



# PUBLIC ATTACHMENTS

Ordinary Council Meeting

22 May 2024

PUBLIC ATTACHMENTS

**SCHEDULE OF ACCOUNTS PAID - April 2024**

Ordinary Council Meeting

22 May 2024

Shire of Victoria Plains

No	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
1	EFT13102 6342	05/04/2024 18/03/2024	Abbott Auto Electrics	Depot - Tip Truck-repair tail light fault, Bobcat track loader - repair worklights and headlight fault Depot - Tip Truck-repair tail light fault, Bobcat track loader - repair worklights and headlight fault	 882.75	882.75		
2	EFT13103 1013153036	05/04/2024 17/04/2024	Australia Post	Australia Post - Postal Charges - March 2024 Australia Post - Postal Charges - March 2024	 36.36	36.36		
3	EFT13104 61725	05/04/2024 22/03/2024	Avon Waste	Rubbish Collection General - to 13/03/2024 Rubbish Collection General - to 13/03/2024	 2,051.71	2,051.71		
4	EFT13105 407265	05/04/2024 31/03/2024	Bolgart Rural Merchandise	Depot Consumables- couplings & screws - March 2024 Depot Consumables- couplings & screws - March 2024	 19.90	19.90	L	
5	EFT13106 4281	05/04/2024 04/04/2024	Canine Control	Ranger Services - 2nd & 3rd April 2024 Ranger Services - 2nd & 3rd April 2024	 2,420.00	2,420.00		
6	EFT13107 51475	05/04/2024 01/02/2024	Eastern Hills Chainsaws & Mowers	Depot - Mower Blade kit Depot - Mower Blade kit	 171.00	171.00		
7	EFT13108 4489	05/04/2024 03/04/2024	Exurban Pty Ltd (ATF Vista Trust)	Town Planning Consultancy Services - March 2024 Town Planning Consultancy Services - March 2024	 3,599.54	3,599.54		
8	EFT13109 736	05/04/2024 04/04/2024	Greg Alan Electrical Airconditioning & Refrigeration	Admin CEO Office - supplied and installed replacement A/C unit Admin CEO Office - supplied and installed replacement A/C unit	 2,776.00	2,776.00		
9	EFT13110 32	05/04/2024 03/04/2024	Hyatt Concrete Pty Ltd	Bolgart Caravan Park -supplied and laid concrete pad for waste point; Calingiri War Memorial - rip and relayed paving Bolgart Caravan Park -supplied and laid concrete pad for waste point; Calingiri War Memorial - rip and relayed paving	 1,650.00	1,650.00		
10	EFT13111 22422	05/04/2024 31/03/2024	LG Best Practices	Rates Services - March 2024 Rates Services - March 2024	 748.00	748.00		
11	EFT13112 5123	05/04/2024 03/04/2024	Moora Glass and Decor	Calingiri Hall - Blind replacement Calingiri Hall - Blind replacement	 2,477.20	2,477.20		
12	EFT13113 50578	05/04/2024 03/04/2024	New Norcia Services	Council Meeting Consumables - Briefing 18/03/2024 & OCM 27/03/2024 Council Meeting Consumables - Briefing 18/03/2024 & OCM 27/03/2024	 350.00	350.00	L	
13	EFT13114 1181	05/04/2024 03/04/2024	Rural Infrastructure Services	Consultancy Services for WSFN road projects - March 2024 Consultancy Services for WSFN road projects - March 2024	 15,335.38	15,335.38		F
14	EFT13115 1318	05/04/2024 02/04/2024	SF Fitzgerald Plumbing & Gas	New Norcia Fire Shed - repair leaks underground New Norcia Fire Shed - repair leaks underground	 1,734.10	1,734.10		
15	EFT13116 20032024	05/04/2024 20/03/2024	Salary Packaging Australia Pty Ltd	Salary Deductions- GST for Novated lease period ending 27/03/2027 Salary Deductions- GST for Novated lease period ending 27/03/2027	 76.22	76.22		
16	EFT13117 114384 114386	05/04/2024 25/03/2024 25/03/2024	The Farmco / Yerecoin Traders	Catering services Harmony Day 19/03/2024 Econisis Economic Development Strategy workshop and interviews 20/03/2024	 182.60 114.40	297.00	L	
17	EFT13118 77257	05/04/2024 31/03/2024	The Smart Security Company Pty Ltd	Calingiri Gym - supplied and installed new security system Calingiri Gym - supplied and installed new security system	 3,374.01	3,374.01		

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Ordinary Council Meeting 22 May 2024								
18	EFT13119 2	05/04/2024 03/04/2024	Victoria Jane Ford	Welcome To Country for Blessing of the Roads Ceremony		1,500.00		
19	EFT13120 35701	05/04/2024 03/04/2024	Wheatbelt Furniture and Homewares	ANZAC Wreath for Anzac Day Ceremony 2024		145.00		
20	EFT13121 155071	12/04/2024 29/02/2024	B&J Catalano Pty Ltd	Mogumber - Yarawindah Road - supply 10,529.5 tonne gravel - WSNF funding		69,480.93		F
21	EFT13122 2420	12/04/2024 10/04/2024	B-Vec Electrical	Depot - supplied and installed replacement 3.5kva A/C unit		2,772.00		
22	EFT13123 4036266120	12/04/2024 29/03/2024	BOC Limited	BOC - Gas Bottle Supplies - 27/02/2024 to 28/03/2024		44.96		
23	EFT13124 219834 219833	12/04/2024 02/04/2024 02/04/2024	Country Copiers	Printer Charges - maintenance and monthly readings - March 2024		909.41		
24	EFT13125 2324013	12/04/2024 11/04/2024	Dallywater Consulting	Environmental Health Officer Services - 28/03/2024 to 11/04/2024		8,716.69		
25	EFT13126 1033404	12/04/2024 26/03/2024	Dun Direct Pty Ltd	Depot Fuel Supplies - March 2024 Fuel		15,334.78		
26	EFT13127 18468	12/04/2024 22/03/2024	Local Government NSW	Staff training - "Careers at Council Job Summit" (Interstate)		1,210.00		
27	EFT13128 REIMBURSEMENT	12/04/2024 09/04/2024	Mikayla James	Staff recruitment - Medical charges reimbursement		183.04	L	
28	EFT13129 8356	12/04/2024 27/03/2024	RSM Australia Pty Ltd (atf Birdanco Practice Trust Trading as RSM)	Accounting services - Feb 2024		467.50		
29	EFT13130 3618	12/04/2024 02/04/2024	Rumbold Pty Ltd	Purchased new Ford Ranger Double Cab - Community Emergency Services Manager's vehicle		69,155.58		
30	EFT13131 DEDUCTION DEDUCTION DEDUCTION DEDUCTION 03042024	12/04/2024 10/04/2024 10/04/2024 10/04/2024 10/04/2024 10/04/2024	Salary Packaging Australia Pty Ltd	Payroll deductions - Salary packaging Novated Lease		1,306.77		
31	EFT13132 76	12/04/2024 08/04/2024	Steptoe & Wife Scrap Metal Recycling (Newins Family Trust T/as)	Calingiri/Bolgart Refuse Site Management - 01/04/2024 to 14/04/2024		2,961.54	L	
32	EFT13133 3875794	12/04/2024 18/03/2024	Stewart & Heaton Clothing Co Pty Ltd	Bushfire Brigade - uniforms		2,247.59		
33	EFT13134 108056	12/04/2024 31/03/2024	Well Done International Pty Ltd	WellDone International Monthly Service Fee - March 2024		187.00		
34	EFT13135 9614	12/04/2024 20/03/2024	Western Australia Local Government Association	Elected Member courses- "Conflicts of Interest"		242.00		

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				Ordinary Council Meeting 22 May 2024				
35	EFT13136 62227	19/04/2024 05/04/2024	Avon Waste	Rubbish Collection General - to 27/03/2024 Rubbish Collection General - to 27/03/2024	2,590.12	2,590.12		
36	EFT13137 34723	19/04/2024 02/04/2024	Boya Equipment Pty Ltd	Depot - Purchased Kubota Hi Flow Compact Track Loader Depot - Purchased Kubota Hi Flow Compact Track Loader	143,000.00	143,000.00		
37	EFT13138 16844	19/04/2024 17/04/2024	Bushfire Store	Depot - 2500Litre water cartage tank with 450mm poly hing lid & 2 inch poly fitting Depot - 2500Litre water cartage tank with 450mm poly hing lid & 2 inch poly fitting	8,120.00	8,120.00		
38	EFT13139 15349	19/04/2024 01/02/2024	Calingiri Autos (GE & SN O'Brien T/as)	Staff housing - CEO's house paving and concreting- 13 Ton Load of Yellow Sand for Staff housing - CEO's house paving and concreting- 13 Ton Load of Yellow Sand for	585.00	585.00	L	
38	EFT13140	19/04/2024	Cancelled EFT	Cancelled EFT				
39	EFT13141 18220 18288 18301 18330	19/04/2024 21/03/2024 27/03/2024 28/03/2024 03/04/2024	Interfire Agencies Pty Ltd	BushFire Brigade Uniforms and accessories Pacific BR9 cap Fire Helmet - BFB Captain/FCO, and Rugged extremes stowage kit bag Rugged extremes stowage kit bag Fire Helmet yellow - BFB Captain/FCO 3M Ultimate FX Full facepiece kit - small	497.81 303.07 346.27 530.21	1,677.36		F
40	EFT13142 1442	19/04/2024 17/04/2024	Nordic Fitness Equipment (Gym Supplies Australia as t/f P & M Moore Family Trust)	Calingiri Gym - preventative maintenance service-all gym equipment Calingiri Gym - preventative maintenance service-all gym equipment	592.90	592.90		
41	EFT13143 31032024 7	19/04/2024 31/03/2024 31/03/2024	Rajaford Pty Ltd (Calingiri Traders)	Monthly purchases: Administration Office - stamps, juice, milk, kitchen supplies, chamber supplies, fluro Depot - Minor Supplies - nut & bolts, rags, couplings, light, cabling, watering Can, milk, Cleaning Products & Supplies, Coffee, Coolant, Cable Ties & Glue, Shovel, Fuel	263.00 853.85	1,116.85	L	
42	EFT13144 3889485	19/04/2024 15/04/2024	Stewart & Heaton Clothing Co Pty Ltd	BushFire Brigade - Clothing BushFire Brigade - Clothing	109.99	109.99		F
43	EFT13145 T101	19/04/2024 15/04/2024	THEO CAMERER	Toilet Trailer hire bond refund Toilet Trailer hire bond refund	125.00	125.00		
44	EFT13146 368 369 370 371	19/04/2024 24/03/2024 31/03/2024 07/04/2024 14/04/2024	Team Global Express Pty Ltd	Freight Charges (Delivery To & From Calingiri) Freight Charges (Delivery To & From Calingiri) - Depot Freight Charges (Delivery To & From Calingiri) - Fire uniforms 18/03/2024 to 21/03/2024 Freight Charges (Delivery To & From Calingiri) - Fire Uniforms 25/03/2024 to 27/03/2024 Freight Charges (Delivery To & From Calingiri) -Fire 28/03/2024 & 03/04/2024	243.86 205.11 105.90 67.67	622.54		
45	EFT13147 112931 113445 115550	19/04/2024 20/02/2024 29/02/2024 16/04/2024	The Farmco / Yerecoin Traders	Catering services: Lunch for First Aid Training - 20/02/2024 LEMCO meeting 29/02/2024 Breifing Sessions	198.00 66.00 176.00	440.00	L	



No	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
				Ordinary Council Meeting 22 May 2024				
	Shire of Victoria Plains 46 EFT13148	19/04/2024	Toodyay Building & Maintenance Services	Piawaning Hall - Installed hand basins and toilet roll dispensers to both ladies and mens toilets.		847.00		
	1638	09/04/2024		Piawaning Hall - Installed hand basins and toilet roll dispensers to both ladies and mens toilets.	847.00			
47	EFT13149	19/04/2024	Truck Centre WA Pty Ltd	Purchase of UD Truck GW 26 460 (11 Litre) 6 x 4 Leaf Suspension (4285mm wheelbase) Quote: HTR2023000126		293,658.75		F
	2245916	23/03/2024		Depot Prime Mover UD- carried out basic 40,000km service	1,511.34			
	237941	03/04/2024		Purchased of UD Truck GW 460 KSL-Quon 6x4 End Tipper	291,960.00			
	2245633	08/04/2024		Depot Prime Mover UD Truck - engine fault light	187.41			
48	EFT13150	24/04/2024	Ampac Debt Recovery (wa) Pty Ltd	Rates Debt Recovery - March 2024		3,288.36		
	105596	31/03/2024		Rates Debt Recovery - March 2024	3,288.36			
49	EFT13151	24/04/2024	Bigmate Monitoring Services Pty Ltd	Depot GPS Monitoring - March 2024		176.00		
	548467	01/04/2024		Depot GPS Monitoring - March 2024	176.00			
50	EFT13152	24/04/2024	CR Rebecca Johnson	Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024		2,125.00	L	
	QTR-3	31/03/2024		Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024	2,125.00			
51	EFT13153	24/04/2024	Cr David Lovelock	Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024		2,125.00	L	
	QTR-3	31/03/2024		Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024	2,125.00			
52	EFT13154	24/04/2024	Cr Pauline Bantock	Sitting Fees (Meeting Attendance) , Telecommunications Allowance , Presidents Allowance - January to March 2024		4,625.00	L	
	QTR-3	31/03/2024		Sitting Fees (Meeting Attendance) , Telecommunications Allowance , Presidents Allowance - January to March 2024	4,625.00			
53	EFT13155	24/04/2024	Cr Stephanie Penn	Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024		2,125.00	L	
	QTR-3	31/03/2024		Sitting Fees (Meeting Attendance) and Telecommunications Allowance - January , February & March 2024	2,125.00			
54	EFT13156	24/04/2024	Cr Suzanne Woods	Sitting Fees (Meeting Attendance) , Telecommunications Allowance , Deputy Presidents Allowance - January to March 2024		2,750.00	L	
	QTR-3	31/03/2024		Sitting Fees (Meeting Attendance) , Telecommunications Allowance , Deputy Presidents Allowance - January to March 2024	2,750.00			
55	EFT13157	24/04/2024	Dallywater Consulting	Environmental Health Officer Services 12/04/2024 to 24/04/2024		9,594.90		
	2324014	11/04/2024		Environmental Health Officer Services 12/04/2024 to 24/04/2024	9,594.90			
56	EFT13158	24/04/2024	KA Tyres & Battery's	Depot - Vehicle service and parts		1,921.45	L	
	952	21/04/2024		Depot Toyota Hi Lux - vehicle safety check and service	680.77			
	951	21/04/2024		Depot Toyota Hi Lux - vehicle safety check and service	572.12			
	953	21/04/2024		Depot - Parks & Garden Vehicles - vehicle safety check & service	514.78			
	954	21/04/2024		Depot - Mazda BT 50 - Tail light replacement	99.40			
	955	21/04/2024		Depot - Breakaway spray and cans	54.38			
57	EFT13159	24/04/2024	Landgate	Landgate - Rural Evaluations - 02/03/2024 to 15/03/2024		224.40		
	392139	27/03/2024		Landgate - Rural Evaluations - 02/03/2024 to 15/03/2024	224.40			
58	EFT13160	24/04/2024	Mortlock Electrical Pty Ltd	Electrical repairs:		2,951.03		
	713	19/04/2024		Admin Office - troubleshoot issues with office lighting tripping. replaced 2 LED batten lights in Library	362.74			
	714	19/04/2024		Staff housing (12 Harrington) - disconnected switches and outlets for bathroom renovations, and fitted off new lighting and outlets after Chambers - removed existing floor mounted power point, installed flush mounted flor box for power and data outlets, and run cat5 communication cabling for internet from server room to chambers,	711.18			
	712	19/04/2024			1,877.11			5

No	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
				Ordinary Council Meeting 22 May 2024				
	Shire of Victoria Plains 59 EFT13161	24/04/2024	SLR Consulting Australia Pty Ltd	Calingiri Hal refund		277.00		
	REFUND	19/04/2024		Refund day hire	97.00			
	T66	21/04/2024		Hall hire bond and key bond	180.00			
60	EFT13162	24/04/2024	Steptoe & Wife Scrap Metal Recycling (Newins Family Trust T/as)	Calingiri/Bolgart Refuse Site Management - 15/04/2024 to 28/04/2024		2,961.54	L	
	07	22/04/2024		Calingiri/Bolgart Refuse Site Management - 15/04/2024 to 28/04/2024	2,961.54			
61	EFT13163 115863	24/04/2024 23/04/2024	The Farmco / Yerecoin Traders	Purchased disposable coffee cups & lids for ANZAC Day Ceremony		39.60	L	
				Purchased disposable coffee cups & lids for ANZAC Day Ceremony	39.60			
62	EFT13164 11	24/04/2024 22/04/2024	Thomas Culverwell	Gillingarra Hall - Cleaning - 01/04/20204 to 26/04/2024		300.00	L	
				Gillingarra Hall - Cleaning - 01/04/20204 to 26/04/2024	300.00			
				<b>EFT Totals</b>	<b>703,833.75</b>	<b>703,833.75</b>		
63	DD14797.1	14/04/2024	Shire of Victoria Plains - credit card	Credit card charges - March 2024		5,354.94		
		01/03/2024	Liberty Landsdale	Fuel	123.79			
		07/03/2024	Vive Witchcliffe	Fuel	193.80			
		07/03/2024	Flight Centre	Flights to NGA 2024	3,054.01			
		12/03/2024	Farm Weekly	Subscription monthly renewal	19.00			
		16/03/2024	Calingiri Traders	Fuel	194.46			
		20/03/2024	Wanewsdti, Osborne	The Western Australian subscription	28.00			
		21/03/2024	DropBox	Dropbox monthly subscription	102.00			
		21/03/2024	Bendigo Bank	Dropbox - international fee	3.06			
		21/03/2024	Bolgart Hotel	Dinner with consultant - Economic Development Strategy	74.00			
		22/03/2024	Crown Promenade	Accommodation CEO Forum	569.00			
		22/03/2024	Harvard Business Review	Harvard Business Review subscription	215.00			
		22/03/2024	Bendigo Bank	Harvard Business Review subscription international fee	6.45			
		22/03/2024	Liberty Landsdale	Fuel	154.67			
		23/03/2024	Crown Promenade	CEO Forum meals	170.84			
		23/03/2024	Greenwood Tavern	CEO Forum Lunch	76.20			
		26/03/2024	Readdle Inc	Fluix Subscription monthly renewal	184.39			
		26/03/2024	Bendigo Bank	Fluix Subscription monthly renewal international fee	5.53			
		26/03/2024	Calingiri Traders	Fuel	176.74			
		30/03/2024	Bendigo Bank	Card Fee	4.00			
64		14/04/2024	Shire of Victoria Plains - credit card	Credit card charges - March 2024		2,444.82		
		04/03/2024	Bunnings	Bolgart Caravan Park - letterbox brick and wall mount	159.38			
		06/03/2024	Bunnings	Bolgart Caravant Park - Clothesline foldown hills	189.00			
		09/03/2024	Camera Warehouse	Purchase refund	(0.72)			
		09/03/2024	Bunnings Geraldton	Depot - Ratchet straps	83.90			
		11/03/2024	Great Northern Rural Services	Yerecoin Oval - Antex granuals	33.44			
		15/03/2024	Toolmart	Depot - Tools	1,472.00			
		20/03/2024	SOVP - DOT	WM vehicle licence	37.80			
		24/03/2024	Cafe Sunset	Fuel	125.49			
		26/03/2024	Liberty Cataby	Fuel	134.07			
		26/03/2024	Bunnings	Chambers - plants and accessories	81.46			
		27/03/2024	Midwest Mowers and CanAm	Depot - Chainsaw repairs	125.00			
		30/03/2024	Bendigo Bank	Card fee	4.00			

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				Ordinary Council Meeting 22 May 2024				
65	Shire of Victoria Plains	14/04/2024	Shire of Victoria Plains - credit card	Credit card charges - March 2024		274.04		
		01/03/2024	Woolworths	Staff Breakfast	11.00			
		07/03/2024	Ampol	Fuel	20.15			
		18/03/2024	Woolworths	Coffee	26.00			
		21/03/2024	WA Trails	WA Trails forum	35.00			
		29/03/2024	Comfort Style	Flowers- Blessing of the Roads	177.89			
		30/03/2024	Bendigo Bank	Card fee	4.00			
66		14/04/2024	Shire of Victoria Plains - credit card	Credit card charges - March 2024		413.76		
		02/03/2024	ARLO	Security Camera subscription 29/02	12.99			
		02/03/2024	Bendigo Bank	Security Camera subscription 29/02 international fee	0.39			
		12/03/2024	Starlink	Calingiri BFB Internet 11/03	139.00			
		25/03/2024	Starlink	Calingiri BFB Internet 24/03	174.00			
		28/03/2024	BP Moora	Emergency Services vehicle - fuel 25/03/2024	70.00			
		30/03/2024	Bendigo Bank	Card Fee	4.00			
		31/03/2024	ARLO	Security camera subscription 29/03	12.99			
		31/03/2024	Bendigo Bank	Security Camera subscription 29/03 international fee	0.39			
67	DD14797.2	14/04/2024	Wright Express Australia Pty Ltd	Fuel card charges - March 2024		212.52		
		14/04/2024		Cardholder 1 - Management Fee - CEO's vehicle	5.50			
		14/04/2024		Cardholder 2 - Diesel fuel plus management fee - CESM Vehicle	207.02			
				<b>Credit Cards Totals</b>	<b>8,700.08</b>	<b>8,700.08</b>		
68	DD14726.1 562695810	22/04/2024 02/04/2024	Synergy	Electricity Charges - 26/01/2024 to 27/03/2024 - Bolgart Hall Electricity Charges - 26/01/2024 to 27/03/2024 - Bolgart Hall	 233.53	233.53		
69	DD14731.1 140205694	02/04/2024 18/03/2024	linet Limited	Internet charges - Mogumber and Bolgart Library- April 2024 Internet charges - Mogumber and Bolgart Library- April 2024	 79.98	79.98		
70	DD14732.1 112865110 429878510 459289910 589385150 776076920 149348920 605380240 956682100	02/04/2024 13/03/2024 13/03/2024 13/03/2024 13/03/2024 13/03/2024 13/03/2024 13/03/2024 13/03/2024	Synergy	Electricity Charges 05/01/2024 to 06/03/2024 Staff Housing Calingiri Football Club Staff Housing Shire Office Calingiri War Memorial Staff Housing Calingiri Aged Units - Entrance Lighting Staff Housing	 249.83 1,717.22 580.14 1,632.22 126.38 1,064.50 105.33 1,008.73	6,484.35		
71	DD14746.1 1583901424	05/04/2024 17/03/2024	Telstra Corporation Ltd	Telephone Accounts Mobiles - April 2024 Telephone Accounts Mobiles - April 2024	 871.93	871.93		
72	DD14747.1 404664510 639600350	08/04/2024 15/03/2024 15/03/2024	Synergy	Electricity Charges - 05/01/2024 to 05/03/2024 Calingiri Fire Station Depot	 837.77 1121.64	1,959.41		
73	DD14749.1 SUPER DEDUCTION DEDUCTION DEDUCTION	10/04/2024 10/04/2024 10/04/2024 10/04/2024	Aware Super Pty Ltd	Superannuation contributions and payroll deductions Superannuation contributions Payroll deduction Payroll deduction Payroll deduction	 5,345.71 195.49 100.00 27.54	5,668.74		

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				Ordinary Council Meeting 22 May 2024				
74	DD14749.2 SUPER	10/04/2024 10/04/2024	Host Plus Executive	Superannuation contributions	258.54	258.54		
75	DD14749.3 SUPER	10/04/2024 10/04/2024	Rest Industry Super	Superannuation contributions	268.53	268.53		
76	DD14749.4 SUPER	10/04/2024 10/04/2024	Australian Retirement Trust	Superannuation contributions	440.00	440.00		
77	DD14749.5 SUPER DEDUCTION	10/04/2024 10/04/2024 10/04/2024	Cbus Super Australia	Superannuation contributions and payroll deductions Superannuation contributions Payroll deductions	285.12 178.20	463.32		
78	DD14749.6 SUPER SUPER	10/04/2024 10/04/2024 10/04/2024	Mercer Super	Superannuation contributions Superannuation contributions Superannuation contributions	290.40 119.50	409.90		
79	DD14749.7 DEDUCTION	10/04/2024 10/04/2024	North Superannuation	Superannuation Payroll deductions Superannuation Payroll deductions	86.00	86.00		
80	DD14749.8 DEDUCTION SUPER	10/04/2024 10/04/2024 10/04/2024	Macquarie Super Manager II	Superannuation contributions and payroll deductions Payroll Deduction Superannuation contributions	100.00 93.02	193.02		
81	DD14749.9 DEDUCTION SUPER SUPER	10/04/2024 10/04/2024 10/04/2024 10/04/2024	Australian Super Pty Ltd	Superannuation contributions and payroll deductions Payroll Deduction Superannuation contributions Superannuation contributions	163.35 518.29 86.00	767.64		
82	DD14758.1 T1000	15/04/2024 08/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions Transport licensing transactions	42.40	42.40		
83	DD14758.2 DOT APR	05/04/2024 05/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions Transport licensing transactions	356.80	356.80		
84	DD14758.3 T1000	04/04/2024 04/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions Transport licensing transactions	691.90	691.90		
85	DD14758.4 T1000	10/04/2024 03/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions Transport licensing transactions	313.10	313.10		
86	DD14758.5 T1000	02/04/2024 02/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions Transport licensing transactions	255.55	255.55		
87	DD14761.1 T1000	09/04/2024 09/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 05/04/2024 Transport licensing transactions 05/04/2024	290.15	290.15		
88	DD14761.2 T1000	12/04/2024 12/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 10/04/2024 Transport licensing transactions 10/04/2024	126.70	126.70		
89	DD14765.1 6308416000	16/04/2024 30/03/2024	Telstra Corporation Ltd	Telephone Accounts - April 2024 Telephone Accounts - April 2024	1,619.85	1,619.85		
90	DD14770.1 595604450 407028000	19/04/2024 28/03/2024 28/03/2024	Synergy	Electricity Charges - 26/01/2024 to 27/03/2024 Road Board Building Bolgart Play Group	307.90 167.73	475.63		
91	DD14777.1 SUPER DEDUCTION DEDUCTION DEDUCTION	24/04/2024 24/04/2024 24/04/2024 24/04/2024 24/04/2024	Aware Super Pty Ltd	Superannuation contributions and Payroll deductions Superannuation contributions Payroll deductions Payroll deductions Payroll deductions	5,384.58 184.81 100.00 64.80	5,734.19		
92	DD14777.2 SUPER	24/04/2024 24/04/2024	Host Plus Executive	Superannuation contributions Superannuation contributions	207.69	207.69		8

No	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
				Ordinary Council Meeting 22 May 2024				
93	DD14777.3 SUPER	24/04/2024 24/04/2024	Rest Industry Super	Superannuation contributions	221.86	221.86		
94	DD14777.4 SUPER	24/04/2024 24/04/2024	Australian Retirement Trust	Superannuation contributions	352.00	352.00		
95	DD14777.5 SUPER DEDUCTION	24/04/2024 24/04/2024 24/04/2024	Cbus Super Australia	Superannuation contributions and payroll deductions	422.40 264.00	686.40		
96	DD14777.6 SUPER SUPER	24/04/2024 24/04/2024 24/04/2024	Mercer Super	Superannuation contributions	290.40 124.72	415.12		
97	DD14777.7 DEDUCTION	24/04/2024 24/04/2024	North Superannuation	Payroll deductions	103.20	103.20		
98	DD14777.8 DEDUCTION SUPER	24/04/2024 24/04/2024 24/04/2024	Macquarie Super Manager II	Superannuation contributions	100.00 93.02	193.02		
99	DD14777.9 DEDUCTION SUPER SUPER	24/04/2024 24/04/2024 24/04/2024 24/04/2024	Australian Super Pty Ltd	Superannuation contributions	242.00 873.82 103.20	1,219.02		
100	DD14781.1 T1000	15/04/2024 15/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 11/04/2024	429.10	429.10		
101	DD14781.2 T1000	18/04/2024 18/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 16/4/2024	1,116.10	1,116.10		
102	DD14781.3 T1000	19/04/2024 19/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 17/4/2024	46.50	46.50		
103	DD14781.4 T1000	24/04/2024 24/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 22/4/2024	394.60	394.60		
104	DD14781.5 T1000	26/04/2024 26/04/2024	Shire of Victoria Plains (Department Of Transport)	Transport licensing transactions 23/4/2024	59.90	59.90		
105	DD14783.1 174813470	23/04/2024 03/04/2024	Synergy	Bolgart Caravan & Camping Park - Electricity Charges - 30/01/2024 to 27/03/2024	285.62	285.62		
106	DD14784.1 240020510	26/04/2024 04/04/2024	Synergy	Street Lights -25/02/2024 to 24/03/2024	1,393.80	1,393.80		
107	DD14796.1 SUPER	10/04/2024 24/04/2024	Australian Retirement Trust	Superannuation contributions adjustment	(88.00)	(88.00)		
108	DD14799.1 LOAN 85 - APRIL 2024	08/04/2024 08/04/2024	Western Australia Treasury Corporation	Loan 85 repayment - Plant purchases	20,468.86	20,468.86		
109	DD14749.10 SUPER	10/04/2024 10/04/2024	TWU Super	Superannuation contributions	310.89	310.89		
110	DD14749.11 SUPER	10/04/2024 10/04/2024	AMP Life Limited	Superannuation contributions	175.05	175.05		

No	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
Shire of Victoria Plains				Ordinary Council Meeting 22 May 2024				
111	DD14749.12 SUPER	10/04/2024 10/04/2024	Commonwealth Essential Super	Superannuation contributions	194.80	194.80		
112	DD14749.13 SUPER	10/04/2024 10/04/2024	Public Sector Superannuation	Superannuation contributions	592.31	592.31		
113	DD14777.10 SUPER	24/04/2024 24/04/2024	TWU Super	Superannuation contributions	349.75	349.75		
114	DD14777.11 SUPER	24/04/2024 24/04/2024	AMP Life Limited	Superannuation contributions	175.04	175.04		
115	DD14777.12 SUPER	24/04/2024 24/04/2024	Commonwealth Essential Super	Superannuation contributions	175.74	175.74		
116	DD14777.13 SUPER	24/04/2024 24/04/2024	Public Sector Superannuation	Superannuation contributions	592.31	592.31		
117	DD	30/04/2024	Bendigo Bank	Bank fees and charges	557.05	557.05		
					<b>Direct Debits Total</b>	<b>58,718.89</b>	<b>58,718.89</b>	
118	Payroll	10/04/2024	Employees	Payroll PE 10/04/2024	58,330.45	58,330.45		
119	Payroll	24/04/2024	Employees	Payroll PE 24/04/2024	59,798.10	59,798.10		
					<b>Payroll Total</b>	<b>118,128.55</b>	<b>118,128.55</b>	
Abbreviations					EFT Total	703,833.75	79.14%	
F	Funded				Cheques Total	-	0.00%	
L	Local Supplier				Charge Cards Total	8,700.08	0.98%	
					Direct Debit Total	58,718.89	6.60%	
					Trust Total	-	0.00%	
					Payroll Total	118,128.55	13.28%	
					<b>Total</b>	<b>889,381.27</b>	<b>100.00%</b>	
					Local Suppliers	24,925.92	2.80%	
					Employees	118,128.55	13.28%	
					<b>Combined Total</b>	<b>143,054.47</b>	<b>16.08%</b>	

PUBLIC ATTACHMENTS



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# SHIRE OF VICTORIA PLAINS

## MONTHLY FINANCIAL REPORT

For the Period Ending 30 April 2024

PUBLIC ATTACHMENTS

**SHIRE OF VICTORIA PLAINS**  
**MONTHLY FINANCIAL REPORT**  
**For the Period Ending 30 April 2024**  
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PUBLIC ATTACHMENTS



**SHIRE OF VICTORIA PLAINS**

**STATEMENT OF COMPREHENSIVE INCOME**

For the Period Ending 30 April 2024

**BY PROGRAM**

	Annual Budget	Amended Budget	YTD Budget	YTD Actual
Note	\$		\$	\$
<b>Revenue</b>				
General Purpose Funding	4,124,880	3,670,443	3,670,443	<b>3,654,438</b>
Governance	67,452	67,452	67,452	<b>100,146</b>
Law, Order & Public Safety	520,285	495,885	386,368	<b>361,355</b>
Health	350	350	350	<b>1,442</b>
Educations & Welfare	30,000	30,000	30,000	<b>50,920</b>
Housing	68,110	68,110	56,750	<b>58,600</b>
Community Amenities	426,352	425,652	425,477	<b>544,632</b>
Recreation & Culture	12,243	12,243	8,267	<b>7,492</b>
Transport	7,762,130	7,785,965	4,814,855	<b>3,975,367</b>
Economic Services	10,350	30,450	9,375	<b>29,621</b>
Other Property & Services	15,000	11,500	13,330	<b>90,277</b>
	<b>13,037,152</b>	<b>12,598,050</b>	<b>9,482,667</b>	<b>8,874,290</b>
<b>Expenses</b>				
General Purpose Funding	(613,381)	(193,070)	(164,240)	<b>(152,035)</b>
Governance	(193,070)	(650,177)	(600,616)	<b>(578,607)</b>
Law, Order & Public Safety	(1,022,827)	(994,711)	(775,720)	<b>(599,829)</b>
Health	(136,801)	(136,801)	(111,264)	<b>(114,668)</b>
Educations & Welfare	(129,341)	(129,341)	(116,373)	<b>(204,654)</b>
Housing	(280,077)	(288,750)	(235,501)	<b>(230,582)</b>
Community Amenities	(617,560)	(650,604)	(545,515)	<b>(557,919)</b>
Recreation & Culture	(708,030)	(735,032)	(635,609)	<b>(576,269)</b>
Transport	(5,318,571)	(5,332,422)	(4,412,521)	<b>(3,419,734)</b>
Economic Services	(337,891)	(321,891)	(275,867)	<b>(231,096)</b>
Other Property & Services	(116,284)	(126,283)	(125,329)	<b>(188,129)</b>
	<b>(9,473,833)</b>	<b>(9,559,082)</b>	<b>(7,998,555)</b>	<b>(6,853,522)</b>
Net Result for the period	<b>3,563,319</b>	<b>3,038,968</b>	<b>1,484,112</b>	<b>2,020,768</b>

**SHIRE OF VICTORIA PLAINS**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

	Note	Annual Budget \$	Amended Budget	YTD Budget \$	YTD Actual \$
<b>Opening Funding Surplus / (Deficit)</b>			<b>890,286</b>	<b>890,286</b>	<b>890,286</b>
<b>Revenue from Operating Activities</b>					
Rates		3,542,666	3,512,055	3,512,055	<b>3,510,436</b>
Grants, subsidies and contributions	10b	1,047,098	590,482	590,482	<b>621,856</b>
Fees and charges		222,749	214,249	203,789	<b>214,633</b>
Interest Revenue		58,019	90,809	75,674	<b>81,385</b>
Other revenue		151,218	151,218	118,381	<b>154,111</b>
Profit on disposal of assets	6b	58,952	58,952	58,952	<b>63,196</b>
		<b>5,080,703</b>	<b>4,617,765</b>	<b>4,559,333</b>	<b>4,645,617</b>
<b>Expenditure from Operating Activities</b>					
Employee costs		(2,307,701)	(2,254,902)	(1,974,143)	<b>(1,740,827)</b>
Materials and contracts		(2,347,190)	(2,482,735)	(2,046,211)	<b>(1,869,306)</b>
Utility charges		(132,393)	(132,393)	(113,122)	<b>(120,102)</b>
Depreciation on non-current assets		(4,273,564)	(4,273,565)	(3,561,318)	<b>(2,845,361)</b>
Finance Costs (Interest)		(70,511)	(70,511)	(66,910)	<b>(50,970)</b>
Insurance expenses		(189,840)	(189,841)	(180,337)	<b>(168,391)</b>
Other expenditure		(75,610)	(78,110)	(56,514)	<b>(58,564)</b>
Loss on disposal of assets	6b	(77,025)	(77,025)	-	-
		<b>(9,473,834)</b>	<b>(9,559,082)</b>	<b>(7,998,555)</b>	<b>(6,853,523)</b>
<b>Excluded Non-cash Operating Activities</b>					
Depreciation and amortisation		4,273,564	4,273,565	3,561,318	<b>2,845,361</b>
(Profit) / loss on asset disposal	6b	(18,073)	(18,073)	(58,952)	<b>(63,196)</b>
Receivables for employee related provisions		-	-	-	<b>(4,239)</b>
Accrued Interest on Loans		-	-	-	<b>(27,424)</b>
<b>Net Amount from Operating Activities</b>		<b>(137,640)</b>	<b>(685,825)</b>	<b>63,144</b>	<b>542,596</b>
<b>Investing Activities</b>					
Capital Grants, subsidies and contributio	10a	7,956,450	7,980,285	4,923,334	<b>4,228,672</b>
Proceeds from disposal of assets	6b	251,000	251,000	106,817	<b>106,817</b>
Land and buildings	7	(227,000)	(232,000)	(166,206)	<b>(86,206)</b>
Plant and equipment	7	(978,274)	(978,274)	(796,000)	<b>(814,371)</b>
Furniture and equipment	7	(47,000)	(50,800)	(15,800)	<b>(15,800)</b>
Infrastructure - roads	7	(7,200,780)	(7,335,047)	(5,192,232)	<b>(5,192,232)</b>
Infrastructure - other	7	(426,002)	(474,587)	(291,026)	<b>(251,867)</b>
<b>Net Amount from Investing Activities</b>		<b>(671,606)</b>	<b>(839,423)</b>	<b>(1,431,113)</b>	<b>(2,024,987)</b>
<b>Financing Activities</b>					
Proceeds from self supporting loans	8	21,598	21,598	-	-
Proceeds from Long Term Borrowings		-	-	-	-
Repayment of borrowings	8	(268,431)	(268,431)	(256,530)	<b>(256,530)</b>
Transfer from reserves	5	1,102,480	1,102,480	300,000	<b>395,285</b>
Transfer to reserves	5	(92,526)	(92,526)	(20,727)	<b>(20,727)</b>
<b>Net Amount from Financing Activities</b>		<b>763,121</b>	<b>763,121</b>	<b>22,743</b>	<b>118,028</b>
<b>Closing Funding Surplus / (Deficit)</b>	1	<b>(58,888)</b>	<b>128,159</b>	<b>(454,941)</b>	<b>(474,077)</b>

**SHIRE OF VICTORIA PLAINS**  
**STATEMENT OF FINANCIAL POSITION**  
**For the Period Ending 30 April 2024**

	Note	2024	2023
		\$	\$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	2	640,529	2,252,544
Trade and other receivables	4a	832,235	154,003
Other financial assets	2	886,584	1,254,432
Inventories		4,967	8,280
Other assets		202,783	202,783
<b>TOTAL CURRENT ASSETS</b>		<b>2,567,098</b>	<b>3,872,041</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables	4b	10,996	10,996
Other financial assets		181,641	181,641
Property, plant and equipment		12,663,615	12,258,108
Infrastructure		127,640,215	124,574,226
<b>TOTAL NON-CURRENT ASSETS</b>		<b>140,496,467</b>	<b>137,024,971</b>
<b>TOTAL ASSETS</b>		<b>143,063,566</b>	<b>140,897,012</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	9a	760,544	326,566
Other liabilities	9b	1,212,823	1,212,823
Borrowings	8	12,157	296,111
Employee related provisions		166,624	166,624
<b>TOTAL CURRENT LIABILITIES</b>		<b>2,152,147</b>	<b>2,002,124</b>
<b>NON-CURRENT LIABILITIES</b>			
Borrowings	8	1,580,806	1,580,806
Employee related provisions		32,652	36,891
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>1,613,459</b>	<b>1,617,697</b>
<b>TOTAL LIABILITIES</b>		<b>3,765,606</b>	<b>3,619,821</b>
<b>NET ASSETS</b>		<b>139,297,959</b>	<b>137,277,191</b>
<b>EQUITY</b>			
Retained surplus		13,324,131	13,324,131
Net Result - Comprehensive Income		2,020,768	
Transfer to /from Reserves	5	374,558	
Reserve accounts	5	879,331	1,253,888
Revaluation surplus		122,699,172	122,699,172
<b>TOTAL EQUITY</b>		<b>139,297,959</b>	<b>137,277,191</b>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 30 April 2024

1. Net Current Funding Position

	Note	Current Month 30 Apr 24 \$	Prior Year Closing 30 Jun 23 \$
<b>Current Assets</b>			
Cash and cash equivalents	2	640,529	2,252,544
Trade and other receivables	4a	832,235	154,003
Reserves	5	879,331	1,232,578
Self Support Loan Debtor		7,253	21,854
Inventories		4,967	8,280
Other assets		202,783	202,783
<b>Total Current Assets</b>		<b>2,567,098</b>	<b>3,872,041</b>
<b>Current Liabilities</b>			
Trade and other payables		(760,544)	(326,566)
Other liabilities		(1,212,823)	(1,212,823)
Borrowings		(12,157)	(296,111)
Employee related provisions		(166,624)	(166,624)
<b>Total Current Liabilities</b>		<b>(2,152,147)</b>	<b>(2,002,124)</b>
Provisions			
<b>Total Current Liabilities</b>		<b>(2,152,147)</b>	<b>(2,002,124)</b>
Less: cash reserves	5	(879,331)	(1,253,889)
Less: Self-supporting loan		(21,854)	(21,854)
Add: loan principal (current)		12,157	296,111
Add: employee leave reserve			
Add: Accrued interest on loans			
<b>Net Funding Position - Surplus / (Deficit)</b>		<b>(474,077)</b>	<b>890,286</b>

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2024

Note 2

Cash and Financial Assets

Description	Unrestricted	Restricted	Total Cash	Institution	Interest Rate	Maturity Date
	\$	\$	\$			
<b>Cash on hand</b>						
Petty Cash Float	700		700	Bendigo Bank	na	na
Municipal Funds Bank A/c	254,274		254,274	Bendigo Bank	0.00%	na
Municipal Savings Bank Account	492		492	Bendigo Bank	1.25%	na
Municipal Term 208252635	-		-	Bendigo Bank	0.00%	closed
Muni Savings - Restricted - WSN 30001985	-	33,760	33,760	Bendigo Bank	1.25%	na
Muni Savings - Restricted - WSN 21117030	-	-	-	Bendigo Bank	1.25%	na
Muni Savings - Restricted - RTR	-	-	-	Bendigo Bank	1.25%	na
Muni Savings - Restricted - DWER	-	172,458	172,458	Bendigo Bank	1.25%	na
Muni Savings - Restricted - Others	-	38,000	38,000	Bendigo Bank	1.25%	na
Term Deposit - Restricted Account	-	-	-	Bendigo Bank	0.00%	closed
Muni Savings Restricted - Blackspot Funding	-	-	-	Bendigo Bank	1.25%	na
Muni Savings Restricted - LRCI	-	140,845	140,845	Bendigo Bank	1.25%	na
<b>Subtotal</b>	<b>255,466</b>	<b>385,063</b>	<b>640,529</b>			
<b>Financial Assets at Amortised Cost</b>						
Reserve Savings Bank Account		51,902	51,902	Bendigo Bank	1.25%	na
Reserves - Term Deposits		827,429	827,429	Bendigo Bank	4.00%	5/06/2024
Self supporting loans receivable		7,253				
<b>Subtotal</b>	<b>0</b>	<b>886,584</b>	<b>879,331</b>			
<b>Total Cash and Financial Assets</b>	<b>255,466</b>	<b>1,271,647</b>	<b>1,519,860</b>			

Note 3

Trust Fund

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

Description	Opening Balance 01 Jul 23	Amount Received	Amount Paid	Closing Balance 30 Apr 24
	\$	\$	\$	\$
Other	-	-	-	-
<b>Total Funds in Trust</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**SHIRE OF VICTORIA PLAINS****NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY****For the Period Ending 30 April 2024****Note 4****Debtors****Current Assets****(a) Trade and other Receivables**

	30 Apr 24	30 Jun 23
	\$	\$
Rates and statutory receivables	48,867	78,612
Sundry Debtors (Trade Receivable)	766,279	60,296
Receipting Suspense	(7,628)	(5,916)
GST Receivable	14,539	28,227
Allowance for Bad Debts	(13,465)	(13,465)
Receivables for employee related provisions	-	4,239
Other Receivables	23,644	2,010
<b>Total</b>	<b>832,235</b>	<b>154,003</b>

represented by:

**Rates Receivable**

	30 Apr 24	30 Jun 23
	\$	\$
Rates receivables	49,080	72,987.52
Rubbish	846	2,175.48
Sewerage	1,249	1,362.00
ESL Charges	1,777	2,087
Prepaid Rates - Excess Rates	(4,085)	
<b>Total Rates Receivable Outstanding</b>	<b>48,867</b>	<b>78,612</b>

**General Receivables - Trade Receivables**

	30 Apr 24	30 Jun 23
	\$	
Current	760,859	64,869
30 Days*	2,160	4,136
60 Days	695	
90+ Days	2,565	
<b>Total General Receivables Outstanding</b>	<b>766,279</b>	

\* ATO / BAS

**Analysis**

Closing balances - prior year	74,890	
Prepaid / Unallocated Rates	(4,085)	
All Rates levied this year	3,440,303	
Closing balances - current month	(48,867)	
<b>Total Rates Collected to Date</b>	<b>3,462,241</b>	
Debt Collection with AMPAC	19,043	
Pensioners	6,457	
Payment Arrangement	15,684	
Debt Collection on Hold	3,850	
Overdue no reason	296	
Instalments	6,940	
Credits	(4,085)	
Unallocated	683	
<b>Total</b>	<b>48,867</b>	<b>68,124</b>

**(b) Non-Current Assets**

Deferred Rates	10,996	10,996
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**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 5**  
**Cash Reserves**

Reserve	Opening Balance 01.07.23	Transfer From		Interest Received		Transfer To		Closing Balance	
		Actual 23/24	Budget 23/24	Actual 23/24	Budget 23/24	Actual 23/24	Budget 23/24	Actual 30/04/2024	Budget 30/06/2024
Long Service Leave	4,519		-	75	136		-	4,594	4,655
Plant	675,151	(395,285)	(300,000)	11,160	10,141		-	291,026	385,292
Housing	143,775		(46,000)	2,377	4,319		-	146,152	102,094
Sewerage Scheme - Calingiri	49,914		-	825	1,499		-	50,739	51,413
Refuse Site	256,281		-	4,236	7,699		-	260,517	263,980
Building Maintenance	40,489		-	670	1,216		25,000	41,159	66,705
Infrastructure	54,945		-	908	1,651		40,000	55,853	96,596
Gymnasium	7,481		-	124	225		-	7,605	7,706
Sewerage Scheme - Yerecoin	21,334		-	353	641		-	21,687	21,975
<b>Unallocated Monies</b>									
Unspent Grants Reserve	756,480		(756,480)				-		-
<b>Total</b>	<b>2,010,369</b>	<b>(395,285)</b>	<b>(1,102,480)</b>	<b>20,727</b>	<b>27,526</b>	<b>-</b>	<b>65,000</b>	<b>879,331</b>	<b>1,000,415</b>

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 5**  
**Cash Reserves Cont'd**

**Objective of Reserves**

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

<b>Reserve Name</b>	<b>Term</b>	<b>Purpose</b>
Long Service Leave	Ongoing	to be used to fund annual and long service leave requirements
Plant	Ongoing	to be used for the purchase of major plant
Housing	Ongoing	to be used for the procurement of staff housing
Sewerage Scheme - Calingiri	Ongoing	to be used to maintain and improve the Calingiri sewerage scheme
Refuse Site	Ongoing	to be used to fund future refuse site development
Building Maintenance	Ongoing	to be used for the long term maintenance of Shire buildings
Infrastructure	Ongoing	to be used for future infrastructure development to ensure long term Shire sustainability
Gymnasium	Ongoing	to be used for future purchases and replacement of gymnasium equipment
Sewerage Scheme - Yerecoin	Ongoing	to be used to maintain and improve the Yerecoin sewerage scheme
Unallocated Monies	Ongoing	future refund or allocation once identified or transferred to shire general revenue after statutory period expiry.
Unspent Grants	Ongoing	to be used in accordance with grant agreements.

The reserves are not expected to be used within a set period and further transfers to the reserve accounts are expected as funds are utilised. There are no reserves restricted by legislation.



**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 6****Disposals****Note 6a**

Class of Asset & Program	Proceeds from Sale		Cost of Replacement Asset		Net Cost for Change Over	
	Actual	Budget \$	Actual	Budget \$	Actual	Budget \$
	23/24	23/24	23/24	23/24	23/24	23/24
<b>Plant &amp; Equipment</b>						
<b>Governance</b>						
CEO's Vehicle VP0	57,954	70,000	88,636	100,000	30,682	30,000
DCEO's Vehicle VP00	36,363	40,000	71,597	70,000	35,234	30,000
<b>Law, Order &amp; Public Safety</b>						
CESM Vehicle	-	28,000	-	65,000	-	37,000
<b>Transport</b>						
PLR10 - Bobcat T650 Track Loader	-	38,000	-	182,274	-	144,274
PTK16 - Mitsubishi Fuso 13T Tip Truck	-	30,000	-	270,000	-	240,000
PTL09 - Roadserve Series Water Tanker	-	20,000	-	45,000	-	25,000
PTL12 - Bobcat Trailer Single Axle	-	10,000	-	40,000	-	30,000
WSM Vehicle VP000	12,500	15,000	73,235	75,000	60,735	60,000
<b>Totals</b>	\$ 106,817	\$ 251,000	\$ 233,468	\$ 847,274	\$ 126,651	\$ 596,274

**Note 6b****Profit and Loss on Disposals for the Year 2023/24**

Plant & Equipment	Proceeds from Sale		Written Down Value		Profit/(Loss) on Disposal	
	Actual	Budget \$	Actual	Budget \$	Actual	Budget \$
	23/24	(23/24)	23/24	(23/24)	23/24	(23/24)
<b>Governance</b>						
CEO's Vehicle VP0	57,954	70,000	18,901	27,830	39,053	42,170
DCEO's Vehicle VP00	36,363	40,000	24,720	31,335	11,643	8,665
Subtotal	94,317	110,000	43,621	59,165	50,696	50,835
<b>Law, Order &amp; Public Safety</b>						
CESM Vehicle	-	28,000	-	56,115	-	(28,115)
<b>Transport</b>						
PLR10 - Bobcat T650 Track Loader	-	38,000	-	30,173	-	7,827
PTK16 - Mitsubishi Fuso 13T Tip Truck	-	30,000	-	29,710	-	290
PTL09 - Roadserve Series Water Tanker	-	20,000	-	56,203	-	(36,203)
PTL12 - Bobcat Trailer Single Axle	-	10,000	-	17,786	-	(7,786)
WSM Vehicle VP000	12,500	15,000	-	19,921	12,500	(4,921)
Subtotal	12,500	113,000	-	153,793	12,500	(40,793)
<b>Totals</b>	106,817	251,000	43,621	269,073	63,196	(18,073)

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 7 Acquisition/Construction of Assets**

Program/Sub-program	Non-Infrastructure						Infrastructure				TOTAL	
	Land & Buildings		Plant & Equipment		Furniture & Equipment		Roads		Other		Actual (23/24)	Budget (23/24)
	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)				
<b>Governance</b>												
Chambers Furniture & Equip					15,800	15,800					15,800	15,800
CEO Vehicle Replacement			88,636	100,000							88,636	100,000
DCEO Vehicle			71,597	70,000							71,597	70,000
<b>Law, Order &amp; Public Safety</b>												
CESM Vehicle			62,869	65,000							62,869	65,000
Fire Fighting Units x 2			7,382	10,000							7,382	10,000
Animal Pound / Shelter					-	35,000					-	35,000
<b>Housing</b>												
12 Harrington Bathroom Renovations	15,208	10,000									15,208	10,000
13 Lambert - Flooring	-	7,000									-	7,000
Staff Housing Fencing	27,180	30,000									27,180	30,000
Retaining Wall - U1 & 2 Calingiri	17,537	40,000									17,537	40,000
<b>Community Amenities</b>												
E-Waste Transfer Station									60,709	246,260	60,709	246,260
<b>Recreation and Culture</b>												
Oval Pump Shed	14,840	10,000									14,840	10,000
Oval Pump System			63,771	65,000							63,771	65,000
Mogumber Toilets									6,572	6,788	6,572	6,788
Mogumber Hall Roof	-	120,000									-	120,000
<b>Transport</b>												
Water Tanker			44,264	45,000							44,264	45,000
9T Tip Truck - VP42			265,418	270,000							265,418	270,000
Prime Mover Float Refurbishment			-	40,000							-	40,000
WSM Vehicle			73,235	75,000							73,235	75,000
Bobcat / Forest Mulcher			130,000	182,274							130,000	182,274
Tag Trailer				40,000							-	40,000
Tractor Slasher			7,200	10,000							7,200	10,000
Roller Padfoot Shells			-	6,000							-	6,000
Depot Office Renovations	11,441	10,000									11,441	10,000
<b>Infrastructure - Roads Council Funded</b>												
Bolgart Kerbing							42,296	20,000			42,296	20,000
Footpaths							23,855	20,000			23,855	20,000
Parker Road - Bore									33,780	35,000	33,780	35,000
<b>Infrastructure - R2R</b>												
Mogumber-Yarawindah Road #5							439,118	344,545			439,118	344,545
Old Telegraph Road							167,795	164,567			167,795	164,567
Boundary Road							45,442	20,518			45,442	20,518
<b>MRWA / AGLIME (CBH)</b>												
Calingiri - New Norcia Road							-	556,974			-	556,974
Calingiri - New Norcia Road							457,520	1,020,991			457,520	1,020,991
Toodyay - Bindi Bindi Rd Nth (RRG)							843,379	837,901			843,379	837,901
Toodyay - Bindi Bindi Rd Nth Reseal (RRG)							-	86,013			-	86,013

SHIRE OF VICTORIA PLAINS  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ending 30 April 2024

Note 7 Acquisition/Construction of Assets

Program/Sub-program	Non-Infrastructure						Infrastructure				TOTAL		
	Land & Buildings		Plant & Equipment		Furniture & Equipment		Roads		Other		Actual (23/24)	Budget (23/24)	
	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)	Actual (23/24)	Budget (23/24)			
Wongan, Calingiri- Carani East Road (BS)							196,101	305,700			196,101	305,700	
<b>WSFN</b>													
Mogumber-Yarawindah WSFN #5							1,037,354	1,024,167			1,037,354	1,024,167	
Mogumber-Yarawindah Rd - (C/Fwd)							1,638,815	1,952,454			1,638,815	1,952,454	
Calingiri-New Norcia Rd							23,934	200,000			23,934	200,000	
<b>Roadworks - LRCIP Ph 4</b>													
Mogumber-Yarawindah							-	381,412			-	381,412	
Signage							23,786	19,104			23,786	19,104	
Culverts							5,925	15,279			5,925	15,279	
Bolgart Bridge							20,630	11,148			20,630	11,148	
<b>LRCIP- Ph 4B Supplementary</b>													
Piawan Wadd Road							86,662	86,662			86,662	86,662	
Gillingarra-Glentromie Rd							47,640	41,365			47,640	41,365	
Gillingarra-New Norcia Rd							67,255	67,255			67,255	67,255	
Goomalling - New Norcia Rd							24,725	24,725			24,725	24,725	
<b>Economic Services</b>													
RV Dump Point - Bolgart									17,375	10,000	17,375	10,000	
Piawaning Desalination Bore / Plant									89,463	128,095	89,463	128,095	
Bolgart Caravan Park Toilet Block									43,968	43,968	43,968	43,968	
<b>Other Property &amp; Services</b>													
											-	-	
<b>Totals</b>	86,206	227,000	814,371	978,274	15,800	50,800	5,192,232	7,200,780	251,867	435,111	6,360,476	8,891,965	
	TOTAL NON-INFRASTRUCTURE							TOTAL INFRASTRUCTURE					
	\$ 916,378 \$ 1,256,074							\$ 5,444,098 \$ 7,635,891					

PUBLIC ATTACHMENTS

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ending 30 April 2024

**Note 8****Loan Funding**

Loan Details No.	Amount Outstanding 1.7.23	Interest Repayments		Principal Repayments		Principal Outstanding 31.03.24	
		Actual 23/24	Budget 23/24	Actual 23/24	Budget 23/24		
<b>Self Supporting Loans</b>							
83	Calingiri Football Club	142,378	4,736	7,203	9,864	21,598	132,513
<b>Other Loans</b>							
84	Piawaning Water Supply	66,231	1,190	1,536	18,342	18,341	47,889
85	Grader and Roller	140,885	1,461	1,109	39,660	39,828	101,225
87	Plant Replacement	1,500,000	38,524	60,663	188,664	188,664	1,311,336
<b>Total</b>		<b>1,849,494</b>	<b>45,911</b>	<b>70,511</b>	<b>256,530</b>	<b>268,431</b>	<b>1,592,963</b>

Current Loan Liability	268,687	12,157
Non-Current Loan Liability	1,580,806	1,580,806
<b>Total Loan Liability</b>	<b>1,849,494</b>	<b>1,592,963</b>

PUBLIC ATTACHMENTS

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 9****9a Payables**

	<b>2024</b>	<b>2023</b>
<b>Current</b>	<b>\$</b>	<b>\$</b>
Sundry creditors	729,507	156,267
Accrued Salaries & Wages	-	44,487
Prepaid Rates - Excess Rates		56,699
ATO liabilities	-	-
Bonds and deposits held	28,127	37,111
Accrued Expenses	2,910	32,000
	<u>760,544</u>	<u>326,565</u>

**9b Other Liabilities**

	<b>2024</b>	<b>2023</b>
<b>Current</b>	<b>\$</b>	<b>\$</b>
Contract Liabilities	1,212,823	1,212,823
	<u>1,212,823</u>	<u>1,212,823</u>

PUBLIC ATTACHMENTS

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 10****a)Capital Grants, Subsidies and Contributions**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Revenue Actual</b>	<b>Variance YTD vs Actual</b>
	\$	\$	\$	\$
<b>Law, Order and Public Safety</b>				
Animal Shelter	35,000	-	-	-
<b>Community Amentities</b>				
E-Waste Infrastructure Grant	230,795	230,795	230,795	-
Waste Sorted Infrastructure Grant(WSGI)	-	-	135,000	(135,000)
<b>Economic Services</b>				
Piawaning Desalination Bore/Plant Grant	89,667	89,667	70,000	19,667
<b>Transport</b>				
Govt Grant - Regional Roads	615,943	461,958	558,601	(96,643)
Govt Grant - Blackspot	285,320	213,990	81,520	132,470
Govt Grant - R2R	624,422	492,153	465,400	26,753
AG Lime Route 2 - Other Contributions, E.G. CBH	1,020,991	510,496	300,000	210,496
R4R CLGF Grants - Road Projects	556,974	278,488	211,472	67,016
Grant - Local Rural and Community Infrastructure Program(LRCIP)	691,985	518,988	425,017	93,971
WSFN Funding	3,714,216	2,035,662	1,750,867	284,795
NDRR Grant- Skidsteer	91,137	91,137	-	91,137
<b>TOTAL</b>	<b>7,956,450</b>	<b>4,923,334</b>	<b>4,228,672</b>	<b>694,662</b>

**b)Grants, Subsidies and Contributions**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Revenue Actual</b>	<b>Variance YTD vs Actual</b>
	\$	\$	\$	\$
<b>General Purpose Funding</b>				
Financial Assistance Grants - General	31,683	23,762	23,762	-
Financial Assistance Grants - Local Roads	34,099	25,574	25,574	-
<b>Governance</b>				
Traineeship Grant- Dept of Training	-	-	39,275	(39,275)
<b>Law and Public Order</b>				
DFES Operating Grant	83,558	83,558	134,843	(51,285)
DFES Contribution - CESM	-	-	73,058	(73,058)
Grant - Mitigation Activity Fund	250,000	187,500	97,203	90,297
Grant - Western Power	-	-	4,499	(4,499)
<b>Education and Welfare</b>				
Grants/contributions to Community Development Programs*	30,000	30,000	50,920	(20,920)
<b>Recreation and Culture</b>				
Grant - State Library ICT Grant	-	-	2,731	(2,731)
<b>Transport</b>				
Govt Grant - Direct	161,142	161,142	169,990	(8,848)
<b>TOTAL</b>	<b>590,482</b>	<b>511,537</b>	<b>621,856</b>	<b>(110,319)</b>

<b>Supplementary Information on Grants and Contributions*</b>	<b>Annual Budget</b>	<b>YTD Revenue Actual</b>
	\$	\$
<i>Successful Funding Grant Applications</i>		
<b>Grants/contributions to Community Development Programs</b>	30,000	
Youth Grant		341
Childrens Week Fuel To Go & Play (Teddy Bears Picnic)		1,000
Holyoake - Christmas in July		4,000
National Australia Day Council		12,000
CBH Grass Roots - Movie Screen		2,488
Dept of Infrastructure & Transport - Bolgart Memorial Hall upgrade		21,000
Chalice Mining - Cultural Education Event		5,455
COTA WA Grant		682
Seniors Week / TAVD Community Grant		3,000
<b>TOTAL</b>	<b>30,000</b>	<b>49,965</b>

**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**

**Note 11**

**Restricted Funding**

ACCOUNT NAME	DESCRIPTION	PROJECT		PROJECT		BALANCE		TO BE CASH BACKED	FUNDING DUE						
				1/07/2023	RECEIPTS	COSTS	30/04/2024								
WSFN	Geotechnical Investigation	\$	200,000	\$	186,667	\$	74,667	\$	40,907	\$	33,760	\$	33,760		
MRWA	Blackspot - Wongan Hills - Calingiri Rd	\$	305,700	\$	203,800	\$	163,040	\$	221,091	\$	(58,051)	\$	-	\$	40,760
MRWA	Toodyay - Bindi Bindi Rd Nth	\$	837,901	\$	558,601	\$	446,880	\$	843,379	\$	(396,499)	\$	-	\$	111,721
LRCI	LRCI Ph4	\$	381,412	\$	381,412	\$	228,847	\$	-	\$	228,847	\$	140,845		
LRCI	LRCI Ph4B	\$	220,007	\$	220,007	\$	132,005	\$	220,007	\$	(88,002)	\$	-		
	Piawaning Desalination Bore/Plant	\$	128,095	\$	89,667	\$	79,605	\$	89,463	\$	(9,858)	\$	-	\$	10,062
	E-Waste Infrastructure	\$	246,260	\$	230,795	\$	230,795	\$	60,709	\$	170,086	\$	170,086		
	Traineeship Grant	\$	-	\$	-	\$	38,000	\$	-	\$	38,000	\$	38,000		
	Waste Sorting Grant	\$	-	\$	-	\$	135,000	\$	-	\$	135,000	\$	135,000		
	Interest (Net)					\$	-			\$	-	\$	-		
<b>TOTAL</b>		<b>\$</b>	<b>2,319,375</b>	<b>\$</b>	<b>1,870,949</b>	<b>\$</b>	<b>1,528,839</b>	<b>\$</b>	<b>1,475,556</b>	<b>\$</b>	<b>53,283</b>	<b>\$</b>	<b>517,691</b>	<b>\$</b>	<b>162,543</b>

Actual Bank Account Balance \$ 385,063

To be transferred from Muni \$ (132,628)

SHIRE OF VICTORIA PLAINS  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ending 30 April 2024

Note 12  
Local Roads and Community Infrastructure

Local Roads and Community Infrastructure - MONTHLY REPORT									Nominal Funding Allocation
30/04/2024									Owns Source Expenditure
Council: Shire of Victoria Plains		Phase: 4 and 4B		Total LRCI funding already received:					
Approved Projects  (Project Name in order listed on Approved Work Schedule)	Total Project Cost (\$)	Approved LRCI Funding Contribution (\$)	LRCI Funding Actual Expenditure (\$)	Total Actual Expenditure	23-24 Expenditure	SOVP own source	Construction Start Date  (MM/YY)	Construction Completion Date  (MM/YY)	Project status (all projects must be completed prior to lodging a final report)
1 Mogumber-Yarawindah Rd	\$ 381,412	\$ 381,412	\$ -	\$ -	\$ -	\$ -	Oct-23	Jun-24	Deferred 24/25
1 Piawanning – Waddington Rd	\$ 86,662	\$ 86,662	\$ 86,662	\$ 86,662	\$ 86,662	\$ -	Nov-23	Feb-24	Completed
2 Gillingarra-Glentromie Rd	\$ 41,365	\$ 41,365	\$ 47,640	\$ 47,640	\$ 47,640	\$ -	Nov-23	Feb-24	Completed
3 Gillingarra-New Norcia Rd	\$ 67,255	\$ 67,255	\$ 67,255	\$ 67,255	\$ 67,255	\$ -	Nov-23	Feb-24	Completed
4 Goomalling - New Norcia Rd	\$ 24,725	\$ 24,725	\$ 24,725	\$ 24,725	\$ 24,725	\$ -	Nov-23	Feb-24	Completed
<b>TOTAL</b>	<b>\$ 601,419</b>	<b>\$ 601,419</b>	<b>\$ 226,282</b>	<b>\$ 226,282</b>	<b>\$ 226,282</b>	<b>\$ -</b>			
Council: Shire of Victoria Plains		Phase: 3		Total LRCI funding already received:					
2 Bolgart Toilet Block	\$ 231,822	\$ 231,822	\$ 231,822	\$ 231,822	\$ 43,968		Nov-22	Aug-23	Completed
3 Community Signage	\$ 42,458	\$ 42,458	\$ 42,458	\$ 44,681	\$ 23,786	\$ 2,223	Apr-23	Apr-24	Completed
4 Culvert Program	\$ 90,892	\$ 90,892	\$ 91,738	\$ 91,738	\$ 5,925		Nov-22	Mar-24	Completed
5 Repair Bolgart Bridge	\$ 45,000	\$ 45,000	\$ 54,482	\$ 54,482	\$ 20,630	\$ 9,482	Nov-22	Mar-24	Completed
<b>TOTAL</b>	<b>\$ 410,172</b>	<b>\$ 410,172</b>	<b>\$ 420,500</b>	<b>\$ 422,722</b>	<b>\$ 94,309</b>	<b>\$ 11,705</b>			
Council: Shire of Victoria Plains		Phase: 2		Total LRCI funding already received:					
2 Mogumber Toilet	\$ 12,000	\$ 5,000	\$ 5,000	\$ 11,784	\$ 6,572	\$ 6,784	Oct-22	Nov-23	Completed
Council: Shire of Victoria Plains		Phase: 1		Total LRCI funding already received:					
10 Standpipe Relocation	\$ 20,000	\$ 14,842	\$ 14,842	\$ 17,099	\$ 17,099	\$ 2,257	Jul-23	Jan-24	Completed



**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 30 April 2024**  
**Note 13**

**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 2023/24 year is \$10,000 and 10%.

Nature or Type	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Operating Revenues					
Grants, Subsidies and Contributions	31,374	5%		Permanent	Traineeship Grant received and funds placed in Restricted Assets. Will be realigned in Annual Financial Statements
Other Revenue	35,730	30%	▲	Permanent	Insurance claims not considered in the budget estimates, some carried over from 22-23
Profit on Disposal of Assets	4,244	7%		Timing	Timing of trade in which will be remedied before close of the year

**Operating Expense**

Employee Costs	233,316	12%	▲	Timing	A number of static employee costs have not yet been incurred such as FBT and a reduction in workforce
Materials and contracts	176,905	9%	▼	Permanent	Under expenditure in operating costs will likely yeild cost savings.
Depreciation on Non-current Assets	715,957	20%	▲	Timing	Depreciation over budget estimates for Infrastructures - revaluation of assets not considered in the estimate
Finance Expenses	15,940	24%	▲	Timing	Accrual interest expense on loans
Infrastructure Other	39,159	13%	▼	Permanent	Additional costs incurred for the Bolgart Abulution Facility which has not been budgeted for. Some of this cost has been identified as an error (approx \$4,500) and will be confirmed.

**Capital Revenue**

Capital Grants, subs and Contrib	(694,662)	(14%)	▼	Timing	Review of contingent liabilities and budget grant funding required.
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**Capital Expenditures**

Land and buildings	80,000	(48%)	▼	Timing	Mogumber roof progress payment commenced but job unlikely to be completed in 23/24
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SHIRE OF VICTORIA PLAINS  
NOTES TO THE STATEMENT OF FINANCIAL AC  
For the Period Ending 30 April 2024

## Note 14

## Budget Amendments

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

Description	Council Resolution	Classification	Non Cash adjustment \$	Increase in Available Cash \$	Decrease in Available Cash \$	Amended Budget Running Balance \$
Forecast Opening Surplus/(Deficit)						(12,763)
Budget adoption					(58,888)	(46,125)
Surplus or deficit		Opening Surplus		890,286		844,161
Grants, Subsidies and contributions		Operating Revenue			(432,781)	411,380
Materials and Contracts		Operating Expenses			(89,722)	321,658
Payments for Furniture & Fixtures		Capital Expenses			(3,800)	317,858
Payments for Other Infrastructure		Capital Expenses			(59,970)	257,888
Rates - Ex Gratia Rates		Operating Revenue			(30,611)	227,277
Fees and charges		Operating Revenue			(8,500)	218,777
Interest earned		Operating Revenue			32,790	251,567
Payments for Road Infrastructure		Capital Expenses			(118,408)	133,159
Payment for Building		Capital Expenses			(5,000)	128,159
				890,286	(586,273)	128,159

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# 3.6 Debt Management

Responsible Areas	Finance
Responsible Officer	Manager Finance and Administration
Affected Staff	CEO, Finance Staff

## Objective

To assist the CEO with conducting debt collection in a clear, efficient and consistent manner to improve transparency and reduce the likelihood of unrecoverable debts.

This policy provides a framework for the recovery of debts that incorporates effective and flexible payment arrangements in order to achieve Council's budgetary objectives, whilst giving all due consideration and assistance to ratepayers and debtors who display a genuine commitment to clearing their debt.

## Scope

This policy applies to any person or organisation owing rates, charges, fees or other debts to the Shire of Victoria Plains.

## Policy

1. In order for the Shire of Victoria Plains to operate effectively it must manage and control overdue accounts to reduce the likely occurrence of unrecoverable debts and to ensure consistency across all debt collection activities.
2. Council recognises that under Regulation 5 (1)(a) of the *Local Government (Financial Management) Regulations 1996* the CEO is directly responsible for establishing efficient systems and procedures for the proper collection of all money owing to the Shire of Victoria Plains including debt recovery practices. This includes requirements in line with legislation and with due regard to ensuring that debt collection is carried out in a fair and equitable manner.
3. The Shire of Victoria Plains observes separate practices used for the collection of general debts and those attributed to outstanding rates.

## General Debts

All general debts older (including sundry debtors) than 180 days and over \$5,000 must be presented by the CEO to Council with a report outlining actions taken by the administration to recover the debt and proposing a way forward in terms of debt recovery.

The CEO may implement, for this purpose, an Executive Policy related to general debtor management outlining the Shire's credit terms and debt collection practices. Making at least two attempts to contact a debtor before submitting the debt to the Shire's debt collection agency is considered appropriate.

## Outstanding Rates

### General Requirements

Rate notices are due 35 days from the issue date in accordance with the *Local Government Act 1995*.

Amounts that remain outstanding past the prescribed due date will have daily interest applied as detailed on the rates notice. This requirement may be waived through further Council Policy or decision on the grounds of financial hardship or exceptional circumstances (declaration of a State of Emergency or a natural hazard).

Details of outstanding rates do not need to be presented to Council each month.

The CEO must present a report to Council on all rates that are overdue by more than 36 months or in excess of \$5,000. This report must detail all actions taken by the Shire to recover the debt and provide Council with a proposed way forward, noting that provisions exist under Section 6.64 of the *Local Government Act 1995* for the recovery of unpaid rates.

#### Executive Policy

The CEO may implement, for the collection of outstanding rates, an Executive Policy that encapsulates the following:

#### Payment by Instalments

The Administration to determine what portion of the full rates bill being paid would constitute a rate payers intention to pay by instalments if they have not paid the full first instalment amount by the due date – this portion must be a suitable percentage of the first instalment amount listed on the rates notice e.g. 20%.

#### Pensioner/Seniors Rebate

Ratepayers who have provided evidence of their pensioner or seniors rebate eligibility have until 30 June to make payment on their rates without incurring any interest penalties under the *Rates and Charges (Rebates and Deferments) Act 1992*, however their ESL and waste service charges must still be paid in full by the due date.

If it is determined that the ratepayer is not a pensioner/senior and has not made a suitable payment to be deemed to be paying by instalments, and rates remain outstanding then:

- I. 14 days after the rates notice due date, the ratepayer must be issued with a final notice requesting they contact the Shire to make payment or enter into a payment arrangement.
- II. 30 days after issuing final notices the Shire must review all outstanding rates and issue a letter of demand to all ratepayers with no payment arrangement or evidence of suitable payments being made to the Shire.
- III. Within 14 days of issuing letters of demand the Shire must attempt to make contact with the ratepayer via phone, email or another method that may involve consulting other agencies, to try and facilitate payment.
- IV. 60 days after the rates being due the Shire must instruct their debt collection agency to issue letters of demand to all ratepayers with overdue rates and no approved payment arrangement.

#### Pursuit of Rates

The Administration to manage how the Shire will pursue rates overdue for more than 60 days.

The Administration to Issue notices to lessees/tenants, where the property owner of a leased or rented property on which rates and service charges have been outstanding for more than 90 days, cannot be located or refuses to settle rates and service charges owed. This is in line with the provisions under Section 6.60 of the *Local Government Act 1995*. The lessee or tenant would be required to pay to the Shire the rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

## Definitions

Debt: A sum of money owed or due to the Shire. This may be a rate, fee or charge or other debt.

Rates: Amounts owed to a local government based on charges laid upon the rateable land within its district.

Payment Arrangement: A bilateral agreement between the Shire and an individual/organisation to facilitate the repayment of overdue money owed to the Shire.

ESL: Emergency Services Levy.

## Relevant management practices/documents

To be developed

## Legislation/local law requirements

*Local Government Act 1995*: Part 6, Division 4, Clause 6.13 – Interest on money owing to local governments

*Local Government Act 1995*: Part 6, Division 6, Subdivision 4, Clause 6.45 – Options for payment of rates and service charges

*Local Government Act 1995*: Part 6, Division 6, Subdivision 4, Clause 6.51 - Accrual of interest on overdue rates or service charges

*Local Government Act 1995*: Part 6, Division 6, Subdivision 5, Clause 6.56 - Rates or service charges recoverable in court

*Local Government Act 1995*: Part 6, Division 6, Subdivision 5, Clause 6.60 - Local government may require lessee to pay rent

*Local Government Act 1995*: Part 6, Division 6, Subdivision 6, Clause 6.64 - Actions to be taken

*Local Government (Financial Management) Regulations 1996*: Regulations 5 and 11

*Rates and Charges (Rebates and Deferments) Act 1992*

Departmental Guideline Possession of Land For Recovery of Rates and Service Charges

<b>Office Use Only</b>			
Relevant delegations	Delegation 3.6 – Write Off of Sundry Debts (CEO up to \$100)		
Initial Council adoption	Date	28 April 2020	Resolution #
Last reviewed	Date	28 February 2023	Resolution # 2304-05
Next review due	Date		

# Council Policy Manual - Part 3

Financial Management

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## 3.1 Purchasing – Framework

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### OBJECTIVE

The objects are to –

- obtain quality goods and services that are judged to deliver the best value-for-money or be the most advantageous,
- provide compliance with the Local Government Act, 1995 and the Functions and General Regulations,
- deliver a best practice approach and procedures to internal purchasing for the Shire,
- ensure consistency for all purchasing activities that integrates with all the Shire operational areas.

### STATUTORY CONTEXT

*Local Government (Functions and General) Regulations 1996 –*

- r.11A – purchasing policy required, and matters to be addressed

### CORPORATE CONTEXT

Delegation Register –

- 3.1 – Municipal Fund – Incurring Expenditure
- 3.7 – Tenders – authority to set specifications, criteria, call, accept, vary

Policy Manual 2018 –

- 1.1 – Code of Conduct
- 3.2 – Purchasing – Regional Price Preference
- 3.3 – Credit Cards – including store, fuel and debit cards

### POLICY STATEMENT

1. The following Council Policy Schedules are adopted, and form part of this Statement –
  - 3.1(a) – Purchasing Principles
  - 3.1(b) – Purchasing Thresholds
  - 3.1(c) – Regulatory Compliance for all Purchasing
  - 3.1(d) – Specific Requirements for Tenders
2. Where the goods or services are to be accessed from the WA Local Government Association Preferred Supplier Panel or State Government Common Use Agreement, compliance with Policy Schedule 3.1(b) Purchasing Thresholds, clause 1 is required.
3. Proposals for consultancies, works and services etc, to be provided on Shire managed sites are also to be assessed in accordance with –
  - Policy 9.1 OSH – Employees, Volunteers, Contractor and Visitors,
  - OSH Contractors Manual
  - any instructions issued by the CEO
4. Exceptional Circumstances
  - a) Under exceptional circumstances, where goods or services need to be purchased urgently and there is insufficient time to obtain quotations, the CEO may make the required purchase, notwithstanding the thresholds and



requirements of Schedule 3.1(b), subject to the purchase being less than \$150,000.00 ex GST. Unique value for money circumstances that preclude obtaining quotes must exist, such as –

- it is opportunistic such as eliminating otherwise applicable costs,
  - it enhances operational efficiency, or
  - mitigates against risk etc.
  - it is appropriate for continuity of previous works, services, or design, but is not to exceed 50% of an original competitively sourced provider to a maximum of \$20,000
- b) Procurement under exceptional circumstances must be approved in advance by the CEO.
- c) Exercise of this authority is to be in consultation with the Shire President.

**APPLICATION**

5. This Policy applies to all purchasing and procurement activity, and is not limited to tendering.

**HISTORY**

Former Policy	6.5.5, 6.5.6	
Reviewed	26 April 2023	Resolution No. #2304-05

**REFERENCES**

None

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## Schedule 3.1(a) – Purchasing Principles

### 1. Ethics & Integrity

All officers and employees of the Shire shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure fair and equitable treatment of all parties –

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money,
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire policies and code of conduct,
- purchasing is to be on a competitive basis in which all suppliers are treated impartially, honestly and consistently,
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements,
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed,
- any information provided to the Shire by a supplier shall be treated as commercial-in-confidence until such time as the purchase decision is made, and is not to be released unless authorised by the supplier or relevant legislation, and
- consideration must be given to any Local Price Preference Policy adopted by Council.

### 2. Value for Money

Value for money is an overarching principle recognised by the Regulations that allows the best possible outcome to be achieved for the Shire. Compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

What constitutes “value for money” or “most advantageous” considerations are to be itemised and detailed as part of evaluation – use of these terms are not adequate.

An evaluation of the best value for money outcome for any purchasing should consider –

- all relevant whole-of-life costs and benefits (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal,
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality,
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history),
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable,
- continuity of supply or service, and particularly timeliness of any warranty service, emergency or maintenance/repair response, familiarity with works/conditions etc,
- where a new or start up business makes a submission, the anticipated longevity of the business, its relevance to the region and if goods or service previously not available in the region.

Where a higher priced conforming offer is recommended, there should be clear benefits over lower priced conforming offers.

**3. Sustainable Procurement**

Sustainable procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services, and considerations must be balanced against value for money outcomes.

– End of Schedule

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## Schedule 3.1(b) – Purchasing Thresholds and Requirements

### 1. Purchasing Thresholds

The value of a purchase is not limited to the financial year when the purchase was initiated, but may be over several financial years depending on the procurement or type of contract.

**Records** where required or obtained, the following are to be attached to the purchase order:

- a) Note of verbal specification and submission (**Record on the Quotation Acceptance Form – Appendix A**);
- b) **Quotation Acceptance Form**, specification required, assessment criteria set, summary of submissions, evaluation made.

### General purchasing thresholds

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is anticipated.

Anticipated Value of Purchase Excl. GST	Requirement	Documentation	Evaluation Panel
Up to \$2,000	Quotations not required for items of minor recurrent nature, such as groceries, stationery, hardware, mechanical, reticulation consumables etc. Employee must be satisfied that the price is competitive	None, corporate credit card can be used and no requirement for a purchase order provided its within the delegated authority to do so	One Employee
\$2,001 to \$10,000	Direct supplier Seek one verbal quote or one written quote Written quotations recommended but not required	<b>Required</b> Verbal quotations received may be recorded on Quotation Acceptance Form (Appendix A) <b>Recommended</b> Written quotations received which can be by email.	One Employee
\$10,001 to \$40,000	Seek at least <b>one</b> written quotation	<b>Required</b> Written quotations	One Employee
\$40,001 to \$100,000	Seek at least two written quotations noting the higher cost, the more prudent to seek additional written quotations.	<b>Required</b> Written quotations received <b>Recommended</b> <ul style="list-style-type: none"> <li>• Written specifications</li> <li>• Assessment criteria</li> <li>• Evaluation panel</li> </ul>	Two Employees

\$100,001 \$249,999	Seek three written quotations containing price and specification of goods and services	<p><b>Required</b></p> <ul style="list-style-type: none"> <li>• Written specification</li> <li>• Written assessment criteria</li> <li>• Written quotations received</li> <li>• Evaluation panel</li> </ul> <p><b>Recommended</b></p> <p>As the cost approaches \$250,000, it would be prudent to conduct a public tender</p>	Two Employees
\$250,000 and above	Conduct a public tender process or WALGA Preferred Supplier / State Government Common Use Agreement Refer to Council for decision unless prior delegation to CEO	<p><b>Required</b></p> <ul style="list-style-type: none"> <li>• Written specification</li> <li>• Written assessment criteria</li> <li>• Written quotations received</li> <li>• Evaluation panel</li> </ul>	Two Employees or One Employee and One external person

**WALGA Preferred Supplier or State Government Common Use Agreement Thresholds**

Less than \$250,000	As per General threshold	As per General Thresholds	As per General Thresholds
\$250,000 and above	Seek a single or up to three quotations containing price and specification of goods and services depending on the risk and knowledge of both the Officer and Supplier. Refer to Council for decision unless prior delegation to CEO	As per General Thresholds	As per General Thresholds

**Quotation Acceptance Form**

Appendix A to this Policy (Quotation Acceptance) may be completed for all purchase orders issued above \$2,000 with a summary of the verbal quotations received included in this form and/or a copy of all written quotations attached.

**Exemptions From Request For Quote (Not Applicable to Tenders)**

At times it may be necessary to vary from the requirements of Schedule 3.1(b) for a number of reasons including:

- A. The need to engage short term staff to relieve existing staff when on leave or due to a vacancy.
- B. Legal expenses where a specific firm is considered to be the preferred provider of such services.
- C. Emergency situations (See definition of Emergency Purchases).
- D. Urgent works such as electrical and plumbing repairs where immediate work is required to address a safety or operational issue.
- E. The services required rely on intellectual property (IP)\* accrued by a person or organisation that has undertaken previous work for the Shire.
- F. The purchase involves the acquisition of software and the preferred software has been identified following thorough investigation of available alternatives.
- G. The purchase involves the renewal of software maintenance and service agreements where software continues to meet the needs of the Shire and the cost of running a procurement process or commissioning and implementing a new system would make a change uneconomical.

In the instance where staff deem it necessary to vary from these policy requirements as outlined above (the exemptions), the form attached as Appendix A must be completed and authorised by the Chief Executive Officer or Manager responsible for the employee.



# CEO's Key Result Areas

CEO's KPIs 2024 – 2025 (May Quarter)

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PUBLIC ATTACHMENTS

Date: 22 May 2024

Version 1.0





## Introduction

Presented for Council is the first quarterly update regarding the KPIs for the Shire's CEO. This update is provided in support of the new requirements to be implemented under the Local Government Act (the Act) regarding the publishing of the CEO's KPIs.

### Current Provisions

The current provisions relating to CEO performance are as follows:

- It is a requirement of the Act that CEO performance reviews are conducted annually.
- The Model Standards for CEO recruitment and selection, performance review and termination require that a local government must review the performance of the CEO against contractual performance criteria.
- Additional performance criteria can be used for performance review by agreement between both parties.

### Amendments to the Act - Original Proposal

To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs:

- be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period);
- the KPIs and the results be published in the minutes of the performance review meeting (at the end of the period);
- the CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs).

### Amended Proposal

It is proposed that a provision is included to allow councils to seek the inspector's approval not to publish a specific CEO KPI, if there is a clear public interest reason for doing so.

### KPI Process

Mr Fletcher underwent the annual review of his performance during February 2024, with Council noting that the CEO was assessed at Exceeds Expectations.

Council and the CEO then agreed on a set of KPIs for the next performance review period. These were published in the minutes of the February 2024 ordinary council meeting.

Although the KPIs in the main run through to July 2025, the next annual review of the CEO's performance and total remuneration package is for consideration by Council no later than February 2025.

**Sean Fletcher**  
Chief Executive Officer

KRA	Goal	KPI	By When	Progress
1	<b>Provide High Quality Governance and Service level from the Shire to Residents and the Community</b>	Results of the annual Department of Local Government Compliance Return (CAR) submitted to Council	By March 2024	The Shire achieved 100% for its CAR which was submitted to both the Audit Committee and Council at their respective March meeting.  <b>This KPI is completed and has been achieved</b>
		Implement new Compliance Calendar based on proprietary software	Full Implementation by February 2025	Two proposals have been reviewed for consideration during the May quarter. Preferred solution presented to Council at the May 2024 briefing session
2	<b>Ensure the Sustainability of the Shire's Finances</b>	Ensure Budget is presented to Council for adoption	By – end July 2024.(Actual vs Planned) with Monthly Reporting to Council	Deputy CEO has prepared Budget timeline and commenced process in April 2024. Council was briefed on Budget milestones at the May 2024 briefing session
		Unqualified Audit	For the 2023-2024 period	<ul style="list-style-type: none"> <li>• Entry meeting between Auditors and the Audit Committee was held on 24 April 2024</li> <li>• CEO signed off on 23/24 audit scope 9 May 2024</li> <li>• The Interim Audit is scheduled for 20 May 2024</li> </ul>
3	<b>Manage Infrastructure Assets Managed and Maintained at Set Service Levels</b>	Implementation of asset maintenance as budgeted and as scheduled	Report Monthly to Council - Assessed at the end of the performance period	<p>The service levels are set within the Shire's asset management plan. Comments provided reflect progress towards these targets in accordance with the budget and schedule set for the following:</p> <p><b>Transport Service (Accessability and Safety re Roads, Bridges, Drainage, Paths, Street Furniture, Car Parks)</b></p> <ul style="list-style-type: none"> <li>• Annual Footpath Program 24/25 to be budgeted</li> <li>• WSFN re Mogumber Yarawindah Rd to be completed 24/25</li> <li>• RRG – Program confirmed though Moora Sub-group</li> <li>• Bridges – to be budgeted as per 5 Year Bridge Plan</li> <li>• Culverts/drains – to be confirmed for 24/25</li> </ul>



				<p><b>Property Service (Recreation, Amenities, Land, Residential, Commercial, Emergency Services, Operational, Community)</b></p> <ul style="list-style-type: none"> <li>• Annual Inspections conducted February 2024</li> <li>• Halls – Mogumber Hall roof replacement underway</li> <li>• Public Toilets – As per program except Mogumber</li> <li>• Aged Units</li> <li>• Staff Housing:             <ul style="list-style-type: none"> <li>○ MWS Bathroom replaced</li> <li>○ CEO corroded patio posts, rear patio ceiling and fences replaced</li> </ul> </li> <li>• Other</li> </ul> <p><b>Recreation Service (Condition Fit for Purpose, Accessibility Aesthetics, Information)</b></p> <ul style="list-style-type: none"> <li>• Active spaces – Ovals maintained as per program</li> <li>• Cemeteries - Nil</li> <li>• Tourism spaces – Exploring possible use of St John the Baptist Anglican Church, Wyening Dam</li> <li>• Passive spaces</li> <li>• Streetscapes:             <ul style="list-style-type: none"> <li>○ Parks and gardens maintained as per program;</li> <li>○ Commenced formalising vehicle parking bays in Calingiri and Yerecoin;</li> <li>○ Anzac Memorial – lights replaced and mulching to gardens undertaken</li> </ul> </li> </ul>
		<p>Implement Capital Program as per budget and adopted Corporate Business Plan</p>	<p>Report Monthly to Council - Assessed at the end of the performance period</p>	<ul style="list-style-type: none"> <li>• Presented in the Monthly Financial Statements and DCEO's Financial Dashboard Mar, Apr, May 2024</li> <li>• Presented at Council briefing sessions by MWS for Mar, May 2024</li> <li>• Forms part of the quarterly review of the Corporate Business Plan</li> </ul>
		<p>Improve the Shire's asset management systems and processes, to ensure</p>	<p>Asset Management Strategy and Policy Reviewed/developed - by September 2024</p>	<p>CEO has engaged Ben Symonds to assist the Senior Management Team develop the Asset Management Strategy. First workshop was held on 15 May 2024.</p>

		relevance of the Asset Management Plan	Major asset classes included in Forward Report Works Program – by February 2025	Anticipated capital works program over the next four years to be developed. To be made up of: <ul style="list-style-type: none"> <li>Plant Replacement Program</li> <li>Five Year Road Program (RRG, WSN, R2R)</li> <li>Sport and Recreation Management Plan (SRMP)</li> <li>Bridges Program</li> <li>Building Replacement Program (Not SRMP)</li> <li>Other Assets</li> </ul>
4	<b>Ensure the operational effectiveness, efficiency, and safety of the organisation through a positive work culture</b>	Monitor the culture of the organisation annually and report results	Staff Survey Results reported by June 2024	Squared 150 engaged to undertake culture assessment in May/June 2024
			Staff Turnover Rates – assessed February 2025	Quarterly Report is due mid-May 2024
		Provide and maintain Safe working environment in which employees of the Shire are not exposed to hazards	Assessed by LTIR (Lost Time Injury Rate) and LGIS Risk Coordinator Report February 2025	<ul style="list-style-type: none"> <li>New Depot Admin/WHS Officer commenced employment with the Shire</li> <li>LGIS WHS assessment to be conducted September/October 2024</li> <li>One employee is on worker's compensation. Will return to work towards the end of May</li> </ul>
5	Ensure the Shire's Strategic Priorities are implemented as per adopted outcomes of the Integrated Planning and Reporting (IPR) process.	Implement CBP (Implementation Plan) Strategic Priority Area of: <ul style="list-style-type: none"> <li>Community</li> <li>Economy</li> <li>Environment</li> <li>Civic Leadership</li> <li>Strategic Risks</li> </ul>	Report Progress of priority areas Quarterly to Council	Key Work Plan presented: <ul style="list-style-type: none"> <li>April OCM 2024</li> </ul>
			Lobby Higher levels of Government to achieve the adopted outcomes of the CBP – Assessed by quarterly reporting to Council	<p><b>AROC-Dandaragan Key Worker Housing Project</b></p> <ul style="list-style-type: none"> <li>Wheatbelt Development Commission</li> <li>Minister Punch re Edmond Street Concept Plan</li> <li>Parliamentary Secretary Darren West</li> </ul> <p><b>Precinct Plan Funding</b></p> <ul style="list-style-type: none"> <li>RDA Wheatbelt</li> </ul> <p><b>Play Your Way Grant (Upgrades to Calingiri Sports Complex and Yerecoin Tennis Coaching Program)</b></p> <ul style="list-style-type: none"> <li>RDA Wheatbelt</li> </ul> <p><b>Community Water Supplies Program (Water Strategy, )</b></p>

				<ul style="list-style-type: none"> <li>Department of Water and Department of Water and Environmental Regulations</li> </ul> <p><b>LRCI Program</b></p> <ul style="list-style-type: none"> <li>Local Member – Hon. Melissa Price MP</li> </ul> <p><b>DFES re AGRN962 Flood Event</b></p> <ul style="list-style-type: none"> <li>DFES Director Recovery Funding</li> <li>Minister for the Environment</li> <li>Leader of the Opposition and local member</li> </ul>
6	Ensure effective Communication with Council, Staff, Residents, and the Public	Ensure appropriate Social Media presence	Assessed in February 2025 number of Social Media 'hits' and Feedback	<p><b>May Quarter</b></p> <ul style="list-style-type: none"> <li>Post Reach: 2,093</li> <li>Post Engagement: 1,503</li> <li>New Followers: 9</li> <li>Photo Views: 468</li> <li>Shares: 25</li> </ul> <p>Most Reached 13/02/2024 – 09/05/2024:</p> <ul style="list-style-type: none"> <li>Media Statement - Shooting Incident 515</li> <li>Blessing of the Roads Event Post 544</li> <li>Notice of Development Application 547</li> <li>Anzac Day Ceremony Post 559</li> <li>Anzac Day Advertising Post 577</li> <li>Support Services Gunman Incident 950</li> </ul>
		Develop a Communication Policy (MOU) between Council and Administration for Council Adoption	By August 2024	CEO has attended monthly departmental briefings, CEOs forums and LG Pro sessions on the final changes to the LG Act, including the development of the Communication Policy. Policy is to be enshrined in regulations and model template is being developed by DLGSC
		Ensure Community is kept informed of important Shire matters and Council outcomes	Monthly Newsletter content including reports to Council on the distribution (community reach): <ul style="list-style-type: none"> <li>Content accessed February 2025.</li> </ul>	<p><b>Quarterly Reach</b></p> <ul style="list-style-type: none"> <li>May 2024 (265): <ul style="list-style-type: none"> <li>Hardcopy 233 (Yerecoin has increased)</li> <li>Emailed 32</li> </ul> </li> </ul>

			<ul style="list-style-type: none"> <li>Community reach assessed by quarterly updates</li> </ul>	
		<p>CEO and key staff having regular engagement with community groups who utilise Shire assets to develop current and future maintenance and development plan</p>	<p>Assessed by Six (6) monthly updates presented to Council</p>	<p><b>May Quarter</b></p> <ul style="list-style-type: none"> <li>CEO, CDO attended meetings with MDPA (included DCEO), Piawaning PA &amp; Calingiri PA</li> <li>DCEO &amp; CDO attended meetings with Bolgart PA</li> <li>Thank you letter received from Yerecoin Tennis Club in April re assisted works (tennis hit wall playing surface)</li> <li>Thank you card received from Yerecoin Progress Association re assistance with main street scape improvements</li> <li>Met with both Calingiri PA (CEO) and Yerecoin PA (MWS) re formalising vehicle (truck) parking bays in Calingiri and Yerecoin (both are within the rail reserve)</li> </ul>

## Supporting Documentation

- Council meeting agendas and minutes
- Council briefing reports and presentation
- Weekly updates from the CEO
- Key Work Plan
- Thank you letters and cards
- DLGSC Webinars

PUBLIC ATTACHMENTS



# REGISTER OF DELEGATIONS

COUNCIL TO CEO

CEO TO OFFICERS

COUNCIL TO COMMITTEES

REVIEW & ADOPTION 22 MAY 2024

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**

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**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**

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**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
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**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

PUBLIC ATTACHMENTS

**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' 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)**

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PUBLIC ATTACHMENTS

## Section 2 - Administration / Organisation

### 2.1 Common Seal – Execution of documents

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#### 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**

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PUBLIC ATTACHMENTS

**2.3 Deleted (23 June 2021)**

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PUBLIC ATTACHMENTS

## Section 3 - Financial Management

### 3.1 Deleted

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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

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#### 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

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#### 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

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#### 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

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#### 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

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#### 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

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### 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 20113* –

- 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, s9(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, s37 (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

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#### 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**

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**Dogs Local Law 2018**

PUBLIC ATTACHMENTS

## 4.5 Impounding of vehicles and goods

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### 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

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### 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**

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**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

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#### 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**

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**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**

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**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

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### 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

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#### 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

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#### 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 lodgement if a valid CDC is not presented, and the local government is required to source/provide the CDC.

With the Building Act 2011, the functions separated are –

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

PUBLIC ATTACHMENTS

## 10.2 Illegal development

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### 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

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### 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

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### 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

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### 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

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#### 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

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### 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 &amp; Services

**13.1 Reserves under control of the local government**

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**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.

PUBLIC ATTACHMENTS



## 13.8 Events on roads

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### 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

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### 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

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#### 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

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### 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**

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PUBLIC ATTACHMENTS



**PART B – PRIMARY DELEGATIONS – to other persons****Section 17 - Fire Control****17.1 Deleted 23 June 2021**

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**17.2 Deleted 23 June 2021**

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**17.3 Prohibited burning periods – Variations**

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**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**

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PUBLIC ATTACHMENTS

## PART C – PRIMARY DELEGATIONS to Committees

## Section 19 - Conduct

## 19.1 Behaviour Complaints Committee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <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
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> <ul style="list-style-type: none"> <li>• Clause 12 Dealing with a complaint</li> <li>• Clause 13 Dismissal of complaint</li> </ul>
<b>Delegate:</b>	<b>Behaviour Complaints Committee</b>
<b>Function:</b> <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"> <li>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)].</li> <li>2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> <li>a. take no further action [MCC.cl.12(4(a)); or</li> <li>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)].</li> </ol> </li> <li>3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <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>

<b>Express Power to Sub-Delegate:</b>	Nil.
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<b>Compliance Links:</b>	<a href="#">Department of Local Government, Sport and Cultural Industries – Model Code of Conduct</a> <a href="#">SoVP Code of Conduct Council Members, Committee Members and Candidates Policy</a> 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
<b>Record Keeping:</b>	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**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <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
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
<b>Delegate:</b>	<b>Audit Committee</b>
<b>Function:</b> <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"> <li>1. . Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)].</li> <li>2. Authority to:             <ol style="list-style-type: none"> <li>i. examine the report of the Auditor and determine matters that require action to be taken by the Shire; and</li> <li>ii. ensure that appropriate action is taken in respect of those matters [s.7.12A(3)].</li> </ol> </li> <li>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)].</li> </ol>

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

<b>Compliance Links:</b>	Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees</a>  Audit Committee Terms of Reference
<b>Record Keeping:</b>	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**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <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
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration Regulations) 1996 – Division 2:</i>
<b>Delegate:</b>	<b>CEO Recruitment Committee</b>
<b>Function:</b> <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> .
<b>Council Conditions on this Delegation:</b>	Nil
<b>Role of the CEO Recruitment Committee</b>	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"> <li>2. Approve by absolute majority, the job description form for the position of CEO, which sets out:             <ol style="list-style-type: none"> <li>a. The duties and responsibilities of the CEO; and</li> <li>b. The selection criteria as required in Point 1.</li> </ol> </li> <li>3. Advertise the CEO position in accordance with the Administration Regulations;</li> <li>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"> <li>a. The facilitator would assist the CEO Selection Panel;</li> <li>b. Make recommendations on the job description form (Points 2a and 2b);</li> <li>c. Review applications received, undertake interviews and make recommendations regarding: suitability of the recommended applicant, the offer of employment, the proposed terms of contract.</li> </ol> </li> <li>5. Approve by absolute majority:             <ol style="list-style-type: none"> <li>a. The making of the offer of employment to the applicant; and</li> <li>b. The proposed terms of the contract of employment, including any variations proposed to the contract.</li> </ol> </li> </ol> <p>Note: Task 3 is performed directly by the Committee</p>
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	<ul style="list-style-type: none"> <li>• s.5.39A <i>Local Government Act 1995</i></li> <li>• <i>Local Government (Administration Regulations) 1996</i> – Division 2</li> <li>• Policy 2.6: Standards for CEO Recruitment, Performance and Termination</li> </ul>
<b>Record Keeping:</b>	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"> <li>• Correct legislation included</li> <li>• Clarification re naming convention for MFA</li> </ul>

## 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

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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

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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

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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)**

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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**

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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**

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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**

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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**

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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		



## APPENDIX THREE – Suggested Template as the Basis of Future Review

## Council to CEO

## Appoint Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <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
<b>Express Power or Duty Delegated:</b>	<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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <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"> <li>1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <a href="#">Local Government Act 1995</a> 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].</li> <li>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 <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</li> <li>3. Authority to appoint authorised person for the purposes of section 15 the <a href="#">Graffiti Vandalism Act 2016</a>, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<b>GUIDANCE NOTE:</b> {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"> <li>a. A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>c. &lt;&lt;Council has discretion to determine any conditions / limitations applicable to the use of delegated powers or duties&gt;&gt;</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<<list position titles>>
<b>CEO Conditions on this Sub-Delegation:</b> <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**

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

**From:** David Morgan <[David.Morgan@watercorporation.com.au](mailto:David.Morgan@watercorporation.com.au)>  
**Sent:** Tuesday, April 30, 2024 9:39 AM  
**To:** Sean Fletcher <[ceo@victoriaplains.wa.gov.au](mailto:ceo@victoriaplains.wa.gov.au)>  
**Cc:** Tom Hughson <[Tom.Hughson@watercorporation.com.au](mailto:Tom.Hughson@watercorporation.com.au)>  
**Subject:** Res 17655 - Wyening Dam - Potential Transfer to Shire

Hello Sean,

As discussed with Tom and myself, I can confirm that the Water Corporation no longer requires Wyening Dam for water supply purposes.

As such, the Water Corporation is seeking to gauge the Shires interest in accepting the vesting for Reserve 17655. The transfer would be via DPLH, and would include the dam and all associated assets in their current condition.

Given the Reserve is also referred to as the "Glendale Nature Reserve", DBCA has been contacted regarding their interest in the land. However, DBCA have advised that they want to understand the Shires relationship to the Reserve before making any decisions.

I would also like to advise that DPLH may assess the aboriginal cultural heritage value of the land as part of any transfer. This may result in values being identified that will be considered as part of any transfer.

I would appreciate if the Shire could now discuss this matter with a view to obtaining a resolution of Council confirming the Shires interest in accepting the vesting. Once this has been received, the Water Corporation can then enter into its formal due diligence process with a view to requesting DPLH to transfer the Reserve.

Many Thanks

**David Morgan**  
Senior Planner - Property Portfolio  
Procurement & Property

E [David.Morgan@watercorporation.com.au](mailto:David.Morgan@watercorporation.com.au)  
T (08) 9420 2640

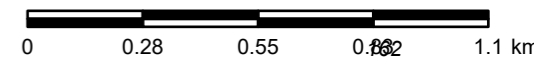
.....  
**Occasionally I will be working from home, but am always contactable on the above number or email.**



[watercorporation.com.au](http://watercorporation.com.au)









**Roads** Shire of Victoria Plains

Laneway, Tracks

--- Tracks

Minor Roads

■ Minor Unsealed

Freeways, Highways & Main Roads (L)

■ Main

**Cadastre**

House Numbers (256K)

House Numbers (64K)

Property Information (256K)

Property Information (64K)

□ Lot on Plan - Boundaries (256K)

□ Lot on Plan - Boundaries (64K)

**Landgate WA Now Mosaic**

WA Now Imagery

■ Red: Band\_1

■ Green: Band\_2

■ Blue: Band\_3

PUBLIC ATTACHMENTS

## Reserve Details Report -17655

<b>Reserve</b>	17655	<b>Legal Area (ha)</b>	247.9784
<b>Name</b>	GLENDALE NATURE RESERVE	<b>Status</b>	CURRENT
<b>Type</b>	N/A	<b>Current Purpose</b>	WATER & CONSERVATION OF FLORA & FAUNA
<b>File Number</b>	09711-1907-01RO		
<b>Notes</b>	N/A		
<b>Additional Reserve Information</b>	N/A		

<b>Class</b>	<b>Responsible Agency</b>	<b>Date of Last Change</b>
C	WATER CORPORATION	20/09/2000

<b>Management Order</b>	<b>Document Number</b>
VEST: WATER CORPORATION	H504781

<b>Land Use</b>
CONSERVATION
PROTECTION OF FLORA
FAUNA
WATERWAY

<b>Local Government Authority</b>
SHIRE OF VICTORIA PLAINS

CLT Number	Parcel Identifier	Street Address, Suburb	File Number	PIN	Area (m <sup>2</sup> )
LR3118/71	Lot 29461 On Deposited Plan 221039	No Street Address Information Available	09711-1907- 01RO.	1325203	2395660
LR3120/272	Lot 23186 On Plan 4583	No Street Address Information Available	09711-1907- 01RO.	565004	5843
LR3120/273	Lot 29163 On Deposited Plan 219157	No Street Address Information Available	09711-1907- 01RO.	1170053	78281

<b>Previous Certificates of Title</b>	<b>Status</b>
LR3076/724	Cancelled
LR3077/291	Cancelled





Previous Certificates of Title	Status
LR3086/773	Cancelled
LR3086/774	Cancelled

Document Number/Gazette Page	Date	Type	Text
H504779	17/07/2000	Vesting Revoked	REVOKED ORDER DATED 6.6.1997
H504780	17/07/2000	Current Area	247.9784
H504780	17/07/2000	Survey Number	LTO: PLAN 4583(1), CS: PLANS 19157 AND 20139
H504781	17/07/2000	Current Vesting	VEST: WATER CORPORATION
H504781	17/07/2000	Correspondence File Number	09711/1907/01RO
H504781	17/07/2000	Street Name	FORDHAM ROAD
2632	17/07/2000	Location	AVON LOCS 23186, 29461 AND 29163 (H504780)
2619	06/06/1997	Historical Vesting	VEST: WATER CORPORATION
2623	06/06/1997	Vesting Revoked	REVOKED ORDER DATED 6 SEP 1996
2632	06/06/1997	Historical Area	87.8304
2632	06/06/1997	Previous Lot/Locations	AVON LOCS 23184,23185,27153,27260 & 29162
6580	22/11/1996	Historical Vesting	VEST:WATER CORPORATION
6488	15/11/1996	Historical Area	243.895
4429	06/09/1996	Vesting Revoked	REVOKED (ORDER DATED 07/11/1980)
4465	18/12/1987	Current Name	GLENDALE NATURE RESERVE
N/A	13/11/1984	Historical Name	GLE NDALE NATURE RESERVE
3736	07/11/1980	Historical Vesting	VEST MINISTER FOR WATER RESOURCES
3753	07/11/1980	Current Purpose	WATER & CONSERVATION OF FLORA & FAUNA
2260	09/09/1949	Original Gazettal and page	ORIGINAL GAZETTE
N/A	09/09/1949	Class	C
N/A	09/09/1949	Historical Area	329.3.38
N/A	09/09/1949	Previous Lot/Locations	AVON LOC 10975 AND 8604
N/A	09/09/1949	Public Plan	MORTLOCK RIVER SW,CALINGIRI SE 1:25000

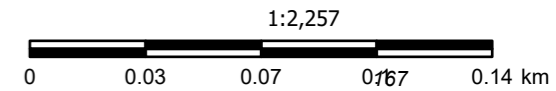
Ordinary Council Meeting

Shire of Victoria Plains Document Number/Gazette Page	Date	Type	Text
N/A	N/A	Historical Purposes	RAILWAYS WATER SUPPLY
N/A	N/A	Metric Conversion	244.5060,P128

date: May 13, 2024, 2:14:51 PM

PUBLIC ATTACHMENTS







**Roads** Shire of Victoria Plains

Laneway, Tracks

--- Tracks

Minor Roads

■ Minor Unsealed

**Cadastre**

House Numbers (256K)

Property Information (256K)

□ Lot on Plan - Boundaries (256K)

□ Lot on Plan - Boundaries (64K)

□ Lot on Plan - Boundaries (16K)

**Landgate WA Now Mosaic**

WA Now Imagery

■ Red: Band\_1

■ Green: Band\_2

■ Blue: Band\_3

PUBLIC ATTACHMENTS

## Reserve Details Report -46238

<b>Reserve</b>	46238	<b>Legal Area (ha)</b>	0.4561
<b>Name</b>	N/A	<b>Status</b>	CURRENT
<b>Type</b>	N/A	<b>Current Purpose</b>	WATER SUPPLY
<b>File Number</b>	01434-2000-01RO		
<b>Notes</b>	N/A		
<b>Additional Reserve Information</b>	N/A		

<b>Class</b>	<b>Responsible Agency</b>	<b>Date of Last Change</b>
C	WATER CORPORATION	18/07/2000

<b>Management Order</b>	<b>Document Number</b>
VEST: WATER CORPORATION	H504783

<b>Land Use</b>
WATER SUPPLY

<b>Local Government Authority</b>
SHIRE OF VICTORIA PLAINS

CLT Number	Parcel Identifier	Street Address, Suburb	File Number	PIN	Area (m <sup>2</sup> )
LR3118/72	Lot 29462 On Deposited Plan 221039	No Street Address Information Available	01434-2000-01RO.	1325204	4561

<b>Previous Certificates of Title</b>	<b>Status</b>
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Document Number/Gazette Page	Date	Type	Text
H504782	17/07/2000	Current Area	0.4561
H504782	17/07/2000	Current Purpose	WATER SUPPLY
H504782	17/07/2000	Correspondence File Number	01434/2000/01RO
H504782	17/07/2000	Lot/Town Lot	AVON LOCATION 29462
H504782	17/07/2000	Survey Number	CS: PLAN 21039
H504783	17/07/2000	Current Vesting	VEST: WATER CORPORATION



Document Number/Gazette Page	Date	Type	Text
N/A	17/07/2000	Class	C
N/A	17/07/2000	Public Plan	CALINGIRI SE (25)
N/A	17/07/2000	Street Name	FORDHAM ROAD

date: May 13, 2024, 5:36:23 PM

PUBLIC ATTACHMENTS