the address.
3. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.
4. Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law — (a) is suitably enclosed to separate it from the public place; and (b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place. (2) The notice cannot be given to an occupier who is not an owner.
5. Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly. (2) In this item — “unsightly”, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality. (3) The notice cannot be given to an occupier who is not an owner.
6. Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy. In this item — “disused material” includes disused motor vehicles, old motor vehicle bodies and old machinery.
7. Take specified measures for preventing or minimizing sand drifts on the land that are likely to adversely affect other land





8. Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown.
9. Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government's control or management and adjoins the land where the tree is situated.
10. Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
11. Take specified measures for preventing or minimizing— (a) danger to the public; or (b) damage to property, which might result from cyclonic activity.
12. Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
13. Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired.
14. Take specific measures to prevent — (a) artificial light being emitted from the land; or (b) natural or artificial light being reflected from something on the land, creating a nuisance.
15. Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised. (2) In this item — “private thoroughfare” has the same meaning as in Schedule 9.1 clause 7(1) and s3.25(1)(b) of the Local Government Act 1995:
16. Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done
17. Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare).
18. Regulations under Schedule 9.1, clause 5(1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so.
19. Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare).
20. Regulations under Schedule 9.1, clause 7(2) (Crossings from public thoroughfares to private land or to private thoroughfares) that — (a) prohibit a person from constructing a crossing; or (b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.
21. Regulations under Schedule 9.1, clause 8(1) (Constructing private works on, over, or under public places).
22. Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges).
23. Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage).
24. Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts).

REVIEW REQUIREMENTS

At least once every financial year.





AUTHORITY

Date: _____

Cr Russel Thomson

Shire President





Delegation No: 8A

Private Property – Power of Entry – Sub-delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	Works Supervisor Ranger Executive Manager Infrastructure Environmental Health Officer Deputy Chief Executive Officer

LEGAL (PARENT):

Local Government Act 1995 S4.20 s3.24; S3.25; S3.26(2), (3); S3.27(1); S3.28; S3.31 – S3.36
Sch 3.1, 3.2 and 9.1 Local Government Act 1995

LEGAL (SUBSIDIARY):

Local Government Act 1995 S5.44
Local Government (Uniform Local Provisions) Regulations 1996

Conditions

Must comply with relevant policies

Approvals given are subject to regulation 14(2) of the Local Government (Uniform Local Provisions) Regulations 1996 (where relevant).

In relation to R12, 13, 14, 15, 16, 17 of the Local Government (Uniform Local Provisions) Regulations 1996 due process must be followed for the issuing of a notice under S3.25 of the Act.

Decisions under this Delegation must be exercised in alignment with Obstruction of Footpaths and Thoroughfares (where same exists).

Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.

Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.

Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.

In relation to r.9 Local Government (Uniform Local Provisions) Regulations 1996: Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) - each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8

In relation to r.11(1), (4), (6) & (8) Local Government (Uniform Local Provisions) Regulations 1996: Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 - Permission may only be granted where, the proponent has:

- i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.
- ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.
- iii. Provided evidence of sufficient Public Liability Insurance.





POWER OR DUTY DELEGATED

The ~~Works Supervisor~~ **Executive Manager Infrastructure** and Ranger are delegated the powers and duties of the local government under S3.25, S3.26(2) and S3.26(3), S3.27(1), S3.28 and Sch 3.1, 3.2 and 9.1 of the *Local Government Act 1995* in relation to notices requiring certain things to be done by Owner or Occupier of land and additional powers when notice is given.

The ~~Works Supervisor~~ **Executive Manager Infrastructure** is delegated the authority to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, subject to Regulation 11(1) of the *Local Government (Uniform Local Provisions) Regulations 1996* and Schedule 3.1, Division 2, item 2 and s3.25(1)(b) of the *Local Government Act 1995*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Date: _____

~~Ms Belinda Knight~~

~~Chief Executive Officer~~



Tenders and Expressions of Interest

Delegation No: 9

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.42</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>r14(2a); r18(4), (5); r20(1), (2); r21(1); r23(3)</i>
Conditions	<p><i>Must comply with relevant policies</i></p> <p><i>Specify selection criteria for all tenders called in accordance with r14 and r18 of the Local Government (Functions and General) Regulations 1996.</i></p> <p><i>Accept tenders, negotiate and execute tender contracts up to a value of \$150,000.00 where there is a budget provision approved, or in the case of a multiple year contract (including extensions thereof) up to a total contract value not exceeding \$150,000.00 in accordance with s5.43 (b).</i></p> <p><i>Must have regard to the requirements of r15 Local Government (Functions and General) Regulations 1996</i></p>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to invite tenders for works and services in the relevant financial year adopted budget, where required in accordance with s3.57 of the *Local Government Act 1995*.

The Chief Executive Officer is delegated authority pursuant to *Local Government (Functions and General) Regulations 1996*:

- r14(2a) to determine in writing the criteria for deciding which tender should be accepted.
- r18(4) and (5) to consider any tender that has not been rejected and decide which one to accept or decline to accept any tender.
- r.16(3) Receiving and opening tenders, procedure for - Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend then tender opening.
- r20(1) power, with the approval of the tenderer, to make a minor variation in a contract for goods or services before the Shire enters the contract with the successful tenderer.
- r20(2) to select the next most advantageous tender if the successful tenderer does not want to accept the contract with the variation, or the local government and the tenderer cannot reach agreement.





- r21 to seek expressions of interest with respect to the supply of goods or services, if there is good reason to make a preliminary selection from amongst prospective tenderers.
- r21(1) to seek expressions of interest with respect to the supply of the goods or services before entering the tender process.
- r23(3) to consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Date:

Cr Russel Thomson



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 54	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s3.58</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i> <i>Local Government (Functions and General) Regulations 1996 – r30</i>
Conditions	<p><i>Must comply with relevant policies</i></p> <p><i>May not dispose of plant, equipment and property worth more than \$20,000.00.</i></p> <p><i>Sale of surplus plant, equipment and property over an estimated value of \$2000 and under an estimated value of \$20,000 is to be undertaken by a public auction or tender process. Sale of surplus plant, equipment or property under an estimated value of \$2,000 may be undertaken by an expression of interest.</i></p> <p><i>Where property that has been offered for public auction but not sold, offers for sale by private treaty may be accepted.</i></p> <p><i>Accept tenders relating to the disposal of impounded perishable and non-perishable goods in accordance with s3.47 of the Local Government Act 1995.</i></p> <p><i>Must have regard to the provisions of s3.58(3), (4).</i></p> <p><i>Note: Section.3.47 specifies that s.3.58 applies to disposal of goods under s.3.47. Note however, that the s.3.57 tender requirements <u>do not apply</u> to either the disposal of confiscated or uncollected goods OR the Disposal of Property under s.3.58. (s.3.57 applies only to “contracts... <u>under which another person is to supply goods or service</u>”</i></p>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority pursuant to s3.58 of the *Local Government Act 1995* and r30 *Local Government (Functions and General) Regulations 1996* to sell, lease, or otherwise dispose of, whether absolutely or not, plant, equipment and property, which are no longer required for the Council’s purposes.

For the purposes of s5.43(d) of the *Local Government Act 1995* the maximum value of the asset to be disposed of is hereby established as \$20,000.00.

REVIEW REQUIREMENTS

At least once every financial year.





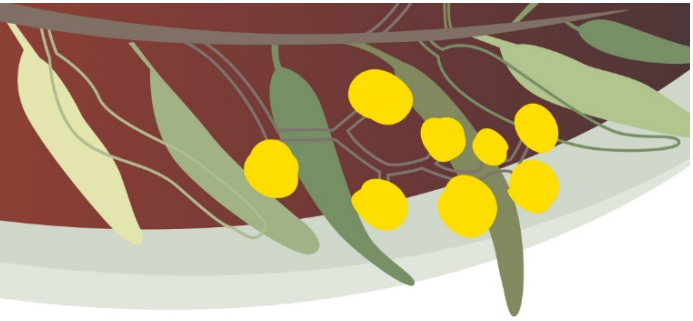
AUTHORITY

Date: _____

Cr Russel Thomson

Shire President





Delegation No: 11

Donations, Discounts and Debt Write-offs

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 32	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s6.7(2); s6.12(1)(b), (c); s6.12(3)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42 Local Government (Functions and General) Regulations 1996 – r30</i>
Conditions	<i>Must comply with relevant policies Includes power to waive or reduce fees charged for the use of Shire facilities by not-for-profit community organisations.</i>

POWER OR DUTY DELEGATED

1. The Chief Executive Officer is delegated authority to make donations to community groups and individuals in accordance with s6.7 (2) of the *Local Government Act 1995* to a maximum value of \$200 per transaction.
2. The Chief Executive Officer is delegated authority to defer, grant discounts, waive or write off debts, including rates, in accordance with s6.12 (1) (b), (c) and s6.12 (3) of the *Local Government Act 1995* to a maximum amount of \$20 per transaction.

REVIEW REQUIREMENTS

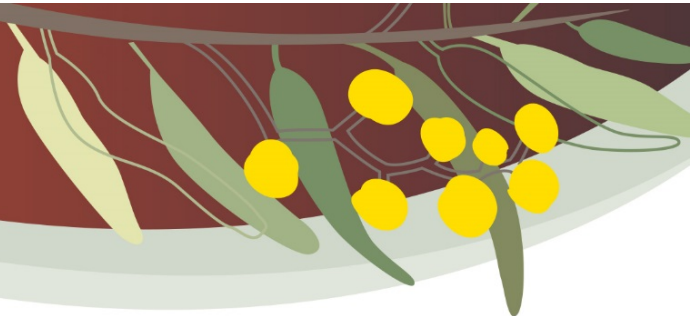
At least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Delegation No: 12

Expenditure in the event of an Emergency

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s6.8(1)(c)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Expenditure must be authorised in advance by the Shire President in accordance with s6.8(1)(c). This delegation includes authority to engage contractors or incur expenses on behalf of the Shire in relation to the containment or extinguishing of a fire which is beyond the local brigade resources or in response to other major disasters or emergencies.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to implement urgent expenditure from the Municipal Fund in the event of an emergency approved by the Shire President pursuant to s6.8 (1) (c) of the *Local Government Act*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Date:

Cr Russel Thomson



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s6.14</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i> <i>Local Government (Financial Management) Regulations</i>
Conditions	<i>In exercising this delegated authority, Chief Executive Officer shall observe s6.14 of the Act.</i> <i>The Chief Executive Officer is to establish and document internal control procedures to be followed by employees to ensure control over investments in accordance with the Local Government (Financial Management) Regulations 1996.</i> <i>The control procedures are to enable the identification of the nature and location of all investments and the transactions related to each investment.</i> <i>The Chief Executive Officer is to review every two years the list of eligible institutions and those used by the Shire.</i> <i>The Chief Executive Officer is to report details of investments made to the Council, whenever new investments are made, rolled over or otherwise amended in the monthly Financial Statement.</i> <i>All investment activity must comply with Local Government (Financial Management) Regulations r19C</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to invest any funds held in the Municipal Fund, Reserve Fund or the Trust Fund that is not, for the time being, required for any other purpose. Such investments are to be made with banking institutions as provided for under Part III of the *Trustees Act 1962* and subject to further advice received.

REVIEW REQUIREMENTS

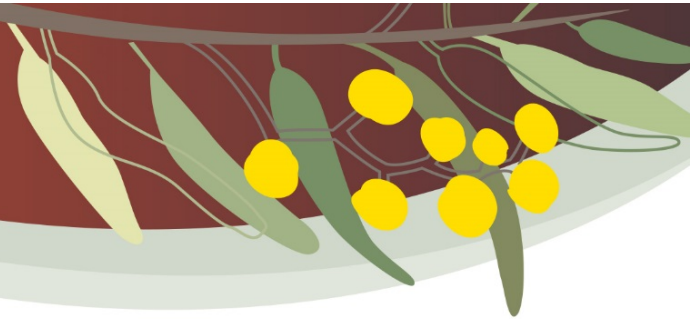
At least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Delegation No: 14

Legal Representation and Cost Indemnification

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 43	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s6.7(2)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Must comply with relevant policies</i> <i>Legal expenses do not exceed \$5,000.00 in respect of each application.</i> <i>Where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application.</i> <i>An application approved by the CEO is to be submitted to the next ordinary meeting of Council.</i>

POWER OR DUTY DELEGATED

In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, the powers of the Council under Policy 43 to a maximum of \$5,000 in respect of each application.

Council may exercise any of its powers under Policy 43.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire-President

Cr Russel Thomson





15 Payments from the Municipal or Trust Funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. Procedures are to be systematically documented and retained, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. b. Procedures are to be reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit Committee in accordance with Regulation 17 of the <i>Local Government (Audit) Regulations 1996</i>. c. The authority to make payments is unlimited, subject to annual budget limitations.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Deputy Chief Executive Officer Accountant Executive Manager Infrastructure
CEO Conditions on this Sub- Delegation: <i>Conditions on the original delegation</i>	1. Delegates must comply with the Procedures approved by the CEO in accordance with Regulation 5 of the <i>Local Government (Financial Management) Regulations 1996</i> .



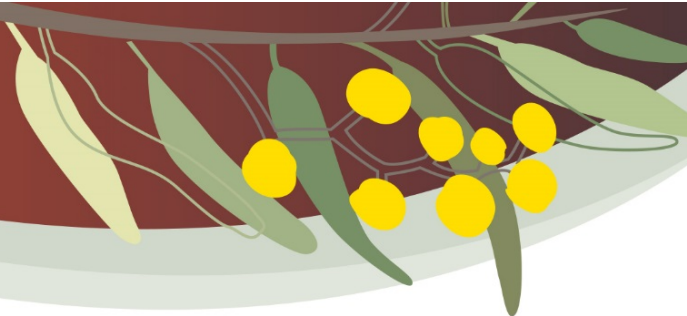


also apply to the sub-delegations.	<p>2. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO.</p> <p>3. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.</p> <p>4. The authority to make payments is unlimited, subject to annual budget limitations.</p>
------------------------------------	--

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995</p> <p>Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p>Local Government (Audit) Regulations 1996</p> <p>Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</p> <p>Department of Local Government, Sport and Cultural Industries: Accounting Manual</p> <p>Council Policy 54 – Purchasing</p> <p>Council Policy 56 – Records Keeping Policy</p> <p>Work Instruction - Bank Transfer</p> <p>Work Instruction – Authorisation Limits</p>
Record Keeping:	Each instance of this delegation being exercised is to be recorded in the Schedule of Payments: creditors list of accounts and the purchasing card report.
Reporting Requirements:	In accordance with Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i> , the Schedule of Payments is to be reported to Council.

Version Control:

1	OCM – 19 April 2022
2	
3	



Delegation No: 16

Rates Issues – General Delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 16	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.42; s6.26(2)(g); s6.39(1); s6.40; s6.41(1); s6.47; s6.49; s6.50(2); s6.56(1); s6.60(2); s6.64; s6.76(4)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42 Rates and Charges (Rebates and Deferments) Act 1992</i>
Conditions	<i>Must comply with relevant policies Subject to Rates and Charges (Rebates and Deferments) Act 1992 In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</i>

POWER OR DUTY DELEGATED

Pursuant to s5.42 (1) (a) of the Local Government Act, and the Rates and Charges (Rebates and Deferments) Act 1992 a local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in s5.43.

The Chief Executive Officer is delegated authority in relation to the performance of the following functions :

1. The discharge of the obligations specified in s6.39(1) of the *Local Government Act 1995*.
2. The service of Notice of Valuation and Rates referred to in s6.41(1) of the *Local Government Act 1995* (as amended).
3. The time allowed for the payment of the rate before it becomes in arrears in accordance with s6.50(2) of the *Local Government Act 1995*.
4. The powers conferred in s6.40 of the *Local Government Act 1995* (Reassessment of Rates where Valuation Changed).
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book in accordance with s6.76(4) of the *Local Government Act 1995*.
6. Amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with the Act, and under s6.76 to determine objections to the rate record. This delegation includes the authority to amend the rate record for the five years preceding the current financial year.



- ## REVIEW REQUIREMENTS

AUTHORITY

~~Shire Preside~~





Delegation No: 17

Rates – Recovery where Unpaid

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 16	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.42; s6.50(1), (2); s6.56(1); s6.60(2), (3), (4); s6.64(1), (3); s6.71(1); s6.74(1); s6.76(4), (5); SCH 6.2 1(1); SCH 6.3 1(4), 4(1)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42</i>
Conditions	<i>Must comply with relevant policies</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the Council under s6.50(1), 6.50(2), 6.56(1), 6.60(2), 6.60(3), 6.60(4), 6.64(1), 6.64(3), 6.71(1), 6.74(1), 6.76(4), 6.76(5), SCH 6.2 1(1), SCH 6.3 1(4), SCH 6.3 4(1) of the Local Government Act 1995.

This delegation includes the powers, duties and functions of the local government including to:

1. Determine the date that a rate or service charge becomes due and payable in accordance with s6.50 of the *Local Government Act 1995*.
2. Recovery of rates and service charges pursuant to the provisions of s6.56(1) of the *Local Government Act 1995*.
3. Require a lessee to pay rent in accordance with s6.60(2), 6.60(3), 6.60(4) of the *Local Government Act 1995*.
4. Take possession of land where any rates or service charges have been unpaid for at least 3 years, in accordance with s6.64(1) and (3).
5. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with s6.64(3).

REVIEW REQUIREMENTS

At least once every financial year.



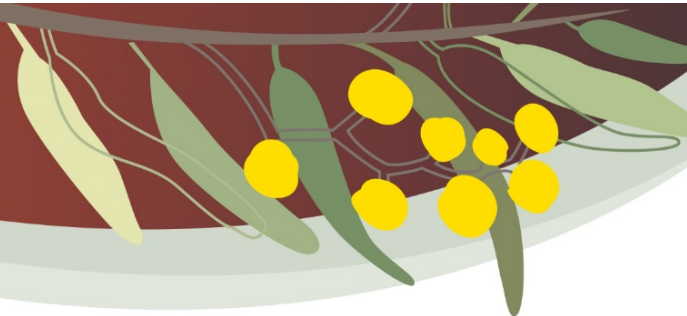
AUTHORITY

Date: _____

~~Gr Russel Thomson~~

~~Shire President~~





Delegation No: 18

Reimbursement of Expenses to Shire President and Councillors

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 96	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 s5.98 (2)(b) & s5.98 (4)</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 s5.42 r32 Local Government (Administration) Regulations 1995.</i>
Conditions	<i>Must comply with relevant policies</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to administer the reimbursement of expenses by the Shire President and Councillors, where such claims are consistent with the Council's Policy in accordance with s5.98 (2)(b), (4) *Local Government Act 1995* and r32 of the *Local Government (Administration) Regulations 1995*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Shire President

Date:

Cr Russel Thomson



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Bush Fires Act 1954 – s48</i>	LEGAL (SUBSIDIARY):
Conditions	<p><i>Does not include those matters in the Act which require a resolution of the Council, are prescribed in the Act for performance by prescribed employees or are subject to separate delegated authority within this Register.</i></p> <p><i>Only the Chief Executive Officer or the Shire President may withdraw infringement notices pursuant to s59A (3) Bush Fires Act 1954 and r4 Bush Fires (Infringements) Regulations 1958.</i></p>

POWER OR DUTY DELEGATED

1. Pursuant to s48 *Bush Fires Act 1954* the Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the local government,
2. This delegation includes the authority to initiate legal action and prosecution. There is no power to sub delegate under the *Bush Fires Act 1954*.
3. The Chief Executive Officer is delegated the power to hand over the control of bush fires to the Department of Fire and Emergency Services (DFES).

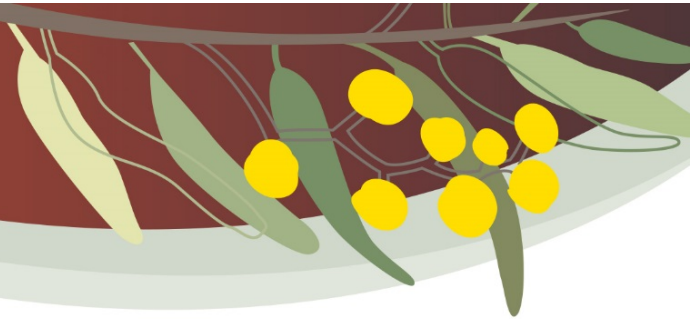
REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Shire President *Date:* _____ *Cr Russel Thomson*





Delegation No: 20

Bush Fires Act – Prohibited Burning Times

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Bush Fires Act 1954 – s17(10)</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Decisions under s,17(7) must be undertaken jointly by both the [President] and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8)..</i>

POWER OR DUTY DELEGATED

Pursuant to s17(10) *Bush Fires Act 1954* the Chief Executive Officer is delegated authority to implement any variation to Prohibited Burning Times in accordance with s17(7), (8).

REVIEW REQUIREMENTS

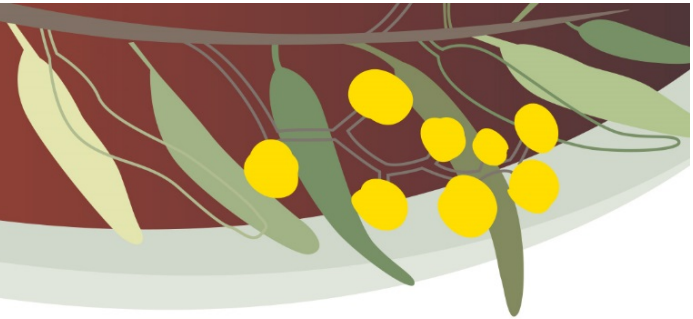
Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Delegation No: 21

Bush Fires Act – Variations to Fire Break Orders

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Bush Fires Act 1954 – s48</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Maximum approval period to be twelve (12) months. CEO to consult with relevant Brigade Fire Control Officer prior to exercising this delegation.</i>

POWER OR DUTY DELEGATED

Pursuant to s48 *Bush Fires Act 1954* the Chief Executive Officer is delegated authority to vary or approve alternative arrangements to the Shire's Firebreak Orders.

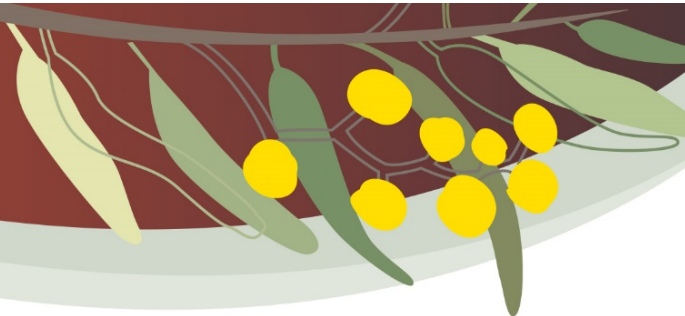
REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Shire President
Date: _____ *Cr Russel Thomson*





Delegation No: 22

Cat Act – Duties and Functions

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	<i>Executive Manager Infrastructure Deputy Chief Executive Officer</i>

LEGAL (PARENT): <i>Cat Act 2011 – s44</i>	LEGAL (SUBSIDIARY): <i>Cat Act 2011 – s45</i>
Conditions	<i>Pursuant to s48(2) only an employee of the Shire can be appointed under s62. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</i>

POWER OR DUTY DELEGATED

Pursuant to s44 *Cat Act 2011* the Chief Executive Officer is delegated authority to perform all duties and functions of the local government under the *Cat Act 2011*.

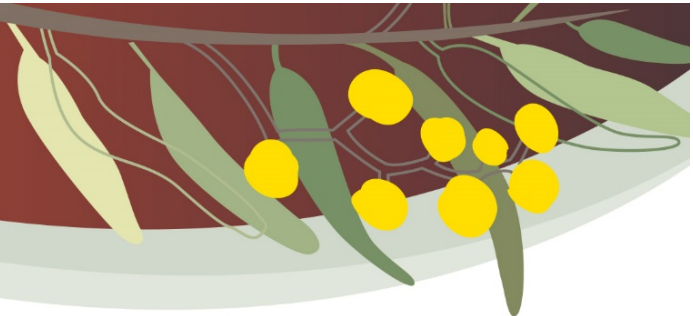
REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Shire President
Date: _____ *Cr Russel Thomson*





Delegation No: 22A

Cat Act – Duties and Functions - Sub-delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Cat Act 2011 – s9; s10; s11; s12; s13; s26; s27; s37; s38; s39; s40; s48; s49; s62; s63; s64.,</i>	LEGAL (SUBSIDIARY): <i>Cat Act 2011 – s45</i>
Conditions	

POWER OR DUTY DELEGATED

Pursuant to s45 of the *Cat Act 2011* the Chief Executive Officer delegates and/or authorises the:

- Ranger to perform the functions for Cat Control Notices and Seizures in accordance with s26, 27 of the *Cat Act 2011*.
- Ranger to perform the functions in relation to Cat Breeding in accordance with s37, 38, 39, 40 of the *Cat Act 2011*.
- Ranger to grant extensions of time in accordance with s64 of the *Cat Act 2011*.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Chief Executive Officer

Date: _____ *Ms Belinda Knight*



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy 85	SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Dog Act 1976 – s10AA(1) and (3)</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Must comply with relevant policies Cannot delegate authority to commence enforcement proceedings at s44 of the Dog Act 1976.</i>

POWER OR DUTY DELEGATED

- Pursuant to s10AA(1) of the *Dog Act 1976* the Chief Executive Officer is delegated all powers and duties of the local government under the *Dog Act 1976* and regulations and the Shire's Dogs Local Law.
- Pursuant to s10AA(3) of the *Dog Act 1976* the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties to other employees or other persons.
- These delegations specifically include:
 - s.33E(1) - Individual dog may be declared to be dangerous dog (declared)
 - s.33F(6) s.33G(4) s.33H(1) - Owners to be notified of making of declaration Seizure and destruction Local government may revoke declaration or proposal to destroy

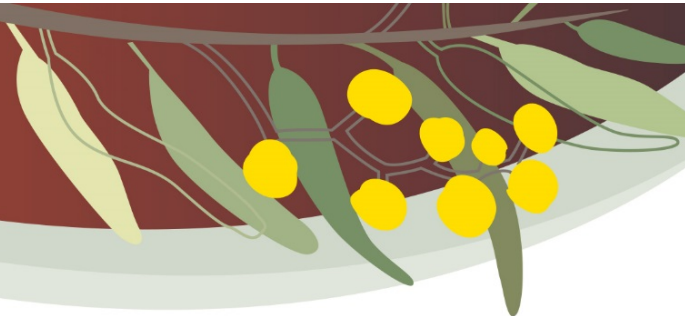
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

 Date: _____ Cr Russel Thomson
 Shire President





Delegation No: 23A

Dog Act – Duties and Functions

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy 85	SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Dog Act 1976 –s12A; s14; s29; s38; s39; s43; s47; s12A; s14; s16(2); s16(3A); s16(3); s16(3C); s16(6); s26; s33E; s33F; s33G; s33H; s39; s43A;</i>	LEGAL (SUBSIDIARY):
Conditions	Must comply with relevant policies Cannot delegate authority to commence enforcement proceedings at S44 of the Dog Act 1976.

POWER OR DUTY DELEGATED

Pursuant to s10AA(1) of the *Dog Act 1976* the Chief Executive Officer has been delegated all powers and duties of the local government. Pursuant to s10AA(3) of the *Dog Act 1976* the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties to the Ranger.

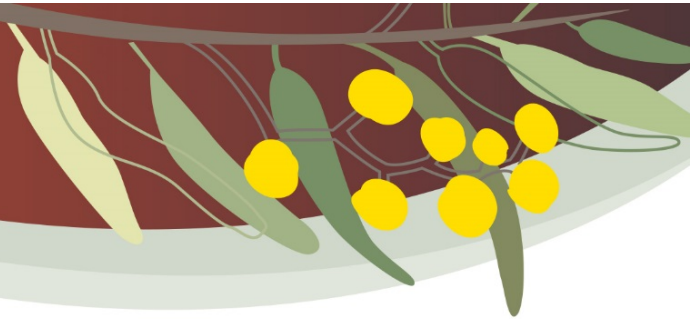
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Chief Executive Officer
Date: _____
Ms Belinda Knight





Delegation No: 24

Graffiti Vandalism Act – General Delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Graffiti Vandalism Act 2016 – s16(1)</i>	LEGAL (SUBSIDIARY):
Conditions	<i>In accordance with s17(1) of the Graffiti Vandalism Act 2016, the Chief Executive Officer may only sub delegate to an employee of the Shire. The CEO may not sub delegate authority to commence enforcement proceedings. The CEO may not delegate authority to deal with Objections pursuant to s20, 21 and 22 of the Act</i>

POWER OR DUTY DELEGATED

Pursuant to s16(1) *Graffiti Vandalism Act 2016* the Chief Executive Officer is delegated all powers and duties of the Local Government under the Graffiti Vandalism Act 2016.

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Shire President
Date: _____ *Cr Russel Thomson*



Graffiti Vandalism Act – Sub-delegation and Appointment Instrument

Delegation No: 24A

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Graffiti Vandalism Act 2016 – s18; s19; s25; s26; s27; s28; s29; s30</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY DELEGATED

Pursuant to s17(1) *Graffiti Vandalism Act 2016* the Chief Executive Officer delegates:

The Ranger to exercise the powers and duties of the Shire under the following sections of the *Graffiti Vandalism Act 2016*:

- s18 Giving Notices;
- s19 Additional Powers;
- s25 Graffiti removal;
- s26 Powers of Entry;
- s27 Procedures;
- s28 Notice of Entry;
- s29 Entry under Warrant; and
- s30 Purpose of Entry.

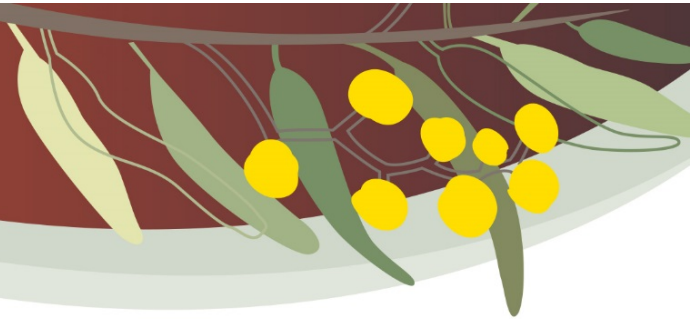
REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Date: _____ Ms Belinda Knight
Chief Executive Officer





Delegation No: 25

Impounding Abandoned Vehicles and Goods

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act – s5.42 – and s3.39; s3.40A (1), (4); s3.42; s3.43; s3.44; s3.46, s3.47 (1), (2) s3.47(2A) s3.47A; s3.48</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and duties of the Shire in respect to:

1. Remove and impound any goods that are involved in a contravention that can lead to impounding in accordance with s3.39.
2. Impound abandoned vehicle wrecks in accordance with s3.40A (1), (4).
3. Take appropriate action in respect to impounded non-perishable goods in accordance with s3.42 and s3.43.
4. Give notice in accordance with s3.44 to collect goods.
5. Refuse to allow goods to be collected until all costs have been paid in accordance with s3.46.
6. Sell or dispose of confiscated or uncollected goods in accordance with s3.47 (1) (2) and s3.47(2a)
7. Disposal of sick or injured animals in accordance with s3.47A.
8. Take action to recover expenses in accordance with s3.48.

REVIEW REQUIREMENTS

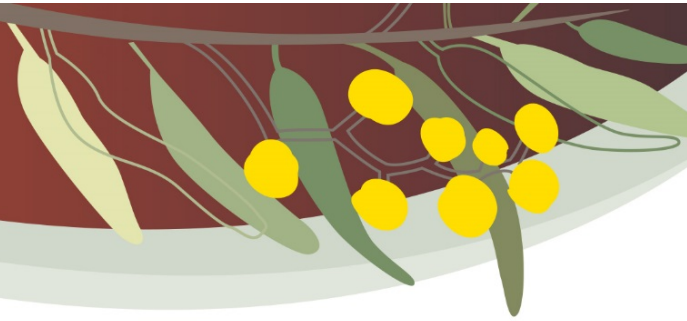
To be reviewed at least once every financial year.

AUTHORITY

Shire President

Date: Cr Russel Thomson





Delegation No: 26

Local Laws

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Local Government Act 1995 – s3.12(3), (5), (6); s3.15; s3.16(2), (3)</i>	LEGAL (SUBSIDIARY): Local Government Act 1995 – s5.42
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications received by the Shire in accordance with a Local Law made by the Shire of Woodanilling in accordance with Subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and to enforce the provisions of those local laws and to otherwise exercise the powers and discharge the duties of the local government under those local laws.

Shire of Woodanilling local laws to which these delegations apply include:

- Shire of Woodanilling Health Local Law
- Shire of Woodanilling Animals Environment & Nuisance Local Law

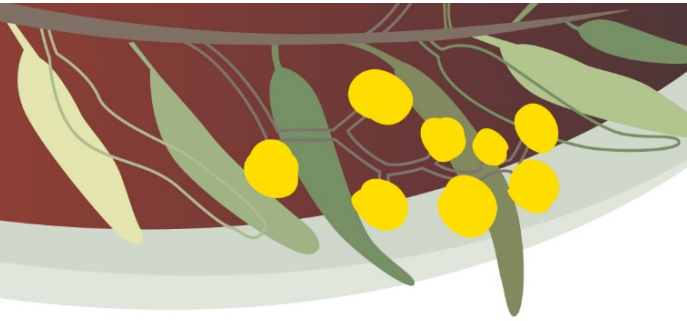
REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Date: _____ Cr Russel Thomson
Shire President





Delegation No: 26A

Local Laws – Sub-delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Executive Manager Infrastructure Deputy Chief Executive Officer

LEGAL (PARENT): <i>Local Government Act 1995 – s3.12(3), (5), (6); s3.15; s3.16(2), (3)</i>	LEGAL (SUBSIDIARY): Local Government Act 1995 – S5.44
Conditions	

POWER OR DUTY DELEGATED

The Deputy Chief Executive Officer and Ranger are delegated authority to determine applications received by the local government in accordance with a Local Law made by the Shire of Woodanilling in accordance with Subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and to enforce the provisions of those local laws and to otherwise exercise the powers and discharge the duties of the local government under those local laws.

Shire of Woodanilling local laws to which these delegations apply include:

- Shire of Woodanilling Health Local Law
- Shire of Woodanilling Animals Environment & Nuisance Local Law

REVIEW REQUIREMENTS

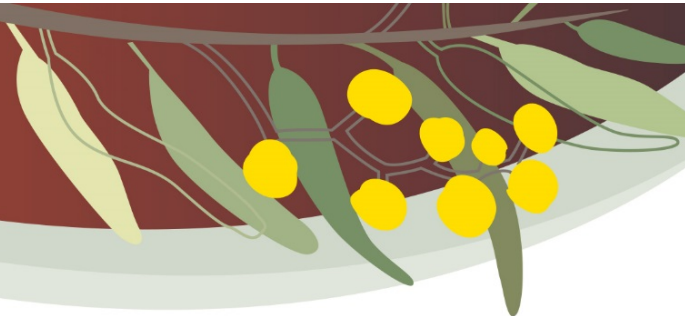
To be reviewed at least once every financial year.

AUTHORITY

Chief Executive Officer

Date: _____ *Ms Belinda Knight*





Delegation No: 27

Fines, Penalties & Infringement Notices – Appointment of Prosecution Officers

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Fines, Penalties and Infringement Notices Enforcement Act 1994 – s13(2); s16; s22</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Appointed Designated Officers give written notice of their designated authority to the Registrar.</i> <i>Appointed Designated Officers hold a Certificate of Appointment.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to appoint Designated Officers for the purposes of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*, Section 13(2), administer the issuing of, and any subsequent proceedings in relation to, the notice.

REVIEW REQUIREMENTS

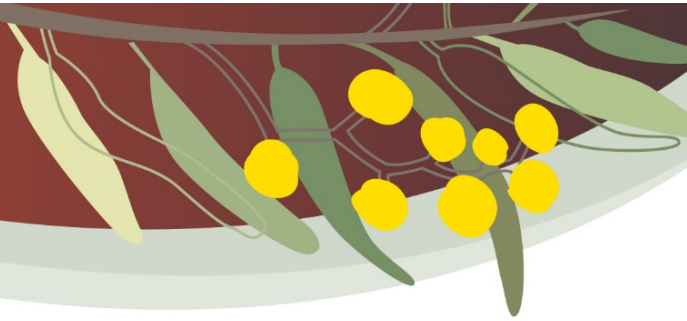
To be reviewed at least once every financial year.

AUTHORITY

Shire President

Date: _____ **Cr Russel Thomson**





Delegation No: 28

Health (Miscellaneous Provisions) Act 1911 – Various Functions – Delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT):

*Health (Miscellaneous Provisions) Act 1911
Public Health Act 2016*

LEGAL (SUBSIDIARY):

Shire of Woodanilling Health Local Law 2017

Conditions

Setting of annual fees under s6.16 and 6.19 of the Local Government Act 1995 is excluded.

Part IV Divisions 4 and 7 - Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting of works, the provision of sanitary conveniences.

Part V Division 1 - Authority is limited to the forming of opinions and issuing notices and directions and does not include the carrying out, or the arranging for the carrying out, of works in default of duly served notices.

Part VII Division 1 - Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.

Delegations with respect to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 includes the approval of applications for effluent disposal systems and issue permits to use effluent disposal systems.,

POWER OR DUTY DELEGATED

Pursuant to s26 Health (Miscellaneous Provisions) Act 1911 the Chief Executive Officer is delegated all the powers and functions of the Shire under the Health Local Law.

REVIEW REQUIREMENTS

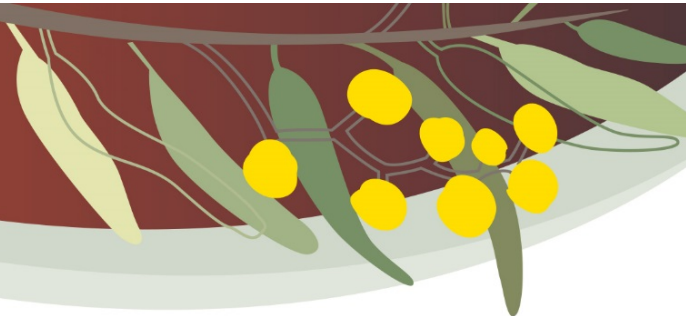
To be reviewed at least once every financial year.

AUTHORITY

Date: _____ Cr Russel Thomson

Shire President





Delegation No: 29

Permits for Stall Holder, Trader and/or Outdoor Eating Facilities

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications for new permits or renewal of permits for the activity of a stallholder, trader and/or an outdoor eating facility.

REVIEW REQUIREMENTS

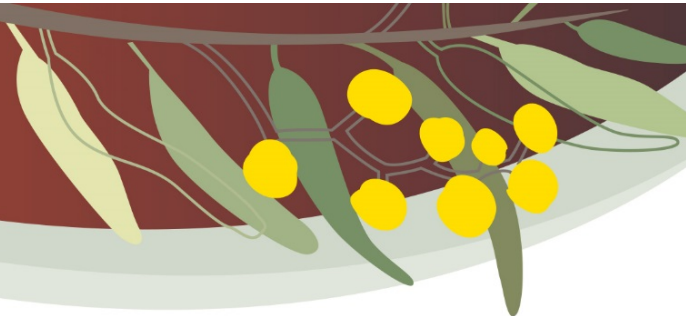
To be reviewed at least once every financial year.

AUTHORITY

Shire President

Date: _____ *Cr Russel Thomson*





Delegation No: 30

Closure of Streets, Thoroughfares, Control of Reserves and Unvested facilities

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Works Supervisor Executive Manager Infrastructure

LEGAL (PARENT):

Local Government Act 1995 –s5.42

s3.50(1) (1a) (4) (5) (6); s3.50A; s3.51(3); s3.52; s3.53; s3.54; Sch 3.1, Division 2

Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991.

r6(3) Local Government (Functions and General) Regulations 1996

r12, r13, r15 Local Government (Uniform Local Provisions) Regulations 1996

LEGAL (SUBSIDIARY):

Conditions

Temporary closure of streets must not exceed 28 days.

The Chief Executive Officer, or any employee sub delegated the authority must ensure any applicant has obtained relevant Police approval and provided appropriate indemnities and insurance cover.

Where exercising powers and duties pursuant to s3.50, the following conditions apply:

- 1. Sufficient measures are in place to advise affected parties, minimise disruption to road users and to protect public and Shire assets.*
- 2. Have regard to the provisions of s3.50(1).*

If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].

Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the Shire regarding closing certain thoroughfares to vehicles and partial closure of thoroughfare for repairs or maintenance and temporary closures (including revocation of Orders) for events in accordance with s3.50, 3.50(1), 3.50(1a), 3.50(4), 3.50(5), 3.50(6), 3.50A Local Government Act, r6(3) Local Government (Functions and General) Regulations 1996, S81(c)(2)(b) Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991 (where relevant).





The Chief Executive Officer is delegated authority to give the required notices as specified in s3.51(3) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

The Chief Executive Officer is delegated authority to:

1. Ensure that public thoroughfares are kept open for public use as required under s3.52(2) of the Act.
2. In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided in accordance with s3.52(3).
3. Keep plans of the levels and alignments of public thoroughfares that are under the Council's control or management and make those plans available for public inspection in accordance with s3.52(4).
4. Control and manage otherwise unvested facilities within the Shire in accordance with s3.53 of the *Local Government Act 1995*.
5. Control and manage land that is vested to the Shire in accordance with s3.54 of the *Local Government Act 1995*.
6. Approve the construction of a crossing (vehicle crossover) giving access from a public thoroughfare to:
 - i) the land; or
 - ii) a private thoroughfare serving the land;in accordance with Regulations 12, 13 and 15 of the *Local Government (Uniform Provisions) Regulations 1996*.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Date: _____ **Cr Russel Thomson**
Shire President





Delegation No: 30A

Closure of Streets – Thoroughfares, Control of Reserves and unvested facilities – Sub-Delegation

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Works Supervisor Executive Manager Infrastructure

LEGAL (PARENT):

Local Government Act 1995 – S5.42

s3.50(1) (1a) (4) (5) (6); s3.50A; s3.51(3); s3.52; s3.53; s3.54; Sch 3.1, Division 2

Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991.

r6(3) Local Government (Functions and General) Regulations 1996

r12, r13, r15 Local Government (Uniform Local Provisions) Regulations 1996

LEGAL (SUBSIDIARY):

Local Government Act 1995 – S5.44

Conditions

Temporary closure of streets must not exceed 28 days.

The Chief Executive Officer, or any employee sub delegated the authority must ensure any applicant has obtained relevant Police approval and provided appropriate indemnities and insurance cover.

Where exercising powers and duties pursuant to s3.50, the following conditions apply:

- Sufficient measures are in place to advise affected parties, minimise disruption to road users and to protect public and Shire assets.*
- Have regard to the provisions of S3.50(1).*

POWER OR DUTY DELEGATED

The ~~Works Supervisor~~ Executive Manager Infrastructure is delegated authority to exercise the powers and discharge the duties of the Shire regarding closing certain thoroughfares to vehicles and partial closure of thoroughfare for repairs or maintenance and temporary closures (including revocation of Orders) for events in accordance with s3.50, 3.50(1), 3.50(1a), 3.50(4), 3.50(5), 3.50(6), 3.50A Local Government Act 1995, r6(3) Local Government (Functions and General) Regulations 1996, s81(c)(2)(b) Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991 (where relevant).

The ~~Works Supervisor-Executive Manager Infrastructure-~~ is delegated authority to give the required notices as specified in s3.51(3) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

The ~~Works Supervisor-Executive Manager Infrastructure-~~ is delegated authority to:





1. Ensure that public thoroughfares are kept open for public use as required under s3.52(2) of the Act.
2. In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided in accordance with s3.52(3).
3. Keep plans of the levels and alignments of public thoroughfares that are under the Council's control or management and make those plans available for public inspection in accordance with s3.52(4).
4. Control and manage otherwise unvested facilities within the Shire in accordance with s3.53 of the *Local Government Act 1995*.
5. Control and manage land that is vested to the Shire in accordance with s3.54 of the *Local Government Act 1995*.
6. Approve the construction of a crossing (vehicle crossover) giving access from a public thoroughfare to:
 - i) the land; or
 - ii) a private thoroughfare serving the land;in accordance with Regulations 12, 13 and 15 of the *Local Government (Uniform Provisions) Regulations 1996*.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Chief Executive Officer

Date: _____ *Ms Belinda Knight*



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	<i>Executive Manager Infrastructure Deputy Chief Executive Officer</i>

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	<i>The Council supports 'as of right' vehicles as defined by Main Roads WA (MRWA) or approved RAV routes, except where roads are closed for safety reasons.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications by heavy vehicle transport operators for Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) Networks to access roads managed and maintained by the Council.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson



Delegation No: 31A

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	<i>Executive Manager Infrastructure Deputy Chief Executive Officer</i>

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY): <i>Local Government Act 1995 – s5.44</i>
Conditions	

POWER OR DUTY DELEGATED

The Deputy CEO is delegated authority to determine applications by heavy vehicle transport operators for Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) Networks to access roads managed and maintained by the Council.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Chief Executive Officer
Date: _____
Ms Belinda Knight



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government (Miscellaneous Provisions) Act 1960</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the powers, duties and functions of the local government pursuant to Part XII of the *Local Government (Miscellaneous Provisions) Act 1960*.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson



Delegation No:33

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Building Act 2011 – S96(3); S127</i>	LEGAL (SUBSIDIARY):
Conditions	<p><i>Sub delegation may only be to employees of the Shire (s127(3)).</i></p> <p><i>This delegation includes the power to serve notice on the builder or owner requiring alterations to a building, or in relation to encroachments, pursuant to s189, S190 of the Building Act 2011. These powers cannot be sub delegated.</i></p> <p><i>In undertaking the functions of this delegation, Building Surveyors (registered) must be employed by the Shire of Woodanilling in accordance with s5.36 of the Local Government Act 1995; and with respect to uncertified applications, hold the appropriate qualification as set out under r6 of the Local Government (Building Surveyors) Regulations 2008.</i></p> <p><i>In relation to s21 this sub delegation does not apply to places listed on the State’s Register of Heritage Places or the Council’s Heritage Register or to places classified by the National Trust.</i></p> <p><i>Must observe s100(2) of the Building Act 2011 in relation to entry to private residence.</i></p> <p><i>In relation to s110 this delegation permits a sub delegate to determine that an Order is to remain in effect in accordance with s117(2) of the Building Act 2011 where it is considered appropriate.</i></p>

POWER OR DUTY DELEGATED

Pursuant to s96 of the *Building Act 2011* the Chief Executive Officer is delegated the authority to appoint authorised persons for the purposes of the Building Act 2011 and the Building Regulations 2012 in relation to buildings and incidental structures located or proposed to be located in the local government’s district. Pursuant to s99 the CEO is delegated authority to impose limitations on powers of authorised persons.

Pursuant to s127 the Chief Executive Officer is delegated all the powers and duties of the local government under the Building Act and Regulations and is authorised to take legal proceedings pursuant to s133 of the Act in relation to both the Act and Regulations.

These delegations include the powers and duties specified at:

- s18(1) - to require an applicant to provide any documentation or information required to determine a building permit application;
- s20 – to approve, or refuse to approve a certified or uncertified application for a building permit;
- s21,22 – to approve, or refuse to approve an application for a demolition permit



- s27(1) (3) - to impose conditions on permit
- s.55 - Further information
- s58 – to approve, modify or refuse to approve an application for an occupancy permit or approve or refuse to approve an application for a building approval certificate;
- s62 – to impose conditions on an occupancy permit or modification of a building approval certificate;
- s65 – to approve, or refuse to approve an application to extend the time in which an occupancy permit or modification or building approval certificate has effect;
- s76 – to give consent for encroachments on Crown land under the care, control and maintenance of the local government;
- s110 – to make a Building Order in relation to building work, demolition work and/or, an existing building or incidental structure, whether completed before, or after commencement day;
- s114 – serve a building order;
- s117 – revoke a building order; and
- s118(2), (3) – to take action in relation to non-compliance with building orders;
- s131(2) - to determine applications for the inspection of or to seek copies of building records;
- s133 - to commence a prosecution for an offence against this Act;
- s145A(1) - to undertake local government functions in relation to Referrals and Issuing Certificates including authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government;
- S145A(2) - authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the <<Shire/Town/City>>'s District [s.145A(2)];
- r23 (application to extend time), r24 (extension of time), r26 (approval of new responsible person);
- r40 - extension of period of duration of time of occupancy permit or building certificate;
- r51 - private pool barriers - alternative solutions;
- r55,61 - smoke alarms - alternative solutions - local government approval of battery powered smoke alarms

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

Date: _____ **Cr Russel Thomson**

Shire-President





Delegation No: 34

Building Act & Regulations – Occupancy Permits and Building Approval Certificates for Strata Plans and Survey Strata Plans

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	

LEGAL (PARENT):

Building Act 2011 – s127

Strata Titles Act 1985 – sA5B

Strata Titles Act 1985 – s25 in respect of Built Strata Applications except for those applications listed as exceptions in WAPC Planning Bulletin 52/2009. Includes issue of Form 26.

LEGAL (SUBSIDIARY):

Conditions

Delegation and authority do not apply to those applications that:

1. *Propose the creation of a vacant lot;*
2. *Proposed vacant air stratas in multi-tiered strata scheme developments;*
3. *In the opinion of the WAPC as notified to the local government in writing, or in the opinion of the local government as notified to the WAPC in writing, relate to:*
 - a) *type of development; and/or*
 - b) *land within an area, which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.*
4. *The WAPC is to be provided with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.*

POWER OR DUTY DELEGATED

The Chief Executive Officer is authorised to issue occupancy permits and building approval certificates for strata plans and survey strata plans as required by s5B of the Strata Titles Act 1985 and to make certain decisions pursuant to s25 *Strata Titles Act 1985* in respect of Built Strata Applications except for those applications listed as exceptions in Western Australian Planning Commission (WAPC) Planning Bulletin 52/2009. Includes authority to issue Form 26

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.





AUTHORITY

Date: _____ Cr Russel Thomson
Shire President



Town Planning Scheme No.1 – Various duties, powers and functions

Delegation No:35

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Planning and Development Act 2005</i>	LEGAL (SUBSIDIARY): <i>Schedule 2 – Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Deemed provisions of the Planning and Development (Local Planning Scheme) Regulations 2015</i>
Conditions	<i>Must comply with relevant policies, including Local Planning Policies and State Planning Policies</i>

POWER OR DUTY DELEGATED

That pursuant to the Division 2 Part 10 Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* and *Sections 5.45 and 5.46 LGA* Council delegate its authority and power to the Chief Executive Officer the following effective from the 19th October 2015:

1. Approval of “Outbuildings” in the Local Rural zone where they
 - a. Comply the minimum boundary setbacks;
 - b. The total area of existing and proposed outbuildings is less than 200 m2 in size; and
 - c. The wall height is less than 3.5m
2. Authorised to provide subdivision clearances.
3. Approval of “residential dwelling – single residence” in the Local Rural Zone, where the application complies with the relevant provisions of the Scheme and any relevant Local Planning Policies.
4. Receipt of the application pursuant to Clause 62
5. Requesting further information pursuant to Clause 63
6. Determining the classification / land use definition of a proposal pursuant to Clause 4.4
7. Determining the compliance of “Permitted Uses” with the development provisions of the Scheme pursuant to TPS No 1 Clause 4.3.2
8. Determining compliance with the Residential Design Codes pursuant to TPS No 1 Clause 5.2.2
9. Waiving the need to supply any information for an application pursuant to Clause 63



- ## REVIEW REQUIREMENTS

AUTHORITY

~~Shire President~~





Delegation No:36

Crown Reserves and Street Names

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy	SUB-DELEGATED TO:	

LEGAL (PARENT):

Land Administration Act 1997 – s26A

Land Administration Act 1997, Part 2 – General Administration, Division 3 General, Part 4 Reserves, Part 6 – Sales, leases, licences of Crown land

Local Government Act 1995 – s3.54

LEGAL (SUBSIDIARY):

Conditions

Process requests related to Crown Reserves (1) Authority to process matters relating to Crown Reserves as follows:

- i) Requests to the Minister for Lands to create a new reserve or transfer Crown land from one form to another (i.e. road reserve to Crown reserve; excision of road reserve from Crown reserve);*
- ii) Change of purpose of a Crown reserve;*
- iii) Changes to reserve boundaries;*
- iv) Acceptance of a management order, where the local government is currently managing the land or can do so within existing operation budgets;*
- and*
- v) Requests to lease Crown land, where no structure will be built (ie leases managed by the State, pastoral leases).*

Comment on request to lease Crown Land (2) compliance with the following documents is necessary:

- i) Local Planning Scheme and Strategies;*
- ii) Adopted Asset Management Plans (Roads, Reserves: Natural and Developed; Drainage); and*

The revocation of a management order of an existing local government managed reserve or cancellation of an existing Crown reserve shall be considered by the Council.

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to perform the following functions with regard to the Land Administration Act 1997:

1. Process requests related to Crown Reserves, pursuant to s3.54 of the *Local Government Act 1995* and Part 4 of the *Land Administration Act 1997*





2. Comment on requests to lease Crown land, where the State manages the lease, pursuant to Part 6 of the *Land Administration Act 1997*;
3. Forward recommendations of street names to the Geographic Names Committee, Western Australia under s26A of the *Land Administration Act 1997*; and

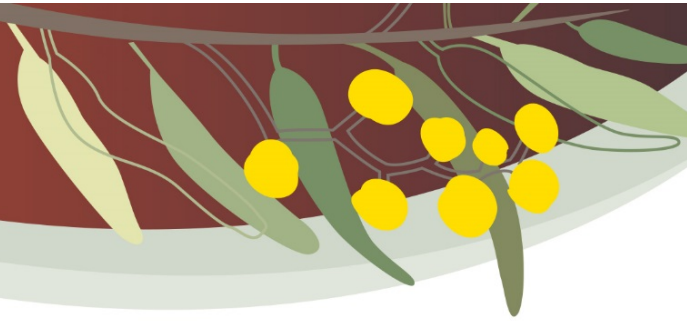
REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Date: _____ Cr Russel Thomson
Shire President





Delegation No: 37

Building Incentives

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Works Supervisor Executive Manager Infrastructure

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the power to provide free of charge, sand/gravel required for a 600mm maximum depth pad to a level site for single residential dwellings subject to:

- The single residential dwelling is located in the Shire of Woodanilling; and
- It is the only dwelling on the property; and
- The application for sand/gravel is received within one year of purchasing the property; and
- A Building Permit has been issued for the dwelling prior to the application for sand/gravel to be supplied.

If the residence is not completed within two years, the local government will seek to recover costs at full private works rates at that time.

Sand/gravel will not be supplied free of charge for any other structure or outbuildings.

Levelling of the site, spreading and compaction of materials will not be provided free of charge. The local government may undertake these works at full private works rates.

Landowners must gain their own compaction certification prior to building construction.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Date: _____ Cr Russel Thomson
~~Shire President~~



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Works Supervisor Executive Manager Infrastructure

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Levelling of the site, spreading and compaction of materials will not be provided free of charge. The local government may undertake these works at full private works rates. Landowners must gain their own compaction certification prior to building construction.</i>

POWER OR DUTY DELEGATED

The ~~Works Supervisor~~ Executive Manager Infrastructure is delegated the power to provide free of charge, sand/gravel required for a 600mm maximum depth pad to a level site for single residential dwelling subject to:

- The single residential dwelling is located in the Shire of Woodanilling; and
- It is the only dwelling on the property; and
- The application for sand/gravel is received within one year of purchasing the property; and
- A Building Permit has been issued for the dwelling prior to the application for sand/gravel to be supplied.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

AUTHORITY

Chief Executive Officer
Date: _____ ~~Belinda Knight~~



DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	<i>The final determination for group rating rests with the Valuer General, the CEO may only recommend an outcome.</i>

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the power to determine applications for group values on contiguous land, subject to the following:

DEFINITION

For the purpose of this delegation, pieces of land will be taken to be contiguous if they abut one another at any point or if they are separated only by intervening land being a street, road, lane, footway, court, railway, thoroughfare, travelling stock route, a reserve or other similar open space dedicated for public purposes.

RESIDENTIAL AND LOCAL RURAL LAND

With regard to Gross Rental Value (GRV), applications for group values will be assessed and supported only if they meet all of the following criteria:

- actual occupation (primary place of residence); and
- are contiguous; and
- are held in the same ownership; and
- are used for the same purpose.

RURAL LAND

With regard to Unimproved Value (UV), applications for group values will be assessed and supported only if they meet all of the following criteria:

- are contiguous, and
- are held in the same ownership, and
- are used for the same purpose

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

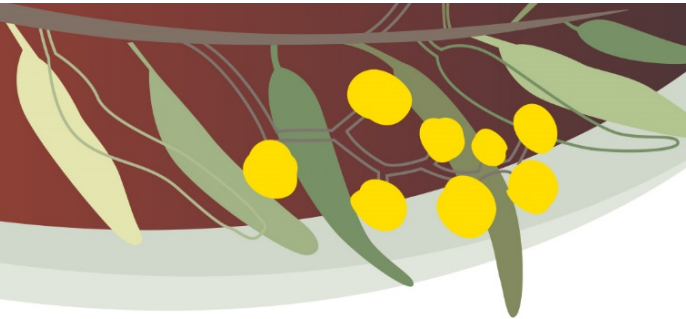




AUTHORITY

Date: _____ Cr Russel Thomson
Shire President





Delegation No: 39

Street Stalls/Appeals

DATE ADOPTED:		DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	

LEGAL (PARENT): <i>Local Government Act 1995 – s5.42</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the power, to determine applications for street stalls/ appeals subject to satisfactory insurance arrangements and compliance with any statutes.

REVIEW REQUIREMENTS

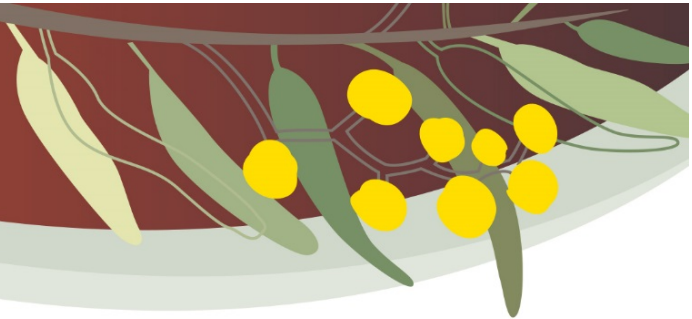
To be reviewed at least once every financial year.

AUTHORITY

Shire President

Date: _____ *Cr Russel Thomson*





Appointment No: 1

General Inspectors – Animal Welfare Act

DATE ADOPTED:		APPOINTEE:	Ranger
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Animal Welfare Act 2002 – s33(2)(a)(v)</i>	LEGAL (SUBSIDIARY):
Conditions	<i>General Inspectors must be employees. General Inspectors are only able to issue infringement notices and cannot be appointed as both General Inspectors and Authorised Persons.</i>

POWER OR DUTY

Pursuant to s33(2)(a)(v) *Animal Welfare Act 2002* the Ranger is appointed as a General Inspector.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

Chief Executive Officer

Date: _____ *Ms Belinda Knight*



Authorised Persons – Caravan Parks and Camping Grounds Act

Appointment No: 2

DATE ADOPTED:		APPOINTEE:	Ranger
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT):

Caravan Parks and Camping Grounds Act 1995 –s17(1)

LEGAL (SUBSIDIARY):

Conditions

Employees appointed under s17(1) must have an identity card in accordance with s17(1)(b).

POWER OR DUTY

The Ranger is appointed as an Authorised Person pursuant to s17(1) *Caravan Parks and Camping Grounds Act 1995*.

REVIEW REQUIREMENTS

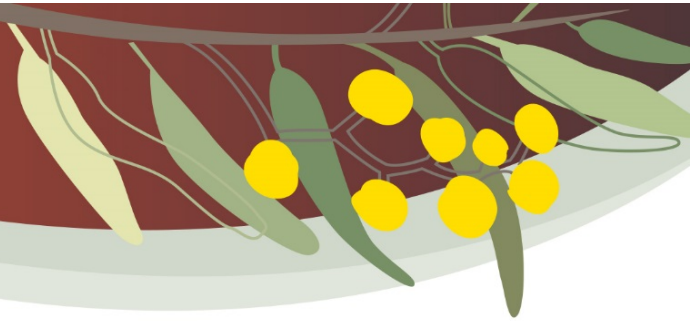
At least once every financial year.

AUTHORITY

Shire President

Date: _____ **Cr Russel Thomson**





Appointment No: 3

Enforcement – Caravan Parks and Camping Grounds Act

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	Ranger

LEGAL (PARENT): <i>Caravan Parks and Camping Grounds Act 1995 –s22; s23(2), (5), (7), (11)</i>	LEGAL (SUBSIDIARY): <i>Caravan Parks and Camping Grounds Regulations 1997</i>
Conditions	<i>Employees appointed under s23(2) cannot be appointed under s23(3), (5) or (7). Employees appointed under s23(2) must hold a certificate stating the person is authorised in accordance with s23(12). In accordance with r11(2) (c) any approval must be in writing.</i>

POWER OR DUTY

1. The Chief Executive Officer is appointed an Authorised Person under s22, 23(5), 23(7), 23(11) *Caravan Parks and Camping Grounds Act 1995*.
2. The Ranger is appointed as an Authorised Person under s23(2) *Caravan Parks and Camping Grounds Act 1995*.
3. The Ranger is appointed as an Authorised Person to undertake all functions of the local government for the purposes of r6 and r11(2)(c) of the *Caravan Parks and Camping Grounds Regulations 1997*.

REVIEW REQUIREMENTS

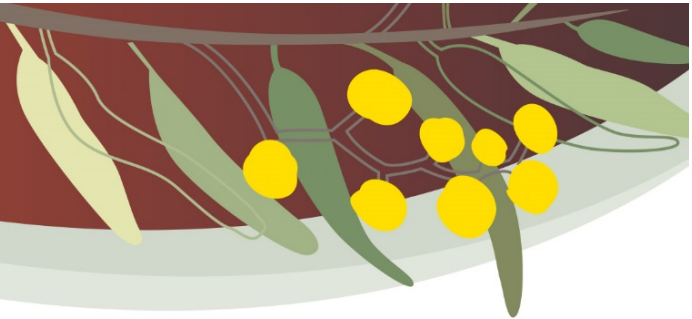
At least once every financial year.

AUTHORITY

Shire President

Cr Russel Thomson





Appointment No: 4

Control of Vehicles (Off Road Areas) Act 1978

DATE ADOPTED:		APPOINTEE:	Ranger
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Control of Vehicles (Off Road Areas) Act 1978 – s38(3)</i>	LEGAL (SUBSIDIARY): <i>Control of Vehicles (Off-Road Areas) Regulations 1979</i>
Conditions	<i>In accordance with s38(4)(d) each authorised person appointed must have a certificate stating the employee is an authorised person for the purpose of this Act.</i>

POWER OR DUTY

Pursuant to s38(3) of *Control of Vehicles (Off Road Areas) Act 1978* and the *Control of Vehicles (Off-road Areas) Regulations 1979*, the Ranger is appointed as an Authorised Officer to perform all functions of the local government under the Act.

REVIEW REQUIREMENTS

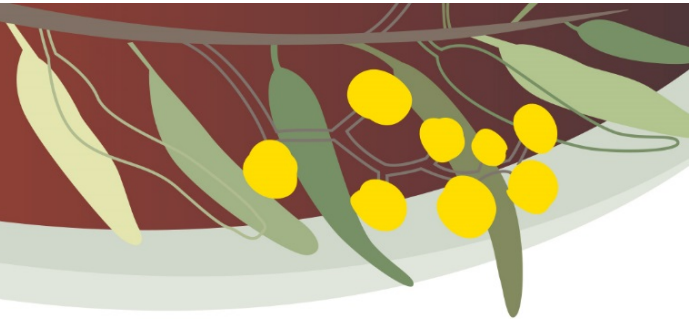
At least once every financial year.

AUTHORITY

Shire President

Date: _____ **Cr Russel Thomson**





Appointment No: 5

Control of Council Property and Facilities

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Criminal Code Act Compilation Act 1913 – S70A(1)(a)</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

The Chief Executive Officer is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings

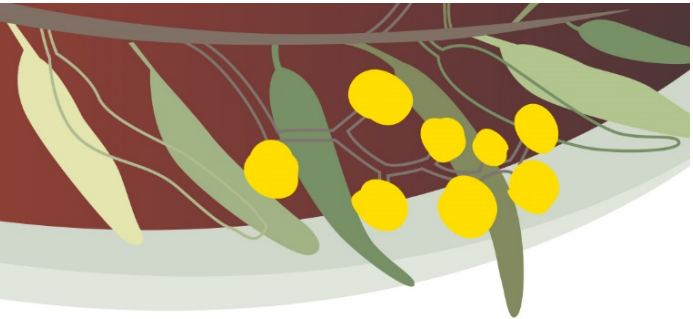
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right.





Appointment No: 6

Internal Review Officer – Freedom of Information Act 1992

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	No

LEGAL (PARENT): <i>Freedom of Information Act 1992 – s41</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

Pursuant to s41 *Freedom of Information Act 1992* the Chief Executive Officer is designated Internal Review Officer

REVIEW REQUIREMENTS

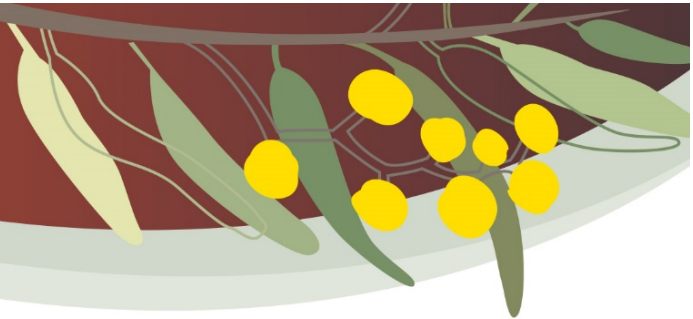
At least once every financial year.

AUTHORITY

Shire President

Date: _____ *Cr Russel Thomson*





Appointment No: 7

Information Coordinator & Principal Decision
Maker– Freedom of Information Act 1992

DATE ADOPTED:		APPOINTEE:	Deputy CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Freedom of Information Act 1992 – s100</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Must comply with relevant Council Policies.</i>

POWER OR DUTY

1. The Deputy CEO is appointed as the Freedom of Information Coordinator to undertake the duties and functions associated with the lodgement and collation of an application for information in accordance with s11, 12, of the *Freedom of Information Act 1992*
2. In accordance with s100 of the *Freedom of Information Act 1992* the Principal Decision Maker is the Chief Executive Officer or an employee directed by the Chief Executive Officer to undertake the duties and functions. The Chief Executive Officer has determined that the Deputy Chief Executive Officer will be the Principal Decision Maker.

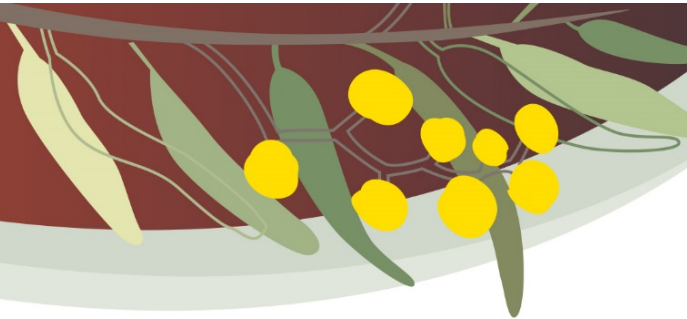
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 8

Authorised Person – Legal Proceedings, Infringements and Enforcements – Local Government Act

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Local Government Act 1995 - s9.10(1), (2); s9.11; s9.13; s9.16; s9.17; s9.19; s9.20; s9.24</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Appointed Authorised Persons are to hold a Certificate of Appointment in accordance with s9.10(2).</i>

POWER OR DUTY

The Chief Executive Officer is appointed an authorised person for the purposes of s9.10(1), 9.11, 9.13, 9.16, 9.17, 9.19, 9.20 and 9.24 of the *Local Government Act 1995*.

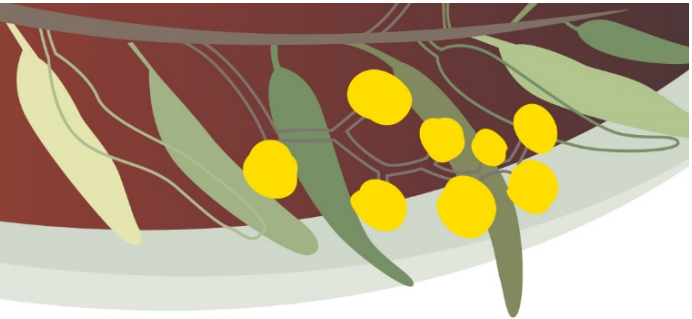
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 9

Authorised Person – Local Government Act

DATE ADOPTED:		APPOINTEE:	Deputy CEO Executive Manager Infrastructure
DATE LAST REVIEWED:		OTHER APPOINTEES:	No

LEGAL (PARENT): <i>Local Government Act 1995 - s9.10(1), (2); s9.11; s9.13; s9.16; s9.17; s9.19; s9.20; s9.24</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Appointed Authorised Persons are to hold a Certificate of Appointment in accordance with s9.10(2).</i>

POWER OR DUTY

The Deputy Chief Executive Officer is appointed as an authorised person for the purposes of s9.10(1), 9.11, 9.13, 9.16, 9.17, 9.19, 9.20 and 9.24 of the *Local Government Act 1995*.

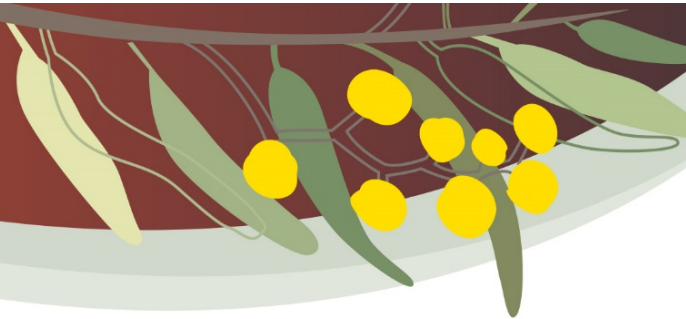
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 10

Public Health Act 2016 – Appointment of Authorised Officers

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	Deputy CEO Contract EHO

LEGAL (PARENT): <i>Public Health Act 2016</i> <i>Health (Miscellaneous Provisions) Act 1911</i>	LEGAL (SUBSIDIARY): <i>Shire of Woodanilling Health Local Law 2017</i>
Conditions	<p><i>Must operate in accordance with the conditions within the Shire of Woodanilling Health Local Law 2017.</i></p> <p><i>A list of all officers designated as authorised officers must be kept and maintained in accordance with S27 of the Public Health Act 2016.</i></p> <p><i>Each person who is designed as an authorised officer must be issued with certificate of authority as an authorised officer in accordance with S30 of the Public Health Act 2016.</i></p>

POWER OR DUTY

1. The Chief Executive Officer, Deputy Chief Executive Officer and Contract Environmental Health officer are appointed as an authorised officer under s24 of the *Public Health Act 2016*.
2. Pursuant to s26 *Health (Miscellaneous Provisions) Act 1911* the Chief Executive Officer and Contract Environmental Health Officer, are appointed as Authorised Persons under the Health Local Law.

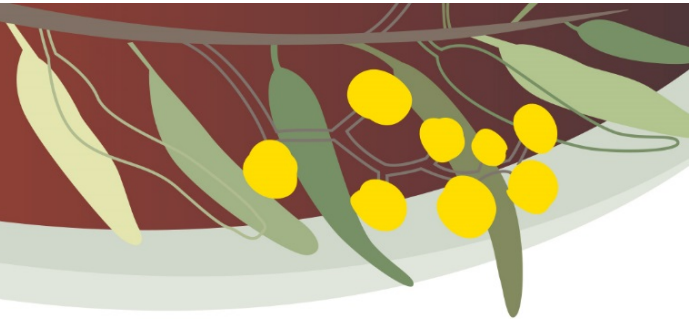
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 11

Public Interest Disclosure Officer – Public Interest Disclosure Act 2003

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Public Interest Disclosure Act 2003 – s23(1)(a)</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

Pursuant to s23(1)(a) *Public Interest Disclosure Act 2003* the Principal Executive Officer (Chief Executive Officer) designates the occupant of a specified position within the authority as the person responsible for receiving disclosures of public interest information. The Chief Executive Officer of the Shire of Woodanilling is designated accordingly.

REVIEW REQUIREMENTS

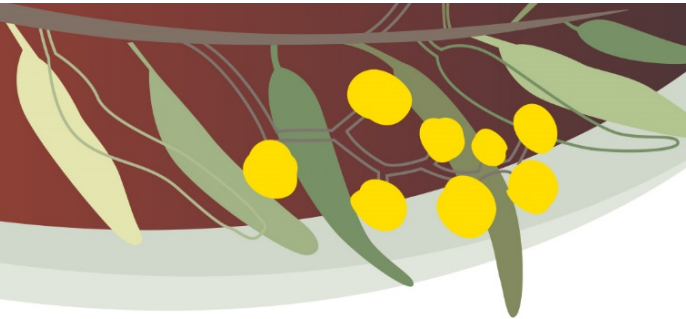
At least once every financial year.

AUTHORITY

Chief Executive Officer

Date: _____ *Ms Belinda Knight*





Appointment No: 12

Review Officer and Determination Officer – Rates and Charges (Rebates and Deferments) Regulation Act 1992

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	Accountant Senior Finance Officer- (Rates, Payroll & Debtors)

LEGAL (PARENT): <i>Rates and Charges (Rebates and Deferments) Regulation Act 1992 – s12; s13; s32</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

1. The Chief Executive Officer is the Pensioner Rates Review Officer, as defined by the Act.
2. The ~~Senior Finance Officer~~/Accountant (~~Rates, Payroll & Debtors~~) is the Pensioner Rates Determination Officer as defined by the Act.

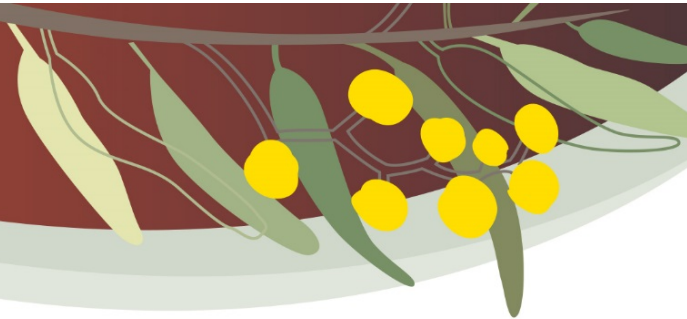
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right.





Appointment No: 13

Authorised Officers – Issue of Infringement Notices, Approved Officer – withdrawal or extension of period, Health (Asbestos) Regulations 1992.

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	Deputy CEO Executive Manager Infrastructure

LEGAL (PARENT): <i>Health (Asbestos) Regulations 1992</i> <i>Pt 2 Criminal Procedure Act 2004</i>	LEGAL (SUBSIDIARY):
Conditions	<i>The approved officer cannot be appointed as an authorised officer.</i> <i>Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].</i>

POWER OR DUTY

1. The Chief Executive Officer be authorised pursuant to the *Health (Asbestos) Regulations 1992* for the issuing of infringement notices.
2. The Deputy Chief Executive Officer be appointed as an Approved Officer pursuant to the *Health (Asbestos) Regulations 1992* and the *Criminal Procedure Act 2004* for the withdrawal or extension to a period to pay an infringement notice.

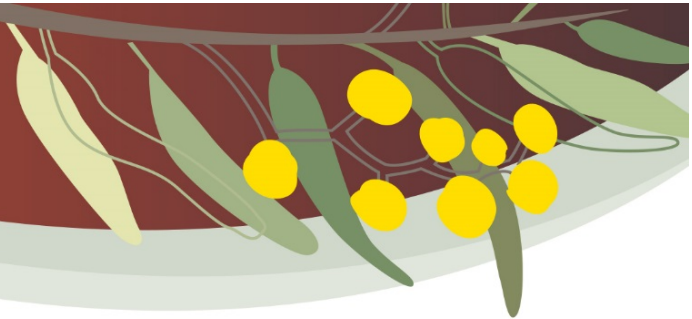
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 14

Bush Fires Act – Issue of Infringement and Prosecution

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Bush Fires Act 1954 – s59(1), (3); s59A(2)</i>	LEGAL (SUBSIDIARY): <i>Bush Fires (Infringements) Regulations 1958</i>
Conditions	<p><i>Only the Chief Executive Officer may institute legal proceedings.</i></p> <p><i>Only the Chief Executive Officer or the Shire President may withdraw infringement notices pursuant to s59A (3) Bush Fires Act 1954 and r4 Bush Fires (Infringements) Regulations 1958.</i></p>

POWER OR DUTY

The Chief Executive Officer and Deputy Chief Executive Officer are authorised to issue infringement notices under s59(1), (3) and s59A (2) of *Bush Fires Act 1954*.

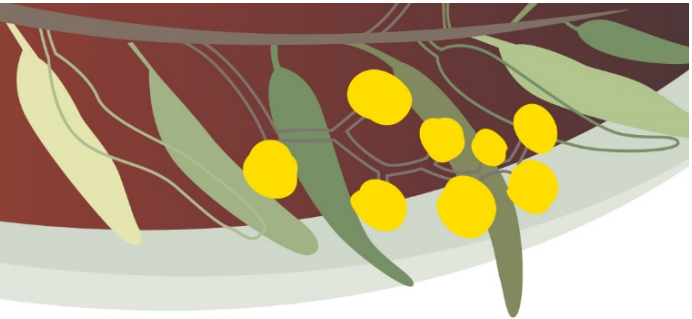
REVIEW REQUIREMENTS

Although these Authorisations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

AUTHORITY

As of right





Appointment No: 15

Referral of Proposals – Environmental Protection Act 1986

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Environmental Protection Act 1986 – s38</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

Pursuant to s38 of the *Environmental Protection Act 1986* the Chief Executive Officer is authorised to refer Proposals to the Environmental Protection Authority.

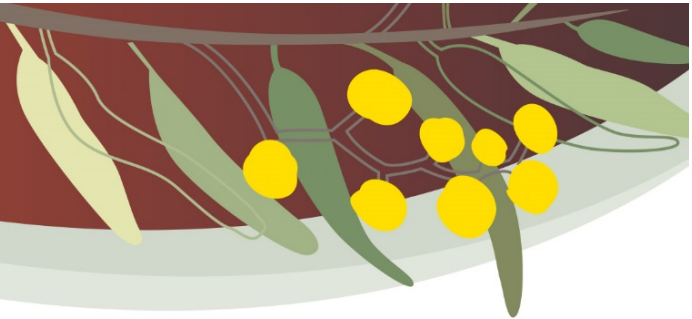
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right.





Appointment No: 16

Equal Employment Opportunity Management Plans

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Equal Employment Opportunity Act 1984 –s145</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

The Chief Executive Officer is to prepare and implement equal employment opportunity management plans pursuant to s145 *Equal Employment Opportunity Act 1984*.

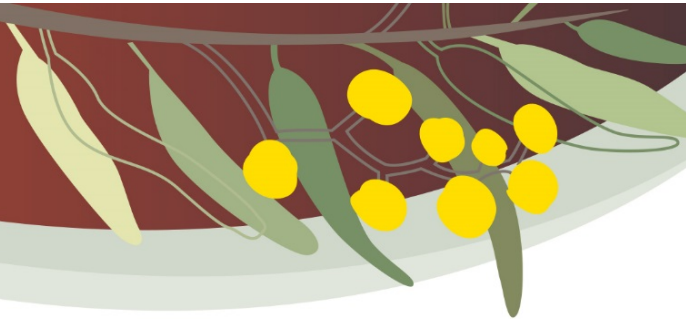
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right.





Appointment No: 17

Liquor Control Act 1988 – Issue Certificates, removal of Licences, Application for Extended Trading Permits.

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Liquor Control Act 1988 – s39; s40; s61(1)(d), (2); s69(7), (8)</i>	LEGAL (SUBSIDIARY):
Conditions	<p><i>The Chief Executive Officer cannot recommend approval or refusal for first time applications for Extended Trading Permits to the relevant State Government authority. Such applications must be considered and determined by the Council.</i></p> <p><i>The Chief Executive Officer may recommend approval or refusal for subsequent applications.</i></p>

POWER OR DUTY

1. Pursuant to s39 (Health), s40 (Planning) *Liquor Control Act 1988* the Chief Executive Officer is authorised to issue Certificates for grant, change or removal of liquor licences.
2. Pursuant to s61(1)(d), (2) *Liquor Control Act 1988* the Chief Executive Officer is authorised to provide comment and make recommendations on Applications for Extended Trading Permits.
3. Pursuant to s69(7), (8) of the *Liquor Control Act 1988* the Chief Executive Officer is authorised to intervene in Applications.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right



DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	See below

LEGAL (PARENT): <i>Litter Act 1978 – s26(1)(c)(i), (ii)</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Employees and elected members appointed under s26(1)(c)(i), (ii) must hold a certificate stating the person is authorised, in accordance with s26(4)(c).</i>

POWER OR DUTY

s26(1)(c)(i), (ii) prescribes that all elected members and employees are Authorised Persons by virtue of their office.

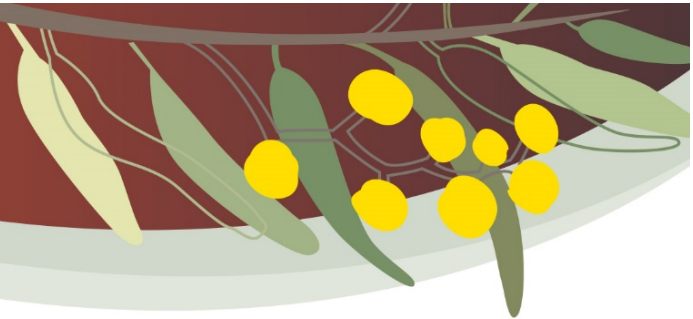
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 19

Litter Act 1979 – Withdrawal of Infringement Notices

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Litter Act 1978 – s30(4a)</i>	LEGAL (SUBSIDIARY):
Conditions	

POWER OR DUTY

Pursuant to s30(4a) *Litter Act 1979* the Chief Executive Officer is authorised to withdraw infringement notices.
If the Chief Executive Officer has issued the relevant infringement notice, the Shire President is authorised to withdraw such a notice.

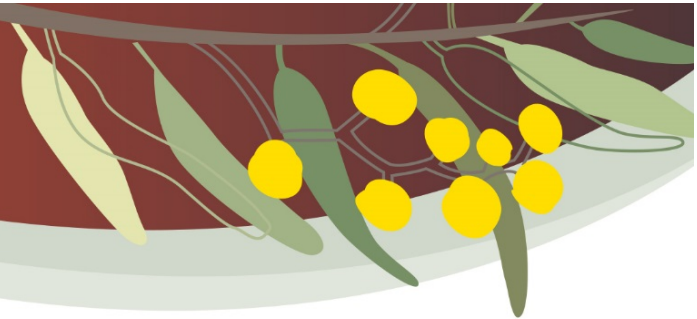
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 20

Building Act 2011 – General Duties

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	

LEGAL (PARENT): <i>Building Act 2011</i>	LEGAL (SUBSIDIARY):
Conditions	.

POWER OR DUTY

The Chief Executive Officer is authorised to undertake duties pursuant to the *Building Act 2011*.

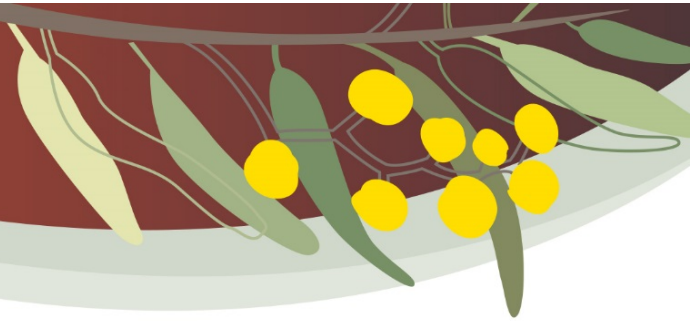
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 21

Cat Act

DATE ADOPTED:		APPOINTEE:	Ranger
DATE LAST REVIEWED:		OTHER APPOINTEES:	Admin Support Officer Records Officer Deputy CEO Customer Service Officer Senior Finance Officer (Rates, Payroll & Debtors)

LEGAL (PARENT): Cat Act 2011 – s9; s10; s11; s12; s13; s26; s27; s37; s38; s39; s40; s48; s49; s62; s63; s64.,	LEGAL (SUBSIDIARY): Cat Act 2011 – s45
Conditions	In accordance with s48(5) each authorised person appointed below, must have a certificate stating the employee is an authorised person for the purpose of this Act. Pursuant to s48(2) only an employee of the Shire can be appointed under s62.

POWER OR DUTY

Pursuant to s45 of the *Cat Act 2011* the following staff are appointed:

1. Ranger, Admin Support Officer, Records Officer, Deputy CEO, ~~Customer Service Officer~~ and ~~Senior Finance Officer (Rates, Payroll & Debtors)~~ as Registration Officers to perform the functions for Registration related matters in accordance with s9, 10, 11, 12, 13 of the *Cat Act 2011*.
2. Ranger as Authorised Persons for the purposes of s48, 49, 62, 63 of the *Cat Act 2011*.

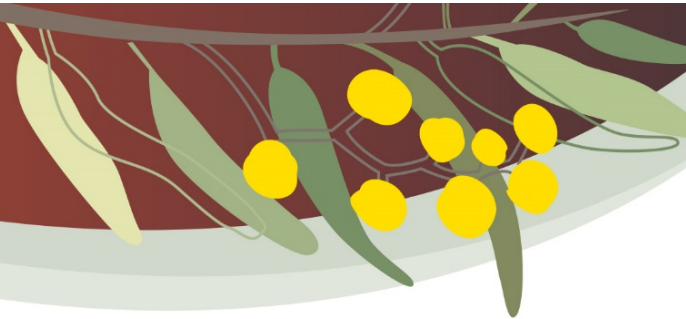
REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 22

Dog Act

DATE ADOPTED:		APPOINTEE:	Ranger
DATE LAST REVIEWED:		OTHER APPOINTEES:	Admin Support Officer Records Officer Deputy CEO Customer Service Officer Senior Finance Officer (Rates, Payroll & Debtors)

LEGAL (PARENT): <i>Dog Act 1976 –s12A; s14; s29; s38; s39; s43; s47; s12A; s14; s16(2); s16(3A); s16(3); s16(3C); s16(6); s26; s33E; s33F; s33G; s33H; s39; s43A;</i>	LEGAL (SUBSIDIARY):
Conditions	Must comply with relevant policies Cannot delegate authority to commence enforcement proceedings at S44 of the Dog Act 1976.

POWER OR DUTY

- The Ranger as an Authorised Person, and to exercise delegations under the following sections of the Dog Act 1976:
 - s12A Entry to premises;
 - s14 Registration;
 - s29 Power to seize dogs;
 - s33G Seizure and destruction;
 - s38 Nuisance dogs;
 - s39 Dogs causing injury or damage may be destroyed; s43A
Name and address to be supplied for an offence; and s47
Recovery of veterinary service expenses.
- The Ranger to undertake the powers of an authorised person under the Dog Act 1976 and the Dog Regulations 2013 for all sections not mentioned in 1 above or 3 below.
- The Ranger as a specifically Authorised Person:
 - s26 (and Shire of Woodanilling Dogs Local Law 2008) Limitation as to numbers; s33E
Dangerous dogs;
 - s33F Dangerous dogs;
 - s33G Dangerous dogs;
 - s33H Dangerous dogs;





s39 Dogs causing injury or damage may be destroyed; and

s43A Name and address to be supplied for an offence.

4. The Ranger and Admin Support Officer, Deputy CEO, ~~Senior Finance Officer (Rates, Payroll & Debtors)~~, ~~Customer Service Officer~~ and the Records Officer as Registration Officers under the following sections of the Dog Act 1976:

s14 Register of dogs; and

s16(2),16(3A), s16(3), s16(3c), s16(6) Registration.

REVIEW REQUIREMENTS

At least once every financial year.

AUTHORITY

As of right





Appointment No: 23

Food Act – General Delegation and Appointment

DATE ADOPTED:		APPOINTEE:	CEO
DATE LAST REVIEWED:		OTHER APPOINTEES:	Contract EHO

LEGAL (PARENT): <i>Food Act 2008 – s38; s56; s62; s65; s66; s67; s110; s112; s122; s125; s126</i>	LEGAL (SUBSIDIARY):
Conditions	<i>Copies of all decisions made are to be retained on the appropriate file or record,</i>

POWER OR DUTY

Pursuant to s118 of the Food Act 2008 the Council:

- Appoints the Chief Executive Officer and Contract Environmental Health Officer, as Authorised Persons and to undertake duties and functions in relation to:
 - s38 Powers of Authorised Officers;
 - s.54 Cost of destruction or disposal of forfeited item s56 (2)
Compensation to be paid in certain circumstances s62
Grounds for servicing Notices;
 - s65 Prohibition Orders;
 - s.70(2), (3) Compensation
 - s110 Registration of food premises;
 - s112 Food businesses – conditions and cancellations.; s122
Authorised officers;
 - s.125 Institution of proceedings
 - s126 Infringement Notices. s.65(1)
Prohibition orders
 - s66, 67 Requests for re-inspection.
- Appoints the Chief Executive Officer as an Authorised Person to undertake duties and functions in relation to:
 - s125 Instituting proceedings and
 - s126(13) The Chief Executive Officer is to be the Designated Officer.

REVIEW REQUIREMENTS





At least once every financial year.

AUTHORITY

As of right

