



PUBLIC ATTACHMENTS

Ordinary Council Meeting

28 June 2023

Serial	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
1	EFT12045	04/05/2023	5 Rivers Plumbing & Gas (Tornado (WA) Pty Ltd t/as)	Repair Hot water system		\$ 1,182.50		
	6290	04/05/2023		Staff housing-13 Lambert:replace basin & shower taps, tempering valve, and repair a leak on HW pipe	154.00			
	6291	04/05/2023		Calingiri Recreation Centre-repair leaking ladies toilet	917.13			
	6289	04/05/2023		Staff housing-15 Lambert: repair of faulting basin tap-ensuite	111.37			
2	EFT12046	04/05/2023	Avon Waste	Rubbish Collection General - to 12/04/2023		\$ 1,833.34	L	
	55795	21/04/2023		Rubbish Collection General - to 12/04/2023	1833.34			
3	EFT12047	04/05/2023	Bolgart Hotel	Staff Accomodation - Maurice Walsh - week ending 05/05/2023		\$ 525.00	L	
	116	03/05/2023		Staff Accomodation - Maurice Walsh - week ending 05/05/2023	\$ 525.00			
4	EFT12048	04/05/2023	Bolgart Rural Merchandise	Depot - Minor maintenance supplies - April 2023		\$ 44.66	L	
	APRIL2023	30/04/2023		Depot - Minor maintenance supplies - April 2023	\$ 44.66			
5	EFT12049	04/05/2023	Conway Highbury	Professional fees - develop rating policies, prepare differential rating (notice, statement)		\$ 1,329.90		
	30042023	30/04/2023		Professional fees - develop rating policies, prepare differential rating (notice, statement)	\$ 1,329.90			
6	EFT12050	04/05/2023	Country Class Carpentry Pty Ltd	45 George st BOLGART-Repair Front Security screen door		\$ 1,100.00	L	
	263	02/05/2023		45 George st BOLGART-Repair Front Security screen door	\$ 1,100.00			
7	EFT12051	04/05/2023	Fitzgerald Strategies	Human Resources Consultancy Fees - April 2023		\$ 462.06		
	2322	28/04/2023		Human Resources Consultancy Fees - April 2023	\$ 462.06			
8	EFT12052	04/05/2023	Fraser Onsite	VP158 Bobcat Repairs to oil leaks, supply & replace tracks & drive hubs		\$ 23,238.27		
	830	27/04/2023		Depot- Bobcat: supplied and fitted door glass	\$ 825.00			
	810	02/05/2023		Depot- Grader, Loader, Bobcat: full service, repairs oil leaks, replace trackts and drive hubs, and excavator hire	\$ 22,413.27			
9	EFT12053	04/05/2023	Hyatt Concrete	Yerecoin SE Road, Yerecoin-Culvert extension & headwall		\$ 32,000.00		F
	7	03/05/2023		Yerecoin SE Road, Yerecoin-Culvert extension & headwall	\$ 32,000.00			
10	EFT12054	04/05/2023	LGISWA	Health & Wellbeing On-charge of staff Skin Screen checks		\$ 363.00		
	153458	27/03/2023		Health & Wellbeing On-charge of staff Skin Screen checks	\$ 363.00			
11	EFT12055	04/05/2023	Midwest Turf Supplies	Purchases:		\$ 2,568.00		
	8712	30/04/2023		Calingiri Oval maintenance-supplied premium grade fertiliser	\$ 2,232.00			
	8713	30/04/2023		Calingiri Oval maintenance- supplied of liquid additives	\$ 176.00			
	8711	30/04/2023		Staff housing-13 Lambert - sprinkler heads for reticulation	\$ 160.00			
12	EFT12056	04/05/2023	Murchison Midwest Consultancy Services	Contract Supervisor / Works Manager - April 2023		\$ 9,504.00		
	46	30/04/2023		Contract Supervisor / Works Manager - April 2023	\$ 9,504.00			
13	EFT12057	04/05/2023	New Norcia Services	Building - Staff Accomodation - 26/04/2023		\$ 85.00	L	
	50399	02/05/2023		Building - Staff Accomodation - 26/04/2023	\$ 85.00			
14	EFT12058	04/05/2023	Rural Infrastructure Services	Provision of consultancy services for April 2023 for development works on WSFN project(SFN002)		\$ 1,155.66		
	1121	30/04/2023		Provision of consultancy services for April 2023 for development works on WSFN project(SFN002)	\$ 1,155.66			

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Shire of Victoria Plains Ordinary Council Meeting 28 June 2023								
15	EFT12059 1084	04/05/2023 03/05/2023	SF Fitzgerald Plumbing & Gas	Staff housing-16 Yulgering: repair burst water pipe at water meter Staff housing-16 Yulgering: repair burst water pipe at water meter	 \$ 286.00	\$ 286.00	L	
16	EFT12060 246	04/05/2023 21/04/2023	Tango Information Technology Pty Ltd	Administration: IT Consultancy - on Program Comparisons - alignments & scope requirements Administration: IT Consultancy - on Program Comparisons - alignments & scope requirements	 \$ 11,588.50	\$ 11,588.50		
17	EFT12061 96075	11/05/2023 30/04/2023	Ampac Debt Recovery (wa) Pty Ltd	Rates Debt Recovery commissions & costs - April 2023 Rates Debt Recovery commissions & costs- April 2023	 \$ 615.23	\$ 615.23		
18	EFT12062 50169 50160	11/05/2023 08/05/2023 11/05/2023	Calingiri Auto Centre (The Trustee for R J Glass	VP47 Toyota Hilux Inspect oil leak on power steering rack. Faulty Depot - Trailer - supplied & installed jockey wheel, removed spare tyre, bracket & re-located Depot- Toyota Hi Lux General Works vehicle - inspected oil leak at power steering, removed & replaced steering rack, and removed & replaced wiper blades	 \$ 311.30 \$ 1,666.23	\$ 1,977.53	L	
19	EFT12063 230510	11/05/2023 10/05/2023	Calingiri Primary School	Calingiri Primary School - donation towards catering for Mothers Day morning tea. Calingiri Primary School - donation towards catering for Mothers Day morning tea.	 \$ 150.00	\$ 150.00	L	
20	EFT12064 APRIL2023	11/05/2023 08/05/2023	Colin Ashe	Staff Housing - internet reimbursement - April 2023 Staff Housing - internet reimbursement - April 2023	 \$ 80.00	\$ 80.00	L	
21	EFT12065 2223022	11/05/2023 10/05/2023	Dallywater Consulting	Environmental Health Officer 16 April 2023 to 9 May 2023 Environmental Health Officer 16 April 2023 to 9 May 2023	 \$ 7,679.74	\$ 7,679.74		
22	EFT12066 4360	11/05/2023 04/05/2023	Exurban Rural and Regional Planning	General Town planning consultancy services - April 2023 General Town planning consultancy services - April 2023	 \$ 3,437.01	\$ 3,437.01		
23	EFT12067 4	11/05/2023 09/05/2023	Graham Maclean (T/as G M Builders & Co)	Bolgart Fire Station- repairs to the shed roller door Bolgart Fire Station- repairs to the shed roller door	 \$ 252.50	\$ 252.50		
24	EFT12068 715	11/05/2023 08/05/2023	KA Tyres & Battery's	Bolgart Fire Truck - supplied 2 batteries Bolgart Fire Truck - supplied 2 batteries	 \$ 810.68	\$ 810.68	L	
25	EFT12069 702023	11/05/2023 08/05/2023	Kimberley Boulton	Record Management - site visit - archiving Record Management - site visit - archiving	 \$ 2,376.00	\$ 2,376.00		
26	EFT12070 35314A	11/05/2023 14/03/2023	Local Government Professionals Australia WA	Staff training - "Report Writing for Local Government" Staff training - "Report Writing for Local Government"	 \$ 110.00	\$ 110.00		
27	EFT12071 2376	11/05/2023 04/05/2023	Local Government Supervisors Association of WA	Staff Conference/Training - Annual Works and Parks Conference and Expo Staff Conference/Training - Annual Works and Parks Conference and Expo	 \$ 1,072.50	\$ 1,072.50		
28	EFT12072 576 583	11/05/2023 27/04/2023 09/05/2023	Malts Contracting	Catering and cleaning services of various Shire's facilities- April 2023 Cleaning services- Admin building, Depot, Hall, ORB, Caravan parks, toilets, emergency services building Community - Catering for Youth Week event at Old Road Building	 \$ 3,690.00 \$ 500.00	\$ 4,190.00	L	
29	EFT12073 REIMBURSEMENT	11/05/2023 10/05/2023	Marie Freeman	Staff training - "Reporting Writing for Local Government" - Travel and meals expenses Staff training - "Report Writing for Local Government" - Travel and meals expenses	 \$ 256.00	\$ 256.00	L	

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	Shire of Victoria Plains			Ordinary Council Meeting				
	EFT12074			28 June 2023				
30	4893	11/05/2023 26/04/2023	RSM Australia Pty Ltd (atf Birdanco Practice Trust Trading as RSM)	Accounting Services Contractor - April 2023 Accounting Services Contractor - April 2023	\$ 9,954.53	\$ 9,954.53		
31	EFT12075 52	11/05/2023 08/05/2023	Steptoe & Wife Scrap Metal Recycling (Newins Family Trust T/as)	Calingiri/Bogart Refuse Site Management - 01/05/2023 to 14/05/2023 Calingiri/Bogart Refuse Site Management - 01/05/2023 to 14/05/2023	\$ 2,961.54	\$ 2,961.54	L	
32	EFT12076 47	11/05/2023 01/05/2023	Thomas Culverwell	Gillingarra Hall - Cleaning - 21/4/2023 to 12/05/2023 Gillingarra Hall - Cleaning - 21/4/2023 to 12/05/2023	\$ 300.00	\$ 300.00	L	
33	EFT12077 2708169	18/05/2023 21/04/2023	AFGR1 Equipment Australia Pty Ltd	Caterpillar Loader - installed a new hydraulic hose Caterpillar Loader - installed a new hydraulic hose	\$ 188.21	\$ 188.21		
34	EFT12078 1012395933	18/05/2023 01/05/2023	Australia Post	Postal Charges - April 2023 Postal Charges - April 2023	\$ 96.67	\$ 96.67		
35	EFT12079 56253	18/05/2023 05/05/2023	Avon Waste	Rubbish Collection General - to 26th April 2023 Rubbish Collection General - to 26th April 2023	\$ 2,531.50	\$ 2,531.50		
36	EFT12080 4033814138	18/05/2023 28/04/2023	BOC Limited	Depot - Oxygen industrial, dissolved acetylene, oxygen medical gas bottle supplies - April 2023 Depot - Oxygen industrial, dissolved acetylene, oxygen medical gas bottle supplies - April 2023	\$ 43.08	\$ 43.08		
37	EFT12081 42920	18/05/2023 08/05/2023	Centurion Temporary Fencing (Fenstra Pty Ltd t/as)	Bolgart Caravan Park - 100 linear metres of temporary fencing for 2 months. Bolgart Caravan Park - 100 linear metres of temporary fencing for 2 months.	\$ 924.00	\$ 924.00		
38	EFT12082 46	18/05/2023 12/05/2023	Lower Chittering Volunteer Bush Fire Brigade	Mitigation Activity Funding - Bolgart prescribed burning Mitigation Activity Funding - Bolgart prescribed burning	\$ 1,500.00	\$ 1,500.00	L	F
39	EFT12083 389	18/05/2023 15/05/2023	Mortlock Electrical Pty Ltd	Old Board Room (CWA) - supplied and installed range hood exhaust, and ducting from exhaust to ceiling Old Board Room (CWA) - supplied and installed range hood exhaust, and ducting from exhaust to ceiling	\$ 904.15	\$ 904.15		
40	EFT12084 480272	18/05/2023 15/05/2023	New Norcia Services	Fire truck fuel - 28/04/2023 Fire truck fuel - 28/04/2023	\$ 138.65	\$ 138.65	L	
41	EFT12085 607104059 607317066 607355397 607402465	18/05/2023 20/04/2023 08/05/2023 08/05/2023 10/05/2023	Officeworks	Emergency Services and Community grant funded purchases: Emergency Services - Heavy duty tub Emergency Services - Stationery cabinet delivery fee Emergency Services - Stationery cabinet Community- Samsung tablet, USB charger, tablet cover	\$ 365.95 \$ 59.95 \$ 2,645.00 \$ 2,681.91	\$ 5,752.81		F
42	EFT12086 4137 478 APRIL2023 3APRIL2023	18/05/2023 28/04/2023 30/04/2023 30/04/2023	Rajaford Pty Ltd (Calingiri Traders)	Monthly purchases: Depot - sand blasting gun and sand blasting garnet Admin - Toyota Rav 4 unleaded fuel Depot - monthly purchases - office supplies, maintenance items and unleaded fuel Admin - monthly purchases - office and chambers supplies	\$ 188.90 \$ 205.03 \$ 711.30 \$ 752.10	\$ 1,857.33	L	
43	EFT12087 418	18/05/2023 04/05/2023	Shire of Gingin	Damstra elearning (prev LMS) - Annual Subscription - 01/12/2022 to 24/11/2023 shared services - provider of safety solutions for workforce management Damstra elearning (prev LMS) - Annual Subscription - 01/12/2022 to 24/11/2023 shared services - provider of safety solutions for workforce management	\$ 1,089.22	\$ 1,089.22		
44	EFT12088 211038	18/05/2023 08/05/2023	Sword Volunteer Fire & Emergency Services Brigade	Mitigation Activity Funding - Bolgart prescribed burning Mitigation Activity Funding - Bolgart prescribed burning	\$ 1,485.00	\$ 1,485.00		4

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	Shire of Victoria Plains			Ordinary Council Meeting 28 June 2023				
45	EFT12089 119192	18/05/2023 04/05/2023	T-Quip	Depot - Toro Mower - carried out service and supplied a set of blades Depot - Toro Mower - carry out service and supplied a set of blades	 \$ 906.80	\$ 906.80		
46	EFT12090 93354CR 98562 99513	18/05/2023 01/01/2023 19/04/2023 08/05/2023	The Farmco / Yerecoin Traders	Office Meeting Consumables - 17th April 2023 Refund - overpayment Council briefing - catering - 17 April 2023 Staff Sports day - 5 May 2023	 -\$ 368.00 \$ 264.00 \$ 180.00	\$ 76.00	L	
47	EFT12091 INSURANCE REFUND	18/05/2023 27/04/2023	Yerecoin Progress Assoc Inc	Yerecoin Hall Insurance 2022/2023 - reimbursement Yerecoin Hall Insurance 2022/2023 - reimbursement	 \$ 2,629.00	\$ 2,629.00	L	
48	EFT12092 50183	25/05/2023 30/05/2023	Calingiri Auto Centre (The Trustee for R J Glass Family Trust) t/as	Depot - Water Tanker - supplied & fitted 4 tyres Depot - Water Tanker - supplied & fitted 2 tyres	 \$ 1,689.60	\$ 1,689.60	L	
49	EFT12093 324706	25/05/2023 18/05/2023	Dallcon (Dalwallinu Concrete Pty Ltd t/as)	Depot - 2 x 500 kg Bulker Bag GP Cement Depot - 2 x 500 kg Bulker Bag GP Cement	 \$ 803.00	\$ 803.00		
50	EFT12094 2223023	25/05/2023 25/05/2023	Dallywater Consulting	Environmental Health Officer - 09/05/2023 to 24/05/2023 Environmental Health Officer - 09/05/2023 to 24/05/2023	 \$ 8,445.40	\$ 8,445.40		
51	EFT12095 880665	25/05/2023 09/05/2023	Dun Direct Pty Ltd	Depot Fuel Supplies - May 2023 Depot Fuel Supplies - May 2023	 \$ 13,162.47	\$ 13,162.47		
52	EFT12096 50288	25/05/2023 21/04/2023	Eastern Hills Chainsaws & Mowers	Depot - Stihl petrol hedge trimmer Depot - Stihl petrol hedge trimmer	 \$ 636.65	\$ 636.65		
53	EFT12097 2175	25/05/2023 19/05/2023	Grants Empire	Grant Consultancy Services for DITRDCA Growing Regions Program payment 1 of 2 Grant Consultancy Services for DITRDCA Growing Regions Program payment 1 of 2	 \$ 528.00	\$ 528.00		
54	EFT12098 530	25/05/2023 22/05/2023	Greg Alan Electrical Airconditioning & Refrigeration (Pithara Electrical Pty Ltd)	Bolgart Aged Unit - supplied & installed new power supplies and new submersible pump Bolgart Aged Unit - supplied & installed new power supplies and new submersible pump	 \$ 744.15	\$ 744.15	L	
55	EFT12099 8	25/05/2023 15/05/2023	Hyatt Concrete	Roadworks - Yerecoin South East Road, Yerecoin 1350 culvert extension & headwalls Roadworks - Yerecoin South East Road, Yerecoin 1350 culvert extension & headwalls	 \$ 38,500.00	\$ 38,500.00		F
56	EFT12100 719 722	25/05/2023 11/05/2023 14/05/2023	KA Tyres & Battery's	Supplies and services: Depot - Mazda BT 50 freestyle Cab- supplied and fitted tyres Depot - Toyota Hilux- Parks & Garden - wheel alignment	 \$ 1,960.00 \$ 100.00	\$ 2,060.00	L	
57	EFT12101 4594 4593	25/05/2023 19/05/2023 19/05/2023	Moora Glass & Décor	Repairs: Calingiri Sports Pavilion - reglazed 2 windows with laminated glass. Insurance claimed Calingiri Hall - reglazed bottom panel of door with grey laminated glass	 \$ 2,403.50 \$ 345.40	\$ 2,748.90		
58	EFT12102 390	25/05/2023 15/05/2023	Mortlock Electrical Pty Ltd	Bolgart Caravan Park - Disconnect power supply to caravan park to make safe for demolition Bolgart Caravan Park - Disconnect power supply to caravan park to make safe for demolition	 \$ 242.00	\$ 242.00		F
59	EFT12103 25052023	25/05/2023 24/05/2023	Muresk Institute	Staff training - Animal Welfare in Emergencies Program three day course 14/06/2023 to 16 June 2023 Staff training - Animal Welfare in Emergencies Program three day course 14/06/2023 to 16 June 2023	 \$ 2,891.00	\$ 2,891.00		

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Shire of Victoria Plains				Ordinary Council Meeting 28 June 2023				
60	EFT12104	25/05/2023	SF Fitzgerald Plumbing & Gas	Bolgart Aged Units - supplied & installed electric conduit, poly pipe & pump to transfer water from existing storm water pit behind the Units to road curb to stop water eroding driveway behind houses.		\$ 3,263.90		
	1105	24/05/2023		Bolgart Aged Units - supplied & installed electric conduit, poly pipe & pump to transfer water from existing storm water pit behind the Units to road curb to stop water eroding driveway behind houses.	\$ 3,263.90			
61	EFT12105	25/05/2023	St John Ambulance Western Australia Ltd (Belmont)	Emergency Services - supplied & servicing of first aid kits in buildings & vehicles in the Shire		\$ 2,145.71		
	1073237	30/04/2023		Emergency Services - supplied & servicing of first aid kits in buildings & vehicles in the Shire	\$ 2,145.71			
62	EFT12106	25/05/2023	Steptoe & Wife Scrap Metal Recycling (Newins Family Trust T/as)	Calingiri/Bolgart Refuse Site Management - 15/05/2023 to 28/05/2023		\$ 2,961.54	L	
	53	23/05/2023		Calingiri/Bolgart Refuse Site Management - 01/05/2023 to 14/05/2023	\$ 2,961.54			
63	EFT12107	25/05/2023	Toodyay Tyre & Exhaust	Depot - Komatsu Grader - repairs to tyre		\$ 144.00		
	7618	10/05/2023		Depot - Komatsu Grader - repairs to tyre	\$ 144.00			
64	EFT12108	25/05/2023	WA Bricks & Pavers (S & J Glass Pty Ltd)	Calingiri Cemetery Entry Sign		\$ 4,375.00		
	3850	23/05/2023		Calingiri Cemetery Entry Sign	\$ 4,375.00			
65	EFT12109	31/05/2023	Able Sales	Depot - pressure cleaner fittings and replacement hose		\$ 204.00		
	826727	01/05/2023		Depot - pressure cleaner fittings and replacement hose	\$ 204.00			
66	EFT12110	31/05/2023	Bigmate Monitoring Services Pty Ltd	GPS Monitoring - May 2023		\$ 484.00		
	547083	01/05/2023		GPS Monitoring - May 2023	\$ 484.00			
67	EFT12111	31/05/2023	Boekeman Machinery (WA) Pty Ltd	Admin - Toyota Rav 4 carried out 15,000 km service and replaced wiper blades		\$ 377.99		
	364507	24/04/2023		Admin - Toyota Rav 4 15,000 km service and replaced wiper blades	\$ 377.99			
68	EFT12112	31/05/2023	Bunnings Group Ltd	Fire Prevention - rod fitting bracket, chrome tube rod, and copper metal clothes hanger		\$ 93.16		
	99827963	12/05/2023		Fire Prevention - rod fitting bracket, chrome tube rod, and copper metal clothes hanger	\$ 93.16			
69	EFT12113	31/05/2023	RNR Contracting Pty Ltd	Roadworks: Reseal - Glentromie Yerecoin Road, Golf Course Road, and Gillingarra New Norcia Road		\$ 242,729.14		F
	2304302100295	13/04/2023		Roadworks: Reseal - Glentromie Yerecoin Road, Golf Course Road, and Gillingarra New Norcia Road	\$ 242,729.14			
70	EFT12114	31/05/2023	Country Copiers	Copier Service Fees - April 2023		\$ 1,317.54		
	215960	07/05/2023		Admin - Copier services fee - April 2023	\$ 1,239.35			
	215961	07/05/2023		Depot - Copier services fee - April 2023	\$ 78.19			
71	EFT12115	31/05/2023	Fulton Hogan Industries Pty Ltd	Depot - 500 litres of Emulsion for roadworks		\$ 825.00		
	17659042	09/05/2023		Depot - 500 litres of Emulsion for roadworks	\$ 825.00			
72	EFT12116	31/05/2023	Interfire Agencies Pty Ltd	Vehicle maintenance and repairs supplies:		\$ 950.47		
	14686	22/05/2023		Emergency Services - vehicle maintenance and repair parts	\$ 819.13			
	14707	23/05/2023		Emergency Services- vehicle maintenance and repair parts	\$ 131.34			
73	EFT12117	31/05/2023	Landgate	Valuation and consultancy service:		\$ 830.10		
	383607	24/04/2023		Consultancy services - 2018 valuation roll and ADHOC GRV schedules	\$ 229.10			
	384010	11/05/2023		Valuation charges - valuation roll - mining tenements	\$ 601.00			

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Shire of Victoria Plains				Ordinary Council Meeting 28 June 2023				
74	EFT12118 141242 141401	31/05/2023 01/05/2023 17/05/2023	Northam Mazda	Vehicle service: Depot - Mazda BT 50 freestyle Cab- carried out 15k vehicle service Depot - Mazda BT-50 Dual - carried out 30k vehicle service	\$ 481.98 \$ 416.50	\$ 898.48		
75	EFT12119 52	31/05/2023 14/05/2023	Saferoads WA (TLCWA Pty Ltd t/as)	Road works - road patching at the intersection of Toodyay-Bindi-Bindi road & Calingiri-New Norcia road Road works - road patching at the intersection of Toodyay-Bindi-Bindi road & Calingiri-New Norcia road	\$ 13,255.00	\$ 13,255.00		
76	EFT12120 3712752	31/05/2023 27/04/2023	Stewart & Heaton Clothing Co Pty Ltd	Community Emergency Services - Uniforms - Tabard Lime Dept Child protect Community Emergency Services - Uniforms - Tabard Lime Dept Child protect	\$ 206.88 \$ 206.88	\$ 206.88		
77	EFT12121 346 348	31/05/2023 30/04/2023 21/05/2023	Courier Australia - Toll Group	Freight Charges Freight Charges - April 2023 Freight Charges - May 2023	\$ 42.72 \$ 17.44	\$ 60.16		
78	EFT12122 41589	31/05/2023 05/04/2023	Totally Workwear - Midland	Depot staff uniforms Depot staff uniforms	\$ 438.54	\$ 438.54		
79	EFT12123 25151 25216	31/05/2023 01/05/2023 24/05/2023	Wallis Computer Solutions	IT support and NBN service: NBN wireless service - May 2023 IT Support - set up n ew user and microsoft 365 licence to 24 November 2023	\$ 462.00 \$ 628.89	\$ 1,090.89		
80	EFT12124 384333 385285	31/05/2023 06/05/2023 19/05/2023	Wongan Hills Hardware	Light Globes, Letterbox and brick in sleeve Office building - light globes, mailbox brick in set rear opening Office building - Telescopic sleeve to suit brick in	\$ 147.85 \$ 31.25	\$ 179.10	L	
EFT Totals					\$ 492,893.34	\$ 492,893.34		

80								
Cheque Totals					\$ -	\$ -		

81	DD14060.1	15/05/2023	Shire of Victoria Plains - credit card			\$ 1,976.33		
		02/04/2023	Coles	Admin - Staff meeting / Breakfast	\$ 43.60			
		04/04/2023	Bunnings	Admin - Trolley	\$ 44.98			
		04/04/2023	Bunnings	Staff housing - Baits / gap Filler	\$ 22.00			
		06/04/2023	Sonum Solis	Youth Award Night - funded Youth Grant	\$ 300.00			
		08/04/2023	DSATCO	Calingiri Townsite garden - Mulch	\$ 215.60			
		11/04/2023	Ampol	Admin - Toyota Rav 4 -Fuel	\$ 78.26			
		12/04/2023	Coles Express	Admin - Toyota Rav 4 -Fuel	\$ 76.20			
		13/04/2023	Gull	Admin - Toyota Rav 4 -Fuel	\$ 29.89			
		14/04/2023	Applied Education	Depot Staff - Microsoft Online Learning	\$ 495.00			
		18/04/2023	Bunnings	Staff housing - Shower Head	\$ 113.00			
		20/04/2023	Fruugo	Shire Office - Urinal Mats	\$ 71.39			
		21/04/2023	Sonum Solis	Youth Award Night - funded Youth Grant	\$ 300.00			
		24/04/2023	Good Guys	Shire's Office - Soundbar background music	\$ 169.00			
		30/04/2023	Bendigo Bank	Bank fees	\$ 13.41			
		30/04/2023	Bendigo Bank	Bank fees	\$ 4.00			

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82	Shire of Victoria Plains DD14060.1	15/05/2023 11/04/2023 25/04/2023 29/04/2023 30/04/2023	Shire of Victoria Plains - credit card Starlink Starlink Bendigo Bank Bendigo Bank	Calingiri BFB Internet (10/04) Calingiri BFB Internet (24/04) Card fee - April 2023 Bank Fee - April 2023	\$ 139.00 \$ 174.00 \$ 4.00 \$ 2.35	\$ 319.35		
83	DD14060.2	14/05/2023 01/04/2023 23/04/2023 23/04/2023 25/04/2023 25/04/2023 30/03/2023	Shire of Victoria Plains - credit card Canva Pty Ltd Mindtools.com Bendigo Bank Readdle Inc Bendigo Bank Bendigo Bank	Canva Pro Yearly Subscription - web design software Mindtools annual subscption - applications for management learning solutions International transaction fee - Mindtools.com Subscription monthly renewal for 23 April til 23 May 2023 - Fluix for IpadS- Officers/ Council members (24/4/23) International transaction fee - Readdle Inc Card fee	\$ 164.99 \$ 380.00 \$ 11.40 \$ 164.78 \$ 4.94 \$ 4.00	\$ 730.11		
84	DD14060.3 April 2023	14/05/2023 01/05/2023	Wright Express Australia Pty Ltd	Fuel card charges - April 2023 Fuel card charges - April 2023	\$ 10.48 \$ 10.48	\$ 10.48		
					\$ 3,036.27	\$ 3,036.27		

85	DD14018.1 136386814	01/05/2023 17/04/2023	linet Limited	Internet - Bolgart & Mogumber library -May 2023 Internet - Bolgart & Mogumber library - May 2023	 \$ 79.98	\$ 79.98		
86	DD14037.1 SUPER DEDUCTION DEDUCTION	10/05/2023 10/05/2023 10/05/2023 10/05/2023	Aware Super Pty Ltd	Superannuation contributions and payroll deductions Superannuation contributions Payroll deductions Payroll deductions	 \$ 5,410.45 \$ 297.77 \$ 50.00	\$ 5,758.22		
87	DD14037.2 SUPER	10/05/2023 10/05/2023	HostPlus Superannuation Fund	Superannuation contributions Superannuation contributions	 \$ 191.98	\$ 191.98		
88	DD14037.3 SUPER	10/05/2023 10/05/2023	BT Super For Life	Superannuation contributions Superannuation contributions	 \$ 277.20	\$ 277.20		
89	DD14037.4 DEDUCTION SUPER	10/05/2023 10/05/2023 10/05/2023	North Superannuation	Superannuation contributions and payroll deductions Payroll deductions Superannuation contributions	 \$ 103.20 \$ 319.92	\$ 423.12		
90	DD14037.5 DEDUCTION SUPER	10/05/2023 10/05/2023 10/05/2023	Macquarie Super Manager II	Superannuation contributions and payroll deductions Payroll deductions Superannuation contributions	 \$ 100.00 \$ 102.16	\$ 202.16		
91	DD14037.6 SUPER	10/05/2023 10/05/2023	Australian Super Pty Ltd	Superannuation contributions Superannuation contributions	 \$ 604.68	\$ 604.68		
92	DD14037.7 SUPER	10/05/2023 10/05/2023	Hesta Super Fund	Superannuation contributions Superannuation contributions	 \$ 257.55	\$ 257.55		
93	DD14037.8 SUPER	10/05/2023 10/05/2023	TWU Super	Superannuation contributions Superannuation contributions	 \$ 296.76	\$ 296.76		
94	DD14037.9 SUPER	10/05/2023 10/05/2023	AMP Life Limited	Superannuation contributions Superannuation contributions	 \$ 174.95	\$ 174.95		
95	DD14037.10 SUPER	10/05/2023 10/05/2023	Commonwealth Essential Super	Superannuation contributions Superannuation contributions	 \$ 205.38	\$ 205.38		
96	DD14037.11 SUPER	10/05/2023 10/05/2023	Public Sector Superannuation	Superannuation contributions Superannuation contributions	 \$ 513.98	\$ 513.98		

Serial	Chq/EFT	Date	Name	Description Ordinary Council Meeting 28 June 2023	Invoice Amount	Payment Total	Type	Funding
97	DD14039.1 9007250564 9007250599 9007250601 9007250628 9007250740 9007250871 9007249037 9007251575 9007249141 9007249168 9007249555 9007249600 9007250388 9007250396	24/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023 03/05/2023	Shire of Victoria Plains Water Corporation	Water Usage - 1 March 2023 to 3 May 2023 various facilities Calingiri War Memorial Administration Building Calingiri Standpipe Calingiri Hall Emergency Services building Depot Bolgart Park Cemetery Bolgart Sports Ground Bolgart Hall Bolgart Aged Unit Bolgart Caravan Park Calingiri Caravan Park Old Road Building	\$ \$ 383.19 \$ 165.02 \$ 2,103.93 \$ 293.69 \$ 5.59 \$ 67.13 \$ 8.39 \$ 64.33 \$ 95.10 \$ 559.40 \$ 86.33 \$ 156.63 \$ 289.50 \$ 97.90	\$ 4,376.13		
98	DD14039.2 9007250724 9007251188 9007251196 9007251233 9010777025 9010777033 9010777041 9022582057 9022582065	19/05/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023 28/04/2023	Water Corporation	Water Usage - 1 March 2023 to 3 May 2023 various facilities Staff Housing Staff Housing Staff Housing Staff Housing Calingiri Aged Unit Calingiri Aged Unit Calingiri Aged Unit Bolgart Aged Unit Bolgart Aged Unit	\$ \$ 733.43 \$ 702.55 \$ 1,054.57 \$ 1,017.26 \$ 52.75 \$ 65.13 \$ 1,470.22 \$ 195.88 \$ 160.34	\$ 5,452.13		
99	DD14039.3 9007251022 9010777009 9010777017	22/05/2023 01/05/2023 01/05/2023 01/05/2023	Water Corporation	Water Usage - 1 March 2023 to 3 May 2023 various facilities Staff Housing Calingiri Aged Unit Calingiri Aged Unit	\$ \$ 772.87 \$ 46.08 \$ 46.08	\$ 865.03		
100	DD14039.4 9007318370 9007249547	25/05/2023 04/05/2023 04/05/2023	Water Corporation	Water Usage - 1 March 2023 to 3 May 2023 Standpipe - Yerecoin Bolgart Aged Units	\$ \$ 333.69 \$ 139.33	\$ 473.02		
101	DD14040.1 409506060	04/05/2023 05/04/2023	Synergy	Electricity Charges - 23/05/2022 to 30/06/2022- Calingiri Aged unit Electricity Charges - 23/05/2022 to 30/06/2022- Calingiri Aged unit	\$ \$ 349.61	\$ 349.61		
102	DD14041.1 1583901424	08/05/2023 17/04/2023	Telstra Corporation Ltd	Mobile phones - 17 April 2023 to 16 May 2023 Mobile phones - 17 April 2023 to 16 May 2023	\$ \$ 1,529.28	\$ 1,529.28		
103	DD14051.1 LOAN 83 - MAY 2023	15/05/2023 15/05/2023	Bendigo Bank - Goomalling	Loan 83- Calingiri Football Club repayment - May 2023 Loan 83- Calingiri Football Club repayment - May 2023	\$ \$ 14,690.67	\$ 14,690.67		
104	DD14052.1 6308416000	16/05/2023 01/05/2023	Telstra Corporation Ltd	Telephone Accounts - 23 April 2023 to 22 May 2023 Telephone Accounts - 23 April 2023 to 22 May 2023	\$ \$ 964.76	\$ 964.76		
105	DD14062.1 240020510	23/05/2023 02/05/2023	Synergy	Street Lighting - 25 March 2023 to 24 April 2023 Street Lighting - 25 March 2023 to 24 April 2023	\$ \$ 1,467.99	\$ 1,467.99		
106	DD14066.1 984545750 582015040	29/05/2023 09/05/2023 09/05/2023	Synergy	Electricity Charges - 17 February 2023 to 14 April 2023 Waterpump - Calingiri Sports Ground New Norcia Fire Station	\$ \$ 1,011.60 \$ 209.66	\$ 1,221.26		9

Serial	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
Shire of Victoria Plains				Ordinary Council Meeting 28 June 2023				
107	DD14067.1	30/05/2023	Synergy	Electricity Charges - 14 February 2023 to 17 April 2023		\$ 901.95		
	924730510	10/05/2023		Mogumber Hall	\$ 192.08			
	224996670	10/05/2023		Mogumber library	\$ 198.26			
	263733750	10/05/2023		Piawaning Water Supply	\$ 511.61			
108	DD14075.1	31/05/2023	Synergy	Electricity Charges - 9 March 2023 to 8 May 2023		\$ 6,709.90		
	112865110	11/05/2023		Staff Housing	\$ 217.84			
	404664510	11/05/2023		Calingiri Emergency Service	\$ 619.14			
	429878510	11/05/2023		Calingiri Football Club	\$ 1,799.34			
	459289910	11/05/2023		Staff Housing	\$ 354.62			
	465354270	11/05/2023		Calingiri Recreation hall	\$ 729.62			
	149348920	11/05/2023		Staff Housing	\$ 383.47			
	589385150	11/05/2023		Administration Building	\$ 1,147.27			
	605380240	11/05/2023		Calingir Aged unit	\$ 100.00			
	639600350	11/05/2023		Depot	\$ 636.80			
	776076920	11/05/2023		Calingiri War Memorial	\$ 118.26			
	780810910	11/05/2023		Calingiri Caravan Park	\$ 217.36			
	956682100	11/05/2023		Staff Housing	\$ 386.18			
109	DD14086.1	24/05/2023	Aware Super Pty Ltd	Superannuation contributions and payroll deductions		\$ 5,748.45		
	SUPER	24/05/2023		Superannuation contributions	\$ 5,400.21			
	DEDUCTION	24/05/2023		Payroll deductions	\$ 298.24			
	DEDUCTION	24/05/2023		Payroll deductions	\$ 50.00			
110	DD14086.2	24/05/2023	HostPlus Superannuation Fund	Superannuation contributions		\$ 212.11		
	SUPER	24/05/2023		Superannuation contributions	\$ 212.11			
111	DD14086.3	24/05/2023	BT Super For Life	Superannuation contributions		\$ 277.20		
	SUPER	24/05/2023		Superannuation contributions	\$ 277.20			
112	DD14086.4	24/05/2023	North Superannuation	Superannuation contributions and payroll deductions		\$ 493.64		
	DEDUCTION	24/05/2023		Payroll deductions	\$ 120.40			
	SUPER	24/05/2023		Superannuation contributions	\$ 373.24			
113	DD14086.5	24/05/2023	Macquarie Super Manager II	Superannuation contributions and payroll deductions		\$ 188.35		
	DEDUCTION	24/05/2023		Payroll deductions	\$ 100.00			
	SUPER	24/05/2023		Superannuation contributions	\$ 88.35			
114	DD14086.6	24/05/2023	Australian Super Pty Ltd	Superannuation contributions		\$ 604.68		
	SUPER	24/05/2023		Superannuation contributions	\$ 604.68			
115	DD14086.7	24/05/2023	Hesta Super Fund	Superannuation contributions		\$ 239.89		
	SUPER	24/05/2023		Superannuation contributions	\$ 239.89			
116	DD14086.8	24/05/2023	TWU Super	Superannuation contributions		\$ 296.76		
	SUPER	24/05/2023		Superannuation contributions	\$ 296.76			
117	DD14086.9	24/05/2023	AMP Life Limited	Superannuation contributions		\$ 187.34		
	SUPER	24/05/2023		Superannuation contributions	\$ 187.34			
118	DD14086.10	24/05/2023	Commonwealth Essential Super	Superannuation contributions		\$ 224.57		
	SUPER	24/05/2023		Superannuation contributions	\$ 224.57			

Serial	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
Shire of Victoria Plains				Ordinary Council Meeting				
				28 June 2023				
119	DD14086.11	24/05/2023	Public Sector Superannuation	Superannuation contributions		\$ 513.98		
	SUPER	24/05/2023		Superannuation contributions	\$ 513.98			
120	DD	31/05/2023	Bendigo Bank	Bank fees and charges	\$ 105.07	\$ 105.07		
				Direct Debits Total	\$ 57,079.73	\$ 57,079.73		
121	Payroll	10/05/2023	Employees	Payroll PE 10/5/2023	\$ 57,621.07	\$ 57,621.07		
122	Payroll	24/05/2023	Employees	Payroll PE 24/5/2023	\$ 58,393.92	\$ 58,393.92		
				Direct Debits Total	\$ 116,014.99	\$ 116,014.99		

Abbreviations			
F	Funded	EFT Total	\$ 492,893.34 73.67%
L	Local Supplier	Cheques Total	\$ - 0.00%
		Charge Cards Total	\$ 3,036.27 0.45%
		Direct Debit Total	\$ 57,079.73 8.53%
		Trust Total	\$ - 0.00%
		Payroll Total	\$ 116,014.99 17.34%
		Total	\$ 669,024.33 100.00%
		Local Suppliers	\$ 28,435.12 4.25%
		Employees	\$ 116,014.99 17.34%
		Combined Total	\$ 144,450.11 21.59%



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SHIRE OF VICTORIA PLAINS

MONTHLY FINANCIAL REPORT

For the Period Ending 31 May 2023

Public Attachments

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

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2023
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

RSM Australia Pty Ltd
Chartered Accountants

Date 16th June 2023

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

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Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2023
EXECUTIVE SUMMARY

Statement of Financial Activity

Statements are presented on pages 5 and 6 showing a surplus/(deficit) as at 31 May 2023 of -\$177,123

Significant Revenue and Expenditure

	Collected / Completed %	Annual Budget \$	YTD Budget \$	YTD Actual \$
Significant Projects				
Ag Lime Calingiri - New Norcia Road	2%	797,714	731,236	14,235
Mogumber - Yarawindah Road WSFN #5	9%	1,578,437	1,447,047	144,056
Mogumber - Yarawindah Road	8%	1,744,545	1,599,158	141,162
Old Plains Road Vegetation Control	55%	179,750	164,747	98,384
Old Telegraph Road - Resheet Formations & Maintain V	0%	214,879	196,966	516
Bolgart Caravan Park Toilet Block	46%	222,714	206,930	103,006
	11%	4,738,038	4,346,084	501,358
Grants, Subsidies and Contributions				
Operating grants, subsidies and contributions	14%	4,971,178	4,920,852	702,584
Non-operating grants, subsidies and contributions	24%	5,500,087	5,072,035	1,308,154
	19%	10,471,265	9,992,887	2,010,738
Rates Levied	100%	3,156,007	3,156,006	3,159,510

% - Compares current YTD actuals to the Annual Budget

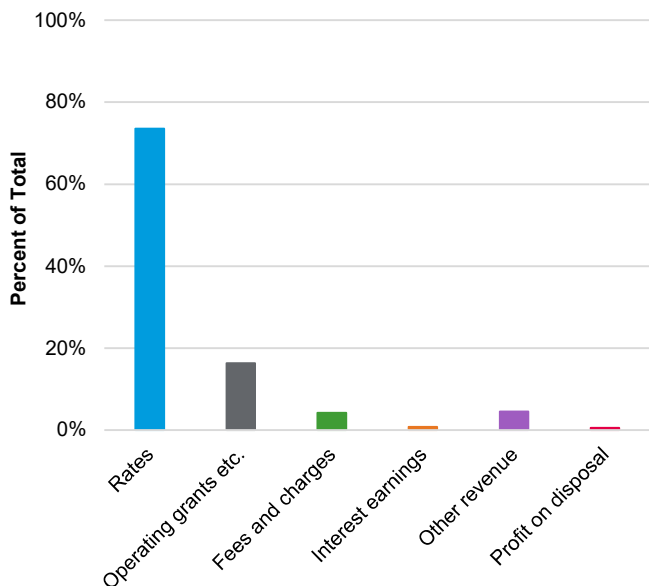
Financial Position

Account	Difference to Prior Year %	Current Year 31 May 23 \$	Prior Year 31 May 22 \$
Adjusted net current assets	(29%)	(177,124)	621,080
Cash and equivalent - unrestricted	80%	766,118	954,452
Cash and equivalent - restricted	235%	1,265,994	539,292
Receivables - rates	179%	117,130	65,545
Receivables - other	246%	128,830	52,271
Payables	194%	1,386,248	716,008

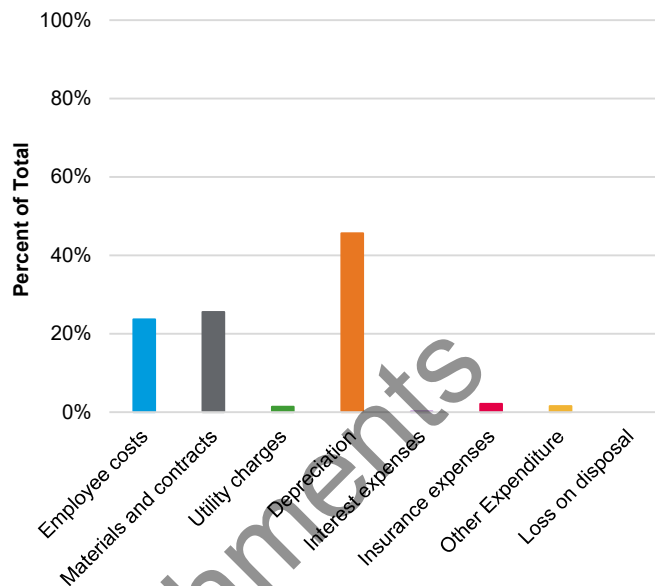
% - Compares current YTD actuals to prior year actuals

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
For the Period Ending 31 May 2023
SUMMARY GRAPHS

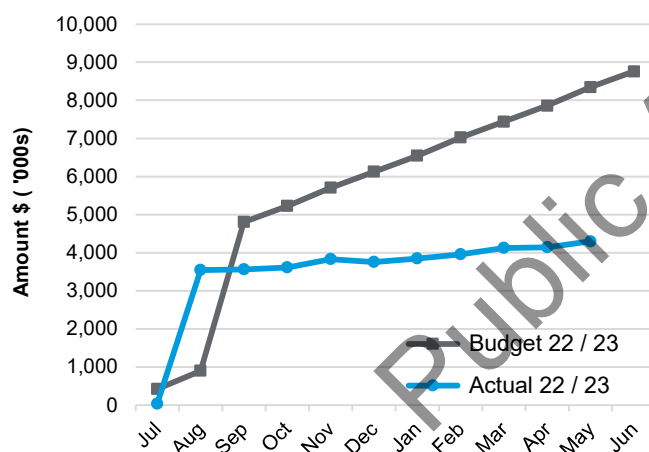
Operating Income



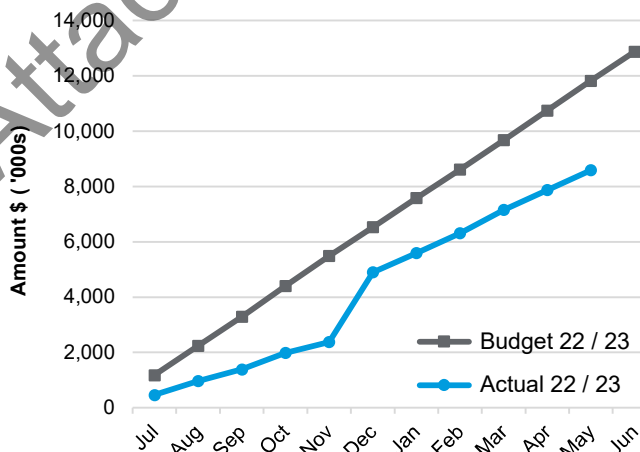
Operating Expenditure



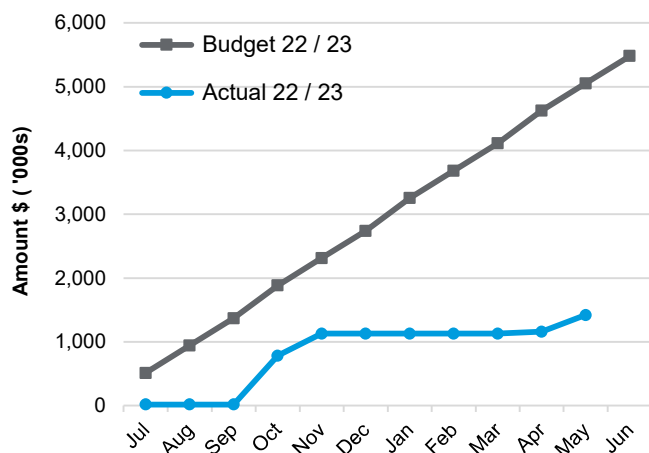
Operating Revenues



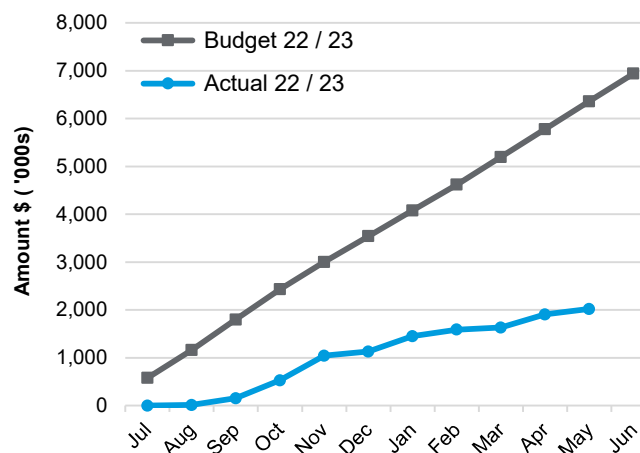
Operating Expenses



Capital Revenues - Investing



Capital Expenses



Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023
NATURE OR TYPE

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %	Var
Opening Funding Surplus / (Deficit)	3	117,039	117,039	117,039			
Revenue from Operating Activities							
Rates	10	3,156,007	3,156,006	3,159,510	3,504	0%	
Grants, subsidies and contributions	12(a)	4,971,178	4,920,852	702,584	(4,218,268)	(86%)	▼
Fees and charges		195,853	188,516	182,553	(5,963)	(3%)	
Interest earnings		44,068	40,715	34,051	(6,664)	(16%)	
Other revenue		147,406	118,305	194,618	76,313	65%	▲
Profit on disposal of assets	8	25,619	23,474	24,229	755	3%	
		8,540,130	8,447,868	4,297,543			
Expenditure from Operating Activities							
Employee costs		(1,849,588)	(1,733,638)	(2,031,241)	(297,603)	(17%)	▼
Materials and contracts		(6,523,521)	(6,333,562)	(2,195,488)	4,138,074	65%	▲
Utility charges		(120,924)	(115,387)	(119,987)	(4,600)	(4%)	
Depreciation on non-current assets		(4,046,982)	(3,709,662)	(3,920,789)	(211,127)	(6%)	
Interest expenses		(7,635)	(7,466)	(12,574)	(5,108)	(68%)	
Insurance expenses		(179,239)	(178,930)	(180,971)	(2,041)	(1%)	
Other expenditure		(83,335)	(74,976)	(131,508)	(56,532)	(75%)	▼
Loss on disposal of assets	8	(29,944)	(27,445)	-	27,445	100%	▲
		(12,841,168)	(12,181,066)	(8,592,557)			
Excluded Non-cash Operating Activities							
Depreciation and amortisation		4,046,982	3,709,662	3,920,789			
(Profit) / loss on asset disposal		4,325	-	(24,229)			
Net Amount from Operating Activities		(249,730)	(23,536)	(398,454)			
Investing Activities							
Grants, subsidies and contributions	12(b)	5,500,087	5,072,035	1,308,154	(3,763,881)	(74%)	▼
Proceeds from disposal of assets	8	90,000	45,000	111,260	66,260	147%	▲
Plant and equipment	9(b)	(835,199)	(833,851)	(818,833)	15,018	2%	
Furniture and equipment	9(a)	(5,000)	(4,576)	-	4,576	100%	
Infrastructure - roads	9(c)	(5,379,302)	(4,887,094)	(929,022)	3,958,071	81%	▲
Infrastructure - other	9(d)	(419,616)	(396,449)	(273,671)	122,778	31%	
Net Amount from Investing Activities		(1,049,030)	(1,004,935)	(602,112)			
Financing Activities							
Proceeds from self supporting loans	11(b)	21,332	21,332	10,053	(11,279)	53%	
Proceeds from Long Term Borrowings		1,500,000	1,500,000	1,500,000			
Repayment of debentures	11(a)	(78,718)	(78,718)	(77,171)	1,547	2%	
Transfer from reserves	7	40,000	-	-	-		
Transfer to reserves	7	(219,186)	-	(726,478)	(726,478)		
Net Amount from Financing Activities		1,263,428	1,442,614	706,404			
Closing Funding Surplus / (Deficit)	3	81,707	531,182	(177,124)			

* - 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 2023

REPORTING PROGRAM

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Funding Surplus / (Deficit)	3	117,039	117,039	117,039		
Revenue from Operating Activities						
Governance		28,430	29,261	39,069	9,808	34%
General purpose funding - rates	10	3,178,855	3,176,928	3,191,900	14,972	0%
General purpose funding - other		406,121	361,289	392,202	30,913	9%
Law, order and public safety		248,084	212,967	238,649	25,682	12%
Health		3,146	2,871	592	(2,279)	(79%)
Education and welfare		12,530	12,484	17,413	4,929	39%
Housing		63,430	58,138	61,803	3,665	6%
Community amenities		117,327	116,890	98,141	(18,749)	(16%)
Recreation and culture		10,523	9,981	13,347	3,366	34%
Transport		4,433,703	4,431,155	186,597	(4,244,558)	(96%)
Economic services		25,628	23,701	30,511	6,810	29%
Other property and services		12,354	12,203	27,319	15,116	124%
		8,540,130	8,447,868	4,297,543		
Expenditure from Operating Activities						
Governance		(714,691)	(655,383)	(523,191)	132,192	20%
General purpose funding		(415,966)	(381,293)	(451,162)	(69,869)	(18%)
Law, order and public safety		(619,856)	(565,699)	(590,572)	(24,873)	(4%)
Health		(168,635)	(154,572)	(168,811)	(14,239)	(9%)
Education and welfare		(100,608)	(90,066)	(87,177)	2,889	3%
Housing		(272,161)	(252,207)	(245,036)	7,172	3%
Community amenities		(561,700)	(523,633)	(472,796)	50,837	10%
Recreation and culture		(676,672)	(624,410)	(643,405)	(18,995)	(3%)
Transport		(9,144,440)	(8,743,018)	(4,654,539)	4,088,479	47%
Economic services		(249,726)	(230,003)	(288,160)	(58,157)	(25%)
Other property and services		83,288	39,218	(467,709)	(506,928)	1,293%
		(12,841,168)	(12,181,066)	(8,592,558)		
Excluded Non-cash Operating Activities						
Depreciation and amortisation		4,046,982	3,709,662	3,920,789		
(Profit) / loss on asset disposal	8	4,325	-	(24,228)		
Net Amount from Operating Activities		(249,730)	(23,536)	(398,454)		
Investing Activities						
Grants, subsidies and contributions	12(b)	5,500,087	5,072,035	1,308,154	(3,763,881)	(74%)
Proceeds from disposal of assets	8	90,000	45,000	111,260	66,260	147%
Plant and equipment	9(b)	(835,199)	(833,851)	(818,833)	15,018	2%
Furniture and equipment	9(a)	(5,000)	(4,576)	-	4,576	100%
Infrastructure - roads	9(c)	(5,379,302)	(4,887,094)	(929,022)	3,958,071	81%
Infrastructure - other	9(d)	(419,616)	(396,449)	(273,671)	122,778	31%
Net Amount from Investing Activities		(1,049,030)	(1,004,935)	(602,112)		
Financing Activities						
Proceeds from self supporting loans	11(b)	21,332	21,332	10,053	(11,279)	53%
Proceeds from long term borrowings		1,500,000	1,500,000	1,500,000	-	0%
Repayment of debentures	11(a)	(78,718)	(78,718)	(77,171)	1,547	2%
Transfer from reserves	7	40,000	-	-	-	
Transfer to reserves	7	(219,186)	-	(726,478)	(726,478)	
Net Amount from Financing Activities		1,263,428	1,442,614	706,404		
Closing Funding Surplus / (Deficit)	3	81,707	531,182	(177,123)		

* - 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 2023

CAPITAL ACQUISITIONS AND FUNDING

Asset Group	Note	Annual Budget \$	YTD Actual Total \$
Land and buildings	9(a)	-	-
Plant and equipment	9(b)	835,199	818,833
Furniture and equipment	9(c)	5,000	-
Infrastructure - roads	9(c)	5,379,302	929,022
Infrastructure - other	9(d)	419,616	273,671
Total Capital Expenditure		6,639,117	2,021,526

Capital Acquisitions Funded by:

Capital grants and contributions	5,500,087	1,308,154
Borrowings	-	-
Other (disposals and c/fwd)	90,000	111,260
Council contribution - from reserves	40,000	-
Council contribution - operations	1,009,030	602,113
Total Capital Acquisitions Funding	6,639,117	2,021,526

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**For the Period Ending 31 May 2023****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 2022/23 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: 16 Jun 23

(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 2023

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.

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

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.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023**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 2023

(j) Trade and Other Payables (Continued)

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 2023****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 2023****1. SIGNIFICANT ACCOUNTING POLICIES (Continued)****(g) 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 2023

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 2023

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
SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023

2. EXPLANATION OF MATERIAL VARIANCES

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

The material variance adopted by Council for the 2022/23 year is \$10,000 and 10%.

Nature or Type Operating Revenues	Var \$	Var %	Timing / Permanent	Explanation of Variance
Grants, Subsidies and Contributions	(4,218,268)	(86%)	▼	Timing NIL Revenue in AGRN 962 Flood Damage
Other Revenue	76,313	65%	▲	Timing Primarily issue of reimbursement for CESM, some relates back to FY21-22

Operating Expense

Employee Costs	(297,603)	(17%)	▼	Timing Some wage costs have exceeded budget due to change of staffing such as building, depot maintenance, unsealed road maintenance, storm water damage and some in overtime of CESM. Liaison will occur with WSM to ensure timesheets have been allocated correctly.
Materials and contracts	4,138,074	65%	▲	Timing NIL Expenditure in AGRN 962 Flood Damage
Other expenditure	(56,532)	(75%)	▼	Timing Debtor write offs
Loss on Disposal of Assets	27,445	100%	▲	Timing Financial treatment following trade ins

SHIRE OF VICTORIA PLAINS

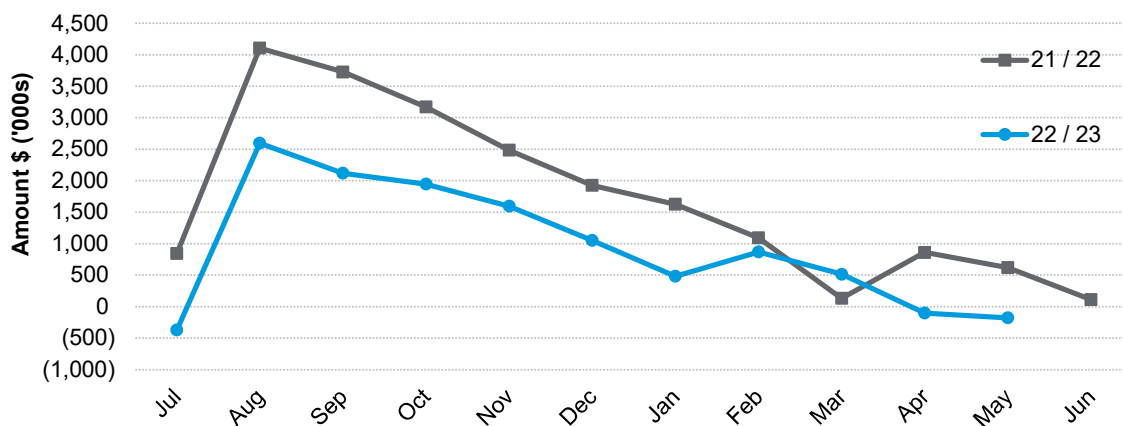
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

3. NET CURRENT FUNDING POSITION

	Note	Current Month 31 May 23 \$	Prior Year Closing 30 Jun 22 \$	This Time Last Year 31 May 22 \$
Current Assets				
Cash unrestricted	4	766,118	(214,424)	954,452
Cash restricted	4	1,265,994	1,479,283	539,292
Deposits and bonds	4	-	111,505	-
Trust Funds	5	-	-	-
Contact assets		-	-	-
Receivables - rates	6(a)	117,130	153,390	65,545
Receivables - sundry	6(b)	128,830	450,008	52,271
Receivables - other		1,847	55,456	169,690
Receivables - loans	11(b)	21,585	21,331	7,601
Provision for doubtful debts		(4,643)	(4,643)	(2,070)
Accrued income		67,839	106,769	129,267
Inventories		30,427	32,305	51,760
Total Current Assets		2,395,126	2,190,980	1,967,808
Current Liabilities				
Payables - sundry		(102,235)	(188,463)	(381,033)
Payables - other		33,855	-	(1,225)
Rates received in advance		-	(43,506)	-
Obligations / ARWC		-	-	-
Accrued salaries and wages		-	(33,030)	-
Accrued expenses		-	(30,800)	-
Accrued Time in Lieu		-	-	-
Pensioner Rebates		-	-	-
Deposits and bonds		(29,500)	(21,589)	(21,390)
Overdraft		-	-	-
Contract liabilities		(1,029,682)	(1,029,682)	(234,327)
Suspense		-	-	-
Loan liabilities	11(a)	(258,686)	(79,701)	(78,032)
Total Payables		(1,386,248)	(1,426,771)	(716,008)
Provisions		(166,022)	(166,023)	(148,295)
Total Current Liabilities		(1,552,270)	(1,592,794)	(864,303)
Less: cash reserves	7	(1,265,994)	(539,517)	(539,292)
Less: land held for resale		-	-	-
Less: Self-supporting loan		(11,532)	(21,331)	(21,331)
Add: loan principal (current)		257,546	79,701	78,198
Add: employee leave reserve		-	-	-
Net Funding Position - Surplus / (Deficit)		(177,124)	117,039	621,080

Liquidity over the Year



SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023

4. CASH AND FINANCIAL ASSETS

	Unrestricted	Restricted	Total	Institution	Interest	Maturity
	\$	\$	Amount		Rate	Date
			\$		%	
Cash						
Cash on hand	700		700	N/A	0.00	N/A
Municipal fund	78,055		78,055	Bendigo	1.25	N/A
Municipal savings	75,500	-	75,500	Bendigo	1.25	N/A
Reserve funds		1,153,999	1,153,999	Bendigo	1.25	N/A
Muni Savings - WSFN 30001985	198		-		1.25	
Muni Savings - WSFN 21117030	984		-		1.25	
Muni Savings - Restricted - RTR	190,515		-		1.25	
Term Deposit - 202144267	420,166				2.25	
Financial Assets at Amortised Cost						
Reserve funds		111,995	111,995	Bendigo	0.90	05 Jun 23
Total Cash and Financial Assets	766,118	1,265,994	1,420,249			

5. TRUST FUND

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

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023

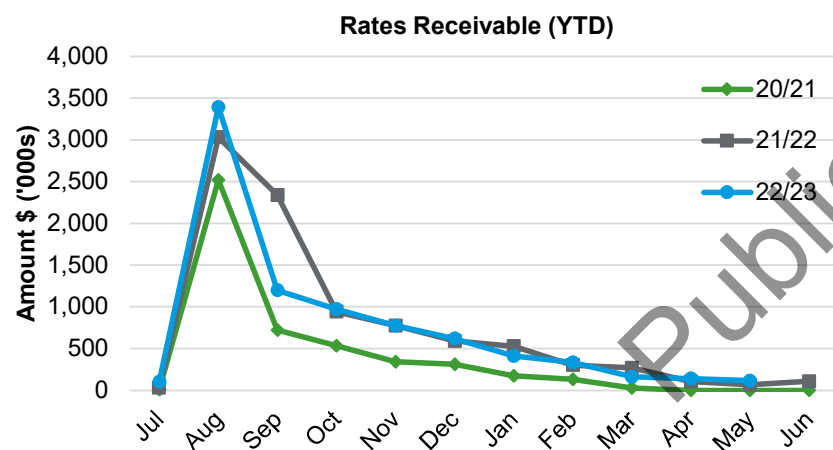
6. RECEIVABLES

(a) Rates Receivable

	31 May 23
	\$
Rates receivables	117,130
Total Rates Receivable Outstanding	117,130
Closing balances - prior year	109,915
Rates levied this year	3,159,510
Effluent and refuse removal	-
Closing balances - current month	(117,130)
Total Rates Collected to Date	3,152,295

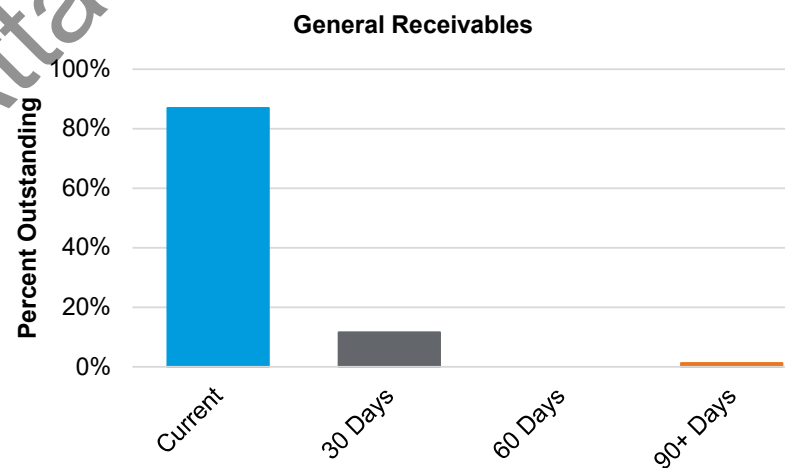
(b) General Receivables

	31 May 23
	\$
Current	112,140
30 Days	14,959
60 Days	-
90+ Days	1,731
Total General Receivables Outstanding	128,830



Comments / Notes

Rubbish fees included in YTD graph



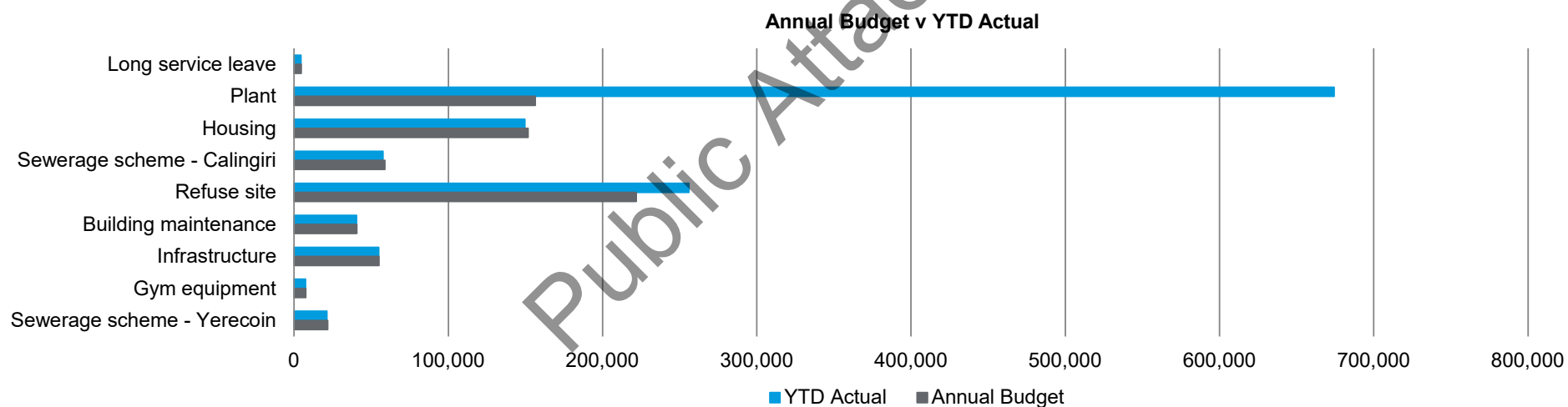
Comments / Notes

Amounts shown above include GST (where applicable)

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023

7. CASH BACKED RESERVES

Reserve Name	Annual Budget				YTD Actual					
	Balance	Transfers	Interest	Transfer	Balance	Balance	Transfers	Interest	Transfer	Balance
	01 Jul 22	from	Received	to	30 Jun 23	01 Jul 22	from	Received	to	31 May 23
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long service leave	4,483	-	134	-	4,617	4,483	-	31	-	4,513
Plant	66,356	-	1,991	88,000	156,347	66,356	-	1,801	606,109	674,266
Housing	98,795	-	2,964	50,000	151,759	98,795	-	784	50,000	149,578
Sewerage scheme - Calingiri	57,215	-	1,716	-	58,931	57,215	-	389	-	57,605
Refuse site	254,215	(40,000)	7,626	-	221,841	254,215	-	1,731	-	255,946
Building maintenance	15,187	-	456	25,000	40,643	15,187	-	249	25,000	40,436
Infrastructure	14,684	-	441	40,000	55,125	14,684	-	189	40,000	54,873
Gym equipment	7,420	-	223	-	7,643	7,420	-	51	-	7,471
Sewerage scheme - Yerecoin	21,162	-	635	-	21,797	21,162	-	144	-	21,306
Total Cash Backed Reserves	539,516	(40,000)	16,186	203,000	718,702	539,516	-	5,369	721,109	1,265,994



SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

8. DISPOSAL OF ASSETS

Annual Budget

	WDV \$	Proceeds \$	Profit \$	(Loss) \$
Transport				
Plant and Equipment				
Loader	24,381	50,000	25,619	-
Prime Mover	57,488	30,000	-	(27,488)
Ute 1	6,111	5,000	-	(1,111)
Ute 2	6,345	5,000	-	(1,345)
Total Disposal of Assets	94,325	90,000	25,619	(29,944)
Total Profit or (Loss)				(4,325)

YTD Actual

	WDV \$	Proceeds \$	Profit \$	(Loss) \$
Other Property & Services				
Motor Vehicle				
Nissan Navara	8,494	9,227	733	-
Plant & Equipment				
Plant & Equipment	24,381	27,033	2,651	-
Hino 700 Series	54,156	75,000	20,844	-
Total Disposal of Assets	87,031	111,260	24,228	-
Total Profit or (Loss)				24,228

Comments / Notes

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

9. CAPITAL ACQUISITIONS

(a) Furniture & Equipment

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance	
Other Property & Services						
Council Chambers - Furniture		5,000	4,576	-	4,576	0%
Total Furniture & Equipment		5,000	4,576	-	4,576	

(b) Plant and Equipment

	Funding Source	Annual Budget	YTD Budget	YTD Actual	YTD Variance	% Complete
Transport		\$	\$	\$	\$	
Replacement Loader		295,000	295,000	295,000	-	
Prime Mover		239,688	239,688	239,911	(223)	
Ute 1		55,000	55,000	59,363	(4,363)	108%
Ute 2		55,000	55,000	56,065	(1,065)	
Ute 3		36,111	36,111	36,146	(35)	
		680,799	680,799	686,486	(5,687)	
Community Amenities						
Bolgart tip generator		8,000	7,326	2,370	4,956	30%
Calingiri Tip Generator		8,000	7,326	2,370	4,956	30%
		16,000	14,652	4,741	9,911	
Law, Order & Public Safety						
Community Safety Vehicle		65,000	65,000	52,006	12,994	80%
		65,000	65,000	52,006	12,994	
Recreation & Culture						
Mower Trailer		8,000	8,000	10,200	(2,200)	128%
Rotary Slasher		27,900	27,900	27,900	-	100%
Out-Front 72" Mower		37,500	37,500	37,500	-	100%
		73,400	73,400	75,600	(2,200)	
Total Plant and Equipment		835,199	833,851	818,833	15,018	

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

9. CAPITAL ACQUISITIONS (Continued)

(c) Infrastructure - Roads

	Funding Source	Annual Budget \$	YTD Budget \$	YTD Actual \$	YTD Variance \$	% Complete
Transport						
Bolgart West Road - Verge Mulching	MRWA / CBH	11,850	10,868	2,293	8,575	19%
Glentromie - Yerecoin Road - Reseal		17,654	16,181	-	16,181	0%
Wyening West Road - Verge Mulching		10,000	9,163	-	9,163	0%
Footpaths	LRCIP / CP	40,000	36,663	30,281	6,382	76%
Glentromie - Yerecoin Road - Replace W Be	RTR	16,000	13,333	1,073	12,261	7%
Old Telegraph Road - Resheet Formations &	RTR	214,879	196,966	516	196,450	0%
Glentromie - Yerecoin Road - Reseal	RTR	50,421	42,017	94,396	(52,379)	187%
Boundary Road - Resheet Existing Formatio	RTR	20,518	17,098	-	17,098	0%
Gillingarra - New Norcia Road - Reseal	RTR	42,777	35,648	61,835	(26,187)	145%
Ag Lime Calingiri - New Norcia Road	WSFN	797,714	731,236	14,235	717,002	2%
Mogumber - Yarawindah Road #2	WSFN	89,398	81,939	29,759	52,180	33%
Mogumber - Yarawindah Road #4	WSFN	55,000	55,000	55,000	-	100%
Mogumber - Yarawindah Road #5	WSFN	1,578,437	1,447,047	144,056	1,302,991	9%
Mogumber - Yarawindah Road	WSFN	1,744,545	1,599,158	141,162	1,457,996	8%
Calingiri - New Norcia Road	WSFN	200,000	133,333	13,050	120,283	0%
Signage	LRCIP	40,000	36,663	5,149	31,514	0%
Culverts	LRCIP	100,000	100,000	84,177	15,823	0%
Bolgart Bridge	LRCIP	45,000	41,250	31,637	9,613	0%
Golf Course Road	LRCIP	78,880	72,303	69,895	2,409	0%
Old Plains Road Vegetation Control	LRCIP	179,750	164,747	98,384	66,363	0%
Piawaning Waddington Road Vegetation Co	LRCIP	46,480	46,480	52,126	(5,646)	0%
		5,379,302	4,887,094	929,022	3,958,071	
Total Infrastructure - Roads		5,379,302	4,887,094	929,022	3,958,071	

(d) Infrastructure - Other

	Funding Source	Annual Budget \$	YTD Budget \$	YTD Actual \$	YTD Variance \$	% Complete
Recreation & Culture						
Mogumber toilets		12,000	11,750	5,212	6,538	43%
Oval Renovation		20,000	20,000	20,136	(136)	101%
		32,000	31,750	25,348	6,402	
Economic Services						
Bolgart Caravan Park Toilet Block		222,714	206,930	103,006	103,924	46%
		222,714	206,930	103,006	103,924	
Community Amenities						
Yerecoin Sewerage Inspection Hatch x 2		50,000	50,000	52,750	(2,750)	106%
Tip Sites Fencing		50,000	45,826	24,040	21,786	48%
Mogumber Tip Fencing		35,464	32,505	38,190	(5,685)	108%
		135,464	128,331	114,980	13,351	
Transport						
Depot Fuel Tank		29,438	29,438	30,337	(899)	103%
		29,438	29,438	30,337	(899)	
Total Infrastructure - Other		419,616	396,449	273,671	122,778	
Total Capital Expenditure		6,639,117	6,121,970	2,021,526	4,100,444	

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 May 2023

10. RATING INFORMATION

	Rateable Value \$	Rate \$	Number of Properties #	Annual Budget Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	YTD Actual Revenue \$
General Rates								
GRV	1,794,690	0.129120	163	231,730	231,730	-	-	231,730
UV	43,700,873	0.006541	318	2,758,477	2,860,358	(127,216)	22,428	2,755,570
Total General Rates				2,990,207	3,092,088	(127,216)	22,428	2,987,300
Minimum Rates								
GRV	89,190	485.00	65	31,525	32,010	2,363	178	34,551
UV	1,770,962	586.00	76	44,536	47,466	-	-	47,466
Total Minimum Rates				76,061	79,476	2,363	178	82,017
Total General and Minimum Rates				3,066,268	3,171,564	(124,853)	22,606	3,069,317
Other Rate Revenue								
Facilities fees (Ex Gratia)				89,739				90,192
Total Rate Revenue				3,156,007				3,159,510

Shire of Victoria Plains
SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

11. INFORMATION ON BORROWINGS

(a) Debenture Repayments

(i) Loan 84 Piawaning Water Supply

	Annual Budget \$	YTD Budget \$	YTD Actual \$
Economic Services			
Opening balance	92,906	92,906	84,124
Principal payment	(17,893)	(17,893)	(17,893)
Principal Outstanding	75,013	75,013	66,231
Interest payment	(1,984)	(1,984)	(1,984)
Guarantee fee	-	-	-
Total Principal, Interest and Fees Paid	(19,877)	(19,877)	(19,877)

(ii) Loan 83 Calingiri Football Club

	Annual Budget \$	YTD Budget \$	YTD Actual \$
Recreation and Culture			
Opening balance	162,163	162,163	162,163
Principal payment	(21,332)	(21,332)	(19,785)
Principal Outstanding	140,831	140,831	142,378
Interest payment	(4,206)	(4,206)	(8,204)
Service fee	-	-	-
Total Principal, Interest and Fees Paid	(25,538)	(25,538)	(27,989)

(iii) Loan 85 - Grader & Loader

	Annual Budget \$	YTD Budget \$	YTD Actual \$
Transport			
Opening balance	180,753	180,753	180,378
Principal payment	(39,493)	(39,493)	(39,493)
Principal Outstanding	141,260	141,260	140,885
Interest payment	(1,445)	(1,445)	(1,445)
Service fee	-	-	-
Total Principal, Interest and Fees Paid	(40,938)	(40,938)	(40,938)

(iv) Loan 87 - 2023 Plant

	Annual Budget \$	YTD Budget \$	YTD Actual \$
Transport			
Opening balance	-	-	-
Proceeds from borrowings	1,500,000	1,500,000	1,500,000
Principal payment	-	-	-
Principal Outstanding	1,500,000	1,500,000	1,500,000
Interest payment	-	-	-
Service fee	-	-	-
Total Principal, Interest and Fees Paid	-	-	-
Total Principal Outstanding	1,857,104	1,857,104	1,849,494
Total Principal Repayments	(78,718)	(78,718)	(77,171)

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

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	162,163	162,163	162,162
Principal payment received	(21,332)	(21,332)	(10,053)
Principal Outstanding	140,831	140,831	152,109
Interest received	(4,206)	(4,206)	(3,546)
Service fee received	-	-	-
Total Principal, Interest and Fees Received	(25,538)	(25,538)	(13,598)
 Total Principal Outstanding	 140,831	 140,831	 152,109
Total Principal Received	(21,332)	(21,332)	(10,053)

Public Attachments

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

12. GRANTS, SUBSIDIES AND CONTRIBUTIONS

(a) Operating Grants, Subsidies and Contributions

Program / Details	Grant Provider	Annual Budget \$	YTD Budget \$	YTD Actual \$
General Purpose Funding				
General commission grants	WALGGC	226,403	204,210	226,403
Local roads grants		150,954	130,734	150,954
Governance				
Grant - Traineeship (DPIRD)		38,000	38,000	38,000
Law, Order and Public Safety				
DFES Operating Grant	DFES	93,354	85,569	87,674
Mitigation Activity Fund		38,650	38,650	19,325
Grant Income (Western Power)		-	-	1,848
Education and Welfare				
Seniors week/TAVD community	DLGC	12,530	12,484	12,000
Grant - WA Youth Week Grant		-	-	1,000
Community Amenities				
Local Government Heritage Grant		7,000	7,000	7,100
Recreation & Culture				
Grant - State Library ICT Grant		-	-	5,000
Transport				
Flood Damage Income - AGRN 962	WALGGC	4,250,067	4,250,067	-
Street lighting	MRWA	940	858	-
Direct road	MRWA	153,280	153,280	153,280
Total Operating Grants, Subsidies and Contributions		4,971,178	4,920,852	702,584

(b) Non-operating Grants, Subsidies and Contributions

Transport				
Local Roads & Comm Infra Program	LCRI	19,223	19,223	21,146
Government Grant - Blackspot		-	-	81,520
Government Grant - R2R		344,595	344,592	439,117
AG Lime Route 2		560,740	514,008	-
R4R CLGF Grants		236,974	217,217	-
MRWA Mogumber - Yarawindah Road		902,971	827,717	-
WSFN Funding		3,435,584	3,149,278	756,766
Community Amenities				
Piawaning emergence Water Supply Grant		-	-	9,605
Total Non-Operating Grants, Subsidies and Contributions		5,500,087	5,072,035	1,308,154

Total Grants, Subsidies and Contributions		10,471,265	9,992,887	2,010,738
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SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

13. BUDGET AMENDMENTS

GL Code	Description	Council Resolution	Increase in Cash	Decrease in Cash	Running Balance
	Budget deficit				(192,160)
	INCOME				
	Grants				
10325	Increase in FAGS - General		66,568		66,568
10326	Increase in FAGS - Local Roads		60,655		60,655
	Commissions				
10431	Transport Licencing suspended			(5,720)	(5,720)
10433	Other Commissions			(8,068)	(8,068)
10512	Fire Prevention Infringements Change of intent from infringement to warning letters			(25,000)	(25,000)
	Staff Housing				
10912	Staff Housing - 12 Harrington Street (WSM) NIL Rent			(3,800)	(3,800)
10913	Staff Housing - 16 Yulgering Street (Admin) NIL Rent			(6,000)	(6,000)
10921	Community Housing Calingiri APU 2 - Vacant			(6,240)	(6,240)
21030	Sewerage Scheme - Calingiri Transfer from Reserves		7,765		7,765
16010	Govt Grant - Direct MRWA additional funding		3,227		3,227
16092	LRCIP Funding from 21/22		19,223		19,223
11400	Private Works NIL income to date			(5,000)	(5,000)
	Net Income Variations	Council Meeting 14 Dec 2022			97,610
	EXPENDITURE				
20415	President Allowance President allowance underpaid in 21/22			(3,500)	(3,500)
20406	Meeting Costs Briefing sessions, community engagement			(7,766)	(7,766)
20408	Sundry Council iPads replacement			(12,803)	(12,803)
20435	Computing / IT Support iPad support, Cyber security, additional workstations (Library) and O365 licencing			(30,257)	(30,257)
20442	Subscriptions EAP Program, AROC membership			(6,930)	(6,930)
20452	Legal Fees Reduced requirement for engagement		10,000		10,000
20440	Office Building - Materials Water Leak / ATM Cage			(3,181) ₄₁	(3,181)

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 31 May 2023

20449	Occupational Health & Safety Activities completed through LGIS	5,267	5,267
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13. BUDGET AMENDMENTS (continued)

GL Code	Description	Council Resolution	Increase in Cash	Decrease in Cash	Running Balance
EXPENDITURE					
20445	Office Expenses MFA Mobile phone, CEO office furniture, lectern			(4,508)	(4,508)
20901	Staff Housing \$16,057 spent on CEO House furnishing			(17,000)	(17,000)
20430	CEO Transition Payout of Former CEO + Temporary CEO			(64,705)	(64,705)
20804	CDO Expenses Increased working hours compared to budgeted			(12,972)	(12,972)
APC	APU - Materials Air Conditioning and HWS replacement			(2,500)	(2,500)
21030	Effluent Disposal Schemes (STED) - Calingiri Repair to sewage lines - Railway St			(7,766)	(7,766)
	Water Supply				
21069	Bolgart WS - Reimbursement			(4,270)	(4,270)
21064	Gillingarra WS - Reimbursement			(4,270)	(4,270)
	Depot Maintenance				
21419	Hire of Temporary Fuel Storage Tank			(12,000)	(12,000)
AG0002 40025	Purchase of Land for Aglime Route Included in Aglime Road Construction		32,500		32,500
21322	Yerecoin Wayside Rest Area Electrical Work			(1,550)	(1,550)
21411	Works and Services WSM Employment package		113,147		113,147
21432	Parts and Repairs Ageing fleet requiring more frequent repairs			(55,000)	(55,000)
<u>Net Expenditure Variations</u>		Council Meeting 14 Dec 2022			(90,064)
CAPITAL					
40338	Out-front 72" Mower		2,500		2,500
40335	Rotary Slasher			(5,900)	(5,900)
40026	Ute 3		3,889		3,889
40339	Depot Fuel Tank		5,562		5,562
40026	Replacement Loader		55,000		55,000
40026	Prime Mover Float Refurbishment (deferred to 23-24)		30,000		30,000
<u>Net Capital Variations</u>		Council Meeting 14 Dec 2022			91,051
<u>Revised Surplus / (Deficit)</u>		Council Meeting 14 Dec 2022			(93,563)

Council to CEO

Delegation	Page	Subject	Changes Made	Reason	Applicable Legislation
1.1.1	6/112	Local Government Act 1995 Appointment of Authorised Persons (Authorisations)	<p>STATUTORY CONTEXT Removal of the following</p> <p>Building Regulations 2012:</p> <ul style="list-style-type: none"> - r.70(2) – Appointment of authorised officers (pre-condition 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.) <p>FUNCTION DELEGATED Inclusion of the following after 4 a):</p> <p>Note: CEO cannot designate Senior Employees:</p> <p>Removal of the following after 4 c)</p> <p>d) <i>Building Regulations 2012</i> as a precondition of appointment to issue infringements (The specific powers and duties are confirmed in Part 9 of this Delegation Register)</p> <p>Removal of the following</p> <p>5. <u>Local Laws</u> 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 <i>Local Government Act 1995</i> –</p>	<p>Specific details are provided in Delegation 1.1.2 – Building Act 2011</p> <p>Provides clarification regarding what s.5.37 refers to</p> <p>Duplication of what is provided in Delegation 1.1.2</p> <p>Under s.9.10(1) and (2) the CEO is responsible for the appointment of authorised persons to perform</p>	<ul style="list-style-type: none"> • Building Reg.70(2) • 9.10(1) of the LG Act 1995 <p>N/A</p> <p>N/A</p> <ul style="list-style-type: none"> • 9.10(1) and (2) of the LG Act 1995

			a) <i>Extractive Industries Local Law 2018</i> ; b) <i>Fencing Local Law 2018</i> ; c) <i>Public Places and Local Government Property Local Law 2018</i> .	duties under subsidiary legislation (i.e. regulations or a local law)	
1.1.2	9/112	Building Act 2011	STATUTORY CONTEXT Corrected the text re Building Regulations 2012: - r.70(2) – Appointment of authorised officers (pre-condition of appointment). This is for the purposes of issuing <i>Building Act 2011</i> Infringement Notices (Building Reg.70(2) prescribes s.9.10(1) of the <i>Local Government Act 1995</i> as the enabling power.) FUNCTION DELEGATED Minor corrections to setting out in 1 – space inserted between each point and NOTE	So that the supporting text is more clear Makes this section easier to read	<ul style="list-style-type: none"> Building Reg.70(2) N/A
3.6	32/112	Local Government Act 1995 Write off of Rate and Sundry Debts	FUNCTION DELEGATED Change the write-off of small amounts from \$200 to \$500	Allows the administration to function more effectively. Council is required to deal with key decisions	LG Act 1995 <ul style="list-style-type: none"> 5.95 6.12 (c)
4.2	43/112	Cat Act 2011 Cat Regulations 2012	Delegation completely overhauled to reflect all functions that can be delegated regarding the Cat Act.	Current delegation refers to matters of enforcement only i.e. prosecution/infringement. This power has been conferred on the CEO under the LG Act 1995 since 2019.	<ul style="list-style-type: none"> Cat Act 2011 Cat Reg 22
4.3	44/112	Dog Act 1976 SoVP Dog Local Law 2018	Delegation completely overhauled to reflect functions that can be delegated to the CEO regarding the Dog Act.	Current delegation refers to matters of enforcement only i.e. prosecution/infringement. This power has been conferred on the	<ul style="list-style-type: none"> Dog Act 1976 Dogs LL cl 4.15

				<p>CEO under the LG Act 1995 since 2019.</p> <p>However, objections to a decision by the administration are dealt with by Council both in regard to the LG Act and the Shire's Dogs Local Law 2018.</p>	
4.4	46/112	Dogs Local Law 2018	DELETED	<p>Current delegation refers to matters of enforcement (authorised officer) under the Shire's dog Local Law. This power regarding authorised officers concerning dogs has been conferred on the CEO under the LG Act 1995 since 2019.</p>	
4.6	48/112	<p>Local Government (Miscellaneous Provisions) Act 1960 –</p> <p>Impounding of Cattle etc</p>	<p>REFERENCES</p> <p>General tidy up regarding spelling and grammar so that delegation is easier to read and understand</p>	<p>Delegation refers to all animals as listed in this Act, although the primary focus is on cattle</p>	N/A
5.1	54/113	<p>Bush Fires Act 1954</p> <p>Issuing of Burning Permits - CEO</p>	<p>REFERENCES</p> <p>Crosslinks to deleted delegations removed: 1.1., 17.1 and 17.2</p>		N/A
6.1	54/112	Control of Environmental Health Matters	<p>CORPORATE CONTEXT</p> <p>Delegations Register</p> <p>Reference to delegation changed from 18.1 to 6.4</p> <p>Authorised Officer</p> <p>Inclusion of the following:</p>	<p>Delegation 18.1 was deleted in 2018. It referred to the appointment of a qualified person.</p> <p>Additional information included to explain how the delegation operates regarding allowing the</p>	N/A

			<p>Delegation 1.1.7.2 Designate Authorised Officers. The CEO has delegation to designate a person or class of persons for the purposes of the Public Health Act 2016 or other specified Act, matters regarding the Shire's Health Local Laws and the issue of infringement notices.</p> <p>REFERENCES Reference to Delegation 18.1 removed.</p> <p>Further explanation added regarding how EHOs are appointed:</p> <p>s.17 (1) A local government may appoint one or more persons as environmental health officers (EHO).</p> <p>s.17 (2) An appointee may be –</p> <ul style="list-style-type: none"> (a) a person employed by the local government under the Local Government Act 1995 section 5.36; or (b) a person engaged by the local government under a contract for services <p>Note: The EHO is currently engaged by the CEO under a contract for services. The CEO in accordance with s 5.36 is responsible for the employment of all staff.</p>	<p>CEO to ensure various functions are carried out.</p> <p>The class of person designated by the CEO is an environmental health officer. This can either be an employee or a contract under services.</p> <p>EHO services are currently provided under contract by a suitably qualified person</p>	
6.4	57/112	Food Act 2008 Control of Food Matters	<p>STATUTORY CONTEXT</p> <p>The following is removed:</p> <ul style="list-style-type: none"> - s.122(1)(b) – authorised person must hold office as an environmental health officer under the <i>Health Act 1911</i> <p>Replaced with:</p> <ul style="list-style-type: none"> - s.122(2) – authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 	This change to the Food Act occurred in 2016	

			CORPORATE CONTEXT Delegations Register Inclusion of the following: <ul style="list-style-type: none"> - 1.1.6 – Food Act 2008 (Appointment of an authorised person) 	Recognises that the CEO has delegation to appoint an authorised person so that they can perform enforcement matters under the Food Act	
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Council to Committees

Delegation	Page	Subject	Changes Made	Reason	Applicable Legislation
21.1	97/112	CEO Recruitment Committee	FUNCTION The precis has been changed from: The CEO Recruitment Committee has been delegated all powers necessary to enable the Committee to undertake relevant administrative aspects of the recruitment process. Refer to the list of Recruitment Tasks. To the following: The CEO Recruitment Committee is delegated the power to advertise the CEO position in accordance with the Local Government (Administration) Regulations 1996. Council Conditions on this Delegation Removed and changed to Nil. Description has been inserted into a new sub-section – Role of the CEO Recruitment Committee	These changes remove the ambiguity raised previously regarding what has actually been delegated to the CEO Recruitment Committee	LG Act 1995 - r 5.16 - r.5.17

			<p>Role of the CEO Recruitment Committee</p> <p>New section that lists what the CEO Recruitment Committee does:</p> <p>The CEO Recruitment Committee assists Council with the recruitment process by providing advice on the List of Recruitment Tasks:</p> <ol style="list-style-type: none"> 1. Determine the selection criteria for the position of CEO; 2. Approve by absolute majority, the job description form for the position of CEO, which sets out: <ol style="list-style-type: none"> a. The duties and responsibilities of the CEO; and b. The selection criteria as required in Point 1. 3. Advertise the CEO position in accordance with the Administration Regulations; 4. Appoint a CEO Selection Panel to conduct the recruitment and selection process for the employment of a person in the position of CEO: <ol style="list-style-type: none"> a. The facilitator would assist the CEO Selection Panel; b. Make recommendations on the job description form (Points 2a and 2b); c. Review applications received, undertake interviews and make recommendations regarding: suitability of the recommended applicant, the offer of employment, the proposed terms of contract. 5. Approve by absolute majority: <ol style="list-style-type: none"> a. The making of the offer of employment to the applicant; and b. The proposed terms of the contract of employment, including any variations proposed to the contract. 		
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			Note: Task 3 highlighted above is performed directly by the Committee		
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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 deleted/not listed previously and Manager Finance and Administration inserted:

3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 7.1, 11.2, 11.3, 13.9, 15.1		Applied in both SUB-DELEGATION and APPLICATION	Role changed from MF to MFA	
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Inclusion/Removal/Restrictions of Another Officer

3.2	27/112	Local Government Act 1995 Municipal Fund and Trust Fund – Payments from Bank Accounts	SUB-DELEGATION Finance Coordinator added APPLICATION OF SUB-DELEGATION (CEO CONDITIONS) Clause 3 amended as follows: <ul style="list-style-type: none"> MF changed to MFA Finance Coordinator included MWS, Payroll, Creditors, Rates removed 	<ul style="list-style-type: none"> MF changed to MFA to reflect correct title; The CEO Conditions reflect best practice and what the OAG expects from public agencies i.e. at least two signatories to authorise a payment 	LG Act - s.6.8 – - s.6.8(1)(c) Fin Man Regs - r.5 - r.11 - r.13
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				<ul style="list-style-type: none"> MWS is no longer required and is reflective of when the Shire lacked consistency in the appointment of senior finance staff Payroll, Creditors and Rates upload the transactions but do not participate in the authorisation of the payments as they verify the incurring of the liability 	
3.3	29/112	Local Government Act 1995 Investments	SUB-DELEGATION Finance Coordinator added APPLICATION OF SUB-DELEGATION (CEO CONDITIONS) Second signatories amended as follows: <ul style="list-style-type: none"> Manager Works and Services removed Finance Coordinator included 	<ul style="list-style-type: none"> MF changed to MFA to reflect correct title; The CEO Conditions reflect best practice and what the OAG expects from public agencies i.e. at least two signatories to authorise a payment MWS is no longer required and is reflective of when the Shire lacked consistency in the appointment of senior finance staff 	LG Act - s.6.14 Fin Man Regs - r.19 — r.19C
3.4	30/112	Local Government Act 1995 Rates record, extensions and objections	SUB-DELEGATION The following was removed: CEO has discretion to sub-delegate The following was corrected: Manager Finance to Manager Finance and Administration	<ul style="list-style-type: none"> Text unnecessary MF changed to MFA to reflect correct title; 	N/A

3.6	32/112	Local Government Act 1995 Rates record, extensions and objections	SUB-DELEGATION The following was removed: CEO has discretion to sub-delegate The following was corrected: Manager Finance to Manager Finance and Administration	<ul style="list-style-type: none"> Text unnecessary MF changed to MFA to reflect correct title; 	N/A
3.10	38/112	Local Government Act 1995 Disposing of land – leases, rentals etc	SUB-DELEGATION The following was removed: CEO has discretion to sub-delegate The following was corrected: Manager Finance to Manager Finance and Administration	<ul style="list-style-type: none"> Text unnecessary MF changed to MFA to reflect correct title; 	N/A
10.1	63/112	Building Permits	SUB DELEGATION Principal Building Surveyor included	Currently states CEO has discretion	N/A
10.2	65/112	Illegal Development	SUB DELEGATION Principal Building Surveyor included	Currently states CEO has discretion	N/A
10.3	66/112	Control of Planning Matters	SUB DELEGATION Principal Building Surveyor included	Currently states CEO has discretion. Improves efficiencies re the planning process	N/A
10.5	70/112	Fencing Local Law 2018	SUB DELEGATION Principal Building Surveyor included	Currently states Community Safety Officer only	N/A

11.3	73/112	Public Places and Local Government Property Local Law 2018	<p>APPLICATION OF SUB-DELEGATION (CEO CONDITIONS TO SUB-DELEGATES)</p> <p>The following is included:</p> <p>Manager Works and Services and Community Safety Officer are restricted to Functions Delegated 1 (c) and 1 (d)</p>	Functions (a) and (b) are administrative matters more in keeping with the role of the CEO and the MFA	N/A
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Changes to Appendix One

Delegation	Page	Subject	Changes Made	Reason	Applicable Legislation
N/A	101/112	Statutory Context	<p>LEGISLATION</p> <p>Corrections From Health Act 1911 to Health (Miscellaneous Provisions) Act 1911</p> <p>From Public Places and Local Government Property Local Law 2019 to</p> <p>Public Places and Local Government Property Local Law 2018</p> <p>Inclusions Public Health Act 2016</p> <p>CORPORATE CONTEXT New paragraph included:</p> <p>Manager Finance and Administration Includes equivalent titles to this position e.g. Manager Finance, Manager Corporate Services, Deputy CEO and so on.</p>	<p>General tidy up</p> <p>The title of this role has tended to change on a regular basis.</p>	N/A

Delegations to be Revoked

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	22 June 2022

REFERENCES

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

Review of Delegations Completed by:

Sean Fletcher
Chief Executive Officer

31 May 2023

Public Attachments



REGISTER OF DELEGATIONS

COUNCIL TO CEO

CEO TO OFFICERS

COUNCIL TO COMMITTEES

REVIEW & ADOPTION 28 JUNE 2023

DRAFT

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 - Deleted 20 June 2020

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

PART C – PRIMARY DELEGATIONS to Committees

Section 19 - Conduct

Section 20 - Governance

Section 21 - Governance

HISTORY SUMMARY

APPENDIX One – Advisory Notes to the Delegations Register

APPENDIX TWO – Instrument of Delegation

Local Government Act 1995

INSTRUMENT OF DELEGATION OF RESPONSIBLE AUTHORITY POWERS, DISCRETIONS AND FUNCTIONS

APPENDIX THREE – Suggested Template as the Basis of Future Review

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 Deleted 28 June 2023
- 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 20 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

PART C – PRIMARY DELEGATIONS to Committees

Section 19 - Conduct

- 19.1 Behaviour Complaints Committee

Section 20 - Governance

- 20.1 Audit Committee

Section 21 - Governance

- 21.1 CEO Recruitment Committee

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

Public Attachments

PART A – PRIMARY DELEGATIONS – to CEO

Section 1 - Council / Governance

1.1 Appointment of authorised persons

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]
- s.9.10(1) – Appointment of authorised persons

Local Government (Miscellaneous Provisions) Act 1960

- s.449 Appointing of poundkeepers and rangers

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

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion in this matter

FUNCTION DELEGATED

4. Legislation

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

Note: CEO cannot designate Senior Employees:
- b) *Local Government (Miscellaneous Provisions) Act 1960* (this includes pound keepers and rangers)
- c) *Graffiti Vandalism Act 2016*

5. 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

6. 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.
7. 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.
8. 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	28 June 2023

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,
- as an officer of the Shire, 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
- 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 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

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

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

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.
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	28 June 2023

REFERENCES

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

Sub-delegation prohibited by s.48(3)

FUNCTION DELEGATED

1. Legislation

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

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.
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	28 June 2023

1.1.4 Deleted (23 June 2021)

1.1.5 Deleted (23 June 2021)

Public Attachments

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

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

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

FUNCTION DELEGATED

1. Legislation

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.
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	28 June 2023

REFERENCES

See Delegation 1.1.1

Public Attachments

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

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

Nil

FUNCTION DELEGATED

1. Legislation

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

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.
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	28 June 2023

REFERENCES

See Delegation 1.1.1

Public Attachments

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

- 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

Nil

FUNCTION DELEGATED**1. Legislation**

- 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. Infringement Notices

- Refer Legislation, 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.
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	28 June 2023

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

Permitted as per the Conditions/Limitations

FUNCTION DELEGATED

1. Legislation

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's 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.
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	28 June 2023

REFERENCES

See Delegation 1.1.1

1.2 Deleted (23 June 2021)

Public Attachments

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	28 June 2023

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.

Public Attachments

2.2 Deleted

Public Attachments

2.3 Deleted (23 June 2021)

Public Attachments

Section 3 - Financial Management

3.1 Deleted

Public Attachments

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 and Administration (MFA)
Finance Coordinator

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 OF SUB-DELEGATION (CEO CONDITIONS TO SUB-DELEGATES)

2. Delegates must comply with approvals by the CEO as follows: –
 - a) systems and procedures required by FM Reg. r.5;
 - 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
MFA	All	All
Finance Coordinator	All	All

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	28 June 2023

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. This is because these are matters regarding incurring a liability and this is controlled by the CEO in accordance with developing appropriate systems and procedures. See Local Government (Financial Management) Regulations 5 and 11.

Public Attachments

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 and Administration
Finance Coordinator

FUNCTION DELEGATED

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

APPLICATION OF SUB-DELEGATION (CEO CONDITIONS To SUB-DELEGATES)

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 and Administration

Second signatories may be –

- c) Finance Coordinator

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	28 June 2023

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

Manager Finance and Administration
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	28 June 2023

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 and Administration

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	28 June 2023

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

Manager Finance and Administration

FUNCTION DELEGATED

1. The CEO is delegated power to write off small amounts to a maximum of \$200.00 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	28 June 2023

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 and Administration

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	28 June 2023

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 and Administration

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 28 June 2023

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 and Administration
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	28 June 2023

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.

Public Attachments

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

Manager Finance and Administration

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 28 June 2023

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 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	28 June 2023

REFERENCES

Public Attachments

3.12 Ex-Gratia Payments

STATUTORY CONTEXT

None

CORPORATE CONTEXT

Delegations Register –

- 6.8 – Municipal Fund – Incurring expenditure

PRIMARY DELEGATION

CEO

SUB-DELEGATION

CEO has discretion 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	28 June 2023

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 and Administration

Manager Works and Services

Community Safety Officer

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 28 June 2023

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.70 – Dealing with objections – to be by Council (re s.9, s.10, s.37 or s.38)
- s.79 – Making local laws

Cat Regulations 2011 –

- r.22 – Other circumstances leading to refusal of approval to breed cats

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance and Administration
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 s.3, s.9, s.9(5), s.10, s.11, s.12, s.13, s.26, s.37, s.37(3), s.38, s.40, s.42, s.47, s.49, s.37 (reg.22)

APPLICATION

2. This delegation excludes functions in the Act reserved to Council, specifically:–
 - (a) Section 44(1) - Delegation of powers and duties to the CEO;
 - (b) Section 46(1)(b) - Decision to amend or revoke a delegation;
 - (c) Section 70 - Dealing with objections to decisions made under s.9 (cat registrations), s.10 (cancel of registrations), s.37 (approval to breed cats), s.38 (cancellation of approval to breed cats);
 - (d) Section 79 - Making local laws.

This delegation must be exercised in accordance with any relevant Council Policies or Shire local laws as approved from time to time.

FORMAL RECORD OF USE

File copy of notice, approval etc.

HISTORY

Adopted	18 July 2018
Review / adoption	28 June 2023

REFERENCES

4.3 Dog Act 1976

STATUTORY CONTEXT

Dog Act 1976 –

- s.3 – appointment of dog registration officer
- s.10AA – delegations must be to CEO, who may delegate functions

Dogs Local Law 2018

CORPORATE CONTEXT

None

PRIMARY DELEGATION

CEO

SUB-DELEGATION

Manager Finance and Administration
Community Safety Officer
Customer Service Officers

FUNCTION DELEGATED

1. The CEO is delegated power to exercise the following functions of the *Dog Act 1976*:

- (a) Authority to appoint registration officers with the powers and authorities conferred on a registration officer under the Dog Act 1976 [s.3].
- (b) Authority to establish and maintain dog management facilities.
- (c) Authority to discount or waive a registration fee [s.15(4A)].
- (d) Authority to direct the registration officer to refuse a dog registration and refund the fee, if any [s. 16(2)].
- (e) Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog and give notice of such decisions in accordance with s.16(3) and s.17A(2).
- (f) Authority to refund registration fees upon cancellation of registration and return of registration tags [s.19].
- (g) Authority to grant an exemption from the limitations as to the number of Dogs [s.26].
- (h) Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
- (i) Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)]

APPLICATION

1. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
2. Registration Officers are to be appointed in writing by issuing a Certificate of Authorisation.
3. 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.
4. Dog Act 1976: s.10AA(3) the delegation may expressly authorise the delegate to further delegate the power or duty

APPLICATION OF SUB-DELEGATION (CEO CONDITIONS TO SUB-DELEGATES)

Sub-delegation to Customer Service Officer and Community Safety Officer only applies to the authority to refund registration fees upon cancellation of registration and return of registration tags [s.19].

Sub-delegation to Manager Finance and Administration and the Community Safety excludes functions (a), (b) and (g) – (i).

FORMAL RECORD OF USE

File copy of notice

HISTORY

Adopted	18 July 2018
Review / adoption	28 June 2023

REFERENCES

Public Attachments

4.4 Deleted 28 June 2023

Dogs Local Law 2018

Public Attachments

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 and Administration

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 or 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 28 June 2023

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 and Administration
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	28 June 2023

REFERENCES

The *Local Government (Miscellaneous Provisions) Act 1960* provides for charges for various animals impounded as set out in:

- Schedule 2 – Ranger's fees;
- Schedule 3 – Poundage and sustenance charges;
- Schedule 4 – rates for damage by trespassing cattle.

Animals listed in the Schedules, in various combinations, include:

- (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

Public Attachments

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	28 June 2023

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 ...

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	28 June 2023

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

- 6.4 Control of Food Matters

Authorised Officer

Delegation 1.1.7.2 Designate Authorised Officers. The CEO has delegation to designate a person or class of persons for the purposes of the Public Health Act 2016 or other specified Act, matters regarding the Shire's Health Local Laws and the issue of infringement notices.

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	28 June 2023

REFERENCES

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.

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

Authorised officer 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.

s.17 (1) A local government may appoint one or more persons as environmental health officers (EHO).

s.17 (2) An appointee may be –

- (a) a person employed by the local government under the Local Government Act 1995 section 5.36; or
- (b) a person engaged by the local government under a contract for services

Note: The EHO is currently engaged by the CEO under a contract for services. The CEO in accordance with s 5.36 is responsible for the employment of all staff.

Public Attachments

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.

Public Attachments

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(2) – authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008
- 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
- 1.1.6 – Food Act 2008 (Appointment of an authorised person)

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	28 June 2023

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 1.1.6

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

Public Attachments

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 and Administration

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	28 June 2023

REFERENCES

Section 8 - Deleted 20 June 2020

Public Attachments

Section 9 - Occupational Safety & Health

This section is currently empty

Public Attachments

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

Principal Building Surveyor

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	28 June 2023

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 lodgment 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

Public Attachments

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

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

Principal Building Surveyor

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	22 June 2022

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

Principal Building Surveyor

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	22 June 2022

REFERENCES

Public Attachments

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 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	22 June 2022

REFERENCES

Refer Planning Policy

Public Attachments

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

Principal Building Surveyor

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	28 June 2023

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 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	22 June 2022

REFERENCES

11.2 Discount/waiver/subsidy of facility hire fees

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 and Administration

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	28 June 2023

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 and Administration

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.

APPLICATION OF SUB-DELEGATION (CEO CONDITIONS TO SUB-DELEGATES)

Manager Works and Services and Community Safety Officer are restricted to Functions Delegated 1 (c) and 1 (d)

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	28 June 2023

REFERENCES

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

Public Attachments

Section 12 - Tourism

This section is currently empty

Public Attachments

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

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	28 June 2023

REFERENCES

13.2 Things to be done on land not local government property

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	28 June 2023

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

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 28 June 2023

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

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	28 June 2023

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

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	28 June 2023

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.

Public Attachments

13.6 Notice of local government works

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	28 June 2023

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	28 June 2023

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 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	28 June 2023

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 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 and Administration

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	28 June 2023

REFERENCES

Section 14 - Plant / Equipment

This Section is currently empty

Public Attachments

Section 15 - Natural Resource Management

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

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 and Administration

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	28 June 2023

REFERENCES

15.2 Native flora and fauna

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	28 June 2023

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.

Public Attachments

Section 16 - Unclassified

16.1 Deleted 23 June 2021

Public Attachments

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	22 June 2022

REFERENCES

Section 18 - Deleted

18.1 Deleted

Public Attachments

PART C – PRIMARY DELEGATIONS to Committees

Section 19 - Conduct

19.1 Behaviour Complaints Committee

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.5.16 Delegation of some powers and duties to certain committees s.5.17 Limits on delegations of powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> <ul style="list-style-type: none"> • Clause 12 Dealing with a complaint • Clause 13 Dismissal of complaint
Delegate:	Behaviour Complaints Committee
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 make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)]. In making any finding the Committee must also determine reasons for the finding [MCC.cl.12(7)]. 2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> a. take no further action [MCC.cl.12(4)(a)]; or b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)]. 3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy G1.4 Complaint Handling Division 3 Code of Conduct. 2. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act. 3. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item. 4. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent and a Deputy Committee Member is in attendance. <p>NOTE TO CONDITIONS (C) AND (D): The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.</p>

Express Power to Sub-Delegate:	Nil.
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Compliance Links:	Department of Local Government, Sport and Cultural Industries – Model Code of Conduct SoVP Code of Conduct Council Members, Committee Members and Candidates Policy SoVP Complaints Behaviour Committee Terms of Reference SoVP Development Framework Code of Conduct Behaviour Complaint Policy Local Government Act 1995 – s.5.16 (Delegation of Some Powers to Certain Committees) Local Government (Model Code of Conduct) Regulations 2021- Division 3
Record Keeping:	Behaviour Complaints Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

Version Control:

1	Adopted 22 June 2022
2	Reviewed 28 June 2023 – No change
3	

Section 20 - Governance

20.1 Audit Committee

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.5.16 Delegation of some powers and duties to certain committees s.5.17 Limits on delegations of powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
Delegate:	Audit Committee
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"> Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)]. Authority to: <ol style="list-style-type: none"> examine the report of the Auditor and determine matters that require action to be taken by the Shire; and ensure that appropriate action is taken in respect of those matters [s.7.12A(3)]. Authority to review and endorse the Shire's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].

Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil. Sub-delegation is prohibited by s.7.1B.

Compliance Links:	Department of Local Government, Sport and Cultural Industries Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees Audit Committee Terms of Reference
Record Keeping:	Audit Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

Version Control:

1	Adopted 22 June 2022
2	Reviewed 28 June 2023 – No change
3	

Section 21 - Governance

21.1 CEO Recruitment Committee

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.5.16 Delegation of some powers and duties to certain committees s.5.17 Limits on delegations of powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government (Administration Regulations) 1996 – Division 2:</i>
Delegate:	CEO Recruitment Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The CEO Recruitment Committee is delegated the power to advertise the CEO position in accordance with the <i>Local Government (Administration) Regulations 1996</i> .
Council Conditions on this Delegation:	Nil
Role of the CEO Recruitment Committee	The CEO Recruitment Committee assists Council with the recruitment process by providing advice on the List of Recruitment Tasks: 1. Determine the selection criteria for the position of CEO;

	<ol style="list-style-type: none"> 2. Approve by absolute majority, the job description form for the position of CEO, which sets out: <ol style="list-style-type: none"> a. The duties and responsibilities of the CEO; and b. The selection criteria as required in Point 1. 3. Advertise the CEO position in accordance with the Administration Regulations; 4. Appoint a CEO Selection Panel to conduct the recruitment and selection process for the employment of a person in the position of CEO: <ol style="list-style-type: none"> a. The facilitator would assist the CEO Selection Panel; b. Make recommendations on the job description form (Points 2a and 2b); c. Review applications received, undertake interviews and make recommendations regarding: suitability of the recommended applicant, the offer of employment, the proposed terms of contract. 5. Approve by absolute majority: <ol style="list-style-type: none"> a. The making of the offer of employment to the applicant; and b. The proposed terms of the contract of employment, including any variations proposed to the contract. <p>Note: Task 3 is performed directly by the Committee</p>
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<ul style="list-style-type: none"> • s.5.39A <i>Local Government Act 1995</i> • <i>Local Government (Administration Regulations) 1996</i> – Division 2 • Policy 2.6: Standards for CEO Recruitment, Performance and Termination
Record Keeping:	CEO Recruitment Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

Version Control:

1	Adopted 22 June 2022
2	Reviewed 28 June 2023 – Changes made to clarify advertising delegation
3	

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	22 June 2022	Review	22 June 2022	Delegations modified: 1.1.7.2, 3.2, 3.6 Delegations CEO to Officers modified: 3.2, 3.3, 4.1 Delegations to Committee 19.1 – New 19.2 – New 19.3 - New
6	28 June 2023	Review	28 June 2023	Delegations revoked: 4.4 Delegations modified: 1.1.1, 1.1.2, 3.6, 4.2, 4.3, 4.4, 4.6, 5.1, 6.1, 6.4, 21.1 Delegations CEO to Officers modified: 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 7.1, 10.1, 10.2, 10.3, 10.5, 11.2, 11.3, 13.9, 15.1 Changes to Appendix One <ul style="list-style-type: none"> • Correct legislation included • Clarification re naming convention for MFA

APPENDIX One – Advisory Notes to the Delegations Register

Introduction

This document records the compiled delegations made by Council and the CEO under the authority of the *Local Government Act 1995*. Other legislative instruments may allow 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. 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

Public Health Act 2016

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 2018,

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.

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,
3. A specific resolution of Council,
4. Delegations Register – being specific authorisations resolved by Council or those powers on-delegated by the CEO, 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)
- WALGA Delegation Templates, Councillors Manual, Practice Notes etc.

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

Manager Finance and Administration

Includes equivalent titles to this position e.g. Manager Finance, Manager Corporate Services, Deputy CEO and so on.

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, may be made, amended or revoked at any time by an absolute majority of Council.

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.

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.

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
 - o 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

Public Attachments

Public Attachments

Public Attachments

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		

GLOSSARY OF DELEGATE TITLES

[illegible]

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>, as a precondition 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} The following Conditions are examples only – modify or delete to meet your Local Government's requirements. <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	