



PUBLIC ATTACHMENTS

Ordinary Council Meeting

23 June 2021

SCHEDULE OF ACCOUNTS PAID - MAY 2021

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT9862	03/05/2021	Advanced Traffic Management WA Pty Ltd			\$ 18,980.51	L	F
144763	30/03/2021	Advanced Traffic Management WA Pty Ltd	Traffic controllers from 22/03/21 to 29/03/21 - Mogumber Yarawindah Roads	\$ 12,959.38			
144937	31/03/2021	Advanced Traffic Management WA Pty Ltd	Traffic controllers from 30/03/21 to 31/03/21 - Mogumber Yarawindah Roads	\$ 4,186.88			
145059	09/04/2021	Advanced Traffic Management WA Pty Ltd	Traffic controllers 01/04/21 - Mogumber Yarawindah Roads	\$ 1,834.25			
EFT9863	03/05/2021	Castledine Gregory Law & Mediation	Legal Fees for December 20 and January 21 re Botvarkel Pty Ltd Donga Development		\$ 2,973.23		
4771	30/04/2021	Castledine Gregory Law & Mediation		\$ 2,973.23			
EFT9864	03/05/2021	Country Copiers Northam	Admin copier monthly meter read - April 2021		\$ 1,036.16	L	
S09044	09/04/2021	Country Copiers Northam		\$ 1,036.16			
EFT9865	03/05/2021	Daniel Jennis	Contract Cleaner for week ending 01/05/21 - various Shire's facilities		\$ 726.00	L	
270421	27/04/2021	Daniel Jennis		\$ 726.00			
EFT9866	03/05/2021	KA Tyres & Battery's	Recovery and towing of wreck to auction disposal point at Perth Airport		\$ 593.00	L	
236	19/04/2021	KA Tyres & Battery's		\$ 593.00			
EFT9867	03/05/2021	Linsey Cotter	Cleaning of staff housing - consultant's house 02/04/21 & 09/04/21	\$ 70.00	\$ 140.00	L	
33	12/04/2021	Linsey Cotter					
34	26/04/2021	Linsey Cotter	Cleaning of staff housing - consultant's house 16/04/21 & 23/04/21	\$ 70.00			
EFT9868	03/05/2021	Office of the Auditor General	Audit fees year ended 30th June 2020		\$ 29,700.00		
310/2021	26/03/2021	Office of the Auditor General		\$ 29,700.00			
EFT9869	03/05/2021	Paul And Wendy Cleaning Services	Full vacate cleaning of rental house - 6 Lambert Crescent		\$ 319.00	L	
001	16/04/2021	Paul And Wendy Cleaning Services		\$ 319.00			
EFT9870	03/05/2021	Pithara Electrical Pty Ltd / Greg Alan Electrical	Supplied and installed illuminated exit lights to CWA building- (Five Roads Café)		\$ 967.00		
065	22/04/2021	Pithara Electrical Pty Ltd / Greg Alan Electrical		\$ 967.00			
EFT9871	03/05/2021	Shire of Moora	Community Emergency Services Manager expenses for quarter ending 31 March 2021		\$ 5,777.68	L	
32270	08/04/2021	Shire of Moora		\$ 5,777.68			
EFT9872	03/05/2021	Stewart & Heaton Clothing Co Pty Ltd			\$ 4,415.84		

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
SIN-3345577	06/04/2021	Stewart & Heaton Clothing Co Pty Ltd	Protective Clothing & Accessories for fire fighter volunteers - cargo, belt, jacket	\$ 2,579.06			
SIN-3346409	07/04/2021	Stewart & Heaton Clothing Co Pty Ltd	Protective Clothing & Accessories for fire fighter volunteers - cargo, belt, jacket	\$ 1,836.78			
EFT9873	03/05/2021	Vizona Pty Ltd	Calingiri Solar Street lights, posts, holding bolt assemblies	\$ 3,447.18	\$ 3,447.18		F
INV-0140	22/04/2021	Vizona Pty Ltd		\$ 3,447.18			
EFT9874	03/05/2021	Wallis Computer Solutions	IT Support - Microsoft 365 license	\$ 96.64	\$ 96.64		
21632	21/04/2021	Wallis Computer Solutions		\$ 96.64			
EFT9875	03/05/2021	Yeti's Records Management Consultancy	Records Management	\$ 3,036.00	\$ 3,036.00		
0297	15/04/2021	Yeti's Records Management Consultancy		\$ 3,036.00			
EFT9876	07/05/2021	Abbott Auto Electrics			\$ 12,836.19	L	
5922	14/04/2021	Abbott Auto Electrics	Repairs of Kubota ZD1211-60 Mower with canopy	\$ 814.55			
5923	14/04/2021	Abbott Auto Electrics	Repairs of HINO 9T Tip Truck & HINO 700 Series	\$ 958.32			
5924	14/04/2021	Abbott Auto Electrics	Removed and replaced beacon, AM/FM & UHF aerial, side clearance and indicator lights, and marker light of various plant and	\$ 1,947.34			
5925	14/04/2021	Abbott Auto Electrics	Removed and replaced damaged indicator and marker lights of Hino side tipper trailer, UHF aerial of Grader and Excavator	\$ 1,012.72			
5929	14/04/2021	Abbott Auto Electrics	Repairs of Bobcat track loader starting fault, & organised replacement terminal set	\$ 372.90			
5930	14/04/2021	Abbott Auto Electrics	Repairs of headlight mounts and wiring - Multi Loader; repairs of lighting system - Grader; removed and replaced faulty beacons and UHF aerial of Multi-tred roller	\$ 2,981.44			
5928	14/04/2021	Abbott Auto Electrics	Removed & refitted spotlights and harness - Nissan Navarra Works vehicle; removed & replaced faulty UHF-Nissan Ute; Checked wiper fault - Bobcat loader	\$ 1,226.61			
5926	14/04/2021	Abbott Auto Electrics	Repairs of generator, and Hino 700 series	\$ 1,350.91			
5927	14/04/2021	Abbott Auto Electrics	Repairs of Toyota Hilux works vehicle, Isuzu, Nissan Navarra-General works vehicle. Hino 700 series (window fault)	\$ 941.60			
5921	14/04/2021	Abbott Auto Electrics	Repairs of AC system of various plant	\$ 1,229.80			
EFT9877	07/05/2021	Bradley Glyde	Return of housing bond	\$ 300.00	\$ 300.00		
040521	04/05/2021	Bradley Glyde		\$ 300.00			
EFT9878	07/05/2021	Calingiri Autos	Service generator at Calingiri Waste Site and Bolgart Waste Site	\$ 605.53	\$ 605.53	L	
15321	15/04/2021	Calingiri Autos		\$ 605.53			
EFT9879	07/05/2021	Country Womens Association - Bolgart Branch	ANZAC Day Catering	\$ 206.87	\$ 206.87		
Z18245956	28/04/2021	Country Womens Association - Bolgart Branch		\$ 206.87			
EFT9880	07/05/2021	Exurban Rural and Regional Planning	Planning Consultancy Services March 2021	\$ 8,518.48	\$ 8,518.48		
URP-4019	02/04/2021	Exurban Rural and Regional Planning		\$ 8,518.48			
EFT9881	07/05/2021	Fletcher Family Trust T/A Strategic Teams			\$ 5,940.00		

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
0460	03/05/2021	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 23 April 2021	\$ 3,300.00			
0461	03/05/2021	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 30 April 2021	\$ 2,640.00			
EFT9882 62181	07/05/2021 21/04/2021	Yerecoin Traders / The Farmco	Catering - Briefing session 19/04/2021	\$ 216.00	\$ 216.00	L	
EFT9883 310571	11/05/2021 23/02/2021	Boekeman Machinery	Batteries for Grader	\$ 947.10	\$ 947.10		
EFT9884 140521	14/05/2021 14/05/2021	Daniel Jennis	Contract Cleaning services week ending 7/05/21 and 14/05/21	\$ 594.00	\$ 594.00	L	
EFT9885 MILEAGE 11/5/21	14/05/2021 10/05/2021	Saoirse Kelly	Mileage - collect monies for ATM @ Bendigo Bank - Goomalling	\$ 86.51	\$ 86.51		
EFT9886 4028301801	20/05/2021 28/04/2021	BOC Limited	Gas Cylinder Service charges - April 2021	\$ 24.62	\$ 24.62		
EFT9887 543450	20/05/2021 01/04/2021	Bigmate Monitoring Services Pty Ltd	GPS monitoring fleet vehicles - April 2021	\$ 330.00	\$ 330.00		
EFT9888 MARCH 2021	20/05/2021 01/05/2021	Bolgart Rural Merchandise	Purchases - March 2021 - Maintenance items (radiator protector for Bolgart fire truck , steel blue for depot, cleaning stuff for Bolgart caravan park	\$ 273.15	\$ 273.15	L	
EFT9889 1127 1128 1138	20/05/2021 28/04/2021 01/05/2021 01/05/2021	Core Business Australia Pty Ltd	Project Management Services of Mogumber Yarrowinda Road project, Bolgart and Yerecoin footpaths project for the month of February 2021	\$ 14,863.86	\$ 45,438.56		F
		Core Business Australia Pty Ltd	Project Management Services of Mogumber Yarrowinda Roads project, Toodyay Bindi Bind Roads project, Bolgart and Yerecoin footpaths project for the month of April 2021	\$ 16,512.43			
		Core Business Australia Pty Ltd	Project Management Services of Mogumber Yarrowinda Road project, Bolgart and Yerecoin footpaths project for the month of March 2021	\$ 14,062.27			
EFT9890 3RD QTR 20/21	20/05/2021 07/05/2021	CR JIM KELLY	Councillor's sitting fees and telecommunications allowance - 3rd qtr 2021	\$ 2,125.00	\$ 2,125.00		
EFT9891 3RD QTR 20/21	20/05/2021 07/05/2021	David Lovelock	Councillor's sitting fees, Deputy President's allowance, and telecommunications allowance - 3rd qtr 2021	\$ 2,531.25	\$ 2,531.25		
EFT9892 3384	20/05/2021 30/04/2021	Future Security WA Pty Ltd	CCTV SYSTEM - Supplied & Installed CCTV to Roads Board Building	\$ 3,663.00	\$ 3,663.00		
EFT9893 3RD QTR 20/21	20/05/2021 07/05/2021	Gary O'brien	Councillors' sitting fees and telecommunications allowance 3rd qtr 2021	\$ 2,125.00	\$ 2,125.00		

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT9894 1328	20/05/2021 22/04/2021	Harris Electrical Servicing Harris Electrical Servicing	Installed new bore pump - Mogumber	\$ 880.00	\$ 880.00	L	
EFT9895 3RD QTR 20/21	20/05/2021 07/05/2021	Jaymie King Jaymie King	Councillor's sitting fees, and telecommunications allowance - 3rd qtr 2021	\$ 2,125.00	\$ 2,125.00		
EFT9896 3RD QTR 20/21	20/05/2021 07/05/2021	Neville James Clarke Neville James Clarke	Councillor's sitting fees and telecommunications allowance - 3rd qtr 2021	\$ 2,125.00	\$ 2,125.00		
EFT9897 3RD QTR -20/21	20/05/2021 07/05/2021	Pauline Bantock Pauline Bantock	Councillor's sitting fees, President's allowance, and telecommunications allowance - 3rd quarter 20/21	\$ 3,750.00	\$ 3,750.00		
EFT9898 1871 1870	20/05/2021 22/04/2021 22/04/2021	Walkers Diesel Services Walkers Diesel Services Walkers Diesel Services	Carry out service on Hino Truck - Depot Fitted drawbar to front of Hi Lux - Depot	\$ 719.02 \$ 156.75	\$ 875.77	L	
EFT9899 DEDUCTION DEDUCTION DEDUCTION	25/05/2021 14/04/2021 28/04/2021 12/05/2021	Australian Services Union Australian Services Union Australian Services Union Australian Services Union	Payroll deductions	\$ 25.90 \$ 25.90 \$ 25.90	\$ 77.70		
EFT9900 DEDUCTION DEDUCTION DEDUCTION	25/05/2021 14/04/2021 28/04/2021 12/05/2021	Child Support Agency Child Support Agency Child Support Agency Child Support Agency	Payroll deductions	\$ 215.30 \$ 215.30 \$ 215.30	\$ 645.90		
EFT9901 0143314	25/05/2021 11/02/2021	Advanced Traffic Management WA Pty Ltd Advanced Traffic Management WA Pty Ltd	Traffic controllers from 04/02/2021 to 10/02/2021 - Mogumber	\$ 8,652.88	\$ 8,652.88		F
EFT9902 75244	25/05/2021 30/04/2021	Ampac Debt Recovery (wa) Pty Ltd Ampac Debt Recovery (wa) Pty Ltd	Debt collection fees - April 2021	\$ 427.79	\$ 427.79		
EFT9903 101552404	25/05/2021 03/05/2021	Australia Post Australia Post	Postal charges for April 2021	\$ 95.25	\$ 95.25		
EFT9904 00043756	25/05/2021 09/04/2021	Avon Waste Avon Waste	Refuse Removal Services - March 2021	\$ 2,303.53	\$ 2,303.53	L	
EFT9905 150905 151200 151178	25/05/2021 01/05/2021 01/05/2021 01/05/2021	Civic Legal Pty Ltd Civic Legal Pty Ltd Civic Legal Pty Ltd Civic Legal Pty Ltd	Legal advice re Extension of Lease for New Norcia Emergency Services facility Advice on legal requirements that apply to provision of disabled toilets in Calingiri Licence agreement - Radio Communications Tower in Yarrawindah	\$ 1,270.50 \$ 3,289.00 \$ 904.75	\$ 5,464.25		
EFT9906	25/05/2021	Claw Environmental	Drum Muster Collection		\$ 1,469.54		

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17503	22/04/2021	Claw Environmental		\$ 1,469.54			
EFT9907	25/05/2021	Eleanor Marion Efijemueh	Professional fee for Grant research and NBNsatellite application - Bolgart and Calingiri		\$ 1,020.00		
2021-1	13/05/2021	Eleanor Marion Efijemueh		\$ 1,020.00			
EFT9908	25/05/2021	Exurban Rural and Regional Planning	Town planning advice and consultancy services for April 2021		\$ 9,296.52		
ORP-4032	08/05/2021	Exurban Rural and Regional Planning		\$ 9,296.52			
EFT9909	25/05/2021	Fletcher Family Trust T/A Strategic Teams			\$ 5,500.00		
0463	17/05/2021	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 14/05/21	\$ 2,420.00			
0462	17/05/2021	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 7/05/21	\$ 3,080.00			
EFT9910	25/05/2021	Future Security WA Pty Ltd	CCTV SYSTEM - Supplied & Installed CCTV		\$ 31,360.86		F
3385	03/05/2021	Future Security WA Pty Ltd		\$ 31,360.86			
EFT9911	25/05/2021	Great Southern Fuel Supplies	Purchased 10,000l of Diesel to Calingiri Depot		\$ 12,319.45	L	
D2062133	20/04/2021	Great Southern Fuel Supplies		\$ 12,319.45			
EFT9912	25/05/2021	Gillingarra Sport and Recreation Club	Reimbursed Synergy Accounts		\$ 512.99	L	
290421	29/04/2021	Gillingarra Sport and Recreation Club		\$ 512.99			
EFT9913	25/05/2021	KA Tyres & Battery's	Batteries for Mitsubishi Canter TTop		\$ 486.20	L	
248	12/05/2021	KA Tyres & Battery's		\$ 486.20			
EFT9914	25/05/2021	LG Assist	Staff recruitment - Manager of Works & Services advertisement		\$ 330.00		
003290	04/05/2021	LG Assist		\$ 330.00			
EFT9915	25/05/2021	National Drones Institute	Community Emergency Services - Drone Pilot Course		\$ 1,540.00		
802	11/05/2021	National Drones Institute		\$ 1,540.00			
EFT9916	25/05/2021	Northam Carpet Court	Calingiri Recreation hall - Replacement Flooring to Hallway & Craft Room		\$ 4,865.00	L	
146350	30/04/2021	Northam Carpet Court		\$ 4,865.00			
EFT9917	25/05/2021	Pacific Biologics Pty Ltd	Mosquito Larvicide Pellets		\$ 338.80		
20210347	09/04/2021	Pacific Biologics Pty Ltd		\$ 338.80			
EFT9918	25/05/2021	Quest Joondalup			\$ 1,750.00		
45393	18/04/2021	Quest Joondalup	OHS training accommodation 18/04/21 - 23/04/21 - Admin	\$ 875.00			
53691	18/04/2021	Quest Joondalup	OHS training accommodation 18/04/21 - 23/04/21 - Works	\$ 875.00			
EFT9919	25/05/2021	RSM Australia Pty Ltd atf Birdanco Practice Trust	Accounting Services for April 2021		\$ 9,550.05		
290028107	28/04/2021	RSM Australia Pty Ltd atf Birdanco Practice Trust		\$ 9,550.05			
EFT9920	25/05/2021	Rajaford Pty Ltd	April 2021 purchases - milk, newspaper, maintenance items, unleaded fuel, oil and filter		\$ 536.09	L	
#7 APRIL 2021	01/05/2021	Rajaford Pty Ltd		\$ 536.09			
EFT9921	25/05/2021	Shire of Wongan-Ballidu	Print of Yennart Road		\$ 20.00	L	
11950	28/04/2021	Shire of Wongan-Ballidu		\$ 20.00			

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT9922	25/05/2021	Star Track Express	Freight charges - Depot		\$ 649.83		
6192486521046	12/05/2021	Star Track Express		\$ 649.83			
EFT9923	25/05/2021	Thomas Culverwell	Cleaning of Gillingarra toilets 19/4/21 to 14/5/21		\$ 280.00	L	
18	01/05/2021	Thomas Culverwell		\$ 280.00			
EFT9924	25/05/2021	Training Services Australia	Safety & Health Representatives Workshop (Joondalup)		\$ 1,900.00		
290421	29/04/2021	Training Services Australia		\$ 1,900.00			
EFT9925	25/05/2021	Western Stabilisers Pty Ltd	Roadworks contract services - Mogumber Yarrowindah Road - Lime stabilisation, Mobilisation of stabilisation equipment and Additive spreader		\$ 78,826.22		F
WS-2548	23/04/2021	Western Stabilisers Pty Ltd		\$ 78,826.22			
EFT9926	25/05/2021	Walkers Diesel Services	Carried out 10,000kms service to Loader		\$ 1,355.19	L	
1869	22/04/2021	Walkers Diesel Services		\$ 1,355.19			
EFT9927	25/05/2021	Wallis Computer Solutions	NBN Wireless service April 21		\$ 693.00		
21672	03/05/2021	Wallis Computer Solutions		\$ 693.00			
EFT9928	27/05/2021	Daniel Jennis	Contract cleaning for week ending 17/05/21		\$ 214.50	L	
CLEAN WE17/5/21	17/05/2021	Daniel Jennis		\$ 214.50			
EFT9929	27/05/2021	Daran Robert Shane Halliday	Mileage and meals - OSH course at ECU, Joondalup		\$ 476.06		
REIMBURSE24.05.21	24/05/2021	Daran Robert Shane Halliday		\$ 476.06			
EFT9930	27/05/2021	Julie Klobas	Reimbursement for linens and pillows at 12 Harrington		\$ 194.00		
REIMBURSE21.05.21	21/05/2021	Julie Klobas		\$ 194.00			
EFT9931	27/05/2021	Nora Mc Gee	Mileage - OSH Course ECU Joondalup, and drop off Agenda to Councillor		\$ 321.13		
REIMBURSE24.05.21	24/05/2021	Nora Mc Gee		\$ 321.13			
EFT9932	27/05/2021	Paul And Wendy Cleaning Services	Cleaning - full vacate units		\$ 440.00	L	
2021 001	20/05/2021	Paul And Wendy Cleaning Services		\$ 440.00			
EFT Total				\$ 352,638.00	\$ 352,638.00		

Cheques Total \$ - \$ -

DD12527.2	14/05/2021	Wright Express Australia Pty Ltd	Fuel card charges - April 2021		\$ 458.93		
71	01/05/2021	Wright Express Australia Pty Ltd		\$ 458.93			
DD12441.2	14/04/2021	Shire of Victoria Plains - Credit Card	Credit card charges - April 2021		\$ 280.98		
May 2021	01/04/2021	Shire of Victoria Plains - Credit Card		\$ 280.98			
Charge Cards Total				\$ 739.91	\$ 739.91		

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DD12518	18/05/2021	Department Of Transport			\$ 2,611.10		
T1000	04/05/2021	Department Of Transport	Transport licensing transactions 30/4/21	\$ 909.95			
T1000	05/05/2021	Department Of Transport	Transport licensing transactions 3/5/21	\$ 284.50			
T1000	06/05/2021	Department Of Transport	Transport licensing transactions 4/5/21	\$ 509.10			
T1000	10/05/2021	Department Of Transport	Transport licensing transactions 6/5/21	\$ 79.25			
T1000	12/05/2021	Department Of Transport	Transport licensing transactions 10/5/21	\$ 18.40			
T1000	13/05/2021	Department Of Transport	Transport licensing transactions 11/5/21	\$ 100.00			
T1000	17/05/2021	Department Of Transport	Transport licensing transactions 13/5/21	\$ 709.90			
DD12514.1	12/05/2021	Aware Super Pty Ltd			\$ 2,754.79		
SUPER	12/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 1,667.08			
SUPER	12/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 218.53			
DEDUCTION	12/05/2021	Aware Super Pty Ltd	Payroll deductions	\$ 93.37			
DEDUCTION	12/05/2021	Aware Super Pty Ltd	Payroll deductions	\$ 294.41			
SUPER	12/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 235.55			
SUPER	12/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 245.85			
DD12514.2	12/05/2021	AMP Generations Personal Superannuation Plan""	Superannuation contributions		\$ 217.17		
SUPER	12/05/2021	AMP Generations Personal Superannuation Plan""		\$ 217.17			
DD12514.3	12/05/2021	Cbus Super Australia	Superannuation contributions		\$ 147.42		
SUPER	12/05/2021	Cbus Super Australia		\$ 147.42			
DD12514.4	12/05/2021	North Superannuation			\$ 670.80		
DEDUCTION	12/05/2021	North Superannuation	Payroll deductions	\$ 172.00			
SUPER	12/05/2021	North Superannuation	Superannuation contributions	\$ 498.80			
DD12514.5	12/05/2021	Ramsay Superannuation Fund			\$ 562.47		
DEDUCTION	12/05/2021	Ramsay Superannuation Fund	Payroll deductions	\$ 144.22			
SUPER	12/05/2021	Ramsay Superannuation Fund	Superannuation contributions	\$ 418.25			
DD12514.6	12/05/2021	Australian Super Pty Ltd			\$ 908.08		
DEDUCTION	12/05/2021	Australian Super Pty Ltd	Payroll deductions	\$ 121.15			
SUPER	12/05/2021	Australian Super Pty Ltd	Superannuation contributions	\$ 786.93			
DD12514.7	12/05/2021	Lgia Super			\$ 1,295.05		
SUPER	12/05/2021	Lgia Super	Superannuation contributions	\$ 1,179.14			
DEDUCTION	12/05/2021	Lgia Super	Payroll deductions	\$ 115.91			
DD12514.8	12/05/2021	BT Super For Life	Superannuation contributions		\$ 448.88		
SUPER	12/05/2021	BT Super For Life		\$ 448.88			
DD12514.9	12/05/2021	Colonial First State	Superannuation contributions		\$ 319.71		
SUPER	12/05/2021	Colonial First State		\$ 319.71			
DD12528.1	11/05/2021	Telstra Corporation Ltd	Fire Prevention - phone charges SMS - April 21		\$ 55.00		

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1466814702 APRIL 21	11/05/2021	Telstra Corporation Ltd		\$ 55.00			
DD12528.2	17/05/2021	Telstra Corporation Ltd	Telephone charges - April 2021		\$ 1,082.32		
6308146000 APRIL 2021	17/05/2021	Telstra Corporation Ltd		\$ 1,082.32			
DD12528.3	04/05/2021	Synergy	Electricity charges - April 2021 - Waterpump at Calingir Sports		\$ 1,477.53		
2089206102	13/04/2021	Synergy		\$ 1,477.53			
DD12528.4	01/05/2021	linet Limited	Internet charges - May 2021 - Bolgart & Mogumber Libraries		\$ 79.98		
125994965	17/04/2021	linet Limited		\$ 79.98			
DD12528.5	06/05/2021	Telstra Corporation Ltd	Mobile phone charges - April 2020		\$ 1,027.23		
1583901424 APRIL 21	06/05/2021	Telstra Corporation Ltd		\$ 1,027.23			
DD12539.1	24/05/2021	Synergy			\$ 2,412.65		
2081224566	04/05/2021	Synergy	Electricity charges from 23 March - 04 May 2021 Fire Station in	\$ 118.35			
2001254158	04/05/2021	Synergy	Electricity charges from 13 April - 04 May 2021 waterpump-	\$ 898.47			
2049225274	03/05/2021	Synergy	Electricity charges from 1 April - 03 May 2021 streetlights	\$ 1,395.83			
DD12539.2	26/05/2021	Synergy			\$ 4,247.07		
2077225553	06/05/2021	Synergy	Electricity for staff housing from 04/03/2021 to 06/05/2021	\$ 15.55			
2029228250	06/05/2021	Synergy	Electricity for Calingiri Emergency Service from 04/03/2021 to	\$ 210.74			
2013233	06/05/2021	Synergy	Electricity for Calingiri Football Club from 04/03/2021 to	\$ 1,952.94			
2049229301	06/05/2021	Synergy	Electricity for staff housing from 04/03/2021 to 06/05/2021	\$ 239.99			
2009230187	06/05/2021	Synergy	Electricity for Calingiri Recreational Hall from 04/03/2021 to	\$ 390.16			
2065223960	06/05/2021	Synergy	Electricity for staff housing from 04/03/2021 to 06/05/2021	\$ 314.35			
2069221582	06/05/2021	Synergy	Electricity for Calingiri War Memorial from 04/03/2021 to	\$ 123.18			
2069221643	06/05/2021	Synergy	Electricity for Calingiri Caravan Park from 04/03/2021 to	\$ 262.70			
2085226213	06/05/2021	Synergy	Electricity for staff housing from 04/03/2021 to 06/05/2021	\$ 737.46			
DD12539.3	31/05/2021	Synergy	Electricity for Depot Office from 10/03/2021 to 10/05/2021		\$ 414.02		
2077228622	10/05/2021	Synergy		\$ 414.02			
DD12539.4	26/05/2021	Water Corporation			\$ 6,535.84		
0161	04/05/2021	Water Corporation	Water charge from 03/03/2021 to 04/05/2021 Calingiri Sport	\$ 718.74			
0083	04/05/2021	Water Corporation	Water charge for Home unit Lot 184 from 03/03/2021 to	\$ 632.03			
0132	04/05/2021	Water Corporation	Water charge for Standpipe Lot 34 from 03/03/2021 to 04/05/2021	\$ 2,362.42			
0117	04/05/2021	Water Corporation	Water charge for Calingiri Sport from 03/03/2021 to 04/05/2021	\$ 814.57			
0093	04/05/2021	Water Corporation	Water charge for Calingiri Park from 03/03/2021 to 04/05/2021	\$ 489.81			
291.28	04/05/2021	Water Corporation	Water charge for standpipe Lot 11 from 03/03/2021 to 04/05/2021	\$ 291.28			
0126	04/05/2021	Water Corporation	Water charge for Bolgart Caravan Park from 03/03/2021 to	\$ 319.44			
0129	04/05/2021	Water Corporation	Water charge for Bolgart Standpipe Lot OPP 166 from 03/03/2021	\$ 291.28			
0125	04/05/2021	Water Corporation	Water charge for Admin Office Lot 34 from 03/03/2021 to	\$ 271.52			
0128	04/05/2021	Water Corporation	Water charge for Calingiri Hall Lot 143 from 03/03/2021 to	\$ 119.79			

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
0159	04/05/2021	Water Corporation	Water charge for Calingiri Pub toilet Lot 27 from 03/03/2021 to	\$ 67.90			
0127	04/05/2021	Water Corporation	Water charge for Depot Office Lot 12 from 03/03/2021 to	\$ 66.55			
0110	04/05/2021	Water Corporation	Water charge for Cemetery Lot 139 from 03/03/2021 to 04/05/2021	\$ 53.24			
0117	04/05/2021	Water Corporation	Water charge for Bolgart Hall Lot 85-86 from 03/03/2021 to	\$ 29.28			
0121	04/05/2021	Water Corporation	Water charge for Bolgart Park Lot 135 from 03/03/2021 to	\$ 7.99			
DD12539.5	25/05/2021	Water Corporation			\$ 257.99		
0119	04/05/2021	Water Corporation	Water charge for Calingiri rest rooms Lot 28 from 03/03/2021 to	\$ 170.37			
0079	04/05/2021	Water Corporation	Water charge for Lot 191 from 03/03/2021 to 04/05/2021	\$ 87.62			
DD12539.6	25/05/2021	Synergy	Electricity charges from 24 March - 05 May 2021 Piawanning water		\$ 530.24		
2005225578	05/05/2021	Synergy		\$ 530.24			
DD12539.7	27/05/2021	Synergy	Electricity for Shire office from 04/03/2021 to 07/05/2021		\$ 1,122.75		
2001257590	07/05/2021	Synergy		\$ 1,122.75			
DD12541.1	14/05/2021	Western Australia Treasury Corporation	Loan repayment 82 for May 2021		\$ 10,638.99		
LOAN 82 MAY 2021	01/05/2021	Western Australia Treasury Corporation		\$ 10,638.99			
DD12541.2	14/05/2021	Bendigo Bank	Loan repayment 83 for May 2021 Calingiri Football Club		\$ 13,068.42		
LOAN 83 MAY 2021	01/05/2021	Bendigo Bank		\$ 13,068.42			
DD12544.1	18/05/2021	Department Of Transport	Transport licensing transactions 14/05/21		\$ 622.75		
T1000	18/05/2021	Department Of Transport		\$ 622.75			
DD12544.2	20/05/2021	Department Of Transport	Transport licensing transactions 18/5/21		\$ 335.60		
T1000	20/05/2021	Department Of Transport		\$ 335.60			
DD12544.3	25/05/2021	Department Of Transport	Transport licensing transactions 21/5/21		\$ 441.65		
T1000	25/05/2021	Department Of Transport		\$ 441.65			
DD12544.4	26/05/2021	Department Of Transport	Transport licensing transactions 24/5/21		\$ 442.90		
T1000	26/05/2021	Department Of Transport		\$ 442.90			
DD12544.5	28/05/2021	Department Of Transport	Transport licensing transactions 26/5/21		\$ 789.10		
T1000	28/05/2021	Department Of Transport		\$ 789.10			
DD12546.1	31/05/2021	Department Of Transport	Transport licensing transactions 27/5/21		\$ 6,910.25		
T1000	31/05/2021	Department Of Transport		\$ 6,910.25			
DD12548.1	26/05/2021	Aware Super Pty Ltd			\$ 1,516.65		
SUPER	26/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 722.66			
DEDUCTION	26/05/2021	Aware Super Pty Ltd	Payroll deductions	\$ 91.35			
DEDUCTION	26/05/2021	Aware Super Pty Ltd	Payroll deductions	\$ 42.31			
SUPER	26/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 235.55			
SUPER	26/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 218.54			
SUPER	26/05/2021	Aware Super Pty Ltd	Superannuation contributions	\$ 206.24			
DD12548.2	26/05/2021	AMP Generations Personal Superannuation Plan""	Superannuation contributions		\$ 218.54		

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
SUPER	26/05/2021	AMP Generations Personal Superannuation Plan""		\$ 218.54			
DD12548.3	26/05/2021	Cbus Super Australia	Superannuation contributions		\$ 53.23		
SUPER	26/05/2021	Cbus Super Australia		\$ 53.23			
DD12548.4	26/05/2021	North Superannuation			\$ 670.80		
DEDUCTION	26/05/2021	North Superannuation	Payroll deductions	\$ 172.00			
SUPER	26/05/2021	North Superannuation	Superannuation contributions	\$ 498.80			
DD12548.5	26/05/2021	Ramsay Superannuation Fund			\$ 421.86		
DEDUCTION	26/05/2021	Ramsay Superannuation Fund	Payroll deductions	\$ 108.17			
SUPER	26/05/2021	Ramsay Superannuation Fund	Superannuation contributions	\$ 313.69			
DD12548.6	26/05/2021	Lgia Super			\$ 1,291.57		
DEDUCTION	26/05/2021	Lgia Super	Payroll deductions	\$ 115.02			
SUPER	26/05/2021	Lgia Super	Superannuation contributions	\$ 1,176.55			
DD12548.7	26/05/2021	BT Super For Life			\$ 448.88		
SUPER	26/05/2021	BT Super For Life		\$ 448.88			
DD12548.8	26/05/2021	Australian Super Pty Ltd			\$ 435.59		
SUPER	26/05/2021	Australian Super Pty Ltd		\$ 435.59			
DD12549.1	26/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Calingiri Unit		\$ 47.83		
0116 APRIL 2021	05/05/2021	Water Corporation		\$ 47.83			
DD12549.2	21/05/2021	Water Corporation			\$ 3,681.70		
0017 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Bolgart Unit	\$ 182.92			
0119 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Calingiri Unit	\$ 50.58			
0116 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Calingiri Unit	\$ 66.10			
0078 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Staff housing	\$ 226.73			
0119 APRIL 2020	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Calingiri Unit	\$ 44.18			
0163 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Staff housing	\$ 551.97			
0161 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Staff housing	\$ 368.79			
0159 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Staff housing	\$ 734.32			
0123 APRIL 2021	05/05/2021	Water Corporation	Water charges from 3/3/21 to 4/5/21 Staff housing	\$ 1,456.11			
DD12559.1	21/05/2021	Water Corporation	Water used for lot 184 from 03/03/2021 to 04/05/2021		\$ 230.46		
0017	05/05/2021	Water Corporation		\$ 230.46			
DD12559.2	26/05/2021	Water Corporation	Water used for lot 501 from 03/03/2021 to 04/05/2021		\$ 1,967.00		
0119	05/05/2021	Water Corporation		\$ 1,967.00			
DD	31/05/2021	Bendigo Bank			\$ 261.90		
DD	31/05/2021	Bendigo Bank	Bank fees and charges - May 2021 Total	\$ 261.90			
Direct Debits Total				\$ 73,673.76	\$ 73,673.76		

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
Payroll	13/05/2021	Employees	Payroll PE 12.05.2021	\$ 49,811.60	\$ 49,811.60		
Payroll	27/05/2021	Employees	Payroll PE 26.05.2021	\$ 31,445.12	\$ 31,445.12		
Direct Debits Total				\$ 81,256.72	\$ 81,256.72		

	Abbreviations		
F	Funded	EFT Total	\$ 352,638.00 69.37%
L	Local Supplier	Cheques Total	\$ - 0.00%
		Charge Cards Total	\$ 739.91 0.15%
		Direct Debit Total	\$ 73,673.76 14.49%
		Trust Total	\$ - 0.00%
		Payroll Total	\$ 81,256.72 15.99%
		Total	\$ 508,308.39 100.00%
		Local Suppliers	\$ 67,185.94 13.22%
		Employees	\$ 81,256.72 15.99%
		Combined Total	\$ 148,442.66 29.20%



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SHIRE OF VICTORIA PLAINS

MONTHLY FINANCIAL REPORT

For the Period Ending 31 May 2021

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2021
CONTENTS PAGE

General

Compilation Report
Executive Summary

Note

Financial Statements

Statement of Financial Activity by Nature or Type
Statement of Financial Activity by Program
Statement of Capital Acquisitions and Funding

Notes to the Statement of Financial Activity

Significant Accounting Policies	Note 1
Explanation of Material Variances	Note 2
Net Current Funding Position	Note 3
Cash and Investments	Note 4
Trust Fund	Note 5
Receivables	Note 6
Cash Backed Reserves	Note 7
Capital Disposals	Note 8
Capital Acquisitions	Note 9
Rating Information	Note 10
Information on Borrowings	Note 11
Grants and Contributions	Note 12
Budget Amendments	Note 13

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Compilation Report

To the Council

Shire of Victoria Plains

Scope

We have compiled the accompanying special purpose financial statements.

The specific purpose for which the special purpose financial report has been prepared is to provide information relating to the financial performance and financial position of the Shire that satisfies the information needs of the Council and the *Local Government Act 1995* and associated regulations.

The responsibility of the Shire

The Shire is solely responsible for the information contained in the special purpose financial report and have determined that the accounting policies used are consistent and are appropriate to satisfy the requirements of the Council and the *Local Government Act 1995* and associated regulations.

Our responsibility

On the basis of information provided by the Shire, we have compiled the accompanying special purpose financial statements in accordance with the significant accounting policies adopted as set out in Note 1 to the financial statements and APES 315: Compilation of Financial Information.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Management provided, into a financial report. Our procedures do not include any verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than the Shire of Victoria Plains, may suffer arising from negligence on our part.

This report was prepared for the benefit of the Council of the Shire of Victoria Plains and the purpose identified above. We do not accept responsibility to any other person for the content of the report.

Signed at GERALDTON

Date 17th June 2021RSM Australia Pty Ltd
Chartered Accountants**THE POWER OF BEING UNDERSTOOD**
AUDIT | TAX | CONSULTING

RSM Australia Pty Ltd is a member of the RSM network and trades as RSM. RSM is the trading name used by the members of the RSM network. Each member of the RSM network is an independent accounting and consulting firm which practices in its own right. The RSM network is not itself a separate legal entity in any jurisdiction.

RSM Australia Pty Ltd ACN 009 321 377 atf Birdanco Practice Trust ABN 65 319 382 479 trading as RSM

Liability limited by a scheme approved under Professional Standards Legislation

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2021
EXECUTIVE SUMMARY

Statement of Financial Activity

Statements are presented on pages 5 and 6 showing a surplus/(deficit) as at 31 May 2021 of -\$209,325

Significant Revenue and Expenditure

Significant Projects	Collected / Completed %	Annual Budget \$	YTD Budget \$	YTD Actual \$
Mogumber - Yarawindah Road WSN	73%	1,427,500	1,308,527	1,037,102
AG Lime - Calingiri / Toodyay Intersection	3%	1,087,500	996,842	33,672
Mogumber - Yarawindah Road 19/20	31%	364,500	334,114	114,498
Bindi Bindi - Toodyay Road	60%	361,416	331,254	216,820
Gillingarra - Glentromie Road	16%	230,000	210,815	36,411
Glentromie - Yerecoin Road Bridge	0%	100,000	91,663	360
	40%	3,570,916	3,273,215	1,438,863

Grants, Subsidies and Contributions				
Operating grants, subsidies and contributions	101%	766,375	752,557	771,463
Non-operating grants, subsidies and contributions	15%	3,804,356	3,558,855	583,825
	30%	4,570,731	4,311,412	1,355,288

Rates Levied				
	100%	2,775,588	2,768,871	2,777,989

% - Compares current YTD actuals to the Annual Budget

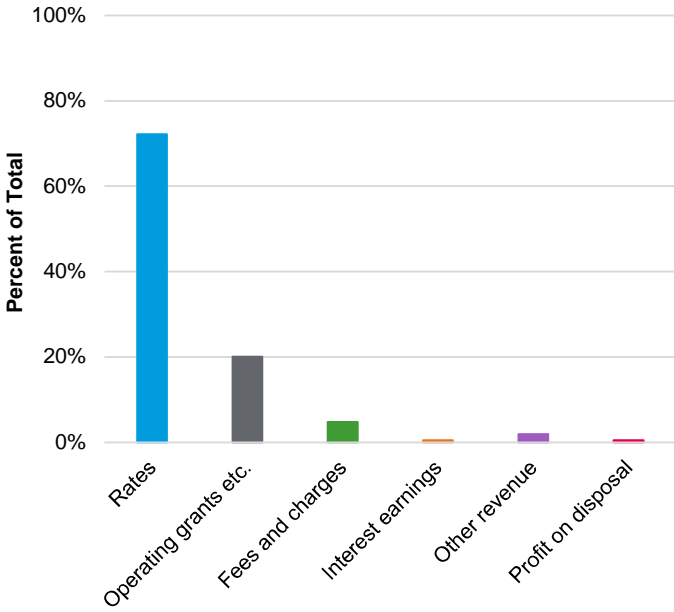
Financial Position

Account	Difference to Prior Year %	Current Year 31 May 21 \$	Prior Year 31 May 20 \$
Adjusted net current assets	(31%)	(209,325)	684,714
Cash and equivalent - unrestricted	45%	551,474	1,228,159
Cash and equivalent - restricted	62%	566,452	911,735
Receivables - rates	122%	31,190	25,560
Receivables - other	390%	51,964	13,336
Payables	149%	803,211	538,680

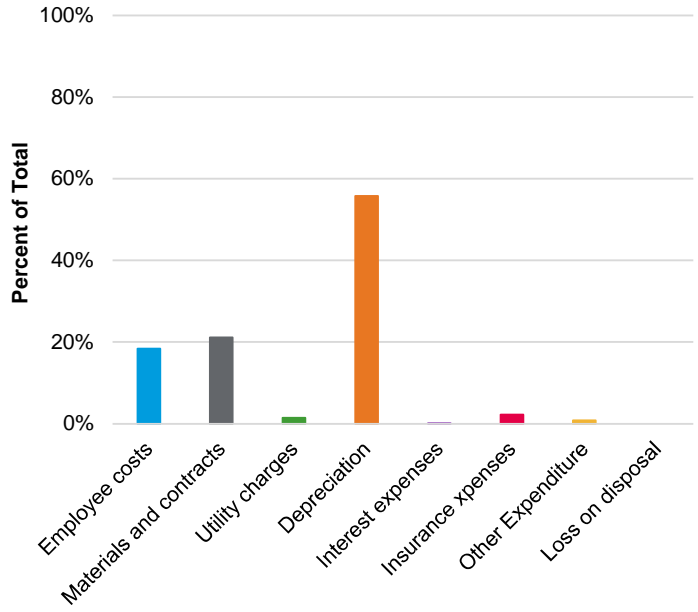
% - Compares current YTD actuals to prior year actuals

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2021
SUMMARY GRAPHS

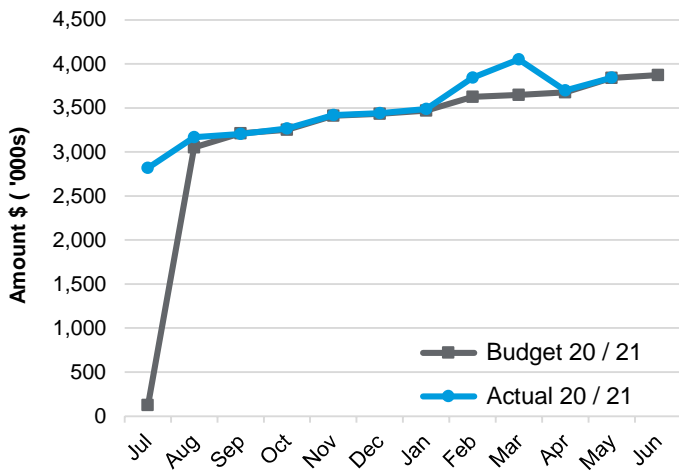
Operating Income



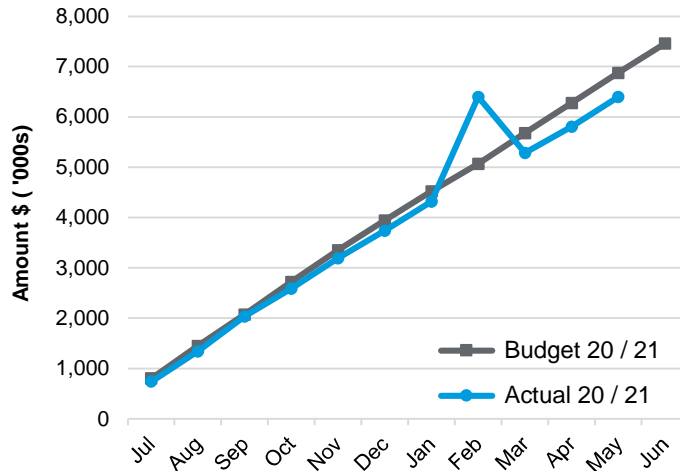
Operating Expenditure



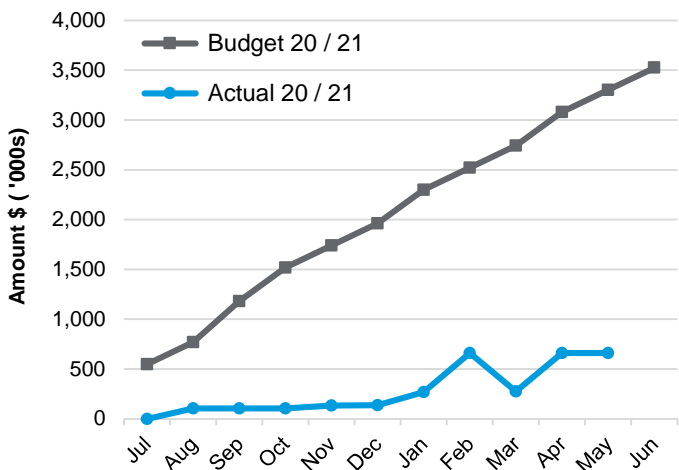
Operating Revenues



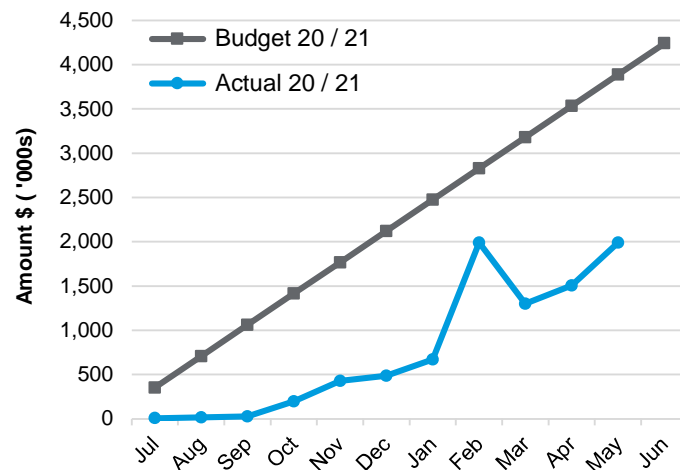
Operating Expenses



Capital Revenues - Investing



Capital Expenses



SHIRE OF VICTORIA PLAINS
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2021
REPORTING PROGRAM

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Funding Surplus / (Deficit)	3	189,527	189,527	189,527		
Revenue from Operating Activities						
Governance		11,850	13,346	4,479	(8,867)	(66%)
General purpose funding - rates	10	2,775,588	2,768,871	2,777,989	9,118	0%
General purpose funding - other		588,669	584,772	588,070	3,298	1%
Law, order and public safety		63,910	49,731	71,147	21,416	43%
Health		6,270	5,742	2,068	(3,674)	(64%)
Education and welfare		630	572	-	(572)	(100%)
Housing		80,400	73,742	59,197	(14,545)	(20%)
Community amenities		92,550	86,483	99,677	13,194	15%
Recreation and culture		21,937	20,704	7,860	(12,844)	(62%)
Transport		181,066	177,392	179,157	1,765	1%
Economic services		28,100	25,718	33,343	7,625	30%
Other property and services		30,370	27,808	22,767	(5,041)	(18%)
		3,881,340	3,834,881	3,845,754		
Expenditure from Operating Activities						
Governance		(497,429)	(455,977)	(427,248)	28,728	6%
General purpose funding		(430,110)	(394,268)	(366,535)	27,733	7%
Law, order and public safety		(337,196)	(309,096)	(258,301)	50,795	16%
Health		(135,475)	(124,185)	(111,539)	12,647	10%
Education and welfare		(15,323)	(14,046)	(4,246)	9,801	70%
Housing		(231,229)	(211,960)	(211,921)	39	0%
Community amenities		(568,189)	(520,840)	(486,429)	34,410	7%
Recreation and culture		(725,299)	(664,857)	(594,791)	70,067	11%
Transport		(4,184,429)	(3,835,727)	(3,884,360)	(48,633)	(1%)
Economic services		(209,133)	(191,705)	(175,872)	15,833	8%
Other property and services		(540)	(495)	121,069	121,564	24,558%
		(7,334,352)	(6,723,156)	(6,400,172)		
Excluded Non-cash Operating Activities						
Depreciation and amortisation		3,895,420	3,570,802	3,570,801		
(Profit) / loss on asset disposal	8	(32,400)	(29,700)	(19,566)		
Net Amount from Operating Activities		410,008	652,827	996,816		
Investing Activities						
Grants, subsidies and contributions	12(b)	3,804,356	3,558,855	583,825	(2,975,030)	(84%)
Proceeds from disposal of assets	8	82,300	75,438	77,864	2,426	3%
Land and buildings	9(a)	(101,126)	(98,164)	(27,416)	70,748	72%
Plant and equipment	9(b)	(268,200)	(245,840)	(232,665)	13,175	5%
Furniture and equipment	9(c)	(18,000)	(16,500)	(23,328)	(6,828)	(41%)
Infrastructure - roads	9(d)	(3,889,312)	(3,553,022)	(1,707,896)	1,845,126	52%
Infrastructure - bridges	9(e)	(100,000)	(91,663)	(360)	91,303	100%
Infrastructure - other	9(f)	(123,760)	(113,432)	(7,400)	106,032	93%
Net Amount from Investing Activities		(613,742)	(484,328)	(1,337,377)		
Financing Activities						
Proceeds from new debentures	11(b)	19,544	19,544	-	(19,544)	100%
Repayment of debentures	11(a)	(56,264)	(56,262)	(56,838)	(576)	(1%)
Transfer from reserves	7	53,054	-	-	-	
Transfer to reserves	7	(2,770)	(2,530)	(1,454)	1,076	43%
Net Amount from Financing Activities		13,564	(39,248)	(58,291)		
Closing Funding Surplus / (Deficit)	3	(643)	318,778	(209,325)		

* - Note 2 provides an explanation for the relevant variances shown above.

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

SHIRE OF VICTORIA PLAINS

STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

NATURE OR TYPE

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Funding Surplus / (Deficit)	3	189,527	189,527	189,527		
Revenue from Operating Activities						
Rates	10	2,775,588	2,768,871	2,777,989	9,118	0%
Grants, subsidies and contributions	12(a)	766,375	752,557	771,463	18,906	3%
Fees and charges		191,640	177,546	183,364	5,818	3%
Interest earnings		32,717	30,571	19,549	(11,022)	(36%)
Other revenue		82,620	75,636	73,822	(1,814)	(2%)
Profit on disposal of assets	8	32,400	29,700	19,566	(10,134)	(34%)
		3,881,340	3,834,881	3,845,754		
Expenditure from Operating Activities						
Employee costs		(1,327,032)	(1,216,446)	(1,176,883)	39,564	3%
Materials and contracts		(1,784,013)	(1,635,345)	(1,354,768)	280,577	17%
Utility charges		(104,771)	(96,040)	(92,714)	3,326	3%
Depreciation on non-current assets		(3,895,420)	(3,570,802)	(3,570,801)	1	0%
Interest expenses		(13,014)	(11,930)	(9,300)	2,629	22%
Insurance expenses		(126,947)	(116,368)	(142,398)	(26,030)	(22%)
Other expenditure		(83,155)	(76,225)	(53,308)	22,917	30%
Loss on disposal of assets	8	-	-	-	-	
		(7,334,352)	(6,723,156)	(6,400,172)		
Excluded Non-cash Operating Activities						
Depreciation and amortisation		3,895,420	3,570,802	3,570,801		
(Profit) / loss on asset disposal		(32,400)	(29,700)	(19,566)		
Net Amount from Operating Activities		410,008	652,827	996,816		
Investing Activities						
Grants, subsidies and contributions	12(b)	3,804,356	3,558,855	583,825	(2,975,030)	(84%)
Proceeds from disposal of assets	8	82,300	75,438	77,864	2,426	3%
Land and buildings	9(a)	(101,126)	(98,164)	(27,416)	70,748	72%
Plant and equipment	9(b)	(268,200)	(245,840)	(232,665)	13,175	5%
Furniture and equipment	9(c)	(18,000)	(16,500)	(23,328)	(6,828)	(41%)
Infrastructure - roads	9(d)	(3,889,312)	(3,553,022)	(1,707,896)	1,845,126	52%
Infrastructure - bridges	9(e)	(100,000)	(91,663)	(360)	91,303	100%
Infrastructure - other	9(f)	(123,760)	(113,432)	(7,400)	106,032	93%
Net Amount from Investing Activities		(613,742)	(484,328)	(1,337,377)		
Financing Activities						
Proceeds from self supporting loans	11(b)	19,544	19,544	-	(19,544)	Timing of
Repayment of debentures	11(a)	(56,264)	(56,262)	(56,838)	(576)	(1%)
Transfer from reserves	7	53,054	-	-	-	
Transfer to reserves	7	(2,770)	(2,530)	(1,454)	1,076	43%
Net Amount from Financing Activities		13,564	(39,248)	(58,291)		
Closing Funding Surplus / (Deficit)	3	(643)	318,778	(209,325)		

* - Note 2 provides an explanation for the relevant variances shown above.

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

SHIRE OF VICTORIA PLAINS

STATEMENT OF CAPITAL ACQUISITIONS AND FUNDING

For the Period Ending 31 May 2021

CAPITAL ACQUISITIONS AND FUNDING

Asset Group	Note	Annual Budget	YTD Actual Total
		\$	\$
Land and buildings	9(a)	101,126	27,416
Plant and equipment	9(b)	268,200	232,665
Furniture and equipment	9(c)	18,000	23,328
Infrastructure - roads	9(d)	3,889,312	1,707,896
Infrastructure - bridges	9(e)	100,000	360
Infrastructure - other	9(f)	123,760	7,400
Total Capital Expenditure		4,500,398	1,999,065
Capital Acquisitions Funded by:			
Capital grants and contributions		3,804,356	583,825
Borrowings		-	-
Other (disposals and c/fwd)		82,300	77,864
Council contribution - from reserves		53,054	-
Council contribution - operations		560,688	1,337,377
Total Capital Acquisitions Funding		4,500,398	1,999,065

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

The material variance adopted by the Shire of Victoria Plains for the 2020/21 year is \$10,000 or 10%, whichever is greater. Items considered to be of material variance are disclosed in Note 2.

The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation. The preparation also requires management to make judgements, estimates and assumptions which effect the application of policies and the reported amounts in the statements and notes. These estimated figures are based on historical experience or other factors believed to be reasonable under the circumstances. Therefore, the actual results may differ from these reported amounts.

Actual and Budget comparatives are presented in year to date format unless otherwise stated. The Adopted Budget is used in the report until superseded by the Budget Review.

Preparation

Prepared by: Kate Peacock
Reviewed by: Travis Bate
Date prepared: 17 Jun 21

(a) Basis of Preparation

The following financial statements are special purpose financial statements that have been prepared in accordance with the Australian Accounting Standards, Authoritative Interpretations, the *Local Government Act 1995*, and regulations, within the context in which they relate to local governments and not-for-profit entities.

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

With the exception of the cash flow statement and rate setting information, the following report has been prepared on an accrual basis with balances measured at historical cost unless subject to fair value adjustments. Items subject to fair value adjustments include certain non-current assets, financial assets, and financial liabilities. Items such as assets, liabilities, equity, income and expenses have been recognised in accordance with the definitions and recognition criteria set out in the Framework for the Preparation and Presentation of Financial Statements.

These financial statements comply with, and supersede, the Australian Accounting Standards with the *Local Government (Financial Management) Regulations 1996* where applicable. Further information is provided in Note 1(i).

The functional and presentation currency of the report is Australian dollars.

(b) The Local Government Reporting Entity

The Australian Accounting Standards define local government as a reporting entity which can be a single entity or a group comprising a parent and all its subsidiaries. All funds controlled by the Shire in order to provide its services have formed part of the following report. Transactions and balances related to these controlled funds, such as transfers to and from reserves, were eliminated during the preparation of the report.

Funds held in Trust, which are controlled but not owned by the Shire, do not form part of the financial statements. Further information on the Shire funds in Trust are provided in Note 5.

(c) Rounding of Amounts

The Shire is an entity to which the *Local Government (Financial Management) Regulations 1996* applies and, accordingly amounts in the financial report have been rounded to the dollar except for amounts shown as a rate in the dollar. Where total assets exceed \$10,000,000 in the prior audited annual financial report, the amounts may be rounded to the nearest \$1,000.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(d) Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (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 where applicable.

(e) Cash and Cash Equivalents

Cash and cash equivalents normally include cash on hand, bonds and deposits, overdrafts, excess rates, unspent grant funds, on call deposits and term deposits with maturities equal to or less than three months. Cash and cash equivalents are typically characterised as highly liquid investments with little risk of experiencing material changes in value. Further information is provided in Note 1(f).

(f) Financial Instruments

Other financial assets at amortised cost

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

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

Financial assets at fair value through profit and loss

The Shire classifies the following financial assets at fair value through profit and loss:

- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the Shire has not elected to recognise fair value gains and losses through other comprehensive income.

Financial liabilities

Financial liabilities are recognised at fair value when the Shire becomes a party to the contractual provisions to the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Loans and Receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They arise principally through the provision of goods and services to customers but also incorporate other types of contractual monetary assets.

After initial recognition these are measured at amortised cost using the effective interest method, less provision for impairment. Any change in their value is recognised in the statement of comprehensive income.

In some circumstances, the Shire renegotiates repayment terms with customers which may lead to changes in the timing of the payments, the Shire does not necessarily consider the balance to be impaired, however assessment is made on a case-by-case basis.

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Financial Instruments (Continued)

Impairment of Financial Assets

At the end of the annual reporting period the Shire assesses whether there is any objective evidence that a financial asset or group of financial assets is impaired.

If there is objective evidence that an impairment loss on financial assets carried at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the financial assets original effective interest rate.

Impairment of loans and receivables are reduced through the use of an allowance account, all other impairment losses on financial assets at amortised cost are taken directly to the asset. Subsequent recoveries of amounts previously written off are credited against other expenses in the statement of comprehensive income.

(g) Inventories

General

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 related to completion and its sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(h) Fixed Assets

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

Initial recognition and measurement between mandatory revaluation dates

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

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

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 no cost or for nominal consideration, 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.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluations at the next anniversary date in accordance with the mandatory measurement framework.

Revaluation

The fair value of land, buildings, infrastructure and investment properties is determined at least every five years in accordance with the regulatory framework. This includes buildings and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is considered to be in accordance with *Local Government (Financial Management) Regulation 17A (2)* which requires land, buildings, infrastructure, investment properties and vested improvements to be shown at fair value.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(h) Fixed Assets (Continued)

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Land under roads

As a result of amendments to the *Local Government (Financial Management) Regulations 1996*, effective from 1 July 2019, vested land, including land under roads, are treated as right-of-use assets measured at zero cost. Therefore, the previous inconsistency with AASB 1051 in respect of non-recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position.

Vested improvements from 1 July 2019

The measurement of vested improvements at fair value in accordance with *Local Government (Financial Management) Regulation 17A(2)(iv)* is a departure from AASB 16 which would have required the Shire to measure the vested improvements as part of the related right-of-use assets at zero cost.

(i) Depreciation of Non-current Assets

Fixed assets, excluding freehold land, are depreciated on a straight-line basis over the asset's useful life to the Shire, commencing when the asset is ready for use. The estimated useful lives used for each class of depreciable asset are shown below in years:

Asset	Years
Buildings	30 to 50 years
Furniture and equipment	4 to 10 years
Plant and equipment	5 to 15 years
Other infrastructure	15 to 80 years
Sealed roads and streets:	
formation	not depreciated
pavement	50 years
seal:	
bituminous seals	15 to 20 years
asphalt surfaces	20 years
Gravel Roads:	
formation	not depreciated
pavement	50 years
Formed roads (unsealed):	
formation	not depreciated
pavement	50 years
Footpaths - slab	40 to 60 years
Sewerage piping	80 years
Water supply piping and drainage systems	17 to 80 years
Sewerage piping	80 years
Bridges	60 years

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

Land Under Local Government Control

Regulation 16 in the *Local Government (Financial Management) Regulations 1996* prohibits certain assets to be included in the financial report of a local government and require other assets to be included. The regulation therefore supersedes the reporting requirements of AASB 1051 *Land Under Roads (p.15)* and AASB 116 *Property, Plant and*

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Trade and Other Payables

Trade and other payables are unpaid current liabilities owed for goods and services provided to the Shire prior to the end of the financial year. The amounts are unsecured and are normally paid within 30 days of recognition.

(k) Employee Benefits

Provision is made for the Shire's liability for employee benefits arising from services rendered by employees to the end of the annual reporting period. Employee benefits that are expected to be wholly settled within one year are measured at the amounts expected to be paid when the liability is settled.

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on 10 year Australia Government Bonds. Changes in the measurement of the liability are recognised in the statement of comprehensive income.

(l) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. Subsequent measurement is at amortised cost using the effective interest method. The annual government guarantee fee is expensed in the year incurred.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs that are directly attributable to the acquisition, construction or production of a qualifying asset are capitalised as part of the cost of that asset. All other borrowing costs are recognised as an expense in the period in which they are incurred.

(m) Provisions

Provisions are recognised when: The Shire has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(n) Contract Liabilities

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

With respect to transfers for recognisable non-financial assets, contract liabilities represent performance obligations which are not yet satisfied.

Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

(o) Current and Non-current Classification

The report classifies current and non-current balances as defined by the *Local Government (Financial Management) Regulations 1996*, AASB 101 *Presentation of Financial Statements*, or by another applicable regulation or interpretation.

(p) Nature or Type Classifications

Rates

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

Operating Grants, Subsidies and Contributions

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

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications (Continued)

Non-operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

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.

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. Excluding rubbish removal charges, 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.

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 etc.

Employee Costs

All costs associated with the employment of a 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, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, 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, etc.)

Expenditures made to the respective agencies for the provision of power, gas, water and communication expenses. 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

Loss on the disposal of fixed assets.

Depreciation on Non-current Assets

Depreciation expense raised on all classes of assets.

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, provision for bad debts, member's fees or State taxes, donations and subsidies made to community groups.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Program Classifications (Function / Activity)

Council operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs related to the task of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING

Rates, general purpose government grants and interest revenue.

LAW, ORDER AND PUBLIC SAFETY

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

HEALTH

Inspection of food outlets and their control, noise control and waste disposal compliance.

EDUCATION AND WELFARE

Maintenance of playgroup centre and support of school programs.

HOUSING

Provision and maintenance of elderly residents housing.

COMMUNITY AMENITIES

Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.

RECREATION AND CULTURE

Maintenance of public halls, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, and other cultural facilities.

TRANSPORT

Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.

ECONOMIC SERVICES

Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, and standpipes. Building Control.

OTHER PROPERTY AND SERVICES

Private works operation, plant repair and operation costs and engineering operation costs.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(r) Revenue Recognition Policy

Recognition of revenue is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns / Refunds / Warranties	Determination of transaction price	Allocating transaction price	Measuring obligations for returns	Timing of revenue recognition
Rates	General Rates	Over time	Payment dates adopted by Council during the year	None	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Service charges	Charge for specific service	Over time	Payment dates adopted by Council during the year	Refund in event monies are unspent	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants, subsidies or contributions for the construction of non-financial assets	Construction or acquisition of recognisable non-financial assets to be controlled by the local government	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants with no contract commitments	General appropriations and contributions with no reciprocal commitment	No obligations	Not applicable	Not applicable	Cash received	On receipt of funds	Not applicable	When assets are controlled
Licences/ Registrations/ Approvals	Building, planning, development and animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	Set by State legislation or limited by legislation to the cost of provision	Based on timing of issue of the associated rights	No refunds	On payment and issue of the licence, registration or approval
Pool inspections	Compliance safety check	Single point in time	Equal proportion based on an equal annually fee	None	Set by State legislation	Apportioned equally across the inspection cycle	No refunds	After inspection complete based on a 4 year cycle

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(r) Revenue Recognition Policy (Continued)

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns / Refunds / Warranties	Determination of transaction price	Allocating transaction price	Measuring obligations for returns	Timing of revenue recognition
Other inspections	Regulatory Food, Health and Safety	Single point in time	Full payment prior to inspection	None	Set by State legislation or limited by legislation to the cost of provision	Applied fully on timing of inspection	Not applicable	Revenue recognised after inspection event occurs
Waste management collections	Kerbside collection service	Over time	Payment on an annual basis in advance	None	Adopted by council annually	Apportioned equally across the collection period	Not applicable	Output method based on regular weekly and fortnightly period as proportionate to collection service
Waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided	None	Adopted by council annually	Based on timing of entry to facility	Not applicable	On entry to facility
Property hire and entry	Use of halls and facilities	Single point in time	In full in advance	Refund if event cancelled within 7 days	Adopted by council annually	Based on timing of entry to facility	Returns limited to repayment of transaction price	On entry or at conclusion of hire
Memberships	Gym and pool membership	Over time	Payment in full in advance	Refund for unused portion on application	Adopted by council annually	Apportioned equally across the access period	Returns limited to repayment of transaction price	Output method Over 12 months matched to access right
Fees and charges for other goods and services	Cemetery services, library fees, reinstatements and private works	Single point in time	Payment in full in advance	None	Adopted by council annually	Applied fully based on timing of provision	Not applicable	Output method based on provision of service or completion of works
Commissions	Commissions on licencing and ticket sales	Over time	Payment in full on sale	None	Set by mutual agreement with the customer	On receipt of funds	Not applicable	When assets are controlled
Reimbursements	Insurance claims	Single point in time	Payment in arrears for claimable event	None	Set by mutual agreement with the customer	When claim is agreed	Not applicable	When claim is agreed

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

2. EXPLANATION OF MATERIAL VARIANCES

Variations which have exceeded the thresholds are listed below by Program. Significant variations within the Program are listed underneath it by Nature or Type.

The material variance adopted by Council for the 2020/21 year is \$10,000 and 10%.

Reporting Program	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Operating Revenues					
Governance	(8,867)	(66%)		Timing	Traineeship grant journal yet to be raised.
Law, order and public safety	21,416	43%	▲	Permanent	DFES grant not included in budget.
Health	(3,674)	(64%)		Permanent	Fees and charges over budget.
Education and Welfare	(572)	(100%)		Permanent	
Housing	(14,545)	(20%)	▼	Permanent	Units vacant to date.
Community Amenities	13,194	15%	▲	Timing	Refuse and Effluent Scheme charges raised earlier than budgeted. Increase in planning applications.
Recreation and Culture	(12,844)	(62%)	▼	Permanent	Less Gym users. Roads Board building unoccupied.
Economic Services	7,625	30%		Permanent	Caravan Park fees, building applications and Bendigo commissions under budget.
Other Property and Services	(5,041)	(18%)		Permanent	Private Works under budget. Timing of Fuel Rebate.
Operating Expense					
Governance	28,728	6%		Timing	Wages under budget due to vacant positions. Consultants, Public Relations, Records Management and IT Support under budget. Insurance and allocations over budget.
General Purpose Funding	27,733	7%		Permanent	Wages under budget.
Law, order and public safety	50,795	16%	▲	Timing	Fire maintenance over budget. Fire Prevention and Insurances under budget.
Health	12,647	10%	▲	Permanent	
Education and welfare	9,801	70%		Timing	Grant officer not yet engaged.
Community amenities	34,410	7%		Timing	Town Planner under budget.
Recreation and Culture	70,067	11%	▲	Timing	Maintenance on Calingiri Football grounds, Piawaning Hall and Town & Garden under budget.
Transport	(48,633)	(1%)		Timing	Storm damage - roads and town maintenance.
Economic services	15,833	8%		Permanent	Noxious weeds, pest control and building control under budget.
Other property and services	121,564	24,558%	▲	Timing	Wages over budget due to terminations and resignations. Insurance and Repairs & Maintenance under budget.
Capital Revenues					
Grants, subsidies and contributions	(2,975,030)	(84%)	▼	Timing	Grants not received yet (refer Note 12).
Capital Expenses					
Land and buildings	70,748	72%	▲	Permanent	Over budget in administration building works.
Plant and equipment	13,175	5%		Timing	Timing of equipment purchases. Vehicles over budget. (refer Note 9b)
Infrastructure - roads	1,845,126	52%	▲	Timing	Timing of implementation of road projects.
Infrastructure - bridges	91,303	100%	▲	Timing	Bridge works (R2R project) have not commenced.
Infrastructure - Other	106,032	93%	▲	Timing	Projects not started.
Financing					
Proceeds from New Loans	-				
Proceeds from New Debentures	(19,544)	100%		Timing	Budget profile.
Transfer from Reserves	-			Timing	Timing of Reserve transfers.
Transfer to Reserves	1,076	43%		Timing	Timing of Reserve transfers.

Nature or Type	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Operating Revenues					

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

2. EXPLANATION OF MATERIAL VARIANCES

Grants, Subsidies and Contributions	18,906	3%		Timing	Grant received for Roads Access works. DFES grant under budget.
Interest Earnings	(11,022)	(36%)	▼	Timing	Invoices to be raised for self supporting loan.
Profit on Disposal of Assets	(10,134)	(34%)	▼	Timing	Timing of disposal of assets.
Operating Expense					
Employee Costs	39,564	3%		Timing	Admin wages under budget. Works wages over budget due to terminations and resignations.
Materials and contracts	280,577	17%	▲	Timing	Town Planner, Computing, Records Management, Landfill Maintenance, Community Development Grant, Consultants, Footpath Maintenance, Fuel and Repairs under budget.
Interest Expenses	2,629	22%		Timing	Interest over budget.
Insurance Expenses	(26,030)	(22%)	▼	Timing	Plant and Admin insurance over budget.
Other expenditure	22,917	30%	▲	Timing	Payments to council members later than budgeted.
Loss on Disposal of Assets	-			Timing	

SHIRE OF VICTORIA PLAINS

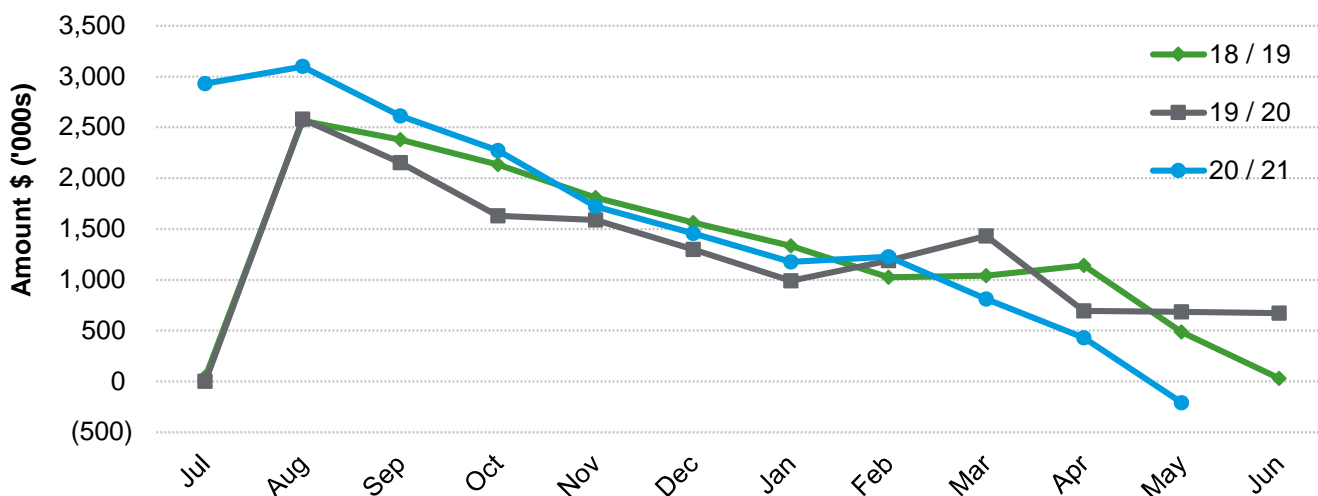
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

3. NET CURRENT FUNDING POSITION

	Note	Current Month 31 May 21 \$	Prior Year Closing 30 Jun 20 \$	This Time Last Year 31 May 20 \$
Current Assets				
Cash unrestricted	4	551,474	893,536	1,228,159
Cash restricted	4	566,452	564,979	892,889
Deposits and bonds	4	-	15,716	18,846
Receivables - rates	6(a)	31,190	21,444	25,560
Receivables - sundry	6(b)	51,964	72,132	13,336
Receivables - other		88,083	21,593	67,766
Receivables - loans	11(b)	30,382	19,432	8,681
Provision for doubtful debts		(1,638)	(1,638)	(1,763)
Inventories		31,723	21,331	34,812
Total Current Assets		1,349,630	1,628,525	2,288,286
Current Liabilities				
Payables - sundry		(541,346)	(338,705)	(495,848)
Payables - other		(2,030)	(39,213)	(3,945)
Rates received in advance			(33,214)	(10,784)
Deposits and bonds		(21,657)	(15,716)	(28,103)
Contract liabilities		(209,544)	(209,544)	-
Loan liabilities	11(a)	(28,634)	(56,153)	-
Total Payables		(803,211)	(692,545)	(538,680)
Provisions		(197,570)	(218,195)	(163,322)
Total Current Liabilities		(1,000,781)	(910,740)	(702,002)
Less: cash reserves	7	(566,433)	(564,979)	(892,889)
Less: movement in provisions (non current)		-	-	-
Add: loan principal (current)		8,259	36,721	(8,681)
Add: trust transactions to municipal		-	-	-
Net Funding Position - Surplus / (Deficit)		(209,325)	189,527	684,714

Liquidity over the Year



SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

4. CASH AND FINANCIAL ASSETS

	Unrestricted	Restricted	Total	Institution	Interest	Maturity
	\$	\$	\$		Rate	Date
					%	
Cash						
Cash on hand	590		590	N/A	0.00	N/A
Municipal fund	46,050		46,050	Bendigo	0.00	N/A
Municipal savings	3,834	-	3,834	Bendigo	0.25	N/A
Municipal Term Deposit 1	-		-	Bendigo	0.55	03 Jun 21
Municipal Term Deposit 2	501,000		501,000	Bendigo	0.55	09 Jul 21
Reserve funds		455,369	455,369	Bendigo	0.00	N/A
Financial Assets at Amortised Cost						
Reserve funds		111,083	111,083	Bendigo	0.55	05 Nov 21
Total Cash and Financial Assets	551,474	566,452	1,117,926			

5. TRUST FUND

There are no funds held at balance date over which the Shire has no control

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2021

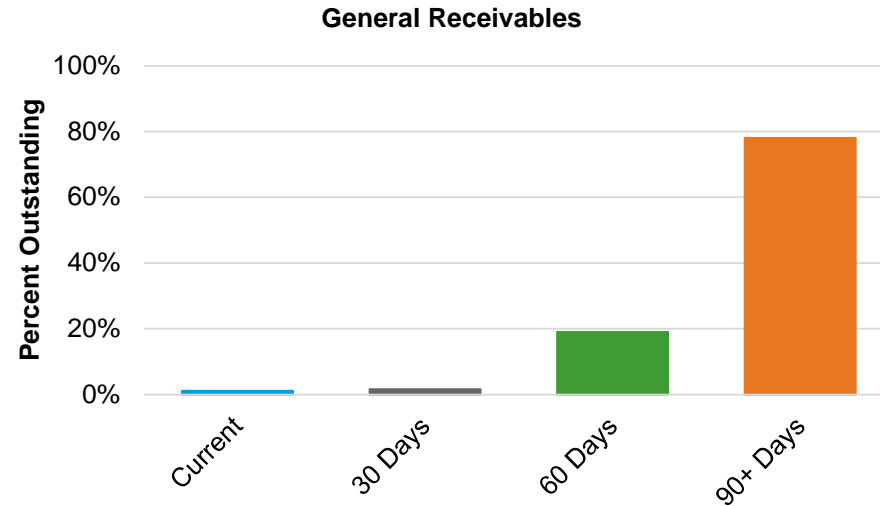
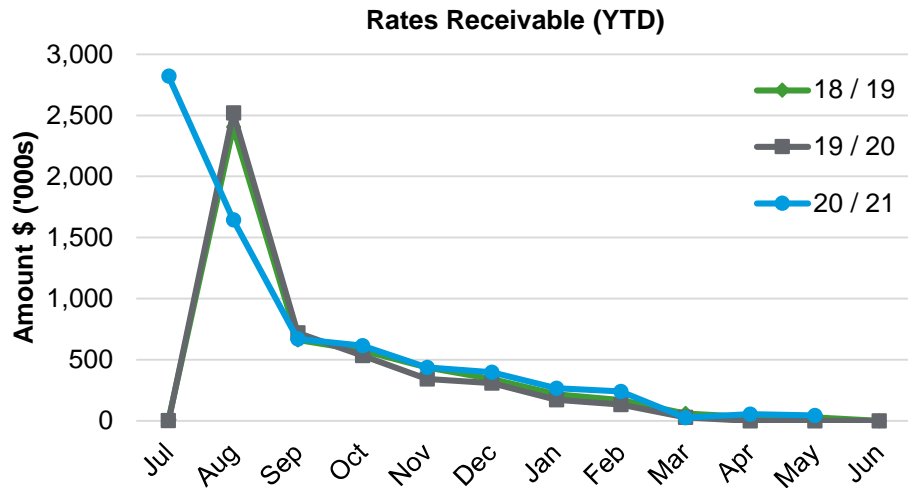
6. RECEIVABLES

(a) Rates Receivable

	31 May 21
	\$
Rates receivables	31,190
Deferred pensioners	13,536
Rates received in advance	-
Total Rates Receivable Outstanding	44,725
Closing balances - prior year	1,086
Rates levied this year	2,777,989
Effluent and refuse removal	79,004
Closing balances - current month	(31,190)
Total Rates Collected to Date	2,826,888

(b) General Receivables

	31 May 21
	\$
Current	598
30 Days	871
60 Days	9,924
90+ Days	40,571
Total General Receivables Outstanding	51,964



Comments / Notes

Rubbish fees included in YTD graph

Comments / Notes

Amounts shown above include GST (where applicable)

SHIRE OF VICTORIA PLAINS

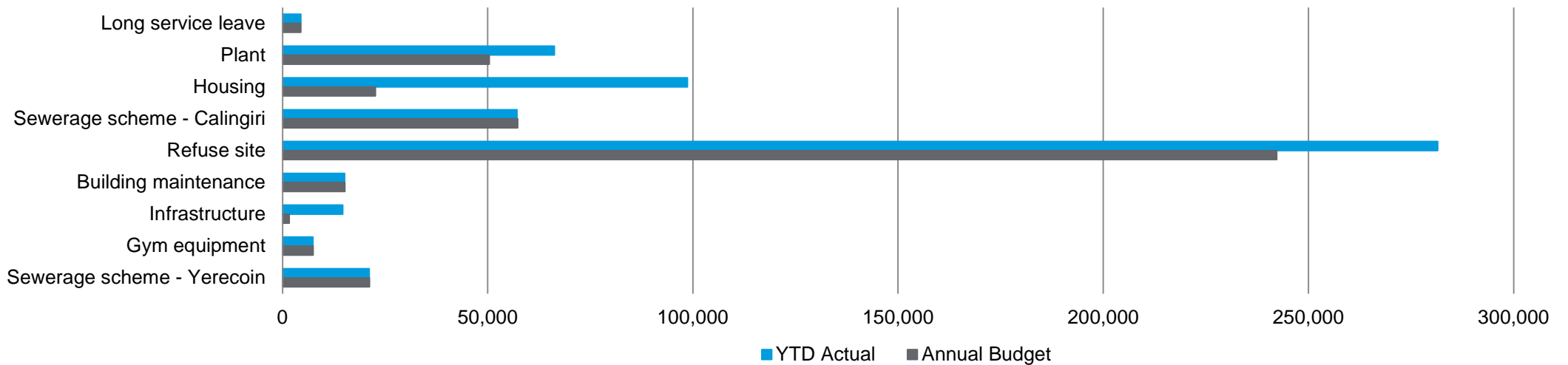
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

7. CASH BACKED RESERVES

Reserve Name	Annual Budget				YTD Actual					
	Balance 01 Jul 20 \$	Transfers from \$	Interest Received \$	Transfer to \$	Balance 30 Jun 21 \$	Balance 01 Jul 20 \$	Transfers from \$	Interest Received \$	Transfer to \$	Balance 31 May 21 \$
Long service leave	4,464	-	28	-	4,492	4,464	-	13	-	4,477
Plant	50,102	-	305	-	50,407	66,112	-	160	-	66,271
Housing	22,532	-	139	-	22,671	98,536	-	133	-	98,669
Sewerage scheme - Calingiri	56,966	-	332	-	57,298	56,977	-	165	-	57,142
Refuse site	280,627	(40,000)	1,634	-	242,261	280,681	-	823	-	281,503
Building maintenance	15,121	-	83	-	15,204	15,124	-	35	-	15,159
Infrastructure	14,621	(13,054)	83	-	1,650	14,623	-	42	-	14,666
Gym equipment	7,388	-	55	-	7,443	7,390	-	21	-	7,411
Sewerage scheme - Yerecoin	21,069	-	111	-	21,180	21,074	-	62	-	21,135
Total Cash Backed Reserves	472,890	(53,054)	2,770	-	422,606	564,979	-	1,454	-	566,433

Annual Budget v YTD Actual



SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

8. DISPOSAL OF ASSETS

Annual Budget

	WDV	Proceeds	Profit	(Loss)
	\$	\$	\$	\$
Transport				
Plant and Equipment				
Toyota Prado 2017	20,000	35,900	15,900	-
Toyota Prado 3.0L Turbo	20,500	30,000	9,500	-
Mitsubishi ASX LS 2WD	6,200	12,300	6,100	-
Toro Z580D 25hp ride on mower	3,200	4,100	900	-
Total Disposal of Assets	49,900	82,300	32,400	-
Total Profit or (Loss)				32,400

YTD Actual

	WDV	Proceeds	Profit	(Loss)
	\$	\$	\$	\$
Transport				
Plant and Equipment				
Toyota Prado 2017	25,046	35,909	10,863	-
Toyota Prado 3.0L turbo	25,408	29,682	4,274	-
Mitsubishi ASX LS 2WD	7,844	12,273	4,429	-
Toro Z580D 25hp ride on mower	-	-	-	-
Total Disposal of Assets	58,297	77,864	19,566	-
Total Profit or (Loss)				19,566

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

9. CAPITAL ACQUISITIONS

(a) Land and Buildings

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Governance					
Carpet - admin building		11,400	11,449	14,263	(2,814)
Painting		10,000	10,166	9,823	343
ATM ramp and balustrade		6,000	6,999	-	6,999
Solar Lights - Rear Admin Building		11,026	11,106	-	11,106
Shire Admin Car Park		25,000	23,915	-	23,915
		63,426	63,635	24,086	39,549
Recreation and Culture					
Library upgrade		3,200	2,926	3,330	(404)
Calingiri Hall Floor Coverings		5,000	4,576	-	4,576
Mogumber Hall Ceiling		5,000	4,576	-	4,576
		13,200	12,078	3,330	8,748
Transport					
Depot Upgrades		10,000	9,163	-	9,163
Automatic Closing Gates - Depot		14,500	13,288	-	13,288
		24,500	22,451	-	22,451
Total Land and Buildings		101,126	98,164	27,416	70,748

(b) Plant and Equipment

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Transport					
2020 Toyota Prado		73,699	67,550	71,235	(3,684)
2020 Toyota Hilux double crew cab #2		53,182	48,750	53,182	(4,432)
2020 Toyota Hilux double crew cab #1		46,819	42,917	46,819	(3,902)
8x5 Heavy duty tandem trailer		5,000	4,583	-	4,583
		178,700	163,801	171,236	(7,434)
Recreation and Culture					
Calingiri oval water tank		25,000	22,914	9,953	12,960
		25,000	22,914	9,953	12,960
Law, Order & Public Safety					
CCTV camera's		64,500	59,125	51,476	7,649
		64,500	59,125	51,476	7,649
Total Plant and Equipment		268,200	245,840	232,665	13,175

(c) Furniture and Equipment

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Governance					
Canon IRA-C7565I printer		12,000	11,000	17,478	(6,478)
Compactus		6,000	5,500	5,850	(350)
		18,000	16,500	23,328	(6,828)
Total Furniture and Equipment		18,000	16,500	23,328	(6,828)

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

9. CAPITAL ACQUISITIONS (Continued)

(d) Infrastructure - Roads

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Transport					
AG Lime - Calingiri / Toodyay intersection	MRWA / CBH	1,087,500	996,842	33,672	963,170
Bolgart West Road	LRCIP	139,442	127,787	123,611	4,176
Bindi Bindi-Toodyay Road	RRG	361,416	331,254	216,820	114,434
Footpaths - Bolgart	LRCIP / CP	49,453	34,100	2,220	31,880
Footpaths - Yerecoin	LRCIP / CP	36,501	32,725	2,067	30,658
Gillingarra-Glentromie Road	RTR	230,000	210,815	36,411	174,404
Mogumber - Yarawindah Road 19/20	WSFN	364,500	334,114	114,498	219,616
Mogumber - Yarawindah Road WSFN	WSFN	1,427,500	1,308,527	1,037,102	271,425
Yenart Road Culvert	Council	15,000	13,717	6,110	7,607
Yerecoin South East Road	LRCIP	178,000	163,141	135,385	27,756
		3,889,312	3,553,022	1,707,896	1,845,126
Total Infrastructure - Roads		3,889,312	3,553,022	1,707,896	1,845,126

(e) Infrastructure - Bridges

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Transport					
Glentromie-Yerecoin Road bridge	RTR	100,000	91,663	360	91,303
		100,000	91,663	360	91,303
Total Infrastructure - Bridges		100,000	91,663	360	91,303

(f) Infrastructure - Other

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance
		\$	\$	\$	\$
Recreation and Culture					
Playground softfall		45,000	41,250	7,400	33,850
		45,000	41,250	7,400	33,850
Other Economic Services					
Piawaning Standpipe Controller		18,760	17,193	-	17,193
		18,760	17,193	-	17,193
Community Amenities					
Calingiri Landfill Rear Fence		10,000	9,163	-	9,163
Yerecoin Sewerage Inspection Hatch x 2		50,000	45,826	-	45,826
		60,000	54,989	-	54,989
Total Infrastructure - Other		123,760	113,432	7,400	106,032
Total Capital Expenditure		4,500,398	4,118,621	1,999,065	2,119,556

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

10. RATING INFORMATION

	Rateable Value \$	Valuation \$	Number of Properties #	Annual Budget Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	YTD Actual Revenue \$
General Rates								
GRV	1,790,738	0.110042	162	197,056	197,056	-	903	197,960
UV	332,062,500	0.007333	307	2,434,677	2,434,985	-	-	2,434,985
Total General Rates				2,631,733	2,632,041	-	903	2,632,944
Minimum Rates								
GRV	92,774	454.00	66	29,964	29,964	-	-	29,964
UV	1,848,955	595.00	58	33,320	34,510	-	-	34,510
Total Minimum Rates				63,284	64,474	-	-	64,474
Total General and Minimum Rates				2,695,017	2,696,515	-	903	2,697,418
Other Rate Revenue								
Facilities fees (Ex Gratia)				80,571				80,571
Total Rate Revenue				2,775,588				2,777,989

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

11. INFORMATION ON BORROWINGS

(a) Debenture Repayments

(i) Loan 82 Calingiri Sports Pavilion

	Annual Budget	YTD Budget	YTD Actual
Housing	\$	\$	\$
Opening balance	40,275	40,275	40,275
Principal payment	(19,691)	(19,690)	(19,692)
Principal Outstanding	20,584	20,585	20,583
Interest payment	(1,473)	(1,472)	(1,354)
Guarantee fee	(464)	(464)	(371)
Total Principal, Interest and Fees Paid	(21,628)	(21,626)	(21,417)

(ii) Loan 84 Piawaning Water Supply

	Annual Budget	YTD Budget	YTD Actual
Economic Services	\$	\$	\$
Opening balance	118,609	118,609	118,609
Principal payment	(17,029)	(17,028)	(17,029)
Principal Outstanding	101,580	101,581	101,580
Interest payment	(2,724)	(2,497)	(1,885)
Guarantee fee	(936)	(858)	(803)
Total Principal, Interest and Fees Paid	(20,689)	(20,383)	(19,717)

(iii) Loan 83 Calingiri Football Club

	Annual Budget	YTD Budget	YTD Actual
Recreation and Culture	\$	\$	\$
Opening balance	203,553	203,553	203,553
Principal payment	(19,544)	(19,544)	(20,117)
Principal Outstanding	184,009	184,009	183,436
Interest payment	(6,817)	(6,816)	(4,195)
Service fee	(600)	(600)	(300)
Total Principal, Interest and Fees Paid	(26,961)	(26,960)	(24,612)

Total Principal Outstanding	306,173	306,175	305,599
Total Principal Repayments	(56,264)	(56,262)	(56,838)

Comments / notes

YTD actual interest and fees includes end of year accruals

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

11. INFORMATION ON BORROWINGS

(b) Self Supporting Loans

(i) Loan 83 Calingiri Football Club

	Annual Budget	YTD Budget	YTD Actual
	\$	\$	\$
Recreation and Culture			
Opening balance	213,077	213,077	203,553
Principal payment received	(19,544)	(19,544)	-
Principal Outstanding	193,533	193,533	203,553
Interest received	(6,817)	(7,416)	-
Service fee received	(600)	-	-
Total Principal, Interest and Fees Received	(26,961)	(26,960)	-
Total Principal Outstanding	193,533	193,533	203,553
Total Principal Received	(19,544)	(19,544)	-

(c) New Loans

No new borrowings are anticipated during the financial year to 30 June 2021.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2021

12. GRANTS, SUBSIDIES AND CONTRIBUTIONS

(a) Operating Grants, Subsidies and Contributions

Program / Details	Grant Provider	Annual Budget \$	YTD Budget \$	YTD Actual \$
Governance				
Traineeship grant	DPIRD	30,000	30,000	-
General Purpose Funding				
General commission grants	WALGGC	302,789	302,788	306,589
Law, Order and Public Safety				
ESL BFB operating grant	DFES	51,350	37,998	64,642
DFES commission on ESL levy	DFES	4,000	3,663	558
Education and Welfare				
Seniors week/TAVD community	DLGC	530	484	-
Suicide prevention	SLWA	-	-	-
Transport				
Roads commission grants	WALGGC	239,700	239,700	244,114
Street lighting	MRWA	940	858	22,565
Direct road	MRWA	137,066	137,066	132,995
Total Operating Grants, Subsidies and Contributions		766,375	752,557	771,463

(b) Non-operating Grants, Subsidies and Contributions

Transport				
Regional road group - road projects	MRWA	216,290	216,288	191,965
Roads to recovery	Dept of Infrastructure	344,595	344,592	-
Mogumber - Yarawindah Road	MRWA	1,629,594	2,123,343	-
Footpath funding		36,450	33,407	14,568
Local Roads & Comm Infra Program	LCRI	659,713	-	385,517
Ag-Lime project	CBH	356,974	327,217	(8,225)
Ag-Lime Project	MRWA	560,740	514,008	-
Total Non-Operating Grants, Subsidies and Contributions		3,804,356	3,558,855	583,825

Total Grants, Subsidies and Contributions		4,570,731	4,311,412	1,355,288
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Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2021

13. BUDGET AMENDMENTS

GL	Job Code	Description	Classification	Increase in Cash \$	Decrease in Cash \$	Running Balance \$
		Opening surplus adjustment (non-cash)	Budget Review		(169,502)	(169,502)
20901		Staff housing bdlg and surrounds mtce	2009-08	8,000	-	(161,502)
40026		Purchase of plant and Equipment	2009-08	-	(8,000)	(169,502)
20403		Election Expenses	Budget Review	7,590		(161,912)
20405		Conferences & Seminars - Councillor Training	Budget Review		(30,000)	(191,912)
20409		Public Relations	Budget Review	35,000		(156,912)
20410		Legal Fees - Members	Budget Review	6,080		(150,832)
20411		Insurance	Budget Review		(3,000)	(153,832)
20430		Salaries & Wages	Budget Review	79,354		(74,478)
20435		Computing/IT Support	Budget Review		(4,500)	(78,978)
20436		Insurance	Budget Review		(20,000)	(98,978)
20437		Staff Recruitment	Budget Review		(4,150)	(103,128)
20449		Occupational Health & Safety	Budget Review	6,000		(97,128)
20451		Consultancy/Contractors	Budget Review		(49,000)	(146,128)
20452		Legal Fees - Administration	Budget Review		(15,000)	(161,128)
20454		Records Management	Budget Review	10,000		(151,128)
40052		Admin Office Upgrade	Budget Review		(36,026)	(187,154)
40032		Canon IRA-C7565I Printer	Budget Review	3,100		(184,054)
20300		Rates Collection	Budget Review	5,000		(179,054)
20301		Rates Write Offs	Budget Review	6,660		(172,394)
10310		Ex Gratia Rates	Budget Review	4,571		(167,823)
10319		Instalment Interest on Rates	Budget Review	1,500		(166,323)
20500		Fire Prevention	Budget Review	7,000		(159,323)
10513		Insurance Claims Received	Budget Review	1,710		(157,613)
20520		Animal Control	Budget Review		(3,000)	(160,613)
		CCTV	Budget Review		(64,500)	(225,113)
20523		Insurances	Budget Review	21,509		(203,604)
20804		Community Development Expenditure	Budget Review	8,055		(195,549)
20806		Community Development Grant Expenditure	Budget Review	8,840		(186,709)
20808		Community Vehicle Expenses Allocated	Budget Review	3,277		(183,432)
20809		Grants Officer - External	Budget Review	10,000		(173,432)
20900		Staff Housing Operating Expenditure	Budget Review	5,000		(168,432)
20901		Staff Housing Building & Surrounds Maintenance	Budget Review	3,000		(165,432)
20903		Calingiri Aged Person Units Maintenance	Budget Review		(5,000)	(170,432)

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2021

13. BUDGET AMENDMENTS (Cont)

GL	Job Code	Description	Classification	Increase in Cash	Decrease in Cash	Running Balance
21005	TIPB	Landfill Site Maintenance	Budget Review	10,000		(160,432)
21005	TIPC	Landfill Site Maintenance	Budget Review	4,000		(156,432)
21005	TIPM	Landfill Site Maintenance	Budget Review		(4,000)	(160,432)
11000		Refuse Removal - Recycling Bins	Budget Review	560		(159,872)
11001		Refuse Removal - Rubbish Bins	Budget Review	2,420		(157,452)
		Calingiri Landfill Rear Fence	Budget Review		(10,000)	(167,452)
21020		Refuse Collection - Streets, Parks, Gardens & Reserves	Budget Review	3,000		(164,452)
21030		Effluent Disposal Schemes (STED) - Calingiri	Budget Review		(12,460)	(176,912)
21033		Jet Cleaning & CCTV 3,500m of Sewer Mains - Calingiri	Budget Review	12,460		(164,452)
		Yerecoin Sewerage Inspection Hatch x 2	Budget Review		(50,000)	(214,452)
11040		Planning Applications	Budget Review		(3,500)	(217,952)
21060		Cemetery Works	Budget Review	6,000		(211,952)
21068		Calingiri Water Supply	Budget Review		(2,000)	(213,952)
21071		Piawaning Water Supply (Desal'n)	Budget Review		(4,000)	(217,952)
21101	B009	Calingiri Recreation Centre	Budget Review	5,000		(212,952)
21102	B012	Piawaning Hall	Budget Review		(13,700)	(226,652)
21109		Calingiri Gymnasium	Budget Review		(1,800)	(228,452)
		Mogumber Hall Ceiling	Budget Review		(5,000)	(233,452)
		Calingiri Hall floor coverings	Budget Review		(5,000)	(238,452)
21110	TWNCAL	Town & Gardens Maintenance	Budget Review		(7,000)	(245,452)
21110	TWNMOG	Town & Gardens Maintenance	Budget Review	7,000		(238,452)
21111		Reserves Maintenance	Budget Review		(3,000)	(241,452)
40323		Playground Softfall	Budget Review		(25,000)	(266,452)
		Calingiri Oval Water Tank	Budget Review		(25,000)	(291,452)
40021	C0023	Roadworks - Council & Direct Road Funding	Budget Review		(75,442)	(366,894)
40021	C0125	Roadworks - Council & Direct Road Funding	Budget Review		(36,916)	(403,810)
16901		Local Roads and Comm Infra Program	Budget Review	278,301		(125,509)
40025		AG Lime Route Capital Expenditure	Budget Review	90,000		(35,509)
21200		Maintenance Grading	Budget Review		(84,890)	(120,399)
21200		Shoulder Grading	Budget Review	10,038		(110,361)
21202		Bitumen Maintenance	Budget Review	9,513		(100,848)
21204		Tree Lopping/Verge Maintenance	Budget Review	85,999		(14,850)
21205		Drainage Maintenance	Budget Review	4,637		(10,213)
21206		Town Streets Maintenance	Budget Review	13,464		3,251
21207		Roads Stormwater Damage (includes call-outs)	Budget Review		(5,719)	(2,468)
21209		Bridge & Culvert Maintenance	Budget Review	12,480		10,012

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2021

13. BUDGET AMENDMENTS (Cont)

GL	Job Code	Description	Classification	Increase in Cash	Decrease in Cash	Running Balance
21211		Street Lighting Maintenance	Budget Review	1,769		11,781
21212		Traffic Signs & Control Equipment	Budget Review	2,214		13,995
21214		Footpath Maintenance	Budget Review	43,806		57,801
21420		Depot Maintenance	Budget Review	10,000		67,801
		Automatic Closing Gates - Depot	Budget Review		(14,500)	53,301
		Depot Upgrades	Budget Review		(10,000)	43,301
40026		Purchase of Plant and Equipment	Budget Review	38,200		81,501
21300		Noxious Weeds & Pest Control	Budget Review	4,000		85,501
21330		Building Control Operating	Budget Review		(79,354)	6,147
		Piawaning Standpipe Controller	Budget Review		(18,760)	(12,613)
21416		Engineering Services	Budget Review	8,000		(4,613)
21422		Staff Training	Budget Review	3,970		(643)
21430		Fuel & Oil	Budget Review	60,000		59,357
21432		Parts & Repairs	Budget Review	30,000		89,357
21495		Plant Recovery	Budget Review	(90,000)		(643)
C9104		Footpaths - Yerecoin	2105-09		(12,253)	(12,896)
C9102		Footpaths - Bolgart	2105-09		(801)	(13,697)
		Reserve Transfer - Infrastructure Reserve	2105-09	13,054		(643)
				908,076	(908,719)	(643)



Minutes

Annual General Meeting (AGM) of Electors

On: Monday, 3 May 2021
At: Calingiri Sports Pavilion
Commencing: 6.02PM

TABLE OF CONTENTS

TABLE OF CONTENTS 1

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS 1

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE GRANTED . 1

3 CONFIRMATION OF MINUTES 2

 3.1 Matters arising from the Minutes – Thursday 3 December 2020 2

4 ANNUAL REPORT 2

 4.1 Matters arising from the Annual Report for Financial Year ended 30 June 2020 2

5 ANY OTHER GENERAL BUSINESS 4

6 DECLARATION OF CLOSURE 9

A copy of the meeting guidelines is provided on Page 10

UNCONFIRMED

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Meeting opened at 6.02pm.

The Shire president extended a warm welcome to residents for attending this year's Annual Electors Meeting.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE GRANTED
--

Elected Members

Cr P Bantock
Cr D Lovelock
Cr N Clarke
Cr J Kelly – In the Gallery
Cr G O'Brien- In the Gallery

Staff

CEO – Ms G Teede
Governance Officer – Mr S Fletcher
RSM – Mr T Bates
Minute Taker – Mrs J Klobas
Works and Services Manager – Mr J Muir
Community Emergency Services Manager – Mr N Parry

Apology

Cr J King
Cr S Penn
Rebecca Kelly
Naomi Purser
Neil Botha
Jenny Kelly

Residents

Mr G Bookham
Mrs M Bookham
Mr S Bookham
Mr M Palmer
Mr G Buscumbe
Mr D Hall
Mr G McGill
Cr J Kelly

Mrs J Kelly
Mr W Hankins
Mrs S Hankins
Ms N McInness
Mr L McInness
Mr G Nixon
Mr R Ash
Mrs S Woods
Mr S Babb
Ms V Simms
Mr S Willcocks
Mrs D Jones
Mr R Smith
Ms A Byrne-O'Neil.

3 CONFIRMATION OF MINUTES

Moved: Cr D Lovelock

Secunder: Mr G Buscumbe

STAFF RECOMMENDATION

That the minutes of the AGM of Electors held Thursday 3 December 2020 be accepted as a true and correct record of proceedings.

CARRIED UNANIMOUSLY

3.1 Matters arising from the Minutes – Thursday 3 December 2020

Questions taken on notice during 3rd Dec 2020 meeting

Q1 Mrs Suzanne Woods, Calingiri

Queried Annual Income Received by the Shire from the Department of Transport and Licensing, which question, the Shire President noted, would be Taken on Notice.

A1. 19-20 Annual Income (Commissions) was \$10,723.31.

4 ANNUAL REPORT

Moved: Mr G Nixon

Seconded: Mr G McGill

STAFF RECOMMENDATION

That the Annual Report for the financial year ended 30 June 2020 be received.

CARRIED UNANIMOUSLY

4.1 Matters arising from the Annual Report for Financial Year ended 30 June 2020.

Suzanne Woods, Calingiri.

Q1. Annual Report should be accurate. Introduction only notes Calingiri Library, will the Shire update this?

A1. Shire President – Council has already adopted the annual report. The Community had the opportunity to provide feedback to Council members prior to the March OCM when the adoption occurred. Notes this error, however Mogumber & Bolgart libraries are listed in the main body of the document

Q2. In the Community safety section, it lists flood, storm, heatwaves, crashes, and pandemics – wondered whether we need to have road crash and heat wave in the report?

A2. Shire President – The information is documented statistics, will take your comment as personal opinion.

Q3. Page 21 lists regional gallery under buildings, assumes that is New Norcia, however that is not a shire building.

A3. Shire President – Noted.

Q4. Page 21 lists Children Centres

A4. Shire President – Refers to play groups that gather in Shire halls.

Q.5 Strategic Plan hasn't progressed far? A number of things flagged as red. What is the intention going forward?

A5. Shire President – The Shire is moving from a tactical mindset to a strategic mindset. Council now receives quarterly updates on the Corporate Business Plan (CBP). The CBP is strategic document covering a period of 4 years and links the 10-year Community Strategic Plan to the yearly annual budget. The quarterly updates show the Shire is starting to make progress on some of their strategic priorities. There are many still listed in red, and a lack of resources is often the reason progress has not occurred. Questions are often raised about the relevance of the Community Strategic Plan, so Council has adopted a planned timeline to update the CSP by its required deadline in 2022. Council wants to ensure the process is not rushed and has a lengthy timeline providing the community every opportunity to be involved in the process. The CSP is the number 1 opportunity for the community involvement in setting achievable goals and aspirations for the Shire.

Q.6 Has that been advertised to the community?

A6. Shire President – Yes, Council's adoption of the timeline has been mentioned in the Shire Presidents newsletter, both printed and email material.

The details of the timeline & resolution are in the minutes and the Shire will communicate more detail at the timeline progresses.

5 ANY OTHER GENERAL BUSINESS

Questions with Notice

Mrs Anne Marie Byrne O'Neill, Calingiri

Q1. As a small shire community why has our relationship between community and shire admin now evolved into a constant political platform and why after about FOUR years is this still a concern along with community consolation

A1. Shire President - While much of this question is personal opinion, Council has taken on the community's comments regarding engagement & consultation. Council recently adopted an interim community engagement policy and announced the timeline detailing how the Shire will update of the Community Strategic Plan. The Community Strategic Plan is the No 1 opportunity for our Community to be involved in the direction of the Shire. Council encourages the community to be involved in this opportunity.

There have been large changes to the way a Council & Shire Administration are monitored and guided by regulation over the last 4 years. This has definitely had an impact on how the community interact with the Shire. Many of the casual methods of operation are no longer allowed or best practice and I can see the community still misses the bygone era. The Shire has committed to community engagement, but the expectations of the community are often beyond the actual legal ability of the Shire. Council gets many updates on the hot topics that you & the community often bring up. We do have access to the information, and this gives us a greater understanding of how the administration is dealing with such matters. But most of the time, the information is confidential and privileged to a member on Council. The information that can be provided to the public is distributed where appropriate & when resourcing allows. What Council sees, is that the community is not satisfied with that amount of information and wants more. Yet often, and certainly in the case of some of the recent hot topics, the public cannot receive that information.

The Community can either trust the representatives they have elected to be on the Council, or alternatively, members of the community can nominate themselves into those privileged council positions and then have access to the privileged information.

Council has committed to work further on the community engagement policy. The hard thing for us on Council in managing the gap between expectations & what can actually be undertaken.

Q2 Could council list on a timeline, 2019 to present day, actions and results positive and negative, that council has put in place and then admin's performance, positive and negative, on acquitting those actions

A2. This question is a prime example of what I have just mentioned. A Council, who sits in this board like environment, cannot provide details on an administration's performance or how they acquit the actions they set an administration. The Council only employ the CEO and we set Key Performance Indicators for the CEO. This is privileged information between the Council & the CEO. In addition, there's also new regulations which guide how a council assess the performance of a CEO. Council encourages you to follow the Council Meetings, where Council updates policy or sets strategic direction for the Shire, which is their role. Council simply does not set day to day action. One thing Council is aware of, is the small amount of resources the Shire of Victoria Plains has and we can see the administration are often bogged down in hot topics. I often witness our CEO trying to please those who question the way the administration operates, but this only diverts the attention of our CEO & her Administration away from the strategic priorities. Allowing the Shire to get on with their job, rather than circling back on individual issues, would certainly be better for the Shire's operation as a whole.

Graham Bookham, Yerecoin

Q1 Roads in the district are graded biannually or less. Rates in Wyalkatchem are \$14.85 per hectare. SoVP is \$15.68 per hectare however SoVP has double the agriculture production rate. Suggested the Shire's rates could be increased to reflect the District's high level of production output. One grader trying to grade the roads (560 km's) is approximately one lap per year. Not enough resources, therefore contractors are a necessary evil.

A1. Shire President – In recent years, the Shire engaged the expertise of Moore Stephens to look at the Shire's financial future. On their advice, and as required by regulation, Council adopted the Long-Term Financial Plan including the Strategic Resource Plan. It included a 7% rate increase for 5 years. The Shire has deviated away from this plan over the last 2 years. Reducing services instead. We are advised the base level of rates needs to be higher to maintain the Shire's ageing infrastructure such as roads and assets. The Shire has lobbied higher levels of government for funding towards the ageing roads and the Shire has been fortunate to have some road projects funded through the Wheatbelt Secondary Freight Network (93% funded by Federal & State Government) and the Federal Governments Local Roads & Community Infrastructure Fund. This however deviates our workforce away from general maintenance for a period of time as the funding has a time limit. We must complete the projects within a time frame or lose the funding. We hope the deviation will have a greater benefit on the

Shire as a whole.

Q2. Could the Shire get funding by turning some roads into highways. We could name the Calingiri Road the “Carnaby Highway”.

A2. Shire President – The Federal Government has their ‘Roads of Strategic Importance’ plan, placing roads into a hierarchy of importance. The Shire is fortunate some of our roads fall into that plan – the Ag Lime Route is within the Wheatbelt Secondary Freight Network. The Shire certainly has a history of seeking funding on key routes and spent many years lobbying for the AG-Lime Route. We will continue to lobby for State & Federal Funding wherever possible.

Sharlene Hankins, Calingiri

The Shire has a Customer Service Code of Conduct. It doesn’t feel like that is being adhered to. The Shire has not dealt with my fencing matter and I feel I’m being bullied into a legal corner.

Shire President – I’m aware of the matter between the Shire and Ms Hankins, to which I understand the Shire has written to you.

William Hankins, Calingiri

Rules weren’t followed from the start. Rules are still not being followed.

Shire President – The Shire is bound by many rules and regulations. This is a matter for the Administration to deal with, however I am aware the Shire has advised the Hankins’ on the current situation and specifically the purchasing policy the Shire must follow. The Works Manager & CEO have been discussing the matter again today (3 May 2021) and may have a small alternative which may appeal to the Hankins, however individual matters cannot be dealt with tonight.

Graham Nixon, New Norcia

Congratulations on roadworks to the Mogumber-Yarawindah Road. Work on this road was needed and it appears the project was completed in a timely manner and to a good standard.

Shire President – Thank you

Q 1 Can the Shire do something about the 60km speed limit on the old road through New Norcia. The 60km speed limit stretches from the town all the way to the highway, a slow lengthy drive. The 60km limit should start closer to New Norcia.

A1. Shire President – Confirmed the road was now managed by the Shire since the handover of the New Norcia Bypass occurred. However,

speed limits are not set by the Shire, all speed limits are set by Main Roads. The Shire can write a letter to Main Roads requesting the speed limit be reassessed.

Malcolm Palmer, Wyening.

Q1 Requested that Council meetings be held at Calingiri Sports Pavilion to allow members of the Public to attend just like tonight.

A1. The Shire President - The State Government changed the regulations last year, allowing Elected Members to attend Council Meetings by teleconference during the declared state of emergency. The Shire has 2 Councillors who have used the teleconference system for all meetings since that State Declaration. A number of other Councillors have used it for the odd occasion and the Shire also uses the system to hear from outside advisors & experts. The system is set up in the Council Chambers building and we are subject to capacity limits in all Shire buildings under current COVID restrictions. It would be a large expense to move the teleconference system to the Calingiri Sports Pavilion. History shows a small number of the public attend Council Meetings in person and I questioned if relocating the teleconference system was the best way to allocated Shire funds. During a normal Council meeting the Public can ask questions during public question time and watch the rest of the meeting take place. Realistically, these rights are still available. The Public can still submit their questions, albeit in writing and the public can view the recorded meetings online. The State Government has allowed for this scenario and closing the meetings to in person public attendance is allowed. The Shire is actually going above the requirements by recording the meetings for the public to view online. The recordings are large data files and need to be viewed from a desktop or laptop. The Shire' Libraries are available for viewing if need be.

Q2 Will the Shire continue to record the meetings post the State of Emergency Declaration.

The current recording method is operated by the Shire's Executive Assistant. The in-house method saves the Shire a lot of money, compared to bringing in expert IT help. The Shire could continue to provide this service if the budget & resourcing situation allows for it.

Annemarie Byrne-O'Neil, Calingiri

Q1. New Complaints Policy – is there a conflict of interest if the complaint is about the Complaints Officer? How are they addressed - what are your procedures?

A1. Shire President – The complaints policy recently adopted by Council is only for complaints about Elected members, Committee Members and

Candidates. Adoption of such policy was mandatory. It's not a policy regarding complaints about the complaint officer, Shire Staff of the Shire Administration. There are already methods in place for this, such as the Public Information Discloser Act or Ombudsman. More information is available on the Shire website.

Mr Bookham

Stressed the importance of lobbying for community needs such as regional phone towers.

Shire President. The Shire is involved in lobbying opportunities and the Shire recognises this activity is important to the community. It is listed within the Shire's Community Strategic Plan. The Shire often pushes our needs through to the WA Local Government Association's (WALGA) Zone meetings. Matters may get regional support and can be pushed through to State Council and State Government.

Suzanne Woods, Calingiri.

Disappointed with the Shire's delayed response to a letter sent to the CEO dated 15 December 2021, signed by 80 residents. Response only received on the 30 April 2021. Does this fit with the Community Strategic Plan's priority – improve relationship between Council and the Community.

Shire President – Apologised that a written response took that length of time. Due to the confidential lease arrangements, the Shire could not provide a large amount of information at the time. The same day Ms Woods submitted the letter to the Shire, she also submitted 3 questions on the matter to the December 2020 OCM. The Shire provided responses to these public questions and they were available in the Minutes of the meeting. The Shire also addressed the matter, providing the publicly available information in the next Shire newsletter, to address the wider community.

The situation regarding the Calingiri Roads Board Building and lease has since changed and further information could be provided. We hope the recent letter addresses your questions.

Cr Jim Kelly – Gillingarra Sport & Recreation Club

Q1. Will the Shire fix the rubbish at the Gillingarra Reserve Oval as soon as possible, which occurred from the recent fire?

A1. Shire President. Such requests should be submitted through a customer service request form to the Shire Administration.

Q2. I would want to bring this up now as the Shire should deal with it ASAP.

Shire President – Called Cr Kelly to a point of order – Councillors are bound by the Code of Conduct and cannot make instructions on these administrative matters.

Cr J. Kelly – Called a point of order – stating he did not make an instruction.

Shire President – Noted the point of order is not valid.

6 DECLARATION OF CLOSURE

The Shire President thanked members of the community for attending the Annual Electors Meeting and closed the meeting at 7.06pm.

UNCONFIRMED

MEETING OF ELECTORS GUIDELINES

Purpose

In accordance with the *Local Government Act 1995* a general meeting of electors must be held each financial year after a local government accepts the annual report.

The matters to be discussed at the general electors' meeting are in accordance with Regulation 15 of the *Local Government (Administration) Regulations 1996*: firstly, the contents of the annual report for the previous financial year and then any other general business.

Procedures

The procedure to be followed at a general or special meeting of electors is to be determined by the presiding member (this also includes specific regard to the Shire of Victoria Plains Meeting Procedures Local Law).

Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote. All decisions at a general or special meeting of electors are to be made by a simple majority of votes. Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.

All decisions made at an electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable at the first ordinary council meeting after that meeting or at a special meeting called for that purpose, whichever happens first.

<p>An elector is someone on the State Electoral Roll for the District of Victoria Plains or an Owner/Occupier in the Shire of Victoria Plains.</p>

Minutes

Minutes of the proceedings at an electors' meeting are to be kept and preserved. They are published on the Shire's website for a period of not less than 5 years and are also made available for inspection by members of the public.

Shire of Victoria Plains Meeting Procedures Local Law

Specific clauses to be observed regarding a Meeting of Electors are:

18.8 Participation of non-electors

A person who is not an elector of the local government shall not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.

REGISTER OF DELEGATIONS

COUNCIL TO CEO
&
CEO TO OFFICERS

REVIEW & ADOPTION 23 JUNE 2021

ARRANGEMENT

PART A – PRIMARY DELEGATIONS – to CEO

Section 1 - Council / Governance

Section 2 - Administration / Organisation

Section 3 - Financial Management

Section 4 - Order / public safety

Section 5 - Fire Control

Section 6 - Environmental Health / Food

Section 7 - Community Services

Section 8 - Personnel

Section 9 - Occupational Safety & Health

Section 10 - Building / Development

Section 11 - Public Facilities

Section 12 - Tourism

Section 13 - Works & Services

Section 14 - Plant / Equipment

Section 15 - Natural Resource Management

Section 16 - Unclassified

PART B – PRIMARY DELEGATIONS – to other persons

Section 17 - Fire Control

Section 18 - Deleted

HISTORY SUMMARY

APPENDIX

CONTENTS

PART A – PRIMARY DELEGATIONS – to CEO

Section 1 - Council / Governance

- 1.1 Appointment of authorised persons
- 1.2 Deleted (23 June 2021)

Section 2 - Administration / Organisation

- 2.1 Common Seal – Execution of documents
- 2.2 Deleted
- 2.3 Deleted (23 June 2021)

Section 3 - Financial Management

- 3.1 Deleted
- 3.2 Municipal Fund and Trust Fund – Payments from Bank Accounts
- 3.3 Investments
- 3.4 Rates record, extensions and objections
- 3.5 Sundry and rate debtors – Recovery and agreements
- 3.6 Write off of rate and sundry debts
- 3.7 Tenders – power to set specifications, criteria, call, accept, vary
- 3.8 Contracts – Variations
- 3.9 Disposing of property, and impounded, confiscated or uncollected goods
- 3.10 Disposing of land – leases, rentals etc
- 3.11 Donations – Financial and In-kind Works / Services
- 3.12 Ex-Gratia Payments

Section 4 - Order / public safety

- 4.1 Disposal of sick or injured animals
- 4.2 Cat Act 2011
- 4.3 Dog Act 1976
- 4.4 Dogs Local Law 2018
- 4.5 Impounding of vehicles and goods
- 4.6 Impounding of cattle etc

Section 5 - Fire Control

- 5.1 Issue of burning permits – CEO
- 5.2 Deleted
- 5.3 Restricted burning periods – Variations

Section 6 - Environmental Health / Food

- 6.1 Control of environmental health matters
- 6.2 Health Local Law 2004
- 6.3 Amenity Local Law 2018
- 6.4 Control of food matters

Section 7 - Community Services

- 7.1 Cemetery Local Law 2018

Section 8 - Deleted 24 June 2020

Section 9 - Occupational Safety & Health

Section 10 - Building / Development

- 10.1 Building permits
- 10.2 Illegal development
- 10.3 Control of planning matters
- 10.4 Applications for subdivision and amalgamations
- 10.5 Fencing Local Law 2018

Section 11 - Public Facilities

- 11.1 Liquor Control Act
- 11.2 Discount/waiver/subsidy of facility hire fees
- 11.3 Public Places and Local Government Property Local Law 2018

Section 12 - Tourism

Section 13 - Works & Services

- 13.1 Reserves under control of the local government
- 13.2 Things to be done on land not local government property
- 13.3 Works on land outside the district
- 13.4 Materials from land not under local government control
- 13.5 Notices requiring certain things to be done
- 13.6 Notice of local government works
- 13.7 Private works/infrastructure on, over or under public land
- 13.8 Events on roads
- 13.9 Temporary road closures

Section 14 - Plant / Equipment

Section 15 - Natural Resource Management

- 15.1 Control of Vehicles (Off-road Areas) Act 1978
- 15.2 Native flora and fauna

Section 16 - Unclassified

- 16.1 Deleted 23 June 2021

PART B – PRIMARY DELEGATIONS – to other persons

Section 17 - Fire Control

- 17.1 Deleted 23 June 2021
- 17.2 Deleted 23 June 2021
- 17.3 Prohibited burning periods – Variations

Section 18 - Deleted

- 18.1 Deleted

HISTORY SUMMARY

APPENDIX One – Advisory Notes to the Delegations Register

- Definitions
- Statutory Context
- Corporate context
- Guidelines No.17 – Delegations (Department of Local Government)
- Making, amending and revoking delegations
- Use of delegations
- Record of use of delegations
- Review of delegations
- Primary delegation

Sub delegation by CEO

APPENDIX TWO – Instrument of Delegation

Local Government Act 1995

**INSTRUMENT OF DELEGATION OF RESPONSIBLE AUTHORITY POWERS, DISCRETIONS
AND FUNCTIONS**

Schedule 1

POWERS, DISCRETIONS AND FUNCTIONS

Schedule 2

GLOSSARY OF DELEGATE TITLES

APPENDIX THREE – Suggested Template as the Basis of Future Review

Determine if an Emergency for Emergency Powers of Entry

PART A – PRIMARY DELEGATIONS – to CEO**Section 1 - Council / Governance****1.1 Appointment of authorised persons**^[SF1]

1.1.1 Local Government Act 1995**STATUTORY CONTEXT***Local Government Act 1995 –*

- s.3.18 – local government to administer its local laws and perform its required functions under the Act
- s.3.24 - Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about **land**^[SF2]]
- s.9.10(1) – Appointment of authorised persons

Local Government (Miscellaneous Provisions) Act 1960

- s.449 Appointing of poundkeepers and rangers

Building Regulations 2012

- r.70(2) – Appointment of authorised officers (pre-**condition**^[SF3] of appointment). This is for the purposes of issuing Building Act 2011 Infringement Notices (Building Reg.70(2) prescribes s.9.10(1) of the Local Government Act 1995 as the enabling power.)

Criminal Procedure Act 2004 –

- s.6 – Regulations to provide for the appointment of authorised persons to issue infringement notices and specified persons permitted to withdraw or extend time to pay infringement notices

Graffiti Vandalism Act 2016

- s.15 Prescribes Part 9 of the *Local Government Act 1995* as the enabling **power**^[SF4]

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION^[SF5]

CEO has discretion in this matter

FUNCTION DELEGATED4. **Legislation**^[SF6]

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under the following Acts and associated Regulations –

- a) *Local Government Act 1995* and its regulations, excluding –
 - s.5.37(1) – determination that an employee or class of employee is or is not designated;
 - and

- s.5.37(1) – appointment or termination of a person to a designated position without Council’s consent
- b) *Local Government (Miscellaneous Provisions) Act 1960* (this includes pound keepers and rangers)
- c) *Graffiti Vandalism Act 2016*
- d) *Building Regulations 2012* as a precondition of appointment to issue infringements (The specific powers and duties are confirmed in Part 9 of this Delegation Register) |

[SF7][SF8][SF9][SF10][SF11][SF12]

5. Local Laws

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under the following local laws made under the *Local Government Act 1995*[SF13]

–

- a) *Extractive Industries Local Law 2018*;
- b) *Fencing Local Law 2018*;
- c) *Public Places and Local Government Property Local Law 2018*. |

[SF14]

6. Infringement Notices

The CEO is delegated power to appoint employees and other persons as appropriate or necessary with the power to issue infringement notices for the purposes of the *Criminal Procedure Act 2004* s.6(b) in accordance with the *Local Government Act 1995* s.9.10(1), subject to –

- the power to withdraw any infringement notice or to extend the time to pay an infringement notice is restricted to the CEO as the person specified for this function, and may not be sub-delegated,
- where the infringement notice is issued by the CEO, a request to withdraw any infringement notice or extend the time to pay an infringement notice is to be referred to Council.

APPLICATION

7. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - (a) It will be for the duration of employment by the Shire, or
 - (b) It will be for the duration of the contract with the Shire, or
 - (c) It will be for a specified time, event or purpose.[SF15]
8. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - (a) any limitations specified in the relevant general delegation to the person or position;
 - (b) any specific limitations imposed by the Council or CEO in making the appointment.
9. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person’s certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

No delegated power for –

- legislation not listed,
- persons who are not employees.

Authorised persons exercise their power directly from the Act, Regulation or local law that refers to “an authorised person”, and may be appointed:

- Directly by Council, or
- By the CEO under delegated power; or
- By the CEO as a direct power under s.9.10(2) the *Local Government Act 1995*, including:
 - (a) this Act (*Local Government Act 1995*);
 - (b) the *Caravan Parks and Camping Grounds Act 1995*;
 - (c) the *Cat Act 2011*;
 - (d) the *Cemeteries Act 1986*;
 - (e) the *Control of Vehicles (Off-road Areas) Act 1978*;
 - (f) the *Dog Act 1976*;
 - (g) subsidiary legislation (local law) made under an Act referred to in any of paragraphs (a) to (f);
 - (h) a written law prescribed for the purposes of this section.

Where the Act, Regulation or local law refers to “local government” the function must be exercised through a formal delegation.

Where the Act, Regulation or local law refers to “Council” or a specific position, it means the elected members in session or the person holding that specific position.

Some appointments can be made independent of employment with the Shire, and unless revoked or otherwise limited, the appointment continues to remain valid. This is the case with Fire Control Officers, Authorised Dog Control Officers etc. Their appointment means –

- the person is an officer of the Shire[Sf16],
- as an officer of the Shire[Sf17], there is a duty of care to the person, as well as to the community, and must ensure that the person is adequately resourced for the task, including training, equipment etc, as necessary,
- as an officer of the Shire, there is a legal responsibility for their actions, so when making the appointment there is an obligation to be satisfied that the person is appropriate and competent to exercise the power.

As these appointments mean that the person is an officer of the Shire for that specific purpose, they have the statutory power to commit the Shire to particular actions, initiate various proceedings etc, as listed in the authorising Act, and as permitted or limited by Council.

When making an appointment, the CEO must be certain that the person appointed is capable of undertaking the role, is a suitable, and provide the necessary resources for the role to be carried out such as training, equipment, etc.

This delegation does not apply to allocation of statutory functions made by the CEO to fulfil legislative requirements undertaken as a component of administrative tasks.

Local Laws in development as at 24 June 2020 –

- Amenity |
- [Sf18]Waste

- Health (replacement)

1.1.2 Building Act 2011**STATUTORY CONTEXT***Building Act 2011*

- s.127(1) & (3) *Delegation: special permit authorities and local government*

Building Regulations 2012

- r.70(2) – Appointment of authorised officers (pre-condition[SF19] of appointment)

Criminal Procedure Act 2004 –

s.6 – Regulations to provide for the appointment of authorised persons to issue infringement notices and specified persons permitted to withdraw or extend time to pay infringement notices

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION[SF20]

CEO has discretion in this matter: s.127(6A) *Delegation: special permit authorities and local governments* (powers of sub-delegation limited to CEO)

FUNCTION DELEGATED[SF21]1. Legislation

1. Authority to appoint an approved officer for the purposes of s.6(a) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(1) and (1A).

NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as “approved officers”.

2. Authority to appoint an authorised officer for the purposes of s.6(b) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(2).

NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as “authorised officers” for the purposes of Building Regulation 70(2).

2. Local Laws

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under the following local laws made under the *Building Act 2011* –

- a) Fencing Local Law 2018,

3. Infringement Notices

The CEO is delegated power to appoint employees and other persons as appropriate or necessary with the power to issue infringement notices for the purposes of the *Criminal Procedure Act 2004* s.6(b) in accordance with the Local Government Act 1995 s.9.10(1), subject to –

- the power to withdraw any infringement notice or to extend the time to pay an infringement notice is restricted to the CEO as the person specified for this function, and may not be sub-delegated,

- where the infringement notice is issued by the CEO, a request to withdraw any infringement notice or extend the time to pay an infringement notice is to be referred to Council.

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - a. It will be for the duration of employment by the Shire, or
 - b. It will be for the duration of the contract with the Shire, or
 - c. It will be for a specified time, event or purpose.[SF22]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - a) any limitations specified in the relevant general delegation to the person or position;
 - b) any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

- See Delegation 1.1.1

1.1.3 Bush Fires Act 1954**STATUTORY CONTEXT***Bush Fires Act 1954 –*

- s.48 Delegation by local government
- s.38 Local Government may appoint bush fire control officer

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION^[SF23]

Sub-delegation prohibited by s.48(3)

FUNCTION DELEGATED1. Legislation^[SF24]

1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and
 - a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and
 - b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].
2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Victoria Plains [s.38(5A)]
3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].
 - a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].

2. Local Laws

- a. Nil

|
^[SF25]3. Infringement Notices

- a. Nil

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - a. It will be for the duration of employment by the Shire, or
 - b. It will be for the duration of the contract with the Shire, or
 - c. It will be for a specified time, event or purpose.^[SF26]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - a) any limitations specified in the relevant general delegation to the person or position;

- b) any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

1.1.4 Deleted (23 June 2021)

1.1.5 Deleted (23 June 2021)

1.1.6 Food Act 2008

STATUTORY CONTEXT

Food Act 2008 –

- s.118 Functions of enforcement agencies and delegation:
 - (2)(b) Enforcement agency may delegate a function conferred on it
 - (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]
 - (4) Sub-delegation permissible only if expressly provided in regulations
- s.122(1) Appointment of authorised officers
- s.126(6), (7) and (13) Infringement Officers

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

CONDITIONS/LIMITATIONS^[SF27]

In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:

- Appointment of Authorised Officers as Meat Inspectors
- Appointment of Authorised Officers
- Appointment of Authorised Officers – Designated Officers only
- Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer

SUB-DELEGATION[SF28]

CEO has discretion in this matter subject to the Council Conditions/Limitations

FUNCTION DELEGATED1. Legislation[SF29]

1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].
2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016*, to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)].
3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].

2. Local Laws

- a. Health Local Law 2003
- b. Health Amendment Local Law 2005

3. Infringement Notices

- See Function Delegated

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - a) It will be for the duration of employment by the Shire, or
 - b) It will be for the duration of the contract with the Shire, or
 - c) It will be for a specified time, event or purpose.[SF30]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - (a) any limitations specified in the relevant general delegation to the person or position;
 - (b) any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

See Delegation 1.1.1

1.1.7 Public Health Act 2016**1.1.7.1 Appoint Authorised officer or Approved Officer (Asbestos Regulations)****STATUTORY CONTEXT**

Health (Asbestos) Regulations 1992 –
- .15D(7) Infringement Notices

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

CONDITIONS/LIMITATIONS[Sf31]

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)].

SUB-DELEGATION[Sf32]

Nil

FUNCTION DELEGATED1. Legislation[Sf33]

Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the *Criminal Procedure Act 2004* Part 2 [r.15D(5)].

2. Local Laws

- Health Local Law 2003
- Health Amendment Local Law 2005

[Sf34]3. Infringement Notices

- Refer Legislation and Local Laws

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - (a) It will be for the duration of employment by the Shire, or
 - (b) It will be for the duration of the contract with the Shire, or
 - (c) It will be for a specified time, event or purpose.[Sf35]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - (a) any limitations specified in the relevant general delegation to the person or position;
 - (b) any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

See Delegation 1.1.1

1.1.7 Public Health Act 2016

1.1.7.2 Designate Authorised Officers

STATUTORY CONTEXT

Public health Act 2016 –

- s.21 Enforcement agency may delegate

- s.24(1) and (3) Designation of authorised officers

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

Or

Designated Authorised Officer

CONDITIONS/LIMITATIONS[Sf36]

- a. Subject to each person so appointed being;
 - Appropriately qualified and experienced [s.25(1)(a)]; and
 - Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].
- b. A Register (list) of authorised officers is to be maintained in accordance with s.27.

SUB-DELEGATION[Sf37]

Nil

FUNCTION DELEGATED

1. Legislation[Sf38]

1. Authority to designate a person or class of persons as authorised officers for the purposes of:
 - i. The Public Health Act 2016 or other specified Act
 - ii. Specified provisions of the *Public Health Act 2016* or
 - iii. Other than the specified provisions of that Act including:

- a. an environmental health officer or environmental health officers as a class; OR
- b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR
- c. a mixture of the two. [s.24(1) and (3)].

2. Local Laws

- a. Health Local Law 2003
- b. Health Amendment Local Law 2005

3. [SF39] Planning

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under –

- a) Local Planning Scheme;
- b) Local Planning Policy

4. Infringement Notices

- Refer Legislation, Local Laws, Planning

APPLICATION

5. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - (a) It will be for the duration of employment by the Shire, or
 - (b) It will be for the duration of the contract with the Shire, or
 - (c) It will be for a specified time, event or purpose. [SF40]
6. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - a. any limitations specified in the relevant general delegation to the person or position;
 - b. any specific limitations imposed by the Council or CEO in making the appointment.
7. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

See Delegation 1.1.1

1.1.8 Local Planning Scheme**STATUTORY CONTEXT***Local Government Act 1995 –*

- sections 5.45 and 5.46 apply to a delegation made under this Division as if the delegation were a delegation under Part 5 Division 4 of that Act.

Land Development Act 2005 –

- Shire of Victoria Plains Deemed Provisions: Part 10 - Enforcement and administration;
Division 1 - Powers of local government

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

CONDITIONS/LIMITATIONS

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under –

- a) Local Planning Scheme;
- b) Local Planning Policy.

SUB-DELEGATION[Sf41]

Permitted as per the Conditions/Limitations

FUNCTION DELEGATED

1. **Legislation[Sf42]**

Part 10 - Enforcement and administration
Division 1 - Powers of local government

79. Entry and inspection powers

- (1) The local government CEO may, by instrument in writing, designate an officer of the local government as an authorised officer for the purposes of this clause.
- (2) An authorised officer may, for the purpose of monitoring whether the local planning scheme is being complied with, at any reasonable time and with any assistance reasonably required –
 - (a) enter any building or land in the Scheme area; and
 - (b) inspect the building or land and anything in or on the building or land.

82. Delegations by local government

- (1) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.
- (2) A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.
- (3) The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.

83. Local Government CEO may delegate powers

- (1) The local government CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO' functions under this Scheme other than this power of delegation.
- (2) A delegation under this clause must be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Subject to any conditions imposed by the local government on its delegation to the local government CEO under clause 82, this clause extends to a power or duty the exercise or discharge of which has been delegated by the local government to the CEO under that clause.

84. Other matters relevant to delegations under this Division

The Local Government Act 1995 sections 5.45 and 5.46 apply to a delegation made under this Division as if the delegation were a delegation under Part 5 Division 4 of that Act.

2. Local Laws

- a. Nil

3. Infringement Notices

- Subject to the powers listed in Legislation

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - (a) It will be for the duration of employment by the Shire, or
 - (b) It will be for the duration of the contract with the Shire, or
 - (c) It will be for a specified time, event or purpose.[SF43]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - a. any limitations specified in the relevant general delegation to the person or position;
 - b. any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

See Delegation 1.1.1

1.2 Deleted (23 June 2021)

Section 2 - Administration / Organisation

2.1 Common Seal – Execution of documents

STATUTORY CONTEXT

Local Government Act 1995 –

- s. 5.43(ha) – CEO cannot authorise a person to sign documents on behalf of the local government
- s.9.49A(1) – only affixed as authorised by Council
- s.9.49A(2) – only to documents as authorised by Council
- s.9.49A(3) – affixed in presence of President and CEO or senior employee authorised by CEO
- s.9.49A(4) – Council may authorise person to sign documents
- s.9.49A(5) – Document does not have legal status as a deed unless permitted and executed as a deed

Local Government (Functions & General) Regulations 1996 –

- r.34 – Common seal, unauthorised use of

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

N/A

FUNCTION DELEGATED

1. Council delegates power to the CEO to determine to affix the Common Seal without prior approval by Council where the document is –
 - a) a renewal or extension of an original document, and there is no significant variation in clauses or conditions in the renewal;
 - b) an agreement to provide funding to the Shire and the project/item to be funded is disclosed in the budget or previously approved by Council.

APPLICATION

2. Notwithstanding the conditions above on use of the Common Seal, the CEO is delegated power to sign and make all necessary arrangements including lodgement, removal, withdrawal, surrender or modification to –
 - (a) Notifications, covenants and easements under the Transfer of Land Act 1893;
 - (b) reciprocal access and/or parking agreements;
 - (c) rights of carriageway agreements;
 - (d) caveats under the Transfer of Land Act 1893; and
 - (e) easements or deeds under the Land Administration Act 1997 or Strata Titles Act 1985.
3. The Common Seal is to be kept in the custody of the CEO.
4. Application of the Common Seal has not effect unless countersigned by the President.

FORMAL RECORD OF USE

- i) Report to Council's Monthly Briefing Session
- ii) Recording in the Common Seal Register of Use

HISTORY

Former Delegation	2.24
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

The Local Government Act s.5.43 (ha) prohibits the CEO delegating the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government (i.e. to make a decision whether to sign/affix the seal or not).

This is not to be confused with the power of the CEO under 9.49A(3)(b) to authorise a senior employee to sign a document to attest that the common seal was so affixed (i.e. the decision to affix the seal was made by authorised persons prior).

Most contracts for supply of services, including contracts of employment, do not legally require the Common Seal to be affixed, although its use may be usual practice.

2.2 Deleted

2.3 Deleted (23 June 2021)

Section 3 - Financial Management

3.1 Deleted

3.2 Municipal Fund and Trust Fund – Payments from Bank Accounts

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.8 – expenditure from Municipal Fund
- s.6.8(1)(c) – Payment in an emergency

Local Government (Financial Management) Regulations 1996 –

- r.5 – CEO's duties as to financial management
- r.11 – Payments, procedures for making etc
- r.12 – Payments from municipal fund or trust fund, restrictions on making
- r.13 – Duties of CEO

Local Government (Audit) Regulations 1996 –

- r.16 – CEO to review certain systems and procedures

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance (MF)

FUNCTION DELEGATED

1. The CEO is delegated power to make payments from the Municipal Bank Account and Trust Bank Account subject to –
 - a) being in accordance with the adopted Budget;
 - b) being authorised by a resolution of Council;
 - c) disbursement as authorised, of funds lodged to the Trust Account, or
 - d) being authorised emergency expenditure.

APPLICATION

2. The CEO is to ensure –
 - a) systems and procedures required by FM Reg. r.5 are in place;
 - b) compliance with procedures developed in accordance with FM Reg r.11;
 - c) constant review of procedures in accordance with Audit Reg. r.17
3. All transactions are to have the approved signatures or secure electronic passwords by any two of the following approved persons, jointly –

Position	Authorising Signature / Electronic Password	
	Initial	Secondary
CEO	All	All
MF	All	All
MWS	All	All
Payroll	Payroll	None
Creditors	Creditors	None

Rates	None	All[Sf44]
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FORMAL RECORD OF USE

- i) Copy of approval, authorisation, payment of invoice etc. with financial transaction
- ii) Monthly report to Council Meeting

HISTORY

Former Delegation	2.41
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

This delegation is not for the issue of purchase orders, use of credit cards, store cards or fuel cards, or procedures for the processing of creditors invoice.

3.3 Investments

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.14 – Power to invest

Local Government (Financial Management) Regulations

- r.19 – Investments, control procedure for
- r.19C – Investments of money, restrictions on

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

FUNCTION DELEGATED

1. The CEO is delegated power to invest money held in any Council fund that is not required for immediate use, provided that sufficient working funds are retained at all times.

APPLICATION

2. All transactions are to have two authorised signatures or secure electronic passwords, at least one of whom must be –
 - a) CEO; or
 - b) Manager Finance

Second signatories may be –

- c) Manager Works and Services

FORMAL RECORD OF USE

Record of lodgement of funds for investment, and instructions given

HISTORY

Former Delegation	2.31
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

FM Reg r.19C imposes limits on institutions, duration of investment, type of investment etc.

3.4 Rates record, extensions and objections

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.39 (2) – amend rate records for up to 5 years
- s.6.40 (3) – refund of rates after overpayment
- s.6.76 (4) – extension of time to make objection to rate record
- s.6.76 (5) – determination of objection to rate record

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion^[SF45] to sub-delegate:

- Manager Finance;
- Rates Officer

FUNCTION DELEGATED

1. The CEO is delegated power to –
 - a) amend rate records for the past five years preceding the current year,
 - b) refund of rates overpaid following an adjustment to the rate record if requested,
 - c) extend the time for making the objection for such period as the CEO thinks fit, on application by a person proposing to make an objection to the rate record
 - d) consider any objection to the rate record and may either disallow it or allow it, wholly or in part.

APPLICATION

N/A

FORMAL RECORD OF USE

- i) File copy of rates notice, payment, agreement or determination
- ii) Property / Assessment file

HISTORY

Former Delegation	2.40, 2.47
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

3.5 Sundry and rate debtors – Recovery and agreements

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.49 – Agreement as to payment of rates and service charges
- s.6.56 (1) – recovery of rates by complaint or action
- s.6.60 (2) – recovery of rates by requiring payment of rent to Shire

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

FUNCTION DELEGATED

1. The CEO is delegated power to negotiate an agreement for the payment of rates, service charge and sundry debts, together with the costs of proceedings, if any, for that recovery, subject to any administrative or instalment charges, penalty interest etc being incorporated into the agreement.
2. The CEO is delegated power to recover unpaid rates or service charges after becoming due and payable, together with the costs of proceedings, if any, for that recovery –
 - by use of a debt collection agency,
 - in a court of competent jurisdiction;
 - by serving notice on a tenant to pay rent to the Shire;
 - other such means as is provided for and appropriate.
3. The CEO is delegated power to recover unpaid sundry debtors, together with the costs of proceedings, if any, for that recovery –
 - by use of a debt collection agency,
 - in a court of competent jurisdiction;
 - other such means as is provided for and appropriate.

APPLICATION

N/A

FORMAL RECORD OF USE

- i) File copy of instruction to court or debt collection agency etc, written agreement with debtor, notice to tenant etc.
- ii) Property file

HISTORY

Former Delegation	2.2, 2.36, 2.39, 2.46
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

3.6 Write off of rate and sundry debts

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.95– information that is required to remain confidential
- s.6.12(c) – Power to write off any amount of money

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[SF46] to sub-delegate.

FUNCTION DELEGATED

1. The CEO is delegated power to write off small amounts to a maximum of \$100.00 ex GST per individual debt for –
 - (a) sundry debtors and any interest, charges and associated cost where the debtor can no longer be traced, or recovery is deemed unlikely;
 - (b) rates and services charges, interest on rates or service charges, or rate instalment charge where there is satisfactory evidence of attempt to pay by the required date –
 - (i) where as a result of daily interest calculations, the rates were intended to be paid in full, but an error occurred, or the payment was received by mail after the calculation was made; or
 - (ii) on transfer of the property from one owner to the next,
 - (iii) the value of the debt makes recovery attempts uneconomical.

APPLICATION

None

FORMAL RECORD OF USE

- i) Listing of debts written off to be signed by CEO
- ii) Report to Council via monthly briefing papers of the number of debts and total amount only
- iii) Value of rates and service charges written off to be included in the annual report

HISTORY

Former Delegation	2.28
Adopted	18 July 2018
Review / adoption	23June 2021

REFERENCES

Where a write-off is intended for rates or service, there must be evidence that reasonable attempts were made to pay the amount by the date of calculation.

Debt information –

- includes rate debts as well as sundry debts
- is to be kept confidential under the Local Government Act s.5.95(2), and therefore no identifying details should be in public documents such as Agendas or Minutes.

3.7 Tenders – power to set specifications, criteria, call, accept, vary

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.57– Tenders for providing goods or services
- s.3.58 – Disposing of property
- 5.43(b) – Limits on delegation to accept tenders

Local Government (Functions and General) Regulations 1996 –

Part 4 – provision of goods and services

- Division 1 – Purchasing policies for local government
 - o r.11A – requirement for a purchasing policy
 - o r.11 – when tenders have to be publicly invited and exemptions from inviting
- Division 2 – Tenders for providing goods and services, specifically –
 - o r.14(2a) – criteria for deciding on tender to be determined in writing prior
 - o r.14(4) – information to be disclosed, specifications, own tender to be determined prior
 - o r.14(5) – vary information disclosed subject to all being informed
 - o r.20 – Minor variation of requirements before entry into contract
 - o r.23 – Rejecting and accepting expressions of interest
- Division 3 – Panels of pre-qualified suppliers, specifically –
 - o r.24AD(2a) – requirements to join panel of pre-qualified suppliers

Part 4A – Regional Price Preference

Part 6 - Miscellaneous

- o 30 (3) – exempt disposition of property

CORPORATE CONTEXT

Delegation Register –

- 3.1 – Municipal Fund – Incurring expenditure

Policy Manual –

- 3.1 – Purchasing – Framework
- 3.2 – Local Price Preference

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power, subject to prior budget provision having been made or to give effect to a Council decision, to –
 - a) prepare and finalise specifications for calling all tenders, expressions of interest and panels for pre-qualified suppliers in accordance with Budget provision and at the appropriate time;
 - b) determine the criteria for assessment of all tenders, expressions of interest and panels for pre-qualified suppliers;
 - c) invite all tenders, expressions of interest and applications for panels of pre-qualified suppliers;
 or

- d) approve a minor variation to a tender prior to acceptance, provided the intentions and purposes of the tender are not substantially altered, and where the effect on the total contract is a –
 - i) reduction;
 - ii) increase in cost to a cumulative total of \$25,000 ex GST or 5% whichever is the greater, where the adjusted total remuneration remains within Budget provision; or
 - iii) reasonable and unforeseen increase in duration of the contract.

APPLICATION

- 2. Acceptance of tenders and expressions of interest, equal to or above the threshold, are to be by Council, unless prior delegation had been resolved.
- 3. Acceptance and variation of tenders is limited to the CEO only.
- 4. Variation of a tender after acceptance of the tender is not permitted unless provided for in the accepted tender.
- 5. All matters dealing with purchase or disposal of land (sale or lease) are to have the specific authorisation of Council, subject to any prior directions of Council.

FORMAL RECORD OF USE

- i) Report to Council via monthly briefing papers
- ii) Tender register and documentation on file

HISTORY

Former Delegation	2.51
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Expression of interest is not a quote – refer Functions & General Regulations r.21(3). The mandatory requirements are equivalent to those for a tender.

This delegation applies to all tenders – whether acquisition or disposal.

3.8 Contracts – Variations

STATUTORY CONTEXT

Local Government (Functions and General) Regulations 1996 –

- r.21A – Varying a contract for the supply of goods or services
- r.24AJ – Contracts with pre-qualified suppliers

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power subject to prior budget provision having been made or to give effect to a Council decision to accept a minor variation of a contract entered into, subject to the intentions and purposes of the tender are not substantially altered, and where the effect on the total contract is a –
 - a) reduction;
 - b) the cumulative value remains below the tender threshold;
 - c) increase in cost to a cumulative total of \$25,000 or 5% whichever is the greater, where the adjusted total remuneration remains within Budget provision; or
 - d) reasonable and unforeseen increase in duration of the contract.

APPLICATION

N/A

FORMAL RECORD OF USE

- i) File copy of approved variation

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

3.9 Disposing of property, and impounded, confiscated or uncollected goods

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.39 – Power to remove an impound
- s.3.40 – Vehicle may be removed if goods to be impounded are in or on it
- s.3.40A – Abandoned vehicle wreck – disposal
- s.3.41 – Impounded perishable goods
- s.3.42 – Impounded non-perishable goods
- s.3.43 – Impounded non-perishable goods, court may confiscate
- s.3.44 – Notice to collect goods if not confiscate
- s.3.47(1) – Confiscated or uncollected goods, disposal of
- s.3.47(2b) – Periods of retention before disposal
- s.3.48 – Impounding expenses, recovery of
- s.3.58 – Disposing of property

Local Government (Functions and General) Regulations 1996 –

- r.29A – Abandoned vehicle wrecks, value etc. prescribed for
- r.30 – Disposition of property excluded from Act s.3.58
- r.31 – Anti-avoidance provision for Act s.3.58

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to dispose of a vehicle considered to be an abandoned vehicle wreck under section 3.40A(3).
2. The CEO is delegated power to dispose of goods confiscated under section 3.43.
3. The CEO is delegated power to take all appropriate action under section 3.48 that may be necessary to recover the costs of impounding good or vehicles.
4. The CEO is delegated power to dispose of property under section 3.58.

APPLICATION

5. This delegated power –
 - a) is subject to the operation of Delegation 3.1 Tenders;
 - b) applies to property other than land and buildings;
 - c) applies to property less than \$20,000 ex GST (individually or collective of associated similar items), unless prior authorisation given by Council specifically or by reference (such as trade-in vehicle or replacement vehicle);
 - d) applies to property that is surplus to requirements, unlikely to be used, damaged, or impounded;

- e) is to be exercised ensuring disposal of assets is by offering them for public sale by any fair means, or to an appropriate not-for-profit community group;
6. Restrictions –
- a) Where the “income” from the asset being disposed of is to be used as part of consideration for the acquisition of a new asset, both disposal and acquisition must be disclosed in Budget;
 - b) If required, transfer of the property is subject to the asset not being available to the purchaser until such time as the replacement asset is available for Shire use;
 - c) And price offered is paid

FORMAL RECORD OF USE

- i) Acceptance of offer on disposal file

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

All matters dealing with purchase or disposal of land (sale or lease) are to have the specific authorisation of Council, subject to any prior directions of Council.

3.10 Disposing of land – leases, rentals etc

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.58 – disposition of assets

Local Government (Function and General) Regulations 1996 –

- r.30 – limited exemption for disposition of assets

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[Sf47] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to determine leases, licences or rental of land or property for periods of 12 months or less, in accordance with any policy, guidelines or conditions as set by Council from time to time.

APPLICATION

2. This delegation applies where the consideration is less than \$20,000 ex GST, unless prior authorisation given by Council specifically or by reference.
3. All leasing or rental of property for more than 12 months to be referred to Council for decision, except for employee in Shire owned housing.
4. All sale of land requires authorisation by Council resolution.

FORMAL RECORD OF USE

- i) File copy of notice

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Dept of Local Government and Communities considers leasing and rentals to be disposal of land under LG Act s.3.58 as it is a grant of exclusive right for the period agreed.

Functions and General Regulations r.30 has different exemptions and different values for land and other property.

3.11 Donations – Financial and In-kind Works / Services

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.8 – expenditure from Municipal Fund

Local Government (Financial Management) Regulations 1996 –

- r.5 – CEO's duties as to financial management
- r.11 – Payments, procedures for making etc
- r.12 – Payments from municipal fund or trust fund, restrictions on making

CORPORATE CONTEXT

Delegations Register –

- 3.1 – Municipal Fund – Incurring expenditure

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[SF48] to sub-delegate

FUNCTION DELEGATED

The CEO is delegated power to –

1. Financial

Where a donation is provided for by name in the adopted Budget, the CEO may make payment at the appropriate time or on application by the recipient.

Financial donations within the non-specified amount in the adopted Budget may be made by the CEO where –

- the amount does not exceed \$500 ex GST in any financial year;
- the recipient is a community group, sporting club or non-profit organisation;
- the recipient is based locally, or the purpose has particular benefit or application to the district.

Financial and works/service in-kind donations will not be considered for –

- businesses,
- individuals;
- recipients of funding from the annual Budget allocation.

Donations for specific appeals such as a crisis appeal, will be considered individually by Council.

2. In-kind

In-kind works or services may be authorised by the CEO where –

- the amount does not exceed \$500 ex GST in any financial year;
- the recipient is a community group, sporting club or non-profit organisation;
- the recipient is based locally, or the purpose has particular benefit or application to the district.

APPLICATION

N/A

FORMAL RECORD OF USE

Office copy of approval / authorisation

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

3.12 Ex-Gratia Payments

STATUTORY CONTEXT

None

CORPORATE CONTEXT

Delegations Register –

- 6.8 – Municipal Fund – Incurring expenditure[SF49]

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[SF50] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to determine an ex-gratia payment claim made on the Shire if the claim is less than the relevant insurance policy excess.

APPLICATION

2. The Shire exercises a predisposition against making ex-gratia payments.
3. Should the claim be declined by the CEO, the matter is to be referred to Council if requested by the claimant.
4. All claims are to be referred to the Shire's insurers.
5. Exceptional circumstances may be referred to Council for consideration, noting that such a referral does not constitute likelihood of Council agreement.
6. When referring to Council, the report is to advise –
 - of all attempts to claim insurance, if applicable,
 - circumstances outside of the Shire or claimant's control, that may contribute to consideration of the claim.
7. Should the CEO or Council agree to make an ex-gratia payment, the claimant is to be –
 - a) made an offer in writing,
 - b) advised –
 - the offer is without prejudice,
 - does not constitute a precedent,
 - does not imply admission of liability.
 - c) required to confirm that no further claim will be made on the Shire in relation to the matter.
8. Only once (7) above is fully completed is payment to be made.

FORMAL RECORD OF USE

Office copy of letters on subject file

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Section 4 - Order / public safety

4.1 Disposal of sick or injured animals

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.47A – Sick or injured animals, disposal of

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to arrange for an impounded animal that is ill or injured to an extent that treatment is not practical, to be humanely destroyed.
2. The CEO is delegated power to take all appropriate action that may be necessary to recover the costs of destroying the animal.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of written instruction or record of destruction of animal

HISTORY

Adopted 18 July 2018

Review / adoption 23 June 2021

REFERENCES

4.2 Cat Act 2011

STATUTORY CONTEXT

Cat Act 2011 –

- s.44 – Council may delegate to CEO
- s.45 – CEO may delegate to any employee
- s.48 – an authorised person may perform functions under the Act
- s.70 – dealing with objections – to be by Council
- s.73(1) – Prosecutions under the Act

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

Customer Service Officers

FUNCTION DELEGATED

1. The CEO is delegated power to exercise all discretionary matters in the *Cat Act 2011*, including –
 - (a) issue of all notices and infringements etc;
 - (b) granting, refusal, cancellation and setting conditions of approval to conduct activities;
 - (c) carrying out of works in default of a duly served notice;

APPLICATION

2. The delegation excludes –
 - (a) determination of any fee or charge
 - (b) dealing with an objection.
3. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - (a) is of such severity that the action is appropriate or
 - (b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

File copy of notice, approval etc.

HISTORY

Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

The Act (e.g. s.63, s.64, s.65) restricts some matters to CEO.

4.3 Dog Act 1976

STATUTORY CONTEXT

Dog Act 1976 –

- s.11 – appointment of dog registration officer
- s.10AA – delegations must be to CEO, who may delegate functions
- s.29 – appointment of authorised person to perform functions under Act
- s.33F – dealing with objections (dangerous dogs)
- s.44(2)(b) – enforcement proceedings by an authorised person

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

Customer Service Officers

FUNCTION DELEGATED

The CEO is delegated power to exercise all discretionary matters in the Dog Act 1976, including –

- (a) granting, refusal, cancellation and setting conditions of approval to conduct activities;
- (b) issue of all notices and infringements etc;
- (c) carrying out of works in default of a duly served notice

APPLICATION

The delegation excludes –

- (a) determination of any fee or charge
- (b) dealing with an objection.

Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –

- (a) is of such severity that the action is appropriate or
- (b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

The CEO has power to waive the registration fee for a maximum of 12 months where a dog is rescued from impoundment by a new owner.

FORMAL RECORD OF USE

File copy of notice

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

4.4 Dogs Local Law 2018

STATUTORY CONTEXT

Dogs Act 2018 –

- s.10AA – delegations must be to CEO, who may delegate functions
- s.29 – appointment of authorised person to perform functions under Act
- s.44(2)(b) – enforcement proceedings by an authorised person

Local Government Act 1995 –

- s.9.6 – Dealing with objection – to be by council

Shire of Victoria Plains Dogs Local Law 2018 –

- cl.4.15 – dealing with objections – to be by Council

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

Customer Service Officers

FUNCTION DELEGATED

1. The CEO is delegated power to approve all discretionary matters in the Shire of Victoria Plains *Dogs Local Law 2018* including –
 - a) granting, refusal, cancellation and setting conditions of approval to conduct activities;
 - b) issue of all notices and infringements etc;
 - c) carrying out of works in default of a duly served notice.

APPLICATION

2. The delegation excludes –
 - a) determination of any fee or charge
 - b) dealing with an objection.
3. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - a) is of such severity that the action is appropriate or
 - b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

File copy of approval of discretionary use

HISTORY

Former Delegation	2.1
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Objections and review are those matters refused under delegated power which the applicant requests Council to reconsider.

4.5 Impounding of vehicles and goods

STATUTORY CONTEXT

Local Government Act 1995 –

Part 3, Division 3, Subdivision 4 – Impounding abandoned vehicles wreck and goods involved in certain contraventions

- s.3.37 to s.3.48

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

FUNCTION DELEGATED

1. The CEO is delegated power to the power to remove and impound goods from a public place if –
 - a) the goods or vehicle present a hazard to public safety;
 - b) the goods or vehicle obstruct the lawful use of any place;
 - c) the goods ore vehicle have been, or appear to have been abandoned
2. The CEO is delegated power to take all appropriate action that may be necessary to recover the costs of impounding vehicles and goods.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of notice

HISTORY

Former Delegation	2.30
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Disposal of impounded vehicles or goods is covered by Delegation 3.9.

4.6 Impounding of cattle etc

STATUTORY CONTEXT

Local Government (Miscellaneous Provisions) Act 1960 –

- s.458 – power to impound trespassing cattle
- s.459 – power to destroy cattle in certain circumstances
- s.460 – impounding in other than a public pound
- s.462 – fees for impounded cattle
- s.463 – damage by trespassing cattle
- s.464 – local government may vary fees of Sch.2, 3, 4 after notice in Government Gazette

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

FUNCTION DELEGATED

1. The CEO is delegated power to enforce the provisions of the Local Government (Miscellaneous Provisions) Act 1960, and Regulations.
2. The CEO is delegated power to take all appropriate action that may be necessary to recover the costs of impounding the animal.

APPLICATION

1. The CEO is authorised to make appropriate arrangements for the custody and care of cattle, either within a designated pound, or by written arrangement with a land holder, including any costs or charges the landholder may incur or impose
2. The CEO is authorised to recover the costs and charges imposed by the landholder from the owner of the cattle.

FORMAL RECORD OF USE

Impounding register

HISTORY

Adopted 18 July 2018

Review / adoption 23 June 2021

REFERENCES

Although “cattle” is not defined, the Local Govt (Miscellaneous Provisions) Act provides for charges for various animals impounded, that include sheep–

- Schedule 2 – Ranger’s fees
- Schedule 3 – Poundage and sustenance charges
- Schedule 4 – rates for damage by trespass by cattle

Animals listed in the Schedules include in various combinations of descriptions –

- (1) Entire horses, mules, asses, camels, bulls or boars above or apparently above the age of 2 years
- (2) Entire horses, mules, asses, camels, bulls or boars under the age of 2 years
- (3) Mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, calves, rams or pigs
- (4) Pigs of any description
- (5) Rams, wethers, ewes, lambs, goats
- (6) Sheep of any description
- (7) Goats

Section 5 - Fire Control

5.1 Issue of burning permits – CEO

STATUTORY CONTEXT*Bush Fires Act 1954 –*

- s.18 – Restricted burning times
 - (1) – nothing in this section permits burning in prohibited period
 - (2) – prohibited & restricted times to be published in Government Gazette
 - (5) – Local government may vary burning periods after consultation
 - (5B) – variation for maximum of 14 days
 - (5C) – burning period restrictions apply to variation period
 - (6) – permit required to set fire to bush from either FCO or CEO
 - (7) – person issuing permit may apply requirements or conditions
 - (8) – permit holder to comply with conditions
 - (9) – permit may authorise burning of bush on adjoining road reserve
 - (10A) – local government may adopt enforceable schedule for burning
 - (11) – if fire escapes etc expenses up to \$10,000 may be recouped
 - (12) – penalty on first breach \$4,500, subsequent breaches \$10,000
- s.23(2)(a)(iv) – road verge burning between constructed portion of road and established fire break only
- s.24A – clover may be burnt in prohibited burning period with permit

Bush Fire Regulations 1954 –

- r.15(1) – Permit to burn as per section 18 of the Act
- r.15(2) – If request to burn is conditional or refused, review is only by the local government or CBFCO
- r.15A – BFCO to comply with directions of local government
- r.15B – Permit holder to comply with permit conditions
- r.15C – Local Government may prohibit burning on certain days
- r.16 – CEO or specifically authorised person may permit burning of clover in prohibited period
- r.17 – permit required to burn clover
- r.18 – 7 days notice of clover burn required, under specified restrictions
- r.19A – duties of clover burning permit holder
- r.20 – local government may prohibit issue of clover burn permits
- r.21A – permit holder may be required to advertise clover burn
- r.21B – FCO may postpone clover burn

Public Places and Local Government Property Local Law 2018 –

- activities on land under Council management and control including roads

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. The CEO is delegated power to issue, vary or prohibit burning permits in accordance with Bush Fires Act s.18 and Bush Fires Regulations r.15(1).
2. The CEO is delegated power, in consultation with the Chief Bush Fire Control Officer and the issuing FCO is possible, to review or vary the conditions of a permit issued, or issue a permit if refused.
3. The CEO is delegated power to issue, vary or prohibit permits to burn clover in accordance with Bush Fires Act s.18 and Bush Fires Regulations r.16.
4. The CEO is delegated power to approve applications to burn a road verge vested in the care, control and management of the Shire, in accordance with the Bush Fires Act 1954 s.18(9), subject to the applicant obtaining the approval of the Dept of Parks and Wildlife.
5. The CEO is delegated power, in consultation with the Chief Bush Fire Control Officer, to issue instructions, restrictions or conditions relating to burning permits to apply generally throughout the Shire.

APPLICATION

N/A

FORMAL RECORD OF USE

Duplicate copy of permit issued

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

The Act s.16(6)(a) stipulates

...obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer ...

Refer also Delegation 17.1 and 17.2.

Issue of burning permits may be done by an authorised person – see Delegations 1.1 and 17.1.

5.2 Deleted

5.3 Restricted burning periods – Variations

STATUTORY CONTEXT

Bush Fires Act, 1954 –

- s.18(5) – power to vary restricted burning time
- s.18(5B) – time may not be varied by more than 14 days
- s.18(5C) – compliance requirements as per s.17(8),(9),(10),(11)
- s.48(1) – power to delegate to CEO

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. The CEO is delegated power to exercise the powers of Council under the Bush Fires Act 1954 s.18(5) variate of restricted burning periods,

APPLICATION

2. Prior to advertising the variation, the CEO is to consult with –
 - the Dept of Parks and Wildlife in accordance with s.18(5), and
 - the Chief BFCO if available, or Deputy Chief BFCO if Chief BFCO is unavailable.

FORMAL RECORD OF USE

File copy of variations approved

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Section 6 - Environmental Health / Food

6.1 Control of environmental health matters

STATUTORY CONTEXT

Public Health Act 2016 –

- s.4(2) – authorised person
- s.21 – power to delegate to CEO
- s.24 – authorised person must be qualified
- s.25 – authorised person must have acceptable qualifications or be an EHO

Health (Miscellaneous Provisions) Act 1911 –

- s.344(2) – regulations or local laws may be made so as to delegate or confer a discretionary authority to specified persons or class of person

Government Gazette 24 Jan 2017 – Designation of Health Authorised Officers

CORPORATE CONTEXT

Delegations Register –

- 18.1 – Food Act 2008

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. The CEO is delegated power to exercise and discharge all or any of the powers and functions of the local government with regard to the Public Health Act 2016 and Regulations.
2. The CEO is delegated power to exercise and discharge all or any of the powers and functions of the local government with regard to the Health Act 1911 and Regulations, including but not limited to –
 - a) Part IV Sanitary Provisions,
 - b) Part V Dwellings;
 - c) Part VI Public Buildings;
 - d) Part VII Nuisances and Offensive Trades;
 - e) Part IX Infectious Diseases;
 - f) Part XV Miscellaneous Provisions;
 - g) Regulations made under the above parts of the Health (Miscellaneous Provisions) Act 1911.

APPLICATION

3. Where approvals are required, compliance is also mandatory with –
 - a) the Health legislation and Regulations,
 - b) the Building Code of Australia,
 - c) the Local Planning Scheme and Planning Policies,
 - d) the Shire of Victoria Plains Health Local Law 2004
4. Any application not complying is to be refused, unless there is a discretion, in which case it is to be referred to Council for decision.

5. This delegation excludes –
 - a) determination of any fee or charge;
 - b) dealing with an objection,

6. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - a) is of such severity that the action is appropriate or
 - b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

7. Any prosecution proposed is to be referred to Council for decision to proceed.

FORMAL RECORD OF USE

- i) Report to Council via monthly briefing papers
- ii) File copy of notice

HISTORY

Former Delegation	2.57, 2.64
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Refer also Delegation 18.1 – Food Act 2008.

In some instances the EHO may be required to act without reference to Council or CEO, and regardless of Council's or CEO's wishes.

Objections and review are those matters refused under delegated power which the applicant requests Council to reconsider.

The Public Health Act 2016 –

21. Enforcement agency may delegate

- (1) A power or duty conferred or imposed on an enforcement agency may be delegated –
 - (a) if the enforcement agency is the Chief Health Officer, in accordance with section 9; or
 - (b) if the enforcement agency is a local government, to –
 - (i) the chief executive officer of the local government; or
 - (ii) an authorised officer designated by the local government;

The effect of the delegation is that the CEO is to cause various actions to be taken by an authorised person.

Authorised person must be either –

- a) an EHO in the employ of the Shire at the time of the Public Health Act 2016 coming into force,
or
- b) hold an appropriate qualification as published in the Government Gazette of 24 January 2017.

6.2 Health Local Law 2004

This Delegation will not become effective until after publication of the Amenity Local Law in the Government Gazette.

Refer also Delegation 6.4 Control of food matters

6.3 Amenity Local Law 2018

This Delegation will not become effective until after publication of the Amenity Local Law in the Government Gazette.

6.4 Control of food matters

STATUTORY CONTEXT

Food Act 2008 –

- s.118(2)(b) – power to delegate functions and obligations to qualified authorised person
- s.122(1)(b) – authorised person must hold office as an environmental health officer under the *Health Act 1911*
- s.122 – designated officers for infringement notices

Food Regulations 2009 –

- s.5 – a local government is an appropriate enforcement agency for the purposes of certain food businesses, animal processing premises and retail pet meat shops

Public Health Act 2016

- s.4(2) – authorised officer
- s.24 – authorised person must be qualified
- s.25 – authorised person must have acceptable qualifications or be an EHO

Government Gazette of 24 Jan 2017 – Designation of Health Authorised Officers

CORPORATE CONTEXT

Delegations Register –

- 6.1 – Control of environmental health matters
- 6.2 – Health Local Law 2004

PRIMARY DELEGATION

Chief Executive Officer

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. The CEO is delegated power to exercise and discharge the powers and functions of the local government with regard to the Food Act 2008, including but not limited to –
 - a) powers of entry to premises,
 - b) taking of food samples for analysis,
 - c) formal warnings;
 - d) improvement notices;
 - e) prohibition orders; and
 - f) infringement notices.

APPLICATION

1. Where required by the Act to be carried out by an appropriately qualified person, the CEO may direct the function to be performed, but the discharge of that function is at the discretion of the qualified person.
2. The delegation excludes –
 - a) determination of any fee or charge;
 - b) dealing with an objection,

3. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - (a) an infringement notice remains unpaid after reasonable attempts to obtain payment.
4. Any prosecution proposed is to be referred to Council for decision to proceed.

FORMAL RECORD OF USE

File copy of notice, record of inspection etc

HISTORY

Adopted	18 July 2018
Formerly	Delegation 18.1
Review / adoption	23 June 2021

REFERENCES

Council may appoint a person as an authorised person who is not an employee.

CEO may appoint an employee as an authorised person under Delegation 1.1

It should be noted that under the Act, the EHO may be required to prosecute, regardless of Council's direction or wishes.

Section 7 - Community Services

7.1 Cemetery Local Law 2018

STATUTORY CONTEXT

Cemeteries Act 1976

Shire of Victoria Plains Cemeteries Local Law 2018

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

FUNCTION DELEGATED

The CEO is delegated power to approve all discretionary matters in the Shire of Victoria Plains Cemetery Local Law 2018 including –

- a) granting, refusal, cancellation and setting conditions of approval to conduct activities;
- b) issue of all notices and infringements etc;
- c) carrying out of works in default of a duly served notice;

APPLICATION

The delegation excludes –

- a) determination of any fee or charge

Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –

- a) is of such severity that the action is appropriate or
- b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

- i) File copy of approval of grant of right of burial, pre-need certificate, notice etc
- ii) Duplicate copy of infringement etc

HISTORY

Former Delegation	2.1
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Section 8 - Deleted 20 June 2020

|

[SF51]

Section 9 - Occupational Safety & Health

This section is currently empty

Section 10 - Building / Development

10.1 Building permits

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.36 – Local government employees

Building Act 2011 –

- s.3 – authorised person to be designated under s.96
- s.96(3) – the local government may designate a person to be authorised
- s.127(3) – delegation by a local government must be to an employee
- s.127(6A) – further delegation of power given to CEO

Building Regulations 2012 –

- r.31B – applicable standards for buildings in bush fire prone areas

Building Services (Registration) Act 2011

- s.17 – registration of building service practitioners

Building Services (Registration) Regulations 2011 –

- r.4 – prescribed levels for building surveying
- Part 3A – Building surveyors

CORPORATE CONTEXT

Delegations Register –

1.1 Appointment of Authorised Persons

- (4) – restrictions on issue, withdrawal and extension of time to pay infringements

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[SF52] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to determine matters under –
 - a) sections 18, 20, 22, 23, 24 – Building permits
 - b) sections 21, 22, 23, 24 – Demolition permits
 - c) sections 27 – Conditions for building permit or demolition permit
 - d) sections 32 – Duration of building permit or demolition permit
 - e) sections 58, 59, 60 – occupancy permit
 - f) sections 62 – conditions of occupancy permit
 - g) sections 65 – duration of occupancy permit
 - h) sections 110, 111, 112 – Issue of notices and building orders
 - i) sections 117 – Revocation of building orders
 - j) sections 118 – giving effect to building order if non-compliance

APPLICATION

2. The CEO is to be consulted prior to use of any sub-delegation in relation to items (b), (h), (i) and (j).

3. A building permit may be issued if –
 - a) a valid Certificate of Design Compliance is presented;
 - b) compliance with requirements for bush fire prone areas;
 - c) all buildings where permitted in accordance with the Building Act 2011 and
 - d) the information required by the Regulations is provided.
4. A building permit is not to be issued unless payment has been received for –
 - a) the assessed building permit fees
 - b) Building Services Levy
 - c) Building and Construction Industry Training Fund levy, or production of evidence of payment or exemption where applicable
5. The following matters are to be referred to Council for decision
 - a) s.192 – Dangerous Buildings
 - b) s.193 – Removal of Neglected Building
6. Any prosecution proposed is to be referred to Council for decision to proceed.
7. The CEO only is permitted to withdraw or extend time to pay an infringement in accordance with Delegation 1.1 clause 4.

FORMAL RECORD OF USE

- i) Report to Council via monthly briefing papers – Items (a), (b), (h), (i)
- ii) File copy of permit, notice etc issued

HISTORY

Former Delegation	2.9, 2.10
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Building permits are separate from the Local Planning Scheme functions, but are governed by them.

Any authorised person can issue a permit or notice etc – some inspections, notices, certifications etc. can only be issued by a Registered Building Surveyor.

The Building Act 2011 requires response –

- within 10 days of lodgment, if a valid CDC is presented, as all assessment and preparation is done prior to lodgment in order to obtain the CDC, accordingly there is no reason that the CEO and other appropriate persons cannot be authorised to approve applications.
- for Class 1 and 10 buildings only, within 25 days of lodgement if a valid CDC is not presented, and the local government is required to source/provide the CDC.

With the Building Act 2011, the functions separated are –

- (a) Issue of permits, notices etc –
 - o does not require a registered person (Registered Building Surveyor), since the Certificate of Design Compliance has to be signed by a registered person
 - o the decision is on the basis of whether all the requirements of CDC have been met, and any appropriate person can do that if authorised
 - o delegation to issue permits can be made under this amended delegation
- (b) Building inspection and certification of plans still requires a registered person –
 - o who is registered as per the Act and Regulations and holding appropriate qualifications
 - o to provide a building certification service

10.2 Illegal development

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.42(1)(b) – Delegation to CEO of powers under the Planning and Development Act 2005 s.214(2), (3) and (5)
- s.5.44 CEO may delegate some powers and duties to other employees[Sf53]

Planning and Development Act 2005 –

- s.214 – development in contravention of planning scheme or interim development order
 - (2) – power to order stop work
 - (3) – power to remove, alter etc and restore land to original condition
 - (5) – if delay interferes with scheme operation, power to order work to be undertaken

Planning and Development (Local Planning Schemes) Regulations 2015 –

- s.82 – a local government may delegate to a committee or to the CEO
- s.83 – CEO may delegate to any employee

Local Planning Scheme No.5 –

- Part 9 – Applications for Planning Approval

CORPORATE CONTEXT

Local Planning Policies

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[Sf54] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to issue notices in relation to illegal or delayed works in accordance with the Planning and Development Act 2005 s 214(2), (3) and (5).

APPLICATION

2. Where a notice is not complied with, the CEO is authorised to commence prosecution without reference to Council.

FORMAL RECORD OF USE

- i) Report to Council via monthly briefing papers
- ii) File copy of notice

HISTORY

Former Delegation	2.11
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

10.3 Control of planning matters

STATUTORY CONTEXT

Planning and Development Act 2005 –

Part 5 – Local planning schemes

- s.68 – Town planning schemes continued as local planning schemes
- s.72 – Local government may prepare or adopt scheme
- s.73 – Provisions of a local planning scheme
- s.214 (2)(3)(5) – development works not in compliance may have written stop work or remedial action order issued

Planning and Development (Local Planning Schemes) Regulations 2015 –

- s.82 – a local government may delegate to a committee or to the CEO
- s.83 – CEO may delegate to any employee

These Regulations override any provisions of the Planning Scheme.

Local Planning Scheme No. –

Part 9 – Applications for Planning Approval

CORPORATE CONTEXT

Local Planning Policies

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion[SF55] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to administer all planning matters or functions for the Shire of Victoria Plains, subject to compliance with –
 - a) Planning and Development Act,
 - b) Planning Regulations,
 - c) Residential R Codes
 - d) Local Planning Scheme, and
 - e) Local Planning Policy.

APPLICATION

2. Any proposal that is not compliant, where discretionary approval by the local government may be considered, is to be referred to Council for decision.
3. Any proposal requiring a decision but which has been refused is to be notified to Council for information.
4. The CEO is delegated power to respond to –
 - a) any appeal against a discretionary decision of the local government in accordance with the local government's decision on the matter to which the appeal or request for reconsideration relates,
 - b) Development Assessment Panel requirements.

5. Where a planning approval is not complied with, the CEO is authorised to commence prosecution without reference to Council.

FORMAL RECORD OF USE

Approvals etc on file

HISTORY

Former Delegation	2.11, 2.12, 2.15
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

10.4 Applications for subdivision and amalgamations

STATUTORY CONTEXT

Planning and Development Act 2005 –

- s.4 – Subdivision includes amalgamation
- s.135 – subdivision (and amalgamation) not permitted without WA Planning Commission approval
- s.138(2) – Commission to have due regard to local planning scheme
- s.142 – Commission to seek local government's comments, objections, recommendations

Local Planning Scheme No.5

CORPORATE CONTEXT

Local Planning Policies

PRIMARY DELEGATION

CEO

SUB-DELEGATION

To be further reviewed to see if CEO has discretion[SF56] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power in respect to an application received from the *Western Australian Planning Commission (WAPC)* to subdivide, re-subdivide or amalgamate land contained within the local government and to recommend to the WAPC –
 - (a) No objection to the granting of approval of an application to amalgamate or subdivide involving five (5) lots or less (including lots forming part of any strata-title scheme), unless prior planning consent has been granted to a co-ordinated development over the land;
 - (b) No objection to the granting of approval of an application to rationalise or reconfigure existing allotments where there is no net increase in lots created, and the new lot sizes will conform with the relevant requirements of the local planning schemes and their policies, and policies adopted in accordance with the Planning and Development Act s.26 relating to State planning policies; and
 - (c) the imposition of relevant conditions on any approval proposed to be granted by the WAPC, considered necessary to secure the objectives of the local planning scheme, and any land use plan or strategy adopted by Council;
2. The CEO is delegated power to certify to the WAPC compliance with conditions imposed on an approval to subdivide, re-subdivide or amalgamate land have been completed to the satisfaction of the Shire.

APPLICATION

3. Standard conditions of subdivision approval as endorsed by the WA Planning Commission are to be used where possible.

FORMAL RECORD OF USE

File copy of advice of decision to applicant, developer etc.

HISTORY

Former Delegation	2.13, 2.14
Adopted	18 July 2018

Review / adoption 23 June 2021

REFERENCES

Refer Planning Policy

10.5 Fencing Local Law 2018

STATUTORY CONTEXT

Fencing Local Law 2018 –

- cl.7.1 – dealing with objections – to be by Council

Local Planning Scheme No. 5 –

- Part 9 – Applications for Planning Approval

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Community Safety Officer

FUNCTION DELEGATED

1. The CEO is delegated power to approve all discretionary matters in the Shire of Victoria Plains *Fencing Local Law 2018* including –
 - (a) granting, refusal, cancellation and setting conditions of approval to conduct activities;
 - (b) issue of all notices and infringements etc;
 - (c) carrying out of works in default of a duly served notice.

APPLICATION

2. The delegation excludes –
 - (a) determination of any fee or charge
 - (b) dealing with an objection.
3. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - (a) is of such severity that the action is appropriate or
 - (b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

File copy of advice of decision to applicant, developer etc.

HISTORY

Former Delegation	2.1
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Objections and review are those matters refused under delegated power which the applicant requests Council to reconsider.

Section 11 - Public Facilities

11.1 Liquor Control Act

STATUTORY CONTEXT

Liquor Control Act 1988 –

- s.39 – Certificate of local government of compliance with laws
- s.40 – Certificate of planning authority of compliance with planning laws
- s.156 – Local governments, functions of

Local Planning Scheme No. 5 –

- Part 9 – Applications for Planning Approval

CORPORATE CONTEXT

Local Planning Policies

PRIMARY DELEGATION

CEO

SUB-DELEGATION

To be further reviewed to see if CEO has discretion[SF57] to sub-delegate

FUNCTION DELEGATED

1. The CEO is delegated power to –
 - a) s.39 – Issue Certificates advising compliance with Food, Health and Local Government laws.
 - b) s.40 – Issue Certificates of the Local Planning Authority
 - c) s.66 (1)(d) and (2) – Respond to applications for Extended Trading Permits;
 - d) s.69 (8) – Make submissions on health grounds regarding a license;
 - e) s.153 (2) – Request copies of reports produced by the Liquor Licensing Authority;
 - f) s.156 – Report to the Liquor Licensing Authority any offences committed by a licensee and ensure appropriate assistance is given to the Authority if requested.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of notice

HISTORY

Former Delegation	2.60
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

11.2 Discount/waiver/subsidy of facility hire fees [SF58]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.12(1)(b) – Power to defer, grant discounts etc.

CORPORATE CONTEXT

Delegations Register –

- 3.11 – Donations – Financial and in-kind Works / Services

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

FUNCTION DELEGATED

1. The CEO is delegated power to approve reduction in fees and charges of local government owned facilities, subject to –
 - a) the request is from a local community, charitable or not-for-profit organisation; or
 - b) the event is for the specific benefit of the local community; and
 - c) each request of the organisation does not exceed \$500 ex GST;
 - d) cleaning cost of the venue hire is not to be discounted.

APPLICATION

N/A

FORMAL RECORD OF USE

Copy of approval of written request

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

11.3 Public Places and Local Government Property Local Law 2018

STATUTORY CONTEXT

Public Places and Local Government Property Local Law 2018

CORPORATE CONTEXT

Delegation Register –

- 11.2 – Discount/waiver/subsidy of facility hire fees
- 15.2 – Native Flora and Fauna

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Safety Officer

FUNCTION DELEGATED

1. The CEO is delegated power to approve all discretionary matters in the Shire of Victoria Plains *Public Places and Local Government Property Local Law 2018* including –
 - a) hire of facilities, including issue of permit for consumption/sale of alcohol;
 - b) granting, refusal, cancellation and setting conditions of approval to conduct activities in public places or on local government property;
 - c) issue of all notices and infringements etc;
 - d) carrying out of works in default of a duly served notice;

APPLICATION

2. The delegation excludes the following clauses of the *Public Places and Local Government Property Local Law 2018* –
 - a) cl.1.6 – setting of any fee or charge
 - b) cl.2.1 – Activities requiring a licence on local government property –
 - (c) erect a structure for amusement in excess of 28 days;
 - (n) erect a building or refuelling site;
 - (p) erect or install a structure for water, power, sewer, communication, television or similar service;
 - c) cl.5.13 – giving notice of crossover in unsafe location;
 - d) cl.10.1 – dealing with an objection;
3. On written application made under cl.3.3, the CEO is authorised to give permission to hirers of premises or land under the control and management of the local government to consume and sell liquor on the premises or land, under such conditions and in such areas as considered appropriate.
4. Every permit issued for consumption/sale of alcohol is to be advised to the relevant Police Station.
5. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - a) is of such severity that the action is appropriate or
 - b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

- i) File copy of hire, approval, notice, etc
- ii) File copy of advice of decision to applicant, developer etc
- iii) Duplicate copy of infringement etc
- iv) Local government property file

HISTORY

Former Delegation	2.1, 2.49, 2.60, 2.61, 2.62
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Objections and review are those matters refused under delegated power which the applicant requests Council to reconsider.

Section 12 - Tourism

This section is currently empty

Section 13 - Works & Services

13.1 Reserves under control of the local government

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.54(1) – Reserves under control of a Local Government
- s.5.44 CEO may delegate some powers and duties to other employees[Sf59]

Land Administration Act 1997

CORPORATE CONTEXT

Policy Manual –

- 13.1 – Standard Crossovers
- 13.2 – Roads – Developer Conditions
- 13.3 – Roads – Access to Lots / Locations without Road Frontage
- 13.4 – Road Reserves – Stormwater Discharge

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to do anything on land vested or under the control and management of Council –
 - a) subject to prior budget provision having been made, or
 - b) to give effect to a Council decision.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of decision on written application

HISTORY

Former Delegation	2.54, 2.61
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

13.2 Things to be done on land not local government property [SF60]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.24 – Authorising person under this subdivision
- s.3.27 – Particular things local government can do on land that is not local government property
- s.3.33 – Entry under warrant
- s.3.34(2) – Entry in an emergency
- Sch.3.2 – Particular things local governments can do on land even though it is not local government property

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to carry out work on land that is not local government property subject to –
 - a) prior budget provision having been made,
 - b) to give effect to a Council decision;
 - c) if the matter is considered to be an emergency;
 - d) the consent is obtained of –
 - the owner of the land;
 - if the land is occupied, the occupier of the land; and
 - if the land is under the control or management of any other person, that other person.
 - e) compensation agreed for the functions is provided for within the adopted Budget or is specifically approved.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of notice

HISTORY

Former Delegation	2.8, 2.43
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

The delegation applies to land not under local government control that is within the district, and is in relation to things being done on the land, not taken from the land.

13.3 Works on land outside the district^[SF61]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.20 – performing function outside the district
- s.3.21 – duties when performing functions
- s.3.22 - compensation

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to undertake necessary executive functions on land outside the district that is not property of the local government provided that –
 - a) the consent is obtained of –
 - the owner of the land;
 - if the land is occupied, the occupier of the land; and
 - if the land is under the control or management of any other person, that other person.
 - b) compensation agreed for the functions is provided for within the adopted Budget or is specifically approved.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of agreement, consent etc

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Executive functions does not include private works requested of the Shire by an individual or other local government, but does apply to sourcing of roadmaking materials and water.

The delegation applies to land not under local government control that is also outside the district, and is in relation to things being done on the land, not taken from the land.

13.4 Materials from land not under local government control^[SF62]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.21 – Duties when performing functions
- s.3.22 – Compensation for materials, damage, access etc

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to negotiate with land owners and/or occupiers for access to materials required for local government functions, principally –
 - a) extraction of gravel, sand or other materials from land;
 - b) water, etc.

APPLICATION

2. The CEO is to apply to the Department of Environmental Regulation for permits to clear vegetation as applicable.
3. The agreement reached with the land owner/occupier is to –
 - a) state a specific duration, that it is indefinite or otherwise provide for termination;
 - b) provide for mutually agreed compensation;
 - c) specify rehabilitation responsibilities if appropriate;
 - d) within the budget provision.

FORMAL RECORD OF USE

- i) Written agreement with land owner/occupier
- ii) Property file where the land is within the district

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

The delegation applies to land not under local government control that that may be either within or outside the district, and is in relation to materials to be taken from the land, not things being done on the land.

Until such time as agreement is signed, or compulsory notice of acquisition is given under the Act, employees should not access the materials.

13.5 Notices requiring certain things to be done^[SF63]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.24 – Authorising person under this subdivision
- s.3.25(1) – Notices requiring certain things to be done by owner or occupier of land
- s.3.26(2) – Additional powers when notice is given
- s.3.33 – Entry under warrant
- s.3.34(2) – Entry in an emergency
- s.9.60 – Regulations that operate as local laws
- Sch.3.1 – Powers under notices to owners or occupiers of land
- Sch 9.1(6) – dangerous excavations in or near public thoroughfare
- Sch.9.1(7) – Matters for which regulations under s.9.60 may be made

Local Government (Uniform Local Provisions) Regulations 1996 –

- r.11 – dangerous excavation in or near public thoroughfare
- 13 – Requirement to construct or repair crossing

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works & Services

FUNCTION DELEGATED

1. The CEO is delegated power to issue notices requiring certain things to be done by the owner or occupier of land.
2. The CEO is delegated power to take any necessary action to achieve the purpose for which the notice was given in the event of non-compliance of the notice recipient.
3. The CEO is delegated power to seek a warrant for entry to carry out the works of a notice where the owner or occupier of land has not complied with the notice in the time specified.

APPLICATION

4. Any prosecution proposed resulting from non-compliance with a notice is to be referred to Council for decision to proceed.

FORMAL RECORD OF USE

- i) File copy of notice

HISTORY

Former Delegation	2.21
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Under LG Act s.9.6(1) an objection to a notice must be dealt with by Council and cannot be delegated.

Objections and review are those matters refused under delegated power which the applicant requests Council to reconsider.

13.6 Notice of local government works^[SF64]

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.51(3) – notice to adjoining owners affected by works

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to give the required public notice and individual notice to landowners and occupiers adjoining proposed works to –
 - a) fix or alter the levels, or the alignment of a public thoroughfare, or
 - b) drain water from a public thoroughfare or public place onto adjoining land

APPLICATION

N/A

FORMAL RECORD OF USE

- i) File copy of notice
- ii) Advertisement records
- iii) Property file

HISTORY

Former Delegation	2.17
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

13.7 Private works/infrastructure on, over or under public land

STATUTORY CONTEXT*Local Government Act 1995 –*

- s.3.37 – Contraventions that can lead to impounding
- s.9.60 – Regulations that operate as local laws
- Sch.9.1(8) – Private works/infrastructure on, over, or under public places
- Sch.9.2(5) – gates across public thoroughfares

Local Government (Uniform Local Provisions) Regulations 1996 –

- r.9 – gates across a public thoroughfare
- r.17 – Private works on, over, or under public places
 - (4) approval of local government required
 - (5) conditions may be imposed
 - (6) mandatory conditions – no permanent impairment of public use, public safety to be ensured, damaged to be fully repaired
 - (7) penalty for non-compliance is \$5,000 and \$500 daily
 - (8) person constructing is responsible for maintenance, and must insure structure, specifically indemnifying Council against any claim
 - (9) unauthorised constructions, or contravention of approval/conditions can lead to impounding

Public Places and Local Government Property Local Law 2018

- activities on land under Council management and control including roads

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATED

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to approve private works/infrastructure on, over or under public places subject to –
 - a) written application being made;
 - b) the applicant accepts all liability for every part and aspect of the works/infrastructure;
 - c) imposing of appropriate conditions, such as –
 - building permit, structural engineering certification, environmental assessment etc, where appropriate;
 - any damage or interference to public assets to be made good to the satisfaction of CEO (roadway, fence, other structure etc)
 - traffic management plan to be approved
 - d) where deemed appropriate, an insurance certificate indemnifying the local government while works are underway, or for any structure, is to be provided;
 - e) estimated value of works does not exceed \$25,000 ex GST.

APPLICATION

2. The CEO may enter into an agreement with the applicant to carry out the works/infrastructure as a private works.
3. Proposed works in excess of \$25,000 ext GST are to be referred to Council.
4. Any prosecution proposed for non-compliance is to be referred to Council for decision to proceed.

FORMAL RECORD OF USE

- i) Report to Council via monthly briefing papers if significant infrastructure
- ii) File copy of written approval
- iii) Property file of applicant
- iv) Copy on road/reserve/local government property file

HISTORY

Former Delegation	2.54, 2.61, 2.63
Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

If insurance indemnity is required, a certificate is to be provided to the Shire annually. It is to be a condition of approval, that a lapse of insurance means automatic withdrawal of approval, and removal of the previously insured structure is required within 14 days.

This delegation includes minor works on the road such as –

- drilling for soil testing;
- pressure or gravity pipe from a water tank or windmill to a stock trough;
- farm drainage.

13.8 Events^[SF65] on roads

STATUTORY CONTEXT

Road Traffic Act 1974 –

- s.81C(2) – Making order for road closure for event
- s.81D – Road closure, how effected by local government

Road Traffic (Administration) Act 2008 –

- s.139(2) – Temporary suspension of road law

Road Traffic (Events on Roads) Regulations 1991 –

- s.4 – local government approval and payment of fee required
- r.9 – Erection of barriers, signs and other equipment

Public Places and Local Government Property Local Law 2018 –

- activities on land under Council management and control including roads

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power –
 - a) in consultation with the President, to approve with or without conditions or refuse to approve, an event or function on a thoroughfare in accordance with section 81C of the *Road Traffic Act 1974*;
 - b) in consultation with the President, to approve with or without conditions, or refuse to approve, the temporary suspension of written law in accordance with section 83 of the *Road Traffic Act 1974*; and
 - c) make all necessary arrangement to comply with Road Traffic (Events on Roads) Regulations r.9.
2. The CEO is delegated power, in consultation with the President, to respond to any request for information made under section 7(1) of the *Public Order in Streets Act 1984*.

APPLICATION

3. In considering any application, the CEO is to have regard to Police and Main Roads WA guidelines.

FORMAL RECORD OF USE

File copy of decision on written application

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

See Road Traffic (Administration) Act –

135. Protection from liability for wrongdoing

- (1) An action in tort does not lie against a person for anything that the person has done, in good faith, in the performance or purported performance of a function under a road law.*
- (3) A local government is also relieved of any liability that it might otherwise have had for another person having done anything as described in subsection (1) in relation to a function of a local government under section 11, 139 or 141.*

141. Closure of roads

- (2) A local government may cause a road in its district to be closed for such period that the local government considers necessary if the local government considers that the road is unsafe for traffic but the road cannot be closed by the local government for more than one month without with the Minister's written approval to do so.*

See Events on Roads Regulations –

9. Erection of barriers, signs and other equipment

- (1) A road closure ordered by the Commissioner of Police under Part VA of the Act shall be effected by the erection and maintenance by the local government for the district within which the road concerned is situated of —*
 - (a) barriers, being free standing posts and rails, or other barriers which are substantial and uniform in construction;*
 - (b) signs, being substantial and uniform in design, with the words "Road Closed" or similar, clearly printed in black letters upon a reflective background; and*
 - (c) such other equipment as the local government considers is reasonably necessary to effect the road closure.*
- (2) The costs of erecting, maintaining and removing barriers, signs and other equipment to effect a road closure are payable to the local government by the person or body who applied for the order for that road closure.*
- (3) A local government may waive the payment of all or any of the costs referred to in subregulation (2).*
- (4) Any costs payable to a local government under subregulation (2) may be recovered as a debt due to that local government in a court of competent jurisdiction.*

Main Roads WA – Traffic Management for Events on Roads: "Code of Practice"

13.9 Temporary road^[SF66] closures

STATUTORY CONTEXT*Local Government Act 1995 –*

- s.3.50 – closing to vehicles
- s.3.50A – closure for repairs or maintenance

Road Traffic Act 1974 –

- s.81D – how a road is to be closed
- s.92 – power to close unsafe roads

Public Places and Local Government Property Local Law 2018 –

- cl.5.2 – no entry to closed local government property
- cl.6.13 – no driving on closed thoroughfare

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to –
 - a) temporarily close a thoroughfare or a portion of a street for a period not exceeding 28 days (without providing local public notice) if of the opinion –
 - a thoroughfare is likely to be damaged by the passage of traffic generally or traffic of any particular class;
 - that the thoroughfare is unsafe for use.
 - b) temporarily close a road or portion of a road for repairs and maintenance;
 - c) temporarily close a thoroughfare for a period in excess of 28 days by providing local public notice.

2. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - a) is of such severity that the action is appropriate or
 - b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

APPLICATION

N/A

FORMAL RECORD OF USE

File copy of public notice, instruction to employee etc

HISTORY

Former Delegation	2.17
Adopted	18 July 2018
Review / adoption	23 June 20201

REFERENCES

Section 14 - Plant / Equipment

This Section is currently empty

Section 15 - Natural Resource Management

15.1 **Control of Vehicles (Off-road Areas) Act 1978**^[SF67]

STATUTORY CONTEXT

Control of Vehicles (Off-road Areas) Act 1978 –

- s.5(1) – Duty of local government to administer and enforce the Act
- s.5(3) – authorised officers

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance

Manager Works and Services

Community Services Officer

FUNCTION DELEGATED

1. The CEO is delegated power to exercise all discretionary matters in the *Control of Vehicles (Off-road Areas) Act 1978*, including –
 - a) granting, refusal, cancellation and setting conditions of approval to conduct activities;
 - b) issue of all notices and infringements etc;
 - c) carrying out of works in default of a duly served notice;

APPLICATION

2. The delegation excludes –
 - a) determination of any fee or charge
3. Commencement of prosecution is restricted to the CEO, who may instigate action where the offence –
 - a) is of such severity that the action is appropriate or
 - b) an infringement notice remains unpaid after reasonable attempts to obtain payment.

FORMAL RECORD OF USE

File copy of notice

HISTORY

Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

15.2 Native flora and fauna [SF68]

STATUTORY CONTEXT

Environmental Protection Act 1986 –

- s.51C – Unauthorised clearing of native vegetation

Wildlife Conservation Act 1950 –

- s.14 – Protection of fauna
- s.23C – Licences to take protected flora
- s.23D – Taking and sales of protected flora on private land

Wildlife Conservation Regulations 1970

Public Places and Local Government Property Local Law 2018 –

- cl.4.4(2) – Written authority of local government required to remove, damage, interfere with any flora on local government property

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to approve a request for permission to pick wildflowers and / or collect seed on lands under Council's control, under the following conditions –
 - a) written application is to be made;
 - b) it is for their own domestic or hobby use;
 - c) permission is given for a period not exceeding one week;
 - d) the area of picking and/or collection is strictly limited;
 - e) not more than one collector is permitted in any one location;
 - f) a maximum of 10% of seed only to be taken in any one area.

APPLICATION

2. All applications for commercial picking of wildflowers or collection of seed are to be referred to Council for consideration, and required details include –
 - a) collector's credentials and purpose (collector includes the permit holder and up to 2 assistants),
 - b) duration of approval, if any,
 - c) the area of picking and/or collection
 - d) not more than one collector being permitted in any one location
 - e) a maximum of 25% of seed only to be taken in any one area
3. All applications for the collection of animals, reptiles, amphibians and birds from lands under Council's control, are to be referred to Council for consideration.
4. All applications to collect flora or fauna are to provide the following information at minimum –
 - a) collector's credentials, including any person acting on the collector's behalf

- b) purpose of collection – domestic, hobby, display, educational, commercial
 - c) flora/fauna to be collected – rarity, locality, need for preservation etc
 - d) locality of collection – ease of access, likelihood of general public-knowledge or access
 - e) period or duration sought
5. Where Council has previously permitted an application, the CEO may issue permission in subsequent consecutive years under identical terms and conditions, without further reference to Council.
6. The following statement is to be included in every approval by the CEO –
The approval of the Department of Parks and Wildlife is mandatory, and Shire permission is invalid without the Department's written consent accompanying Shire approval.

FORMAL RECORD OF USE

Coy of letter advising decision on file

HISTORY

Adopted	18 July 2018
Review / adoption	23 June 2021

REFERENCES

Dept of Biodiversity, Conservation and Attractions –

- may issue a permit for a maximum of one year;
- is to be provided a copy of every approved application.

Section 16 - Unclassified

16.1 Deleted 23 June 2021

PART B – PRIMARY DELEGATIONS – to other persons

Section 17 - Fire Control

17.1 Deleted 23 June 2021

17.2 Deleted 23 June 2021

17.3 Prohibited burning periods – Variations

STATUTORY CONTEXT

Bush Fires Act, 1954 –

- s.17(7) – power to vary prohibited burning time
- s.17(7B) – time may not be varied by more than 14 days
- s.17(8) – requirements to give various notice, and Minister may rescind or modify the variation
- s.17(9) – publication requirements
- s.17(10) – local government may delegate to President and Chief BFCO jointly
- s.17(11) – Local government may rescind delegation or vary any delegated decision

CORPORATE CONTEXT

None

PRIMARY DELEGATION

Shire President and Chief Fire Control Officer, jointly

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. The Shire President and Chief Fire Control Officer are delegated power to jointly exercise the powers of Council under the Bush Fires Act 1954 s.17 (7), (8), (10) – prohibited burning periods.

APPLICATION

2. Should the Shire President be unavailable or hold joint office as Chief BFCO, the Deputy Shire President is deemed to be Acting Shire President in relation to this matter.
3. If the Chief BFCO is unavailable, the Deputy Chief BFCO is deemed to be Acting Chief BFCO.
4. The CEO is to be advised in order that public notification may be arranged.

FORMAL RECORD OF USE

Written advice to CEO

HISTORY

Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

Section 18 - Deleted

18.1 Deleted

HISTORY SUMMARY

Item	Meeting	Purpose	Applies	Delegations affected
1	18 July 2018	Revocation	19 July 2018	All previous delegations
2	18 July 2018	Adoption	19 July 2018	All delegation in this Register
3	24 June 2020	Review and adoption	24 June 2020	All delegations in this Register
4	23 June 2021	Review	23 June 2021	Delegations revoked: 1.1.4, 1.1.5, 1.,2, 2.3, 16.1, 17.1, 17.2 Delegations modified: 1.1.1 Delegations CEO to Officers modified: 3.2, 3.3, 3.4, 3.5, 3.7, 3.8, 3.9, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 7.1, 10.5, 11.2, 11.3, 13.9, 15.1
5				
6				

APPENDIX One – Advisory Notes to the Delegations Register

Introduction

This document records the compiled delegations made by Council and the CEO [SF69] under the authority of the *Local Government Act 1995*. Other legislative instruments may allow [SF70] for delegations to occur. The latter may be kept in a separate delegations register in future.

This register is the formal written record by which a delegation is made and conferred. Therefore, committees, the CEO, authorised persons and officers are provided with this document as their record of delegation/s made to them in the first instance in hand with an instrument of [delegation] [SF71]. See Appendix Two for the instrument of delegation template.

Definitions

The LG Act has not defined the term “delegation” or “delegated power”. However:

s.5.16 refers to “... the exercise of any of its powers and duties ...”

s.5.42 refers to “... the exercise of any of its powers or the discharge of any of its duties ...”

The following terms used in this document apply insofar as they are consistent with enabling legislation.

authority means the permission or requirement for Council, a Committee or a person to act in accordance with:

- the Local Government Act, Regulation or other legislation,
- a delegation made by Council,
- a policy made by Council, or
- a specific decision by Council, or
- Standard Procedural Direction given or authorised by the CEO.

delegation means the power for a Committee, the CEO or other person to exercise a power, or discharge a duty, as conferred by absolute majority decision of council under the provisions of the relevant legislation.

Council Policy is the standing instruction resolved by Council as to how a particular matter is to be implemented:

employee means –

- a) a person employed directly by the Shire receiving a salary or wage,
- b) a person employed directly by the Shire on a fixed term contract,
- c) a person appointed for the purposes of exercising a delegation who –
 - i) is engaged under a contract for services either directly or with a firm,
 - ii) is the specific person named in the contract, and
 - iii) is authorised to issue notices on behalf of the Shire,

instruction means the requirement for an employee member to act in accordance with a direction given by the CEO.

Planning Policy is established under the Planning & Development Act 2005, and the local planning scheme, and has mandatory procedures to adopt, amend or revoke.

Statutory Context

This Delegations Register has been prepared in accordance with –

Local Government Act 1995:

s.5.16 – Delegation of some powers and duties to certain committees

- Separate document as differing provisions apply
- s.5.17 – Limits on delegations of powers and duties to certain committees
- s.5.18 – Register of delegations to committees
- s.5.42 – Delegation of some powers and duties to CEO**
- s.5.43 – Limits on delegations to CEO
- s.5.44 – CEO may delegate powers and duties to other employees
- s.7.1B – Delegation of some powers and duties to audit committees

Local Government (Administration) Regulations 1996 –

- r.19 – Record to be kept by delegates

Other legislation includes, but is not limited to –

- Building Act 2011
- Bushfires Act 1954
- Cat Act
- Dog Act 1976
- Food Act 2008
- Health Act 1911
- Local Government (Miscellaneous Provisions) Act 1960
- Planning and Development Act 2005

Shire of Victoria Plains Local Laws, currently adopted –

- Amenity Local Law 2018
- Bush Fire Brigades Local Law 2017,
- Cemeteries Local Law 2018,
- Dogs Local Law 2018,
- Extractive Industries Local Law 2018,
- Fencing Local Law 2018
- Health Local Law 2004,
- Meeting Procedures Local Law 2018,
- Public Places and Local Government Property Local Law 2019,
- Waste Local Law 2018.

Local Planning Scheme

Unless stated otherwise, the Local Government Act 1995 section 5.42 is the fundamental statutory context for Council to make the delegations in Parts A and B.

Local Government Act 1995 –

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under –
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* *Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

It is inadequate to quote this reference as the specific power for the function delegated.

Various other legislative instruments empower or require Council to make delegations. The legislative empowerment is stated within each delegation.

Council expects the CEO to apply the provisions of the Local Government Act s.5.44 and other legislation to delegate powers and duties to other employees, including s.5.44(3) powers and duties which have been delegated to the CEO under s5.42.

Corporate context

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and power to various persons, and to stipulate conditions, standards or methods of control and management. Note: there are more than 170 Acts/Regulations that put a responsibility on local government[Sf72].

This Delegations Register has been prepared to complement a range of obligations imposed by legislation including local laws, and various documents adopted by Council.

The order of priority for compliance is –

1. Federal and State legislation and regulations,
2. The Local Planning Scheme[Sf73],
3. A specific resolution of Council[Sf74],
4. Delegations Register – being specific authorisations resolved by Council or those powers on-delegated by the CEO[Sf75], and having a statutory context under the Local Government Act,
5. Local Planning Policy – as it is made under the authority of the Local Planning Scheme, by resolution of Council,
6. Council Policy – being instructions resolved by Council on how particular matters are to be dealt with,
7. Executive Instruction – standing instructions or procedures issued by the CEO,
8. administrative directions or instructions.

Although not decisions of Council, and therefore not a requirement of employee, consideration should be given to the following as being best practice –

- DLGRD Guidelines (In particular Guideline 17[Sf76])
- WALGA Delegation Templates[Sf77], Councillors Manual, Practice Notes etc.

[Sf78]

There are some Delegations that have specific legislative provision, and these are noted in the individual Delegation.

Guidelines No.17 – Delegations (Department of Local Government)

The Department of Local Government and Communities has published Guidelines for the formation of Delegations.

The Guidelines outline the concept of “delegation” and “acting through” in parts 3 and 4, particularly in paragraph 13 where it is stated –

... 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. 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.

In effect, “acting through” is an action that could reasonably be expected to be carried out as the result of a decision by Council (e.g. advertising of a tender), or as a function reasonably expected of the position that a person holds.

Not all matters which will be recorded in Policy are “acting through” matters. Similarly, not all “acting through” matters will be listed. Policy describes how that action or some other action is to be carried out.

Making, amending and revoking delegations

Delegations from Council under the Local Government Act [SF79], may be made, amended or revoked at any time by an absolute majority of Council. |

[SF80]

Delegations from the CEO to other employees are at the discretion of the CEO and do not require a Council resolution.

The CEO’s power to sub-delegate the exercise of a power or duty (delegated to the CEO by council) will be subject to any conditions imposed by council on its delegation to the CEO (s. 5.44(3) Local Government Act).

The council may not otherwise interfere with a valid delegation made by the CEO.

Section 5.44 of the Local Government Act permits the CEO to delegate to other employees the exercise of any of the CEO’s powers or duties under the Act. As the Act has given the authority to the CEO, council has no authority to remove or alter delegations made by the CEO.

Use of delegations

Delegations are made to assist with the smooth operation of the organisations, and allow appropriate levels of power to determine a wide range of matters.

There is no requirement for any authorised person to use a delegation. It is at the person’s discretion whether or not to exercise a delegated power, and they may refer the matter to a higher level at any time, should it appear in their judgement to be the best option.

Record of use of delegations

The Act requires that the use of each delegation is recorded, but does not require that the use is reported to Council, nor does it specify recording or listing the use in a particular format. Such requirements would result in an unwieldy volume of work that is unproductive.

However, in some instances, the use of the delegation is of sufficient importance that Council should be advised so as to be aware of the impact of the decision made.

In order to reduce the unnecessary paperwork burden as far as is possible, the formal record of use of a delegation is the document that is produced in the normal course of administration of the matter. This document may be a form approving or refusing an application, a letter, batch approval for payment of creditors, file note, email or similar.

All these satisfy the requirement of the State Records Office for recordkeeping.

Review of delegations

A delegation has effect for the period of time specified in the delegation or indefinitely if no period has been specified.

It is a requirement of the Local Government Act s5.18 and s.5.46 (1) that all delegations made under the power of that Act be reviewed by the delegator at least once in each financial year. This means:

- Those delegations made by Council to the CEO;
- Those delegations made by the CEO to an employee. Note the delegations from the CEO to an employee are in two forms:
 - The CEO may sub-delegate a delegation from the Council to another employee subject to any restrictions or limitations imposed by the Council, the CEO or other legislation;
 - The CEO may sub-delegate a specific power attributed directly to the CEO under the Local Government Act to another employee subject to any restrictions or limitations imposed by the Local Government Act (or another legislation if it stipulates this is applicable).

Any decision to amend or revoke a delegation by a local government is to be by an absolute majority s.5.45 (1) (b).

Review of delegations from the Council to committees and the CEO will be carried out before the end of each financial year[Sf81].

The CEO will review delegations to employee as required on changeover of employee or change of employee functions and will review all delegations at least once in the financial year in accordance with the legislation.

Note that the Interpretation Act allows for a delegation to be made to an office and not a named person. This allows for the smooth transition of applying delegations without the need for formal approval by the council or the CEO to revoke, amend or allocate such a delegation.

Primary delegation

The primary delegation recipient includes the person acting in that position should the named recipient be absent from duty. This provision does not apply where the named person is on duty, but not present at the office at the time.

The Delegation and conditions etc, are resolved by Council. Secondary delegations by the CEO within the permissions approved by Council are at the discretion of the CEO, who may place additional conditions or limitations on the secondary delegation. All procedural or reference information may be amended or updated by the CEO.

[Sf82][Sf83] Sub delegation by CEO

The CEO is expected and encouraged to further delegate to appropriate persons, subject to the limitations imposed by the Local Government Act, other enabling legislation, or the conditions of the delegation made by Council to the CEO –

- s.5.43 – limits on delegations to CEO
- s.5.44 (1) – does not permit the CEO to delegate the capacity to further delegate, and further stipulates that the delegation may only be to employees
 - no such stipulation is made for delegations under other legislation
- s.5.46 – requires the CEO to review sub-delegations to other employees at least annually

– End

APPENDIX TWO – Instrument of Delegation

Local Government Act 1995

Section XX

**INSTRUMENT OF DELEGATION OF RESPONSIBLE AUTHORITY
POWERS, DISCRETIONS AND FUNCTIONS**

I, [first name, surname], Chief Executive Officer of the Shire of Victoria Plains and the responsible authority for the administration and enforcement of the Act/Regulation/Local Law/Scheme/Policy as set out in section X of that Act/Regulation/Local Law/Scheme/Policy:

1. delegate to those persons specified in Column 3 of Schedule 1 (and anyone acting in those roles from time to time), the powers, discretions and functions as a responsible authority under those provisions of the Act/Regulation/Local Law/Scheme/Policy specified in Column 1 of Schedule 1 (as described in Column 2 of Schedule 1), to the extent and subject to any special conditions specified in Column 4 of Schedule 1; and
2. provide that the persons referenced in Column 3 of Schedule 1 are defined in Schedule 2.

First Name, Surname
Chief Executive Officer

Date:

Schedule 1**POWERS, DISCRETIONS AND FUNCTIONS**

Column 1 Section	Column 2 Description of the powers, discretions and functions delegated	Column 3 Delegate	Column 4 Conditions and limitations
50	amend an application in accordance with a request from the applicant under section 50(1), or refuse to amend an application if it is considered that the amendment is so substantial that a new application for a permit should be made		
50A(1)	with the agreement of the applicant and after giving notice to the owner, make any amendments to an application that it thinks necessary		
50A(3)	require the applicant to notify the owner of an amendment to an application made under section 50A(1), and to make a declaration that notice has been given		
51	make a copy of every application and the prescribed information supplied in respect of the application available for inspection		

APPENDIX THREE – Suggested Template as the Basis of Future Review

Council to CEO

Appoint Authorised Persons

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 Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
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>	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act. [s.3.24 and s.9.10]. 2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, <u>as a precondition</u> for appointment as authorised officers in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the <i>Criminal Procedure Act 2004</i>. (3. Authority to appoint authorised person for the purposes of section 15 the Graffiti Vandalism Act 2016, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power.
Council Conditions on this Delegation:	<i>GUIDANCE NOTE:</i> {Delete prior to finalising the Register for Council adoption} <i>The following Conditions are examples only – modify or delete to meet your Local Government’s requirements.</i> <ol style="list-style-type: none"> a. A register of Authorised Persons is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. c. <<Council has discretion to determine any conditions / limitations applicable to the use of delegated powers or duties>>
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>	<<list position titles>>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<<The CEO has discretion to determine any conditions applicable to use of sub-delegated powers or duties>>

Compliance Links:	<<insert / list other legislation, Local Laws, policies and procedures
--------------------------	--

	which must be considered when making decisions under this delegation>>
Record Keeping:	Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person’s personnel file. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

CEO to Employees

Determine if an Emergency for Emergency Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
Delegate/s:	<<insert position title>>
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 determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
CEO Conditions on this Delegation:	a. <<The CEO has discretion to determine any conditions applicable to use of delegated CEO powers or duties>>
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<<insert / list other legislation, Local Laws, policies and procedures which must be considered when making decisions under this delegation>>
Record Keeping:	<<Detail how records of decisions are to be kept by delegates>>

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Council to CEO

Delegation	Subject	Changes Made	Reason	Applicable Legislation
1.1.1	Local Government Act 1995 Authorisations	<p>Building Regulations – Power to Infringe Inclusion of an explanation on p6 under STATUTORY CONTEXT re Building Regulations 2012:</p> <p>This is for the purposes of issuing Building Act 2011 Infringement Notices (Building Reg.70(2) prescribes s.9.10(1) of the Local Government Act 1995 as the enabling power.)</p> <p>Correction to comment on p7 under 4(d): The specific powers and duties are confirmed in Part 9 of this Delegation Register.</p> <p>CEO to Appoint Authorised Officers – LG Act The following references amended on p8 under REFERENCES to reflect the changes implemented under the Local Government Act Review as follows:</p> <p>Authorised persons exercise their power directly from the Act, Regulation or local law that refers to “an authorised person”, and may be appointed:</p> <ul style="list-style-type: none"> • Directly by Council, or • By the CEO under delegated power; or • By the CEO as a direct power under s.9.10(1) and (2) of the <i>Local Government Act 1995</i>, including: <ul style="list-style-type: none"> (a) this Act (<i>Local Government Act 1995</i>); (b) the <i>Caravan Parks and Camping Grounds Act 1995</i>; 	<p>This is so the Building Surveyor or other suitably qualified person can issue infringement notices for breaches of the Building Act.</p> <p>Currently mentions specific details are provided in Delegation 1.1.7, which is incorrect.</p> <p>CEO now has authority to appoint authorised persons in their own right as listed under section 9.10 (1) and section 9.1(2).</p> <p>Delegation currently states Directly By Council, or By the CEO under delegated power.</p>	<ul style="list-style-type: none"> • Building Reg.70(2) • 9.10(1) of the LG Act 1995 <p>N/A</p> <ul style="list-style-type: none"> • 9.10(1) and (2) of the LG Act 1995

		<p>(c) <i>the Cat Act 2011</i>; (d) <i>the Cemeteries Act 1986</i>; (e) <i>the Control of Vehicles (Off-road Areas) Act 1978</i>; (f) <i>the Dog Act 1976</i>; (g) subsidiary legislation (local law) made under an Act referred to in any of paragraphs (a) to (f); (h) a written law prescribed for the purposes of this section.</p> <p>The following reference removed on p8 under REFERENCES:</p> <p>Appointments of persons other than employees, are to be referred to Council for determination.</p>	<p>Under s.9.10(1) and (2) the CEO is responsible for the appointment of authorised persons to perform duties under the Dog Act and the Cat Act.</p> <p>In addition to this requirement, the CEO is already delegated the power to appoint pound keepers and rangers</p>	<ul style="list-style-type: none"> • 9.10(1) and (2) of the LG Act 1995 • s.449 LG Act Misc Provisions 1960
1.1.4	Cat Act 2011	DELETED	The authority for Council to delegate the function to appoint an authorised person under the Cat Act was removed when the power was given to the CEO to appoint authorised persons under s9.10(1) and (2) of the Local Government Act re the Cat Act	<ul style="list-style-type: none"> • 9.10(1) and (2) of the LG Act 1995
1.1.5	Dog Act 1976	DELETED	The authority for Council to delegate the function to appoint an authorised person under the Dog Act was removed when the power was given to the CEO to appoint authorised persons under s9.10(1) and (2) of the Local Government Act re the Dog Act	<ul style="list-style-type: none"> • 9.10(1) and (2) of the LG Act 1995
1.2	Acting CEO - Appointment	DELETED	The Shire currently has both Delegation 1.2 and Policy 2.2 in place regarding this matter. The power applied must be through one or the other mechanism. In this situation, the	<ul style="list-style-type: none"> • 2.7 of the LG Act 1995 • 5.39C of the LG Act 1995

			<p>delegation is incorrect and the policy is paramount, in any case.</p> <p>The appointment (employment) of an Acting CEO cannot be delegated as the LG Act says <u>the council</u> is not to employ a person in the position of CEO unless it is satisfied the person is suitably qualified and is satisfied with the provisions of the proposed employment contract by way of an <i>absolute majority</i>.</p> <p>The policy must, through council by absolute majority, set out:</p> <ul style="list-style-type: none"> • The employment of a person in the position of CEO for a term not exceeding 1 year; • The appointment of an employee to act in the position of CEO for a term not exceeding 1 year. <p>In line with the new CEO Standards and the requirements of the Local Government Act, Policy 2.2 will need correction.</p>	<ul style="list-style-type: none"> • 5.43 of the LG Act 1995 • 5.36 of the LG Act 1995 • 5.39 of the LG Act 1995 • 5.39C of the LG Act 1995
2.3	Confidential Records - Inspection	DELETED	<p>The CEO is directly responsible for managing all Shire records. This includes refusing the release of information that is not relevant to a person’s role, that is an exclusion under the LG Act from public inspection, is not current and which would divert a substantial and unreasonable portion of the Shire’s resources away from its other function.</p> <p>Elected members must not disclose confidential information from a confidential</p>	<ul style="list-style-type: none"> • 5.41(h) of the LG Act 1995 • 5.92 – 5.95 of the LG Act 1995 • r.21 of the Model Code of

			document marked confidential by the CEO or acquired at a closed meeting	Conduct Regulations
Section 8	Personnel	DELETED	The matters regarding personnel are the responsibility of the CEO. This section was deleted 24 June 2020, but somehow the text was left in the Delegation Register	
16.1	Restricted Access Vehicles on Shire Roads	DELETED	<p>The delegation to the CEO to determine any application referred from Main Roads WA to use heavy haulage vehicles (Restricted Access Vehicles) on any local road in the District, is not a delegation.</p> <p>There is no head of power in any legislation that allows such a delegation.</p> <p>This matter is dealt with by way of policy in Policy 16.1 Restricted Access Vehicles on Shire Roads. However, the policy:</p> <ul style="list-style-type: none"> • Is out of date regarding Main Roads WA requirements regarding RAV; • Allows for the charging of user contributions through the issue of the CA07 letter: <ul style="list-style-type: none"> ○ In 2019 the State Solicitor ruled that local governments cannot charge for “access to the network”; ○ WALGA is still resolving this matter with Main Roads WA. • WALGA has developed a policy for use by local governments that meet Main Roads WA Heavy Haulage requirements 	

			<p>Under the heavy Haulage system, the CEO representing the Shire would assess any applications received administratively.</p> <p>Policy 16.1 can be updated to confirm that the CEO is responsible for applying this policy to Heavy Haulage Vehicle applications</p>	
17.1	Issuing of Burning Permits – Fire Control Officers	DELETED	<p>The commentary states under REFERENCES:</p> <p>“Should be shifted to Policy in time, as it is not a delegation, but a framework for authorised persons.”</p> <p>Delegation 17.1 is not a delegation as under s.18 (6) of the Bush Fires Act (BF Act) it is very clear that a burning permit is obtained from a Bush Fire Control Officer (BFCO) of the Local Government (or the CEO in the absence of the BFCO). In otherwords, this is a direct power by the BF Act to the BFCO.</p> <p>In terms of policy, the role and responsibilities of a BFCO, including the issue of permits, will be set out in the Shire’s forthcoming Volunteer Bush Fire Brigade Guidelines.</p>	<ul style="list-style-type: none"> • s.18 of the BF Act 1954
17.2	Issue of Clover Burning Permits – Clover Burning Permit Officers	DELETED	<p>The commentary states under REFERENCES:</p> <p>“Should be shifted to Policy in time, as it is not a delegation, but a framework for authorised persons.”</p> <p>Delegation 17.2 is not a delegation as under r.16 and r.18 of the Bush Fires (BF Act Regulations) it is very clear that a clover</p>	<ul style="list-style-type: none"> • r.16 BF Act Regulations

			<p>burning permit can only be obtained from an authorised person i.e.:</p> <ul style="list-style-type: none"> • The Shire CEO; or • An officer duly appointed by the Shire. <p>The CEO has the power to issue a clover burning permit under Delegation 5.1. However, the CEO already has this power as a direct function under the BF Act Regulations.</p> <p>If Council wants to appoint authorised officers re the issue of permits for the burning of clover, other than the CEO, it is suggested that the practice continues re this being conducted by the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer.</p> <p>A policy is not required in this instance. A copy of Council’s resolution can be incorporated into the Shire’s forthcoming Volunteer Bush Fire Brigade Guidelines.</p>	
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CEO to Officers

Sub Delegation - Generic Changes (i.e. CEO to an Officer))

Sub-delegations are the responsibility of the CEO.

Former title of Manager Finance and Administration deleted/not listed previously and Manager Finance inserted:

3.2, 3.3, 3.4, 3.5, 3.7, 3.8,		Applied in both SUB-DELEGATION and APPLICATION	Role changed from MFA to OM to MF	
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3.9, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 7.1, 11.2, 11.3, 13.9, 15.1				
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Inclusion of Another Officer

3.4, 3.5		Rates Officer included in SUB-DELEGATION	Rates Officer has direct responsibility for such matters	
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Former title of Ranger deleted/not listed previously and Community Safety Officer:

4.2, 4.3, 4.4, 4.5, 4.6, 7.1, 10.5, 11.3, 15.1		Applied in SUB-DELEGATION	Function changed from Ranger to Community Safety Officer	
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Delegations to be Revoked

1.1.4 Cat Act 2011

STATUTORY CONTEXT

Cat Act 2011 –

- s.44 Delegation by local government
- 1. s. 48 Authorised persons

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION[Sf1]

CEO has discretion in this matter: s.45 Delegation by CEO of local government

FUNCTION DELEGATED

1. Legislation[Sf2]

1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48].

2. Local Laws

a. Nil

3. Infringement Notices

a. Nil

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:

- a) It will be for the duration of employment by the Shire, or
- b) It will be for the duration of the contract with the Shire, or
- c) It will be for a specified time, event or purpose.[Sf3]

5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –

- a. any limitations specified in the relevant general delegation to the person or position;
- b. any specific limitations imposed by the Council or CEO in making the appointment.

6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

See Delegation 1.1.1

1.1.5 Dog Act 1976

STATUTORY CONTEXT

Dog Act 1976 –

- s.10AA Delegation of local government powers and duties
- s.11(1) Staff and Services
- s.29(1) Power to seize dogs (appoint authorised persons for purposes under this Act)

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

CONDITIONS/LIMITATIONS[Sf4]

The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

SUB-DELEGATION[Sf5]

CEO has discretion in this matter subject to the Council Conditions/Limitations

FUNCTION DELEGATED

1. Legislation[Sf6]
1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3].
2. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.11(1) and s.29(1)].

2. Local Laws

The CEO is delegated power to appoint employees as authorised persons for the purposes of performing functions under the following local laws made under the *Dog Act 1976* –

- a. Dogs Local Law 2018

3. Infringement Notices

- Local Law?

APPLICATION

4. Appointments made by the CEO are limited to employees or other suitable persons of the Shire, and are to state the appointment is to the office (position) and when issued will set out clearly:
 - a) It will be for the duration of employment by the Shire, or
 - b) It will be for the duration of the contract with the Shire, or
 - c) It will be for a specified time, event or purpose.[SF7]
5. Appointment to a position by Council or CEO, in either a substantive or temporary capacity, includes the responsibility to administer and perform the functions delegated to that position, subject to –
 - (a) any limitations specified in the relevant general delegation to the person or position;
 - (b) any specific limitations imposed by the Council or CEO in making the appointment.
6. All proposals to commence prosecution are to be referred to Council for decision, unless specifically provided for under delegated power or by specific decision.

FORMAL RECORD OF USE

- i) Authorised person's certificate of authorisation
- ii) File copy of authorisation
- iii) Personnel file
- iv) Relevant subject file

HISTORY

Former Delegation	2.6, 2.64
Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

See Delegation 1.1.1

1.2 Acting CEO – Appointment

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.35 – Appointment of CEO requires absolute majority
- s.5.37 – Designation as senior employee to have Council consent
- s.5.42 – Council may delegate functions to CEO

CORPORATE CONTEXT

Policy Manual –

- 2.1 – Designated Senior Officers
- 2.2 – Acting/Relieving Staff Authority

PRIMARY DELEGATION

CEO

SUB-DELEGATION

N/A

FUNCTION DELEGATED

1. The CEO is delegated power to appoint as Acting CEO when the CEO is on periods of leave, up to a maximum period of 20 working days –
 - an employee designated under the Local Government Act 1995 s.5.37, or
 - a person appointed by Council as CEO or Acting CEO within the previous 5 years.

APPLICATION

2. In the case of the unavailability of the CEO due to emergency, the Manager Finance and Administration is automatically appointed as Acting CEO for up to 2 weeks from commencement, and continuation is then subject to confirmation by President/Council.

FORMAL RECORD OF USE

- i) Written record on personnel file

HISTORY

Former Delegation	2.1
Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

Council may only delegate power to a CEO under the Local Government Act s.5.42 who is appointed in accordance with s.5.35(1)&(2) requiring an absolute majority. Accordingly, a person who is to exercise the responsibilities and delegations of CEO while acting in that position must also have specific Council approval.

Designation as a senior employee under s.5.37 complies with this requirement, as it specifies that Council must consent to the employment of a designated senior employee.

Generally, employees designated under the Act s.5.37 will only be –

- Manager Works and Services

A senior employee in the organisation is not automatically a designated employee under s.5.37.

Stipulation that no substantial redirection of activities or processes during term as Acting CEO is in Policy 2.2.

Acting CEO – Appointment

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.35 – Appointment of CEO requires absolute majority
- s.5.37 – Designation as senior employee to have Council consent
- s.5.42 – Council may delegate functions to CEO

CORPORATE CONTEXT

Policy Manual –

- 2.1 – Designated Senior Officers
- 2.2 – Acting/Relieving Staff Authority

PRIMARY DELEGATION

CEO

SUB-DELEGATION

N/A

FUNCTION DELEGATED

3. The CEO is delegated power to appoint as Acting CEO when the CEO is on periods of leave, up to a maximum period of 20 working days –
 - an employee designated under the Local Government Act 1995 s.5.37, or
 - a person appointed by Council as CEO or Acting CEO within the previous 5 years.

APPLICATION

4. In the case of the unavailability of the CEO due to emergency, the Manager Finance and Administration is automatically appointed as Acting CEO for up to 2 weeks from commencement, and continuation is then subject to confirmation by President/Council.

FORMAL RECORD OF USE

- ii) Written record on personnel file

HISTORY

Former Delegation	2.1
Adopted	18 July 2018
Review / adoption	24 June 2020

REFERENCES

Council may only delegate power to a CEO under the Local Government Act s.5.42 who is appointed in accordance with s.5.35(1)&(2) requiring an absolute majority. Accordingly, a

person who is to exercise the responsibilities and delegations of CEO while acting in that position must also have specific Council approval.

Designation as a senior employee under s.5.37 complies with this requirement, as it specifies that Council must consent to the employment of a designated senior employee.

Generally, employees designated under the Act s.5.37 will only be –

- Manager Works and Services

A senior employee in the organisation is not automatically a designated employee under s.5.37.

Stipulation that no substantial redirection of activities or processes during term as Acting CEO is in Policy 2.2.

2.3 Confidential records – Inspection

STATUTORY CONTEXT

Local Government Act 1995 –

- s.5.92 – Council or committee members may access confidential information only if, and to the extent necessary, to fulfil their function
- s.5.93 – penalties if Council or committee member, or employee misuses information
- 5.94 – public inspection of information permitted, with some restrictions
- s.5.94 (1) to (3) – information that is required to remain confidential
- s.5.95 (1) to (6) and (8) – exclusions from public inspection
- s.5.95 (7) – some previously confidential information may be made available in some circumstances

Administration Regulations 1996 –

- r.29A – limits on confidential information that may be inspected

Rules of Conduct Regulations 2007 –

- r.6 – use of information, including confidential information, by council members
- r.7 – prohibition on improper use, for personal advantage or to someone’s detriment
- r.8 – misuse of local government resources

CORPORATE CONTEXT

Record Keeping Plan

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance and Administration

FUNCTION DELEGATED

The CEO is delegated power to make available information determined by Council or the CEO to be confidential, and not available for public inspection.

APPLICATION

Prior to making a decision, the CEO is to determine –

- (a) whether or not the information should remain confidential or public inspection permitted;
- (b) the extent of information that may be released.

The CEO is to use discretion in exercising the power, taking note that –

- (a) there is no compulsion to release confidential information,
- (b) some information is required to remain confidential.

FORMAL RECORD OF USE

- i) File copy of written request and decision by CEO.

HISTORY

Adopted 18 July 2018

Review / adoption 24 June 2020

REFERENCES

Examples of information that is required to remain confidential includes –

- (a) employee details, conditions, negotiations etc
- (b) supplier's bank information;
- (c) details required by legislation to be omitted from electoral roll;
- (d) information regarding debts owed to the Shire

CEO may consider some information to remain confidential, due to –

- (a) commercial in confidence;
- (b) potential for misuse;
- (c) insufficient reasons/justification to access the information.

Note – refusal of access does not prevent application being made under the Freedom of Information Act.

16.1 Restricted [SF8] Access Vehicles on Shire Roads

STATUTORY CONTEXT

Local Government Act 1995

Land Administration Act 1997 –

- s.56(2) – road reserves under the control of the local government

Public Works Act 1902 –

- s.86(2) – Governor may declare roads to be under the control of the local government

Road Traffic (Vehicle Standards) Regulations 2002

Public Places and Local Government Property Local Law 2018

CORPORATE CONTEXT

Policy Manual –

- 16.1 – Restricted Access Vehicles on Shire Roads

PRIMARY DELEGATION

CEO

SECONDARY DELEGATION PERMITTED TO

Manager Works and Services

FUNCTION DELEGATED

1. The CEO is delegated power to determine any application referred from Main Roads WA to use heavy haulage vehicles (Restricted Access Vehicles) on any local road within the district, recommending approval or refusal –
 - a) in accordance with Council Policy 16.1 Restricted Access Vehicles on Shire Roads;
 - b) where the estimated volume is 50,000 tonnes per year or less,
 - c) if the road has already been assessed by Main Roads WA as being suitable for the configuration proposed by the applicant,
 - d) recommending CA07 conditions on roads where deemed necessary to manage RAV access in order to preserve the condition of the road and avoid heavy vehicle damage
 - e) written agreement of the applicant accepting liability for damage to the roads that exceeds fair use.

APPLICATION

2. All other applications are to be referred to Council.
3. Where the CEO declines an application, the applicant has the right to lodge a written appeal which will be presented to Council for consideration.

FORMAL RECORD OF USE

File copy of decision on written application

HISTORY

Adopted 18 July 2018

Review / adoption 24 June 2020

REFERENCES

17.1 Issue of burning permits – Fire Control Officers**STATUTORY CONTEXT***Bush Fires Act 1954 –*

- s.18 – Restricted burning times
- (1) – nothing in this section permits burning in prohibited period
- (2) – prohibited & restricted times to be published in Government Gazette
- (5) – Local government may vary burning periods after consultation
- (5B) – variation for maximum of 14 days
- (5C) – burning period restrictions apply to variation period
- (6) – permit required to set fire to bush from either FCO or CEO
- (7) – person issuing permit may apply requirements or conditions
- (8) – permit holder to comply with conditions
- (9) – permit may authorise burning of bush on adjoining road reserve
- (10A) – local government may adopt enforceable schedule for burning
- (11) – if fire escapes etc expenses up to \$10,000 may be recouped
- (12) – penalty on first breach \$4,500, subsequent breaches \$10,000
 - s.23(2)(a)(iv) – road verge burning between constructed portion of road and established fire break only

Bush Fire Regulations 1954 –

- r.15(1) – Permit to burn as per section 18 of the Act
- r.15(2) – If request to burn is conditional or refused, review is only by the local government or CBFCO
- r.15A – BFCO to comply with directions of local government
- r.15B – Permit holder to comply with permit conditions
- r.15C – Local Government may prohibit burning on certain days
- r.16 – only CEO or specifically authorised person may permit burning of clover in prohibited period
- r.21B – FCO may postpone clover burn

CORPORATE CONTEXT

None

PRIMARY DELEGATION

Fire Control Officers

SUB-DELEGATION

Not permitted

FUNCTION DELEGATED

1. Fire Control Officers are delegated power to issue, vary or prohibit burning permits in accordance with Bush Fires Act s.18 and Bush Fires Regulations r.15(1).
2. Fire Control Officers are delegated power, in consultation with the Chief Bush Fire Control Officer, to issue instructions, restrictions or conditions relating to individual burning permits.

3. Fire Control Officers are delegated power to approve an applications to burn a road verge vested in the care, control and management of the Shire, subject to –
 - a) compliance with the Bush Fires Act 1954 s.18(9),
 - b) prior consultation with the CEO, and
 - c) the applicant obtaining the approval of the Dept of Parks and Wildlife.

APPLICATION

N/A

FORMAL RECORD OF USE

Duplicate copy of permit issued

HISTORY

Adopted 18 July 2018

Review / adoption 24 June 2020

REFERENCES

This delegation does not extend to clover burning permits.

The Act s.16(6)(a) stipulates –

...obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer ...

Refer also Delegation 5.1 and specific matters restricted to CEO, and to Delegation 17.2.

Should be shifted to Policy in time, as it is not a delegation, but a framework for authorised persons.

17.2 Issue of clover burning permits – Clover Burning Permit Officers**STATUTORY CONTEXT***Bush Fires Act 1954 –*

- s.24 – clover may be burnt during prohibited burning times

Bush Fire Regulations 1954 –

- r.16 – CEO or specifically authorised person may permit burning of clover in prohibited period
- r.17 – permit required to burn clover
- r.18 – 7 days notice of clover burn required, under specified restrictions
- r.19A – duties of clover burning permit holder
- r.20 – local government may prohibit issue of clover burn permits
- r.21A – permit holder may be required to advertise clover burn
- r.21B – FCO may postpone clover burn

CORPORATE CONTEXT

None

PRIMARY DELEGATION

Chief Fire Control Officer

Deputy Chief Fire Control Officer

SUB-DELEGATION

N/A

FUNCTION DELEGATED

1. The following Bush Fire Control Officers are delegated power to issue permits to burn clover in accordance with Bush Fires Act s.18 and Regulations r.16 and to apply such conditions or requirements as is considered appropriate –
 - a) Chief Bush Fire Control Officer
 - b) Deputy Chief Bush Fire Control Officer

APPLICATION

N/A

FORMAL RECORD OF USE

Duplicate copy of permit issued

HISTORY

Adopted 18 July 2018

Review / adoption 24 June 2020

REFERENCES

Specified officers may be delegated power to issue clover burning permits in accordance with Bush Fires Act s.24 and Bush Fires Regulations r.16, and to apply such conditions or requirements as is considered appropriate.

Refer also Delegation 5.1 and specific matters restricted to CEO.

Should be shifted to Policy in time, as it is not a delegation, but a framework for authorised persons.

Review Completed by:

Sean Fletcher

Governance Officer

11 June 2021



Economic Regulation Authority

Our ref: D225168
Contact: Paul Reid

11 February 2021

Ms Glenda Teede
Shire of Victoria Plains
28 Cavell Street
CALINGIRI WA 6569

Sent by email to reception@victoriaplains.wa.gov.au

Dear Ms Teede

Expiry of Water WL34

The Shire of Victoria Plains' water services licence WL34 expires on 28 April 2021.

A licensee must apply to the ERA if it wants to renew its licence before it expires.

Section 5 of the *Water Services Act 2012 (WA)* (the Act) requires that a person providing a water service has a licence.

Section 7 of the Act allows the Minister to exempt a class of person from the requirement of a licence in a specified area if the Minister is satisfied that it would not be contrary to the public interest. The exemption must be in writing.

You are currently exempt under the Class Exemption for Small Local Government Sewerage and/or Non-potable Water Services Providers, which commenced on 26 May 2017. Subject to the Minister making an amendment or revocation, this exemption is for a period of five years.

If you have any questions or wish to apply to renew WL34 please contact Paul Reid, Assistant Director, Utility Services Regulation on (08) 6557 7976 or email paul.reid@erawa.com.au.

Yours sincerely

Paul Kelly
Executive Director, Regulation and Inquiries



Our ref: D226487
Contact: Paul Reid
Tel: 08 6557 7976

11 March 2021

Ms Glenda Teede
Shire of Victoria Plains
28 Cavell Street
CALINGIRI WA 6569

Sent by email to reception@victoriaplains.wa.gov.au

Dear Ms Teede

Expiry of water services licence WL34

I refer to the email from Allan Ramsay, dated 10 March 2021, about renewing the Shire of Victoria Plain's water services licence WL34, which expires on 28 April 2021. Under section 13 of the *Water Services Act 2012*, a licensee must apply to the ERA if it wants to renew its licence before it expires.

To apply to renew WL34, please provide the following information to the ERA:

- The Shire's audited financial reports for the last three years.
- A written declaration from the Shire's chief financial officer or chief executive officer that the Shire has, and will retain, the financial ability to undertake the activities authorised by the licence.
- An up-to-date financial hardship policy.¹

To renew a licence, the ERA must satisfy itself that:

- The licensee has, and is likely to retain, or will acquire within a reasonable time after the renewal of the licence, and is then likely to retain, the financial and technical ability to undertake the activities authorised by the licence.
- It would not be contrary to the public interest to do so.

The ERA will make the financial assessment based on the financial information submitted by the Shire. The technical assessment will be based on previous operational audits and asset management system reviews of the Shire and its licence compliance history, which are both already available to the ERA.

¹ The Shire's financial hardship policy will need to be updated to comply with the [Water Services Code of Conduct \(Customer Service Standards\) 2018](#). The ERA's [Financial Hardship Policy Guidelines](#) provides guidance regarding the content of financial hardship policies.

If the Shire submits a licence renewal application, the ERA reserves the right to request further information from the Shire during the assessment of the application.

Section 13(3) of the Water Act requires the ERA to take all reasonable steps to make a decision within 90 calendar days of receiving the application. Please bear this in mind when preparing your application, so the ERA has enough time to assess the application before the licence expires.

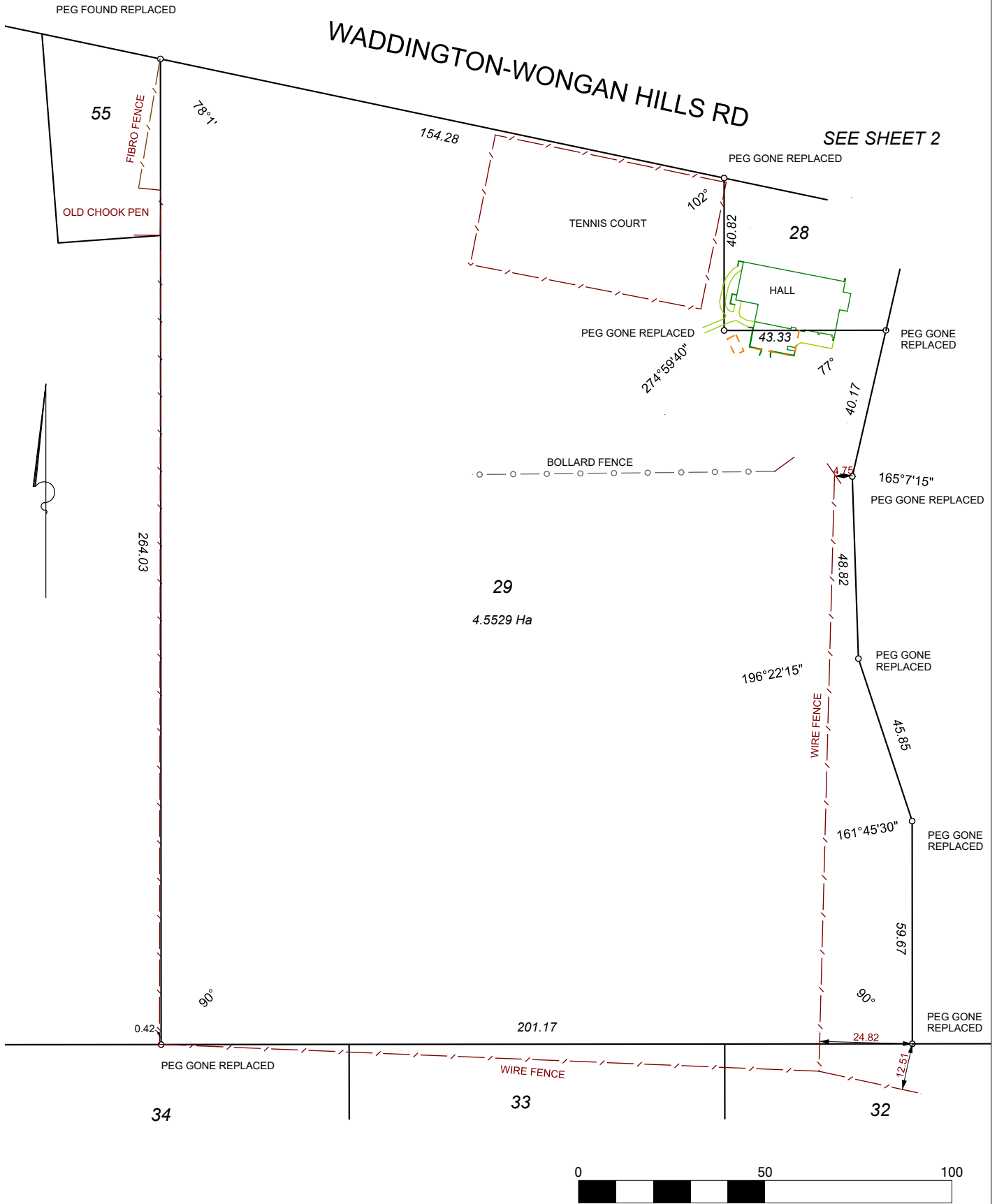
When making its decision on an application to renew a licence, the ERA must have regard to the matters set out in section 26(1) of the *Economic Regulation Authority Act 2003*.

If you have any questions about this matter, please contact Mr Paul Reid, Assistant Director Utility Services Regulation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Kelly', written in a cursive style.

Paul Kelly
Executive Director
Regulation & Inquiries



All dimensions are in metres
Improvements not drawn to scale.

SCALE 1:1000 AT A3

PLAN OF

RE-ESTABLISHMENT SURVEY OF
LOT 29
1 DENTON ST
PIAWANING

REGULATION 25a - SURVEYORS CERTIFICATE

I, Mark Spencer, licensed surveyor, certify that on the 25th day of FEBRUARY 2021 I, re-established the boundaries of LOT 29 ON DEPOSITED PLAN 206970 as shown on the attached sketch and that the survey was performed in accordance with all relevant written laws.

LICENSED SURVEYOR

2021.02.26
08:38:57 +08'00'

JOB NUMBER

1808

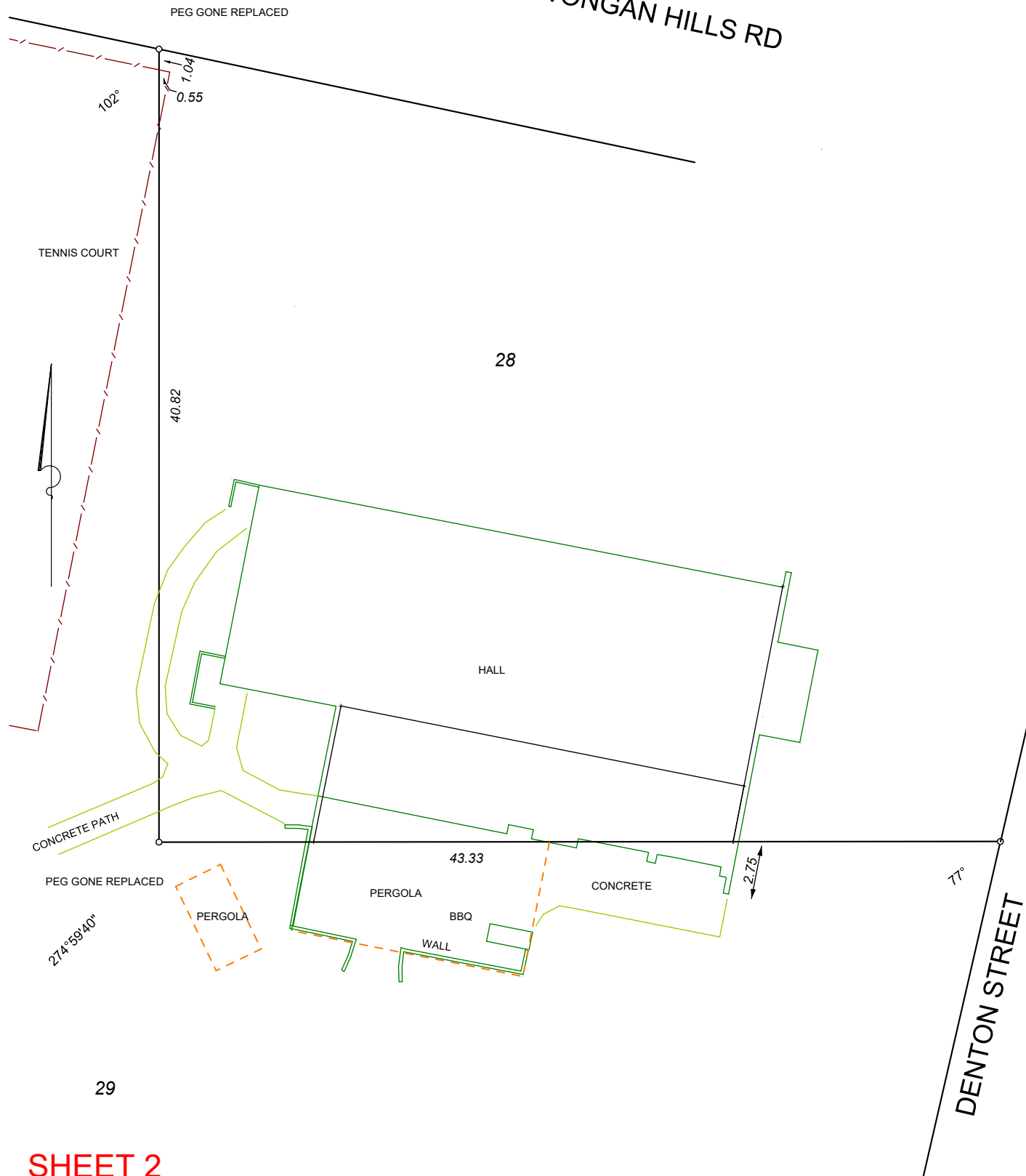
FM SURVEYS
LICENSED SURVEYORS

P.O. Box 81 Northam W.A. 6401
Ph. 0400 781 694
Email: mark@fmsurveys.com.au

Drawn

Mark Spencer
Licensed Surveyor

WADDINGTON-WONGAN HILLS RD



SHEET 2

All dimensions are in metres
Improvements not drawn to scale.



PLAN OF

RE-ESTABLISHMENT SURVEY OF
LOT 29
1 DENTON ST
PIAWANING

REGULATION 25a - SURVEYORS CERTIFICATE

I Mark Spencer, licensed surveyor, certify that on the 25th day of FEBRUARY 2021 I, re-established the boundaries of LOT 29 ON DEPOSITED PLAN 206970 as shown on the attached sketch and that the survey was performed in accordance with all relevant written laws.

LICENSED SURVEYOR *Mark Spencer* 2021.02.26 08:38:45 +08'00'

JOB NUMBER

1808



P.O. Box 81 Northam W.A. 6401
Ph. 0400 781 694
Email: mark@fmsurveys.com.au

Drawn
Mark Spencer
Licensed Surveyor