

**Provision to Provide External Audit Services**

**Shire of Mount Marshall**

**April 2017**

**Attachment 11.1.1a**

---

# Contents

---

Why Appoint Moore Stephens .....3

Executive Summary .....4

Relevant Experience .....8

Methodology.....12

Key Personnel.....16

Fees .....24

Hours .....26

Accreditation, Insurance and Quality.....27

Quality .....28

Other Matters .....29

## Why Appoint Moore Stephens

With local government experience spanning over three decades at all levels of our firm, we have an excellent track record of delivering high quality services to local government throughout Western Australia.

This proposal will outline the following reasons why you should appoint Moore Stephens:

An experienced team	With local government experience spanning over three decades at all levels of our firm, we have an excellent track record of delivering high quality services to local government throughout Western Australia.
We are familiar with your Shire	<p>We can demonstrate a proven capacity to work with local governments to achieve outcomes and meet deadlines.</p> <p>We are also aware and familiar with the recent circumstances experienced by the Shire and have the necessary experience, expertise and specific local government awareness to provide the service you require.</p>
An integrated service	By using a carefully selected service team who are used to working together on similar assignments, we will ensure you experience a completely integrated service. Our service is not just compliance focused, we seek to work with you to help add value across all facets of your Shire.
Relevant experience	The firm is the largest auditor of local government in Western Australia and currently, for the year ended 30 June 2017, we are the incumbent auditors of forty-seven (47) local governments.
Accessible partners and staff	All our engagements have a high level of partner and senior staff involvement. This increased accessibility means we are able to develop a detailed understanding of your Shire to deliver a practical, value for money service.
The right reputation	We have WALGA preferred supplier status and able to offer a complete audit team with considerable depth of experience, expertise and knowledge of the local government industry in Western Australia.
The right price	We are sensible in calculating our proposed fee, to ensure both of our organisations receive value from the relationship without compromising the quality or objectivity of our service.

We trust our proposal will contain all the information you require at this stage. You would continue to be an important client for Moore Stephens, and we look forward to discussing your requirements further.

## Executive Summary

When you select Moore Stephens as your auditor, you will have access to a team with the most collective years of local government experience in Western Australia.

### Fees

Our fee quotes assume the Shire of Mount Marshall will be ready for all of our procedures and will have all requested records and information available and up to date at the time of our visits.

On this basis, our fee quote provided (excluding GST and disbursements) can be considered as a fixed price quote as follows:

	Quote (GST Exclusive) \$
Year ended 30 June 2018	20,000
Year ended 30 June 2019	20,000

Further details in respect of our quoted fees may be found in the “Fees” section.

### Understanding your Shire

Knowledge of local government is a key tenet to a robust audit approach. Whilst our previous experience of your Shire and the industry in general assists us in this regard, we will continue to seek to improve our understanding of your Shire and operating environment.

**It is also important to note the impending changes to the audit model being proposed via the Bill which will see the State Auditor-General assume responsibility for all local government audits in Western Australia.**

**This will see an automatic change. We believe by reappointing our firm, we are not only best placed to help ensure your readiness but will also ensure the minimum of disruptions in the lead up to the change.**



## Executive Summary (continued)

### Methodology and approach

When you select Moore Stephens as your service provider you will have access to a team with the most collective years of local government experience in Western Australia. This is very important in keeping your level of risk to a minimum (refer Costs vs Benefits for further details).

We also have a detailed compliance component which we believe is far superior to any of our competitors (refer Detailed Compliance Component section for further details).

In addition, you will have access to our proprietary ratio analysis statistics which are provided to all audit clients as a means of comparing their statutory ratios to those of their peers.

This includes detailed comparison/analysis of all reported local government statutory ratios since 2012 (that is, since the implementation of the new ratios).

It is included as part of our core service.

Moore Stephens has WALGA preferred supplier status and is able to offer a complete audit team with considerable depth of experience, expertise and knowledge of the local government industry in Western Australia. This means we are able to provide an efficient and effective audit process. All staff who would be involved in the audit will be sourced from our dedicated local government service team and all have had experience over a significant number of years and engagements.

### Cost vs benefit (Is it worth the risk?)

- Not all audits are the same – “you get what you pay for”.
- Whilst the temptation may exist to save a few dollars, expenditure on audit services is not a major expense.
- Opting for the cheapest service may increase the risks exponentially.
- These questions should be asked:
  - “Does a cheaper fee compromise a comprehensive approach?”
  - “Are all service providers performing the same task and looking to assist Council reduce the risks?”
  - “Do all firms have the broad understanding and knowledge of the industry with the industry’s best outcomes at heart?”
- **Our understanding, knowledge and commitment to the industry is supported by the findings of the Public Accounts Committee (PAC) report entitled “Improving Local Government Accountability” as tabled in Parliament (November 2015). Three examples of better practice by audit firms were highlighted in the report and all are able to be credited to us.**

**It is clear from the findings and recommendations of the PAC there were inconsistencies in the quality of reporting amongst audit firms and we take great comfort in the fact our reporting approach was highlighted as better practice.**

## Executive Summary (continued)

### Detailed compliance component

Local Government (Audit) Regulation 3(b) requires the auditor to include in the audit report any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law.

- Our audit procedures are designed to ensure a comprehensive assessment of this mandatory compliance aspect.
- This requirement should not be overlooked and all auditors should understand their statutory obligation in this regard.
- This requirement should be considered when comparing audit proposals.
- Please note, we are able to provide details of our checklists if you require. Due to specific Intellectual Property rights we have withheld them at this juncture.

### On time, on budget, no surprises

Our engagement team focuses on client's demands and needs – on time, on budget, without any surprises on completion. Key issues are dealt with on an ongoing and timely basis and we go out of our way to ensure your timetable and needs are met. Our approach is to complete the audit and tax reporting as soon as possible rather than it being a long drawn out process. We consistently meet deadlines and client expectations, and fully appreciate how important deadlines are to you.

### Valuable relationships

To provide you with a valuable service we need to fully understand you and your objectives. We view our relationship with you as a two-way process: while it is vital that we are available when you need us, it is of equal importance that we contact you when issues arise that you need to know about. It is through this regular communication that the relationship between our two businesses will continue to develop - as will the value you will obtain from our services.

***“The audit process involves  
continual and ongoing liaison  
between all members of the Moore  
Stephens team and regular updates  
on progress to you.”***







## Relevant Experience

### Statutory Audit Services

The firm is the largest auditor of local government in the State and for the year ended 30 June 2017 we are the incumbent auditors of the following forty-seven (47) local governments:

City of Albany	Shire of East Pilbara	Shire of Narembeen
Shire of Ashburton	Shire of Exmouth	Shire of Northam
Shire of Augusta-Margaret River	City of Fremantle	Shire of Northampton
Shire of Brookton	Shire of Gingin	Shire of Plantagenet
Shire of Broome	Shire of Gnowangerup	Shire of Quairading
Shire of Carnarvon	Shire of Halls Creek	Shire of Serpentine-Jarrahdale
Shire of Chapman Valley	Shire of Irwin	Shire of Shark Bay
Shire of Chittering	City of Joondalup	City of Subiaco
Shire of Christmas Island	City of Kalgoorlie-Boulder	Shire of Three Springs
Town of Claremont	Shire of Katanning	Shire of Toodyay
Shire of Cocos (Keeling) Islands	Shire of Kellerberrin	Shire of Trayning
Shire of Coolgardie	City of Kwinana	Shire of Wongan-Ballidu
Shire of Coorow	Shire of Lake Grace	Shire of Wyndham-East Kimberley
Town of Cottesloe	<b>Shire of Mt Marshall</b>	Shire of Yilgarn
Shire of Derby-West Kimberley	Shire of Mukinbudin	Shire of York
Shire of Dumbleyung	Shire of Mundaring	

### Financial Management Reviews

In the course of the past years we have also provided detailed Financial Management Review services to the majority of our clients and other local governments statewide.

In all, since the year 2000, we have performed approximately 200 Financial Management Reviews to various local governments in both the metropolitan and regional areas. We have detailed Financial Management reviews we have undertaken in 2016 or are currently undertaking, in the table below.

During this time, we have developed a unique methodology in relation to these Financial Management Reviews which is based on our extensive local government knowledge and experience.

Financial Management Reviews undertaken since the beginning of 2016 number thirty five (35) and are as follows:

City of Albany	Shire of Corrigin	<b>Shire of Mount Marshall</b>
City of Armadale	Town of Cottesloe	Shire of Northam
Shire of Ashburton	Shire of Derby-West Kimberley	Shire of Northampton
Shire of Brookton	Shire of East Pilbara	Shire of Shark Bay
Shire of Broome	Shire of Halls Creek	Shire of Three Springs
Shire of Chapman Valley	City of Kalgoorlie – Boulder	Town of Victoria Park
Shire of Chittering	Shire of Katanning	Shire of Westonia
Shire of Carnarvon	Shire of Kellerberrin	Shire of Wongan Ballidu
Shire of Christmas Island	City of Kwinana	Shire of Woodanilling
Town of Claremont	Shire of Lake Grace	Shire of Yilgarn
Shire of Cocos (Keeling) Islands	City of Melville	Shire of York
Shire of Coorow	Shire of Morawa	



## Relevant Experience (continued)

### Other local government experience

Over the past twenty years, we have also conducted an annual workshop, which in 2016 was attended by over one hundred (100) local governments from all over Western Australia. These workshops have addressed the Annual Financial Report, Budget, accounting standards, the mandating of fair value, infrastructure assets, cashflow statements, ratio analysis, sustainability and various other topical accounting issues.

We have developed a model financial report and model budget which address all relevant disclosure requirements and attempt to establish a consistent guideline for local governments to follow. These reports are updated annually as disclosure requirements are amended. Each year, the model is purchased by in excess of one hundred and twenty (120) authorities statewide.

In 1999, we developed a strategy to assist local government with the implementation of GST and the firm has a dedicated tax task force to assist Councils in the complex areas of GST and FBT.

We are also the long serving contract provider for WALGA's tax service

Since November 1999, we have provided a remote accounting service to many regional remote local governments. This service includes the provision of a full general ledger, monthly and quarterly accounts, principal activity plan, budget, annuals and general accounting assistance. The service has also developed its own suite of software and this is currently used by a number of other municipalities. This software contains a unique rating package we have developed on our own initiative and are presently in development of a new online general ledger to complement our current offering.

In addition to audit and accounting services, we have also provided extensive assistance to local government in the following areas during the past ten years.

- Financial Management Reviews
- Financial Report preparation
- Audit Regulation 17 Reviews
- Statutory Compliance Audits
- Infrastructure Assets advice
- Fair Value implementation
- Budget Conversion and Assistance
- Ratio Interpretation Assistance
- GST & FBT Advice
- Long Term Financial Plans
- Strategic Plans
- Corporate Business Plans
- Workforce Plans
- Asset Management Plans

As an added service, we also produce and distribute newsletters and accounting updates which address topical issues.

We are a subscriber member of Local Government Managers Australia (LGMA) and an active participant in Institute events. In 2014, we became a Foundation Partner of LGMA having previously been a Principal Partner since the beginning of 2008 and a major sponsor of the annual conference since 2000 as well as other regional conferences and sporting events.

## Relevant Experience (continued)

### Other audit experience

In add addition to our local government audits we have a number of audit engagements in the following categories:

- Listed Entities
- Other Public Entities
- Large Private Companies
- Foreign Amount Companies
- Indigenous Organisations
- Significant Not-For-Profit Organisations

Our base of audit clients and our experience in commercial enterprises gives us exposure to contemporary approaches in:

- Management;
- Data collection;
- Receivables and collection systems;
- Infrastructure asset recording and management; and
- Labour force management.

We offer the benefit of this exposure in our audit of systems and policies and deliver these benefits as part of our core service.

## Relevant Experience (continued)

### Value added services specific to the local government industry

#### Audit liaison and guidance

Liaison on audit and accounting issues is not only provided free of charge to audit clients during the year, it is encouraged. We believe by obtaining an answer when it is required, the Council will be more able to provide for an efficient audit process.

We also regularly provide the industry (all local governments) with newsletters containing comment and direction on topical issues.

#### Model financial report, model budget and annual workshop

A main ingredient of our local government support is our model financial report and model budget which is updated annually.

This has, over the past nineteen years, established a consistent guideline for local governments to follow in respect of statutory reporting obligations. An indication of its worth to the industry is in the number of authorities (clients and non-clients) that have adopted the reporting formats it provides and the number who attend the course each year.

This model also forms the basis of our annual workshop series. This addresses topical accounting issues, reporting amendments and provides a forum for local government accounting practitioners to obtain guidance on various accounting related matters.

In response to industry requests to better align with budget timetables, 2015 saw us split the budget module from our May workshop and now present this in February.

We also conduct an annual 'Nuts and Bolts' workshop (November/December) which deals with fundamental local government accounting concepts and is aimed at entry level finance officers.

#### Specific local government knowledge

Over the course of the past several years, due to our industry knowledge and practical involvement, we were best placed to advise our clients with respect to the many financial changes. These included the changes emanating from Financial Management Regulations 16 (Reserves vested in Council requiring recognition), 17A (mandating of Fair Value) and 50 (Ratios).

We believe this was very evident during the years ended 30 June 2013, 2014 and 2015 particularly with respect to Fair Value.

The trend has continued post implementation, as clients deal with the ongoing effects these changes have had. This includes managing depreciation on considerably higher asset values, interpreting ratios and the new requirements associated with Audit Regulation 17.

#### GST, FBT and salary packaging advice

As the contracted provider of the WALGA tax service, our local government services division in conjunction with our tax consulting division is also able to provide detailed advice and assistance in the complex areas of GST, FBT and salary packaging. Such advice would be provided at applicable rates.

# Methodology

## Scope/Approach

Our audit will be carried out in accordance with Australian Auditing Standards, Auditing Guidance Statements, the *Local Government Act 1995* ("the Act") and accompanying Regulations.

Procedures are designed to ensure your specifications and the Minimum Standard Audit Specification as per the Department of Local Government and Regional Development's Operational Guideline Number 9 are met. These include the critical audit areas as follows:

- Revenue
- Expenditure
- Current Assets
- Investments
- Non-Current Assets
- Liabilities
- Reserve Funds
- Contingent Assets/Liabilities
- Capital Commitments
- Governance and Control
- Financial Statements
- Statement of Cash Flows
- Statutory Obligations
- Accounting Policies and Notes to the Financial Statements
- Budget compliance with respect to timing, format and the previous year's final audited position
- Financial ratios required by the Financial Management Regulations
- GST /FBT Compliance

As part of these procedures we will undertake testing to:

### Assist us in forming an opinion as to whether:

- a) the accounting records are reliable and adequate as a basis for the preparation of the financial statements;
- b) the accounts are properly kept;
- c) the annual financial report;
  - i. is prepared in accordance with the financial records; and
  - ii. represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with:
    - Australian Accounting Standards;
    - the *Local Government Act 1995* (as amended);
    - the *Local Government (Financial Management) Regulations 1996* (as amended); and
    - other mandatory professional reporting requirements.
- d) there are any material matters indicating a significant adverse trend in the financial position or the financial management practices of the Shire;
- e) there are any matters indicating non-compliance with Part 6 of the *Local Government Act 1995* (as amended), the *Local Government (Financial Management) Regulations 1996* (as amended) or applicable financial controls of any other written laws;
- f) details of whether information and explanations were obtained by the auditor;
- g) a report on the conduct of the audit; and
- h) the opinion of the auditor as to whether or not the specific financial ratios reported are supported by verifiable information and reasonable assumptions.



## Methodology (continued)

### Scope/Approach (continued)

Our audit procedures are designed to ensure a comprehensive assessment of this mandatory compliance aspect in relation to points 1(d) and (e) above (as required by Local Government (Audit) Regulation 3(b)).

From experience we are aware our processes are much more comprehensive than our competitors and demonstrate a far greater understanding of the local government operating environment.

This requirement should not be overlooked and all auditors should understand their statutory obligation in this regard.

We take our responsibility as local government auditors very seriously, consider ourselves the leader in the field and believe we have demonstrated this consistently over the past three decades.

Please note, we are able to provide details of our checklists if you require. Due to specific Intellectual Property rights we have withheld them at this juncture.

1. All bank and cash balances will be subject to third party confirmation and tests will be undertaken to ensure investments are made in accordance with legislation.
2. Examine the local government's receipting function and perform detailed testing as considered necessary;
3. Examine money owing to the local government including testing recoverability, follow up procedures and compliance with relevant legislation;
4. Review payment vouchers (including credit card transactions) and ensure appropriate procedures exist in respect to authorisation and payment of accounts as well as detailed testing as considered necessary;
5. Perform a review of controls surrounding payroll and staff leave records and perform detailed testing as deemed necessary;
6. Review of rating records including rate imposition, valuations, compliance with legislation and detailed testing as required;
7. Review all borrowing transactions to ensure they have been conducted in accordance with the Act;
8. Review reserve transactions to ensure compliance with the legislation;
9. Review asset register and perform testing on ownership, additions and depreciation calculations to determine accuracy and if in accordance with the local government's policies;
10. Review all transactions involving land and other property to ensure legislative requirements are complied with and the local government has right of occupancy;
11. Review agreements where the local government has leased land to third parties and help ensure compliance with relevant legislation in respect of them;
12. Review of the budget and related processes to ensure compliance with the Act and accompanying regulations;
13. Review of all minutes of Council meetings (and Committees if applicable) to help determine items of audit interest and compliance with the Act and accompanying regulations; and
14. Examine tenders to ensure compliance with the Act and accompanying regulations.

## Methodology (continued)

### Scope/Approach (continued)

Our interim visit will be planned during March to May in any given year depending on timing which is mutually convenient and completed.

As part of our audit procedures, we will also review the Asset Management Plans and Long Term Financial Plans to ensure they have been completed in accordance with statutory requirements, and review the net current assets brought forward from the previous year reported in the annual budget.

It should be appreciated the areas detailed above are not exhaustive. Our audit procedures will examine other areas as deemed appropriate in order we can form an opinion on the financial statements of the Shire and make comments in regard to the accounting systems and procedures in place.

### Our final visit is scheduled to:

- be mutually convenient;
- be within 30 days of being advised the accounts and annual financial report are available for audit; and
- enable you to meet your deadline (subject to your audit readiness).

An exit interview will be performed at the conclusion of our audit field work.

We will also liaise with staff to ensure meetings with the CEO, Council and/or the Audit Committee occur as required. In accordance with the Act and Regulations, this may be by electronic means.

Our audit fee is based on the current above-mentioned scope requirements. In the event of a significant change in the required scope the audit fee may be re-negotiated.

We also require the Shire to maintain adequate accounting records and prepare the annual financial report in accordance with applicable accounting standards.

We will send an audit requirements letter summarising our information requirements for the audit prior to our final visit.

Providing all necessary information is made available to us as required, we undertake to issue our audit report and management report by the required deadline (as determined each year) and further undertake to provide such reports to the Council and Minister as required.







## Key Personnel

### The Right People

Our philosophy when working with you will be to ensure that your needs are our priority, and it is this principle which will form the basis of our relationship.

Moore Stephens is a people-focused business and client relationships are partner-led. Each member of the core team will have sufficient knowledge of your business and industry sector to provide you with the support you require.

Including Partners (which currently number 14 providing professional services), we have a team of 43 experienced full time audit and 38 experienced full time tax professionals so are adequately resourced to meet and cater for your needs.

Greg Godwin would continue to act as the engagement Partner.

Profiles of key individuals within the firm may be found on the following pages.

All team members assigned to your engagement will have appropriate experience.

### Staff continuity strategy

Wherever possible, we shall endeavour to utilise the same team members on subsequent audits. We have been able to demonstrate this ability by virtue of our historically low staff turnover rate.

### Additional work

For any additional work, we would agree terms of reference with you and provide an estimate of our fees in advance.



## Key Personnel (continued)

### Greg Godwin

#### Audit Engagement Partner



#### Relevant Experience:

- Broad range of experience across all industry sectors.
- Commenced his own practice, Godwin & Co Chartered Accountants, in 1997 building it to a successful ten person practice before migrating to Australia.
- Joined Moore Stephens in 2005 and became a Partner in 2007.
- Has over 11 years of extensive exposure to the local government industry in Western Australia.
- Currently the engagement Partner for approximately half of the firm's local government audit clients and has a number of corporate clients that add to his experience and skills.

#### Industry Papers Presented:

- Greg has presented a number of Papers covering industry specific matters.

**Greg brings the necessary local government experience, expertise and knowledge to help ensure an efficient, effective and value for money service.**

#### Role:

- Audit and Assurance Partner

#### Qualifications:

- Bachelor of Commerce and Accounting
- Chartered Accountant (Member)
- Registered Company Auditor
- Registered Self-Managed Superannuation Fund Auditor

## Key Personnel (continued)

# David Tomasi

## Local Government Audit Partner



### Relevant experience:

- Commenced his career as an Auditor in 1986.
- Broad range of experience across all industry sectors including five years with a “big 4” accounting firm and twelve months in the UK.
- **Extensive local government experience since 1990**, including development of the firm’s local government methodology and approach and being engagement partner on a significant number of our local governments spanning three decades.
- Facilitated Strategic Plans at two local government authorities.
- Involved in numerous special investigations and consulting engagements.
- Presented all of the firm’s workshops (since inception in 1995).
- Previously a member of the DLGRD’s Financial Reporting Working Party, which, amongst other things, was charged with the review of the Financial Management Regulations to ensure consistency with recent changes to Australian Accounting Standards (AIFRSs) and providing guidance on other financial reporting matters.

### Industry Papers Presented:

David has presented many Papers covering industry specific matters, including:

*Asset Management, Cash Flow Statements, Local Government Audit and Accounting, IFRS, Fair Value, Reporting, ROMAN II and Cloud Computing.*

**David’s specific local government knowledge and experience helps provide added quality to the audit process.**

### Role:

- Partner in charge of the Audit and Local Government Divisions
- Quality Control Leader
- Engagement Partner (including Local Government Audit and Consulting engagements)

### Qualifications:

- Bachelor of Commerce (UWA)
- Chartered Accountant (Fellow)
- Registered Company Auditor
- Registered Tax Agent
- Registered Co-operative Company Auditor
- Registered Self-Managed Superannuation Fund Auditor

## Key Personnel (continued)

### Wen-Shien Chai

#### Local Government Audit Partner



#### Relevant Experience:

- Commenced his career as an Auditor in 1996.
- Migrated to Australia from Malaysia at the end of 2002 after 8 years in various audit roles.
- Joined Moore Stephens in May 2007 and advanced to Partner in 2013.
- Admitted as an Australian Chartered Accountant in 2008.
- Has worked across a wide range of clients and industry groups.
- Manages a varied client base and has engagement partner responsibility for a significant number of Local Governments.

**Chai's wide local government audit experience adds further skills and experience to our audit team.**

#### Role:

- Audit and Assurance Partner

#### Qualifications:

- Bachelor of Accounting and Finance
- Chartered Accountant (Member)
- Registered Company Auditor

## Key Personnel (continued)

# Paul Breman

## Local Government Services Director



### Relevant Experience:

- Involved in the Local Government industry for nearly 30 years.
- Previously held positions at a variety of local governments in WA ranging from large metropolitan Councils such as the City of Melville to small rural local governments such as the Shire of West Arthur.
- Joined Moore Stephens in 2007 from his most recent position as Executive Manager of Corporate Services, Shire of Esperance.
- A Certified Practising Accountant with an in-depth knowledge of local government accounting and governance practices.
- An active member of the Department's Financial Management Working Party.
- An LGMA Finance Managers Group committee member.
- Recipient of numerous financial management awards including the WA Public Sector CPA of the Year 2001.
- Brings to the firm a rare strength of local government experience which demonstrates the firm's long term commitment to the Industry.
- Detailed knowledge of the industry adds depth and understanding to all of our local government audit engagements.

**Paul's experience and "hands-on" knowledge is widely recognised in the Industry.**

### Role:

- Local Government Director
- Responsible for our Remote Accounting Services, IT Solutions and all consulting engagements

### Qualifications:

- Bachelor of Business
- Certified Practising Accountant (CPA Australia)
- Diploma in Local Government (C)



## Key Personnel (continued)

# Russell Barnes

## Local Government Services Director



### Relevant Experience:

- Immigrated to Perth in July 2007 and joined our advisory services division. Appointed a Director of Moore Stephens in July 2015.
- Combines over 9 years of providing advisory services to local government in Western Australia and over 14 years in senior management roles in industry.
- Strong analytical skills and specialises in integrated planning and reporting.
- Developed much of the firm's methodology with respect to business planning, financial reporting, long term financial planning, risk management, asset management and Audit Regulation 17 Risk Management Reviews.
- Responsible for all of the firms Audit Regulation 17 Risk Management Reviews.

**Russell has a wide ranging local government experience built on a significant number of years as a consultant.**

### Role:

- Local Government Director
- Engagement Director on all consulting engagements

### Qualifications:

- Bachelor of Commerce
- Graduate Diploma in Computer Studies

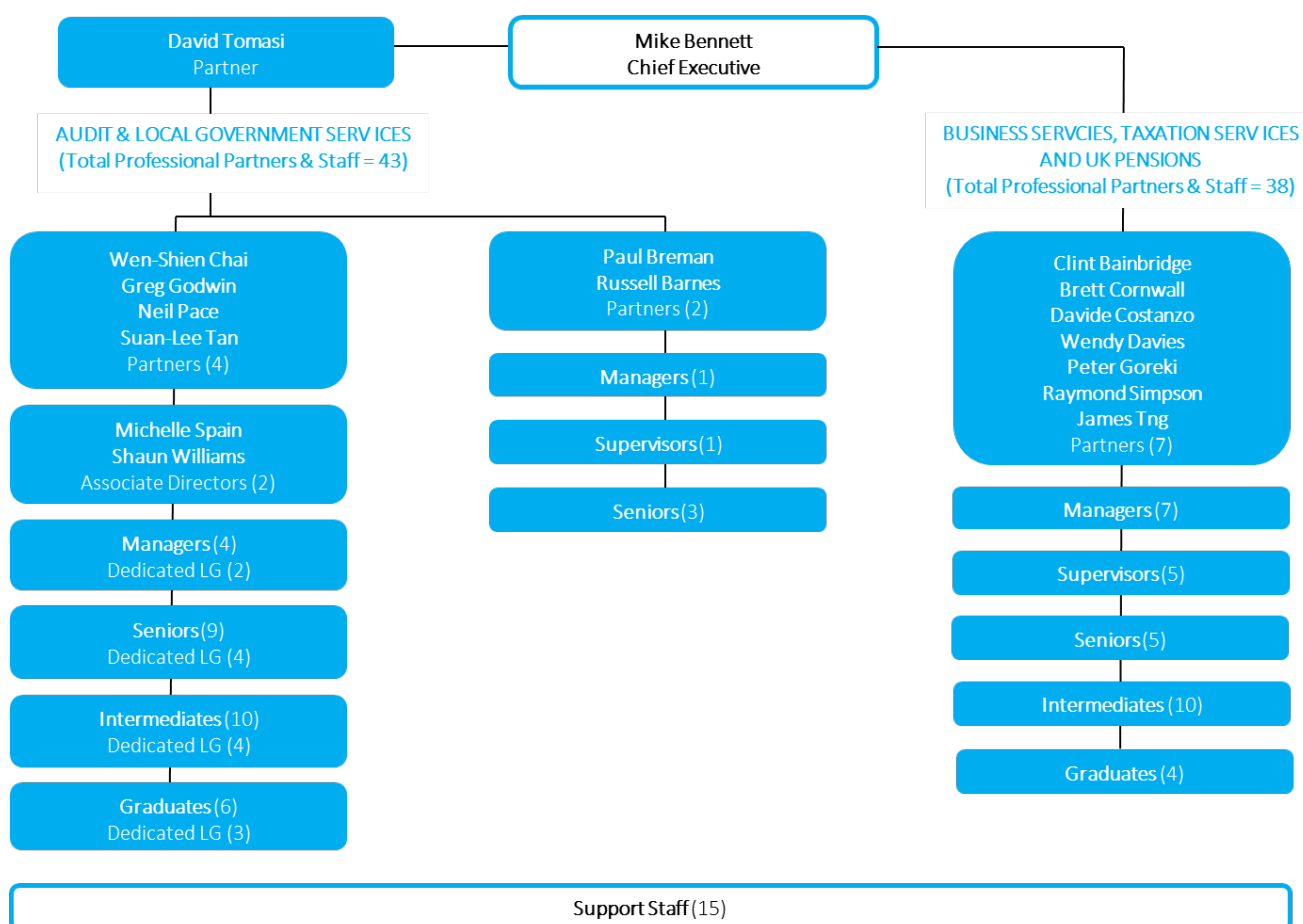
## Key Personnel (continued)

### Organisational Chart and Capacity

As detailed in this document, Moore Stephens and the firm's key personnel have developed a wealth of experience in local government.

The approach and methodology developed by the firm over this time also assists delivery of an efficient and effective audit service.

The size of the firm (in numbers and experience) also allows flexibility and will ensure we are able to complete the engagement in your required timeframe.









## Fees

In detailing our fee structure, we wish to draw your attention to our Executive Summary section and the specific parts of this proposal we have highlighted in bold text.

We pride ourselves on providing what we consider is the highest level of review amongst local government audit service providers to ensure we meet our statutory obligations as auditor of your Shire as well as the value add you need to assist the most efficient and effective allocation of Shire resources. We take our responsibility in this regard very seriously and consider ourselves the leader in the field.

Our fee quotes for the provision of audit services are as follows:

	Fee Quote \$	Travel \$	GST \$	Total (GST Inclusive) \$
For the year ended 30 June 2018	20,000	650	2,065	22,715
For the year ended 30 June 2019	20,000	700	2,070	22,770

The fees and time quoted are inclusive of travel related expenses as shown above.

Reasonable accommodation and incidental expenses (based on our internal "Travel Expenses Policy") will be charged in addition to the fees quoted above and will be invoiced at cost to the Shire.

The above fees are also based on the nature of each engagement being "clean" and on the assumption all information requirements are met (prior to our year end visit an information requirements letter is sent). They also assume no major accounting or system weaknesses are encountered which would require any abnormal additional investigation and testing.

Should engagement conditions vary or the level of operations of the Shire vary significantly from those upon which we have based our quotation, we reserve the right to renegotiate the fee for any given year (subject to mutual agreement).

Please note, the above fees quoted do not include any fee associated with the engagement partner meeting with the audit committee as this is dependent on the particular forum adopted each year. This fee will be subject to separate negotiation once the manner of the meeting is determined each year. As a minimum, a fee of \$500 will apply for preparation and attendance on a telephone conference. If the meeting was timed to coincide with a scheduled audit visit, no additional charge would be made.

If satisfactory to Council, we would propose the fee be billed in two equal instalments, after our interim visit and following completion (sign off) of each year's audit.

Any additional work in the form of accounting assistance or other services outside the scope of the audit function will be subject to a separate fee to be agreed upon with you prior to the work being undertaken.

### Price Variation Mechanism

Our price increases are not based on any indexation. They are firm fixed prices in relation to each year as detailed above.

## Fee Estimates (continued)

### Certifications/ Acquittals (Including Roads to Recovery and Pensioner Deferred Rates)

Other certifications/acquittals are considered to be outside the scope of our normal audit function as both the number and the scope of work varies significantly from acquittal and from year to year.

If all details are prepared for us and we are able to complete with a minimum of fuss, our charges typically fall in the \$500 to \$1,500 (GST exclusive) range per certification/acquittal (at current indicative rates) and we are very willing to quote a fixed amount prior to commencing each certification.

As a general guide, for a general quote, the fee for the majority of the acquittals we certify are in the \$800-\$1,000 (GST exclusive) range.

It should be noted, our firm has a dedicated acquittals section which has oversight by **David Tomasi** and is managed by **Andries Bekker**. The sole focus of the section is the audit certification of funding acquittals.

David and Andries have developed a strong working relationship with key funding bodies. In particular, we have direct contact with Alan Chisholm at the (Federal) Department of Infrastructure and Regional Development (Roads to Recovery) and officers within the (State) Department of Regional Development (CLGF/Royalties for Regions)

This dedicated section and line of communication now makes for a much more efficient acquittals process with faster turnaround times.

The completion of acquittal certifications does not depend on staff being available from other engagements.

### Indicative Costs for Additional Services

The hourly rate for additional services depend upon the level of advice required. It is difficult to commit a firm per hour price until the exact extent of the level of advice and work required is known.

As at 1 January 2017, indicative rates for this type of work are as follows:

	Per Hour (GST Exc) \$
Partner	450 – 600
Associate Director	350 – 400
Manager	250 – 300
Senior	180 – 200
Intermediate	140 – 180
Graduate	120

We further undertake to provide an estimate of hours and staff level required based on the scope of each task prior to commencement in each instance.



## Hours

Estimated hours with respect to the provision of services are as follows:

Interim visit	Hours
Partner	4
Manager / Supervisor / Senior / Intermediate / Graduate (predominately on site)	40
Planning/Secretarial	2
	<b>46</b>
Final visit	
Partner	8
Manager / Supervisor / Senior / Intermediate / Graduate (predominately on site)	66
Planning/Secretarial	2
	<b>76</b>
<b>Total hours</b>	<b>122</b>

**It should be appreciated our audit team has a wealth of Local Government experience.**

**This is due largely to the wealth of local government experience provided by our service team and the fact the Engagement Partner is actively involved in the industry and fieldwork.**

**In addition to the hours above, our Partner and Manager spend additional time to ensure the audit is appropriately supervised.**

**Our experience and approach when coupled with our service level, provides a very efficient and effective audit process.**

**Please note: the above hours also ignore travel time to and from the Shire premises. This travel time is in addition to the hours as detailed above.**

## Accreditation, Insurance and Quality

### Partners

Should we be successful in obtaining the statutory audit contract, the following are the qualified partners of the firm to be nominated as auditors:

Name	Registered Company Auditor Number
Greg Godwin	310219
David Tomasi	15724
Wen-Shien Chai	229761

### Accreditation

All client service partners hold public practicing certificates and are members of Chartered Accountants in Australia and New Zealand.

### Insurance coverage

Type	Insurer – Broker	Policy No	Value (\$)	Expiry Date
Public Liability	CGU Insurance Ltd	15T7035943	\$20M	30/06/2017
Professional Indemnity	CGU Insurance Ltd	C6MIS1344679	\$15M	30/06/2017
Workers Compensation	CGU Insurance Ltd	O/15-6547	\$50M	30/06/2017

## Quality

---

The firm takes a three-tiered approach to quality assurance:

- Project Specification;
- Staff Selection; and
- Quality Reviews.

All review projects are designed and documented before commencement to ensure the objectives of our client are specifically addressed and our methodology is understood. The document is approved prior to commencement of fieldwork.

Field operatives and supervising personnel are selected on the basis of their experience in the project subject matter and their ability to add value to the final project outcome.

As a network firm that undertakes audit and other assurance engagements, we are required to establish and maintain a system of quality control that includes policies and procedures in accordance with the requirements of ASQC1.

Moore Stephens WA is subject to annual peer reviews by Moore Stephens Australia as well as regulatory practice inspections by the Australian Securities & Investment Commission and Chartered Accountants in Australia and New Zealand. Our most recent ASIC inspection was conducted in June 2014 whilst our MSA peer review is completed annually.

## Other Matters

### Disclaimer

Moore Stephens WA carries on business separately and independently from other Moore Stephens member firms around Australia and worldwide.

Services provided under this engagement are provided by Moore Stephens WA and not by any other independent Moore Stephens member firm. No other independent Moore Stephens member has any liability for services provided by other members.

### Terms and Conditions

Unless otherwise agreed in writing, Moore Stephens' standard terms concerning billings and fees will apply.

### Confidentiality

The information contained in this proposal is confidential and cannot be conveyed to any party other than the party to which it is directed.

### Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services envisaged in this contract. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.



## **MOORE STEPHENS**

---

Level 15, 2 The Esplanade,  
Perth WA 6000

**T** +61 (0)8 9225 5355

**F** +61 (0)8 9225 6181

[dtomasi@moorestephens.com.au](mailto:dtomasi@moorestephens.com.au)

# **SHIRE OF MT MARSHALL**



## **Mt Marshall Audit Committee**

**Minutes of the  
Mt Marshall Audit Committee Meeting  
held on Tuesday 21 March 2017  
in Council Chambers,  
80 Monger St, Bencubbin  
commencing at 2:50pm.**

**Attachment 11.1.1b**

---

Chairman

*This page has  
been left blank  
intentionally*

---

# **DISCLAIMER**

## **MEMBERS OF THE PUBLIC ARE REQUESTED TO READ THROUGH AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER**

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

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



**TABLE OF CONTENTS**

- 1.0 Declaration of Opening / Announcement of Visitors**
- 2.0 Record of Attendance / Apologies**
- 3.0 Standing Orders**
- 4.0 Confirmation of Minutes of Previous Meeting**
  - 4.1 Minutes of Audit Committee Meeting held Tuesday 20 December 2016**
- 5.0 Reports of Officers**
  - 5.1 2016 Compliance Audit Return**
- 6.0 Next Meeting – to be advised**
- 7.0 Closure of Meeting**

## **1.0 Declaration of Opening / Announcement of Visitors**

The Presiding Member declared the meeting open at 2:50 pm.

## **2.0 Record of Attendance / Apologies**

### **Attendance**

Cr RM Kirby	President/ Chairman
Cr SE Faulkner	Deputy President / Deputy Chairman
Cr ARC Sachse	Councillor
Cr HJ Shemeld	Councillor
Cr WJ Beagley	Councillor
Cr NR Gillett	Councillor
Cr CT Lumsden	Councillor
Mr John Nuttall	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant
Ms Tanika McLennan	Finance and Administration Manager

### **Apologies**

Nil

## **3.0 Standing Orders**

### ***Audit2017/001 COMMITTEE DECISION:***

***That Standing Order number 9.2 - Limitation of Number of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.***

***Moved Cr HJ Shemeld***

***Seconded Cr SE Faulkner***

***Carried 7/0***

## **4.0 Confirmation of Minutes of Previous Meetings**

### **4.1 Minutes of Mt Marshall Audit Committee**

### ***Audit2017/002 COMMITTEE DECISION:***

***That the Minutes of the Audit Committee Meeting held on Tuesday 20 December 2016 be confirmed as a true and correct record of proceedings.***

***Moved Cr SE Faulkner***

***Seconded Cr NR Gillett***

***Carried 7/0***

## **5.0 Reports of Officers**

### **5.1 2016 Compliance Audit Return**

<b>File No:</b>	A2/27
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Nil
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Nadine Richmond – Executive Assistant
<b>Attachments:</b>	5.1 - 2016 Compliance Audit Return
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

---

#### **Background:**

The Local Government (Audit) Regulations 1996 require that the Shire carry out a Compliance Audit Return (CAR) for the period 1 January to 31 December each year, and after carrying out the Audit prepare a Compliance Audit Return in a form approved by the Minister.

The Audit Committee is required to review the annual CAR and report to the Council the results of that review prior to adoption of the CAR by Council.

The CAR is then to be presented to the Council for adoption and recorded in the minutes of the meeting at which it is adopted.

The return, once adopted by Council is to be certified by the Shire President and the Chief Executive Officer and forwarded to the Director General of the Department of Local Government and Regional Development.

#### **Consultation:**

John Nuttall – Chief Executive Officer

#### **Statutory Environment:**

*Local Government Act 1995*

*Local Government (Audit) Regulations 1996*

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

Nil

#### **Risk Assessment:**

Failure to fulfil compliance requirements (Statutory and Regulatory)

#### **Community & Strategic Objectives:**

---

Chairman Initial

**CIVIC LEADERSHIP – Provide efficient and effective management:**

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

The compliance audit is comprehensive and gives the Council an indication of the Shire's level of compliance with legislative requirements. The audit has been completed by the Chief Executive Officer and the Finance and Administration Manager and the Shire is compliant in all areas.

**2017/003 OFFICER'S RECOMMENDATION / COMMITTEE DECISION:**

***That the Audit Committee adopt the Compliance Audit Return (as attached 5.1) for the period from 1 January 2016 to 31 December 2016, being recorded as required by the Local Government (Audit) Regulations 1996.***

***Moved Cr CT Lumsden***

***Seconded Cr HJ Shemeld***

***Carried 7/0***



## **ATTACHMENT 5.1**

### **Mount Marshall - Compliance Audit Return 2016**

#### **Certified Copy of Return**

Please submit a signed copy to the Director General of the Department of Local Government and Communities together with a copy of section of relevant minutes.

<b>Commercial Enterprises by Local Governments</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2016.	N/A		John Nuttall
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2016.	N/A		John Nuttall
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2016.	N/A		John Nuttall
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2016.	N/A		John Nuttall
5	s3.59(5)	Did the Council, during 2016, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		John Nuttall

<b>Delegation of Power / Duty</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		John Nuttall
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		John Nuttall
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		John Nuttall
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		John Nuttall
5	s5.18	Has Council reviewed delegations to its committees in the 2015/2016 financial year.	Yes		John Nuttall

Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		John Nuttall
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		John Nuttall
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		John Nuttall
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		John Nuttall
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		John Nuttall
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		John Nuttall
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2015/2016 financial year.	Yes		John Nuttall
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		John Nuttall

**Disclosure of Interest**

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		John Nuttall
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	N/A		John Nuttall
No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		John Nuttall
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		John Nuttall
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		John Nuttall
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2016.	Yes		John Nuttall
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2016.	Yes		John Nuttall

Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes	John Nuttall
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	John Nuttall
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes	John Nuttall
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes	John Nuttall
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes	John Nuttall
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	John Nuttall
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes	John Nuttall

\_\_\_\_\_  
Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		John Nuttall
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		John Nuttall

**Disposal of Property**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		John Nuttall
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		John Nuttall

**Elections**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		John Nuttall

**Finance**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Tanika McLennan
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Tanika McLennan
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Tanika McLennan
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Tanika McLennan

\_\_\_\_\_  
Chairman Initial



**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2016 received by the local government within 30 days of completion of the audit.	Yes		Tanika McLennan
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2016 received by the local government by 31 December 2016.	Yes		Tanika McLennan
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Tanika McLennan
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Tanika McLennan
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Tanika McLennan
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Tanika McLennan
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Tanika McLennan
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Tanika McLennan
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Tanika McLennan
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Tanika McLennan

\_\_\_\_\_  
Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

<b>Local Government Employees</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		John Nuttall
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		John Nuttall
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		John Nuttall
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		John Nuttall
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		John Nuttall

<b>Official Conduct</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		John Nuttall
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		John Nuttall
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		John Nuttall
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		John Nuttall
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		John Nuttall
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		John Nuttall

\_\_\_\_\_  
Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

<b>Tenders for Providing Goods and Services</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		John Nuttall
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		John Nuttall
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		John Nuttall
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		John Nuttall
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		John Nuttall
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes		John Nuttall
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		John Nuttall
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		John Nuttall
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		John Nuttall
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		John Nuttall
11	F&G Reg 21 & 22	Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A		John Nuttall
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		John Nuttall

\_\_\_\_\_  
Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

No	Reference	Question	Response	Comments Respondent
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes	John Nuttall
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A	John Nuttall
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A	John Nuttall
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A	John Nuttall
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A	John Nuttall
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	John Nuttall
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A	John Nuttall
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A	John Nuttall
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A	John Nuttall
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A	John Nuttall

\_\_\_\_\_  
Chairman Initial

**Minutes for the Audit Committee Meeting on Tuesday 21 March 2017**

<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		John Nuttall
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes		John Nuttall
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes		John Nuttall

---

Chairman Initial



**6.0 Next Meeting – to be advised**

**7.0 Closure of Meeting**

The Chairman declared the meeting closed at 2:53pm.

These Minutes were confirmed by the Mt Marshall Audit Committee at its meeting held

---

Date

---

Chairman

# **SHIRE OF MT MARSHALL**



## **Local Emergency Management Committee**

**Minutes of the Mt Marshall Local Emergency  
Management Committee meeting held in  
Council Chambers, 80 Monger St, Bencubbin on  
Tuesday 9<sup>th</sup> May 2017,  
commencing at 3.36pm.**

**Attachment 11.2.1**

---

Cr Rachel Kirby      Chairman

This page has  
been left blank intentionally

---

# **DISCLAIMER**

## **MEMBERS OF THE PUBLIC ARE REQUESTED TO READ THROUGH AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER**

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

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

**Minutes of the Mt Marshall Local Emergency Management Committee Meeting**  
**held Tuesday 9<sup>th</sup> May 2017**

**TABLE OF CONTENTS**

- 1.0 Declaration of Opening / Announcement of Visitors**
- 2.0 Record of Attendance / Apologies**
- 3.0 Confirmation of Minutes of previous meeting**
  - 3.1 Minutes of the Local Emergency Management Committee meeting held Tuesday 21 February 2017**
- 4.0 Reports of Officers**
  - 4.1 Regulatory Officer**
    - 4.1.4 Information for the Committee**
- 5.0 Other Reports**
  - 5.4 Department of Child protection and Family Services**
    - 5.4.1 Update to April 2017**
- 6.0 General Business**
- 7.0 New Business of an Urgent Nature Introduced by Decision of the Meeting**
- 8.0 Next Meeting – Tuesday 8th August 2017 commencing at 3:30pm in Council Chambers, 80 Monger St, Bencubbin**
- 9.0 Closure of Meeting**



## **1.0 Declaration of Opening / Announcement of Visitors**

Cr Kirby welcomed committee members to the meeting and declared the meeting open at 3.36pm.

## **2.0 Record of Attendance / Apologies**

### **In Attendance**

Cr Rachel Kirby	Shire President / Chair
Cr Stuart Faulkner	Deputy Shire President
Mr John Nutall	Chief Executive Officer
Mr Jack Walker	Regulatory Officer
Mrs Sally Putt	Community Development Officer
Mr Peter Geraghty	SJA Co-ordinator
Ms Susan Scully	Bencubbin Silver Chain
Mrs Wendy Evans	Beacon Silver Chain
Mrs Karen Tabner	Principal Beacon PS

### **Apologies**

Mrs Yvette Grigg	District EM Advisor
Ms Joanne Spadaccini	DCP & Family Support
Mr Shane Klunder	Area Manager – DFES
Sgt Heather Carter	OIC Bencubbin Police
Mr Robert McArdle	Principal Bencubbin PS
Mr Damian Tomas	Chief Bush Fire Control Officer
Mr Shaun Betley	Community Paramedic

## **3.0 Confirmation of Minutes**

### **3.1 Minutes of the Mt Marshall Local Emergency Management Committee Meeting held Tuesday 21 February 2017**

#### **LEMC2017/005 OFFICER RECOMMENDATION / COMMITTEE DECISION:**

***That the minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 21 February 2017 be confirmed as a true and correct record of proceedings.***

***Moved Cr S Faulkner***

***Seconded Mr P Geraghty***

***Carried 10/0***

## **4.0 Reports of Officers**

### **4.1 Regulatory Officer**

#### **4.1.4. Information for the Committee**

<b>File No:</b>	A6/38
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Mt Marshall
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Jack Walker – Regulatory Officer
<b>Attachments:</b>	Nil
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

---

#### **Background:**

The following is a list of items that require the committee's attention this financial year or items that have occurred or been followed up since the last meeting:

- Annual exercise – the evacuation of the Beacon Primary School was to be carried out in mid- March 2017, unfortunately due to unforeseen circumstances this did not occur.
- House numbering is still to be completed – I have arranged with the Works Supervisor to complete this work in the week commencing Monday 22 May 2017.
- Beacon Airstrip upgrade – waiting for consulting engineer to provide costings for this project.
- Risk register – during the review of our Local Emergency Management Arrangements a Risk Register was to be included, as this is a time consuming process we were advised to complete it at a later date. Yvette Grigg from Office of Emergency Management has been working with Rachel Nightingale from the Shire of Wyalkatchem to submit an application through the AWARE program to source funding to complete this project. If the application is successful Rachel will be the project manager and facilitate the risk workshops. It is possible that the workshops can include several local governments. Committee input will be vital at the workshops.
- Complete Annual Report in June 2017
- 17 March, 2017 – Welbungin, Bencubbin and Gabbin Bush Fire Brigades attended an escaped stubble burn on Wren Road, Welbungin. Assistance was also received from Mukinbudin Bush Fire Brigade, Trayning and Kununoppin Fire Service Brigades, local farm units and the shire water tanker. Wialki Bush Fire Brigade was on standby.
- 21 March, 2017 – Department of Fire & Emergency Services delivered a new 3.4 Urban Fire Appliance to the Bencubbin Bush Fire Brigade. Members of Bencubbin and surrounding Brigades were on hand to take delivery of the new appliance. Wialki Bush Fire Brigade will receive a new 2.4 Rural Fire Appliance

**Minutes of the Mt Marshall Local Emergency Management Committee Meeting**  
**held Tuesday 9<sup>th</sup> May 2017**

in the next few weeks. Welbungin will receive a new Light tanker prior to the next fire season.

**Consultation:**

Consultation has taken place with the Mr John Nuttall, CEO.

**Statutory Environment:**

Emergency Management Act (2005)

Section 38(1). Local emergency management committees

- (1) A Local Government is to establish one or more local emergency management committees for the local government's district.

Local Government Act (1995)

5.8: Establishment of Committees

A local government may establish committees of three (3) or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

**Relevant Plans and Policy:**

Local Emergency Management Arrangements

**Financial Implications:**

Unknown at present.

**Risk Assessment:**

Emergency Management is a core responsibility of local government and failure to comply with the legislation would find it in breach of the Local Government Act 1995.

**Community & Strategic Objectives:**

CIVIC LEADERSHIP – provide accountable and transparent leadership:

C1.1 Enhance open and interactive communication between Council and the community

C1.2 Promote and support community members' participation in the Shires' governance

CIVIC LEADERSHIP – provide efficient and effective management:

C3.3 Provide reporting processes in a transparent, accountable and timely manner.

SOCIAL - Provide services and processes to enhance public safety:

S 3.1 Support provision of emergency services such as bush fire brigades, ambulance and LEMC

**Comment:**

Nil

**Minutes of the Mt Marshall Local Emergency Management Committee Meeting**  
**held Tuesday 9<sup>th</sup> May 2017**

**LEMC2017/006 OFFICER'S RECOMMENDATION / COMMITTEE DECISION:**

*That the information be received by the committee.*

*Moved Cr S Faulkner*

*Seconded Mrs W Evans*

*Carried 10/0*

**5.0 Other Reports**

**5.1 Chief Bush Fire Control Officer**

Nil

**5.2 St John Ambulance Services**

Still very busy.

**5.3 Fire & Emergency Services Authority of WA**

Nil

**5.4 Department of Child Protection and Family Services**

**5.4.1 Department of Child Protection & Family Services – Update to April 2017**

**District Emergency Services Officer - Wheatbelt  
Update: April 2017**

Planning for 2017 is well under way to ensure that Local Governments and their LEMCs are prepared and informed on their responsibilities in the event of an Evacuation Centre being opened in their Shire, whether for their own or their neighbouring communities.

A discussion exercise has been developed that can be done in conjunction with a LEMC meeting. It will vary in length depending on who is in attendance on the day but generally will last between 1 to 2 ½ hours. The Community Evacuation 2017 exercise is designed to increase the awareness of the Local Government, LEMC members and external agencies on the activation, set up and running of an evacuation centre prior to CPFS arrival, coordination and management of the evacuation centre, closing the evacuation. It will also offer the opportunity to discuss issues that may arise. The exercise is designed as a learning opportunity rather than a testing of specifics and aims to increase the knowledge and understanding of the members.

During the recent flood events along the Avon and Mortlock rivers, CPFS in Northam were requested to open an evacuation centre in Northam and to be on standby to do the same for York and Toodyay in the event that the situation worsened. Our Northam team were able to open the Northam centre within ½ an hour of notification and officers were rostered to cover this centre as well as York and Toodyay if required, for a three day period.

During this event there were other Local Governments that had cases of inundation and some short term displacement of members of their community. In these cases, even if you do not require CPFS to attend if we are made aware that there has been inundation we are able to follow up and provide assistance as required.

**Minutes of the Mt Marshall Local Emergency Management Committee Meeting**  
**held Tuesday 9<sup>th</sup> May 2017**

If you have any questions regarding your LGA's preparedness to open and run an evacuation centre until CPFS are able to attend or if you have any questions about CPFS's role in the running of an evacuation centre at any time, please do not hesitate to email me to arrange a time to discuss the available resources.  
[joanne.spadaccini@cpfs.wa.gov.au](mailto:joanne.spadaccini@cpfs.wa.gov.au)

Kind regards

Jo Spadaccini

**LEMC2017/007 OFFICERS RECOMMENDATION / COMMITTEE DECISION:**

***That the report be received by the committee***

***Moved Mrs W Evans***

***Seconded Mr P Geraghty***

***Carried 10/0***

**5.5 Education Department**

Beacon – still waiting for date for evacuation exercise.

**5.6 Bencubbin Police**

Nil

**5.7 Silver Chain Nursing Association**

Bencubbin - Nil

Beacon – Nil

**5.8 Disabilities Service Commission**

Nil

**5.9 Community Development**

Nil

**6.0 General Business**

Follow up with Rod Munns progress on Beacon airstrip costing.  
Discuss with Joanne the holding of a community evacuation centre exercise at one of our LEMC meetings.

**7.0 New Business of an Urgent Nature Introduced by Decision of the Meeting**

Nil



Minutes of the Mt Marshall Local Emergency Management Committee Meeting  
held Tuesday 9<sup>th</sup> May 2017

**8.0 Next Meeting – Tuesday 8 August 2017 commencing at 3.30pm in Council Chambers, 80 Monger Street, Bencubbin**

**9.0 Closure of Meeting**

There being no further business the meeting closed at 3.53pm

These Minutes were confirmed at the Local Emergency Management Committee Meeting held on

---

Date

---

Cr Rachel Kirby

---

Chair

Andrew Dunne

PO Box 45

Beacon 6472

May 1st 2017

John Nuttall

CEO

Mount Marshall Shire

Bencubbin 6477

Dear John,

In 2015 the Education Department made the decision to move years seven students to High School. Small schools like Beacon and Bencubbin Primary Schools were granted a three year transition period in which parents had the choice to keep their year sevens in our local primary school. 2017 is the last year of the transition period.

This decision was made by the government and education department without consultation with the community and families who would be effected by this change.

There is NO evidence of any educational benefit to the children to be school in a high school environment.

The decision was made to bring W.A. in line with the eastern states, who have a high school in EVERY town.

This decision has little effect on city children, but major repercussions on country children and their families.

The Government has not considered us in making this decision because we are only a small percentage of the population.

Both the schools in the Shire of Mt Marshall have utilised the transition period, with Bencubbin currently having two year sevens and Beacon four.

While these numbers may seem small, four students is more than 10% of Beacon Primary School population and has a significant impact on junior sports numbers for the school and community.

With limited local high schools, boarding school is the most popular choice for secondary education. Some children may be ready to go away boarding , but all kids are different, and many are not ready to leave their at such a young age. After the three year transition period there are many families still not prepared to send their children away especially as there is no evidence of any benefit.

The High cost of a year of boarding school is also a consideration.

Some families who cannot afford the fees chose to move away, often taking younger sibling/s from the schools also. This will have a detrimental effect on our already declining population.

A group of parents from Beacon and Kalannie are lobbying the Minister for Education, Sue Ellery, to extend the exemption so we can continue to have the choice of having our children educated in our home towns. We call ourselves "The right stage group". We have the support of several groups including Isolated Children's Parents Association, W.A. Council of State School Organisations and C.W.A.

As both the schools in the Shire of Mt Marshall are utilising the exemption we are asking the Shire Council for their support. We believe this decision will have a massive impact on the future of our small towns.

Regards

Andrew Dunne

# DELEGATION REGISTER



## 2016

I certify that this Delegation Register was reviewed by Council at its Ordinary Meeting held 19 April 2016, by resolution 2016/071

**Attachment 12.1.18a**

Cr RM (Rachel) Kirby

President

**This page has  
been left blank  
intentionally**

# TABLE OF CONTENTS

## ADMINISTRATION

ADMIN 001	EXERCISE OF POWERS UNDER PART 3, LOCAL GOVERNMENT ACT 1995.....	3
ADMIN 002	MINOR VARIATIONS TO APPROVED CONTRACTS .....	4
ADMIN 003	CONSUMPTION OF LIQUOR ON SHIRE PROPERTY.....	5
ADMIN 004	APPOINTMENT OF AUTHORISED PERSONS UNDER PART 9, DIVISION 2, LG ACT 1995.....	6
ADMIN 005	ENTERING INTO CONTRACTS OF INSURANCE .....	7
ADMIN 006	SHIRE OF MT MARSHALL AUDIT COMMITTEE.....	8

## PROPERTY

PROP 001	ACQUIRING OR DISPOSING OF SHIRE PROPERTY TO A VALUE.....	9
----------	--	---

## BUILDING

BLDG 001	PERMITS.....	11
BLDG 002	OCCUPANCY PERMIT/BUILDING APPROVAL CERTIFICATE.....	12
BLDG 003	AUTHORISED PERSONS.....	13
BLDG 004	BUILDING ORDERS .....	14

## CARAVANS & CAMPING

CARA 001	CARAVANS AND CAMPING .....	15
----------	----------------------------	----

## FINANCE

FIN 001	PAYMENTS FROM MUNICIPAL AND TRUST FUND .....	16
FIN 002	WRITE OFF MONEY OWED TO THE SHIRE .....	17
FIN 003	RATING .....	18

## FIRE CONTROL

FIRE 001	APPROVAL TO BURN ROAD VERGES.....	19
FIRE 002	VARYING PROHIBITED BURNING TIMES .....	20

## HEALTH

HEALTH 001	ADMINISTRATION OF THE HEALTH ACT.....	21
HEALTH 002	APPROVAL OF APPLICATIONS UNDER HEALTH LOCAL LAWS.....	22
HEALTH 003	ADMINISTRATION OF THE FOOD ACT .....	23

## ROADS & THOROUGHFARES

ROADS 001	TEMPORARY ROAD CLOSURES .....	24
ROADS 002	TEMPORARY CLOSURE OF ROADS FOR REPAIRS OR MAINTENANCE .....	25
ROADS 003	CLOSURE OF ROADS FOR A PERIOD NOT EXCEEDING FOUR WEEKS .....	26
ROADS 004	CLOSURE OF ROADS FOR A PERIOD EXCEEDING FOUR WEEKS.....	27
ROADS 005	OVER-DIMENSION VEHICLES.....	28
ROADS 006	ROAD TRAIN AND EXTRA MASS PERMITS .....	29
ROADS 007	GATE OR OTHER DEVICE ACROSS THOROUGHFARE .....	30
ROADS 008	CONSTRUCTION OF CROSSING FROM THOROUGHFARE TO PRIVATE LAND.....	31
ROADS 009	NOTICE TO CONSTRUCT OR REPAIR CROSSING .....	32

## SWIMMING POOLS - PRIVATE

SWIM 001	NOTICE ON NON-COMPLYING PRIVATE SWIMMING POOLS.....	33
----------	---	----

## DOGS

DOGS 001	ADMINISTER THE DOG ACT .....	34
----------	------------------------------	----

## CATS

CATS 001	ADMINISTER THE CAT ACT.....	35
----------	-----------------------------	----





# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s 3.24, s.3.25, s.3.27, Part 3 division 3, s.3.39(1) )

### INSTRUMENT OF DELEGATION

#### ADMIN 001      Exercise of Powers under Part 3, Local Government Act 1995

DELEGATION REF:	ADMIN 001
HEAD OF POWER:	LG Act 1995, s 3.24, s.3.25, s.3.27, Part 3 division 3, s.3.39(1)
FILE REF:	A3/5
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under section 3.24 of the Local Government Act 1995, expressly authorised to exercise the following powers under Part 3 of the Act (unless Schedule 3.1 indicates otherwise):

- s.3.25 – Give notices to owners/occupiers requiring certain actions to be taken on the land.
- s.3.27 – Do the things prescribed in Schedule 3.2 on land that is not Local Government property
- Part 3 – Division 3. Subdivision3: Exercise powers of entry, where entry is required to perform a function under the Act, other than under a local law.
- s.3.39 – Remove and impound any goods involved in a contravention that can lead to impounding.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Written notices to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Council to be advised of any notices issued and the outcome.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government (Functions and General) Regulations r.20)

### INSTRUMENT OF DELEGATION

#### ADMIN 002 Minor Variations to Approved Contracts

DELEGATION REF:	ADMIN 002
HEAD OF POWER:	Local Government (Functions and General) Regulations r.20
FILE REF:	Agreements/Contracts/Leases
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to approve minor variations to contracts entered into by the Shire.

#### CONDITIONS IMPOSED:

Subject to the funds required to meet the cost of the variation not exceeding the amount allocated in the Shire's annual budget for the contract.

#### RECORDING REQUIREMENTS:

Record of variation to be recorded on appropriate file

#### REPORTING REQUIREMENTS:

Council to be informed at its following Ordinary Meeting.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Liquor Licensing Act 1988 s119(1) )

### INSTRUMENT OF DELEGATION

#### ADMIN 003 Consumption of Liquor on Shire Property

DELEGATION REF:	ADMIN 003
HEAD OF POWER:	Liquor Licensing Act 1988 s119(1)
FILE REF:	A2/9
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Finance and Administration Manager

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to determine applications for the consumption of liquor on property under the care, control and management of the Shire.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Approvals to be recorded on appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, Part 9, Division 2)

### INSTRUMENT OF DELEGATION

#### **ADMIN 004      Appointment of Authorised Persons Under Part 9, Division 2, LG Act 1995**

<b>DELEGATION REF:</b>	ADMIN 004
<b>HEAD OF POWER:</b>	Local Government Act 1995, Part 9, Division 2
<b>FILE REF:</b>	A2/15
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"><li>• Environmental Health Officer</li><li>• Building Surveyor</li><li>• WA Contract Ranger Services</li></ul>

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is, under section 9.10 of the Local Government Act 1995, expressly authorised for the purposes of performing particular functions contained in Division 2 of Part 9 of the Act.

To enable the CEO to properly manage the affairs of the Shire, he/she be delegated the authority to appoint in writing, appropriate employees for the purpose of exercising the functions contained in Division 2 of Part 9 of the Act.

In accordance with Section 9.10 (2) Local Government Act 1995, the Local Government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

#### **CONDITIONS IMPOSED:**

Nil

#### **RECORDING REQUIREMENTS:**

Exercise of any functions to be recorded in the appropriate file.

#### **REPORTING REQUIREMENTS:**

Council to be advised of any exercise of authority and the outcome of such.

#### **DATE REVIEWED:**

Annually

---

**President**

**Date:**

---

**Chief Executive Officer**

**Date:**

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995)

### INSTRUMENT OF DELEGATION

#### ADMIN 005 Entering Into Contracts of Insurance

DELEGATION REF:	ADMIN 005
HEAD OF POWER:	Local Government Act 1995
FILE REF:	F1/10
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to enter into appropriate contracts of insurance.

#### CONDITIONS IMPOSED:

In exercising the delegated authority the CEO is to have regard to the provisions of the annual budget.

#### RECORDING REQUIREMENTS:

Contracts entered into are to be recorded on the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:



# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s.7.1B)

### INSTRUMENT OF DELEGATION

#### ADMIN 006 Shire of Mt Marshall Audit Committee

DELEGATION REF:	ADMIN 006
HEAD OF POWER:	Local Government Act 1995 s.7.1B
FILE REF:	F1/2
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	The Mt Marshall Audit Committee
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

To meet with Council's Auditor at least once each financial year in compliance with the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chairman, Mt Marshall Audit  
Committee

Date:

# PROPERTY

## REGISTER OF DELEGATIONS OF AUTHORITY

*(Local Government (Functions and General) Regulations r.20)*

### INSTRUMENT OF DELEGATION

#### **PROP 001      Acquiring or Disposing of Shire Property To A Value**

<b>DELEGATION REF:</b>	PROP 001
<b>HEAD OF POWER:</b>	Local Government Act 1995 s5.43(d)
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	F&R 2.2, F&R 2.8
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"><li>• Finance &amp; Administration Manager</li><li>• Works Supervisor</li><li>• Executive Assistant</li><li>• Community Development Officer</li><li>• Customer Service Officer</li><li>• Plant Maintenance Officer</li><li>• Beacon Town Maintenance Officer</li><li>• Regulatory Officer</li></ul>

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is delegated authority to acquire or dispose of Shire property to the value of \$75,000.

#### **CONDITIONS IMPOSED:**

Provided that appropriate provision is made in the shire's annual budget for expenditure and the acquisition is identified in the annual budget, or by resolution of Council, and disposals are effected in compliance with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1986.

#### **RECORDING REQUIREMENTS:**

Issue of signed Purchase Order.

#### **REPORTING REQUIREMENTS:**

Nil.

#### **DATE REVIEWED:**

Annually

---

**President**  
**Date:**

---

**Chief Executive Officer**  
**Date:**

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Building Act 2011 s20, 21, 22)

### INSTRUMENT OF DELEGATION

#### BLDG 001 PERMITS

DELEGATION REF:	BLDG 001
HEAD OF POWER:	Building Act 2011 s20 Building Act 2011 s21 Building Act 2011 s22
FILE REF:	B1/1
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer, Environmental Health Officer and the Building Surveyor are delegated authority to:

1. Grant a building permit in accordance with Section 20 of the Building Act 2011;
2. Grant a demolition permit in accordance with Section 21 of the Building Act 2011;
3. Not grant an application in accordance with Section 22 of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All building plans and specifications are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

*Annually*

\_\_\_\_\_  
Environmental Health Officer/  
Date:

\_\_\_\_\_  
Building Surveyor  
Date:

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Building Act 2011 s50, s55, s58)

### INSTRUMENT OF DELEGATION

#### BLDG 002 OCCUPANCY PERMIT/BUILDING APPROVAL CERTIFICATE

DELEGATION REF:	BLDG 002
HEAD OF POWER:	Building Act 2011 s.50 Building Act 2011 s.55 Building Act 2011 s.58
FILE REF:	B1/1
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer, Environmental Health Officer and the Building Surveyor are delegated authority to:

1. Grant an occupancy permit or building approval certificate for registration of strata scheme, plan of sub-division in accordance with Section 50 of the Building Act 2011;
2. Refuse to consider an application in accordance with Section 55 of the Building Act 2011;
3. Grant an occupancy permit, building approval certificate in accordance with Section 58 of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All occupancy permit, building approval certificates are to be recorded and placed in the correct file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
Environmental Health Officer/  
Date:

\_\_\_\_\_  
Building Surveyor  
Date:

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Building Act 2011 S.96)

### INSTRUMENT OF DELEGATION

#### BLDG 003 AUTHORISED PERSONS

DELEGATION REF:	BLDG 003
HEAD OF POWER:	Building Act 2011 s.96
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer, Environmental Health Officer and the Building Surveyor are delegated authority to designate a person as an Authorised Person in accordance with section 96 of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All designations are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
Environmental Health Officer/  
Date:

\_\_\_\_\_  
Building Surveyor  
Date:

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Building Act 2011 s.110)

### INSTRUMENT OF DELEGATION

#### BLDG 004 BUILDING ORDERS

DELEGATION REF:	BLDG 004
HEAD OF POWER:	Building Act 2011 s.110
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer, Environmental Health Officer and the Building Surveyor are delegated authority to make a building order in accordance with section 110 of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All building orders are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
Environmental Health Officer/  
Date:

\_\_\_\_\_  
Building Surveyor  
Date:

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:



# CARAVANS AND CAMPING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Caravan Parks & Camping Grounds Regulations 1997, r.6)

### INSTRUMENT OF DELEGATION

#### CARA 001 Caravans and Camping

DELEGATION REF:	CARA 001
HEAD OF POWER:	Caravan Parks & Camping Grounds Regulations 1997 r.6
FILE REF:	H2/6
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer be appointed as the authorised person to undertake the functions conferred on a local government by the Caravan Parks and Camping Grounds Regulations 1997.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

The appointment be authorised in writing.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, Local Government (Financial Management) Regulations 1996, r.12)

### INSTRUMENT OF DELEGATION

#### FIN 001                      Payments from Municipal and Trust Fund

<b>DELEGATION REF:</b>	FIN 001
<b>HEAD OF POWER:</b>	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 r.12
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to make payments from the Municipal Fund Bank Account and the Trust Fund Bank Account.

#### CONDITIONS IMPOSED:

Each payment is to be noted on a list compiled for each month showing:

- a. the payee's name
- b. amount of the payment
- c. date of the payment
- d. sufficient information to identify the transaction

#### RECORDING REQUIREMENTS:

Record each payment on a list and include in minutes.

#### REPORTING REQUIREMENTS:

List to be presented to next Ordinary monthly meeting of Council and is to appear in the minutes of that meeting.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s6.12(1)(c) )

### INSTRUMENT OF DELEGATION

#### FIN 002 Write Off Money Owed To The Shire

DELEGATION REF:	FIN 002
HEAD OF POWER:	Local Government Act 1995 s6.12(1)(c)
FILE REF:	F1/20
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 6.12(1)(c) to write off any amount money owed to the Shire.

#### CONDITIONS IMPOSED:

The delegated authority is limited to the amount of \$10.00/year per debtor.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Council to be advised as part of the monthly Debtors Report presented to the Ordinary meeting.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s6.49, s6.50(1)&(2), s6.56(1), s6.60(2), s6.76(4) )

### INSTRUMENT OF DELEGATION

#### FIN 003 Rating

DELEGATION REF:	FIN 003
HEAD OF POWER:	Local Government Act 1995 s6.49, s6.50(1)&(2), s6.56(1), s6.60(2), s6.76(4)
FILE REF:	F2/1
POLICY REF:	Policy Manual – Part 6
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated the power to perform the following functions of the Council:

1. Entering into an agreement in accordance with s6.49 of the Local Government Act 1995.
2. The time allowed for the payment of the rate before it becomes in arrear, s6.50(1)&(2) of the Local Government Act 1995.
3. The recovery of rates by complaint or action pursuant to the provisions of s6.56(1) of the Local Government Act 1995.
4. Requiring the lessee to pay rent to the Shire in satisfaction of rates or service charges due and payable in accordance with s6.60(2) of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book, s6.76(4) of the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All decisions or approvals are to be saved into the relevant file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# FIRE CONTROL

## REGISTER OF DELEGATIONS OF AUTHORITY

(Bush Fires Act 1954 s17(10))

### INSTRUMENT OF DELEGATION

#### **FIRE 001      Approval to Burn Road Verges**

<b>DELEGATION REF:</b>	FIRE 001
<b>HEAD OF POWER:</b>	Bush Fires Act 1954 s.17(10)
<b>FILE REF:</b>	A6/6
<b>POLICY REF:</b>	Policy Manual – Part 7
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"><li>• Regulatory Officer</li><li>• Works Supervisor</li></ul>

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is delegated authority to approve applications submitted by the relevant Fire Control Officer to burn a road verge vested in the care, control and management of the Shire of Mt Marshall.

#### **CONDITIONS IMPOSED:**

Approval of applications to impose a condition that any burning comply with the requirements of the Bush Fires Act 1954.

#### **RECORDING REQUIREMENTS:**

Nil

#### **REPORTING REQUIREMENTS:**

Nil

#### **DATE REVIEWED:**

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# FIRE CONTROL

## REGISTER OF DELEGATIONS OF AUTHORITY

(Bush Fires Act 1954 s17(10) )

### INSTRUMENT OF DELEGATION

#### **FIRE 002      Varying Prohibited Burning Times**

<b>DELEGATION REF:</b>	FIRE 002
<b>HEAD OF POWER:</b>	Bush Fires Act 1954 s.17(10)
<b>FILE REF:</b>	A6/6
<b>POLICY REF:</b>	Policy Manual – Part 7
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	<ul style="list-style-type: none"><li>• Chief Bush Fire Control Officer</li><li>• Shire President</li></ul>
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### **DETAIL OF DELEGATION:**

The Shire President and Chief Bushfire Control Officer are jointly delegated authority to exercise the Council's powers within section 17 (10) of the Bushfires Act 1954.

(Relates to the varying of the prohibited burning times in the District and the giving notice of the change.)

#### **CONDITIONS IMPOSED:**

Any variation approved is to comply with the requirements of s7 of the Bush Fires Act 1954.

#### **RECORDING REQUIREMENTS:**

Nil

#### **REPORTING REQUIREMENTS:**

Variation to be advertised within the Shire.

#### **DATE REVIEWED:**

Annually

---

**President**

**Date:**

---

**Chief Bush Fire Control Officer**

**Date:**

# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Health Act 1911 s26)

### INSTRUMENT OF DELEGATION

#### HEALTH 001 Administration of the Health Act

DELEGATION REF:	HEALTH 001
HEAD OF POWER:	Health Act 1911 s26
FILE REF:	H2/6
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Environmental Health Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Environmental Health Officer is delegated authority to serve notices, approve and renew licenses and permits and exercise the powers of Council for the expeditious administration of the Health Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Details of actions taken are to be recorded in appropriate files.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Environmental Health Officer

Date:



# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995)  
(Shire of Mt Marshall Health Local Laws 2001)

### INSTRUMENT OF DELEGATION

#### HEALTH 002 Approval of Applications under Health Local Laws

DELEGATION REF:	HEALTH 002
HEAD OF POWER:	Shire of Mt Marshall Health Local Laws 2001
FILE REF:	A2/4
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to approve applications for licences, registrations, and permits under the Shire of Mt Marshall Health Local Laws 2001.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Applications with notification of approval or refusal are to be saved in the Record Management System.

#### REPORTING REQUIREMENTS:

Council to be advised through an agenda item to the next Ordinary Meeting.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Food Act 2008 and Food Regulations 2009)

### INSTRUMENT OF DELEGATION

#### HEALTH 003 Administration of the Food Act

DELEGATION REF:	HEALTH 003
HEAD OF POWER:	Food Act 2008 and Food Regulations 2009
FILE REF:	H1/6
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
SUB-DELEGATED TO:	Environmental Health Officer
EXPIRY DATE:	Indefinite

#### DETAIL OF DELEGATION:

The Chief Executive Officer be delegated the authority to administer the functions as 'enforcement agency' pursuant to the Food Act 2008 and Food Regulations 2009 with power to sub delegate.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Details of actions taken are to be recorded in appropriate files.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.5, s3.50, s3.50A), (Road Traffic (Events on Roads) Regulations 1991 s5.4)

### INSTRUMENT OF DELEGATION

#### ROADS 001 Temporary Road Closures

<b>DELEGATION REF:</b>	ROADS 001
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.5, s3.50, s3.50A Road Traffic (Events on Roads) Regulations 1991 s5.4
<b>FILE REF:</b>	W1/5
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for public events. The determination shall be in accordance with provisions of the Road Traffic (Events on Roads) Regulations 1991 and the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Approval shall contain the following conditions:

1. The closure is to be advertised in a local newspaper
2. Arrangements are to be made for appropriate signposting to effect the closure
3. Applicant is to take out a public risk insurance policy which indemnifies the Shire against any damages claims and a copy is to be delivered to Council
4. Applicant is to notify the Emergency Services Department and ensure that whilst the event is in progress, satisfactory arrangements are made to allow access to premises by Emergency Services.

CEO may determine other conditions to be imposed on any approvals issued.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.50A)

### INSTRUMENT OF DELEGATION

#### ROADS 002 Temporary Closure of Roads for Repairs or Maintenance

DELEGATION REF:	ROADS 002
HEAD OF POWER:	Local Government Act 1995 s3.50A
FILE REF:	W1/5
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Works Supervisor

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 3.50A of the Local Government Act 1995 to partially and temporarily close a thoroughfare, without giving public notice, for the purpose of carrying out repairs or maintenance and the closure is unlikely to have a significant adverse effect on road users.

#### CONDITIONS IMPOSED:

For periods in excess of five working days, notice is to be given in both local newspapers.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Councillors to be informed of any significant temporary road closures.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.50(1) )

### INSTRUMENT OF DELEGATION

#### **ROADS 003    Closure of Roads for a Period Not Exceeding Four Weeks**

<b>DELEGATION REF:</b>	ROADS 003
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.50(1)
<b>FILE REF:</b>	W1/5
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Works Supervisor

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is delegated authority under section 3.50(1) of the Local Government Act 1995 to wholly or partially close a thoroughfare to the passage of vehicles for a period not exceeding four weeks.

#### **CONDITIONS IMPOSED:**

For periods in excess of five working days' notice is to be given in both local newspapers.

#### **RECORDING REQUIREMENTS:**

Nil

#### **REPORTING REQUIREMENTS:**

Councillors to be informed of any significant road closures.

#### **DATE REVIEWED:**

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.50(1a), s3.50(2) )

### INSTRUMENT OF DELEGATION

#### ROADS 004 Closure of Roads for a Period Exceeding Four Weeks

DELEGATION REF:	ROADS 004
HEAD OF POWER:	Local Government Act 1995 s3.50(1a), s3.50(2)
FILE REF:	W1/5
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 3.50(1a) of the Local Government Act 1995 to, by local public notice, order that a thoroughfare is wholly or partially closed to the passage of vehicles for a period exceeding four weeks. Under section 3.50(2) the order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as deemed appropriate and may contain exceptions

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Councillors to be informed of any closure and the reasons for the closures.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.50)

### INSTRUMENT OF DELEGATION

#### ROADS 005 Over-Dimension Vehicles

<b>DELEGATION REF:</b>	ROADS 005
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.50
<b>FILE REF:</b>	RAV Permits
<b>POLICY REF:</b>	R&V.6.1
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to consider and determine all applications for the use of over dimension vehicles.

#### CONDITIONS IMPOSED:

The CEO shall take into account any existing Council policies and is authorised to impose any conditions considered appropriate.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s3.50)

### INSTRUMENT OF DELEGATION

#### ROADS 006 Road Train And Extra Mass Permits

<b>DELEGATION REF:</b>	ROADS 006
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.50
<b>FILE REF:</b>	RAV Permits
<b>POLICY REF:</b>	R&V.6.1
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to determine any application recommending approval or refusal, with conditions as follows, for referral to Main Roads WA, to use road trains and applications for extra mass permits on any local road.

#### CONDITIONS IMPOSED:

Conditions:

1. All roads are subject to the appropriate approval by the Main Roads WA and subsequent issue of relevant permits;
  - a. Applicant to supply the shire with a copy of Main Roads WA permit before operations commence;
  - b. The speed limits of vehicles do not exceed 90kmh on gravel roads;
  - c. Applicants are requested to utilise sealed routes, where possible, particularly during periods of wet weather;
  - d. Applicant to be advised that approval may be withdrawn at a day's notice.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:



# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government (Uniform Local Provisions) Regulations 1996 r.9)

### INSTRUMENT OF DELEGATION

#### ROADS 007 Gate or Other Device across Thoroughfare

DELEGATION REF:	ROADS 007
HEAD OF POWER:	Local Government (Uniform Local Provisions) Regulations 1996 r.9
FILE REF:	Permits
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under Regulation 9 of the Local Government (Uniform Local Provisions) Regulations 1996, authorised to approve applications for a person to have a gate or other device across a public thoroughfare that enables motor traffic to pass across but prevents livestock from straying.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Register to be kept of gates or other devices approved.

#### REPORTING REQUIREMENTS:

Council to be advised of approvals given.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# ROAD AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

*(Local Government (Uniform Local Provisions) Regulations 1996 r.12)*

### INSTRUMENT OF DELEGATION

#### **ROADS 008 Construction of Crossing from Thoroughfare to Private Land**

<b>DELEGATION REF:</b>	ROADS 008
<b>HEAD OF POWER:</b>	Local Government (Uniform Local Provisions) Regulations 1996 r.12
<b>FILE REF:</b>	Permits
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	19 April 2016
<b>RESOLUTION No:</b>	2016/071
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is, under Regulation 12 of the Local Government (Uniform Local Provisions) Regulations 1996, on receipt of an application delegated authority to approve the construction of a crossing giving access from a public thoroughfare under the management and control of the Shire to the land or a private thoroughfare serving the land.

#### **CONDITIONS IMPOSED:**

That the construction of the crossing be under the supervision of the Shire and completed to the satisfaction of the Shire.

#### **RECORDING REQUIREMENTS:**

Approvals and refusals to be recorded in the appropriate file.

#### **REPORTING REQUIREMENTS:**

Nil

#### **DATE REVIEWED:**

Annually

\_\_\_\_\_  
**President**  
**Date:**

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

# ROAD AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

*(Local Government (Uniform Local Provisions) Regulations 1996 r.13)*

### INSTRUMENT OF DELEGATION

#### ROADS 009 Notice to Construct or Repair Crossing

DELEGATION REF:	ROADS 009
HEAD OF POWER:	Local Government (Uniform Local Provisions) Regulations 1996 r.13
FILE REF:	W1/7
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under Regulation 13 of the Local Government (Uniform Local Provisions) Regulations 1996, is authorised to give a person who is the owner or occupier of private land a notice requiring the person to construct or repair a crossing from a public thoroughfare under the management and control of the Shire to the land or a private thoroughfare serving the land.

#### CONDITIONS IMPOSED:

Failure of the person to comply with the notice to be presented to Council for a decision on further action.

#### RECORDING REQUIREMENTS:

Notices given to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# SWIMMING POOLS - PRIVATE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Building Act 2011, s.3, 93, 95, 97 and Building Regulations 2012)

### INSTRUMENT OF DELEGATION

#### SWIM 001 Notice on Non-Complying Private Swimming Pools

DELEGATION REF:	SWIM 001
HEAD OF POWER:	Building Act 2011 (s. 3, 93, 95, 97) Building Regulations 2012
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to exercise and carry out the powers and duties, pursuant to section 3, 93, 95, 97 of the Building Act 2011 and Building Regulations 2012, with respect to private swimming pools, and to issue notices as required on the owners or occupiers of the land on which there is a swimming pool not complying with the statutory requirements for a barrier to prevent access to the swimming pool by children.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Notices issued are to be placed on appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# DOGS

## REGISTER OF DELEGATIONS OF AUTHORITY

(Dog Act 1976, s29(1) )

### INSTRUMENT OF DELEGATION

#### DOGS 001 Administer the Dog Act

DELEGATION REF:	DOGS 001
HEAD OF POWER:	Dog Act 1976 s 29(1)
FILE REF:	A6/3d
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	WA Contract Ranger Services

#### DETAIL OF DELEGATION:

The Chief Executive Officer is appointed under s 29(1) of the Dog Act 1976 as an authorised person to exercise the powers of the Shire under that Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# CATS

## REGISTER OF DELEGATIONS OF AUTHORITY

(Cat Act 2011, s44)

### INSTRUMENT OF DELEGATION

#### CATS 001 Administer the Cat Act

DELEGATION REF:	CATS 001
HEAD OF POWER:	Cat Act 2011, s.44
FILE REF:	A6/3c
POLICY REF:	Nil
RESOLUTION DATE:	19 April 2016
RESOLUTION No:	2016/071
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED:	WA Contract Ranger Services

#### DETAIL OF DELEGATION:

The Chief Executive Officer is appointed under s.44 of the Cat Act 2011 for the purposes of exercising the powers of the Shire under that Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

The Chief Executive Officer is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:



**Shire of Mt Marshall**  
— THE SANDALWOOD SHIRE —

# **DELEGATION REGISTER**

## **2017**

I certify that this Delegation Register was reviewed by Council at its Ordinary Meeting held 16 May 2017, by Resolution

**Attachment 12.1.18b**

---

Cr RM (Rachel) Kirby

President

**This page has  
been left blank  
intentionally**



# TABLE OF CONTENTS

## ADMINISTRATION

ADMIN 001	EXERCISE OF POWERS UNDER PART 3, LOCAL GOVERNMENT ACT 1995.....	2
ADMIN 002	MINOR VARIATIONS TO APPROVED CONTRACTS .....	3
ADMIN 003	APPOINTMENT OF AUTHORISED PERSONS UNDER PART 9, DIVISION 2, LG ACT 1995.....	4
ADMIN 004	SHIRE OF MT MARSHALL AUDIT COMMITTEE.....	5
ADMIN 005	EXECUTION OF DOCUMENTS .....	6

## PROPERTY

PROP 001	ACQUIRING OR DISPOSING OF SHIRE PROPERTY TO A VALUE.....	7
PROP 002	SALE OF ITEMS OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC. HELD AT SHIRE DEPOT .....	8

## BUILDING

BLDG 001	PERMITS.....	9
BLDG 002	OCCUPANCY PERMIT/BUILDING APPROVAL CERTIFICATE .....	11
BLDG 003	AUTHORISED PERSONS .....	12
BLDG 004	BUILDING ORDERS .....	13

## CARAVANS & CAMPING

CARA 001	CARAVANS AND CAMPING .....	14
----------	----------------------------	----

## FINANCE

FIN 001	PAYMENTS FROM MUNICIPAL AND TRUST FUND .....	15
FIN 002	WRITE OFF MONEY OWED TO THE SHIRE .....	16
FIN 003	RATING .....	17
FIN 004	PURCHASING – RAISING A PURCHASE ORDER .....	18

## FIRE CONTROL

FIRE 001	APPROVAL TO PERFORM BUSH FIRE CONTROL FUNCTIONS .....	20
FIRE 002	VARYING PROHIBITED BURNING TIMES .....	21

## HEALTH

HEALTH 001	ADMINISTRATION OF THE HEALTH ACT .....	22
HEALTH 002	APPROVAL OF APPLICATIONS UNDER HEALTH LOCAL LAWS.....	23
HEALTH 003	ADMINISTRATION OF THE FOOD ACT .....	24
HEALTH 004	APPOINTMENT OF ENVIRONMENTAL HEALTH OFFICERS.....	25

## ROADS & THOROUGHFARES

ROADS 001	TEMPORARY ROAD CLOSURES .....	26
ROADS 002	TEMPORARY CLOSURE OF ROADS FOR REPAIRS OR MAINTENANCE .....	27
ROADS 003	CLOSURE OF ROADS FOR A PERIOD NOT EXCEEDING FOUR WEEKS .....	28
ROADS 004	CLOSURE OF ROADS FOR A PERIOD EXCEEDING FOUR WEEKS.....	29
ROADS 005	GATE OR OTHER DEVICE ACROSS THOROUGHFARE .....	30
ROADS 006	CONSTRUCTION OF CROSSING FROM THOROUGHFARE TO PRIVATE LAND.....	31
ROADS 007	NOTICE TO CONSTRUCT OR REPAIR CROSSING .....	32

## SWIMMING POOLS - PRIVATE

SWIM 001	NOTICE ON NON-COMPLYING PRIVATE SWIMMING POOLS.....	33
----------	---	----

## DOGS

DOGS 001	ADMINISTER THE DOG ACT .....	34
----------	------------------------------	----

## CATS

CATS 001	ADMINISTER THE CAT ACT.....	35
----------	-----------------------------	----

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ADMIN 001      Exercise of Powers under Part 3, Local Government Act 1995

DELEGATION REF:	ADMIN 001
HEAD OF POWER:	LG Act 1995, s 3.24, s.3.25, s.3.27, Part 3 division 3, s.3.39(1)
FILE REF:	A3/5
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Environmental Health Officer

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under section 3.24 of the Local Government Act 1995, expressly authorised to exercise the following powers under Part 3 of the Act (unless Schedule 3.1 indicates otherwise):

- s.3.25 – Give notices to owners/occupiers requiring certain actions to be taken on the land.
- s.3.27 – Do the things prescribed in Schedule 3.2 on land that is not Local Government property
- Part 3 – Division 3. Subdivision3: Exercise powers of entry, where entry is required to perform a function under the Act, other than under a local law.
- s.3.39 – Remove and impound any goods involved in a contravention that can lead to impounding.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Written notices to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Council to be advised of any notices issued and the outcome.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ADMIN 002 Minor Variations to Approved Contracts

DELEGATION REF:	ADMIN 002
HEAD OF POWER:	Local Government (Functions and General) Regulations r.20
FILE REF:	Agreements/Contracts/Leases
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to approve minor variations to contracts entered into by the Shire.

#### CONDITIONS IMPOSED:

Subject to the funds required to meet the cost of the variation not exceeding the amount allocated in the Shire's annual budget for the contract.

#### RECORDING REQUIREMENTS:

Record of variation to be recorded on appropriate file

#### REPORTING REQUIREMENTS:

Council to be informed at its following Ordinary Meeting.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ADMIN 003 Appointment of Authorised Persons Under Part 9, Division 2, LG Act 1995

DELEGATION REF:	ADMIN 003
HEAD OF POWER:	Local Government Act 1995, Part 9, Division 2
FILE REF:	A2/15
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Environmental Health Officer</li><li>• WA Contract Ranger Services</li></ul>

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under section 9.10 of the Local Government Act 1995, expressly authorised for the purposes of performing particular functions contained in Division 2 of Part 9 of the Act.

To enable the CEO to properly manage the affairs of the Shire, he/she be delegated the authority to appoint in writing, appropriate employees for the purpose of exercising the functions contained in Division 2 of Part 9 of the Act.

In accordance with Section 9.10 (2) Local Government Act 1995, the Local Government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Exercise of any functions to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Council to be advised of any exercise of authority and the outcome of such.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ADMIN 004 Shire of Mt Marshall Audit Committee

DELEGATION REF:	ADMIN 004
HEAD OF POWER:	Local Government Act 1995 s.7.1B & 7.12A(2)
FILE REF:	F1/2
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	The Mt Marshall Audit Committee
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

To meet with Council's Auditor at least once each financial year in compliance with the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chairman, Mt Marshall Audit  
Committee

Date:

# ADMINISTRATION

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ADMIN 005 Execution of Documents

DELEGATION REF:	ADMIN 005
HEAD OF POWER:	Local Government Act 1995 s. 9.49A (4)
FILE REF:	Nil
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 9.49A (4) of the Local Government Act 1995 to sign documents on behalf of the local government.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Documents signed on behalf of the local government to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Details of documents signed on behalf of the local government are to be presented to Council at the following Ordinary Council Meeting.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# PROPERTY

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### PROP 001      Acquiring or Disposing of Shire Property To A Value

DELEGATION REF:	PROP 001
HEAD OF POWER:	Local Government Act 1995 s5.43(d)
FILE REF:	F1/21
POLICY REF:	F&R 2.2, F&R 2.8
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Finance &amp; Administration Manager</li><li>• Works Supervisor</li><li>• Executive Assistant</li><li>• Community Development Officer</li><li>• Regulatory Officer</li></ul>

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to acquire or dispose of Shire property to the value of \$75,000.

#### CONDITIONS IMPOSED:

Provided that appropriate provision is made in the shire's annual budget for expenditure and the acquisition is identified in the annual budget, or by resolution of Council, and disposals are effected in compliance with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1986.

#### RECORDING REQUIREMENTS:

Issue of signed Purchase Order.

#### REPORTING REQUIREMENTS:

Nil.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# PROPERTY

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### **PROP 002      Sale of Items of Surplus Equipment, Materials, Tools etc. held at Shire Depot**

<b>DELEGATION REF:</b>	PROP 002
<b>SUB-DELEGATION REF:</b>	PROP SD002
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.58 & s5.42 Local Government (Administration) Regulations 1996
<b>FILE REF:</b>	F1/25 (where appropriate)
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	
<b>RESOLUTION No:</b>	
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Works Supervisor

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is delegated authority to sell, in any of the ways available as defined in the Local Government Act 1995, section 3.58, items of surplus equipment, materials, tools, etc., which are no longer required, are outmoded or are no longer serviceable.

#### **CONDITIONS IMPOSED:**

This delegation applies only to items with an estimated value less than \$10,000.

#### **RECORDING REQUIREMENTS:**

Sale to be recorded.

#### **REPORTING REQUIREMENTS:**

Finance Section to be advised so that Shire Asset Register can be amended if required.

#### **DATE REVIEWED:**

Annually

\_\_\_\_\_  
**President**  
**Date:**

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**



# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### BLDG 001 Permits

DELEGATION REF:	BLDG 001
HEAD OF POWER:	Building Act 2011 s127 Building Act 2011 s20 Building Act 2011 s21 Building Act 2011 s27 Building Regulations 2012 Reg 61
FILE REF:	B1/1
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer and the Environmental Health Officer are delegated authority to:

1. Grant a building permit in accordance with Section 20 of the Building Act 2011;
2. Grant a demolition permit in accordance with Section 21 of the Building Act 2011;
3. Impose, vary or revoke conditions on a building or demolition permit in accordance with Section 27 of the Building Act 2011;
4. Approve battery powered smoke alarms in accordance with Regulation 61 of the Building Regulations 2012

#### CONDITIONS IMPOSED:

Nil – But note that s127(3) of the Building Act 2011 requires that a delegation can only be to an employee of the Local Government.

#### RECORDING REQUIREMENTS:

All building plans and specifications are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

---

**Environmental Health Officer**  
**Date:**

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### BLDG 002      Occupancy Permit/Building Approval Certificate

DELEGATION REF:	BLDG 002
HEAD OF POWER:	Building Act 2011 s.55 Building Act 2011 s.58
FILE REF:	B1/1
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer and the Environmental Health Officer are delegated authority to:

1. Refuse to consider an application in accordance with Section 55 of the Building Act 2011;
2. Grant an occupancy permit, building approval certificate in accordance with Section 58 of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All occupancy permit, building approval certificates are to be recorded and placed in the correct file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
Environmental Health Officer  
Date:

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### BLDG 003 Authorised Persons

DELEGATION REF:	BLDG 003
HEAD OF POWER:	Building Act 2011 s.96(3)
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer and the Environmental Health Officer are delegated authority to designate a person as an Authorised Person in accordance with section 96(3) of the Building Act 2011.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All designations are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

Environmental Health Officer

Date:

---

President

Date:

---

Chief Executive Officer

Date:

# BUILDING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### BLDG 004 Building Orders

DELEGATION REF:	BLDG 004
HEAD OF POWER:	Building Act 2011 s.110 Building Act 2011 s.117
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Environmental Health Officer</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer and the Environmental Health Officer are delegated authority to:

1. Make a building order in accordance with section 110 of the Building Act 2011;
2. Revoke a building order in accordance with section 117 of the Building Act 2011

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All building orders are to be retained in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
Environmental Health Officer

Date:

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# CARAVANS AND CAMPING

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### CARA 001 Caravans and Camping

DELEGATION REF:	CARA 001
HEAD OF POWER:	Caravan Parks & Camping Grounds Regulations 1997 r.6
FILE REF:	H2/6
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer be appointed as the authorised person to undertake the functions conferred on a local government by the Caravan Parks and Camping Grounds Regulations 1997.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

The appointment be authorised in writing.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### FIN 001                      Payments from Municipal and Trust Fund

DELEGATION REF:	FIN 001
HEAD OF POWER:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 r.12
FILE REF:	F1/21
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to make payments from the Municipal Fund Bank Account and the Trust Fund Bank Account.

#### CONDITIONS IMPOSED:

Each payment is to be noted on a list compiled for each month showing:

- a. the payee's name
- b. amount of the payment
- c. date of the payment
- d. sufficient information to identify the transaction

#### RECORDING REQUIREMENTS:

Record each payment on a list and include in minutes.

#### REPORTING REQUIREMENTS:

List to be presented to next Ordinary monthly meeting of Council and is to appear in the minutes of that meeting.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### FIN 002 Write Off Money Owed To The Shire

DELEGATION REF:	FIN 002
HEAD OF POWER:	Local Government Act 1995 s6.12(1)(c)
FILE REF:	F1/20
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 6.12(1)(c) to write off any amount of money owed to the Shire.

#### CONDITIONS IMPOSED:

The delegated authority is limited to the amount of \$10.00/year for rates and/or services debt.

The delegated authority is limited to the amount of \$150/year for individual debt waivers, write-offs and discounts.

#### RECORDING REQUIREMENTS:

Nil

#### REPORTING REQUIREMENTS:

Council to be advised as part of the monthly Debtors Report presented to the Ordinary meeting.

#### DATE REVIEWED:

Annually

---

President  
Date:

---

Chief Executive Officer  
Date:



# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### FIN 003 Rating

DELEGATION REF:	FIN 003
HEAD OF POWER:	Local Government Act 1995 s6.49, s6.50(1)&(2), s6.56(1), s6.60(2), s6.76(4)
FILE REF:	F2/1
POLICY REF:	Policy Manual – Part 6
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated the power to perform the following functions of the Council:

1. Entering into an agreement in accordance with s6.49 of the Local Government Act 1995.
2. The time allowed for the payment of the rate before it becomes in arrear, s6.50(1)&(2) of the Local Government Act 1995.
3. The recovery of rates by complaint or action pursuant to the provisions of s6.56(1) of the Local Government Act 1995.
4. Requiring the lessee to pay rent to the Shire in satisfaction of rates or service charges due and payable in accordance with s6.60(2) of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book, s6.76(4) of the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

All decisions or approvals are to be saved into the relevant file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# FINANCE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### FIN 004 Purchasing – Raising Of Purchase Orders

DELEGATION REF:	FIN 004
SUB-DELEGATION REF:	FIN SD001
HEAD OF POWER:	Local Government Act 1995, s5.42 Local Government (Administration) Regulations 1996
FILE REF:	F1/21
POLICY REF:	F&R.2.1, F&R.2.5
RESOLUTION DATE:	
RESOLUTION No:	
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Finance &amp; Administration Manager</li><li>• Works Supervisor</li><li>• Executive Assistant</li><li>• Community Development Officer</li><li>• Customer Service Officer</li><li>• Plant Maintenance Officer</li><li>• Beacon Town Maintenance Officer</li><li>• Regulatory Officer</li></ul>
EXPIRY DATE:	Indefinite

#### DETAIL OF DELEGATION:

##### 1. Raising of Purchase Orders

- i. Expenditure for the purchase of goods and services shall only be authorised through the signing of an official Shire purchase order.
- ii. All goods and services ordered pursuant to paragraph (i) shall have the proper authorisation either by inclusion in the budget or by Council resolution and shall be signed by the officer to whom that specific duty, function or responsibility has been allocated.
- iii. The Officer signing the order shall indicate on the order the chart of account number to which the good or service is to be allocated.
- iv. All purchases are to be made with regard to the adopted purchasing policies, and also take account of the Tender Regulations defined in the Local Government (Administration) Regulations 1996

Under this Delegation the Chief Executive Officer is delegated authority to purchase up to any amount, conditional upon Paragraph 1 (ii) above.

#### CONDITIONS IMPOSED:

- i. It shall not be necessary to issue an official purchase order form for:
- ii. Fees and payments due under any Act of Parliament,

- iii. Insurances, freight, postal charges and subscription to publications which Council normally obtains,
- iv. Fees and costs payable to debt professional services authorised by resolution of the Council,
- v. Goods purchased from petty cash,
- vi. Payments made under any award binding upon the Council,
- vii. Licences, or rights of copyright, payment of which is not avoidable at law,
- viii. Awards against the Council by a court of law for damages, penalties or royalties, and
- ix. Donations to charitable and non-profit organisations that have been authorised by resolution of the Council.
- x. Officers are to observe Council's Local Purchasing Policy F&R.2.1

**RECORDING REQUIREMENTS:**

A duplicate copy of all orders issued shall be kept as a record of the exercise of the sub-delegation as required by Local Government (Administration) Regulation 19.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

---

**President**

**Date:**

---

**Chief Executive Officer**

**Date:**

# FIRE CONTROL

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### **FIRE 001          Approval to Perform Bush Fire Control Functions**

<b>DELEGATION REF:</b>	FIRE 001
<b>HEAD OF POWER:</b>	Bush Fires Act 1954 s.48
<b>FILE REF:</b>	A6/6
<b>POLICY REF:</b>	Policy Manual – Part 7
<b>RESOLUTION DATE:</b>	
<b>RESOLUTION No:</b>	
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is delegated authority to perform any emergency management functions necessary in accordance with section 48 of the Bush Fires Act 1954

#### **CONDITIONS IMPOSED:**

This delegation specifically excludes powers which require a Local Government Resolution, and those to be performed by a designated officer.

Note: Subject to section 48(3) Bush Fires Act 1954, there is no power to sub-delegate this authority.

#### **RECORDING REQUIREMENTS:**

All functions undertaken under this delegation to be recorded in the appropriate file.

#### **REPORTING REQUIREMENTS:**

Nil

#### **DATE REVIEWED:**

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# FIRE CONTROL

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### FIRE 002 Varying Prohibited Burning Times

DELEGATION REF:	FIRE 002
HEAD OF POWER:	Bush Fires Act 1954 s.17(10) Bush Fires Act 1954 s.17(8)
FILE REF:	A6/6
POLICY REF:	Policy Manual – Part 7
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	<ul style="list-style-type: none"><li>• Chief Bush Fire Control Officer</li><li>• Shire President</li></ul>
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Shire President and Chief Bushfire Control Officer are jointly delegated authority to exercise the Council's powers within section 17(7) and 17(8) of the Bushfires Act 1954.

(Relates to the varying of the prohibited burning times in the District and the giving notice of the change.)

#### CONDITIONS IMPOSED:

Any variation approved is to comply with the requirements of s7 of the Bush Fires Act 1954.

#### RECORDING REQUIREMENTS:

All functions undertaken under this delegation to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Variation to be advertised within the Shire.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Bush Fire Control Officer  
Date:

# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### HEALTH 001 Administration of the Health Act

DELEGATION REF:	HEALTH 001
HEAD OF POWER:	Health Act 1911 s26
FILE REF:	H2/6
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Environmental Health Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Environmental Health Officer is delegated authority to serve notices, approve and renew licenses and permits and exercise the powers of Council for the expeditious administration of the Health Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Details of actions taken are to be recorded in appropriate files.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Environmental Health Officer

Date:

# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

## HEALTH 002 Approval of Applications under Health Local Laws

DELEGATION REF:	HEALTH 002
HEAD OF POWER:	Shire of Mt Marshall Health Local Laws 2001
FILE REF:	A2/4
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to approve applications for licences, registrations, and permits under the Shire of Mt Marshall Health Local Laws 2001.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Applications with notification of approval or refusal are to be saved in the Record Management System.

#### REPORTING REQUIREMENTS:

Council to be advised through an agenda item to the next Ordinary Meeting.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### HEALTH 003 Administration of the Food Act

DELEGATION REF:	HEALTH 003
HEAD OF POWER:	Food Act 2008 and Food Regulations 2009
FILE REF:	H1/6
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
SUB-DELEGATED TO:	Environmental Health Officer
EXPIRY DATE:	Indefinite

#### DETAIL OF DELEGATION:

The Chief Executive Officer be delegated the authority to administer the functions as 'enforcement agency' pursuant to the Food Act 2008 and Food Regulations 2009.

#### CONDITIONS IMPOSED:

Nil – Note there is no power to sub-delegate granted by the Food Regulations 2009.

#### RECORDING REQUIREMENTS:

Details of actions taken are to be recorded in appropriate files.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:



# HEALTH

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### HEALTH 004 Appointment of Environmental Health Officers

DELEGATION REF:	HEALTH 004
HEAD OF POWER:	Public Health Act 2016 s17, s21, s24
FILE REF:	STAFF
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
SUB-DELEGATED TO:	Environmental Health Officer
EXPIRY DATE:	Indefinite

#### DETAIL OF DELEGATION:

The CEO is, under the Public Health Act 2016, expressly authorised to:

S17 - Appoint authorised officers

S21 – Issue authority cards to authorised officers

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Copies of Letters of Authorisation and Authority Cards to be kept in the appropriate file

#### REPORTING REQUIREMENTS:

Council to be advised of authorisations under s17

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ROADS 001 Temporary Road Closures

<b>DELEGATION REF:</b>	ROADS 001
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.5, s3.50, s3.50A Road Traffic (Events on Roads) Regulations 1991 s5.4
<b>FILE REF:</b>	W1/5
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	
<b>RESOLUTION No:</b>	
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for public events. The determination shall be in accordance with provisions of the Road Traffic (Events on Roads) Regulations 1991 and the Local Government Act 1995.

#### CONDITIONS IMPOSED:

Approval shall contain the following conditions:

1. The closure is to be advertised in a local newspaper
2. Arrangements are to be made for appropriate signposting to effect the closure
3. Applicant is to take out a public risk insurance policy which indemnifies the Shire against any damages claims and a copy is to be delivered to Council
4. Applicant is to notify the Emergency Services Department and ensure that whilst the event is in progress, satisfactory arrangements are made to allow access to premises by Emergency Services.

CEO may determine other conditions to be imposed on any approvals issued.

#### RECORDING REQUIREMENTS:

Any closure and reason for closure under this delegation to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Advertising in line with legislation required.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

## ROADS 002 Temporary Closure of Roads for Repairs or Maintenance

DELEGATION REF:	ROADS 002
HEAD OF POWER:	Local Government Act 1995 s3.50A
FILE REF:	W1/5
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Works Supervisor

### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 3.50A of the Local Government Act 1995 to partially and temporarily close a thoroughfare, without giving public notice, for the purpose of carrying out repairs or maintenance and the closure is unlikely to have a significant adverse effect on road users.

### CONDITIONS IMPOSED:

For periods in excess of five working days, notice is to be given in both local newspapers.

### RECORDING REQUIREMENTS:

Any closure and reason for closure under this delegation to be recorded in the appropriate file.

### REPORTING REQUIREMENTS:

Councillors to be informed of any significant temporary road closures.

### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ROADS 003 Closure of Roads for a Period Not Exceeding Four Weeks

DELEGATION REF:	ROADS 003
HEAD OF POWER:	Local Government Act 1995 s3.50(1)
FILE REF:	W1/5
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Works Supervisor

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 3.50(1) of the Local Government Act 1995 to wholly or partially close a thoroughfare to the passage of vehicles for a period not exceeding four weeks.

#### CONDITIONS IMPOSED:

For periods in excess of five working days' notice is to be given in both local newspapers.

#### RECORDING REQUIREMENTS:

Any closure and reason for closure under this delegation to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Councillors to be informed of any significant road closures.

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

## ROADS 004 Closure of Roads for a Period Exceeding Four Weeks

DELEGATION REF:	ROADS 004
HEAD OF POWER:	Local Government Act 1995 s3.50(1a), s3.50(2)
FILE REF:	W1/5
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority under section 3.50(1a) of the Local Government Act 1995 to, by local public notice, order that a thoroughfare is wholly or partially closed to the passage of vehicles for a period exceeding four weeks. Under section 3.50(2) the order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as deemed appropriate and may contain exceptions

### CONDITIONS IMPOSED:

Nil

### RECORDING REQUIREMENTS:

Any closure and reason for closure under this delegation to be recorded in the appropriate file.

### REPORTING REQUIREMENTS:

Councillors to be informed of any closure and the reasons for the closures.

### DATE REVIEWED:

Annually

\_\_\_\_\_  
President

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

# ROADS AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ROADS 005 Gate or Other Device across Thoroughfare

DELEGATION REF:	ROADS 005
HEAD OF POWER:	Local Government (Uniform Local Provisions) Regulations 1996 r.9
FILE REF:	W1/7
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under Regulation 9 of the Local Government (Uniform Local Provisions) Regulations 1996, authorised to approve applications for a person to have a gate or other device across a public thoroughfare that enables motor traffic to pass across but prevents livestock from straying.

#### CONDITIONS IMPOSED:

Permissions granted:

- Must be in writing;
- Must specify the period for which it is granted
- Must specify each condition imposed
- May be reviewed from time to time
- May be cancelled (In writing)

#### RECORDING REQUIREMENTS:

Register to be kept of gates or other devices approved.

#### REPORTING REQUIREMENTS:

Council to be advised of approvals given.

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# ROAD AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### **ROADS 006 Construction of Crossing from Thoroughfare to Private Land**

<b>DELEGATION REF:</b>	ROADS 006
<b>HEAD OF POWER:</b>	Local Government (Uniform Local Provisions) Regulations 1996 r.12
<b>FILE REF:</b>	W1/7
<b>POLICY REF:</b>	Nil
<b>RESOLUTION DATE:</b>	
<b>RESOLUTION No:</b>	
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>EXPIRY DATE:</b>	Indefinite
<b>SUB-DELEGATED TO:</b>	Nil

#### **DETAIL OF DELEGATION:**

The Chief Executive Officer is, under Regulation 12 of the Local Government (Uniform Local Provisions) Regulations 1996, on receipt of an application delegated authority to approve the construction of a crossing giving access from a public thoroughfare under the management and control of the Shire to the land or a private thoroughfare serving the land.

#### **CONDITIONS IMPOSED:**

That the construction of the crossing be under the supervision of the Shire and completed to the satisfaction of the Shire.

#### **RECORDING REQUIREMENTS:**

Approvals and refusals to be recorded in the appropriate file.

#### **REPORTING REQUIREMENTS:**

Nil

#### **DATE REVIEWED:**

Annually

---

**President**

**Date:**

---

**Chief Executive Officer**

**Date:**

# ROAD AND THOROUGHFARES

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### ROADS 007 Notice to Construct or Repair Crossing

DELEGATION REF:	ROADS 007
HEAD OF POWER:	Local Government (Uniform Local Provisions) Regulations 1996 r.13
FILE REF:	W1/7
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	Nil

#### DETAIL OF DELEGATION:

The Chief Executive Officer is, under Regulation 13 of the Local Government (Uniform Local Provisions) Regulations 1996, is authorised to give a person who is the owner or occupier of private land a notice requiring the person to construct or repair a crossing from a public thoroughfare under the management and control of the Shire to the land or a private thoroughfare serving the land.

#### CONDITIONS IMPOSED:

Failure of the person to comply with the notice to be presented to Council for a decision on further action.

#### RECORDING REQUIREMENTS:

Notices given to be recorded in the appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:



# SWIMMING POOLS - PRIVATE

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### SWIM 001 Notice on Non-Complying Private Swimming Pools

DELEGATION REF:	SWIM 001
HEAD OF POWER:	Building Act 2011 (s. 3, 93, 95, 97) Building Regulations 2012
FILE REF:	B1/2
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	<ul style="list-style-type: none"><li>• Environmental Health Officer</li><li>• Building Surveyor</li></ul>

#### DETAIL OF DELEGATION:

The Chief Executive Officer is delegated authority to exercise and carry out the powers and duties, pursuant to section 3, 93, 95, 97 of the Building Act 2011 and Building Regulations 2012, with respect to private swimming pools, and to issue notices as required on the owners or occupiers of the land on which there is a swimming pool not complying with the statutory requirements for a barrier to prevent access to the swimming pool by children.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

Notices issued are to be placed on appropriate file.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

\_\_\_\_\_  
President  
Date:

\_\_\_\_\_  
Chief Executive Officer  
Date:

# DOGS

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### DOGS 001 Administer the Dog Act

DELEGATION REF:	DOGS 001
HEAD OF POWER:	Dog Act 1976 s 29(1)
FILE REF:	A6/3d
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED TO:	WA Contract Ranger Services

#### DETAIL OF DELEGATION:

The Chief Executive Officer is appointed under s 29(1) of the Dog Act 1976 as an authorised person to exercise the powers of the Shire under that Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

The Chief Executive Officer is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# CATS

## REGISTER OF DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.42)  
(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF DELEGATION

#### CATS 001 Administer the Cat Act

DELEGATION REF:	CATS 001
HEAD OF POWER:	Cat Act 2011, s.44
FILE REF:	A6/3c
POLICY REF:	Nil
RESOLUTION DATE:	
RESOLUTION No:	
DELEGATED TO:	Chief Executive Officer
EXPIRY DATE:	Indefinite
SUB-DELEGATED:	WA Contract Ranger Services

#### DETAIL OF DELEGATION:

The Chief Executive Officer is appointed under s.44 of the Cat Act 2011 for the purposes of exercising the powers of the Shire under that Act.

#### CONDITIONS IMPOSED:

Nil

#### RECORDING REQUIREMENTS:

The Chief Executive Officer is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### REPORTING REQUIREMENTS:

Nil

#### DATE REVIEWED:

Annually

---

President

Date:

---

Chief Executive Officer

Date:

# SUB-DELEGATION REGISTER



## 2016

I certify that this Sub-Delegation Register was reviewed on 1 April 2016

**Attachment 12.1.18c**

Mr Eddie Piper    Chief Executive Officer

**This page has  
been left blank  
intentionally**

## SUB-DELEGATION REGISTER

### TABLE OF CONTENTS

#### **ADMINISTRATION**

ADMIN SD001	EXERCISE OF POWERS UNDER PART 3, LOCAL GOVERNMENT ACT 1995 .....	2
ADMIN SD002	CONSUMPTION OF LIQUOR ON SHIRE PROPERTY .....	4
ADMIN SD003	APPOINTMENT OF AUTHORISED PERSONS UNDER PART 9, DIVISION 2, LG ACT 1995 .....	5

#### **FINANCE**

FIN SD001	PURCHASING – SIGNING OF PURCHASE ORDERS .....	7
-----------	---	---

#### **FIRE CONTROL**

FIRE SD001	APPROVAL OF APPLICATIONS FOR BURNING OF ROAD VERGES .....	10
------------	---	----

#### **HEALTH**

HEALTH SD001	ADMINISTRATION OF THE FOOD ACT .....	11
--------------	--------------------------------------	----

#### **PROPERTY**

PROP SD001	ACQUIRE OR DISPOSE OF SHIRE PROPERTY .....	12
PROP SD002	SALE OF ITEMS OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC. HELD AT SHIRE DEPOT .....	14
PROP SD003	VARIATION TO SWIMMING POOL CLOSING HOURS .....	15

#### **ROADS**

ROADS SD002	TEMPORARY CLOSING OF THOROUGHFARE FOR REPAIRS OR MAINTENANCE .....	16
ROADS SD003	CLOSURE OF ROADS FOR A PERIOD NOT EXCEEDING FOUR WEEKS .....	17

#### **SWIMMING POOL**

SWIM SD001	NOTICE ON NON-COMPLYING PRIVATE SWIMMING POOLS .....	18
------------	--	----

#### **DOGS**

DOGS SD001	ADMINISTER THE DOG ACT .....	19
------------	------------------------------	----

#### **CATS**

CATS SD001	ADMINISTER THE CAT ACT .....	20
------------	------------------------------	----

**ADMINISTRATION****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****ADMIN SD001      Exercise of Powers under Part 3, Local Government Act 1995**

<b>DELEGATION REF:</b>	ADMIN 001
<b>SUB DELEGATION REF:</b>	ADMIN SD001
<b>HEAD OF POWER:</b>	LG Act 1995, Part 3
<b>FILE REF:</b>	A3/5
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Environmental Health Officer</li> <li>• Building Surveyor</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Environmental Health Officer and Building Surveyor are, under section 3.24 of the Local Government Act 1995, expressly authorised to exercise the following powers under Part 3 of the Act (unless Schedule 3.1 indicates otherwise):

- s.3.25 – Give notices to owners/occupiers requiring certain actions to be taken on the land.
- s.3.27 – Do the things prescribed in Schedule 3.2 on land that is not Local Government property
- Part 3 – Division 3. Subdivision3: Exercise powers of entry, where entry is required to perform a function under the Act, other than under a local law.
- s.3.39 – Remove and impound any goods involved in a contravention that can lead to impounding.

**CONDITIONS IMPOSED:**

CEO to be advised when notice given, and advised of outcome.

**RECORDING REQUIREMENTS:**

Written notices to be recorded in the appropriate file.

**REPORTING REQUIREMENTS:**

Council to be advised of any notices issued and the outcome.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

\_\_\_\_\_  
**Environmental Health Officer**  
**Date:**

## SUB-DELEGATION REGISTER

---

**Building Surveyor**  
**Date:**



**ADMINISTRATION****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****ADMIN SD002      Consumption of Liquor on Shire Property**

<b>DELEGATION REF:</b>	ADMIN 003
<b>SUB DELEGATION REF:</b>	ADMIN SD002
<b>HEAD OF POWER:</b>	Liquor Licensing Act 1988 s119(1)
<b>FILE REF:</b>	A2/9
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Finance and Administration Manager
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Finance and Administration Manager is delegated authority to determine applications for the consumption of liquor on property under the care, control and management of the shire.

**CONDITIONS IMPOSED:**

CEO to be advised when approval is given.

**RECORDING REQUIREMENTS:**

Approvals to be recorded on appropriate file.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

\_\_\_\_\_  
**Finance and Administration Manager**  
**Date:**

**ADMINISTRATION****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, Part 9, Division 2)***INSTRUMENT OF SUB-DELEGATION****ADMIN SD003 Appointment of Authorised Persons Under  
Part 9, Division 2, LG Act 1995**

<b>DELEGATION REF:</b>	ADMIN 004
<b>SUB-DELEGATION REF:</b>	ADMIN SD003
<b>HEAD OF POWER:</b>	Local Government Act 1995, Part 9, Division 2
<b>FILE REF:</b>	A2/15
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Environmental Health Officer Building Surveyor WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer, Building Surveyor and WA Contract Ranger Services are, under section 9.10 of the Local Government Act 1995 (the Act), expressly authorised for the purposes of performing particular functions contained in Division 2 of Part 9 of the Act.

To enable the Chief Executive Officer to properly manage the affairs of the Shire, he/she be delegated the authority to appoint in writing, appropriate employees for the purpose of exercising the functions contained in Division 2 of Part 9 of the Act.

In accordance with Section 9.10 (2) Local Government Act 1995, the Local Government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

**CONDITIONS IMPOSED:**

CEO to be advised whenever sub-delegated Authority is exercised.

**RECORDING REQUIREMENTS:**

Exercise of any functions to be recorded in the appropriate file.

**REPORTING REQUIREMENTS:**

Council to be advised of any exercise of authority and the outcome of such.

**DATE REVIEWED:**

Annually

SUB-DELEGATION REGISTER

---

**Building Surveyor**  
**Date:**

---

**Environmental Health Officer/**  
**Date:**

---

**Chief Executive Officer**  
**Date:**

---

**WA Contract Ranger Services**  
**Date:**

# FINANCE

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.44)

(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF SUB-DELEGATION

#### FIN SD001 Purchasing – Signing Of Purchase Orders

<b>DELEGATION REF:</b>	Nil
<b>SUB-DELEGATION REF:</b>	FIN SD001
<b>HEAD OF POWER:</b>	Local Government Act 1995
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	F&R.2.1, F&R.2.5
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Finance &amp; Administration Manager</li> <li>• Works Supervisor</li> <li>• Executive Assistant</li> <li>• Community &amp; Recreation Development Officer</li> <li>• Customer Service Officer</li> <li>• Plant Maintenance Officer</li> <li>• Beacon Town Maintenance Officer</li> <li>• Regulatory Officer</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

#### DETAIL OF SUB-DELEGATION:

1. Signing of Purchase Orders
  - i. Subject to sub-clause (iv), expenditure for the purchase of goods and services shall only be authorised through the signing of an official Shire purchase order.
  - ii. All goods and services ordered pursuant to paragraph (i) shall have the proper authorisation either by inclusion in the budget or by Council resolution and shall be signed by the officer to whom that specific duty, function or responsibility has been allocated.
  - iii. The Officer signing the order shall indicate on the order the chart of account number to which the good or service is to be allocated.
  - iv. Should the goods and services to be purchased exceed the monetary limit authorised, the officer shall have the Order signed by his or her immediate supervisor or the CEO.
2. Order books shall only be provided to the following Officers, who are authorised to sign orders on behalf of the Shire to the limit specified:

Finance and Administration Manager	\$50,000
Works Supervisor	\$50,000
Executive Assistant	\$ 5,000
Community & Recreation Development Officer	\$ 5,000
Customer Service Officer	\$ 2,500
Regulatory Officer	\$ 2,500
Plant Maintenance Officer	\$ 2,000
Beacon Town Maintenance Officer	\$ 250

## SUB-DELEGATION REGISTER

### CONDITIONS IMPOSED:

- i. It shall not be necessary to issue an official purchase order form for:
- ii. Fees and payments due under any Act of Parliament,
- iii. Insurances, freight, postal charges and subscription to publications which Council normally obtains,
- iv. Fees and costs payable to debt professional services authorised by resolution of the Council,
- v. Goods purchased from petty cash,
- vi. Payments made under any award binding upon the Council,
- vii. Licences, or rights of copyright, payment of which is not avoidable at law,
- viii. Awards against the Council by a court of law for damages, penalties or royalties, and
- ix. Donations to charitable and non-profit organisations that have been authorised by resolution of the Council.
- x. Officers are to observe Council's Local Purchasing Policy F&R.2.1

### RECORDING REQUIREMENTS:

A duplicate copy of all orders issued shall be kept as a record of the exercise of the sub-delegation as required by Local Government (Administration) Regulation 19.

### REPORTING REQUIREMENTS:

Nil

### DATE REVIEWED:

Annually

---

**Chief Executive Officer**  
**Date:**

---

**Finance & Administration Manager**  
**Date:**

---

**Works Supervisor**  
**Date:**

---

**Plant Maintenance Officer**  
**Date:**

---

**Executive Assistant**  
**Date:**

---

**Community & Recreation  
Development Officer**  
**Date:**

SUB-DELEGATION REGISTER

---

**Beacon Town Maintenance**  
**Date:**

---

**Customer Service Officer**  
**Date:**

---

**Regulatory Officer**  
**Date:**

**FIRE CONTROL****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****FIRE SD001 Approval of Applications for Burning of Road Verges**

<b>DELEGATION REF:</b>	FIRE 001
<b>SUB-DELEGATION REF:</b>	FIRE SD001
<b>HEAD OF POWER:</b>	Bush Fires Act 1954 s.17(10)
<b>FILE REF:</b>	A6/6
<b>POLICY REF:</b>	Policy Manual – Part 7
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Regulatory Officer</li> <li>• Works Supervisor</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Regulatory Officer and Works Supervisor are delegated authority to approve applications submitted by the relevant Fire Control Officer to burn a road verge vested in the care, control and management of the Shire of Mt Marshall.

**CONDITIONS IMPOSED:**

- i. Approval of applications to impose a condition that any burning complies with the requirements of the Bush Fires Act 1954.
- ii. CEO to be advised when applications are approved.

**RECORDING REQUIREMENTS:**

Nil, unless permit required.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Works Supervisor

Date:

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
Regulatory Officer

Date:

**HEALTH****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.46)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****HEALTH SD001      Administration of the Food Act**

<b>DELEGATION REF:</b>	HEALTH 003
<b>SUB-DELEGATION REF:</b>	HEALTH SD001
<b>HEAD OF POWER:</b>	Food Act 2008 and Food Regulations 2009
<b>FILE REF:</b>	H1/6
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Environmental Health Officer
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer be delegated the authority to administer the functions as 'enforcement agency' pursuant to the Food Act 2008 and Food Regulations 2009 with power to sub delegate.

**CONDITIONS IMPOSED:**

CEO to be advised when Authority is exercised.

**RECORDING REQUIREMENTS:**

Details of actions taken are to be recorded in appropriate files.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

---

**Chief Executive Officer**

Date:

---

**Environmental Health Officer**

Date:



**PROPERTY – SHIRE****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.46)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****PROP SD001 Acquire or Dispose of Shire Property**

<b>DELEGATION REF:</b>	PROP 001
<b>SUB-DELEGATION REF:</b>	PROP SD001
<b>HEAD OF POWER:</b>	Local Government Act 1995, s3.58
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	F&R.2.2, F&R.2.8
<b>DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Finance &amp; Administration Manager</li> <li>• Works Supervisor</li> <li>• Executive Assistant</li> <li>• Community Development Officer</li> <li>• Customer Service Officer</li> <li>• Plant Maintenance Officer</li> <li>• Beacon Town Maintenance Officer</li> <li>• Regulatory Officer</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

Subject to the provision of sections 3.58 of the Local Government Act 1995 the Chief Executive Officer delegates authority to the following Officers to acquire or dispose of any Shire property (other than land), within the limit specified:

Finance and Administration Manager	\$50,000
Works Supervisor	\$50,000
Executive Assistant	\$ 5,000
Community & Recreation Development Officer	\$ 5,000
Customer Service Officer	\$ 2,500
Regulatory Officer	\$ 2,500
Plant Maintenance Officer	\$ 2,000
Beacon Town Maintenance Officer	\$ 250

**CONDITIONS IMPOSED:**

Provided that appropriate provision is made in the shire's annual budget for expenditure and the acquisition is identified in the annual budget, or by resolution of Council, and disposals are effected in compliance with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1986.

**RECORDING REQUIREMENTS:**

Issue of signed Purchase Order.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

## SUB-DELEGATION REGISTER

---

**Chief Executive Officer**  
**Date:**

---

**Finance and Administration Manager**  
**Date:**

---

**Works Supervisor**  
**Date:**

---

**Plant Maintenance Officer**  
**Date:**

---

**Executive Assistant**  
**Date:**

---

**Community  
Development Officer**  
**Date:**

---

**Beacon Town Maintenance**  
**Date:**

---

**Customer Service Officer**  
**Date:**

---

**Regulatory Officer**  
**Date:**

**PROPERTY – SHIRE****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****PROP SD002 Sale of Items of Surplus Equipment,  
Materials, Tools etc. held at Shire Depot**

<b>DELEGATION REF:</b>	Nil
<b>SUB-DELEGATION REF:</b>	PROP SD002
<b>HEAD OF POWER:</b>	Local Government Act 1995
<b>FILE REF:</b>	F1/25 (where appropriate)
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Works Supervisor
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Works Supervisor is delegated authority to sell, by calling for expressions of interest, holding a surplus goods sale at Shire's depot, or any other fair means, items of surplus equipment, materials, tools, etc., which are no longer required or are outmoded or are no longer serviceable.

**CONDITIONS IMPOSED:**

This delegation applies only to items with an estimated value less than \$10,000.

**RECORDING REQUIREMENTS:**

Sale to be recorded and Chief Executive Officer advised.

**REPORTING REQUIREMENTS:**

Finance Section to be advised so that Shire Asset Register can be amended if required.

**DATE REVIEWED:**

Annually

---

**Chief Executive Officer**

Date:

---

**Works Supervisor**

Date:

**PROPERTY – SHIRE****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****PROP SD003 Variation to Swimming Pool Closing Hours**

<b>DELEGATION REF:</b>	Nil
<b>SUB-DELEGATION REF:</b>	PROP SD003
<b>HEAD OF POWER:</b>	Local Government Act 1995
<b>FILE REF:</b>	A6/19
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Swimming Pool Manager
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

Council resolved at its meeting of February 2006:

*“That the pool hours on Wednesday, Thursday, Friday and Saturday be changed so that the pool closes at 6.00pm, but remain open until 7.00pm at the discretion of the Chief Executive Officer.”*

The discretion conferred upon the Chief Executive Officer is sub-delegated to the Swimming Pool Manager.

**CONDITIONS IMPOSED:**

If people wish to hold a BBQ or other function during the 6-7pm period, it is suggested that bookings be taken so that the appropriate arrangements can be made.

CEO to be advised when Authority is exercised.

**RECORDING REQUIREMENTS:**

Any extension to opening hours is to be recorded so that adequate compensation can be made.

**REPORTING REQUIREMENTS:**

Nil

\_\_\_\_\_  
**Chief Executive Officer**  
 Date:

\_\_\_\_\_  
**Swimming Pool Manager**  
 Date:

## ROADS AND THOROUGHFARES

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

*(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)*

## INSTRUMENT OF SUB-DELEGATION

ROADS SD002      Temporary Closing of Roads for Repairs  
or Maintenance

DELEGATION REF:	ROADS 002
SUB-DELEGATION REF:	ROADS SD002
HEAD OF POWER:	Local Government Act 1995 s3.50A
FILE REF:	W1/5
POLICY REF:	Nil
DELEGATED TO:	Works Supervisor
EXPIRY DATE:	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Works Supervisor is delegated authority under section 3.50A of the Local Government Act 1995 to partially and temporarily close a thoroughfare or road, without giving public notice, for the purpose of carrying out repairs or maintenance and the closure is unlikely to have a significant adverse effect on road users.

**CONDITIONS IMPOSED:**

For periods in excess of five working days, notice is to be given in both local newspapers.

**RECORDING REQUIREMENTS:**

Nil

**REPORTING REQUIREMENTS:**

Councillors to be informed of any significant temporary road closures.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer  
Date:

\_\_\_\_\_  
Works Supervisor  
Date:

## ROADS AND THOROUGHFARES

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

*(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)*

## INSTRUMENT OF SUB-DELEGATION

ROADS SD003      Closure of Roads for a Period Not  
Exceeding Four Weeks

DELEGATION REF:	ROADS 003
SUB-DELEGATION REF:	ROADS SD003
HEAD OF POWER:	Local Government Act 1995 s.3.50(1)
FILE REF:	W1/5
POLICY REF:	Nil
DELEGATED TO:	Works Supervisor
EXPIRY DATE:	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Works Supervisor is delegated authority under section 3.50(1) of the Local Government Act 1995 to wholly or partially close a thoroughfare or road to the passage of vehicles for a period not exceeding four weeks.

**CONDITIONS IMPOSED:**

For periods in excess of five working days, notice is to be given in both local newspapers.

**RECORDING REQUIREMENTS:**

Nil

**REPORTING REQUIREMENTS:**

Councillors to be informed of any significant road closures.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer  
Date:

\_\_\_\_\_  
Works Supervisor  
Date:

**SWIMMING POOLS – PRIVATE****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.46)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****SWIM SD001 Notice on Non-Complying Private Swimming Pools**

<b>DELEGATION REF:</b>	SWIM 001
<b>SUB-DELEGATION REF:</b>	SWIM SD001
<b>HEAD OF POWER:</b>	Building Act 2011 (s. 3, 93, 95, 97) Building Regulations 2012
<b>FILE REF:</b>	B1/2
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Environmental Health Officer
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer is delegated authority to exercise and carry out the powers and duties, pursuant to sections 3, 93, 95 and 97 of the Building Act 2011 and Building Regulations 2012, with respect to private swimming pools, and to issue notices as required on the owners or occupiers of the land on which there is a swimming pool not complying with the statutory requirements for a barrier to prevent access to the swimming pool by children.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

Notices issued are to be placed on appropriate file.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

---

**Chief Executive Officer**

Date:

---

**Environmental Health Officer**

Date:

**DOGS****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****DOGS SD001      Administer the Dog Act**

<b>DELEGATION REF:</b>	DOGS 001
<b>SUB-DELEGATION REF:</b>	DOGS SD001
<b>HEAD OF POWER:</b>	Dog Act 1976 s 29(1)
<b>FILE REF:</b>	A6/3d
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

WA Contract Ranger Services is appointed under s 29(1) of the Dog Act 1976 as an authorised person to exercise the powers of the Shire under that Act.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

Nil

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
WA Contract Ranger Services

Date:



**CATS****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****CATS SD001      Administer the Cat Act**

<b>DELEGATION REF:</b>	CATS 001
<b>SUB-DELEGATION REF:</b>	CATS SD001
<b>HEAD OF POWER:</b>	Cat Act 2011, s.44
<b>FILE REF:</b>	A6/3c
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

WA Contract Ranger Services is appointed under s.44 of the Cat Act 2011 for the purposes of exercising the powers of the shire under that Act.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

Nil

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
WA Contract Ranger Services

Date:



Shire of Mt Marshall

— THE SANDALWOOD SHIRE —

# SUB-DELEGATION REGISTER 2017

I certify that this Sub-Delegation Register was reviewed on 16 May 2017

**Attachment 12.1.18d**

---

Mr John Nuttall - Chief Executive Officer

**This page has  
been left blank  
intentionally**

## SUB-DELEGATION REGISTER

### TABLE OF CONTENTS

#### **ADMINISTRATION**

ADMIN SD001	EXERCISE OF POWERS UNDER PART 3, LOCAL GOVERNMENT ACT 1995 .....	2
ADMIN SD002	APPOINTMENT OF AUTHORISED PERSONS UNDER PART 9, DIVISION 2, LG ACT 1995 .....	3

#### **FINANCE**

FIN SD001	PURCHASING - RAISING OF PURCHASE ORDERS.....	5
-----------	--	---

#### **HEALTH**

HEALTH SD001	ADMINISTRATION OF THE FOOD ACT .....	8
--------------	--------------------------------------	---

#### **PROPERTY**

PROP SD001	ACQUIRE OR DISPOSE OF SHIRE PROPERTY.....	9
PROP SD002	SALE OF ITEMS OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC. HELD AT SHIRE DEPOT .....	11

#### **ROADS**

ROADS SD001	TEMPORARY CLOSING OF THOROUGHFARE FOR REPAIRS OR MAINTENANCE.....	12
ROADS SD002	CLOSURE OF ROADS FOR A PERIOD NOT EXCEEDING FOUR WEEKS .....	13

#### **SWIMMING POOL**

SWIM SD001	NOTICE ON NON-COMPLYING PRIVATE SWIMMING POOLS.....	14
------------	---	----

#### **DOGS**

DOGS SD001	ADMINISTER THE DOG ACT .....	15
------------	------------------------------	----

#### **CATS**

CATS SD001	ADMINISTER THE CAT ACT .....	16
------------	------------------------------	----

**ADMINISTRATION****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****ADMIN SD001      Exercise of Powers under Part 3, Local Government Act 1995**

<b>DELEGATION REF:</b>	ADMIN 001
<b>SUB DELEGATION REF:</b>	ADMIN SD001
<b>HEAD OF POWER:</b>	LG Act 1995, s 3.24, s.3.25, s.3.27, Part 3 division 3, s.3.39(1)
<b>FILE REF:</b>	A3/5
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Environmental Health Officer
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Environmental Health Officer is, under section 3.24 of the Local Government Act 1995, expressly authorised to exercise the following powers under Part 3 of the Act (unless Schedule 3.1 indicates otherwise):

- s.3.25 – Give notices to owners/occupiers requiring certain actions to be taken on the land.
- s.3.27 – Do the things prescribed in Schedule 3.2 on land that is not Local Government property
- Part 3 – Division 3. Subdivision3: Exercise powers of entry, where entry is required to perform a function under the Act, other than under a local law.
- s.3.39 – Remove and impound any goods involved in a contravention that can lead to impounding.

**CONDITIONS IMPOSED:**

CEO to be advised when notice given, and advised of outcome.

**RECORDING REQUIREMENTS:**

Written notices to be recorded in the appropriate file.

**REPORTING REQUIREMENTS:**

Council to be advised of any notices issued and the outcome.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
Environmental Health Officer

Date:

**ADMINISTRATION****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, Part 9, Division 2)**(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****ADMIN SD002 Appointment of Authorised Persons Under  
Part 9, Division 2, LG Act 1995**

<b>DELEGATION REF:</b>	ADMIN 004
<b>SUB-DELEGATION REF:</b>	ADMIN SD002
<b>HEAD OF POWER:</b>	Local Government Act 1995, Part 9, Division 2
<b>FILE REF:</b>	A2/15
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Environmental Health Officer WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer and WA Contract Ranger Services are, under section 9.10 of the Local Government Act 1995 (the Act), expressly authorised for the purposes of performing particular functions contained in Division 2 of Part 9 of the Act.

To enable the Chief Executive Officer to properly manage the affairs of the Shire, he/she be delegated the authority to appoint in writing, appropriate employees for the purpose of exercising the functions contained in Division 2 of Part 9 of the Act.

In accordance with Section 9.10 (2) Local Government Act 1995, the Local Government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

**CONDITIONS IMPOSED:**

CEO to be advised whenever sub-delegated authority is exercised.

**RECORDING REQUIREMENTS:**

Exercise of any functions to be recorded in the appropriate file.

**REPORTING REQUIREMENTS:**

Council to be advised of any exercise of authority and the outcome of such.

**DATE REVIEWED:**

Annually

SUB-DELEGATION REGISTER

\_\_\_\_\_  
**Environmental Health Officer**  
**Date:**

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

\_\_\_\_\_  
**WA Contract Ranger Services**  
**Date:**

# FINANCE

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

(Local Government Act 1995, s5.44)

(Local Government (Administration) Regulations 1996, s19)

### INSTRUMENT OF SUB-DELEGATION

#### FIN SD001 Purchasing – Raising Of Purchase Orders

<b>DELEGATION REF:</b>	FIN 004
<b>SUB-DELEGATION REF:</b>	FIN SD001
<b>HEAD OF POWER:</b>	Local Government Act 1995, s5.44 Local Government (Functions and General) Regulations 1996, s19
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	F&R.2.1, F&R.2.5
<b>SUB-DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Finance &amp; Administration Manager</li> <li>• Works Supervisor</li> <li>• Executive Assistant</li> <li>• Community Development Officer</li> <li>• Customer Service Officer</li> <li>• Plant Maintenance Officer</li> <li>• Beacon Town Maintenance Officer</li> <li>• Regulatory Officer</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

#### DETAIL OF SUB-DELEGATION:

1. Signing of Purchase Orders
  - i. Subject to sub-clause (iv), expenditure for the purchase of goods and services shall only be authorised through the signing of an official Shire purchase order.
  - ii. All goods and services ordered pursuant to paragraph (i) shall have the proper authorisation either by inclusion in the budget or by Council resolution and shall be signed by the officer to whom that specific duty, function or responsibility has been allocated.
  - iii. The Officer signing the order shall indicate on the order the chart of account number to which the good or service is to be allocated.
  - iv. Should the goods and services to be purchased exceed the monetary limit authorised, the officer shall have the Order signed by his or her immediate supervisor or the CEO.
2. Order books shall only be provided to the following Officers, who are authorised to sign orders on behalf of the Shire to the limit specified:

Finance and Administration Manager	\$50,000
Works Supervisor	\$50,000
Executive Assistant	\$ 5,000
Community & Recreation Development Officer	\$ 5,000
Customer Service Officer	\$ 2,500
Regulatory Officer	\$ 2,500
Plant Maintenance Officer	\$ 2,000
Beacon Town Maintenance Officer	\$ 250



## SUB-DELEGATION REGISTER

### CONDITIONS IMPOSED:

- i. It shall not be necessary to issue an official purchase order form for:
- ii. Fees and payments due under any Act of Parliament,
- iii. Insurances, freight, postal charges and subscription to publications which Council normally obtains,
- iv. Fees and costs payable to debt professional services authorised by resolution of the Council,
- v. Goods purchased from petty cash,
- vi. Payments made under any award binding upon the Council,
- vii. Licences, or rights of copyright, payment of which is not avoidable at law,
- viii. Awards against the Council by a court of law for damages, penalties or royalties, and
- ix. Donations to charitable and non-profit organisations that have been authorised by resolution of the Council.
- x. Officers are to observe Council's Local Purchasing Policy F&R.2.1

### RECORDING REQUIREMENTS:

A duplicate copy of all orders issued shall be kept as a record of the exercise of the sub-delegation as required by Local Government (Administration) Regulation 19.

### REPORTING REQUIREMENTS:

Nil

### DATE REVIEWED:

Annually

---

**Chief Executive Officer**  
**Date:**

---

**Finance & Administration Manager**  
**Date:**

---

**Works Supervisor**  
**Date:**

---

**Plant Maintenance Officer**  
**Date:**

---

**Executive Assistant**  
**Date:**

---

**Community  
Development Officer**  
**Date:**

SUB-DELEGATION REGISTER

\_\_\_\_\_  
**Beacon Town Maintenance**  
**Date:**

\_\_\_\_\_  
**Customer Service Officer**  
**Date:**

\_\_\_\_\_  
**Regulatory Officer**  
**Date:**

**HEALTH****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Food Act 2008)**(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****HEALTH SD001      Administration of the Food Act**

<b>DELEGATION REF:</b>	HEALTH 003
<b>SUB-DELEGATION REF:</b>	HEALTH SD001
<b>HEAD OF POWER:</b>	Food Act 2008
<b>FILE REF:</b>	H1/6
<b>POLICY REF:</b>	Nil
<b>SUB-DELEGATED TO:</b>	Environmental Health Officer
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer be delegated the authority to administer the functions as 'enforcement agency' pursuant to the Food Act 2008.

**CONDITIONS IMPOSED:**

CEO to be advised when Authority is exercised.

**RECORDING REQUIREMENTS:**

Details of actions taken are to be recorded in appropriate files.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
Environmental Health Officer

Date:

**PROPERTY****REGISTER OF SUB-DELEGATIONS OF AUTHORITY**

(Local Government Act 1995, s5.43(d))  
 (Local Government (Administration) Regulations 1996, s19)

**INSTRUMENT OF SUB-DELEGATION****PROP SD001 Acquire or Dispose of Shire Property**

<b>DELEGATION REF:</b>	PROP 001
<b>SUB-DELEGATION REF:</b>	PROP SD001
<b>HEAD OF POWER:</b>	Local Government Act 1995 s5.44, 3.58
<b>FILE REF:</b>	F1/21
<b>POLICY REF:</b>	F&R.2.2, F&R.2.8
<b>DELEGATED TO:</b>	<ul style="list-style-type: none"> <li>• Finance &amp; Administration Manager</li> <li>• Works Supervisor</li> <li>• Executive Assistant</li> <li>• Community Development Officer</li> <li>• Customer Service Officer</li> <li>• Plant Maintenance Officer</li> <li>• Beacon Town Maintenance Officer</li> <li>• Regulatory Officer</li> </ul>
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

Subject to the provision of sections 3.58 of the Local Government Act 1995 the Chief Executive Officer delegates authority to the following Officers to acquire or dispose of any Shire property (other than land), within the limit specified:

Finance and Administration Manager	\$50,000
Works Supervisor	\$50,000
Executive Assistant	\$ 5,000
Community & Recreation Development Officer	\$ 5,000
Customer Service Officer	\$ 2,500
Regulatory Officer	\$ 2,500
Plant Maintenance Officer	\$ 2,000
Beacon Town Maintenance Officer	\$ 250

**CONDITIONS IMPOSED:**

Provided that appropriate provision is made in the shire's annual budget for expenditure and the acquisition is identified in the annual budget, or by resolution of Council, and disposals are effected in compliance with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1986.

**RECORDING REQUIREMENTS:**

Issue of signed Purchase Order.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

SUB-DELEGATION REGISTER

---

**Chief Executive Officer**  
**Date:**

---

**Finance and Administration Manager**  
**Date:**

---

**Works Supervisor**  
**Date:**

---

**Plant Maintenance Officer**  
**Date:**

---

**Executive Assistant**  
**Date:**

---

**Community  
Development Officer**  
**Date:**

---

**Beacon Town Maintenance**  
**Date:**

---

**Customer Service Officer**  
**Date:**

---

**Regulatory Officer**  
**Date:**

**PROPERTY****REGISTER OF SUB-DELEGATIONS OF AUTHORITY**

*(Local Government Act 1995, s3.58 & s5.42)*  
*(Local Government (Administration) Regulations 1996, s19)*

**INSTRUMENT OF SUB-DELEGATION**

**PROP SD002 Sale of Items of Surplus Equipment,  
Materials, Tools etc. held at Shire Depot**

<b>DELEGATION REF:</b>	PROP 002
<b>SUB-DELEGATION REF:</b>	PROP SD002
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.58 & s5.42 Local Government (Administration) Regulations 1996
<b>FILE REF:</b>	F1/25 (where appropriate)
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Works Supervisor
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Works Supervisor is delegated authority to sell, in any of the ways available as defined in the Local Government Act 1995, section 3.58, items of surplus equipment, materials, tools, etc., which are no longer required, are outmoded or are no longer serviceable.

**CONDITIONS IMPOSED:**

This delegation applies only to items with an estimated value less than \$10,000.

**RECORDING REQUIREMENTS:**

Sale to be recorded and Chief Executive Officer advised.

**REPORTING REQUIREMENTS:**

Finance Section to be advised so that Shire Asset Register can be amended if required.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

\_\_\_\_\_  
**Works Supervisor**  
**Date:**

# ROADS AND THOROUGHFARES

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

*(Local Government (Administration) Regulations 1996, s19)*

*(Local Government Act 1995, s5.44)*

### INSTRUMENT OF SUB-DELEGATION

## ROADS SD001 Temporary Closing of Roads for Repairs or Maintenance

<b>DELEGATION REF:</b>	ROADS 002
<b>SUB-DELEGATION REF:</b>	ROADS SD001
<b>HEAD OF POWER:</b>	Local Government Act 1995 s3.50A
<b>FILE REF:</b>	W1/5
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Works Supervisor
<b>EXPIRY DATE:</b>	Indefinite

### DETAIL OF SUB-DELEGATION:

The Works Supervisor is delegated authority under section 3.50A of the Local Government Act 1995 to partially and temporarily close a thoroughfare or road, without giving public notice, for the purpose of carrying out repairs or maintenance and the closure is unlikely to have a significant adverse effect on road users.

### CONDITIONS IMPOSED:

For periods in excess of five working days, notice is to be given in both local newspapers.

### RECORDING REQUIREMENTS:

Nil

### REPORTING REQUIREMENTS:

Councillors to be informed of any significant temporary road closures.

### DATE REVIEWED:

Annually

\_\_\_\_\_  
Chief Executive Officer  
Date:

\_\_\_\_\_  
Works Supervisor  
Date:

## ROADS AND THOROUGHFARES

## REGISTER OF SUB-DELEGATIONS OF AUTHORITY

*(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)*

## INSTRUMENT OF SUB-DELEGATION

ROADS SD002      Closure of Roads for a Period Not  
Exceeding Four Weeks

DELEGATION REF:	ROADS 003
SUB-DELEGATION REF:	ROADS SD002
HEAD OF POWER:	Local Government Act 1995 s.3.50(1)
FILE REF:	W1/5
POLICY REF:	Nil
DELEGATED TO:	Works Supervisor
EXPIRY DATE:	Indefinite

**DETAIL OF SUB-DELEGATION:**

The Works Supervisor is delegated authority under section 3.50(1) of the Local Government Act 1995 to wholly or partially close a thoroughfare or road to the passage of vehicles for a period not exceeding four weeks.

**CONDITIONS IMPOSED:**

For periods in excess of five working days, notice is to be given in both local newspapers.

**RECORDING REQUIREMENTS:**

Nil

**REPORTING REQUIREMENTS:**

Councillors to be informed of any significant road closures.

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer  
Date:

\_\_\_\_\_  
Works Supervisor  
Date:



**SWIMMING POOLS – PRIVATE****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****SWIM SD001 Notice on Non-Complying Private Swimming Pools**

<b>DELEGATION REF:</b>	SWIM 001
<b>SUB-DELEGATION REF:</b>	SWIM SD001
<b>HEAD OF POWER:</b>	Building Act 2011 (s. 3, 93, 95, 97) Building Regulations 2012
<b>FILE REF:</b>	B1/2
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	Environmental Health Officer
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF DELEGATION:**

The Environmental Health Officer is delegated authority to exercise and carry out the powers and duties, pursuant to sections 3, 93, 95 and 97 of the Building Act 2011 and Building Regulations 2012, with respect to private swimming pools, and to issue notices as required on the owners or occupiers of the land on which there is a swimming pool not complying with the statutory requirements for a barrier to prevent access to the swimming pool by children.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

Notices issued are to be placed on appropriate file.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
**Chief Executive Officer**  
 Date:

\_\_\_\_\_  
**Environmental Health Officer**  
 Date:

**DOGS****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****DOGS SD001      Administer the Dog Act**

<b>DELEGATION REF:</b>	DOGS 001
<b>SUB-DELEGATION REF:</b>	DOGS SD001
<b>HEAD OF POWER:</b>	Dog Act 1976 s 29(1)
<b>FILE REF:</b>	A6/3d
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

WA Contract Ranger Services is appointed under s 29(1) of the Dog Act 1976 as an authorised person to exercise the powers of the Shire under that Act.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

To be in line with recording in Delegation Register.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
**Chief Executive Officer**  
**Date:**

\_\_\_\_\_  
**WA Contract Ranger Services**  
**Date:**

**CATS****REGISTER OF SUB-DELEGATIONS OF AUTHORITY***(Local Government Act 1995, s5.44)**(Local Government (Administration) Regulations 1996, s19)***INSTRUMENT OF SUB-DELEGATION****CATS SD001      Administer the Cat Act**

<b>DELEGATION REF:</b>	CATS 001
<b>SUB-DELEGATION REF:</b>	CATS SD001
<b>HEAD OF POWER:</b>	Cat Act 2011, s.44
<b>FILE REF:</b>	A6/3c
<b>POLICY REF:</b>	Nil
<b>DELEGATED TO:</b>	WA Contract Ranger Services
<b>EXPIRY DATE:</b>	Indefinite

**DETAIL OF SUB-DELEGATION:**

WA Contract Ranger Services is appointed under s.44 of the Cat Act 2011 for the purposes of exercising the powers of the shire under that Act.

**CONDITIONS IMPOSED:**

Nil

**RECORDING REQUIREMENTS:**

To be in line with recording in Delegation Register.

**REPORTING REQUIREMENTS:**

Nil

**DATE REVIEWED:**

Annually

\_\_\_\_\_  
Chief Executive Officer

Date:

\_\_\_\_\_  
WA Contract Ranger Services

Date:

Central East Aged Care Alliance Inc  
ABN 40 792 001 012  
Draft Budget 1 July 2017 to 30 June 2018

	Account Description	Budget 2016/2017	Actual to 28 February 2017	Estimated to 30 June 2017	Budget 2017/2018	Notes
	<b>Governance</b>					
0500	General Subscriptions	44,000	\$ 44,000	44,000	110,000	A
575.0	CEACA Interest	900	\$ 664	900	900	B
0502	Other Income					
	<b>Project and Consultancy</b>					
0519	Project and Consultancy Fund	44,000	\$ 44,000	44,000	44,000	C
	GST Output Tax		\$ 8,800	8,800		
	GST Refunds		\$ 3,822	3,822		
	<b>Total Receipts</b>	<b>88,900</b>	<b>101,286</b>	<b>101,522</b>	<b>154,900</b>	
	<b>Governance</b>					
	<b>Chair</b>					
1716	Chair - Meeting Fees	14,000	\$ 5,091	15,300	28,000	1
1717	Chair - Travel and Accommodation	1,500	\$ -	1,500	2,000	2
1715	Chair - Other	2,000	\$ 557	2,000	1,000	3
	Chair - Training				1,000	4
	<b>Executive Officer</b>					
1719	Executive Officer - Professional Services	35,500	\$ 17,782	35,500	60,000	5
1720	Executive Officer - Travel and Accommodation	5,000	\$ 2,808	4,900	5,500	6
1721	Executive Officer - Office Expenses	650	\$ 316	700	1,000	7
1722	Executive Officer - Other	400	\$ 198	450	400	8
	Executive Officer - Training				1,000	9
	<b>Financial Management</b>					
1723	Financial Services - Accounting Fees	2,500	\$ 1,380	2,300	2,500	10
1724	Financial Services - Bank Fees and Charges	100	\$ -	100	100	
1725	Financial Services - Audit Fees	650	\$ 650	650	1,000	11
	<b>Committee Expenses</b>					
1726	Committee - Meeting Expenses - Catering and Venue Hire	2,500	\$ 1,377	3,100	4,800	12
1727	Committee - Meeting Expenses - Teleconference	500	\$ 38	500	500	13
	Committee - Legal Services				10,000	14
1718	Committee - Training Expenses	3,000	\$ -	1,500	3,000	15
	Committee - Insurance				10,000	16
1844.0	Committee - Governance Other				500	17
	<b>Marketing and Communications</b>					
	IT - Costs Office 365 Implementaion and Management				2,500	18
	Facebook Account Setup and Management				4,500	18
	CEACA Website Setup and Content Management				9,600	18
	Newsletter Design 4pp A4 Template				2,000	18
	<b>Project and Consultancy</b>					
1840	Consultancy General	8,500	\$ 6,618	8,500	5,000	19
1841	Business Case Consultancy	15,000	\$ -	8,000		
1842	CEACA Funding Opportunities	15,000		22,000	30,000	20
1843	CEACA Advocacy	5,000	\$ -	2,500	7,500	21
	GST Input Tax		\$ 3,630	3,630		
	ATO Payments		\$ 6,391	6,391		
	<b>Total Expenditure</b>	<b>111,800</b>	<b>46,836</b>	<b>119,521</b>	<b>193,400</b>	
	<b>Net Receipts (Payments)</b>	<b>-</b>	<b>22,900</b>	<b>54,450</b>	<b>-</b>	<b>38,500</b>
	<b>OPENING CASH 1 July</b>	<b>\$ 98,067</b>	<b>\$ 91,942</b>	<b>\$ 91,942</b>	<b>\$ 73,943</b>	
	<b>ESTIMATED CASH BALANCE 30 June</b>	<b>\$ 75,167</b>	<b>\$ 146,392</b>	<b>\$ 73,943</b>	<b>\$ 35,443</b>	

## **7.8 2017/2018 CEACA Budget**

**Reporting Officer:** Helen Westcott, Executive Officer

**Disclosure of Interest:** Graham Lovelock, Chair of CEACA declared an interest in the budget review as it to the allocation of funds for the Chair's expenses  
Helen Westcott, Executive Officer CEACA declared an interest in the budget review as it relates to the allocation of funds for the Executive Officer's professional service fees

**Date:** 5 April 2017

**Attachments:** Draft 2017/2018 Budget

### **Background:**

Clause 15 of the CEACA Constitution provides that each year the CEACA will prepare a budget.

### **Executive Officer Comment:**

The CEACA Draft Budget for 2017/2018 has been extensively reformatted to provide more details of the expenditure. It is reasonable to say that the 2016/2017 budget was developed as a care and maintenance budget, as the CEACA was unaware at the time of the budget adoption it would be receiving substantial funds through the Growing Our South Initiative.

With this additional funding there has been a considerable change on the needs of CEACA. Many of these changes have been reflected in the draft budget that forms an attachment to this agenda. With these changes there is an increased requirement for the Executive Officer to undertake additional work. This is also reflected in the budget.

The following notes are provided to assist in the understanding of the Draft 2017/2018 Budget.

### **CEACA Budget Notes**

#### **Income**

- A. Recognising the need to allocate funds on a range of new line items such as legal fees, insurance and marketing/communications the budget has been developed on the basis of an annual subscription of \$10,000 per Member Council. This is an increase of \$6,000 per Member Council over the 2016/2017 year.
- B. Interest rates will continue to be low and the opportunity for interest is accordingly reduced.
- C. The contribution to Project and Consultancy has been maintained at \$4,000 which is the same as for 2016/2017.

#### **Expenditure**

1. Chairs annual fee which is paid by 11 monthly instalments.
2. This allows accommodation and travel for the Chair for six in-person meetings in either Merredin or Nungarin (Accommodation \$200 x 6 and 560km x 6). The travel however has been reduced recognising that in the main he will travel with the Executive Officer.
3. This allows for general incidental expenses such as telephone, business cards. The 2016/2017 budget and expenditure includes a one off payment to the previous Chair.
4. This is a new line item to provide for any training that may be required by the Chair.
5. This amount is acknowledging the increased work required to undertake the role of Executive Officer. The amount is calculated on a proposed hourly rate of \$72 for 16 hours per week. The number of hours is an estimate of the work requirements for 2017/2018.
6. This allows accommodation and travel for the Executive Officer for six in-person Committee Meetings in either Merredin or Nungarin (Accommodation \$200 x 6 and 560km x 6), 2 in-

person Executive Committee Meetings at Kellerberrin (400km x 2) and additional mileage such as Dowerin Field Day.

7. This allocation covers expenditure such as office stationery, postage, internet and telephone. This allocation is likely to progressively increase with the increasing number of hours required to undertake the role.
8. This allocation will cover expenditure such as business cards
9. This is a new line item to provide for any training that may be required by the Executive Officer.
10. Cost of financial services which are outsourced to a service provider. Over time this amount is likely to increase as there are increasing financial management needs and complexity.
11. This is to cover the cost of the annual audit and any special audit requirements.
12. This amount is based on catering for 6 in-person Committee Meetings (\$25 per head x 30 people x 6 meeting) and 2 in-person Executive Committee Meetings (\$25 per head x 6 people x 2 meetings).
13. This amount provides for 4 teleconferences for the Executive Committee.
14. This is a new line item to cover legal costs that may arise particularly during the coming year around the rewrite of the CEACA Constitution.
15. Training expenses provides the opportunity for Committee Members to undertake appropriate training.
16. This is a new line item to purchase public liability, professional indemnity and directors and officers insurance. The amount at this time is unknown however an estimate has been included
17. This is a new line item to cover incidental governance costs such as lodging constitution with the Department of Commerce, advertising. This account was previously called "Other Expenses".
18. This relates to a number of new accounts for Marketing and Communications. The series of accounts cover IT costs such as acquiring Office 365 (\$1,800), Facebook account set up and training (\$858) Facebook account Content Management and Creation (\$286 per month), website set up and content management (\$9,600). Some optional extras relating to the website have not been included. Newsletter design 4pp A4 Template (\$2,000).

In support of these costing being included in the budget the Executive Committee at its meeting held on 15 December 2016 resolved as follows:

*RESOLUTION: Moved: Raymond Griffiths      Seconded: Rachel Kirby*

*That the CEACA Executive Committee recommend to the CEACA Committee that CEACA develop a communications/marketing strategy, making provision for its development in the 2017/2018 budget.*

CARRIED

Given that the costs outlined above are significant the Executive Officer is seeking a comparative quote which it is hoped will be available for the CEACA Executive Meeting.

19. This is an amount to cover any general consultancy that may be required by CEACA during the year.
20. This account has been retitled to provide funds for CEACA to respond to a range of funding opportunities that may arise during the year. This account was previously titled "Funding Application Consultancy".
21. This account has been retitled from "Advocacy Consultancy" to CEACA Advocacy to reflect that CEACA as a body may directly undertake advocacy work. The amount has been increased to allow a sufficient funding for the year.

As members of the Executive Committee are aware, the budget discussions have been brought forward as a consequence of the Chair being away for the May Executive Committee Meeting.

Consideration must, however be given to when the draft budget should be released, noting that the budget will be adopted at the Committee Meeting to be held in Merredin on Wednesday 7 June 2017.

It is suggested that the draft budget be circulated to CEACA's 11 Member Councils following the May Executive Committee Meeting. This will allow time for Member Councils to consider the budget at their respective Councils ahead of the June CEACA Committee Meeting.

The CEACA Chair Graham Lovelock and CEACA Executive Officer Helen Westcott, having declared an interest in this item seek to remain in the meeting as neither has voting rights.

**RECOMMENDATION:**

That the CEACA Chair Graham Lovelock and CEACA Executive Officer Helen Westcott having declared an interest in this item be permitted to remain in the meeting.

**RESOLUTION:**                      **Moved:**                      **Seconded:**

---

**RECOMMENDATION:**

That:

1. The Central East Aged Care Alliance Executive Committee recommend to the Central East Aged Care Alliance Committee that the Draft Budget for the year ending 30 June 2018, as circulated, be adopted with a general subscription for each Member Council set at \$10,000 (excluding GST) and a Project and Consultancy subscription of \$4,000 (excluding GST) per member Council; and
2. The Draft Budget for the year ending 30 June 2018 be circulated to CEACA Member Councils following the CEACA Executive Committee Meeting to be held Wednesday 3 May 2017.

**RESOLUTION:**                      **Moved:**                      **Seconded:**

---







North Eastern Wheatbelt Regional Organisation of Councils

Koorda | Mt Marshall | Mukinbudin | Nungarin | Trayning | Wyalkatchem

# Council Meeting

Monday 24 April 2017

Meeting held at the Shire of Wyalkatchem, Council Chambers  
Honour Avenue, WYALKATCHEM

## MINUTES

1:30pm      Afternoon tea and Networking  
2:00pm      NEWROC Council Meeting

### ***NEWROC Vision Statement***

*NEWROC is a strong, cohesive regional leadership group that fosters economic prosperity of member Councils.*

**Attachment 12.3.9**

21 Railway Avenue, Nungarin WA 6490 | PH 9046 5006 | M 0403 225 900 | E [caroline@solum.net.au](mailto:caroline@solum.net.au)

## CONTENTS

<b>CONTENTS.....</b>	<b>2</b>
<b>1. OPENING AND ANNOUNCEMENTS.....</b>	<b>5</b>
<b>2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>5</b>
2.1. ATTENDANCE .....	5
2.2. APOLOGIES .....	5
<b>3. PRESENTATIONS.....</b>	<b>5</b>
<b>4. MINUTES OF MEETINGS.....</b>	<b>6</b>
4.1. MINUTES OF ORDINARY MEETINGS.....	6
4.1.1. MINUTES OF ORDINARY MEETING OF NEWROC COUNCIL – 9 MARCH 2017 .....	6
4.1.2. BUSINESS ARISING FROM NEWROC COUNCIL MEETING .....	6
4.2. MINUTES OF EXECUTIVE COMMITTEE MEETINGS .....	6
4.2.1. NEWROC EXECUTIVE COMMITTEE MEETING – 28 MARCH 2017 .....	6
4.2.2. BUSINESS ARISING FROM THE NEWROC EXECUTIVE MEETING.....	6
4.2.2.1. RECORDS MANAGEMENT .....	6
<b>5. FINANCIAL MATTERS .....</b>	<b>7</b>
5.1. LIST OF INCOME AND EXPENDITURE .....	7
5.2. BALANCE SHEET .....	9
5.3. BUDGET 2017 - 18.....	11
<b>6. MATTERS FOR CONSIDERATION .....</b>	<b>13</b>
6.1. NEWROC STRATEGIC PROJECTS.....	13
6.2. WHEATBELT BUSINESS EXCELLENCE AWARDS .....	17
6.3. COMMONWEALTH GAMES .....	19
6.4. NEWROC ARCHIVES.....	21
6.5. NEWTRAVEL TOURISM OFFICER CONTRACT .....	22
<b>7. EMERGING NEWROC ISSUES AS NOTIFIED, INTRODUCED BY DECISION OF THE MEETING.....</b>	<b>23</b>
<b>8. WALGA ZONE ISSUES .....</b>	<b>23</b>
8.1. AMENDMENT OF LOCAL GOVERNMENT LEGISLATION .....	23
<b>9. OTHER MATTERS.....</b>	<b>23</b>
9.1. WALGA – LOCAL GOVERNMENT WEEK .....	23
9.2. BBRF APPLICATION – NEWROC TELECOMMUNICATIONS SOLUTION .....	23
9.3. CEACA UPDATE .....	24
9.4. WHEATBELT DIGITAL ACTION PLAN SURVEY.....	24
9.5. NEWROC HEALTH STRATEGY – UPDATE.....	25
9.6. NEWROC WEBSITE UPDATE.....	25
<b>10. MEETING SCHEDULE.....</b>	<b>26</b>
10.1. 2017 MEETING DATES.....	26
<b>11. CLOSURE OF MEETING.....</b>	<b>26</b>



## ANNUAL CALENDAR OF ACTIVITIES

MONTH	ACTIVITY	MEETING
January		Executive
February	<ul style="list-style-type: none"> <li>🌾 Council refreshes itself on NEWROC Vision, Mission, Values (review Vision and Mission every other year)</li> <li>🌾 Council reviews NEWROC project priorities</li> </ul>	Council
March	<ul style="list-style-type: none"> <li>🌾 WDC attendance to respond to NEWROC project priorities</li> <li>🌾 Submit priority projects to WDC, Regional Development and WA Planning</li> </ul>	Executive
April	<ul style="list-style-type: none"> <li>🌾 NEWROC Budget Preparation</li> <li>🌾 Review NEWTRAVEL Tourism Officer Contract - expires June 2017</li> </ul>	Council
May	<ul style="list-style-type: none"> <li>🌾 NEWROC Draft Budget Presented</li> <li>🌾 NEWROC Executive Officer Contract/Hourly Rate Review (current contract expires June 2019)</li> </ul>	Executive
June	🌾 NEWROC Budget Adopted	Council
July		Executive
August	🌾 Information for Councillors pre-election	Council
September		Executive
October		Council
November	<ul style="list-style-type: none"> <li>🌾 NEWROC Induction of new Council representatives (every other year)</li> <li>🌾 NEWROC CEO and President Handover</li> <li>🌾 Review NEWROC MoU (every other year)</li> </ul>	Executive
December	🌾 NEWROC Annual Dinner	Council

### **ONGOING ACTIVITIES**

Compliance

Media Releases

### **NEWROC CEO Rotation**

Shire of Mt Marshall

**Shire of Nungarin** (2015-2017)

Shire of Wyalkatchem

Shire of Koorda

Shire of Mukinbudin

Shire of Trayning

## NEWROC PROJECTS Activity Running Sheet

ACTIVITY	Progress as at April 2017
1. NEWROC Incubator Business Project	Business Case developed
2. Land development mapping exercise	
3. Regional Road Construction Group	Ongoing discussions
4. Align waste contracts amongst members Regional Waste Site	Avon Waste presentations
5. Gap analysis of local government services amongst	
6. Youth Officer / Youth programs	
7. LG Skills Audit	
8. Universally designed accommodation Additional need for quality accommodation	NEWROC Accommodation Study completed CEACA Project underway Koorda looking into this issue at a local level
9. Art in the Wheatbelt (art on silo's and adding value to Wheatbelt Way)	Concept supported in Aug 2015, needs further progression with Wheatbelt Way
10. NRM	NRM Strategy reviewed in 2015 and aligned to Wheatbelt Blueprint
11. Childcare Services – mobile and permanent	Investigation 2016, childcare survey and Better Beginnings presentation Shire of Wyalkatchem and Koorda possibly working together (March 2017)
12. Telecommunications	Telecommunications Business Case completed 2016 SWW Project, BBRF Application Feb 2017
13. Health	NEWROC Health Strategy due for completion May 2017
14. LEMC Regional Activities / Risk Management	
15. Compliance IPR, Reg 17 Subsidiary / Governance	Compliance officer discussed 2016 Members took up the LGIS Reg 17 service Dept LG presentation Feb 2017
16. Records Management and Disposal	Avon Paper Shred contacted and information to be presented at April 2017 Council meeting
17. Plant equipment	CEO's providing feedback to Ian McCabe (March 2017)
18. Joint procurement	Responses still to be received (March 2017)
19. IT equipment	Responses still to be received
20. NEWROC Economic Development Officer Proposal	JDF drafted and will be presented at the May 2017 Executive Meeting
21. NEWROC Aged Friendly Community Plan review	Aged Friendly Community Plan will be reviewed at the May 2017 Executive Meeting
22. Kununoppin Bonded Medical Scholarship	Needs review at the May 2017 Executive meeting
23. NEWROC Building Services	
24. Group insurance	To be discussed in 2018
25. NEWTravel	Contract and JDF reviewed 2015, 2016 Multiplier effect of tourism to be instigated
26. NEWROC Website	Underway, due for completion June 2017

## **NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS**

**Minutes of the Ordinary Meeting of Council held at the Shire of Wyalkatchem, Honour Avenue, Wyalkatchem, on Monday 24 April 2017 commencing at 2:00pm.**

### **MINUTES**

#### **1. OPENING AND ANNOUNCEMENTS**

The Chair, Cr O'Connell declared the meeting open at 2pm.

#### **2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

##### **2.1. Attendance**

###### **Elected Members**

Cr Eileen O'Connell	Delegate	NEWROC Chair, Shire of Nungarin
Cr Ricky Storer	Delegate	President, Shire of Koorda
Cr Gary Shadbolt	Delegate	President, Shire of Mukinbudin
Cr Rachel Kirby	Delegate	President, Shire of Mt Marshall
Cr Freda Tarr	Delegate	President, Shire of Trayning
Cr Quentin Davies	Delegate	President, Shire of Wyalkatchem

###### **Chief Executive Officers**

David Burton	Director Community Development and Regulatory Services, Shire of Koorda
Dirk Sellenger	Director, Transport and Infrastructure, Shire of Mukinbudin
Bill Fensome	Director Corporate Services, Shire of Nungarin
Graham Merrick	Director Environment, Shire of Trayning
Ian McCabe	Director Emergency Management and Health, Shire of Wyalkatchem
John Nuttall	Director Economic Development and Tourism, Shire of Mt Marshall

###### **Officers**

Caroline Robinson	NEWROC Executive Officer
Tony Brown	WALGA

##### **2.2. Apologies**

Nil

#### **3. Presentations**

Nil

#### **4. Minutes of Meetings**

##### **4.1. Minutes of Ordinary Meetings**

###### **4.1.1. Minutes of Ordinary Meeting of NEWROC Council – 9 March 2017**

Minutes of the meeting held 9 March 2017 have previously been circulated.

#### **RESOLUTION:**

**That the Minutes of the NEWROC Meeting of Council held on 9 March 2017 be confirmed as a true and correct record of proceedings.**

**Moved Cr Tarr**

**Seconded Cr Kirby**

**Carried 6/0**

###### **4.1.2. Business Arising from NEWROC Council meeting**

##### **4.2. Minutes of Executive Committee Meetings**

###### **4.2.1. NEWROC Executive Committee Meeting – 28 March 2017**

Minutes of the NEWROC Executive Committee Meeting held on 28 March 2017 have been circulated.

#### **RESOLUTION:**

**That the Minutes of the NEWROC Executive Committee Meeting held on 28 March 2017, be received.**




**Moved Cr Shadbolt**

**Seconded Cr Kirby**

**Carried 6/0**

###### **4.2.2. Business Arising from the NEWROC Executive Meeting**

###### **4.2.2.1. Records Management**

-  Possible investigation into records management support from a larger or metropolitan Local Government
-  Invite Compu-Store to be on the phone at the next Executive Meeting
-  Discuss various records management options with Tony

## 5. FINANCIAL MATTERS

### 5.1. List of Income and Expenditure

**PORTFOLIO:** Corporate Capacity  
**FILE REFERENCE:** 42-2 Finance Audit and Compliance  
**REPORTING OFFICER:** Caroline Robinson  
**DISCLOSURE OF INTEREST:** Nil  
**DATE:** 12 April 2017  
**ATTACHMENT NUMBER:** Nil  
**CONSULTATION:** Nil  
**STATUTORY ENVIRONMENT:** Nil  
**VOTING REQUIREMENT:** Simple Majority

### COMMENTS

The below list outlines the income and expenditure from 1 March to 31 March 2017

### Account Transactions

North Eastern Wheatbelt Regional Organisation of Councils  
 For the period 1 March 2017 to 31 March 2017

Date	Description	Reference	Credit	Debit	Gross
<b>NEWROC Funds #5557</b>					
<b>Opening Balance</b>			<b>93,915.67</b>	<b>0.00</b>	<b>0.00</b>
01 Mar 2017	Bendigo Bank	Interest Received	13.40	0.00	13.40
01 Mar 2017	Bendigo Bank	Transaction Fees	0.00	2.80	(2.80)
28 Mar 2017	Payment: Grants Empire	Grants Empire	0.00	2,310.00	(2,310.00)
31 Mar 2017	Payment: Shire of Mukinbudin	INV-0025	2,225.00	0.00	2,225.00
<b>Total NEWROC Funds #5557</b>			<b>2,238.40</b>	<b>2,312.80</b>	<b>(74.40)</b>
<b>Closing Balance</b>			<b>93,841.27</b>	<b>0.00</b>	<b>0.00</b>
<b>NEWROC Investment Account#6026</b>					
<b>Opening Balance</b>			<b>314,127.01</b>	<b>0.00</b>	<b>0.00</b>
10 Mar 2017	Bendigo Bank	Interest Received	3,809.92	0.00	3,809.92
<b>Total NEWROC Investment Account#6026</b>			<b>3,809.92</b>	<b>0.00</b>	<b>3,809.92</b>
<b>Closing Balance</b>			<b>317,936.93</b>	<b>0.00</b>	<b>0.00</b>
<b>Total</b>			<b>6,048.32</b>	<b>2,312.80</b>	<b>3,735.52</b>

Profit and Loss Report to the 31 March 2017.

<b>Profit &amp; Loss</b>		
<b>NEWROC</b>		
<b>Cash Basis</b>		
	<b>Mar-17</b>	<b>YTD</b>
<b>Income</b>		
Interest Received	\$3,823.32	\$7,980.63
Subscriptions Received	\$2,022.72	\$96,727.28
<b>Total Income</b>	<b>\$5,846.04</b>	<b>\$104,707.91</b>
<b>Gross Profit</b>	<b>\$5,846.04</b>	<b>\$104,707.91</b>
<b>Less Operating Expenses</b>		
Accounting/Audit fees	\$0.00	\$918.15
Bank charges	\$2.80	\$65.10
Catering	\$0.00	\$1,882.36
Consultancy Fees	\$0.00	\$2,100.00
Contractor/Services	\$2,100.00	\$2,100.00
Event / Ceremony Expenses	\$0.00	\$289.46
Executive Officer Contract Services	\$0.00	\$21,074.70
Office Expenses	\$0.00	\$1,272.73
Seminars/Conferences	\$0.00	\$500.00
Subscriptions Distributed	\$0.00	\$1,030.00
Tourism Officer Contract Services	\$0.00	\$8,764.73
Travel Executive Officer	\$0.00	\$2,369.11
Travel Tourism Officer	\$0.00	\$1,236.20
WBW Signage	\$0.00	\$14,668.80
Website and Database	\$0.00	\$1,233.41
<b>Total Operating Expenses</b>	<b>\$2,102.80</b>	<b>\$59,504.75</b>
<b>Net Profit</b>	<b>\$3,743.24</b>	<b>\$45,203.16</b>

**RESOLUTION:**

That the income and expenditure and the profit and loss report from 1 March 2017 to 31 March 2017, as listed, be endorsed.

Moved Cr Tarr

Seconded Cr Storer

Carried 6/0



**5.2. Balance Sheet**

**PORTFOLIO:** Corporate Capacity  
**FILE REFERENCE:** 42-2 Finance Audit and Compliance  
**REPORTING OFFICER:** Caroline Robinson  
**DISCLOSURE OF INTEREST:** Nil  
**DATE:** 12 April 2017  
**ATTACHMENT NUMBER:** Nil  
**CONSULTATION:** Nil  
**STATUTORY ENVIRONMENT:** Nil  
**VOTING REQUIREMENT:** Simple Majority

**COMMENT:**

Balance Sheet as at 31 March 2017.

<b>Balance Sheet</b> <b>NEWROC</b> <b>As at 31 March 2017</b>	
<b>Assets</b>	
<b>Bank</b>	
NEWROC Funds #5557	\$93,841.27
NEWROC Investment Account#6026	\$317,936.93
<b>Total Bank</b>	<b>\$411,778.20</b>
<b>Current Assets</b>	
Community Safety & Crime Prevention	-\$801.00
Executive Officer	-\$59,080.25
General Purpose	-\$168,769.76
Governance / General Administration	-\$1,784.80
Grant Funding	-\$19,240.00
Joint Planning Project	-\$7,629.86
Medical Enhancement Fund	-\$38,317.36
Monies allocated to projects	\$61,977.29
Natural Resource Management	-\$8,982.76
NEWROC Promotion (853)	-\$4,779.09
NEWTRAVEL Tourism Officer	-\$3,998.74
Sundry Debtors Control	\$45,939.00
Wheatbelt Way	-\$24,447.51
<b>Total Current Assets</b>	<b>-\$229,914.84</b>
<b>Total Assets</b>	<b>\$181,863.36</b>
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Gst Payable	\$10,570.56
Rounding	-\$0.02
Sundry Creditors Control	\$12,719.25
<b>Total Current Liabilities</b>	<b>\$23,289.79</b>
<b>Total Liabilities</b>	<b>\$23,289.79</b>
<b>Net Assets</b>	<b>\$158,573.57</b>
<b>Equity</b>	
Current Year Earnings	\$74,661.61
Retained Earnings	\$83,911.96
<b>Total Equity</b>	<b>\$158,573.57</b>

**Notes:**

Monies allocated to projects line item. - This is the contra account to the projects - allows the splitting of money to projects without the need for each to have a bank account. To simplify the reading of the balance sheet report the 'Monies allocated to projects' line has been hidden. This does not affect the calculations within the balance sheet.

**Project Comments**

*Medical Enhancement Fund – Current Scholar Tony Hu.*

It was agreed member Shires will make a contribution to the 16/17 budget for the scholarship of Tony Hu. Funds contributed by KTY, MM, MBL and NA for the purpose of funding the Kununoppin Medical Scholarship. Notre Dame has been advised that the Scholarship will not be offered at this stage.

*Community Safety and Crime Prevention*

Balance of fund remaining. No project allocated for this funding.

*Joint Planning* - No project has been identified.

*NEWROC Promotion* – Website and Database Interface design has commenced.

*Tourism Officer* - Employment of Linda Vernon. Contract expires 30 June 2017.

*Wheatbelt Way*

Wheatbelt Way Shire's are able to apply to NEWTRAVEL to upgrade or replace signage for the Wheatbelt Way sites only, these request must go to a NEWTRAVEL.

**NOTES ON TERM DEPOSIT**

The Executive Officer reinvested the Term Deposit on the 20/03/2017 for 2.3% for 6 months (a slightly better rate was offered for 12 months however in light of the BBRF application, we may need to access these funds)

**RESOLUTION:**

**That the Balance Sheet for the period ending 31 March 2017 be endorsed.**

**Moved Cr Shadbolt**

**Seconded Cr Tarr**

**Carried 6/0**

### 5.3. Budget 2017 - 18

<b>PORTFOLIO:</b>	Corporate Capacity
<b>FILE REFERENCE:</b>	42-2 Finance Audit and Compliance
<b>REPORTING OFFICER:</b>	Caroline Robinson
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	12 April 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	Dannelle Foley
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### COMMENT:

The Executive Officer is currently working on the 2017 – 18 budget. Members are asked to consider whether any items need to be amended from this year's budget.

Some considerations:

- NEWROC Audit to be completed separate from the member Shire who holds the position of NEWROC Chair and CEO. Suggestion to do this so that costs can be brought down, direct liaison between the NEWROC EO and Auditor rather than having to get everything signed by the NEWROC CEO, all financial records are kept with the NEWROC EO as well. The NEWROC Chair and CEO will still be involved in the audit process
- Individual members consider allocating an annual amount in their budgets to NEWROC infrastructure projects that are opportunistic – as an example the telecommunications project and Federal Funding was an opportunity that the group wanted to act upon however members had to consider and pass at a Council meeting a separate contribution to the project which impacted upon the project timelines and grant application
- NEWTRAVEL Tourism Officer budget allocation to be increased in line with the new hourly rate as endorsed in late 2016

#### OFFICER RECOMMENDATION:

Submitted for discussion.

#### RESOLUTION:

That the item 5.3 as presented be discussed.

Moved Cr Davies

Seconded Cr Kirby

Carried 6/0

#### RESOLUTION:

NewTravel budget allocation to be increased in line with new hourly rate for Linda Vernon as endorsed in 2016

Moved Cr Kirby

Seconded Cr Storer

Carried 6/0

#### Discussion:

- Transparency of the audit is important but NEWROC is not separate from the Shires, so it was recommended that the NEWROC audit remain with the Shire who holds the position of Chair and CEO.

- 🔥 Discussion regarding governance of the NEWROC and decision making processes e.g. adoption of the budget, meeting amendments.
- 🔥 Discussion regarding the process of changing meeting dates and approval of payments
- 🔥 Medical Enhancement Fund is currently included in subscriptions. Kylie Mayo who is completing the NEWROC Health Strategy did not encourage a GP or Nurse scholarship fund.
- 🔥 Discussion regarding allocating a NEWROC medical reserve or do it individually
- 🔥 SiHi funding has not been confirmed after June 30, this may impact upon the medical practitioners in the NEWROC

**ACTION:**

**Executive Officer to draft an Agenda item on the Medical Enhancement Fund for each Shire – collectively or individual**

- 🔥 Discussion regarding the regional subsidiary legislation. There is a new Minister for Local Government and WALGA have been meeting with the State Government on some amendments to the legislation to be more reflective of what local government needs
- 🔥 Delegated authority of the Councillors and the ability to make decisions
- 🔥 Question regarding whether the NEWROC has considered becoming a formal Regional Organisation of Councils, however feedback was that it covers all the same legislation as current local governments and sits over the individual councils
- 🔥 Suggestion for the NEWROC to consider what community consultation is required for the instigation of a regional subsidiary
- 🔥 Tony will discuss some governance items with the WALGA Governance Officer and a process / steps going forward on the regional subsidiary legislation
- 🔥 All NEWROC Agenda's should be presented and discussed at individual Council meetings prior to NEWROC meetings

**ACTION:**

**Executive Officer to present some Governance suggestions to the Executive.**

**ACTION:**

**Draft scope of audit to be presented to the Executive.**

- 🔥 Discussion regarding an infrastructure reserve amount in individual member Shire budgets – this was declined
- 🔥 Individual member Community Strategic Plans can be aligned at a NEWROC level (and will be relevant for regional subsidiaries)
- 🔥 Discussion regarding a possible Building Manager across all member Shires
- 🔥 Discussion regarding a request to investigate a Solar Farm (renewable energy) in Koorda

## 6. MATTERS FOR CONSIDERATION

### 6.1. NEWROC Strategic Projects

<b>PORTFOLIO:</b>	Corporate Capacity
<b>FILE REFERENCE:</b>	041-5 Strategic and Future Planning
<b>REPORTING OFFICER:</b>	Caroline Robinson
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	12 April 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	Nil
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### COMMENT:

Following is a suggested list of priorities, in no particular order for the NEWROC members to consider, with progress notes next to each – please note that whilst there are progress notes, it does not mean the priority has been achieved or original project suggestions from 2016 actioned.

The group agreed in 2016 the core drivers for the NEWROC in projects it undertook would be measured against population retention and growth, so too government relations and funding opportunities.

The purpose of listing the priorities is to:

- 👉 Provide direction to the NEWROC EO regarding activities to pursue / prepare, areas to advocate and funding to apply for
- 👉 Provide priorities to RDA Wheatbelt (as requested by the Chair), Wheatbelt Development Commission and other such agencies and stakeholders
- 👉 Drive collaboration amongst members to achieve the NEWROC vision and mission
- 👉 Demonstrate relevance to members and the members of the NEWROC community

Priority	Actions to Date	Suggested activity for 2017 – members to consider
Telecommunications	Building Better Regions Fund application submitted Land Survey to be conducted by SWW Wireless to ensure 'project ready'	State Telecommunications Funding application (await BBRF outcome)
Health	NEWROC Health Plan under development	Implement actions Review Kununoppin Bonded Medical Scholarship and provide clear direction to Tony Hu
Aged Care	Participation in CEACA Age Friendly Communities Plan for the NEWROC completed, needs actioning and progressing	CEACA project and NEWROC Health Plan to be looked at jointly (by both NEWROC and CEACA) Select some Aged Friendly Plan recommendations and act upon them – that benefits majority of members

Youth		Youth strategy (seek funding) – with focus on education, social and employment opportunities
NEWROC Governance – collaboration	<p>Website under development with proposed member only area to share administration information</p> <p>Website will also aim to promote the member Shires</p> <p>Presentation by Innovation Central Midlands and the Department regarding formal structures for collaboration</p> <p>Proposal by Ray Davy (on the table)</p> <p>Some resource sharing formally and informally occurring</p> <p>Suggestions for IT and record keeping – but not progressed</p> <p>Emergency services / risk management</p>	<p>Investigate one structure in greater detail (Ray Davy suggestion or regional subsidiary – post election)</p> <p>Role of EO – can the JDF be looked at to progress some of the priorities on behalf of the group? Or improve progress</p> <p>Put forward a business case on a collaborative service</p> <p>Investigate arrangement for records management on a temporary basis / contract basis to get members up to speed</p> <p>Joint district wide emergency service practice activities</p> <p>Integrated planning collaboration</p> <p>Seek quotes for NEWROC Audit, separate from member Shires as accounts are now separate (potentially reduce costs on the NEWROC)</p>
Improving business sophistication	<p>Telecommunications funding application</p> <p>Tourism – events and activities by NEWTravel, increase in remuneration for NEWTravel EO in recognition of role</p> <p>Discussion about procurement across members</p>	<p>Infrastructure activities listed from all member Shires and distributed to businesses</p> <p>Members to each be Small Business Friendly and promote this</p> <p>Review the incubator business project the NEWROC initiated (a few years back)</p>
Natural Resources	<p>Solar energy presentations by various providers for individual members to consider and pursue</p> <p>At one point members looked towards aligning waste contracts, however not pursue</p> <p>Scrap metal collections</p> <p>Shared NRM Officer</p> <p>Participation in EWBG</p>	<p>Suggestion by the Shire of Mukinbudin to consider the idea of a solar farm – investigation work needs to occur</p> <p>Did we consider improving our waste sites last year but couldn't find funding?</p>
Development of our people / human capital	<p>Childcare investigation</p> <p>Joint Councillor training opportunities</p>	

**Discussion the Executive Meeting:**

- 👉 Members discussed the role of advocacy and whether the NEWROC profile should be raised. All present agreed it should be. EO to consider ideas for doing so.
- 👉 David encouraged the promotion of apprenticeships and traineeships amongst the members
- 👉 David also discussed the NEWROC Aged Friendly Communities Plan and the need for complementary services for the Independent Living Units coming under CEACA. NEWROC should revisit the Age Friendly Communities Plan and consider what needs to be initiated. EO to follow up.
- 👉 Discussion regarding housing and accommodation across all members including the previous program, Joint Venture Housing
- 👉 Discussion about childcare – Shire of Wyalkatchem to share their day care details (Coordinator) with Shire of Koorda
- 👉 Discussion about the rural school bus service and routes, its effect on school numbers. EO to have a look into this.
- 👉 Discussion regarding how the Executive Officer should present these priorities to members
- 👉 Executive Officer discussed the need for members to provide feedback and input into projects put forward.

**Activities since the meeting:**

- 👉 Wyalkatchem Childcare details shared with the Shire of Koorda
- 👉 Investigation into records management and disposal with an update to be presented at the Council meeting

**Suggested actions for the NEWROC Executive at the May 2017 meeting:**

- 👉 Review of the NEWROC Aged Friendly Communities Plan (as suggested by David Burton)
- 👉 Review of the Kununoppin Bonded Medical Scholarship (Tony Hu) and delivery implications
- 👉 Follow up agenda item on Small Business Friendly initiative with local governments and promotion of this
- 👉 Media comments received regarding the future of Royalties for Regions and the future focus on job and business creation – may be well aligned to a few NEWROC projects we have that are almost 'grant ready' e.g. Business Incubator Project

**OFFICER RECOMMENDATION:**

That:

- 1) The NEWROC priorities, in no particular order include Housing, Aged Care, Telecommunications, Youth, Health and retention of the health workforce and \_\_\_\_\_ and;
- 2) The NEWROC Executive review the NEWROC Aged Friendly Communities Plan, Kununoppin Bonded Medical Scholarship, Small Business Friendly Initiative and Business Incubator project and report back to the NEWROC Council meeting in June

**RESOLUTION:**





- 1) The NEWROC EO investigate what is involved in a Solar Farm
- 2) The NEWROC priorities, in no particular order include renewable energy, Housing, Aged Care, Telecommunications, Youth, Health, and retention of the health workforce
- 3) The NEWROC Executive review the NEWROC Aged Friendly Communities Plan, Kununoppin Bonded Medical Scholarship, Small Business Friendly Initiative and Business Incubator project and report back to the NEWROC Council meeting in June

**Moved Cr Tarr**

**Seconded Cr Davis**

**Carried 6/0**

**Discussion:**

-  Tourism is an important focus for the NEWROC
-  Discussion regarding NEWTravel activities. Linda Vernon is available to present to NEWROC members
-  NEWTravel delegates need to report back to individual Councils
-  Executive Officer to include a NEWTravel agenda item at NEWROC



## 6.2. Wheatbelt Business Excellence Awards

<b>PORTFOLIO:</b>	Corporate Capacity
<b>FILE REFERENCE:</b>	042-6 NEWROC Promotion
<b>REPORTING OFFICER:</b>	Caroline Robinson
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	20 March 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	Nil
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

### COMMENT

Following the success of the first Wheatbelt Business Excellence Awards in 2016, the Wheatbelt Business Network are proud to announce that nominations for the 2017 awards are now open.

What can the 2017 Wheatbelt Business Excellence Awards do for your local businesses?

- 🌾 As a Finalist businesses gain the prestige and satisfaction through significant public recognition of your achievements.
- 🌾 Winners (of eligible categories) are eligible for the Western Australian Regional Small Business Awards.
- 🌾 Staff and associates will share in the success and will be motivated to continue to strive for excellence for local business.
- 🌾 Like past Award Winners, businesses will enjoy a distinct business advantage through the enhancement of organisation's image and standing.
- 🌾 Winners are entitled to use the 2017 Wheatbelt Business Excellence Awards logos on their stationery, labels, packaging and marketing communications.
- 🌾 All finalists receive a certificate and recognition.

Businesses can nominate or can be nominated by an external person.

Key Dates:

- 🌾 February 2017 – Awards Open
- 🌾 9 June 2017 – Awards Close
- 🌾 Award Dinners on 7 July (Quairading) and 14nd Julv (Bindoon)

For more information [click here...](#)

### Discussion at the Executive Meeting:

- 🌾 CEO's nominated the Nungarin Woolshed Hotel, Wegners Rural, KTY Electrical, Petchell Mechanical Services and Wylie Tyres. Information will be passed onto the Wheatbelt Business Network.



### DECLARATION OF INTEREST:

Cr Tarr declared in interest in item 6.2 as an owner of KTY Electrical.

**RESOLUTION:**

**That the information be received and promoted within member local governments print and online media to encourage NEWROC businesses to nominate.**

**Moved Cr Storer**

**Seconded Cr Davis**

**Carried 6/0**

### 6.3. Commonwealth Games

<b>PORTFOLIO:</b>	Corporate Capacity
<b>FILE REFERENCE:</b>	042-6 NEWROC Promotion
<b>REPORTING OFFICER:</b>	Dannelle Foley
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	20 March 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	Nil
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### COMMENT

Western Australia is looking for local legends to carry the Queen's Baton in Western Australia as part of the Queen's Baton Relay (QBR) in the lead up to the Gold Coast 2018 Commonwealth Games (GC2018). The Baton will arrive in Western Australia on Thursday 22 February 2018 and will spend six days travelling through 19 communities, highlighting the State's great diversity. Thousands of people are expected to turn out to cheer the baton bearers on.

Local legends will carry the Queen's Baton from Albany, the departure point for WWI soldiers, north through areas including Manjimup, Bridgetown and Bunbury. After spending time in the metro area, showcasing our iconic coastline and meeting the odd quokka, the Baton will head north to Karratha for its last day on Tuesday 27 February 2018.

The Queen's Baton Relay is looking for people of all ages and abilities to run the Baton around WA. Organisers are wanting people who represent all that's great about our communities: someone who has made a significant contribution to sport, education, the arts, culture, community or a charity. It is believed that the Baton's journey will inspire community pride and build excitement for the largest event to be staged in Australia in a decade.

Anyone can nominate a person who inspires them to be great. Nominations can be made at [gc2018.com/qbr](http://gc2018.com/qbr) and close on 15 May 2017. GC2018 are looking for Australian citizens or people lawfully entitled to reside in Australia during the Relay period (25 December 2017 – 4 April 2018) and one of the following:

- 👉 Have achieved something extraordinary or inspired others to achieve something extraordinary;
- 👉 Have made a significant contribution to sport, education, the arts, culture, charity or within their community;
- 👉 Have excelled or aspire to excel athletically or personally;
- 👉 Contribute to a fun, friendly, vibrant and inclusive community; and
- 👉 Are at least 10 years old as at 25 December 2017.

Across Australia approximately 3,800 baton bearers are needed to share the dream of the friendly Games. The Queen's message is held in the Baton and will be read aloud at the Opening Ceremony on 4 April 2018.

#### OFFICER RECOMMENDATION:

That the information be received and member local governments consider working with community groups and community resource centre staff to nominate a local legend from their Shire.

**RESOLUTION:**

**That:**

- i) the information be received and member local governments consider working with community groups and community resource centre staff to nominate a local legend from their Shire; and**
- ii) Mr Peter Geraghty of Mukinbudin be nominated by the NEWROC.**

**Moved Cr Kirby**

**Seconded Cr Shadbolt**

**Carried 6/0**

#### 6.4. NEWROC Archives

<b>PORTFOLIO:</b>	Corporate Governance
<b>FILE REFERENCE:</b>	042-3 Records Management
<b>REPORTING OFFICER:</b>	Caroline Robinson
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	12 April 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	David Burton, John Nuttall, Dirk Sellenger
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### COMMENTS:

A number of member Shires have NEWROC minutes in their archives and storage areas.

The NEWROC Executive Officer has a cloud drive of most NEWROC documents (agenda's, minutes, contracts, finances, correspondence etc) since 2004.

Members could consider bringing their NEWROC archives to the NEWROC Executive Officer and items which could be scanned and uploaded to the cloud, should do so and items that should be preserved in hard copy such as MoU's, photos, media articles should be correctly archived.

#### OFFICER RECOMMENDATION:

- 1) All NEWROC archives held by member Shires be provided to the NEWROC EO who will collate them and scan them, upload to the current EO Cloud Drive and relevant archives to the NEWROC website (member only section).
- 2) All hard copies that should be kept are to be filed appropriately and provided to the member Shire who is "hosting the NEWROC Chair and CEO role"

#### RESOLUTION:

- 1) All NEWROC archives held by member Shires be provided to the NEWROC EO who will collate them and scan them, upload to the current EO Cloud Drive and relevant archives to the NEWROC website (member only section).
- 2) All hard copies that should be kept are to be filed appropriately and go to the Bencubbin CRC Archive at a cost of \$20 establishment and \$10 annually.

Moved Cr Tarr

Seconded Cr Storer

Carried 6/0

## 6.5. NEWTRAVEL Tourism Officer Contract

<b>PORTFOLIO:</b>	Economic Development and Tourism
<b>FILE REFERENCE:</b>	132-1 NEWTRAVEL
<b>REPORTING OFFICER:</b>	Caroline Robinson
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	12 April 2017
<b>ATTACHMENT NUMBER:</b>	Nil
<b>CONSULTATION:</b>	Linda Vernon – Tourism Officer
<b>STATUTORY ENVIRONMENT:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority

### COMMENTS:

Extract from the NEWROC Council meeting held on 25 October 2016;

*David complimented the outstanding work that Linda achieves and asked that her hours and remuneration be reviewed.*

The NEWTRAVEL Tourism Officer contract expires on 30 June 2017. The position has been included in the draft 2017/18 Budget.

The NEWTRAVEL Tourism Officer position had a small increase to the hourly rate in 2016, which was resolved at the December 2016 Council meeting:

### RESOLUTION

That the NEWTravel Tourism Officer annual remuneration be increased from \$12,000 +gst per annum to \$13,200 + gst per annum, commencing on January 1<sup>st</sup> 2017 (\$33 per hour). Future remuneration reviews to be in line with planning of the NEWROC Annual Budget

Moved Cr Storer

Seconded Cr Davies

CARRIED 6/0

### RESOLUTION:

The current NEWTRAVEL Tourism Officer contract held by Linda Vernon be renewed until 30 June 2018.

Moved Cr Davis

Seconded Cr Shadbolt

Carried 6/0

**7. EMERGING NEWROC ISSUES as notified, introduced by decision of the Meeting**

**8. WALGA ZONE ISSUES**

**8.1. Amendment of Local Government Legislation**

- 👉 WALGA has recommended consultation to be as follows: 12 weeks for legislation, 8 weeks for regulations, 4 weeks everything else

Minister for Local Government

- 👉 Full ACT review in a very timely manner
- 👉 WALGA will consult of key issues
- 👉 4 priority areas that WALGA are seeking feedback on: regional subsidiary, gift provisions, investments (12month limit but could go to 3yr) and the Audit Act

Wanderer - waiting for State Government to sign off

**9. OTHER MATTERS**

**9.1. WALGA – Local Government Week**

**RESOLUTION:**

**That the NEWROC Dinner be held during Local Government Week on Thursday 3 August 2017 at La Brazilian.**

**Moved Cr Tarr**

**Seconded Cr Kirby**

**Carried 6/0**

**9.2. BBRF Application – NEWROC Telecommunications Solution**

- 👉 Phone meeting held last week between David Burton, John Nuttall, Juliet Grist and Dannelle Foley
- 👉 State Government (Department of Commerce) has provided feedback on the Federal grant application
- 👉 Department of Commerce employed Jim Wyatt to review the application, Juliet spoke to Jim and the Wheatbelt Development Commission are supportive of the project
- 👉 NEWROC needs to lobby Federal politicians – John is trying to arrange meetings with Melissa Price, Mathieus Corman and Christian Porter. Additional meetings perhaps with Glenn Style and Dean Smith
- 👉 State Government only just developing the State Telecommunications Plan

**ACTION:**

**An Infographic to be developed to help with lobbying on behalf of the NEWROC Telecommunications Solution.**

### 9.3. CEACA Update

- 👉 Project required regional cooperation
- 👉 CEACA to be included on the NEWROC Agenda
- 👉 Discussion regarding transportable vs built in situ. Council contributions will be make up shortfall in in situ as these may be more expensive
- 👉 Design types being provided rather than individual selection by member Councils – it is too late to comment on the designs?
- 👉 Proportion of the funding for CEACA comes from R4R and we must meet our deadlines to try to ensure our funding is not paired back (change of State Government)
- 👉 The last CEACA Minutes need to be amended. Item 7.4 needs the word ‘ultimately’ removed

#### **ACTION:**

**NEWROC Chair, Cr O’Connell to request that the NEWROC EO be included in CEACA emails regarding Agenda’s and Minutes.**

Cr Ricky Storer left at 4.13pm

### 9.4. Wheatbelt Digital Action Plan Survey

RDA Wheatbelt are seeking feedback to update the Wheatbelt Digital Action Plan. Information from this plan and the previous survey was used and referenced in the development of the NEWROC Telecommunications Business Case.

This survey is being undertaken by RDA Wheatbelt as part of a comprehensive revision of the Digital Action Plan for the Wheatbelt conducted in 2013. The rollout of the NBN and increasing availability of other alternatives as well as changes in mobile phone technology and coverage is changing the digital landscape in the Wheatbelt.

The survey aims to compare and identify changes that may have occurred since 2013 in addition to examining responses to changes in the technology and the delivery of digital services.

From an ethical standpoint, RDA Wheatbelt guarantees survey participants that their identities and personal details will be treated with absolute confidentiality. No reference in any future reporting will be made regarding the details of any participant or details that could be used to identify a participant.

Survey participants will have an opportunity to enter a draw for the chance to win a Visa card to the value of \$100.00. The draw will be conducted at the conclusion of the survey and the winner notified via their nominated form of contact. Please take 10 minutes have your say by 31 May 2017.

A high participation rate for the NEWROC region would be beneficial for future data to support project planning.

Survey Link - <https://www.surveymonkey.com/r/DWRBP3G-DigitalActionPlan>



**RESOLUTION:**

**That NEWROC member shires promote the survey through local networks including local papers, newsletters and social media.**

**Moved Cr Kirby**

**Seconded Cr Davis**

**Carried 6/0**

**9.5. NEWROC Health Strategy – Update**

- 👉 Kylie Mayo spoke to the CEO's via phone at the March NEWROC Executive Meeting
- 👉 Kylie Mayo attended the Kununoppin Health Group meeting on Thursday 6 April
- 👉 Sam Dowling who is working with Kylie on the NEWROC Health Strategy visited the area the week of the 17<sup>th</sup> April
- 👉 NEWROC Health Strategy Project Steering Group meeting to be held in coming weeks

**ACTION:**

**Peter Geraghty to be nominated for an Australia Day Award (Local Hero).**

**9.6. NEWROC Website Update**

Members are asked to review the draft NEWROC website.

Please check your Shire information on the;

- 1) About Us (Local Government)
- 2) Contact Us
- 3) Places to See

The member section can be accessed by using the username: test and password: test

Development website link: <http://newroc.techcloudent.com.au/>

Please forward feedback to Caroline as soon as possible. There are still some outstanding information requests, please send this information through as soon as possible to enable the site being launched.

**RESOLUTION:**

**The information contained within items 9.5 and 9.6 be received.**

**Moved Cr Tarr**

**Seconded Cr Shadbolt**

**Carried**

**Discussion:**

- 👉 Feedback on small font size and logo size
- 👉 The website is built on a responsive platform, it will be able to be used on any device including smartphones and tablets.

## **10. MEETING SCHEDULE**

### **10.1. 2017 Meeting Dates**

23 May	Executive	Shire of Wyalkatchem
27 June	Council	Shire of Koorda
25 July	Executive	Shire of Koorda
22 August	Council	Shire of Mt Marshall
26 September	Executive	Shire of Mt Marshall
24 October	Council	Shire of Nungarin
28 November	Executive	Shire of Nungarin
12 December	Council	Shire of Mukinbudin (Christmas Function)

## **11. CLOSURE OF MEETING**

The Chair thanked everyone for their open discussions and closed the meeting at 4.19pm.

<b>CHIEF EXECUTIVE OFFICER - JOHN NUTTALL</b>				
<b>REF</b>	<b>DECISION</b>	<b>STATUS</b>	<b>COMMENT</b>	<b>ESTIMATED COMPLETION</b>
<b>2017/04-18 April 2017</b>	<b>That Council;</b> <ol style="list-style-type: none"> <li><b>1. Direct the CEO to include the sum of \$35,000 for operating the Little Bees Family Day Care Service in the budget deliberations for the 2017/18 financial year.</b></li> <li><b>2. Resolve to maintain the provision of the Family Day Care as a community service offered by the Shire of Mt Marshall.</b></li> <li><b>3. Review operative costs of running the service during the budget process on an annual basis.</b></li> </ol>		<b>Will be included in budget deliberations.</b>	<b>July 2017</b>
<b>2017/04-11 April 2017</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li><b>1. Resolve, subject to S6.12 Local Government Act 1995, that the unrecovered debt to Kununoppin Medical Practice Committee totalling \$366 be written-off</b></li> <li><b>2. Resolve that the Kununoppin Medical Practice Committee purchase a new Toyota Prado through the Shire of Trayning, with 30% of the asset to be allocated to the Shire of Mt Marshall</b></li> <li><b>3. Resolve that the vehicle in resolution 2 be purchased using the outstanding balance held by the Kununoppin Medical Practice Committee.</b></li> </ol>		<b>Will be communicated to KMPC when they next meet to deal with the vehicle purchase and the debt write-off</b>	<b>June 2017</b>

<b>CHIEF EXECUTIVE OFFICER - JOHN NUTTALL</b>				
<b>REF</b>	<b>DECISION</b>	<b>STATUS</b>	<b>COMMENT</b>	<b>ESTIMATED COMPLETION</b>
<b>2017/04-10 April 2017</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Subject to funding being provided by Water Corporation for essential works as indicated in attachment 12.1.15a accept the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:</b> <ul style="list-style-type: none"> <li><b>• Warkutting Tank</b></li> <li><b>• Gabbining Tank</b></li> <li><b>• Marindo Rocks</b></li> <li><b>• Beebeegnying Tank</b></li> <li><b>• Sand Soak Dam</b></li> </ul> </li> <li><b>2. Decline the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:</b> <ul style="list-style-type: none"> <li><b>• Wiacubbing Dam</b></li> <li><b>• Gabbin Dam</b></li> <li><b>• Snake Soak Dam</b></li> </ul> </li> <li><b>3. Direct the Chief Executive Officer to communicate the above resolution to the Water Corporation, and make the necessary arrangements for the transfer of the assets into the control of the Shire of Mt Marshall</b></li> </ol>		<b>Correspondence sent to Water Corporation advising them of the resolution, and asking to enter discussions regarding funding.</b>	<b>July 2017</b>

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL												
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION								
2017/04-8 April 2017	<p>That Council:</p> <p>1. Accept the tendered amount of \$18,000, offered by Mr Brett Anthony Millar, for 168 Collins Street, Bencubbin.</p> <p>2. Authorise the Chief Executive Officer to communicate the above resolution to Mr Millar, and undertake the necessary processes to finalise the sale of the property to him.</p>		<p>Tender result communicated to all parties. Sale process has commenced.</p>	June 2017								
2017/04-7 April 2017	<p>That Council pursuant to Section 5.42 of the Local Government Act, 1995 delegate authority to the Chief Executive Officer to award the Building Maintenance Services contract in accordance with the results of the tender evaluation process.</p> <table><tr><td>Relevant Experience</td><td>25%</td></tr><tr><td>Key Personnel</td><td>10%</td></tr><tr><td>Resources</td><td>10%</td></tr><tr><td>Demonstrated Understanding</td><td>15%</td></tr></table> <p>Price evaluation is to provide the criteria for the remaining 40% of the assessment.</p>	Relevant Experience	25%	Key Personnel	10%	Resources	10%	Demonstrated Understanding	15%		<p>Tender has been let. Process will close early June. Will be finalised by the end of June.</p>	June 2017
Relevant Experience	25%											
Key Personnel	10%											
Resources	10%											
Demonstrated Understanding	15%											
2017/04-6 April 2017	<p>That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 set the Qualitative Evaluation Criteria for RFT MM 03.16/17, as follows:</p>		<p>As above</p>									

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/04-5 April 2017	That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 call for Tender (RFT MM 03.16/17) for the provision of Building Maintenance Services for a period of three (3) years, with the option to extend for a further three (3) years at the Shire's discretion.		As above	
2017/038 March 2017	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Authorise the Chief Executive Officer and Architect to meet with the preferred tenderer and enter discussions and negotiations with a view to bringing the tendered amount within budget. These initial negotiations shall not include major structural change to the redevelopment.</li> <li>2. Should the negotiations in recommendation 1 not be successful, the Chief Executive Officer and Architect be authorised to immediately liaise with the Steering Committee to agree potential structural changes, and then negotiate with the preferred tenderer regarding those changes with a view to bringing the tendered amount within budget.</li> </ol>	Ongoing	<p>Meeting between CEO and preferred tenderer held 27 March.</p> <p><b>Steering Group committee met 21 April &amp; 5 May. Negotiations with preferred tenderer ongoing</b></p>	Ongoing

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/022 February 2017	<p>That:</p> <ol style="list-style-type: none"> <li>1. Council Acknowledge an historic equity imbalance in the provision of facilities between the towns of Beacon and Bencubbin;</li> <li>2. A desktop review be undertaken on proposed infrastructure upgrades for Beacon and that a further report be made to Council with a view to implementing a 5 year development program for the town;</li> <li>3. That the Shire's Community Development Officer investigate and report on other local government models for the development and support of volunteers in both communities; and</li> <li>4. That any agreed infrastructure development program and volunteer support program be incorporated into the Shire's Community Strategic Plan</li> </ol>	Ongoing	<p>This will be a 'work in progress' for some time.</p> <p>Initial conversations have taken place with CDO.</p> <p>This will link to the SCP which will be adopted by the end of the financial year</p>	
2017/019 February 2017	<p>That the Shire of Mt Marshall seek the freehold title of Reserves 22783 (43 Brown St, Bencubbin) and Reserve 23238 (16 Rowlands St, Beacon) to enable the freehold disposal of the land to the Central East Aged Care Alliance Inc for the purpose of "Aged Persons Accommodation".</p>	Ongoing	<p>This matter is progressing, firstly through Housing Authority and then to Dept. of Lands</p> <p>Housing Authority has responded and the matter now sits with the Dept. Of Lands.</p>	<b>June 2017</b>

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/016 February 2017	<p>That Council:-</p> <ol style="list-style-type: none"> <li>1. pursuant to Section 75 of the Planning and Development Act 2005, amend Shire of Mt Marshall Planning Scheme No.3 by: <i>(Please see Minutes for details)</i></li> <li>2. resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), that Amendment 2 is a basic amendment in accordance with r.34(c) of the Regulations as it proposes to amend the Scheme text to delete provisions that have been superseded by the deemed provisions in Schedule 2 of the Regulations;</li> <li>3. authorise Shire officers to prepare the scheme amendment documentation;</li> <li>4. authorise the affixing of the common seal to and endorse the signing of the amendment documentation;</li> <li>5. pursuant to Section 81 of the Planning and Development Act 2005, refers Amendment 2 to the Environmental Protection Authority; and</li> <li>6. pursuant to r.58 of the Regulations, provides Amendment 2 to the Western Australian Planning Commission.</li> </ol>	Ongoing	<p>Required documents have been prepared and sent to the EPA. When they are returned they will be sent to Dept. of Planning as required. Advertising will be arranged.</p> <p>Both the EPA and WPC have responded and the matter is ongoing.</p>	



CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/015 February 2017	<p>That Council:-</p> <ol style="list-style-type: none"> <li>1. pursuant to Section 75 of the Planning and Development Act 2005, amend Shire of Mt Marshall Planning Scheme No.3 by: <ol style="list-style-type: none"> <li>1) modifying Table 1 – Zoning Table to permit ‘Group Housing’ in a rural zone as a ‘D’ use, and</li> <li>2) inserting provisions to outline conditions under which group housing may be approved in a rural zone.</li> </ol> </li> <li>2. submits the documents to the EPA for environmental clearance prior to forwarding the Amendment to the WA Planning Commission for approval to advertise.</li> </ol>	Ongoing	Currently advertised for public comment.	

CHIEF EXECUTIVE OFFICER - JOHN NUTTALL				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/193 December 2016	That:			
	<p>1. subject to the approval of the Bencubbin Community Recreation Council, the Shire of Mt Marshall proceed with the letting of the tender for redevelopment of the Bencubbin Multi-purpose Complex;</p> <p>4. in the event that the recommended tenderer's bid is such that the total cost for the project exceeds the \$2.6m budget, then acceptance of the tender bid be made conditional upon the Bencubbin Multi-purpose Complex Steering Committee and the Architect finding agreed cost savings to achieve the budget.</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>Tender let via WALGA. Tender evaluation to take place 14 March.</p> <p>Ongoing – see REF 2017/038 March 2017</p>	April 2017
2016/120 Aug 2016	3. The Shire of Mt Marshall enter into a legal agreement with the Bencubbin Community Recreation Council for the repayment of the self-supporting loan of \$250,000.	Underway	<p>Draft agreement received from McLeods. Needs amending to suit local circumstances pending award of construction contract.</p> <p><b>Draft annotated and served on BCRC for comment</b></p>	<b>June 2017</b>
2015/012 February 2015	That Council request the Local Government Advisory Board undertake a Minor Boundary alteration between the Shire of Mt Marshall and Shire of Trayning...	Ongoing	<p>Matter being considered by DLGC board March 2017.</p> <p>Awaiting response from the DLGC after board consideration.</p> <p><b>Response received 1 May that application has been accepted – will take effect after the next LG elections.</b></p>	<b>November 2017</b>

ENVIRONMENTAL HEALTH OFFICER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/104 July 2016	That Council endorse, in accordance with section 3.12 of <i>Local Government Act 1995</i> , the giving of 42 days state wide public notice of intention to make the <i>Shire of Mt Marshall Health Amendment Local Law 2016</i> .	Stalled	Needs serious reworking  <b>Await new EHO commencing to deal with this issue</b>	<b>July 2017</b>

ENVIRONMENTAL HEALTH OFFICER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2011/197 December 2011	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Proceed with legal action for failing to comply with the Notice served under the Health Act 1911 Part V Dwellings Division 1 Houses unfit for occupation Sec. 139 served to Mrs GM Trainor by registered post on the 14/10/2009.</li> <li>2. That the dwelling located on Lot 10 Hammond Street Gabbin being of brick veneer, suspended timber floors and timber framed roof with clay tiles be declared condemned and that the dwelling is to be demolished and that a notice to that effect be issued with immediate effect and that the Land is to be cleaned up after removal of the dwelling pursuant to Health Act 1911 Part V Dwellings Division 1 Houses unfit for occupation Sec. 138 and that the demolition be completed within 82 days.</li> <li>3. After 82 days from the serving of the demolition notice that the principal Environmental Health Officer/Building Surveyor inspect Lot 10 Hammond Street Gabbin to determine compliance with the demolition notice.</li> </ol>	To be reviewed	<p>Scoping document for McLeods to be written and submitted for legal opinion/advice to proceed or not.</p> <p>Letter received from Trainors builder asking for info about what required for a building permit. Inspection of dwelling imminent.</p> <p>Building license issued for renovations, Works progressing.</p> <p>At completion of 2 years from date issue of license will investigate if suitable progress has been made BL issued 30/3/2012 and will expire on the 30/3/2014</p> <p>Will investigate works undertaken at expiry of BL and review.</p> <p>Oct 2014 - Inspection done, unable to track down builder for a report of works completed. Letter sent to owners of house requesting update of progress and intent for house. Continued over page</p>	<p>Be reviewed early April (expiry of BL) Onsite inspection planned 17 June 2014 to determine extent of works, letter to be written to Builder &amp; owners to say this will occur.</p>

ENVIRONMENTAL HEALTH OFFICER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2011/197 December 2011 (continued)		Ongoing	<p>House inspected on 10/8/2016 – House is in need of repairs. Owner has advised that the Shire withdrew its order to demolish after an appeal was lodged with the State Administrative Tribunal. The owner will be undertaking repairs in the next few weeks.</p> <p><b>Await new EHO commencing to deal with this issue</b></p>	

ENVIRONMENTAL HEALTH OFFICER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2009/081 April 2009	That the dwelling located on Lot 94, Lindsay St, Beacon being of weather board walls over wooden stud frames, suspended timber floors and timber framed iron clad roof be declared unfit for human habitation from immediate effect of date of notification and also the Council place a work order on the said dwelling to bring the dwelling up to a standard deemed by the Environmental Health Officer/Building Surveyor to be compliant with the Health Act 1911, Shire of Mt Marshall Health Local Laws 2007 and Local Government (Miscellaneous Provisions) 1960 and that a period of time being 90 days of notification of dwelling unfit for habitation to be allowed to do such works and in the event of works not commenced to bring the dwelling to the said standard that a demolition order be placed on the said dwelling.	Ongoing	<p>Works inspected by EHO/BS and are acceptable. House Unfit for habitation to stay in effect until rear plumbing is confirmed done. Discussions with Ruth DeJong said they were keen to fix plumbing so they could get workers into the house BUT were out on jobs Statewide. Works ongoing when workhands available.</p> <p>House inspected on 10/08/2016. The house remains unfit for habitation by the owner's workers. The owner has been informed that the house needs to be made good before the order can be lifted and used for habitation.</p> <p><b>Await new EHO commencing to deal with this issue</b></p>	Ongoing.

<b>FINANCE &amp; ADMINISTRATION MANAGER – TANIKA MCLENNAN</b>				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
<b>2017/04-8 April 2017</b>	<b>That Council:</b>			
	<ol style="list-style-type: none"> <li><b>Accept the tendered amount of \$18,000, offered by Mr Brett Anthony Millar, for 168 Collins Street, Bencubbin.</b></li> <li><b>Authorise the Chief Executive Officer to communicate the above resolution to Mr Millar, and undertake the necessary processes to finalise the sale of the property to him.</b></li> </ol>	<b>Complete</b>  <b>Ongoing</b>	<b>Complete</b>  <b>Awaiting settlement</b>	<b>Complete</b>  <b>June 2017</b>
<b>2017/04-4 April 2017</b>	<b>That Council waive the accommodation fee charged to 'Naughty Bugs Pest Control' for the hire of Cabin B on the night of 7 March 2017.</b>	<b>Complete</b>	<b>Debt written off</b>	<b>Complete</b>
2016/172 November 2016	<b>That:</b> <ol style="list-style-type: none"> <li>In accordance with section 6.71 of the Local Government Act 1995, ownership of Lots 45 and 46 Rowlands Street, Beacon (A6870 and A6871) be transferred to the Shire of Mt Marshall;</li> <li>In accordance with section 6.8 of the Local Government Act 1995, expenditure of \$1,300.02 be approved to settle outstanding water rates on Lots 45 and 46 Rowlands Street, Beacon; and</li> <li>In accordance with section 6.12 of the Local Government Act 1995, the following rates be written off: <div style="margin-left: 40px;"> A6870                      \$7,867.50  A6871                      \$7,867.50 </div> </li> </ol>		Transfer lodged, awaiting notification of completion.	Complete
			Document rejected for want of the Common Seal. Awaiting its return to affix Common Seal.  Document resubmitted, awaiting confirmation of transfer	Complete   May 2017

REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/029 February 2017	That:			June 2017
	1. subject to Section 3.12(3) of the <i>Local Government Act 1995</i> the Shire of Mt Marshall advertise its intention to adopt the Shire of Collie Extractive Industries Local Law 2015 with the following amendments:	Ongoing	<b>Submissions closed on the 8<sup>th</sup> May 2017 and an agenda item has been included for Councils attention.</b>	
	(a) Delete “Shire of Collie” wherever it occurs and substitute “Shire of Mt Marshall”			
	(b) Delete Clause 1.4 “Repeal” as the Shire of Mt Marshall does not have a current Extractive Industries Local Law to Repeal.			
(c) Delete “2015” and substitute with “2017”				
	2. <del>the Shire of Mt Marshall notes that the purpose of the proposed Extractive Industries Local Law 2017 is to prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government; regulate the carrying on of the extractive industry in order to minimise damage to the environment, roads and other peoples’ health and property; and provide for the restoration and reinstatement of any excavation site.</del>	Complete		
	3. <del>that the Shire of Mt Marshall notes the effect of the proposed Extractive Industries Local Law 2017 is that any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of the local law.</del>	Complete		



REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/202 December 2016	That:	Ongoing	<b>ID cards are being prepared by the Bencubbin Community Resource Centre</b>	May 2017
	<ol style="list-style-type: none"> <li>the following Bush Fire Control Officers from the Shire of Trayning be appointed dual Bush Fire Control Officers with the Shire of Mt Marshall:  Mr Dylan Tarr Mr Marlon Hudson Mr Peter Barnes Mr Murray Leahy Mr Colin Smeeton Mr Neil Adkins; and</li> <li>the appointment of Mr Geoff Waters as a dual Bush Fire Control Officer be cancelled.</li> </ol>	<b>Complete</b>	<b>Letter has been sent to Mr Waters thanking him for his services as a dual Bush Fire Control Officer</b>	April 2017
2016/178 November 2016	That:	Ongoing	Request has been submitted to have roads added to the RAV network	June 2017
	<ol style="list-style-type: none"> <li>an application be submitted to Main Roads WA to have Medlin Street, Calderwood Drive, Lindsay Street, Shemeld Street and Hamilton Street Beacon added to the RAV Network 4 and RAV Network 7; and</li> <li>an application be submitted to Main Roads WA seeking permission to install Give Way signs at the East end of Calderwood Drive, Beacon and the West end of the Beacon Grain Bin Road.</li> </ol>	Ongoing	Application to be submitted.	April 2017

**REGULATORY OFFICER – JACK WALKER**

[illegible]

REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/155 Oct 2016 Continued	e) Reciprocal arrangement be extended to Bush Fire Control Officers from adjoining local authorities.	Complete	Letter received from Trayning Shire, nothing from Koorda or Mukinbudin.	April 2017
	<del>g) Concerns regarding the water carrying capacity of the Wialki replacement fire appliance be raised with the Department of Fire and Emergency Services.</del>	Complete	Received confirmation from DFES that the current water capacity of the Wialki 3.4 is 2700 litres, a new single cab 2.4 will also be 2700 litres.	April 2017
	h) Consent is given to the Department of Fire and Emergency Services to issue identity cards to Mt Marshall Fire Brigade members.	Ongoing	DFES require all volunteers to submit a photo, waiting for harvest and holidays to be completed before following up	May 2017

REGULATORY OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/110 July 2016	<p>That Council endorse the recommendation of the Wheatbelt North East Sub Regional Road Group in relation to the Wheatbelt Freight Plan as follows:</p> <p>That:</p> <p>a) The following “Collector” Routes within the WNE SRRG road network:</p> <ol style="list-style-type: none"> <li>1 Wyalkatchem to Southern Cross Route</li> <li>2 Cunderdin to Wyalkatchem Route</li> <li>3 Wongan Hills to Koorda Route</li> <li>4 Hines Hill to Burakin Route</li> <li>5 Kulja to Dalwallinu Route</li> <li>6 Kellerberrin to Beacon Route</li> <li>7 Warralakin to Burracoppin Route</li> <li>8 Bruce Rock to Moorine Rock Route</li> </ol> <p>be endorsed as our Wheatbelt Freight Plan routes.</p> <p>b) All of the 2030 roads within these eight (8) WFP “collector” routes be allocated a single RAV access level of Network 7.</p> <p>c) All of the 2030 roads within these eight (8) WFP “collector” routes be allocated an AMMS level of 2, except for the Mukinbudin / Wialki Rd within the Shire of Mukinbudin from SLK 0.0 – 25.00 (Mukinbudin – Bonnie Rock Rd intersection), which is to be kept at its current level 3.</p>	Ongoing	Awaiting confirmation that the Wheatbelt Freight Plan has been adopted.	August 2017

ENGINEERING ADMINISTRATION OFFICER – JACK WALKER				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2008/083 April 2008	<p>That the Shire of Mt Marshall Local Law Relating to Dogs be amended as follows:</p> <p>15    2)     Remove (e) Beacon Recreation Reserve No 36172</p> <p>15    (2)     Remove (f) Bencubbin Recreation Reserve No 21535</p> <p>15    (2)     Amend (g) to be denoted (e)</p> <p>Insert 15 (3) Fouling of Streets and Public Places</p> <p>Any person liable for the control of a dog as defined in Section 3(1) of the Act, who permits the dog to excrete on any street or public place or on any land within the District without the consent of the occupier commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the local government may approve.</p> <p>16    (2)     Remove (a) All freehold land owned by the Shire of Mt Marshall.</p> <p>16    (2)     Remove (b) All reserves owned by the Shire of Mt Marshall or under the care control and management of the Shire.</p> <p>Insert 16 (2) (a) Beacon Recreation Reserve No 36172 (outside the fenced oval area) providing there are no organised activities upon this reserve.</p> <p>Insert 16 (2) (b) Bencubbin Recreation Reserve No 29824.</p>	Ongoing	Proposed changes to be advertised.	September 2009

EXECUTIVE ASSISTANT – NADINE RICHMOND																
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION												
2017/04-15 April 2017	<p>That the attached notice specifying the following meeting dates for 2017/18:</p> <table><tr><td>18 July 2017</td><td>Recess – January 2018</td></tr><tr><td>15 August 2017</td><td>20 February 2018</td></tr><tr><td>19 September 2017</td><td>20 March 2018</td></tr><tr><td>17 October 2017</td><td>17 April 2018</td></tr><tr><td>21 November 2017</td><td>15 May 2018</td></tr><tr><td>19 December 2017</td><td>19 June 2018</td></tr></table> <p>be approved for advertisement in the Gimlet Newspaper, the Beacon Bulletin, Council notice boards, and the Shire’s website and social media sites</p>	18 July 2017	Recess – January 2018	15 August 2017	20 February 2018	19 September 2017	20 March 2018	17 October 2017	17 April 2018	21 November 2017	15 May 2018	19 December 2017	19 June 2018	Complete	Advertising has taken place.	
18 July 2017	Recess – January 2018															
15 August 2017	20 February 2018															
19 September 2017	20 March 2018															
17 October 2017	17 April 2018															
21 November 2017	15 May 2018															
19 December 2017	19 June 2018															
2017/004 February 2017	<p>That Council:</p> <ol style="list-style-type: none"><li>1. appoint the Chief Executive Officer as an approving officer under the Criminal Procedure Act 2004 for the purpose of modifying or rescinding infringement notices caused by breaches of the Health (Asbestos) Regulations 1992; and</li><li>2. appoint the Environmental Health Officer as an authorised officer under the Criminal Procedure Act 2004 for the purpose of issuing infringement notices caused by breaches of the Health (Asbestos) Regulations 1992;</li></ol>															

EXECUTIVE ASSISTANT – NADINE RICHMOND				
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2017/003 February 2017	<p>That:</p> <ol style="list-style-type: none"> <li>1. subject to Section 21(1)(b)(i) of the Public Health Act 2016 the Chief Executive Officer be given delegated authority to appoint authorised officers under Section 17 of the Public Health Act 2016; and</li> <li>2. subject to Section 21(1)(b)(i) of the Public Health Act 2016 the Chief Executive Officer be given delegated authority to issue authority cards to those authorised officers under Section 24 of the Public Health Act 2016.</li> </ol>			
2016/122 Aug 2016	That Council authorise the President and Acting CEO to apply the Shire of Mt Marshall common seal in accordance with the Local Government Act 1995, Section 9:49A (3) to the Shire of Mt Marshall Health Amendment Local Law 2016.			

COMMUNITY DEVELOPMENT OFFICER – SALLY MORGAN												
REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION								
2017/04-19 April 2017	<p>That the following 2016/17 Club Support Fund Applications be approved for funding by Council;</p> <table><tr><td>Bencubbin Bowls Club</td><td>\$1,500.00</td></tr><tr><td>Beacon Tennis Club</td><td>\$4,600.00</td></tr><tr><td>Bencubbin Golf Club</td><td>\$4,000.00</td></tr><tr><td>Beacon Netball Club</td><td>\$2,818.00</td></tr></table>	Bencubbin Bowls Club	\$1,500.00	Beacon Tennis Club	\$4,600.00	Bencubbin Golf Club	\$4,000.00	Beacon Netball Club	\$2,818.00	Current	<p>Clubs advised of their successful applications. Bencubbin Bowls Club and Bencubbin Netball Club have purchased their items and are awaiting delivery.</p> <p>Bencubbin Golf Club have picked up their motorbike and acquitted their funding.</p> <p>The Beacon Tennis Club are awaiting installation of their water cooler which is scheduled for next week.</p>	June 2017
Bencubbin Bowls Club	\$1,500.00											
Beacon Tennis Club	\$4,600.00											
Bencubbin Golf Club	\$4,000.00											
Beacon Netball Club	\$2,818.00											
2017/022 February 2017	<p>That:</p> <ol style="list-style-type: none"><li>1. Council Acknowledge an historic equity imbalance in the provision of facilities between the towns of Beacon and Bencubbin;</li><li>2. A desktop review be undertaken on proposed infrastructure upgrades for Beacon and that a further report be made to Council with a view to implementing a 5 year development program for the town;</li><li>3. That the Shire's Community Development Officer investigate and report on other local government models for the development and support of volunteers in both communities; and</li><li>4. That any agreed infrastructure development program and volunteer support program be incorporated into the Shire's Community Strategic Plan</li></ol>	Ongoing	<p>CDO liaising with Volunteers WA Wheatbelt Hub to source information that will assist with the development of the report.</p>									



## COMMUNITY DEVELOPMENT OFFICER – SALLY MORGAN

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/190 December 2016	<p>That:</p> <ol style="list-style-type: none"> <li>the Shire of Mt Marshall engage a consultant to undertake a Needs Assessment &amp; Feasibility Study for a new Mt Marshall Aquatic Centre based on the methodology and deliverables outlined in the Needs Assessment &amp; Feasibility Study Criteria; and</li> <li>for the purposes of the study, the site for any new aquatic facility be confined to the Beacon Recreation Complex site, the Bencubbin Recreation Complex site and the current aquatic centre site.</li> </ol>	Current	<p>CDO acquired quotes from consultants to undertake this work. Met with the CEO to discuss proposals and have contracted Darren Monument from ABV Leisure Consultants to undertake the project.</p> <p><b>ABV currently reviewing Shires strategic documents and pool history. Will undertake community consultation in June after seeding.</b></p>	

# COMMUNITY DEVELOPMENT OFFICER – SALLY MORGAN

REF	DECISION	STATUS	COMMENT	ESTIMATED COMPLETION
2016/189 December 2016	<p>That;</p> <ol style="list-style-type: none"> <li>The Welbungin tennis courts resurfacing project commences in March 2017 with the amended budget as follows; <ul style="list-style-type: none"> <li>Shire of Mt Marshall \$36,020</li> <li>Welbungin Sports &amp; Prog Assoc Cash \$26,500</li> <li>Welbungin Sports &amp; Prog Assoc In-kind \$10,260</li> <li>CSRFF \$15,000</li> <li>Total \$87,780</li> </ul> </li> <li>Any cost savings to the project are split between the Shire of Mt Marshall and the Welbungin Sports &amp; Progress Association.</li> </ol>	Complete	<p><b>Welbungin Sports &amp; Progress Association held a busy bee 20<sup>th</sup> of March to remove the existing surface.</b></p> <p><b>Sports Surfaces arrived on Tuesday 28<sup>th</sup> of March and completed the resurfacing on the 19<sup>th</sup> of April.</b></p> <p>In addition to ripping up the existing courts, Welbungin Sports &amp; Progress Assoc. committed additional in-kind work, carting the sand from Perth to Welbungin and agreeing to supply additional volunteers to assist with the final stages of the project, this will reduce the financial cost of the project.</p> <p><b>The project come in under budget, saving the Shire approx. \$3000. The acquittal for the CSRFF funding has been completed.</b></p>	May 2017
2016/036 March 2016	That Council make an allowance of \$30,000 in the 2016/17 Budget for costs associated with a further 12 months of operation of the Little Bees Family Day Care Service.	Ongoing	Little Bees will continue to operate in 2016/17, 3 days in Bencubbin & 1 day in Beacon per week.	June 2017



## **Shire of Mt Marshall**

### **Monthly Statement of Financial Activity**

**For the Period 1 July 2016 to 30 April 2017**

#### **TABLE OF CONTENTS**

	<b>Page</b>
Statement of Financial Activity	2
Graphs	3
Notes to and Forming Part of the Statement	
1 Acquisition of Assets	4 to 5
2 Disposal of Assets	6
3 Information on Borrowings	7
4 Reserves	8 to 11
5 Net Current Assets	12
6 Rating Information	13
7 Trust Funds	14
8 Operating Statement	15
9 Balance Sheet	16
Report on Significant Variances	
Operating Income & Expenditure	17 to 21
Capital Expenditure	22

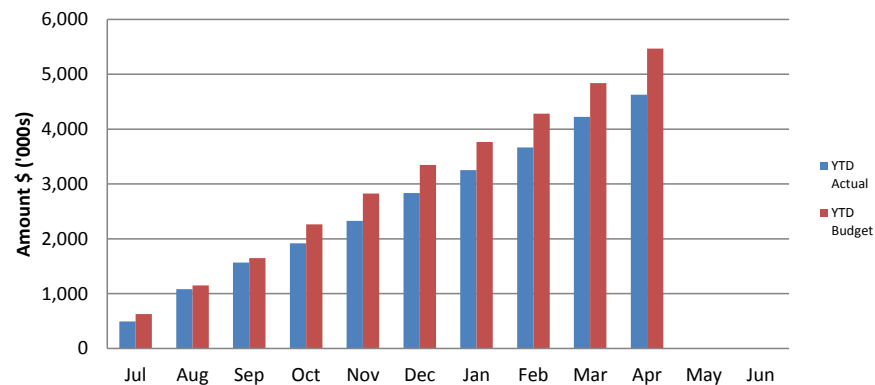
**Shire of Mt Marshall**  
**Statement of Financial Activity**  
**For the period 1 July 2016 to 30 April 2017**

		Actual YTD 2016/2017	Budget YTD 2016/2017	Original Full Year Budget 2016/2017	Variance Budget to Actual YTD	
	NOTE				%	\$
<b>Operating Revenue</b>						
Governance		43,630	7,690	9,249	467%	35,940
General Purpose Funding		1,769,959	1,736,039	2,304,085	2%	33,920
Law, Order & Public Safety		19,986	12,135	16,003	65%	7,851
Health		0	0	0		0
Education & Welfare		71,613	64,710	77,674	11%	6,903
Housing		141,828	135,820	163,020	4%	6,008
Community Amenities		95,296	89,290	90,890	7%	6,006
Recreation & Culture		19,866	1,023,220	1,127,323	(98%)	#####
Transport		1,114,854	1,483,214	1,714,118	(25%)	(368,361)
Economic Services		165,730	183,710	204,163	(10%)	(17,980)
Other Property & Services		39,220	66,720	80,100	(41%)	(27,500)
		<b>3,481,981</b>	<b>4,802,548</b>	<b>5,786,624</b>		
<b>Operating Expenses</b>						
Governance		(315,954)	(352,552)	(387,232)	(10%)	36,598
General Purpose Funding		(88,824)	(53,770)	(64,551)	65%	(35,054)
Law, Order & Public Safety		(74,509)	(96,984)	(113,226)	(23%)	22,475
Health		(119,201)	(131,996)	(161,884)	(10%)	12,795
Education & Welfare		(172,441)	(193,030)	(230,311)	(11%)	20,589
Housing		(283,378)	(313,829)	(367,283)	(10%)	30,451
Community Amenities		(203,942)	(192,520)	(231,053)	6%	(11,422)
Recreation & Culture		(619,595)	(756,818)	(903,352)	(18%)	137,223
Transport		(2,292,604)	(2,248,302)	(2,711,490)	2%	(44,302)
Economic Services		(323,572)	(331,293)	(392,932)	(2%)	7,721
Other Property & Services		(96,337)	(42,618)	(41,225)	126%	(53,719)
		<b>(4,590,357)</b>	<b>(4,713,712)</b>	<b>(5,604,538)</b>		
<b>Adjustments for Non-Cash (Revenue) and Expenditure</b>						
(Profit)/Loss on Asset Disposals	2	21,509	76,396	76,396		
Employee benefit Provisions Cash Backed		1,777	(995)	(995)		
Depreciation on Assets		1,890,784	1,132,829	2,265,658		
<b>Capital Revenue and (Expenditure)</b>						
Purchase Property Plant & Equipment	1	(750,909)	(750,100)	(3,407,600)		
Purchase Infrastructure Assets	1	(1,259,417)	(2,456,569)	(2,456,604)		
Repayment of Debenture	3	(45,967)	(45,967)	(83,019)		
Proceeds from New Debenture	3	1,173,900	1,173,900	1,173,900		
Self-Supporting Loan Principal Income		8,571	8,571	10,332		
Proceeds from Disposal of Assets	2	114,273	115,000	115,000		
<b>Reserves and Restricted Funds</b>						
Transfers to Reserves	4	(277,605)	(277,605)	(228,086)		
Transfers from Reserves	4	15,000	15,000	345,300		
ADD Net Current Assets July 1 B/Fwd.	5	734,880	722,074	722,074		
LESS Net Current Assets Year to Date	5	(1,814,274)	(1,086,928)	0		
<b>Amount Raised from Rates</b>	<b>6</b>	<b>(1,295,854)</b>	<b>(1,285,557)</b>	<b>(1,285,557)</b>		

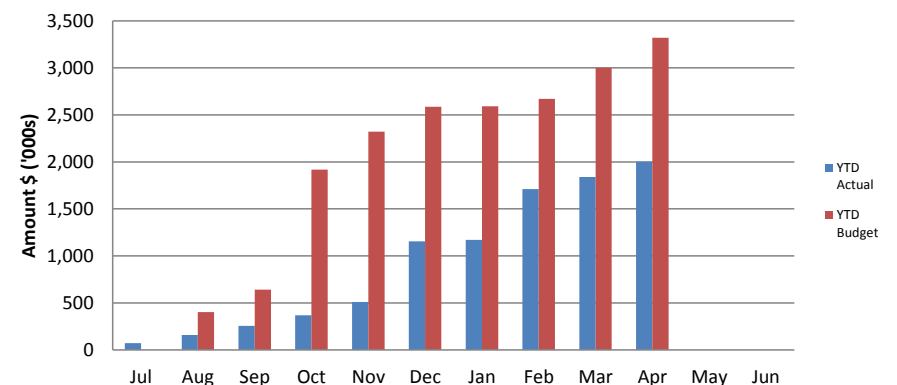
## Shire of Mt Marshall

For the period 1 July 2016 to 30 April 2017

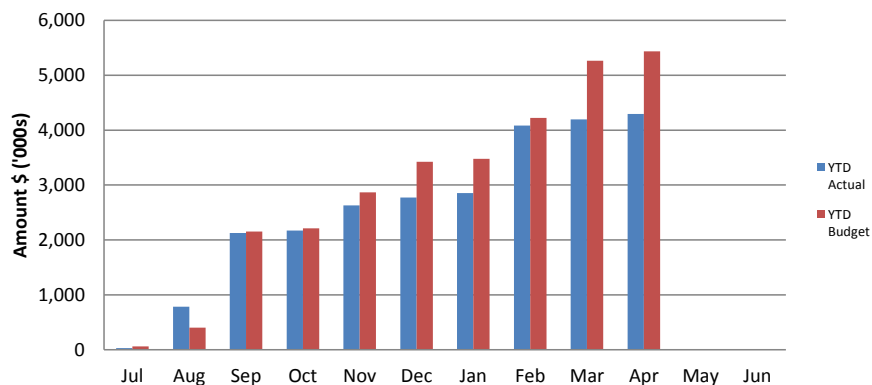
### Operating Expenditure



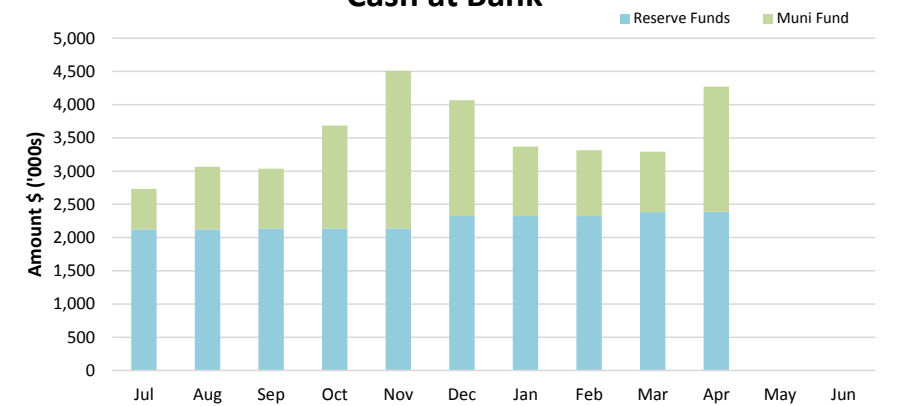
### Capital Works & Equipment Purchases



### Operating Income



### Cash at Bank



# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 Adopted Budget \$	30-Apr-17 Actual \$	30-Apr-17 Budget YDT \$
<b>1. ACQUISITION OF ASSETS</b>			
The following assets have been acquired during the period under review:			
<b><u>By Program</u></b>			
<b>Governance</b>			
<i>Administration General</i>			
Purchase Vehicle - Admin	65,000	55,338	65,000
<b>Education &amp; Welfare</b>			
<i>Aged &amp; Disabled Welfare</i>			
Purchase Land & Buildings - Welfare Aged	21,600	34	21,600
Land & Buildings - Other Welfare	0	10,812	0
<b>Community Amenities</b>			
<i>Protection of the Environment</i>			
Land & Buildings - Community Amenities	5,000	0	0
<i>Other Community Ammenities</i>			
Beacon And Bencubbin Water Collection	149,190	15,618	149,178
<b>Recreation and Culture</b>			
<i>Sporting Facilities</i>			
Land & Buildings - Sporting Facilities	100,000	0	0
Infrastructure Other Purchases	135,100	84,335	135,100
Land & Buildings - Bencubbin Recreation	2,600,000	137,605	47,500
<b>Transport</b>			
<i>Construction - Roads, Bridges, Depots</i>			
Roads To Recovery Road Works	966,848	426,315	966,834
State Road Projects Grant	1,085,963	636,454	1,085,956
Municipal Road Construction	99,502	73,603	99,501
Footpath Construction	20,000	15,963	20,000
<i>Road Plant Purchases</i>			
Plant Purchases	570,000	511,587	570,000
Motor Vehicle Purchases	28,000	27,228	28,000
<b>Economic Services</b>			
<i>Tourism &amp; Area Promotion</i>			
Purchase Land And Buildings	18,000	8,305	18,000
<i>Other Economic Services</i>			
Infrastructure Other	0	7,130	0
	<u>5,864,204</u>	<u>2,010,326</u>	<u>3,206,669</u>

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 Adopted Budget \$	30-Apr-17 Actual \$	30-Apr-17 Budget YDT \$
<b>1. ACQUISITION OF ASSETS (Continued)</b>			
The following assets have been acquired during the period under review:			
<b><u>By Class</u></b>			
Land Held for Resale - Current	0	0	0
Land Held for Resale - Non Current	0	0	0
Land	0	0	0
Land & Buildings	2,744,600	156,756	87,100
Furniture & Equipment	0	0	0
Motor Vehicles	93,000	82,566	93,000
Plant & Equipment	570,000	511,587	570,000
Infrastructure - Roads	2,152,313	1,136,372	2,152,291
Infrastructure - Footpaths	20,000	15,963	20,000
Infrastructure - Ovals & Parks	0	0	0
Infrastructure - Other	284,290	107,082	284,278
	<u>5,864,204</u>	<u>2,010,326</u>	<u>3,206,669</u>

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

### 2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Written Down Value		Sale Proceeds		Profit(Loss)	
	2016/17 Budget \$	April 2016 Actual \$	2016/17 Budget \$	April 2016 Actual \$	2016/17 Budget \$	April 2016 Actual \$
<b>Administration</b>						
Admin Vehicle	20,000	22,329	20,000	20,000	0	(2,329)
<b>Housing</b>						
House Lot 168 Collin St Bencubbin	74,396		20,000		(54,396)	0
<b>Transport</b>						
Grader	102,000	105,388	80,000	67,000.00	(22,000)	(38,388)
Mitsubishi Triton MM170	12,000		10,000		(2,000)	0
Bomag Roller	3,000	8,679	5,000	27,272.73	2,000	18,594
4.5 Tonne Rotary Car Hoist	0	111	0	0	0	111
Effluent Tank	0	151	0	0.00	0	151
Vehicle Mounted Fogger	0	352	0	0.00		352
	211,396	137,011	135,000	114,273	(76,396)	(21,509)

### By Class of Asset

	Written Down Value		Sale Proceeds		Profit(Loss)	
	2016/17 Budget \$	April 2016 Actual \$	2016/17 Budget \$	April 2016 Actual \$	2016/17 Budget \$	April 2016 Actual \$
Motor Vehicles	32,000	22,329.32	30,000	20,000.00	(2,000)	(2,329)
Land & Buildings	74,396	0.00	20,000	0.00	(54,396)	0
Plant & Equipment	105,000	114,682	85,000	94,273	(20,000)	(19,179)
	211,396	137,011	135,000	114,273	(76,396)	(21,509)

### Summary

Profit on Asset Disposals  
Loss on Asset Disposals

2016/17 Adopted Budget \$	April 2016 Actual \$
2,000	19,208
(78,396)	(40,717)
<u>(76,396)</u>	<u>(21,509)</u>



# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

### 3. INFORMATION ON BORROWINGS

#### (a) Debenture Repayments

Particulars	Principal 1-Jul-16	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		2016/17 Budget \$	2016/17 Actual \$	2016/17 Budget \$	2016/17 Actual \$	2016/17 Budget \$	2016/17 Actual \$	2016/17 Budget \$	2016/17 Actual \$
<b>General Purpose Funding</b>									
Loan 119 - Benny Mart *	29,831	0	0	10,332	8,571	19,499	21,260	1,378	1,169
<b>Housing</b>									
Loan 118 - Staff Housing	167,051	0	0	52,278	25,735	114,773	141,316	9,683	5,073
<b>Recreation &amp; Culture</b>									
Loan 120 - Bencubbin Rec Complex Shire	0	432,600	432,600	4,096	0	428,504	0	2,920	0
Loan 121 - Bencubbin Rec SAR	0	491,300	491,300	4,652	0	486,648	0	3,316	0
Loan 122 - Bencubbin Rec Complex CRC*	0	250,000	250,000	0	0	250,000	0	0	0
<i>(Anticipated Lending Dates 2017/18)</i>									
<b>Economic Services</b>									
Loan 117 - Accommodation Units	11,661	0	0	11,661	11,661	0	0	353	64
	208,543	1,173,900	1,173,900	83,019	45,967	1,299,424	162,576	17,650	6,307

(\*) Self supporting loan financed by payments from third parties.

All other loan repayments were financed by general purpose revenue.

#### (b) New Debentures - 2015/16

Council is currently negotiating new debentures in relation to the Bencubbin Recreation Complex Redevelopment as above.

It is anticipated that the new debentures will be taken out in the 2017/18 financial year and no repayments will be made during the current financial year.

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 Adopted Budget \$	April 2016 Actual \$
<b>4. CASH BACKED RESERVES</b>		
<b>(a) Plant Replacement Reserve</b>		
Opening Balance	414,163	414,163
Amount Set Aside / Transfer to Reserve	10,354	8,059
Amount Used / Transfer from Reserve	0	0
	<u>424,517</u>	<u>422,222</u>
<b>(b) Aged Care Units Reserve</b>		
Opening Balance	66,563	66,563
Amount Set Aside / Transfer to Reserve	101,664	101,990
Amount Used / Transfer from Reserve	(21,600)	0
	<u>146,627</u>	<u>168,553</u>
<b>(c) Community Housing Reserve</b>		
Opening Balance	38,251	38,251
Amount Set Aside / Transfer to Reserve	956	744
Amount Used / Transfer from Reserve	0	0
	<u>39,207</u>	<u>38,995</u>
<b>(d) Council Staff Housing Reserve</b>		
Opening Balance	32,771	32,771
Amount Set Aside / Transfer to Reserve	819	637
Amount Used / Transfer from Reserve	0	0
	<u>33,590</u>	<u>33,408</u>
<b>(e) Employee Entitlements Reserve</b>		
Opening Balance	91,379	91,379
Amount Set Aside / Transfer to Reserve	2,284	1,777
Amount Used / Transfer from Reserve	0	0
	<u>93,663</u>	<u>93,156</u>
<b>(f) Public Amenities &amp; Buildings Reserve</b>		
Opening Balance	539,974	539,974
Amount Set Aside / Transfer to Reserve	13,499	10,507
Amount Used / Transfer from Reserve	(308,700)	0
	<u>244,773</u>	<u>550,481</u>
<b>(g) Bencubbin Aquatic Centre Development Reserve</b>		
Opening Balance	740,929	740,929
Amount Set Aside / Transfer to Reserve	68,523	124,851
Amount Used / Transfer from Reserve	0	0
	<u>809,452</u>	<u>865,780</u>
<b>(h) Community Bus Reserve</b>		
Opening Balance	112,565	112,565
Amount Set Aside / Transfer to Reserve	2,814	2,190
Amount Used / Transfer from Reserve	0	0
	<u>115,379</u>	<u>114,755</u>

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 Adopted Budget \$	April 2016 Actual \$
<b>4. RESERVES (Continued)</b>		
<b>(i) Bencubbin Recreation Complex Reserve</b>		
Opening Balance	7,968	7,968
Amount Set Aside / Transfer to Reserve	199	157
Amount Used / Transfer from Reserve	0	0
	<u>8,167</u>	<u>8,125</u>
<b>(j) Office Equipment Reserve</b>		
Opening Balance	15,594	15,594
Amount Set Aside / Transfer to Reserve	390	303
Amount Used / Transfer from Reserve	0	0
	<u>15,984</u>	<u>15,897</u>
<b>(k) Economic Development Reserve</b>		
Opening Balance	4,156	4,156
Amount Set Aside / Transfer to Reserve	104	82
Amount Used / Transfer from Reserve	0	0
	<u>4,260</u>	<u>4,238</u>
<b>(l) Integrated Planning/Financial Reporting Reserve</b>		
Opening Balance	16,571	16,571
Amount Set Aside / Transfer to Reserve	414	301
Amount Used / Transfer from Reserve	(15,000)	(15,000)
	<u>1,985</u>	<u>1,872</u>
<b>(m) Beacon Accommodation Reserve</b>		
Opening Balance	42,639	42,639
Amount Set Aside / Transfer to Reserve	26,066	26,004
Amount Used / Transfer from Reserve	0	0
	<u>68,705</u>	<u>68,643</u>
<b>Total Cash Backed Reserves</b>	<u><u>2,006,309</u></u>	<u><u>2,386,125</u></u>

All of the above reserve accounts are to be supported by money held in financial institutions.

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 Adopted Budget \$	April 2016 Actual \$
<b>4. RESERVES (Continued)</b>		
<b>Cash Backed Reserves (Continued)</b>		
<b>Summary of Transfers To Cash Backed Reserves</b>		
<b>Transfers to Reserves</b>		
Plant Replacement Reserve	10,354	8,059
Aged Care Units Reserve	101,664	101,990
Community Housing Reserve	956	744
Council Staff Housing Reserve	819	637
Employee Entitlements Reserve	2,284	1,777
Public Amenities & Buildings Reserve	13,499	10,507
Bencubbin Aquatic Centre Development Reser	68,523	124,851
Community Bus Reserve	2,814	2,190
Bencubbin Recreation Complex Reserve	199	157
Office Equipment Reserve	390	303
Economic Development Reserve	104	82
Integrated Planning/Financial Reporting Reserv	414	301
Beacon Accommodation Reserve	26,066	26,004
	<b>228,086</b>	<b>277,602</b>
<b>Transfers from Reserves</b>		
Plant Replacement Reserve	0	0
Aged Care Units Reserve	(21,600)	0
Community Housing Reserve	0	0
Council Staff Housing Reserve	0	0
Employee Entitlements Reserve	0	0
Public Amenities & Buildings Reserve	(308,700)	0
Bencubbin Aquatic Centre Development Reser	0	0
Community Bus Reserve	0	0
Bencubbin Recreation Complex Reserve	0	0
Office Equipment Reserve	0	0
Economic Development Reserve	0	0
Integrated Planning/Financial Reporting Reserv	(15,000)	(15,000)
Beacon Accommodation Reserve	0	0
	<b>(345,300)</b>	<b>(15,000)</b>
<b>Total Transfer to/(from) Reserves</b>	<b>(117,214)</b>	<b>262,602</b>

## Shire of Mt Marshall

### Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

#### 4. RESERVES (Continued)

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

**Plant Replacement Reserve**

- To fund the purchase of plant which exceeds Council's capitalisation threshold, so as to avoid undue heavy burden in a single year

**Aged Care Units Reserve**

- To fund capital works on existing Aged Care Units or construction of new Aged Care Units.

**Community Housing Reserve**

- To fund the future maintenance of Homeswest Joint Venture/Community Housing projects

**Council Staff Housing Reserve**

- To fund the replacement of staff housing and any major maintenance

**Employee Entitlement Reserve**

- To be used to fund Long Service Leave requirement / other accrued leave

**Public Amenities & Buildings**

- To help fund future building maintenance requirements to the shire's buildings.

**Bencubbin Aquatic Centre Development**

- To finance future capital and maintenance upgrades for the Bencubbin Aquatic Centre

**Community Bus Reserve**

- To finance the replacement of the community bus

**Bencubbin Recreation Complex**

- To provide funding for future extensions to the Bencubbin Complex

**Office Equipment**

- To replace office equipment as required

**Integrated Planning/Financial Reporting Reserve**

- To set aside funds for expenditure on Council's integrated planning process.

**Beacon Accommodation Reserve**

- To set aside funds for the provision of transient accommodation in Beacon.

**Economic Development Reserve**

- To set aside funds for Economic Development initiatives.

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

	2016/17 B/Fwd Per Approved Budget \$	2015/16 B/Fwd Per Financial Report \$	April 2016 Actual \$
<b>5. NET CURRENT ASSETS</b>			
<b>Composition of Estimated Net Current Asset Position</b>			
<b>CURRENT ASSETS</b>			
Cash - Unrestricted	647,214	488,180	1,956,526
Cash - Restricted Unspent Grants	0	159,035	0
Cash - Restricted Unspent Loans	0	0	0
Cash - Restricted Reserves	2,123,520	2,123,520	2,386,121
Rates Outstanding	542,679	120,451	143,234
Sundry Debtors	0	444,230	62,122
Provision for Doubtful Debts	0	(53,673)	(53,673)
Gst Receivable	0	171	17,722
Accrued Income/Payments In Advance	0	0	(2,209)
Loans - Clubs/Institutions	0	0	0
Inventories	19,388	19,388	1,802
	<u>3,332,801</u>	<u>3,301,302</u>	<u>4,511,645</u>
<b>LESS: CURRENT LIABILITIES</b>			
Sundry Creditors	(362,961)	(283,929)	(153,799)
Accrued Interest On Loans	0	(479)	0
Accrued Salaries & Wages	0	(34,247)	0
Income In Advance	0	0	0
Gst Payable	0	(2)	(2,374)
Payroll Creditors	0	0	(32,609)
Accrued Expenses	0	0	0
FBT Liability	0	0	0
Current Employee Benefits Provision	(215,624)	(215,624)	(215,624)
Current Loan Liability	(74,272)	(74,272)	(28,306)
	<u>(652,857)</u>	<u>(608,553)</u>	<u>(432,712)</u>
<b>NET CURRENT ASSET POSITION</b>	<b>2,679,944</b>	<b>2,692,749</b>	<b>4,078,933</b>
Less: Cash - Reserves - Restricted	(2,123,521)	(2,123,520)	(2,386,121)
Less: Cash - Unspent Grants - Restricted	0	0	0
Less: Current Loans- Clubs / Institutions	0	0	0
Add Back : Component of Leave Liability not Required to be Funded	91,379	91,379	93,156
Add Back : Current Loan Liability	74,272	74,272	28,306
Adjustment for Trust Transactions Within Muni	0	0	0
<b>ESTIMATED SURPLUS/(DEFICIENCY) C/FWD</b>	<u><b>722,074</b></u>	<u><b>734,880</b></u>	<u><b>1,814,274</b></u>

# Shire of Mt Marshall

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

For the Period 1 July 2016 to 30 April 2017

### 6. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2016/17 Rate Revenue \$	2016/17 Interim Rates \$	2016/17 Back Rates \$	2016/17 Total Revenue \$	2016/17 Budget \$
<b>General Rate</b>								
GRV	0.118490	131	789,070	93,498			93,498	93,497
UV	0.020270	317	60,681,998	1,229,670	145		1,229,815	1,230,024
Mining	0.020270	1	38,801	786			786	786
<b>Sub-Totals</b>		449	61,509,869	1,323,954	145	0	1,324,099	1,324,307
<b>Minimum Rates</b>	<b>Minimum \$</b>							
GRV	380	42	30,635	15,960			15,960	15,960
UV	380	23	184,749	8,740			8,740	8,740
Mining	380	6	12,875	2,280			2,280	2,280
<b>Sub-Totals</b>		29	197,624	11,020	0	0	26,980	26,980
Discounts							1,351,079	1,351,287
Rates Written off							(47,747)	(75,000)
<b>Total Amount of General Rates</b>							(192)	(1,900)
Movement in Excess Rates							1,303,139	1,274,387
Ex Gratia Rates							(21,828)	(11,099)
Specified Area Rates							14,542	14,300
<b>Total Rates</b>							7,186	7,968
							1,295,854	1,285,556

All land except exempt land in the Shire of Mt Marshall is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

## Shire of Mt Marshall

### Notes to and forming part of the Statement of Financial Activity

**For the Period 1 July 2016 to 30 April 2017**

#### 7. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in this statement are as follows:

Detail	Balance 01-Jul-16 \$	Amounts Received \$	Amounts Paid (\$)	April 2016 Balance \$
Police Licensing	9,515	138,236	(146,821)	929
Aged Care Beautification	829	0	0	829
Unclaimed Monies	159	0	(100)	59
Nomination Deposits	0	160	(160)	0
Prepaid Rates	0	0	0	0
Tree Planting Nursery	1,000	0	0	1,000
Sundry Creditors	745	0	(745)	0
Housing Bonds	11,060	480	(1,160)	10,380
Staff Social Club	5,732	1,875	(3,424)	4,183
Newroc Advance Account	0	0	0	0
Portable Toilet Bonds	0	0	0	0
Deposit on Land	1,000	0	0	1,000
Emergency Services Levy	0	0	0	0
Building Levy	0	0	0	0
Mt Marshall LCDC	0	0	0	0
Benc - Beacon Tourist Committee	0	0	0	0
	<u>30,040</u>	<u>140,751</u>	<u>(152,410)</u>	<u>18,380</u>



# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

### 8. OPERATING STATEMENT

	April 2016 Actual \$	2016/17 Adopted Budget \$	2015/16 Actual \$
<b>OPERATING REVENUES</b>			
Governance	43,630	9,249	25,212
General Purpose Funding	3,065,814	3,589,641	2,393,345
Law, Order, Public Safety	19,986	16,003	18,885
Health	0	0	0
Education and Welfare	71,613	77,674	62,202
Housing	141,828	163,020	161,945
Community Amenities	95,296	90,890	174,703
Recreation and Culture	19,866	1,127,323	73,967
Transport	1,114,854	1,714,118	1,873,111
Economic Services	165,730	204,163	376,163
Other Property and Services	39,220	80,100	111,874
<b>TOTAL OPERATING REVENUE</b>	<b>4,777,837</b>	<b>7,072,180</b>	<b>5,271,406</b>
<b>OPERATING EXPENSES</b>			
Governance	315,954	387,232	422,497
General Purpose Funding	88,824	64,551	103,828
Law, Order, Public Safety	74,509	113,226	51,728
Health	119,201	161,884	139,240
Education and Welfare	172,441	230,311	268,518
Housing	283,378	367,283	278,685
Community Amenities	203,942	231,053	279,094
Recreation & Culture	619,595	903,352	878,554
Transport	2,292,603	2,711,490	3,343,689
Economic Services	323,572	392,932	347,148
Other Property and Services	96,337	41,225	63,690
<b>TOTAL OPERATING EXPENSE</b>	<b>4,590,356</b>	<b>5,604,538</b>	<b>6,176,670</b>
<b>CHANGE IN NET ASSETS RESULTING FROM OPERATIONS</b>	<b>187,481</b>	<b>1,467,642</b>	<b>(905,264)</b>

# Shire of Mt Marshall

## Notes to and forming part of the Statement of Financial Activity

For the Period 1 July 2016 to 30 April 2017

### 9. BALANCE SHEET

	April 2016 Actual \$	2015/16 Actual \$
<b>CURRENT ASSETS</b>		
Cash and Cash Equivalents	4,342,647	2,770,734
Trade and Other Receivables	165,814	518,367
Inventories	1,802	19,388
<b>TOTAL CURRENT ASSETS</b>	<b>4,510,263</b>	<b>3,308,489</b>
<b>NON-CURRENT ASSETS</b>		
Other Receivables	20,066	20,066
Inventories	0	0
Property, Plant and Equipment	14,260,084	14,048,255
Infrastructure	90,626,154	90,854,222
Work in Progress	0	0
<b>TOTAL NON-CURRENT ASSETS</b>	<b>104,906,304</b>	<b>104,922,543</b>
<b>TOTAL ASSETS</b>	<b>109,416,567</b>	<b>108,231,032</b>
<b>CURRENT LIABILITIES</b>		
Trade and Other Payables	188,781	318,657
Long Term Borrowings	28,306	74,272
Provisions	215,624	215,624
<b>TOTAL CURRENT LIABILITIES</b>	<b>432,711</b>	<b>608,553</b>
<b>NON-CURRENT LIABILITIES</b>		
Trade and Other Payables	0	0
Long Term Borrowings	1,308,171	134,271
Provisions	15,745	15,745
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>1,323,916</b>	<b>150,016</b>
<b>TOTAL LIABILITIES</b>	<b>1,756,627</b>	<b>758,569</b>
<b>NET ASSETS</b>	<b>107,659,940</b>	<b>107,472,463</b>
<b>EQUITY</b>		
Trust Imbalance	0	0
Retained Surplus	77,219,333	77,294,457
Reserves - Cash Backed	2,386,121	2,123,520
Revaluation Surplus	28,054,486	28,054,486
<b>TOTAL EQUITY</b>	<b>107,659,940</b>	<b>107,472,463</b>

## Shire of Mt Marshall

For the Period 1 July 2016 to 30 April 2017

### Report on Significant Variances (greater than 10% and \$5,000)

#### Purpose

The purpose of the Monthly Variance Report is to highlight circumstances where there is a major variance from the YTD Monthly Budget and YTD Actual figures. These variances can occur because of a change in timing of the activity, circumstances change (e.g. grants were budgeted for but not received) or changes to the original budget projections. The Report is designed to highlight these issues and explain the reason for the variance.

#### The Materiality variances adopted by Council are:

Actual Variance to YTD Budget up to 5%:	Don't Report
Actual Variance exceeding 10% of YTD Budget	Use Management Discretion
Actual Variance exceeding 10% of YTD Budget and a value greater than \$5,000:	Must Report

**Shire of Mt Marshall**  
**Report on Significant Variances - Operating Income & Expenditure**  
**For the Period 1 July 2016 to 30 April 2017**

	30 April 2017 YTD Actual \$	YTD Budget \$	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable) \$	Components of Variance Favourable/ (Unfavourable) \$	
<b>Revenues/Sources</b>						
Governance	43,630	7,690	467%	35,940	19,090	Recoup of LSL not budgeted
					12,079	Paid Parental Leave reimbursement not budgeted
					4,772	Minor Items
General Purpose Funding	1,769,959	1,736,039	2%	33,920	37,781	Rates debt collection income, offset by expenditure
					(3,861)	Minor Items
Law, Order, Public Safety	19,986	12,135	65%	7,851	7,578	DFES Qtly Grant - timing difference
					274	Minor Items
Health	-	-	0%	-	-	Minor Items
Education and Welfare	71,613	64,710	11%	6,903	6,555	Family Support Qtly Grant - timing difference
					347	Minor Items
Housing	141,828	135,820	4%	6,008	10,985	Rental income greater than budget
					(4,977)	Minor Items
Community Amenities	95,296	89,290	7%	6,006	3,616	Community Bus Charges greater than anticipated
					2,390	Minor Items
Recreation and Culture	19,866	1,023,220	(98%)	(1,003,354)	(32,000)	Swimming Pool Grant - Not eligible
					(54,450)	Welbungin Tennis Court Grant - Timing
					(917,400)	NSRF Grant for Bencubbin Complex expected to have been received
					496	Minor Items
Transport	1,114,854	1,483,214	(25%)	(368,361)	(25,320)	Blackspot grant income - timing difference
					(113,021)	Regional Road Group works expected to be complete/recouped
					(244,592)	R2R Grant - timing difference
					17,548	Profit on disposal of assets greater than budget
					(2,976)	Minor Items

**Shire of Mt Marshall**  
**Report on Significant Variances - Operating Income & Expenditure**  
**For the Period 1 July 2016 to 30 April 2017**

	30 April 2017 YTD Actual \$	YTD Budget \$	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable) \$	Components of Variance Favourable/ (Unfavourable) \$	
Economic Services	165,730	183,710	(10%)	(17,980)	29,230	Caravan Parks income greater than budget
					10,066	Beacon Barracks income greater than budget
					(53,059)	Worker's Camp income less than budget
					(4,218)	Minor Items
Other Property and Services	39,220	66,720	(41%)	(27,500)	(28,892)	Private Works Income less than budget - offset by lower expenditure
					1,392	Minor Items
<b>Total Revenues excl Rates</b>	<b>3,481,981</b>	<b>4,802,548</b>	<b>(27%)</b>	<b>(1,320,567)</b>		
<b>Amount Raised from Rates</b>	<b>1,295,854</b>	<b>1,285,557</b>	<b>1%</b>	<b>10,296</b>	10,296	Minor Items

**Shire of Mt Marshall**  
**Report on Significant Variances - Operating Income & Expenditure**  
**For the Period 1 July 2016 to 30 April 2017**

	30 April 2017 YTD Actual \$	YTD Budget \$	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable) \$	Components of Variance Favourable/ (Unfavourable) \$	
<b>(Expenses)/(Applications)</b>						
Governance	(315,954)	(352,552)	10%	36,598	(5,093)	Recruitment fees over budget
					(20,195)	Admin Salaries over budget - offset by maternity leave income
					(6,243)	Debt WriteOff, Smith Shearing - to be adjusted against provisions
					17,043	Council Expenditure under budget
					20,122	Computer & Office Equipment under budget - timing
					19,574	Consultants under budget - timing
					16,098	Audit Fees under budget - timing
					(4,708)	Minor Items
General Purpose Funding	(88,824)	(53,770)	(65%)	(35,054)	(37,745)	Rates Debt Collection Exp - Offset by income
					2,690	Minor Items
Law, Order, Public Safety	(74,509)	(96,984)	23%	22,475	2,064	Fire Insurance under budget
					8,324	Emergency Management Expenses under budget
					10,812	Admin Expenses - timing
					1,275	Minor Items
Health	(119,201)	(131,996)	10%	12,795	2,379	EHO Expenditure under budget - timing and reduced service
					10,416	Minor Items
Education and Welfare	(172,441)	(193,030)	11%	20,589	26,096	Little Bees Salaries under budget due to leave without pay
					(739)	Senior's Trip over budget
					(2,581)	Aged Care Units mtc over budget - timing. All building mtc jobs have been issued and are being worked through when time permits
					(2,186)	Minor Items
Housing	(283,378)	(313,829)	10%	30,451	(13,301)	Community Housing mtc over budget
					(23,456)	Other Housing mtc over budget
					11,270	Staff Housing mtc under budget
					54,396	Loss on disposal of assets under budget - Timing, not yet sold
					1,542	Minor Items

**Shire of Mt Marshall**  
**Report on Significant Variances - Operating Income & Expenditure**  
**For the Period 1 July 2016 to 30 April 2017**

	30 April 2017 YTD	30 April 2017 YTD	Budget to Actual YTD	Budget to Actual YTD Favourable/ (Unfavourable)	Components of Variance Favourable/ (Unfavourable)	
	Actual \$	Budget \$	%	\$	\$	
Community Amenities	(203,942)	(192,520)	(6%)	(11,422)	(6,966)	Refuse site maintenance over budget - timing
					(3,614)	Public Toilets - cleaning over budget
					(842)	<i>Minor Items</i>

**Shire of Mt Marshall**  
**Report on Significant Variances - Operating Income & Expenditure**  
**For the Period 1 July 2016 to 30 April 2017**

	30 April 2017 YTD	YTD	Budget to Actual YTD	Budget to Actual YTD Favourable/ (Unfavourable)	Components of Variance Favourable/ (Unfavourable)	
	Actual \$	Budget \$	%	\$	\$	
Recreation & Culture	(619,595)	(756,818)	18%	137,223	85,299	Swimming Pool expenditure under budget - Pool not opening
					5,317	Parks and Gardens less than budget - timing
					3,079	Other Culture under budget
					38,976	Recreation Ground mtc less than budget - timing
					4,552	Minor Items
Transport	(2,292,604)	(2,248,302)	(2%)	(44,302)	(30,625)	Road Maintenance over budget - timing
					(18,388)	Loss on disposal of assets over budget
					4,710	Minor Items
Economic Services	(323,572)	(331,293)	2%	7,721	10,695	Worker's Camp Expenditure under budget - offset by lower income
					(2,974)	Minor Items
Other Property and Services	(96,337)	(42,618)	(126%)	(53,719)	4,663	Expendable Tools under budget
					(20,122)	Fuel & Oils over budget
					(15,293)	Workers Comp insurance, premium increase due to claims
					(19,916)	Training - Traffic management course for crew unbudgeted
					(3,050)	Minor Items
<b>Total Expenses/Applications</b>	<b>(4,590,357)</b>	<b>(4,713,712)</b>	<b>(6%)</b>	<b>48,980</b>		



**Shire of Mt Marshall**  
**Capital Expenditure Report on Significant Variances**  
**For the Period 1 July 2016 to 30 April 2017**

	Full Year Budget	30 April 2017 YTD Actual	30 April 2017 YTD Budget	Budget to Actual YTD %	Budget to Actual YTD Favourable/ (Unfavourable)	Commentary
	\$	\$	\$	%	\$	
<b>Capital Expenditure</b>						
<b>Governance</b>						
Admin Vehicle	65,000	55,338	65,000	0%	9,662	Vehicle under budget
<b>Education &amp; Welfare</b>						
Mens Shed Contribution	-	10,812	-	100%	(10,812)	Contribution to Beacon Men's Shed unbudgeted
CEACA Land	21,600	34	21,600	0%	21,566	Land Enquiry done, awaiting further information from CEACA
<b>Community Amenities</b>						
Land & Buildings	5,000	-	-	0%	-	Cemetery works not completed
Water Collection Projects	149,190	15,618	149,178	90%	133,560	Water collection projects not completed
<b>Recreation &amp; Culture</b>						
Beacon Recreation Ground Power Upg	100,000	-	-	0%	-	Western Power application approved. Design due 31 May 2017
Other Infrastructure - Welbungin Tennis Courts, Beacon Oval Dam, Beacon Central & Hall Car Parks, Beacon Hockey Oval Lighting	135,100	84,335	135,100	38%	50,765	Beacon Hockey Lights and Welbungin Tennis Courts complete. Oval Dam Fence & Car Parks still to be completed
Bencubbin Rec Complex	2,600,000	137,605	47,500	(190%)	(90,105)	Timing of tender process
<b>Transport</b>						
Road Construction	2,152,313	1,136,372	2,152,291	47%	1,015,919	Bitumen Sealing scheduled for May 2017
Footpath Construction	20,000	15,963	20,000	20%	4,037	Timing
Plant Purchases	570,000	511,587	570,000	10%	58,413	All changeovers complete
Motor Vehicle Purchases	28,000	27,228	28,000	3%	772	
<b>Economic Services</b>						
Beacon Cabin C Upgrade	18,000	8,305	18,000	54%	9,696	Verandah still to be completed
Purchase of Land in Beacon	-	7,130	-	100%	(7,130)	Purchase of land in Beacon unbudgeted
<b>Total Capital Expenditure</b>	<b>5,864,204</b>	<b>2,010,326</b>	<b>3,206,669</b>	<b>37%</b>	<b>1,196,343</b>	

**CAVEAT** No.

- (a) Type  
(b) Number  
(c) Mineral Field

**Details of Mining Tenement**

(a) **PROSPECTING** (b) **E70/4059**  
(c) **LAKE MOORE**

- (d) Specify "the whole" or the number of shares being caveated  
(e) Full name of holder of shares being caveated

**Interest being caveated**

(d) **WHOLE 100/100**  
(e) **Lake Moore Gymsum Pty Ltd, of 54 O'Malley Street, Osborne Park WA 6017**

- (f) Full name and address of caveator

**Caveator**

(f) **THE SHIRE OF MT MARSHALL of 80 MONGER STREET, BENCUBBIN WA 6477**

THE CAVEATOR claims an interest as specified in the abovementioned mining tenement BY VIRTUE OF

- (g) Specify the grounds on which the claim is made (See Note 1)

(g) **UNPAID RATES AND CHARGES AS PER LOCAL GOVERNMENT ACT 1995.**

\*See Note 2

and whilst this caveat remains in force FORBIDS the registration of any transfer or other instrument affecting such tenement or interest\* and appoints

- (h) Address within the State for service of notices

(h) **AMPAC DEBT RECOVERY (WA) PTY LTD of LEVEL 4, 225 ST GEORGES TERRACE, PERTH, WESTERN AUSTRALIA, 6000**

as the place at which notices and proceedings relating to this caveat may be served.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

- (i) Signature of Caveator

Caveator or agent signs here

Signed (i) .....

- (j) If agent, full name and address required

Signed (agent (j)) .....  
Full Name .....  
Address .....

Witness signs here

- (k) Signature of witness (full name and address required)

In the presence of (k) .....  
Full name .....  
Address .....

- (i) Full name and address (for return of documents)

(i) **AMPAC DEBT RECOVERY (WA) PTY LTD of PO BOX 2779, CLOISTERS SQUARE PO , PERTH, WA, 6850.**

**OFFICIAL USE**

Received at ..... a.m. /p.m. on ..... 20 .....  
with fee of \$ .....

.....  
Mining Registrar

**Attachment 12.4.17a**

- Note 1: If the caveat is lodged pursuant to Section 122A (2) of the Act the term of the caveat (if any) must be stated and a copy of the agreement attached.  
2: If the caveat is lodged pursuant to section 122A (1) (b) of the Act, insert "unless the instrument is expressed to be subject to the interest claimed in this caveat".

**CAVEAT** No.

- (a) Type  
(b) Number  
(c) Mineral Field

**Details of Mining Tenement**

(a) **PROSPECTING** (b) **E70/02891**  
(c) **LAKE MOORE**

- (d) Specify "the whole" or the number of shares being caveated  
(e) Full name of holder of shares being caveated

**Interest being caveated**

(d) **WHOLE 100/100**  
(e) **Lake Moore Gymsum Pty Ltd, of 54 O'Malley Street, Osborne Park WA 6017**

- (f) Full name and address of caveator

**Caveator**

(f) **THE SHIRE OF MT MARSHALL of 80 MONGER STREET, BENCUBBIN WA 6477**

- (g) Specify the grounds on which the claim is made (See Note 1)

THE CAVEATOR claims an interest as specified in the abovementioned mining tenement BY VIRTUE OF

(g) **UNPAID RATES AND CHARGES AS PER LOCAL GOVERNMENT ACT 1995.**

\*See Note 2

- (h) Address within the State for service of notices

and whilst this caveat remains in force FORBIDS the registration of any transfer or other instrument affecting such tenement or interest\* and appoints

(h) **AMPAC DEBT RECOVERY (WA) PTY LTD of LEVEL 4, 225 ST GEORGES TERRACE, PERTH, WESTERN AUSTRALIA, 6000**

as the place at which notices and proceedings relating to this caveat may be served.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

- (i) Signature of Caveator

Caveator or agent signs here

Signed (i) .....

- (j) If agent, full name and address required

Signed (agent (j)) .....

Full Name .....

Address .....

Witness signs here

- (k) Signature of witness (full name and address required)

In the presence of (k) .....

Full name .....

Address .....

- (i) Full name and address (for return of documents)

(i) **AMPAC DEBT RECOVERY (WA) PTY LTD of PO BOX 2779, CLOISTERS SQUARE PO , PERTH, WA, 6850.**

**OFFICIAL USE**

Received at ..... a.m. /p.m. on ..... 20 .....  
with fee of \$ .....

.....  
Mining Registrar

**Attachment 12.4.17b**

Note 1: If the caveat is lodged pursuant to Section 122A (2) of the Act the term of the caveat (if any) must be stated and a copy of the agreement attached.

2: If the caveat is lodged pursuant to section 122A (1) (b) of the Act, insert "unless the instrument is expressed to be subject to the interest claimed in this caveat".



**Estimate**  
**49969**

**Version: 3**

**To:**

Megan Hele Design  
5 Bedford Street  
Bayswater, WA 6053  
ATTN: Megan Hele  
Phone 0438 022 680  
Email [megan.hele@bigpond.com](mailto:megan.hele@bigpond.com)

**Date**  
**Salesperson**  
**Estimator**

24/04/2017  
**Allan Underwood**  
**G D**

Dear Megan Hele

We would like to thank you for your time and consideration in regards to this quotation. Included is the detailed product specifications and prices. The quotation is confidential and is intended solely for the use of the addressee(s) named above.

**Below Is Your Detailed Production Specifications for this Request**

<b>Job Description:</b>	Town of Beacon Book
<b>Pages:</b>	324pp + 4pp Cover
<b>Final Size:</b>	A4 Portrait
<b>Pre-Press and Proofing:</b>	File Pre-flight, Electronic Proof, Nexpress Dummy
<b>Printing:</b>	4 Colour Process Throughout
<b>Stock:</b>	Cover - 350gsm Hanno Silk / Text - 115gsm Hanno Silk
<b>Finishing:</b>	Matt Laminate Cover 1 Side, PUR Bind & Carton Pack
<b>Shipping:</b>	Delivery by Road Freight to Beacon WA

Quantity	Price Ex GST	GST	Total Price
500	\$11,547.56	\$1,154.76	\$12,702.32
1,000	\$15,292.42	\$1,529.24	\$16,821.66

Upon acceptance please indicate the quantity required

**Allan Underwood**  
**08 6242 0515**  
[allan.underwood@pictonpress.com.au](mailto:allan.underwood@pictonpress.com.au)

**Attachment 12.5.3a**

Estimates are valid for 30 days, after this period prices may be reviewed and prices are subject to sighting final artwork.  
Authors corrections, replacement files, new proofs along with any additional deliveries not originally quoted will incur extra costs.  
Full terms and conditions of trade available at [www.pictonpress.com.au](http://www.pictonpress.com.au) under client information.

**Picton Press Pty Ltd. ABN: 65 453 262 860 7 Cleaver Street West Perth, WA 6005 Ph: 08 6242 0555**



*It would be about 1922 when I, employed as a young surveyor, under articles to the*



ABOVE: Harry was a surveyor and spent much of his time living in tents to carry out the survey of isolated areas of WA.

RIGHT: A young Harry enjoyed the social life of Beacon.

MARILYN DUNNE

## Reflections of early land settlement north of Bencubbin

Written by Harry Dunne (1979)

### Harry Dunne:

Born: 1904 Died: 1993

Parents: Tom and Amy Dunne

Married: Janet Forrest, 1935

- Tom and Amy Dunne purchased the original home block Ninghan (location 539), April 1923.
- Their son Harry, managed and eventually owned this block along with further acquisitions. The following three generations of the Dunne family continue to live on, and farm, this land.
- Dunne Street in Beacon is named in honour of Harry and Janet Dunne.
- Both Janet and Harry are buried at the Beacon Cemetery.

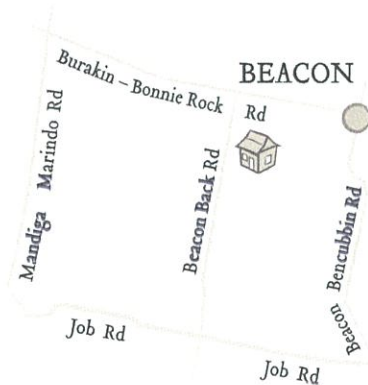
**I**T WOULD BE about 1922 when I, employed at the time as a young surveyor under articles to the surveying profession, came on behalf of my father to inspect the Crown Land available for selection north of Bencubbin. The possibility of a new railway being built eastwards from Pithara focussed interest in this area.

I left my car at Mercer's farm, Gabbin, to continue with horse and sulky lent by our friend. I remember so well filling my billy can with eggs that rolled out with the chaff as I filled a bag with feed for the horse.

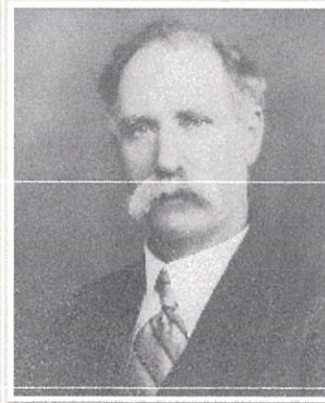
Bencubbin was already the centre on this line for a large and much favoured area for wheat growing but it was also an important depot and railhead for the sandalwood industry. There were two shops, Brown's store on the site now occupied by O'Briens and a Co-op managed, and later owned, by R.E. Rowlands near Johnson's pub. Good meals could be had from Mrs McAndrew's where The Bank of New



## Harry's parents



ABOVE: Location of the Dunne's farm 'Parakeelya'.



Tom Dunne



Amy Dunne

South Wales now stands and everything further east seemed to be occupied by sandalwooder's horses and drays, with Jack Smith's camp fronting the railway where the Post Office now stands.

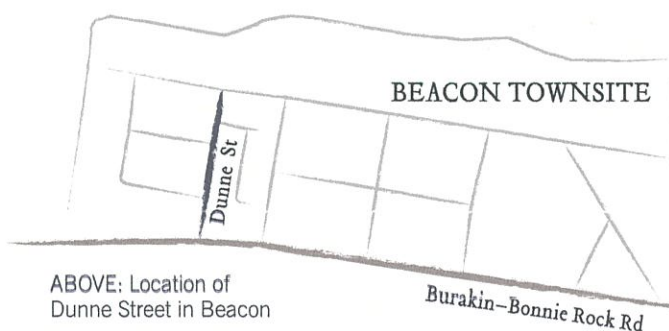
Here, as elsewhere, the sandalwooders were the real pioneers. Their dray tracks paved the way for surveyors and others to every water supply, rock catchment, soak or gnamma hole known to the natives. In fact their main tracks, in places, were deeply worn with wheel marks that we had to somehow straddle, as they were our only roads. Cleaned sandalwood was worth 25 pounds a ton but if pulled from Crown land, nine pounds a ton royalty had to be paid to the Forestry Department. New settlers were puzzled by requests for written permission to pull sandalwood from locations that did not grow any!!

On the long haul from the Murchison, one driver (usually a well known bearded old sinner named Dick Dillon) would be in charge of four or five dray loads of cleaned sandalwood pulled by fine big clydesdales following close, one behind each other,

from one overnight camp to the next for a week or more. The driver asleep on one of the drays on the south bound journey and equally subdued with wine on the north bound. Sometimes camels were used and I had trouble getting past camels hobbled out at night to feed near Bencubbin. They would not get off the sandalwood track and I was anxious not to drive them in front of me away from their teamster.

Exactly when blacksmith McEffer, saddler Arthur Gillespie and plumber Webster, established in the town I cannot remember, but they were early and each in their skills indispensable. Webster's rainwater tanks were in much in demand and Gillespie later became well known Australia-wide as a maker of shoes for sheep dogs in double-gee areas. There was also later a taxi service provided by Syd Giles with his Chrysler 66 and the first motor repair business was opened by 'Heaps and Rimmer'. The same Jim Rimmer, still in similar business in Wyalkatchem, would be among the remaining few I could recommend for servicing your T. Model Ford. Farmer Hackshaw came by motorbike to pump water by steam engine from the railway dam to the overhead tank.

Following the sandalwood track north I remember stopping at Mrs Lampherd's place about a mile out of town. Some clearers<sup>1</sup> working for a German named Dofger, about 10 miles out, seemed the outskirts of settlement but then a few miles further I came to Eric McManus's camp



ABOVE: Location of Dunne Street in Beacon



*It would be about 1922 when I, employed  
as a ground supervisor under articles to the  
other*



ABOVE: Early days clearing the land on Tom Miller's block. This land was later purchased by Harry Dunne and became part of 'Parakeelya'.

at a fine rock catchment and large gnamma hole which he later named 'Dingo Ridge'. Eric was soon to be joined by his family from Burma – Major and Mrs McManus, brother Terrance and beautiful sister Kathleen.

My Lands Department litho showed locations 2021, 1913 and 565 surveyed in some isolation further north, and locations 541 and 540, 4 miles further, but no others further north.

I left the sandalwood track just east of Gabbining Well to follow a new track cut to location 2021 where I found George Shemeld\*, a cavalry veteran from England, to become our first Beacon farmer and life-long friend and neighbour of mine. George's establishment consisted of a tent, six fowls whose nesting whereabouts was a frustrating mystery, and a small hand-made clay water catchment about 6 feet in diameter with a hole in the centre to collect the run off. Machinery was one axe and transport was two feet. Once a week George would walk the 9 miles to McManus's and carry back another week's stores brought there for him from Bencubbin. I camped with George to explore the surrounding country on foot.

On location 541, a chap named Scotty Rupe from Welbungin, was rolling down<sup>2</sup> Wodgil scrub<sup>3</sup>

(adjoining the now Beacon town site) but he must have subsequently surrendered the block because it was later first farmed by George Wreford.

In those days of 'Selection before Survey' a selector could satisfy himself that his boundaries included the best land for growing wheat, possible water supply and suitable homestead site allowed under 'Conditional Purchase terms of payment' over 25 years. He could arrange to accompany the survey party for this purpose. It was important to have at least 600 acres of first-class land in order to be acceptable for Agricultural Bank finance. According to my records, I became a farmer in partnership with my father, with a deposit of 5 pounds to the Lands Department on April 5th 1923.

However the demand for land at this time became so great from returned soldiers from World War I, immigrants from Great Britain and miners from our depressed gold mining areas, that the Lands Department had to close the area for selection until it could be classified and subdivided into farms, each with enough good land and road system not staggered by people 'picking the eyes out of the country'.

Until we were within 20 miles of a railway we could not expect any finance from the Agricultural Bank. Clearing land with our limited

\*NOTE: See Shemeld story, page xx //will fill in page number when book is more final//



capital was slow. We had 1200 acres ring-barked at 1/6d per acre, and the scrub between the trees cut for 5/- an acre, but when areas were burnt two years later the big trees, then without leaves, came down on burnt-over ground requiring much hard work bunching and burning. The dry tree stumps burnt out into holes so deep a man could stand in unseen, and the dry roots of big salmon gums burned underground for weeks leaving tunnels that would collapse and frighten horses later on.

But there was much clearing activity around Bencubbin, mostly done by Italians and others from the Balkans. As many as 250 new arrivals, who could not speak English, worked for an Italian contractor for very little money.

During this period of expansion there was much agitation for railway extensions and our expected Pithara eastward line was delayed by claims from other areas. The North Bencubbin Progress (which later became the Beacon Rock Progress Association) was formed during a meeting at

Potts' corner of the sandalwood track. The photo of this gathering published by one of the first issues of the Wyalkatchem newspaper and is retained, I have been told, in the archives of the Perth Public Library.

A little later, as Secretary of this association, the writer convened a meeting in Bencubbin and formed a Railway League of all such associations along the route east of Pithara. We pressed our claim energetically. A friend in Wyalkatchem lent me his fine big Nash motor car to bring up from Perth a party of Members of Parliament to see our wonderful country. But the big car and passengers became badly bogged on the sandalwood track just where Shen Hopwood would later be living.

The first wheat crop in the area was grown by George Shemeld in 1925.

By 1926 we (my father and I) had acquired a Fordson tractor and ten-disc Sunder Seeder, and this plant worked day and night seeding our first



ABOVE: The first shed built on the farm, c1920s.



---

**Local Government Act 1995**  
*Shire of Mt Marshall*  
**EXTRACTIVE INDUSTRIES LOCAL LAW**

**TABLE OF CONTENTS**

---

<b>PART 1 - PRELIMINARY .....</b>	
1.1 DEFINITIONS .....	
1.2 APPLICATION .....	
1.3 REPEAL .....	
<b>PART 2 - LICENSING REQUIREMENTS FOR AN EXTRACTIVE INDUSTRY.....</b>	
2.1 EXTRACTIVE INDUSTRIES PROHIBITED WITHOUT LICENCE .....	
2.2 APPLICATION FOR LICENCE.....	
<b>PART 3 - DETERMINATION OF APPLICATION.....</b>	
3.1 DETERMINATION OF APPLICATION.....	
<b>PART 4 - TRANSFER, CANCELLATION AND RENEWAL OF LICENCE .....</b>	
4.1 TRANSFER OF LICENCE .....	
4.2 CANCELLATION OF LICENCE .....	
4.3 RENEWAL OF LICENCE .....	
<b>PART 5 - SECURED SUM AND APPLICATION THEREOF .....</b>	
5.1 SECURITY FOR RESTORATION AND REINSTATEMENT .....	
5.2 USE BY THE LOCAL GOVERNMENT OF SECURED SUM.....	
<b>PART 6 – LIMITATIONS, OBLIGATIONS OF THE LICENSEE AND PROHIBITIONS .....</b>	
6.1 LIMITS ON EXCAVATION NEAR BOUNDARY.....	
6.2 OBLIGATIONS OF THE LICENSEE .....	
6.3 PROHIBITIONS.....	
6.4 BLASTING.....	
<b>PART 7 - MISCELLANEOUS PROVISIONS .....</b>	
7.1 PUBLIC LIABILITY .....	
7.2 MINES SAFETY AND INSPECTION ACT AND ENVIRONMENTAL PROTECTION ACT .....	
7.3 NOTICE OF CESSATION OF OPERATIONS .....	
7.4 WORKS TO BE CARRIED OUT ON CESSATION OF OPERATIONS .....	
<b>PART 8 - OBJECTIONS &amp; APPEALS.....</b>	
<b>PART 9 – MODIFIED PENALTIES AND FORMS .....</b>	
<b>SCHEDULE 1 .....</b>	

---

## LOCAL GOVERNMENT ACT 1995

### *Shire of Mt Marshall*

## EXTRACTIVE INDUSTRIES LOCAL LAW

Under the powers conferred by the Local Government Act 1995 and by all other powers, the local government of the Shire of Mt Marshall resolved to make the following local law on the ---- day of ---- - 20--.

### Part 1 - Preliminary

#### Definitions

- 1.1 In this local law, unless the context otherwise requires –
- “Act” means the *Local Government Act 1995*;
  - “carry on an extractive industry” means quarrying and excavating for stone, gravel, sand, and other material;
  - “CEO” means the Chief Executive Officer of the local government;
  - “district” means the district of the local government;
  - “excavation” includes quarry;
  - “land”, unless the context otherwise requires, means the land on which the applicant proposes carrying on the extractive industry to which the licence application relates;
  - “licence” means a licence issued under this local law;
  - “licensee” means the person named in the licence as the licensee;
  - “local government” means the *[insert name of local government]*;
  - “occupier” has the meaning given to it in the Act;
  - “owner” has the meaning given to it in the Act;
  - “person” does not include the local government;
  - “secured sum” means the sum required to be paid or the amount of a bond, guarantee or other security under clause 5.1;
  - “site” means the land specified by the local government in a licence.

#### Application

- 1.2 (1) The provisions of this local law –
- (a) subject to paragraphs (b), (c), (d) and (e);
    - (i) apply and have force and effect throughout the whole of the district; and
    - (ii) apply to every excavation whether commenced prior to or following the coming into operation of this local law;

This paragraph implies that any gravel pits, sand pits, quarries etc. already in operation must cease operation until all documentation, licence fees & bonds, survey data, mines department and DER correspondence has been received and approved by the shire and that warning signs and fencing have been erected prior to recommencing work.

- (b) do not apply to the extraction of minerals under the *Mining Act 1978*;

While quarrying is not covered in the mining act 1978, we are covered by the mines and safety inspection act 1994 and regulations 1995 and must abide by the terms and conditions as imposed by the department of mines and petroleum. Virtually to the same extent as applied to miners extracting minerals.

Through our own discussions with the mines department inspectors, we have been informed that they also intend to start inspecting gravel pits. As the definition of mining

---

---

as per their safety and inspection act encompasses any excavation of material from the ground.

- (c) do not apply to the carrying on of an extractive industry on Crown land;
- (d) do not apply to the carrying on of an extractive industry on land by the owner or occupier of that land for use on that land; and

As this is written this would exempt small private gravel pits for use on the farm but not small commercial gravel pits.

- (e) do not affect the validity of any licence issued under the local law repealed by clause 1.3 of this local law if that licence is currently in force at the date of gazettal of this local law.
- (2) In sub clause (1)(d) land includes adjoining lots or locations in the same occupation or ownership of the owner or occupier referred to in sub clause (1)(d).

---

## Part 2 - Licensing Requirements for an Extractive Industry

### Extractive Industries Prohibited Without Licence

2.1 A person must not carry on an extractive industry –

- (a) unless the person is the holder of a valid and current licence; and
- (b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

Penalty \$5000 and a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which an offence has continued.

For clarification purposes, does extractive industry encompass exploration/sample drilling/excavation or sample crushing to prove the resources size, nature of the material, depth of the material? Many of the following points in 2.3 require some form of extraction to prove the resource, as well as to work out whether the project would be economically viable

Will the shire also be introducing an exploration licence? So that companies have the ability to prove up a resource, to gain the requested information.

The DER require no permits under 5000 tonne of material excavated, 5000 to 50000 requires only a registration under category 70.

The mines department allow up to 1000 tonne of sampling on an exploration licence as stated in division 2 section 20 of the mining regulations.

In our view the issue of an exploration permit requiring a more basic application, e.g. agreement with landholder, basic coordinates and a declaration of a minimum buffer zone between residences, thoroughfares etc. and the proposed exploration area would allow businesses to do their due diligence before undertaking the licensing process. Otherwise there would be no way for any new resources to be opened for gravel pits, sand pits or quarries.

### Application For Licence

- 2.3 (1) Subject to sub clause (3), a person seeking the issue of a licence in respect of any land shall apply in the form determined by the local government from time to time and must forward the application duly completed and signed by each of the applicant, the owner of the land and any occupier of the land to the CEO together with –
- (a) The prescribed application fees
  - (b) 3 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing –
    - (i) the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;
    - (ii) the land on which the excavation site is to be located;
    - (iii) the external surface dimensions of the land;
    - (iv) the location and depth of the existing and proposed excavation of the land;
    - (v) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
    - (vi) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
    - (vii) the location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of
-

- 
- easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
- (viii) the location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
  - (ix) the location and description of existing and proposed fences, gates and warning signs around the land; and
  - (x) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;
- b) 3 copies of a works and excavation programme containing -
- (i) the nature and estimated duration of the proposed excavation for which the licence is applied;
  - (ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;
  - (iii) details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
  - (iv) details of the depth and extent of the existing and proposed excavation of the site;
  - (v) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
  - (vi) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
  - (vii) a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
  - (viii) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
  - (ix) a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
  - (x) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
  - (xi) a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
  - (xii) a description of the measures to be taken to comply with the *Environmental Protection (Noise) Regulations 1997*;
- For all of the above highlighted points in paragraphs (b) & (b) this is an extensive amount of information given the small nature of any extractive industries within the shire. A lot of this information would be a guess at best without applying an extensive drill program, subsequent points such as number of truck movements or duration of operation, entirely depend on the size of the resource and demand.
- Furthermore, points vii, viii, and v can be addressed in “part 6 the limits, obligations of the licensee and prohibitions” and as with excavations near boundary if the shire sets a minimum exclusion zone, extractive industries need only address these points if they wish to go within minimum exclusion zone.
- (xiii) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
  - (xiv) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation; and
  - (xv) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas;
- (c) 3 copies of a rehabilitation and decommissioning programme indicating -
-



- 
- (i) the objectives of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
  - (ii) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
  - (iii) how any face is to be made safe and batters sloped;
  - (iv) the method by which topsoil is to be replaced and revegetated;
  - (v) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
  - (vi) how rehabilitated areas are to be maintained; and
  - (vii) the programme for the removal of buildings, plant, waste and final site clean up;

A rehabilitation plan is a hard thing to give specific information on, if one does not know the extent of the resource or duration of operations. A shire policy on minimum rehabilitation, unless otherwise specified would make applications easier.

- (d) evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public thoroughfare or such other land in the vicinity;
- (e) a certificate from a licensed surveyor certifying the correctness of -
  - (i) the plan referred to in paragraph (a); and
  - (ii) the datum peg and related point referred to in paragraph (d);

Both the DER and the DMP do not require a licenced surveyor to establish a datum peg or coordinates. A handheld GPS or the use of Near-Map or other mapping software enable accurate mapping of an area.

Both the DER and the DMP verify the coordinates given, using online map programs.

- (f) evidence that the requirements of clause 2.2(1) and (2) have been carried out;
- (g) copies of all land use planning approvals required under any planning legislation;
- (h) copies of any environmental approval required under any environmental legislation;
- (i) copies of any geotechnical information relating to the excavation site;

In our experience, environmental approvals in particular take extremely long periods of time to process, in the instance of just our registration (cat 70) this took almost a year to process. As stated earlier, cat 70 is not a licence, just a registration. It would be our hope that approval by one government department would not hold up the approval of another government department and that approval from the shire be independent to other government bodies

- (j) the consent in writing to the application from the owner of the excavation site;
  - (k) the licence application fee specified by the local government from time to time; and
  - (l) any other information that the local government may reasonably require.
- (2) All survey data supplied by an applicant for the purpose of sub clause (1) shall comply with Australian Height Datum and Australian Map Grid standards.
- (3) Where in relation to a proposed excavation
- (a) the surface area is not to exceed 2000m<sup>2</sup>; and
  - (b) the extracted material is not to exceed 2000m<sup>3</sup>;
- the local government may exempt a person making application for a licence under sub clause (1) from supplying any of the data specified in paragraphs (b), (d), (e) and (i) of sub clause (1).

this figure will not exempt any gravel/sand pits within the shire from having to provide this data, all pits we have encountered would exceed this figure and as a general estimate all of the pits in close proximity to our quarry would exceed 10000m and one would be over 30000m<sup>3</sup>

depending on the nature of proposed operations it would be sensible for the shire to allow itself to exempt an operation of any size from paragraphs b,d,e and I, or any of the points in 2.3. providing that

---

---

there is enough information to determine the nature of operations and satisfy the shire that the operation will not adversely affect outside land users, and that any additional information or significant change in activities be provided to the shire at periodic review of operations.

### **Part 3 - Determination of Application**

#### **Determination Of Application**

- 3.1 (1) The local government may refuse to consider an application for a licence that does not comply with the requirements of clause 2.3, and in any event shall refuse an application for a licence where planning approval for an extractive industry use of the land has not first been obtained.
- (2) The Local government will undertake consultation with surrounding landowners, referral to relevant agencies and advertising to the public prior to determining an application.
- (3) The local government may, in respect of an application for a licence -
- (a) refuse the application; or
  - (b) approve the application -
    - (i) over the whole or part of the land in respect of which the application is made; and
    - (ii) on such terms and conditions, if any, as it sees fit.
- (3) Where the local government approves an application for a licence, it shall -
- (a) determine the licence period, not exceeding 21 years from the date of issue; and
  - (b) approve the issue of a licence in the form determined by the local government from time to time.
-



- 
- (4) Where the local government approves the issue of a licence, the CEO upon receipt by the local government of -
- (a) payment of the licence fee, as determined by the local government;
  - (b) payment of the secured sum if any, imposed under clause 5.1;
  - (c) the documents, if any, executed to the satisfaction of the CEO, under clause 5.1; and
  - (d) a copy of the public liability insurance policy required under clause 7.1(1) shall issue the licence to the applicant.

Unnecessary correspondence.

- (5) Without limiting sub clause (2), the local government may impose conditions in respect of the following matters -
- (a) the orientation of the excavation to reduce visibility from other land;
  - (b) the appropriate siting of access thoroughfares, buildings and plant;
  - (c) the stockpiling of material;
  - (d) the hours during which any excavation work may be carried out;
  - (e) the hours during which any processing plant associated with, or located on, the site may be operated;
  - (f) requiring all crushing and treatment plant to be enclosed within suitable buildings to minimise the emission of noise, dust, vapour and general nuisance to the satisfaction of the local government;
  - (g) the depths below which a person shall not excavate;
  - (h) distances from adjoining land or thoroughfares within which a person must not excavate;
  - (i) the safety of persons employed at or visiting the excavation site;
  - (j) the control of dust and wind-blown material;
  - (k) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
  - (l) the prevention of the spread of dieback or other disease;
  - (m) the drainage of the excavation site and the disposal of water;
  - (n) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
  - (o) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
  - (p) requiring the licensee to furnish to the local government a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation programme;

Surveying is an extremely expensive process with no local support, quantities and depth excavated can easily be worked out using basic calculations without imposing this condition.

- (q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in the upgrade, repair or damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;
- (r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and
- (s) any other matter for properly regulating the carrying on of an extractive industry.

Given the more densely populated nature of Collie shire, where this law was designed and the spread out and sparsely populated nature of our shire, we would expect most of the conditions of section 5 to be irrelevant.

---



---

## Part 4 - Transfer, Cancellation and Renewal of Licence

### Transfer Of Licence

- 4.1 (1) An application for the transfer of a licence shall –
- (a) be made in writing;
  - (b) be signed by the licensee and the proposed transferee of the licence;
  - (c) be accompanied by the current licence;
  - (d) be accompanied by the consent in writing to the transfer from the owner of the excavation site;
  - (e) include any information that the local government may reasonably require; and
  - (f) be forwarded to the CEO together with the fee determined by the local government from time to time.
- (2) Upon receipt of any application for the transfer of a licence, the local government may –
- (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.
- (3) Where the local government approves an application for the transfer of a licence, the local government shall transfer the licence by an endorsement on the licence in the form determined by the local government from time to time, signed by the CEO.
- (4) Where the local government approves the transfer of a licence it shall not be required to refund any part of the fees paid by the former licensee in respect of the transferred licence.

### Cancellation Of Licence

- 4.2 (1) The local government may cancel a licence where the licensee has –
- (a) been convicted of an offence against –
    - (i) this local law; or
    - (ii) any other law relating to carrying on an extractive industry; or
  - (b) failed to comply with –
    - (i) any conditions of an excavation licence
    - (ii) any provisions of this local law.
    - (iii) any provisions of the Local Government's Local Planning Scheme

Lacks due process, if a violation is identified, the offending party should be given a stop work order and rectify the violation to the satisfaction of the shire before recommencing work. Only ongoing violations or the inability to rectify a violation should result in the cancellation of a licence.
  - (c) transferred or assigned or attempted to transfer or assign the licence without the consent of the local government;
  - (d) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this local law;
  - (e) or
  - (f) failed to have a current public liability insurance policy under clause 7.1(1) or failed to provide a copy of the policy or evidence of its renewal as the case may be, under clause 7.1(2).
- Unnecessary correspondence.
- (2) Where the local government cancels a licence under this clause –
- (a) the local government shall advise the licensee in writing of the cancellation;
  - (b) the cancellation takes effect on and from the day on which the licensee is served with the cancellation advice; and
  - (c) the local government shall not be required to refund any part of the fees paid by the licensee in respect of the cancelled licence.
-

---

### **Renewal Of Licence**

- 4.3 (1) A licensee who wishes to renew a licence must apply in writing to the local government at least 45 days before the date of expiry of the licence and shall submit with the application for renewal –
- (a) the fee determined by the local government from time to time;
  - (b) a copy of the current licence;
  - (c) a plan showing the contours of the excavation carried out to the date of that application;
  - (d) details of the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 2.3(1)(b)(c); and
  - (e) any other things referred to in clauses 2.3 and 3.1.
- (2) The local government may waive any of the requirements specified in clause 4.3 (1)(d) or (e).
- (3) If –
- (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
  - (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application, then the applicant shall not be obliged, unless otherwise required by the local government to submit details of any of the things referred to in clauses 2.3 and 3.1.
- (4) Upon receipt of an application for the renewal of a licence, the local government may –
- (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.

### **Part 5 - Secured Sum and Application Thereof**

#### **Security For Restoration And Reinstatement**

- 5.1 (1) For the purpose of ensuring that an excavation site is properly restored or reinstated, the local government may require that –
- (a) as a condition of a licence; or
  - (b) before the issue of a licence, the licensee shall give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government from time to time.
- (2) A bond required under sub clause (1) is to be paid into a fund established by the local government for the purposes of this clause.

#### **Use By The Local Government Of Secured Sum**

- 5.2 (1) If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions either –
- (a) within the time specified in those conditions; or
  - (b) where no such time has been specified, within 60 days of the completion of the excavation or portion of the excavation specified in the licence conditions, then; subject to the local government giving the licensee 14 days notice of its intention to do so –
  - (c) the local government may carry out or cause to be carried out the required restoration and reinstatement work or so much of that work as remains undone; and
-

- 
- (d) the licensee shall pay to the local government on demand all costs incurred by the local government or which the local government may be required to pay under this clause.
  - (2) The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 5.1 towards its costs under this clause.
  - (3) The liability of a licensee to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 5.1.
-



---

## Part 6 – Limitations, Obligations of the licensee and Prohibitions

### Limits On Excavation Near Boundary

- 6.1 Subject to any licence conditions imposed by the local government, a person shall not, without the written approval of the local government, excavate within –
- (a) 20 metres of the boundary of any land on which the excavation site is located;
  - (b) 20 metres of any land affected by a registered grant of easement;
  - (c) 50 metres of any thoroughfare; or
  - (d) 50 metres of any watercourse.
  - (e) 500m of any adjoining residence unless approved by Council and adjoining neighbors in writing.

Penalty \$2,000

### Obligations Of The Licensee

#### 6.2 A licensee shall -

- (a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorized entry;

will all gravel pits be made to have a lockable gate installed and said gates locked at all times when not in use and fines enforced if not locked?

- (b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign -
  - (i) is not more than 200 metres apart;
  - (ii) is not less than 1.8 metres high and not less than 1 metre wide; and
  - (iii) bears the words “DANGER EXCAVATIONS KEEP OUT”;

Through our dealings with the mines department we are not familiar with this condition.

Excavations/sharp faces are to have a bund wall erected in front of them. Signage is normally maintained at all possible entries to the site,

- (c) except where the local government approves otherwise, drain and keep drained to the local government’s satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;

unnecessary given our rainfall and nature of extractive industries within the shire

- (d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government;
- (e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and
- (f) otherwise comply with the conditions imposed by the local government in accordance with clause 3.1.

Penalty \$5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

### Prohibitions

#### 6.3 A licensee shall not -

- (a) remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the local government) of the boundary of any thoroughfare on land in respect of which a licence has been granted, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the
-

---

excavation and then only with the express approval of the local government and subject to any conditions which the local government may impose in accordance with clause 3.1;

- (b) store, or permit to be stored, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Minerals and Energy; or
- (c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government.



---

Penalty \$5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

### **Blasting**

- 6.4 (1) A person shall not carry out or permit to be carried out any blasting in the course of excavating unless –
- (a) the local government has otherwise given approval in respect of blasting generally or in the case of each blast;
  - (b) subject to sub clause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;

Mines department safety regulations read as follows:

(3) Except as provided in sub regulation (4), a person must not fire a charge at night.  
Penalty: See regulation 17.1.

(4) For the purposes of removing obstructions in crushers, or making workings safe, or for firing misfired holes, and with the consent in each case of the quarry manager or the representative of the quarry manager, firing may take place at night.

Although we always plan to fire shots within 8 to 5, there may be times when equipment malfunction, delays with the blast crew or a misfire could push the blast time past 5'oclock. For this reason we would ask that shire policy reflects mines department policy. And in the event of an unforeseeable delay, blasting is allowed up until sunset and in the event of a misfire or in the case of trying to make workings safe, blasting be permitted after dark.

- (c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the *Mines Safety and Inspection Act 1994*, the *Environmental Protection Act 1986*, and all relevant local laws of the local government; and
- (d) in compliance with any other conditions imposed by the local government concerning-
  - (i) the time and duration of blasting;
  - (ii) the purposes for which the blasting may be used; and
  - (iii) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

Penalty \$5,000.00 for each offence, and if the offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

- (2) A person shall not carry out or permit to be carried out any blasting on a Saturday, Sunday or public holiday except with the prior approval of the local government.

Penalty \$2,000

## **Part 7 - Miscellaneous Provisions**

### **Public Liability**

- 7.1 (1) A licensee shall have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim
-

---

relating to any of the excavation operations.

We are unsure on the purpose of taking out a policy in the name of the shire unless intended to cover the shire in the event that they are pulling gravel from a pit in which case does the shire not have its own insurance for this matter

- (2) The licensee shall provide to the local government a copy of the policy taken out under sub clause (1), within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.

Unnecessary correspondence.

### **Mines Safety and Inspection Act and Environmental Protection Act**

- 7.2 (1) In any case where the *Mines Safety and Inspection Act 1994* or the *Environmental Protection Act 1986* applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site shall –
- (a) comply with all applicable provisions of that Act or those Acts; and
- (b) provide to the local government within 14 days full particulars of any inspection or report made under that Act or those Acts.

Unnecessary correspondence. Mines department operate in a different fashion to Worksafe, an extractive industry may have 0 to 10 inspections a year, regardless of their safety record. They have a range of inspectors covering different fields and actively engage to find defects to prevent accidents, rather than investigating accidents once they happen.

We have monthly correspondence with the DMP, through an online portal system. These correspondences are readable when logged on to the secure portal and are not in email form.

The correspond annually with the DER through a similar portal system to provide updates of our activities.

These correspondences are not unlike heavy vehicle accreditation and contain a huge volume of generic compliance information. As stated earlier, it would be advisable if government departments remain independent or s a maximum, only require notification of major violations of the acts in question.

- (2) In this clause, the *Mines Safety and Inspection Act 1994* and the *Environmental Protection Act 1986* include all subsidiary legislation made under those Acts.
-

---

### Notice Of Cessation Of Operations

7.3 (1) Where a licensee intends to cease carrying on an extractive industry –

- (a) temporarily for a period in excess of 12 months; or
- (b) permanently,

the licensee shall, as well as complying with clause 7.4, give the local government written notice of the cessation not later than 1 month after those operations have ceased.

As a small quarry, we are happy to abide by this rule, however in the case of gravel pits or sand pits there is a reasonable expectation that they may lay dormant for more than 12 months at a time. In cases where operations are not of a consistent nature it would probably be sensible to waive this point to avoid non-compliance or excessive unnecessary correspondence.

- (2) Where a licensee has given written notice to the local government of the intention to permanently cease carrying on an extractive industry on the site to which the licence applies the licence is deemed to have expired on the date such cessation is so notified.
- (3) The temporary or permanent cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any licence fee.

### Works To Be Carried Out On Cessation Of Operations

7.4 Where the carrying on of an extractive industry on the site permanently ceases or on the expiration or cancellation of the licence applicable to the site, whichever first occurs, the licensee shall, as well as complying with the provisions of clause 7.3 –

- (a) restore and reinstate the excavated site in accordance with the proposals approved by the local government or in such other manner as the local government may subsequently agree in writing with the licensee;
  - (b) ensure that any face permitted to remain upon the excavation site is left safe with all loose materials removed and where the excavation site is -
    - (i) sand, the sides are sloped to a batter of not more than 1:3 (vertical:horizontal); and
    - (ii) limestone or material other than sand, the sides are sloped to a batter which, in the opinion of the local government, would enable the site to be left in a stable condition;
    - (iv) or if of a hard rock nature; to the satisfaction of mines safety regulations e.g. bunded, fenced and abandonment bunded.
  - (c) ensure that the agreed floor level of the excavation is graded to an even surface or is otherwise in accordance with the rehabilitation and decommissioning programme approved by the local government;  
?
  - (d) ensure that all stockpiles or dumps of stone, sand or other materials are left so that no portion of that material can escape onto land not owned or occupied by the licensee nor into any stream, watercourse or drain that is not wholly situated within the land owned or occupied by the licensee;
  - (e) erect retaining walls where necessary to prevent subsidence of land in the vicinity of any excavation;  
?
  - (f) remove from the site all buildings, plant and equipment erected, installed or used for or in relation to the carrying on of an extractive industry on the site and fill all holes remaining after such removal to the level of the surrounding ground and compact such filled holes sufficiently to prevent settling; and
-

- 
- (g) break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment were erected or installed and all areas which were used for stockpiling unless otherwise specified under this local law.

?

Penalty \$5,000 for each offence, and if the offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

---

---

## **Part 8 - Objections & Appeals**

- 8.1 When the local government makes a decision as to whether it will -
- (a) grant a person a licence under this local law; or
  - (b) renew, vary, or cancel a licence that a person has under this local law,
- the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.

## **Part 9 – Modified Penalties**

- 9.1 An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.
- 9.2 The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

## **Forms**

- 9.3 For the purposes of this local law –
- (a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
  - (b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
-



**SCHEDULE 1**

**PRESCRIBED OFFENCES**

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.1	Carry on extractive industry without licence	350
2.1 (a)	Failure to comply with terms and conditions of licence imposed by the local government	350
6.1	Excavate without approval	250
6.2(a)	Failure to securely fence and/or keep gateways locked where required	350
6.2(b)	Warning signs not erected or maintained as required	350
6.2(c)	Excavation not drained as required	350
6.3(a)	Remove trees or shrubs near boundary without approval	300
6.3(b)	Store without required approval explosives or explosive devices	350
6.3(c)	Fill or excavate in breach of licence	350
6.4(1)(a)	Blasting without approval of the local government	250
6.4(1)(b)	Blasting outside times authorised	350
6.4(1)(d)	Blasting in breach of conditions imposed by the local government	350
6.4(2)	Blasting without approval on Saturday, Sunday or public holiday	250

Dated this .... day of .... 20..

The Common Seal of }  
the Shire of Mt Marshall }  
was affixed in the presence of: }

---

**MAYOR/PRESIDENT**

**CEO**



Q Stone Pty Ltd, 4 Rain Place, Bayswater, Western Australia 6053 • Phone: 0417 681 865  
E-Mail: johnguthrie@aapt.net.au

Date: 3 April 2017

Mr. John Nuttall  
Chief Executive Officer  
Shire of Mt Marshall  
ceo@mtmarshall.wa.gov.au

Dear John:

The purpose of my communication is to provide the Shire and Council of Mt Marshall with options for consideration relating to the implementation of an instrument to support and guide the development and ongoing operations of, extractive industries conducted within the Shire of Mt Marshall.

#### **Option 1: Local Planning Policy**

##### **Example 1 – Extractive Industry Local Planning Policy – City of Greater Geraldton.**

##### **Example 2 – Extractive Industry Local Planning Policy – Shire of Chapman Valley.**

Whilst many Shires throughout Western Australia have extractive industries operating within them, relatively few make use of an Extractive Industry Local Law. Shires have opted to develop and implement a Local Planning Policy rather than adapting a local law. This may be associated with limited Basic Raw Materials within the Shire; relatively minimal extractive industry activity within the Shire; or the preference for greater flexibility and customization of processes and procedures that can be managed at local level to suit current and future Shire needs.

As quoted from the Shire of Mt Marshall Local Planning Scheme No. 3, Part 2 – Local Planning Policy Framework, Section 2.3.2 note: “ *Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. Although Local Planning Policies are not part of the scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including Residential Planning Codes. In considering an application for approval, the local government must have due regard to relevant Local Planning Policies as required under clause 10.2.*”

Local Planning Policies are guidelines used to assist Local Government in making decisions under the Local Planning Scheme.

With respect to extractive industries, many local governments throughout Western Australia have a Local Planning Policy to give guidance for this industry. An Extractive Industry Local Planning Policy not only serves as an instrument to Council to assist with making decisions it also gives prospective applicants good guidance for the Shire planning requirements to initiate extractive industry within the Shire.





A Local Planning Policy can be seen as more flexible in terms of being tailored to the Shire needs and aspirations and can be seen by prospective applicants as not having the rigidity of a Local Law. Therefore this may be perceived as less complicated and more encouraging for applicants to initiate extractive industry within the Shire. Further, a Local Planning Policy may provide the local authority with flexibility to consider an application on its merits whilst ensuring compliance requirements and the best interests of the Shire.

Two examples of Local Planning Policies for Extractive Industries are attached to this submission for the Shire and Council to consider. There are many Local Planning Policies available, however, I would consider The City of Greater Geraldton Policy to be more aligned with the characteristics of the Mt Marshall Shire.

Both of these Policies contain relevant and positive content that the Mt Marshall Shire may wish to reference should a decision be made to develop a similar policy.

### **OPTION 2: Extractive Industry Local Law 2015 – Shire of Wagin**

Local Laws can be considered as being very prescriptive, rigid and cumbersome. Not only for prospective applicants to operate under, but also for Local Governments to administer. The application process may result in complications and delays to developments, in addition to an administrative burden in circumstances that may exist outside of the prescribed laws.

Please see attached the Extractive Industries Local Law 2015 for the Shire of Wagin. I consider this is a good example of this type of Local Law that may be suited for the Shire of Mt Marshall. This is a recent example of this type of Local Law and ensures that it provides for relevant compliance requirements whilst not appearing to be as cumbersome as that of the proposed comparative Shire of Collie Local Law 2015.

I believe the above options are sound and relevant and request that the Shire and Council of Mt Marshall consider all the factors and implications of each.

I wish the Shire all the best in their endeavours to implement a suitable and best practice guideline for extractive industries within the Shire of Mt Marshall.

Yours Sincerely,

*John Guthrie*

John Guthrie  
Managing Director – Q Stone Pty Ltd

# Extractive Industry

## Local Planning Policy

**VERSION 2**

December 2015

town planning services

Version	Adoption	Comment
1	7 September 2010 Council Item SC186	Draft.
1	23 November 2010 Council Item SC197	Final.
1	1 July 2011 Council Item SC001	Final – Readopted under the new City of Greater Geraldton.
2	15 December 2015 Council Item DRS242	Readopted under the new LPS No. 1.

Contents

1.0 CITATION..... 3

2.0 OBJECTIVES ..... 3

3.0 POLICY MEASURES ..... 3

3.1 Exemptions from the Policy..... 3

3.2 General..... 3

3.3 Application Requirements ..... 4

3.4 Duration of Approvals ..... 5

## 1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *Extractive Industry local planning policy*.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

## 2.0 OBJECTIVES

- a) To set out the matters which are to be taken into account when considering applications for an extractive industry.
- b) To detail the specific requirements and minimum standards for the establishment of an extractive industry.
- c) To ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with long-term planning intentions for the area.

## 3.0 POLICY MEASURES

### 3.1 Exemptions from the Policy

This policy does not apply to the following:

- a) The extraction of basic raw materials on Crown land (including reserves and pastoral leases), which are covered by *the Mining Act 1978*.
- a) The extraction of basic raw materials to a depth of no more than 1m and an area of no more than 1ha where the material is to be used for improvements on the same property, municipal purposes or road construction.

### 3.2 General

- 3.2.1 Excavation should not generally occur within 20m of the boundary of any land on which the excavation site is located and within 40m of any road or watercourse.
- 3.2.2 The excavation area should be drained so as to prevent the accumulation of water.
- 3.2.3 Security fencing of the site may be required so as to prevent unauthorised access.
- 3.2.4 Explosives or explosive devices should not be stored on-site.
- 3.2.5 Hours of operation should generally be limited to 07:00 to 18:00 Monday to Saturday with no operations on Sundays or public holidays.
- 3.2.6 Blasting should only take place between 08:00 to 17:00 Monday to Friday.

### 3.3 Application Requirements

Applications shall include the following information:

- 3.3.1 A plan of the excavation site to a scale of between 1:500 and 1:2,000 showing:
- a) Existing and proposed land contours plotted at 1m contour intervals;
  - b) The land on which the excavation site is to be located;
  - c) External surface dimensions of the land;
  - d) Location and depth of the existing and proposed excavation of the land;
  - e) Location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
  - f) Location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
  - g) Location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered easement or other encumbrances over or in the vicinity of the land;
  - h) Location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
  - i) Location and description of existing and proposed fences, gates and warning signs around the land; and
  - j) Location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere.
- 3.3.2 A management plan containing:
- a) The nature and estimated duration of the proposed excavation;
  - b) The stages and the timing of the stages in which it is proposed to carry out the excavation;
  - c) Details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
  - d) Details of the depth and extent of the existing and proposed excavation of the site;
  - e) An estimate of the depth of and description of the nature and quantity of the overburden to be removed;
  - f) Description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
  - g) Description of the means of access to the excavation site and the types of thoroughfares to be constructed;

- h) Details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles (the local government may require contributions towards the upgrade of roads);
- i) Description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
- j) Details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
- k) Description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
- l) Description of the measures to be taken to comply with the applicable noise standards;
- m) Description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
- n) Details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation; and
- o) Description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.

## 3.3.3

A rehabilitation and decommissioning plan indicating:

- a) The objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
- b) Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
- c) How any face is to be made safe and batters sloped;
- d) The method by which topsoil is to be replaced and revegetated;
- e) The numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
- f) How rehabilitated areas are to be maintained; and
- g) The program for the removal of buildings, plant, waste and final site clean up.

3.4 Duration of Approvals

Planning approvals for extractive industries should be limited to a maximum period of 12 months, after which the further renewal of the approval by the local government is required annually. **This is the responsibility of the applicant and the local government will not automatically re-issue approvals.**

### 1. PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### 2. SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

### 3. OBJECTIVE

- 3.1 To detail the specific requirements and minimum standards for the establishment of an 'Extractive Industry' in the 'Rural' and 'Rural Smallholding' zones.
- 3.2 To set out matters which may be taken into account when considering applications for an extractive industry.
- 3.3 To ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with long-term planning intentions for the area.

### 4. POLICY STATEMENT

#### 4.1 Definition and Permissibility

- a. An 'Industry - Extractive' is defined within Local Planning Scheme No.2 as:

*"means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone, or similar material from the land and includes the treatment and storage*

*of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry-mining”*

- b. Within the ‘Rural Smallholdings’ and ‘Rural’ zones the land use of ‘Industry – Extractive’ is considered an ‘A’ use which means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of Local Planning Scheme No.2.
- c. The extraction of basic raw materials to a depth of 1.0 metre or less to be used for improvements the same farming property or for municipal purposes, including the building of roads, is exempt from obtaining planning consent.

#### **4.2 General Requirements / Considerations**

- a. Extractive industry will only be approved where Council is satisfied that the proposal will not result in unacceptable environmental impacts as a result of noise, dust, light spill, odour, visual intrusion or contamination.
- b. An extractive industry proposed within the Moresby Range as defined by the Moresby Ranges Management Strategy shall be assessed with regard for that development and the Moresby Range Management Plan.
- c. Depending on the nature of the proposed extractive industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks Council shall consider existing and potential land-uses on adjoining and nearby properties.
- d. Council may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.
- e. Where an extractive industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Council’s existing Crossover Policy.
- f. Where an extractive industry is being developed with or without direct access to a sealed road, the Council may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- g. The Council will not support the operation of extractive industry outside of the following hours, unless it can be demonstrated the



proposed extraction area/activity is at least 1000 metres from the closest neighbouring residence upon which the Council may entertain extended operating times:

Monday to Saturday - 7.00 am to 6.00 pm  
Sundays and Public Holidays - no operations

- h. The Extractive industry will generally be approved for a one year period from the date of issue. Operations that continue beyond one year's duration will be subject to a renewed application for planning consent on an annual basis.
- i. For large scale mining operations an extended period of approval may be entertained by Council, based on individual merit.

#### **4.3 Application Requirements**

- a. Planning application form duly signed by the owner(s) of the property and relevant fee;
- b. Plans that have been drawn to scale and include:
  - i. A surveyed plan of the site showing the proposed area of extraction in relation to topographical features, area of remnant vegetation, existing and proposed access and internal roads, existing buildings, proposed stock pile area and setback distances from property boundaries;
  - ii. A cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area;
  - iii. A rehabilitation plan for the area of extraction prepared in accordance with Department of Environment Regulation guidelines showing the re-contouring of the land and areas of re-planting.
- c. Written submission detailing the type and quantity of material to be mined, stages of extraction (if applicable), depth of extraction, life expectancy of the resource, specific hours of operation; number of vehicular movements per week and machinery to be used.
- d. A management plan containing:
  - i. the nature and estimated duration of the proposed excavation;
  - ii. the stages and the timing of the stages in which it is proposed to carry out the excavation;
  - iii. details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
  - iv. details of the depth and extent of the existing and proposed excavation of the site;
  - v. an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
  - vi. a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
  - vii. a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
  - viii. details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken

- by those vehicles (please note that the local government may require contributions towards the upgrade of roads);
  - ix. a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
  - x. details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
  - xi. a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
  - xii. a description of the measures to be taken to comply with the Environmental Protection (Noise) Regulations 1997;
  - xiii. a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
  - xiv. details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation; and
  - xv. a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.
- e. A rehabilitation and decommissioning plan indicating:
- i. the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
  - ii. whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
  - iii. how any face is to be made safe and batters sloped;
  - iv. the method by which topsoil is to be replaced and revegetated;
  - v. the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
  - vi. how rehabilitated areas are to be maintained; and
  - vii. the program for the removal of buildings, plant, waste and final site clean-up.

## 5. REFERENCES AND ADOPTION

Shire of Chapman Valley Local Planning Scheme No.2  
*Planning & Development Act 2005*  
 Moresby Range Management Strategy  
 Moresby Range Management Plan  
 Visual Landscape Planning in Western Australia

*Adopted at the 19 February 2014 Ordinary Meeting of Council*

## **Local Government Act 1995**

Shire of Wagin

## **Extractive Industries Local Law 2015**

### **Table of Contents**

#### **PART 1 - PRELIMINARY**

- 1.1 Citation
- 1.2 Commencement
- 1.3 Application
- 1.4 Definitions

#### **PART 2 – LICENSING REQUIREMENTS FOR AN EXTRACTIVE INDUSTRY**

- 2.1 Extractive industries Prohibited without Licence
- 2.2 Application for Licence

#### **PART 3 - DETERMINATION OF APPLICATION**

- 3.1 Determination of Application
- 3.2 Payment of Annual Licence Fee

#### **PART 4 – TRANSFER AND CANCELLATION OF LICENCE**

- 4.1 Transfer of Licence
- 4.2 Cancellation of Licence
- 4.3 Variation of Licence

#### **PART 5 – SECURED SUM AND APPLICATION THEREOF**

- 5.1 Security for Restoration and Reinstatement
- 5.2 Use by the Local Government of Secured Sum

#### **PART 6 – LIMITATIONS AND PROHIBITIONS**

- 6.1 Blasting

#### **PART 7 – MISCELLANEOUS PROVISIONS**

- 7.1 Public Liability
- 7.2 Mines Safety and Inspection Act and Environmental Protection Act

#### **PART 8 – OBJECTIONS AND APPEALS**

- 8.1 Local Government Act

# SHIRE OF WAGIN

---

## LOCAL GOVERNMENT ACT 1995

### SHIRE OF WAGIN

#### EXTRACTIVE INDUSTRIES LOCAL LAW 2015

Under the powers conferred by the Local Government Act 1995 and by all other powers enabling it, the local government of the Shire of Wagin resolved on 28<sup>th</sup> June 2016 to make the following local law.

#### PART 1 - PRELIMINARY

##### CITATION

1.1 This local law may be cited as the Shire of Wagin Extractive Industries Local Law 2015.

##### COMMENCEMENT

1.2 This local law will come into operation fourteen (14) days after the day on which it is published in the *Government Gazette*.

##### APPLICATION

- 1.3 (1) The provisions of this local law -
- (a) subject to paragraphs (b), (c), (d) and (e) -
    - (i) apply and have force and effect throughout the whole of the district; and
    - (ii) apply to every excavation whether commenced prior to or following the coming into operation of this local law;
  - (b) do not apply to the extraction of minerals under the Mining Act 1978;
  - (c) do not apply to the carrying on of an extractive industry on Crown land;
  - (d) do not affect the validity of any licence issued under any previous Extractive Industries local law applicable to the district; and
  - (e) do not apply to the carrying on of an extractive industry on land by the owner or occupier of that land for use on that land.
- (2) In subclause (1)(e) land includes adjoining lots or locations in the same occupation or ownership of the owner and occupier referred to in subclause (1)(e).

##### DEFINITIONS

1.4 In this local law, unless the context otherwise requires -

**Act** means the Local Government Act 1995;

**carry on an extractive industry** means quarrying and excavating for stone, gravel, sand and other material;

**CEO** means the Chief Executive Officer of the local government;

**district** means the district of the local government;

**excavation** includes quarry;

**licence** means a licence issued under this local law;

**licensee** means the person named in the licence as the licensee;

**Local Government** means the Shire of Wagin;

**occupier** has the meaning given to it in the Act;

**owner** has the meaning given to it in the Act;

**person** does not include the local government;

# SHIRE OF WAGIN

---

**secured sum** means the sum required to be paid or the amount of a bond, guarantee or other security under clause 5.1; and

**site** means the land specified by the local government in a licence.

## PART 2 – LICENCING REQUIRMENTS FOR AN EXTRACTIVE INDUSTRY

### EXTRACTIVE INDUSTRIES PROHIBITED WITHOUT LICENCE

2.1 A person must not carry on an extractive industry -

- (a) unless the person is the holder of a valid and current licence; and
- (b) unless the person is the holder of a current planning approval for that extractive industry granted by the local government under the relevant local planning scheme; and
- (c) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

Penalty \$5000 and a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which an offence has continued.

### APPLICATION FOR LICENCE

2.2 A person seeking the issue of a licence in respect of any land must apply in the form determined by the local government from time to time and must forward the application duly completed and signed by the applicant and the owner of the land to the CEO together with -

- (a) the application fee as prescribed by the local government;
- (b) three (3) copies of a detailed plan of the excavation site to a scale of between 1:500 and 1:2000 showing –
  - (i) the location, area, depth and volume of extraction (existing and proposed final contours at 1 metre intervals);
  - (ii) the distances from lot boundaries and all dwellings and other sensitive uses within a 1km radius of the extraction site;
  - (iii) road frontages and property access;
  - (iv) details of nearby and surrounding land uses;
  - (v) existing vegetation, wetlands, and watercourses, and distance to the proposed area of extraction;
  - (vi) areas of extracted materials, top soil and overburden stockpiles; and
  - (vii) the location of any buildings associated with the proposal;
- (c) a report accompanying the above plans, detailing -
  - (i) the type of material to be excavated;
  - (ii) the method(s) of extraction, including blasting, crushing and other on-site processing works;
  - (iii) a description of the methods by which vegetation is to be cleared and extracted material, overburden and top soil stockpiled and/or removed;
  - (iv) the hours of operation (including blasting, crushing and excavation);
  - (v) the anticipated overall lifespan of the extractive industry;
  - (vi) the type, volume, location and method of storage of any chemicals;
  - (vii) the type of equipment to be used, including size of trucks and machinery;
  - (viii) any on-site maintenance and/or refuelling of trucks or machinery;
  - (ix) the number and type of truck movements per day/week;
  - (x) the stages and the timing of the stages in which it is proposed to carry out the excavation;
  - (xi) proposed haulage routes and destinations; and
  - (xii) proposed road warning signage; and

# SHIRE OF WAGIN

---

- (d) the required report will also address the following environmental considerations -
  - (i) noise, dust and vibration abatement measures;
  - (ii) visual impact assessment, with particular reference to major roads, tourist routes and interest points, and surrounding properties and structures;
  - (iii) drainage implications including surface and ground water impacts;
  - (iv) acid sulphate soil risks (if any) and appropriate management measures;
  - (v) proposed end use of site;
  - (vi) a detailed rehabilitation plan including types of materials, staging, source of materials, re-contouring, replacement of topsoil, screen planting and revegetation (vegetation species and densities);
  - (vii) assessment of the risk of spreading Phytophthora dieback and management techniques appropriate to that level of risk;
  - (viii) management techniques to address potential conflict with surrounding land uses and protection of environmental attributes; and
  - (ix) any other assessment that the local government may require, including but not limited to Aboriginal and Heritage considerations.

## **PART 3 - DETERMINATION OF APPLICATION**

### **DETERMINATION OF APPLICATION**

- 3.1 (1) The local government may refuse to consider an application for a licence that is not accompanied by the fees, information and documents required by clause 2.2.
- (2) The local government may undertake consultation with surrounding land owners prior to determining the application.
- (3) The applicant will be responsible for paying a consultation fee to the local government, as determined by the local government, to meet expenses for the local government undertaking any consultation under subclause (2).
- (4) The local government may, in respect of an application for a licence -
  - (a) refuse the application; or
  - (b) approve the application -
    - (i) over the whole or part of the land in respect of which the application is made; and
    - (ii) on such terms and conditions, if any, as it sees fit.
- (5) Without limiting subclause (4), the local government may impose conditions in respect of the following matters -
  - (a) the orientation of the excavation to reduce visibility from other land;
  - (b) the appropriate siting of access thoroughfares, buildings and plant;
  - (c) the stockpiling of material;
  - (d) the hours during which any excavation work may be carried out;
  - (e) the hours during which any processing plant associated with, or located on, the site may be operated;
  - (f) requiring all crushing and treatment plant to be enclosed within suitable buildings to minimise the emission of noise, dust, vapour and general nuisance to the satisfaction of the local government;
  - (g) the depths below which a person must not excavate;
  - (h) distances from adjoining land or roads within which a person must not excavate;

# SHIRE OF WAGIN

---

- (i) the safety of persons employed at or visiting the excavation site;
  - (j) the control of dust and wind-blown material;
  - (k) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
  - (l) the prevention of the spread of dieback or other disease;
  - (m) the drainage of the excavation site and the disposal of water;
  - (n) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
  - (o) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
  - (p) requiring the licensee to furnish to the local government a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation programme;
  - (q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;
  - (r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and
  - (s) any other matter for properly regulating the carrying on of an extractive industry.
- (6) Where the local government approves an application for a licence, it must –
- (a) determine the licence period, which must not exceed 21 years from the date of issue of the licence; and
  - (b) approve the issue of a licence in the form determined by the local government from time to time.

## **PAYMENT OF ANNUAL LICENCE FEE**

- 3.2 On or before 31 December in each year, a licensee must pay to the local government the annual licence fee determined by the local government from time to time.

## **PART 4 – TRANSFER AND CANCELLATION OF LICENCE**

### **TRANSFER OF LICENCE**

- 4.1 (1) An application for the transfer of a licence must –
- (a) be made in writing;
  - (b) be signed by the licensee and the proposed transferee of the licence;
  - (c) be accompanied by the current licence;
  - (d) be accompanied by the consent in writing to the transfer from the owner of the excavation site;
  - (e) include any information that the local government may reasonably require; and

# SHIRE OF WAGIN

---

- (f) be forwarded to the CEO together with the fee determined by the local government from time to time.
- (2) Upon receipt of any application for the transfer of a licence, the local government may -
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.
- (3) Where the local government approves an application for the transfer of a licence, the local government shall transfer the licence by an endorsement on the licence in the form determined by the local government from time to time, signed by the CEO.
- (4) Where the local government approves the transfer of a licence it shall not be required to refund any part of the fees paid by the former licensee in respect of the transferred licence.

## **CANCELLATION OF LICENCE**

- 4.2 (1) The local government may cancel a licence where the licensee has -
- (a) ceased to substantially carry on the extractive industry for a period in excess of 12 consecutive months;
  - (b) been convicted of an offence against -
    - (i) this local law; or
    - (ii) any other law relating to carrying on an extractive industry; or
  - (c) transferred or assigned or attempted to transfer or assign the licence without the consent of the local government;
  - (d) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this local law;
  - (e) failed to pay the annual licence fee under clause 3.2; or
  - (f) failed to have a current public liability insurance policy under clause 7.1(1) or failed to provide a copy of the policy or evidence of its renewal as the case may be, under clause 7.1(2).
- (2) Where the local government cancels a licence under this clause -
- (a) it shall advise the licensee in writing of the cancellation;
  - (b) the cancellation takes effect on and from the day on which the licensee is served with the cancellation advice;
  - (c) it shall require the licensee to restore and reinstate the excavated site in accordance with the proposals approved by the local government or in such other manner as it may subsequently agree in writing with the licensee; and
  - (d) the local government shall not be required to refund any part of the fees paid by the licensee in respect of the cancelled licence.



# SHIRE OF WAGIN

---

## **VARIATION OF LICENCE**

- 4.3 (1) An application to vary a licence must -
- (a) be made in writing;
  - (b) be signed by the licensee and the owner of the excavation site (if different to the licensee);
  - (c) be accompanied by the current licence;
  - (d) include any information that the local government may reasonably require; and
  - (e) be forwarded to the CEO together with the fee determined by the local government from time to time.
- (2) Upon receipt of any application to vary a licence, the local government may -
- (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.
- (3) Where the local government approves a licence variation, it shall notify the licensee and owner of the excavation site in a written form determined by the local government from time to time and signed by the CEO.

## **PART 5 – SECURED SUM AND APPLICATION THEREOF**

### **SECURITY FOR RESTORATION AND REINSTATEMENT**

- 5.1 (1) For the purpose of ensuring that an excavation site is properly restored or reinstated, the local government may require that -
- (a) as a condition of a licence; or
  - (b) before the issue of a licence,
- the licensee must give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government from time to time.
- (2) Prior to the commencement of an extractive industry, a bond required under subclause (1) is to be paid into a fund established by the local government for the purposes of this clause.

### **USE BY THE LOCAL GOVERNMENT OF SECURED SUM**

- 5.2 (1) If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions either -
- (a) within the time specified in those conditions; or
  - (b) where no such time has been specified, within a reasonable period of time from the completion of the excavation or portion of the excavation specified in the licence conditions,
- then -
- (c) the local government may carry out or cause to be carried out the required restoration and reinstatement work or so much of that work as remains undone; and
  - (d) the licensee must pay to the local government on demand all costs incurred by the local government or which the local government may be required to pay under this clause.

# SHIRE OF WAGIN

---

- (2) Subclauses 5.2(1)c) and d) also apply if a licensee fails to carry out or complete restoration and reinstatement works as required by the local government as a result of cancelling the licence.
- (3) The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 5.1 towards its costs under this clause.
- (3) The liability of a licensee to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 5.1.

## **PART 6 - LIMITATIONS AND PROHIBITIONS**

### **BLASTING**

- 6.1 (1) A person must not carry out or permit to be carried out any blasting in the course of excavating unless -
- (a) the local government has otherwise given approval in respect of blasting generally or in the case of each blast;
  - (b) subject to subclause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;
  - (c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the Mines Safety and Inspection Act 1994, the Environmental Protection Act 1986, and all relevant local laws of the local government; and
  - (d) in compliance with any other conditions imposed by the local government concerning-
    - (i) the time and duration of blasting;
    - (ii) the purposes for which the blasting may be used; and
    - (iii) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

Penalty \$5,000 for each offence, and if the offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

- (2) A person must not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the local government.

Penalty \$2,000

## **PART 7 - MISCELLANEOUS PROVISIONS**

### **PUBLIC LIABILITY**

- 7.1 (1) A licensee must have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.

# SHIRE OF WAGIN

- (2) The licensee shall provide to the local government a copy of the policy taken out under subclause (1), within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.

## MINES SAFETY AND INSPECTION ACT AND ENVIRONMENTAL PROTECTION ACT

- 7.2 (1) In any case where the Mines Safety and Inspection Act 1994 or the Environmental Protection Act 1986 applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site must -
- (a) comply with all applicable provisions of that Act or those Acts; and
  - (b) provide to the local government within 14 days full particulars of any inspection or report made under that Act or those Acts.
- (2) In this clause, the Mines Safety and Inspection Act 1994 and the Environmental Protection Act 1986 include all subsidiary legislation made under those Acts.

## PART 8 – OBJECTIONS AND APPEALS

### LOCAL GOVERNMENT ACT

- 8.1 When the local government makes a decision as to whether it will -
- (a) grant a person a licence under this local law; or
  - (b) transfer, cancel or vary a licence that a person has under this local law,
- the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the Local Government (Functions and General) Regulations 1996 shall apply to that decision.

Dated this 6<sup>th</sup> day of JULY, 2016

The Common Seal of the  
Shire of Wagin was  
affixed by authority of a  
resolution of the Council in the  
presence of:

)  
)  
)  
)  
)



President

Chief Executive Officer

# SHIRE OF WAGIN

---

**FORM 1  
(Newspaper Notice)**

**SHIRE OF WAGIN**

**NOTICE OF APPLICATION  
FOR AN EXTRACTIVE INDUSTRY LICENCE**

Take notice that [1] .....

.....

intends to apply to the Shire of Wagin for an extractive industry licence to excavate

[2] .....

on land situated at [3] .....

.....

being [4] .....

.....

Any person who wishes to object or otherwise comment upon this proposal, should do so in writing to the Chief Executive Officer, Shire of Wagin PO Box 200 WAGIN WA 6315, not later than [5] .....

[1] Insert the name of the applicant.

[2] Insert the material(s) proposed to be excavated.

[3] Insert the postal address of the land subject of the application.

[4] Insert the title description of the land subject of the application.

[5] Insert the date which should not be less than 21 days from the date when the advertisement is to first appear in the newspaper.

# SHIRE OF WAGIN

---

## FORM 2 (Site Notice)

### SHIRE OF WAGIN

#### NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRY LICENCE

Take notice that [1] .....

.....

intends to apply to the Shire of Wagin for an extractive industry licence to excavate

[2] .....

on land situated at [3] .....

.....

being [4] .....

.....

Any person who wishes to object or otherwise comment upon this proposal, should do so in writing to the Chief Executive Officer, Shire of Wagin PO Box 200 WAGIN WA 6315, not later than [5] .....

[1] Insert the name of the applicant.

[2] Insert the material(s) to be excavated.

[3] Insert the postal address of the land subject of the application.

[4] Insert the title description of the land subject of the application.

[5] Insert the date which is to be 21 days after the date on which the notice is placed on the land.

# SHIRE OF WAGIN

---

## FORM 3

### SHIRE OF WAGIN

#### APPLICATION

#### FOR AN EXTRACTIVE INDUSTRY LICENCE

1. Name .....(Applicant)
2. Address .....  
.....
3. Telephone ..... Fax .....
4. Address and locality of proposed excavation site .....  
.....
5. Lot No ..... 6. Location No .....
7. Plan or Diagram No .....
8. Certificate of Title Volume ..... Folio .....
9. Owner of the land .....  
.....
10. Address of owner of the land .....  
.....
11. Material to be excavated .....
12. If the application covers land that is the subject of an existing licence:  
Date of Issue of that licence .....  
Date of expiration of that licence .....  
Conditions applicable to that licence .....  
.....

# SHIRE OF WAGIN

---

13. Term of licence sought .....

14. Submitted with this application are:

- (a) 3 copies of detailed excavation site plans as required by clause 2.2(b)
- (b) a report accompanying the above plans as required by clauses 2.2(c) and (d)
- (c) any other information that the local government has required
- (d) licence application fee of \$.....

The applicant applies for a licence in respect of the proposed excavation site in accordance with and subject to the Shire of Wagin Local Law relating to Extractive Industries.

Dated this ..... day of ..... 20 .....

.....  
Signature of Applicant

.....  
Signature of Owner of the land

.....  
Signature of existing licensee  
(if applicable)

# SHIRE OF WAGIN

---

## FORM 4

### SHIRE OF WAGIN

#### EXTRACTIVE INDUSTRY LICENCE

Licensee .....

Address .....

.....

Land Description .....

.....

Material to be Excavated .....

Term of Licence .....

Date of Expiry .....

This licence is issued in accordance with the Shire of Wagin Local Law relating to Extractive Industries subject to the following conditions:

.....

.....

.....

.....

Dated this ..... day of ..... 20 .....

.....

Chief Executive Officer



# SHIRE OF WAGIN

---

## FORM 5

### SHIRE OF WAGIN

#### TRANSFER ENDORSEMENT

This licence is transferred to .....

of .....

.....

from the date of the endorsement until .....

subject to each of the above conditions and the following additional conditions -

Dated this ..... day of ..... 20 .....

.....

Chief Executive Officer

---

# SHIRE OF WAGIN

---

## FORM 6

### SHIRE OF WAGIN

#### VARIATION TO EXTRACTIVE INDUSTRY LICENCE

Licensee .....

Address .....

.....

The licence issued in accordance with the Shire of Wagin Extractive Industries local law dated *(insert)* is hereby varied as follows:

.....

.....

.....

.....

and subject to the following conditions:

.....

.....

.....

.....

Dated this ..... day of ..... 20 .....

.....

Chief Executive Officer

## Nadine Richmond

---

**From:** Paul Bashall <planwest@bigpond.net.au>  
**Sent:** Thursday, 6 April 2017 5:02 PM  
**To:** Jack Walker  
**Subject:** RE:

Hi Jack,

An extractive industry is only allowed in the 'Rural' zone as a D use, and does require the submission of a DA.

The Chapman Valley LPP looks very comprehensive and could very well be used for preparing your version. In my book the LPPs are really for conveying the Council's attitude (or receptiveness) about certain issues.

These issues are those issues that fall through the cracks of a Scheme.

Schemes are now very basic (having to follow the Regulations).

The trouble with an LPP is that it is just a policy and therefore has only a limited status in an appeal.

Because the WAPC or Department do not have a role in these they do not provide any support in an appeal.

I do support LPPs as they provide a proponent with better guidelines about process and requirements.

Sorry that's a long-winded answer, but in short, the attached looks fine as a basis.

Paul

Paul Bashall

**PLANWEST (WA) Pty Ltd**

Office: 94 Third Ave, Mt Lawley, WA

Mail: PO Box 202, Mt Lawley, WA, 6050

Tel: 08 9271 9291 Mob: 0429 911 100

**From:** Jack Walker [mailto:ro@mtmarshall.wa.gov.au]

**Sent:** Wednesday, 5 April 2017 3:11 PM

**To:** planwest@bigpond.net.au

**Subject:** FW:

Hi Paul,

We are in the process of adopting a local law for extractive industries but it looks a bit cumbersome.

It looks like another option is to adopt a Local Planning Policy to cover extractive industries (see attached from Shire of Chapman Valley) could you please advise of any Town Planning issues that may halt the process.

City of Greater Geraldton also has a Local Planning Policy for extractive industry.

Your comments would be appreciated.

Thank you

Regards

Jack





# SHIRE OF KOORDA

ABN 76 109 337 541

*All Communications to be addressed  
to the Chief Executive Officer*

PO BOX 20  
KOORDA WA 6475

PHONE: (08) 9684 1219  
FAX: (08) 9684 1379  
EMAIL: [shire@koorda.wa.gov.au](mailto:shire@koorda.wa.gov.au)

23<sup>rd</sup> December 2016

Ref: ADM0119  
Your Ref: JW16-242 A6/6

Regulatory Officer  
Jack Walker  
P O Box 20  
BENCUBBIN WA 6477

Dear Jack

## RE: DUAL REGISTRATION – BUSH FIRE CONTROL OFFICERS

Thank you for your recent notification of dual registration Bush Fire Control Officers for the Shire of Mt Marshall.

This matter was put to Council at the December Ordinary Meeting and the registrations were accepted. Council also requests consideration of the Shire of Koorda Bush Fire Control Officers be dual registered with the Shire of Mt Marshall. Our Officers are:

George Storer	<a href="mailto:gialorer5@bigpond.com">gialorer5@bigpond.com</a>	08 9684 6026	0428 846 026
Greg Westlund		08 9684 4027	0427 844 027
Andrew Leeke		08 9682 1053	0427 446 004

If you require any further information in relation to the matter, please contact me on 08 9684 1219.

Yours faithfully

David Burton  
Chief Executive Officer