



*'The Council and Staff of the Shire of Boddington, in partnership with the community, are committed to operating effectively and efficiently to provide quality lifestyle opportunities that encourage population growth and development'*

## **MINUTES**

**For The  
Ordinary Meeting of Council  
Held At  
17 November 2022  
At 5:30pm**

Council Chambers  
39 Bannister Rd, Boddington

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## Minutes

1.	DECLARATION OF OPENING .....	4
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....	4
3.	DISCLOSURES OF INTEREST .....	4
4.	PUBLIC QUESTION TIME .....	4
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	4
6.	CONFIRMATION OF MINUTES.....	5
7.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	5
8.	RECEPTION OF MINUTES & RECOMMENDATIONS OF COMMITTEES HELD.....	5
9.	REPORTS OF OFFICERS.....	5
9.1	PLANNING & DEVELOPMENT .....	5
9.2.	CHIEF EXECUTIVE OFFICER .....	5
9.2.1	Boddington Caravan Park Needs Analysis.....	5
9.2.2	Annual Review of Register of Delegations .....	78
9.2.3	Risk Management Policy Review .....	252
9.3.	CORPORATE SERVICES .....	262
9.3.1	Payment Listing .....	262
9.3.2	Monthly Financial Statements.....	266
9.4	COMMUNITY AND ECONOMIC DEVELOPMENT .....	284
9.4.1	Extended Trading Hours.....	284
9.5.	WORKS AND SERVICES.....	294
10.	ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN.....	294
11.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING .....	294
12.	CONFIDENTIAL ITEMS.....	294
13.	CLOSURE OF MEETING .....	294

**1. DECLARATION OF OPENING**

Garry Ventris, Shire President, declared the meeting open at 5:33pm.

The Shire of Boddington acknowledges the Noongar people as Traditional Custodians and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

**2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**2.1 Attendance**

Cr Garry Ventris	Shire President
Cr E Smalberger	Deputy Shire President
Cr E Schreiber	
Cr C Erasmus	
Cr L Lewis	
Cr I Webster	
Cr A Ryley	
Mrs Julie Burton	Chief Executive Officer
Mrs Cara Ryan	Executive Manager Corporate Services
Mr Jeff Atkins	Manager Works & Services
Ms Tamsin Hodder	Executive Assistant (minutes)

Visitor: 1

**2.2 Apologies**

Nil

**2.3 Leave of Absence**

Nil

**3. DISCLOSURES OF INTEREST**

Nil.

**4. PUBLIC QUESTION TIME**

Public question time is limited to a total of fifteen minutes of duration, except by consent of the person presiding. Each speaker is limited to three minutes duration to speak, except by consent of the person presiding.

**5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**6. CONFIRMATION OF MINUTES**

**Officer Recommendation/Council Decision**

**COUNCIL RESOLUTION: 124/22**

**Moved: Cr Webster**

That the minutes of the Ordinary Meeting of Council held on 27 October 2022 be received.

**Seconded: Cr Ryley**

**Carried: 7/0**

**7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**8. RECEPTION OF MINUTES & RECOMMENDATIONS OF COMMITTEES HELD**

**9. REPORTS OF OFFICERS**

**9.1 PLANNING & DEVELOPMENT**

Nil

**9.2. CHIEF EXECUTIVE OFFICER**

**9.2.1 Boddington Caravan Park Needs Analysis**

File Reference: 3.0000613  
Applicant: Not applicable  
Disclosure of Interest: Nil  
Author: Chief Executive Officer  
Attachments: 9.2.1A Draft Boddington Caravan Park Needs Analysis

**Summary**

Council is requested to endorse the draft Needs Analysis for the Boddington Caravan Park, and endorse progression to the next stage of the project, being a Business Case to assess viability for expansion and/or improvements.

**Background**

The development of appropriate tourist accommodation in the Boddington LGA is essential, both for the sustainability of its tourism economy and the creation of employment, but also to provide access for tourists to the unique natural, cultural, and historic attractions of the area.

The Shire currently operates the Boddington Caravan Park, located on Wuraming Avenue. In August 2022, the Council Plan was adopted, which stated the need to confirm the perceived need for additional or a greater diversity of accommodation in Boddington, via a Business Case.

To support the evaluation of the opportunities for the site, the Shire engaged a consultant with significant expertise in the field, to prepare the first stage of a two stage Business Case. The first stage (Needs Analysis) is the subject of this item.

The Needs Analysis (Stage 1) incorporates:

- Accommodation demand/supply analysis

- Consideration of the current and potential product mix to meet demand and ensure financial viability and a positive user experience
- Review and assessment of existing caravan park, noting any redevelopment requirements to ensure flexibility to “future proof” the development
- Assess current management arrangements and provide alternative management options where appropriate
- Determine opportunity for future staging of construction and development
- Provide concepts for minimising construction and servicing costs
- Consider potential to incorporate alternative uses for sites in the caravan park
- Liaison with relevant industry stakeholders

The Business Case (Stage 2) incorporates:

- Caravan industry research, best case examples, locational advantages and potential issues
- Short and long-term market impacts of COVID-19 pandemic
- Current market trends and market projections
- Broad capital cost estimate of potential redevelopment – including construction and site services
- Financial modelling including projected occupancy and yield
- Estimated operational costs
- Product mix variability outcomes
- Cost benefit analysis
- High-level social and economic impact analysis

Following completion of Stage 1 - Needs Analysis, the project is now at a gateway whereby a ‘stop or go’ decision is required.

### Comment

The Boddington Caravan Park represents an opportunity for the Shire of Boddington to deliver an accommodation experience on a waterfront location that enhances Boddingtons brand as a destination for tourists. Currently, short term accommodation lacks sufficient diversity within the Town, and therefore opportunities to enable longer stays than ‘day-trips’, especially for families, are constrained.

The Needs Analysis Report, contained in Attachment 9.2.1A, outlines a number of findings that include the following commentary:

- Despite some minor crossover, the product and market for short-stay accommodation in Boddington is split between operators who target worker and contractor guests, and operators that target holiday travelers.
- Research and consultation indicate a gap in supply of affordable, separated, holiday accommodation for individuals, couples and families;
- The most appropriate location for the holiday accommodation is on Lot 18A, adjacent to the existing caravan park;
- Issues regarding the installation of tourist accommodation on flood-prone land can be relatively easily mitigated without costly filling of the land;
- Pricing of caravan and camping sites at the Boddington Caravan Park is lower than for comparable locations;
- The town lacks iconic attractions that identify it as a tourist destination;
- The attractions of the Hotham River, foreshore development and the many other historic and natural attractions available to visitors to the town, do not engender frequency of repeat visitation, with perhaps the exception of the Hotham Park adventure playground and skate park;

- Boddington lacks tourism presence, developed through marketing and promotion, compared with its peers like Dwellingup and Collie;
- The provision of free-camping sites on the Hotham River foreshore is detrimental to the operation of the caravan park and the financial return to the community; and
- There is no fit-for-purpose backpacker accommodation facility in Boddington.

The report details the following recommendations:

- Increase the supply of tourist accommodation in Boddington by:
  - a) Constructing several separate holiday accommodation units on the vacant site adjacent to the existing caravan park; and
  - b) Encourage other tourist accommodation providers where appropriate, to add the supply of holiday accommodation, through supporting applications for the developments and grant funding applications.
- Initiate a concept design for the caravan park accommodation and develop a business case to support an application for grant funding by the Shire for the construction of the units;
- Review current pricing policy for the caravan park with a view to increasing tariffs to market rates to provide a better financial return to the Shire, which could be partially utilised for marketing and promotion of the town's tourist offer;
- Relocate the free-camping area;
- Investigate the option of constructing a small backpacker lodge (4 – 6 rooms), in a purpose-designed single transportable unit with shower and toilet facilities on the land currently utilised for free-camping; Explore the level of support for, and the potential for success of an application for grant-funding to develop one or more iconic tourist attractions that would encourage regular repeat visitation to the town. The suggestions for the attractions put forward are a 4WD Adventure Park and a gold mining exhibition centre; and
- Instigate a marketing plan utilising social media and online promotion (tourism website) and investigate a software as a service (SAAS) solution to online booking of all the town's tourist accommodation

The recommendation to construct additional tourist accommodation is based on a gap analysis of the current tourist accommodation in Boddington, which highlights shortcomings in the supply of comfortable, affordable, and relaxed resort-style, family accommodation.

The next stage of the project, should Council decide to continue, is to assess the viability of this recommendation to expand/upgrade. Various other recommendations are provided in the report that are worthy of consideration outside of the scope of this project.

To assess the viability of a project, a base concept plan would ideally inform the level of development and therefore have a direct correlation to the financial and economic assessment. The project initially provided for a needs analysis and business case, however, did not include funds for a concept plan. The recommendation is to allocate additional funding to enable a concept plan to be completed. Should Council wish limit the project to the Needs Analysis and Business Case only, this will proceed based on assumptions regarding the level of development.

### Consultation

The preparation of the Needs Analysis was informed by a community and industry engagement process. This included:

- All the known accommodation providers were contacted and asked to provide their opinion on the situation concerning demand and supply of commercial accommodation in Boddington, whether they had plans to expand the number of accommodation units

at their properties and if they were able to share their thoughts on the necessary actions required to improve visitation of tourists to Boddington. The consultants also conducted a site visit to all the accommodation properties.

- Mining company representatives were canvassed as to their organisation's usage of the town's commercial accommodation and if the supply was adequate or needed improvement. Future short-term accommodation requirements and preferences were also requested.
- The consultants sought insights from the Shire and Peel Development Commission on future directions and needs.
- A project page was established on the website to provide opportunity for community comment throughout the project.

### Strategic Implications

Aspiration	Prosperity
Outcome 11	An attractive destination for day trips and short stay visitors
Objective 11.1	Develop and promote high quality tourist accommodation and experiences.
Action 11.1.3	Develop a business plan to upgrade Boddington Caravan Park

### Legislative Implications

Nil

### Policy Implications

Nil

### Financial Implications

An additional \$15,000 is recommended to be allocated in the current budget to allow the development of a concept plan. Sufficient capacity exists to accommodate this additional item of expenditure.

### Economic Implications

In Australia, the caravan and camping industry, including caravan parks, is a \$23 billion industry that directly employs 53,000 people, manufactures 25,000 vehicles per annum, services over 740,000 vehicles on the road, generates 12 million trips and creates 60 million visitor nights across the country. It is an industry that is uniquely positioned to hold the foundation for ongoing tourism activity during and post the COVID-19 crisis.

An assessment of the social and economic benefits of the expansion of the Boddington Caravan Park is explored on pages 56 – 59 of the Report, and Appendix 1 (page 66).

The economic contribution of the Boddington project can be traced through the economic system via:

- Direct impacts, which are the first round of effects from direct operational expenditure on goods, labour and services directly used by the project; and
- Indirect or Flow-on impacts, which comprise the second and subsequent round effects of increased purchases by suppliers in response to demand for their goods and services from the project.
- Induced impact, focuses on the expenditures made by workers involved in the project (both on-site and in supplying industries) and their families.



The aggregate economic impact assessment of both the construction and operations components of the potential development of tourist accommodation adjacent to the existing Boddington Caravan Park yields significant economic benefits to the Shire of Boddington.

Social Implications

Nil

Environmental Considerations

Various environmental impacts are to be considered at the concept planning stage.

Risk Considerations

Risk Statement and Consequence	Failure to provide short term accommodation that is sufficient in quantity and diversity is a key strategic risk that impacts the economic prosperity of the town. Ineffective engagement with existing accommodation businesses is also a key risk associated with this project, given the perception that an expansion of the caravan park could have a detrimental impact.
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	Engagement in relation to this project will continue to be open until the Business Case is finalised.

Options

1. Not endorse the Needs Analysis and determine that there is no need for a business case to support the viability of the project.
2. Deferring the adoption of the Needs Analysis to allow for further time for community engagement.

Voting Requirements

Absolute Majority

Officer Recommendation/Council Decision

**COUNCIL RESOLUTION: 125/22**

**Moved: Cr Smalberger**

**That Council:**

1. **Endorse the Boddington Caravan Park Needs Analysis as presented.**
2. **Approve proceeding to the next stage of the project, being the Business Case assessment.**
3. **Endorse an allocation of \$15,000 for the development of a Concept Plan, in conjunction with the Business Case development.**

**Seconded: Cr Webster**

**Carried: 7/0**



# Boddington Caravan Park Needs Analysis

Prepared for the Shire of Boddington

October 2022

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## Contents

Disclaimer .....	4
Document Information .....	5
Executive Summary .....	6
Findings .....	6
Recommendations .....	7
Next Steps .....	7
Project Overview .....	7
The Situation and Background .....	9
Boddington Tourist Visitation Overview .....	9
Five Year Visitor Trends – Destination Perth Tourism Region .....	10
Tourism Region Visitation – Peel Region .....	14
Peel Region Overnight Visitors .....	15
Overnight Visitor Summary - The Peel Region .....	15
Domestic Overnight Visitor Details - The Peel Region .....	17
International Overnight Visitor Details - The Peel Region .....	18
Regional Visitation Statistics – Inland Statistical Regions .....	20
Regional Visitation Statistics – Murray, Wagin, Narrogin and Brookton .....	21
Road Traffic Counts .....	23
Tourism Overview – Boddington Attractions and Events .....	24
Current Attractions .....	24
Hotham Park .....	24
Trails .....	25
Wildlife .....	28
Events .....	28
Boddington Rodeo (Key Event) .....	28
Boddington Medieval Fayre and Feast .....	29
The Boddington Community Markets .....	30
Boddington Country Muster .....	30
Boddington Field of Quilts .....	30
Boddington Commercial Accommodation Supply .....	32
Boddington Caravan Park .....	32
Boddington Hotel .....	34
Boddington Motel .....	35
Boddington Retreat .....	35
Armoir Nature-Based camping and Farmstay .....	36
Woolpack BnB Farmstay Crossman .....	37
Free (No Fee) RV Camping .....	37
Visitor Amenities .....	38
Tourism potential – comparison to other similar destinations .....	38

Consultation .....	40
Improvement supply through existing tourist accommodation operations .....	41
Caravan Parks – the mainstay of regional tourist accommodation .....	42
Appropriate Accommodation Options for Boddington .....	43
Glamping .....	43
Caravan Parks and Campgrounds .....	45
Health, Wellness and Spa Retreats .....	46
Agritourism and Farmstays .....	47
Bed and Breakfasts (BnB) .....	47
Bush Retreats .....	48
Backpacker Hostels .....	49
Barriers to Tourist Accommodation Development .....	50
Key Issues .....	50
Suitability of Existing Supply of Accommodation .....	51
Analysis of trends and best practice in comparative jurisdictions .....	51
Comparison of Boddington to Dwellingup as a Tourist Destination .....	51
Yield Management Formula .....	54
Social and Economic Benefits of Expansion of the Boddington Caravan Park .....	56
Economic Impact Flow - Construction .....	57
Economic Impact Flow - Operations .....	58
Total Social Impact .....	59
Social Impact Summary .....	59
Recommendations .....	60
Construct tourist accommodation .....	60
Raise tariffs at the Boddington Caravan Park .....	60
Close the Free Camping Area on the Foreshore .....	60
Develop a Backpacker Lodge on the River Foreshore .....	60
Investigate the Development of two Iconic Tourist Attractions .....	60
Gold Mining Exhibition Centre .....	61
4-Wheel Drive Adventure Park and Training Facility .....	62
Establish a Marketing and Promotional Campaign .....	64
Next Steps .....	64
Appendix 1 .....	65
Economic Benefit Report, Boddington Caravan Park's current operations, Caravan Industry Australia, BDO Economics .....	65
Appendix 2: Communication with Shire of Boddington project team, tourist accommodation operators and key stakeholders .....	66
Appendix 3 .....	67
Caravan Park Accommodation Report, Caravan Industry Australia, BDO Economics .....	67
References .....	68

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## Document Information

<b>Document Id</b>	<b>Boddington Caravan Park Needs Analysis and Business Case</b>
<b>Document Owner</b>	<b>Brighthouse</b>
<b>Issue Date</b>	<b>31/10/2022</b>
<b>Last Saved Date</b>	<b>31/10/2022</b>
<b>File Name</b>	<b>Boddington Caravan Park Needs Analysis and Business Case</b>
<b>Record of issue</b>	<b>Issue v1.1 issued 31 October 2022</b>

## Client



This study has been made possible with funding from the State Government

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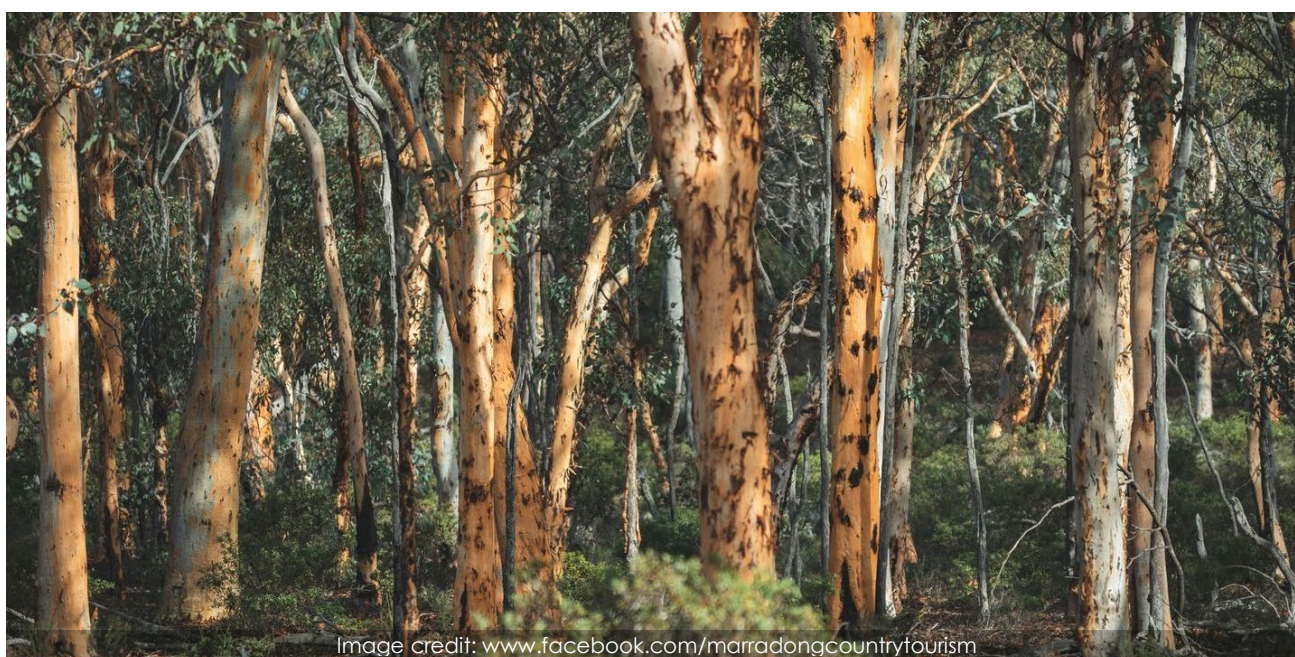


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## Executive Summary

The key objective of this report is to provide a demand profile for tourist accommodation in the Shire of Boddington local government area (LGA), to help inform the Shire on the adequacy of supply of tourist accommodation relative to current and future demand.

It aims to:

- Review the current supply of tourist accommodation within the Shire.
- Analyse the suitability of the current supply of caravan and camping sites and short-term overflow facilities;
- Consider expansion and improvement opportunities for the shire-operated caravan park
- Investigate tourist visitation and other relevant tourism indicators for the Boddington Shire;
- Engage with key stakeholders, including commercial accommodation providers in the Shire, the major employers located in the shire, including Newmont Boddington Gold Mine and South 32 Worsley Alumina Mine;
- Identify of key stakeholder issues and opportunities associated with the improvement and diversity of supply of commercial accommodation;
- Examine if there the supply constraints existing in the provision of commercial accommodation in Boddington.
- Determine if there is a need for a greater diversity of accommodation in the shire and if the existing supply is adequate for future growth;
- Research and analyse tourist accommodation trends and best practice; and
- Provide appropriate options and potential development opportunities for the development of additional tourist accommodation, to meet current and future market needs.

The development of appropriate tourist accommodation in the Boddington LGA is essential, both for the sustainability of its tourism economy and the creation of employment, but also to provide access for tourists to the unique natural, cultural, and historic attractions of the area. The aim is to address the imbalance between the slow evolution of the area as a short-stay tourism destination and the tourist demand for alternative inland tourist locations such as Dwellingup and Collie.

## Findings

The narrative of the report describes the following findings in detail.

- Despite some minor crossover, the product and market for short-stay accommodation in Boddington is split between operators who target worker and contractor guests, and operators that target holiday travellers.
- Research and consultation indicate a gap in supply of affordable, separated, holiday accommodation for individuals, couples and families;
- The most appropriate location for the holiday accommodation is on Lot 18A, adjacent to the existing caravan park;
- Issues regarding the installation of tourist accommodation on flood-prone land can be relatively easily mitigated without costly filling of the land;
- Pricing of caravan and camping sites at the Boddington Caravan Park is lower than for comparable locations and is like so low as to be unviable, if all normal operating costs were identified and included in the operating expenses;
- The excellent events staged throughout the year in Boddington lack enough frequency to maintain a constant flow of tourists to the town;
- The town lacks iconic attractions that identify it as a tourist destination;
- The superb attractions of the Hotham River, foreshore development and the many other historic and natural attractions available to visitors to the town, do not engender frequency of repeat visitation, with perhaps the exception of the Hotham Park adventure playground and skate park;
- Boddington lacks tourism presence, developed through marketing and promotion, compared with its peers like Dwellingup and Collie;
- The provision of free-camping sites on the Hotham River foreshore is detrimental to the operation of the caravan park and the financial return to the community; and

- There is no fit-for-purpose backpacker accommodation facility in Boddington.

### Recommendations

The rationale behind the following recommendations is contained in the report narrative.

- Increase the supply of tourist accommodation in Boddington by
  - a) Constructing several separate holiday accommodation units on the vacant site adjacent to the existing caravan park; and
  - b) Encourage other tourist accommodation providers where appropriate, to add the supply of holiday accommodation, through supporting applications for the developments and grant funding applications.
- Initiate a concept design for the caravan park accommodation and develop a business case to support an application for grant funding by the shire for the construction of the units;
- Review current pricing policy for the caravan park with a view to increasing tariffs to market rates to provide a better financial return to the Shire, which could be partially utilised for marketing and promotion of the town's tourist offer;
- Close the free-camping area;
- Investigate the option of constructing a small backpacker lodge (4 – 6 rooms), in a purpose-designed single transportable unit with shower and toilet facilities on the land currently utilised for free-camping; Explore the level of support for, and the potential for success of an application for grant-funding to develop one or more iconic tourist attractions that would encourage regular repeat visitation to the town. The suggestions for the attractions put forward are a 4WD Adventure Park and a gold mining exhibition centre; and
- Instigate a marketing plan utilising social media and online promotion (tourism website) and investigate a software as a service (SAAS) solution to online booking of all the town's tourist accommodation

### Next Steps

Establish a small project group consisting of Shire executive and an appointed expert consultant to:

- a) Examine the viability of constructing tourist accommodation at the Lot 18A site and at the free-camping area, with a concept design and business case; and
- b) Design a tourism and marketing and promotion plan and establish a budget for its implementation;
- c) Work with the Peel Development Commission, Tourism WA and the mining industry to ascertain the level of support for the development of new, iconic tourism attractions in the Boddington LGA.

## Project Overview

Through the adoption of the Council Plan 2022-2032, Council resolved to progress a business plan to determine the need and viability for the upgrading of the Boddington Caravan Park. The project will involve two stages, being an accommodation needs analysis, followed by a business case to ensure that an evidence-based approach is implemented. This report covers the Project Stage One - Needs Analysis only.

The Needs Analysis (Stage 1) incorporates:

- Accommodation demand/supply analysis
- Consideration of the current and potential product mix to meet demand and ensure financial viability and a positive user experience
- Review and assessment of existing caravan park, noting any redevelopment requirements to ensure flexibility to "future proof" the development
- Assess current management arrangements and provide alternative management options where appropriate
- Determine opportunity for future staging of construction and development
- Provide concepts for minimising construction and servicing costs



- Consider potential to incorporate alternative uses for sites in the caravan park
- Liaison with relevant industry stakeholders

The Business Case (Stage 2) incorporates:

- Caravan industry research, best case examples, locational advantages and potential issues
- Short and long-term market impacts of COVID-19 pandemic
- Current market trends and market projections
- Broad capital cost estimate of potential redevelopment – including construction and site services
- Financial modelling including projected occupancy and yield
- Estimated operational costs
- Product mix variability outcomes
- Cost benefit analysis
- High-level social and economic impact analysis

This report responds to the Shire of Boddington request detailed above in the form outlined in the Executive Summary aims.

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## The Situation and Background

Tourism and hospitality make a huge contribution to Western Australia's economy, and both the state government and local governments have an important role to play in the regulation, development, marketing, and growth of these sectors.

### Boddington Tourist Visitation Overview

In the 2021 census, the population of Boddington was recorded as 1,707 persons with slightly more males (52.8%) than females (48.2%). The median age is 42 which is slightly older than the state and national average of 38. The median household income is \$1,760 which is slightly below the state average of \$1,815 and above the national average of \$1,746.<sup>1</sup>

People	Boddington	%Boddington	Western Australia	%Western Australia	Australia	%Australia
<b>Population - Male</b>	885	51.8	1,322,855	49.7	12,545,154	49.3
<b>Population - Female</b>	822	48.2	1,337,171	50.3	12,877,635	50.7
<b>Indigenous status - All people</b>						
<b>Aboriginal/Torres Strait Is.</b>	60	3.5	88,693	3.3	812,728	3.2
<b>Non-Indigenous</b>	1,491	87.4	2,431,204	91.4	23,375,949	91.9
<b>Indigenous status not stated</b>	153	9.0	140,128	5.3	1,234,112	4.9
<b>Age - All people</b>						
<b>Median age</b>	42	N/A	38	N/A	38	N/A
<b>Median weekly incomes (a) People aged 15 years and over</b>						
<b>Personal (b)</b>	\$834	N/A	\$848	N/A	\$805	N/A
<b>Family (c)</b>	\$2,131	N/A	\$2,214	N/A	\$2,120	N/A
<b>Household (d)</b>	\$1,760	N/A	\$1,815	N/A	\$1,746	N/A

Industry of employment was not yet released for 2021 census data at the time of publication of this report, though the 2016 census reported the following top industries for employed people aged 15 years and over:<sup>2</sup>

Industry of employment	Boddington	%Boddington	Western Australia	%Western Australia	Australia	%Australia
<b>Gold Ore Mining</b>	161	33.8	12,768	1.1	20,141	0.2
<b>Bauxite Mining</b>	41	8.6	1,808	0.2	3,347	0.0
<b>Local Government Administration</b>	19	4.0	16,526	1.4	142,724	1.3
<b>Secondary Education</b>	19	4.0	20,488	1.8	177,487	1.7
<b>Hospitals (except Psychiatric Hospitals)</b>	15	3.2	41,706	3.6	411,808	3.9

Of the employed people in Boddington, the most common responses for industry of employment included Gold Ore Mining 33.8%, Bauxite Mining 8.6%, Local Government Administration 4.0%, Secondary Education 4.0% and Hospitals (except Psychiatric Hospitals) 3.2%.

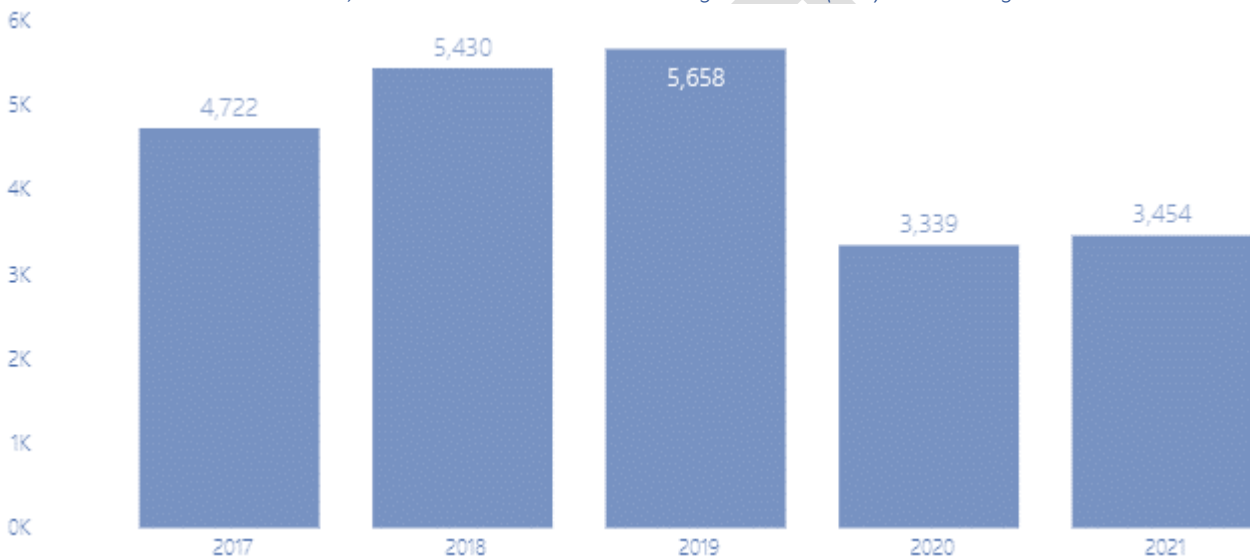
### Five Year Visitor Trends – Destination Perth Tourism Region

Tourism WA reported that in the year ended March 22, 18.6 million daytrips were taken within the State of Western Australia and 9.7 million overnight (domestic and international) visitors came to or travelled within WA. Together, these visitors spent \$10.2 billion in the State, \$6.0 billion (59%) of which was spent in Regional WA.

The closure of Australia's international border on 20th March 2020 has meant almost no international visitors came to WA during this period. Similarly, the interstate border restrictions since the 5th April 2020, impacted interstate visitation.

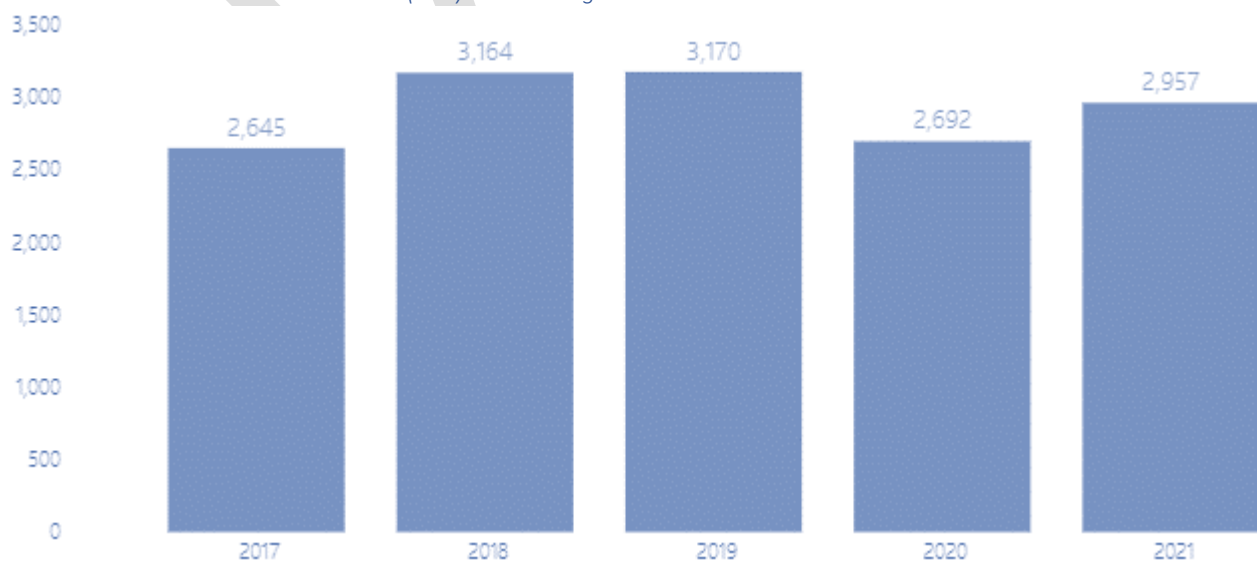
Compared to the previous 12 months, WA saw a (+)10% increase in the number of overnight visitors to/within WA. Total visitor spend in the State increased by (+) 24%, equivalent to (+) \$2.0 billion. Comparing the results to YE December 2019, the most recent 12-month period not impacted by COVID, total visitor spend in WA decreased by (-) 24%, equivalent to (-) \$3.2 billion.<sup>3</sup>

*Destination Perth – International, Interstate and Intradate Overnight Visitors (000) Year ending December*

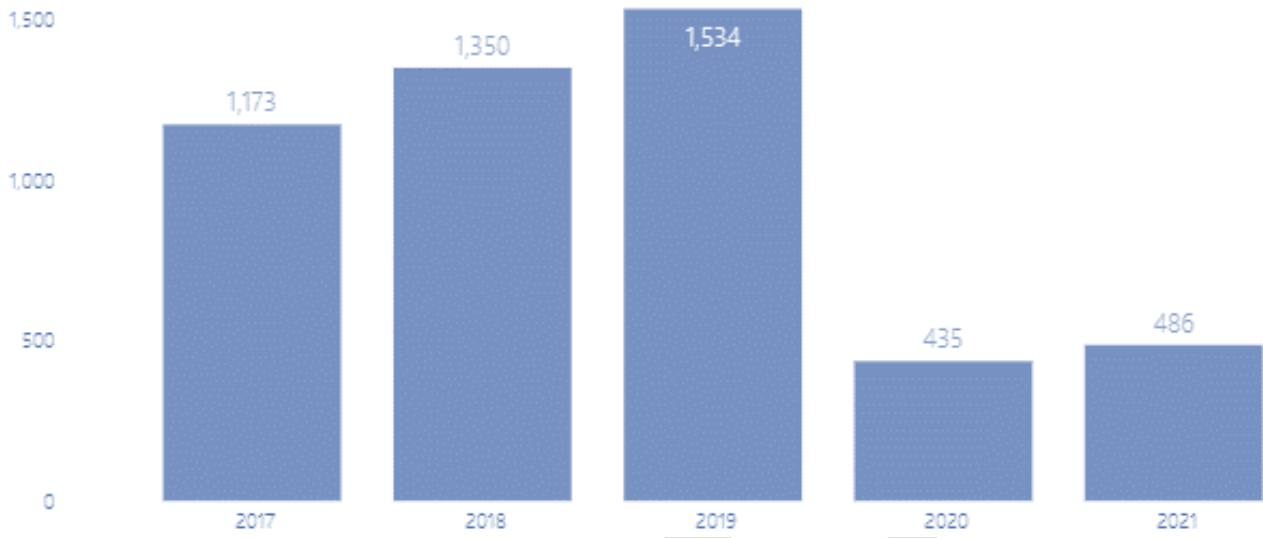


Though intrastate visitation had largely recovered by the end of 2021, international and intrastate visitors were still significantly down on 2019 and 2018 resulting in significantly less visitors to the Destination Perth tourism region overall, as shown in the following graphs.

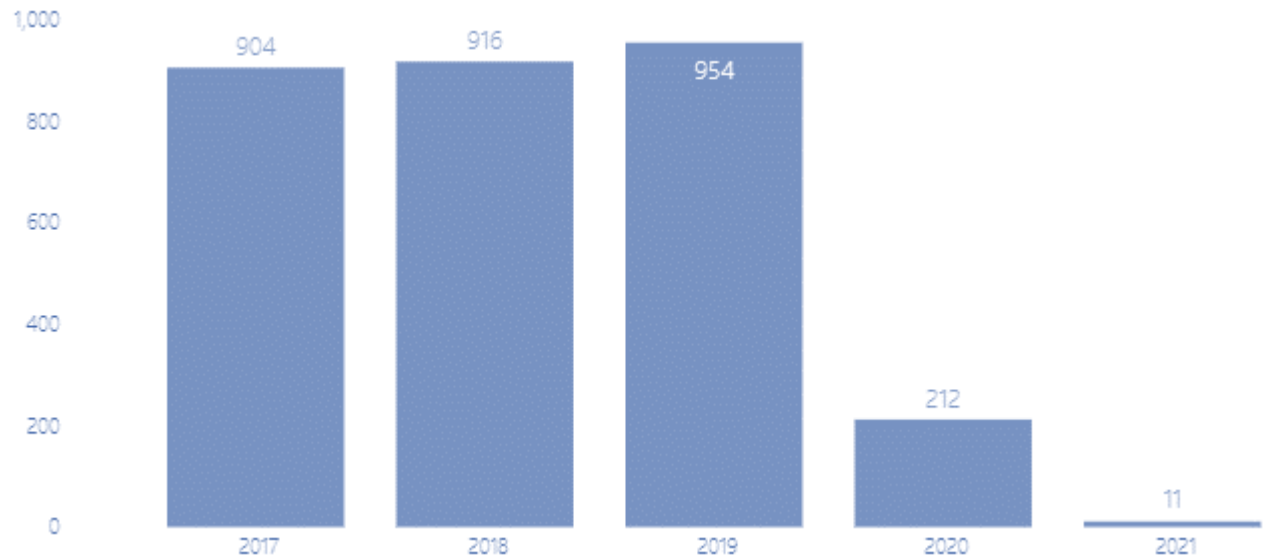
*Destination Perth –Intrastate Visitors (000) Year ending December*



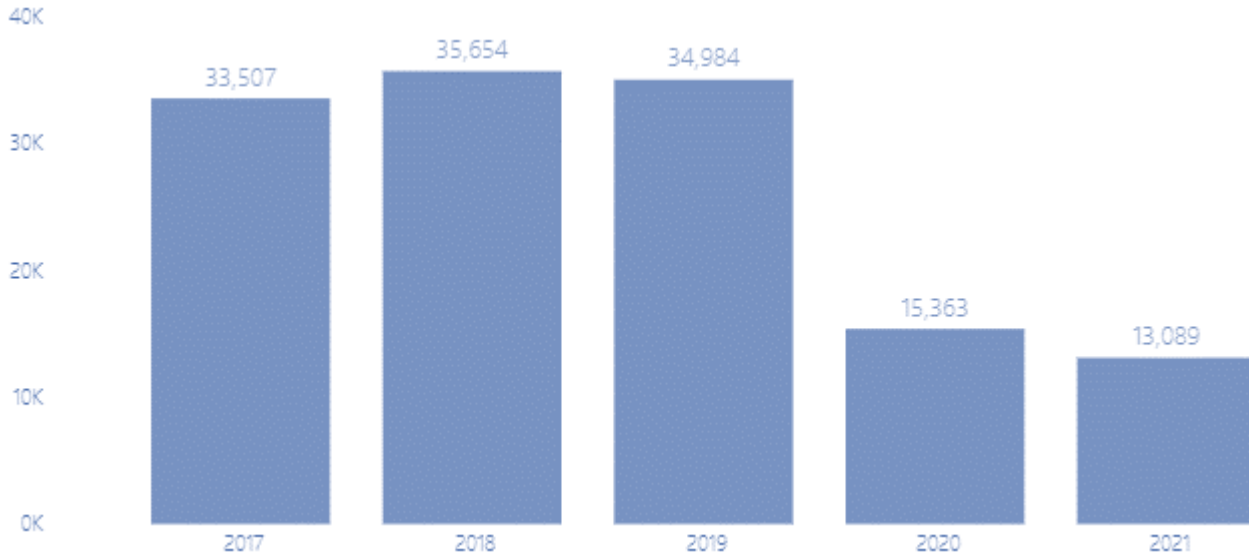
Destination Perth – Interstate Visitors (000) Year ending December



Destination Perth – International Visitors (000) Year ending December

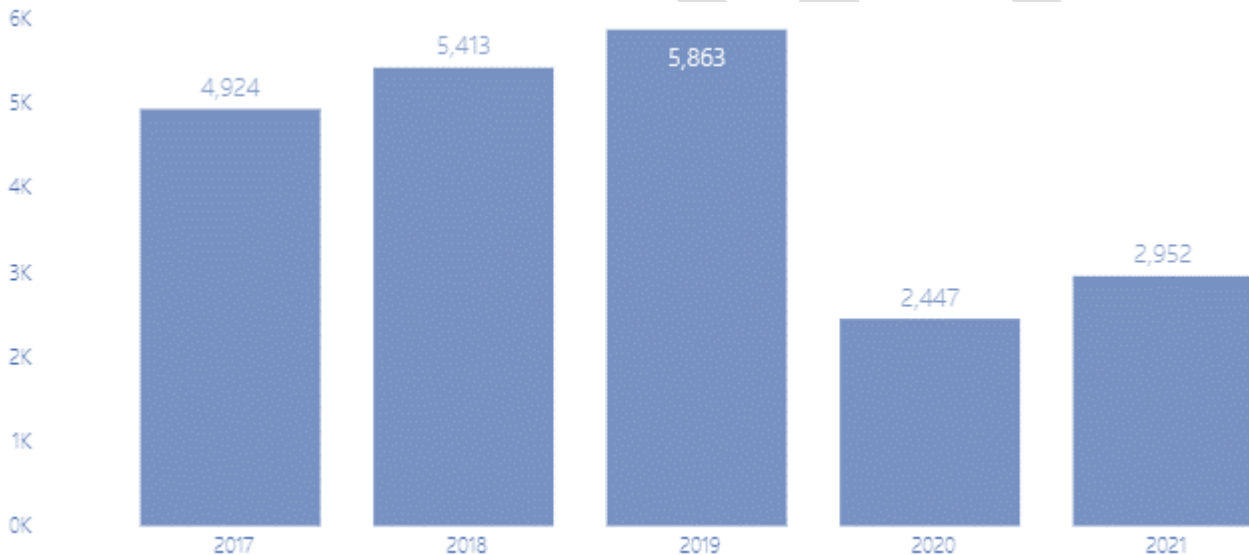


Destination Perth – International, Interstate and Intrastate Visitor Nights (000) Year ending December

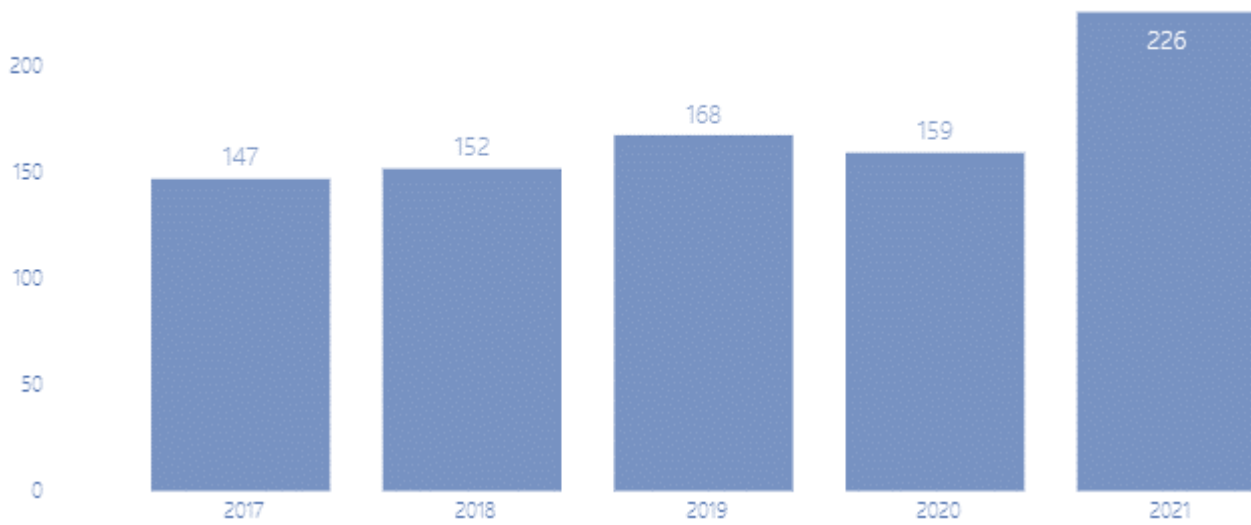


Visitor nights and spend also show a similar decline since the border closures in early 2020.

Destination Perth – International, Interstate and Intrastate Visitor Spend (\$m) Year ending December

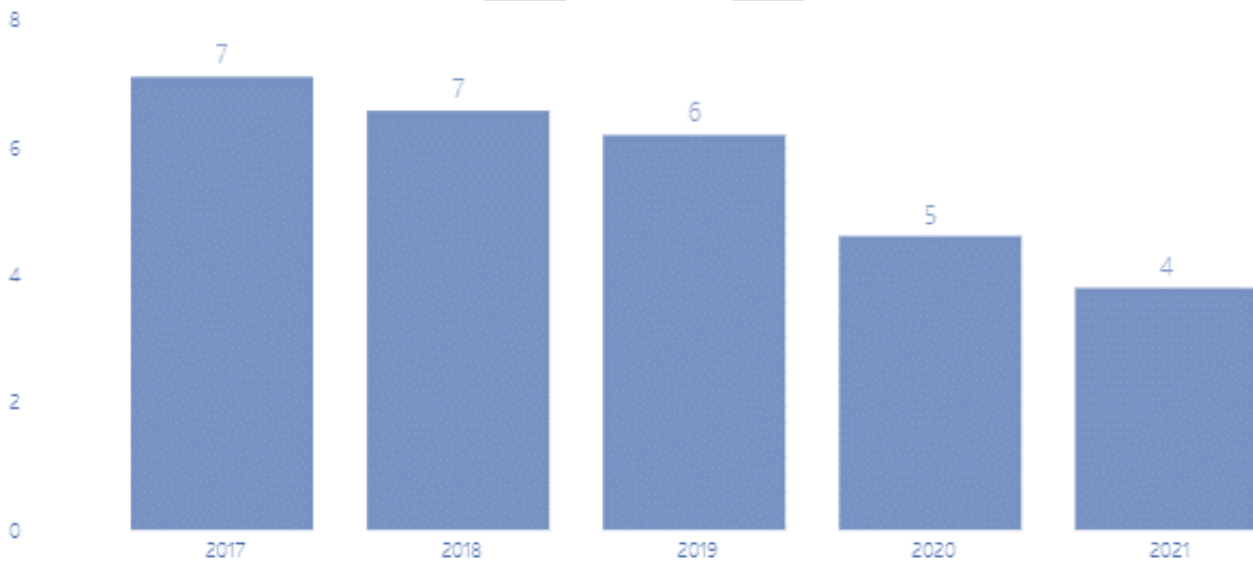


*Destination Perth – International, Interstate and Intrastate Average Daily Visitor Spend (\$) Year ending December*



Average daily spend has increased from \$168 pre-Covid to \$226 in 2021, this may be in part due to Australian intrastate visitors spending more on holidays 'at home' due to not being able to travel internationally.

*Destination Perth – International, Interstate and Intrastate Average Length of Stay (Nights) Year ending December*



### Tourism Region Visitation – Peel Region

Boddington is located within the Peel Region, near the popular tourism town of Dwellingup. The City of Mandurah is the most highly populated Local Government Area within the Peel Region and attracts significantly more visitors than the other local government areas within the region. This is in part due to Mandurah's coastal location and also due to the number of attractions and amenities on offer in the much larger city.

The tourism visitation statistics for Boddington are extremely limited and most useful data is grouped in with Mandurah for the Peel Region.

It could be roughly assumed that Boddington receives around 10% of the domestic visitors to the Peel Region, and a smaller proportion of the international visitors.

Older data from 2012 assumes an average length of stay in Boddington of 2.7 days, though the median would likely show mostly two-night weekend visitation (anecdotal evidence from tourism operators and other stakeholders).

Boddington is a popular spot for a stopover enroute to Albany. In 2012 it was estimated Boddington received around 45,000 day-visitors per year and 24,700 overnight visitors. This data is indicative only.<sup>4 5</sup>



Map showing Local Government Areas.

Source: <https://walga.asn.au/getattachment/About-WALGA/Structure/Zones>

## Peel Region Overnight Visitors

<https://www.tourism.wa.gov.au/Publications%20Library/Markets%20and%20research/2022/RDC%20Factsheets%202021/RDC%20Factsheet%202021%20-%20Peel.pdf>

The following data is sourced from the Tourism WA Peel Region Overnight Visitor Factsheet (2021). The Local Government Areas included to make up The Peel Region are the **Shire of Boddington**, Shire of Murray, Shire of Serpentine-Jarrahdale, Shire of Waroona, City of Mandurah. The data was prepared by Tourism WA Insights and Planning July 2022, from data sourced from Tourism Research Australia, International and National Visitor Surveys, 2021. Please see notes at the end of this section before reviewing the data supplied.

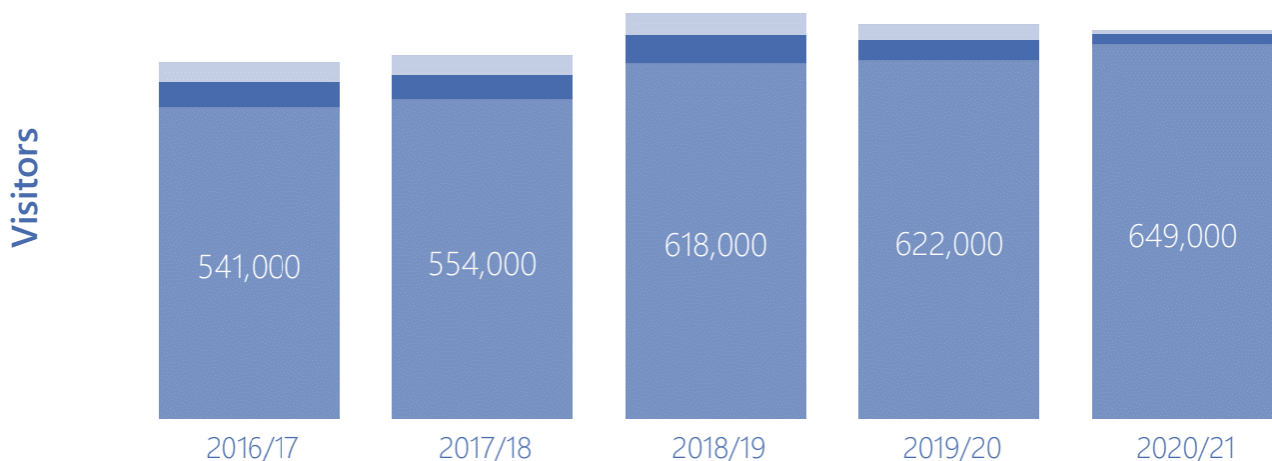
### Overnight Visitor Summary - The Peel Region

The following data refers to visitors who have spent at least one night in The Peel Region:

Overnight Visitor Summary - The Peel Region		
<b>Total Visitors</b>	673,000	Annual average 2020/21
<b>Total Visitor Nights</b>	1,900,000	Annual average 2020/21
<b>Total Spend (\$ Million)</b>	\$240	Annual average 2018/19/20/21
<b>Domestic Visitors</b>	667,000	Annual average 2020/21
<b>Domestic Nights</b>	1,822,000	Annual average 2020/21
<b>International Visitors</b>	38,000	Annual average 2018/19
<b>International Nights</b>	78,000	Annual average 2018/19

### Overnight Visitor Trends - Annual Average

● Intrastate ● Interstate ● International







Visitors

Market	2016/17	2017/18	2018/19	2019/20	2020/21
International	33,000	33,000	38,000	27,000	6,000
Interstate	44,000	43,000	47,000	np	np
Intrastate	541,000	554,000	618,000	622,000	649,000
<b>Total</b>	<b>618,000</b>	<b>630,000</b>	<b>703,000</b>	<b>683,000</b>	<b>673,000</b>

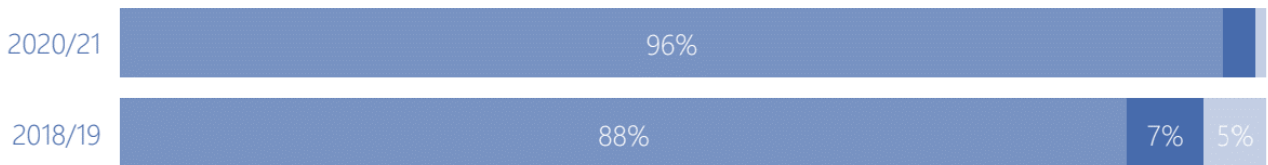


Nights

Market	2016/17	2017/18	2018/19	2019/20	2020/21
International	637,000	501,000	567,000	427,000	78,000
Interstate	227,000	273,000	248,000	np	np
Intrastate	1,282,000	1,542,000	1,706,000	1,543,000	1,698,000
<b>Total</b>	<b>2,145,000</b>	<b>2,315,000</b>	<b>2,521,000</b>	<b>2,117,000</b>	<b>1,900,000</b>

Share of Overnight Visitors - change vs. pre-COVID

● Intrastate ● Interstate ● International



Overnight Visitor Metrics



Avg. Trip Length  
2020/21



Average Trip Spend  
2018/19/20/21



Average Daily Spend  
2018/19/20/21



Intrastate

**2.6**  
Days

**\$305**

**\$113**



Total

**2.8**  
Days

**\$349**

**\$109**

Domestic + International

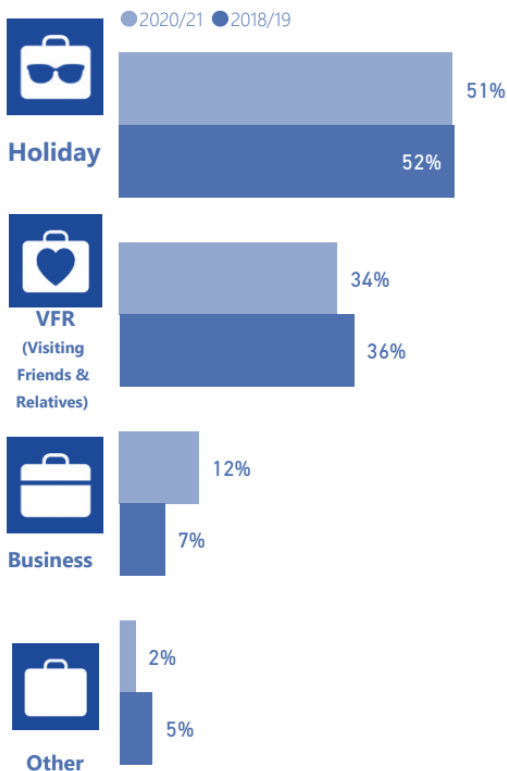
International and interstate metrics are unable to be provided due to the small sample size.

2

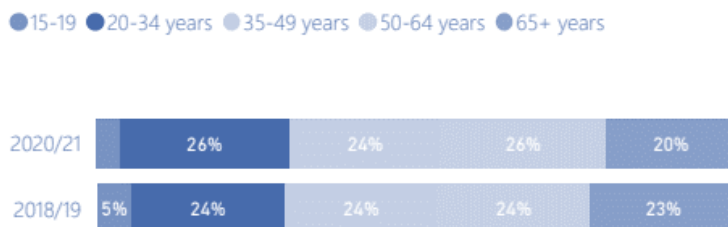
Domestic Overnight Visitor Details - The Peel Region  
Two Year Average - 2020/21

The data supplied refers to visitors who have spent at least one night in The Peel Region

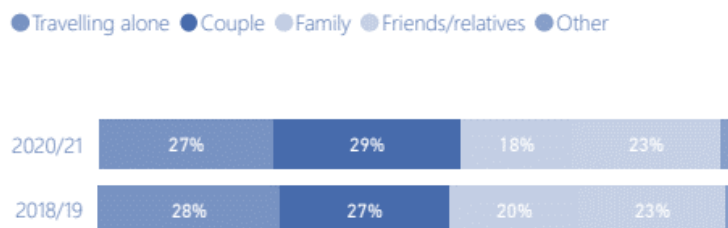
Purpose of Travel



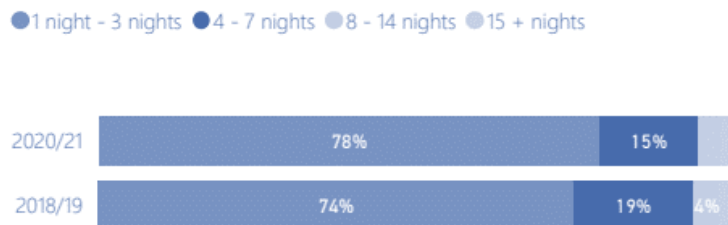
Age



Travel Party



Length of Stay



Top 3 accommodation (% of nights)

Accommodation	2018/19	2020/21
Friends or relatives property	56%	42%
Own property	8%	16%
Caravan or camping - non commercial	8%	9%

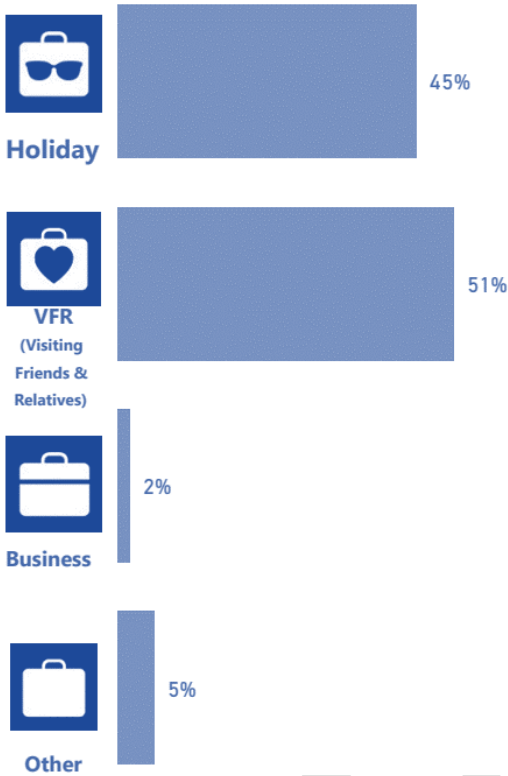
Top 3 activities

Activity	2018/19	2020/21
Eat out / dine at a restaurant and/or cafe	51%	38%
Visit friends & relatives	50%	39%
Go to the beach	27%	22%

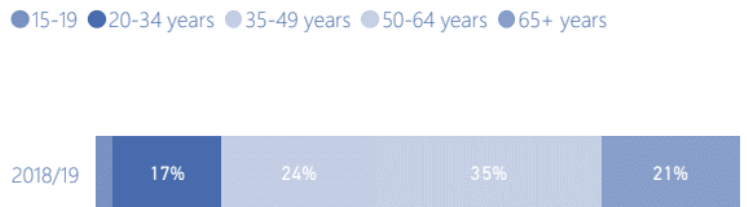
International Overnight Visitor Details - The Peel Region  
Two Year Average - 2018/19

The data in presented below refers to visitors who have spent at least one night in The Peel Region

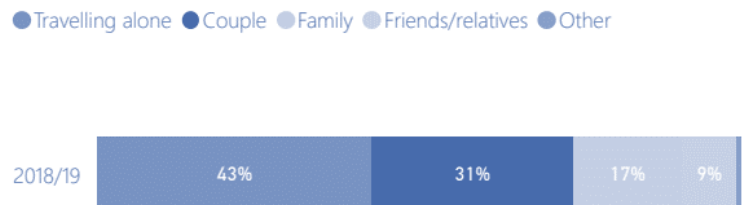
Purpose of Travel



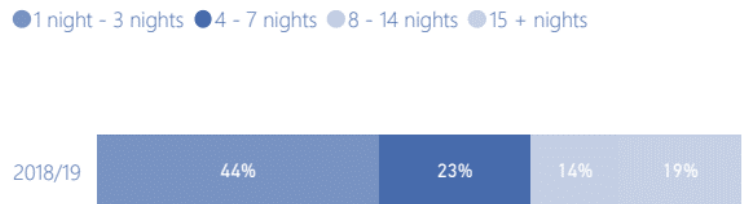
Age



Travel Party



Length of Stay



Top 3 accommodation (% of nights)

Accommodation	2018/19
Friends or relatives property	70%
Other Private Accommodation	7%
Own property	7%

Top 3 activities\*

\*International visitors may have undertaken the activity in the region or elsewhere in Australia

Activity	2018/19
Eat out / dine at a restaurant and/or cafe	95%
Go shopping for pleasure	80%
Sightseeing/looking around	77%

*Important note regarding the data presented above*

- All data is sourced from Tourism Research Australia's National and International Visitor Surveys (NVS and IVS). To increase the sample size and hence improve the reliability of the data, visitor and nights estimates in this document are based on an average of two calendar years. Spend estimates are based on an average of four calendar years as per TRA reporting.
- The demographics and trip details for domestic visitors have been updated to show comparisons between 2020/21 (current) and 2018/19 (pre-COVID).
- Due to the small number of international visitors to WA in 2020/21, only 2018/19 has been provided for international visitors.
- Methodology and definition changes are made to both the IVS and the NVS from time to time. As such, estimates in this factsheet are not comparable to previous factsheets. For further information, see NVS Methodology or IVS Methodology on Tourism Research Australia's website and the Changing Visitor Spend factsheet on Tourism WA's website.

*Sample size and confidence intervals*

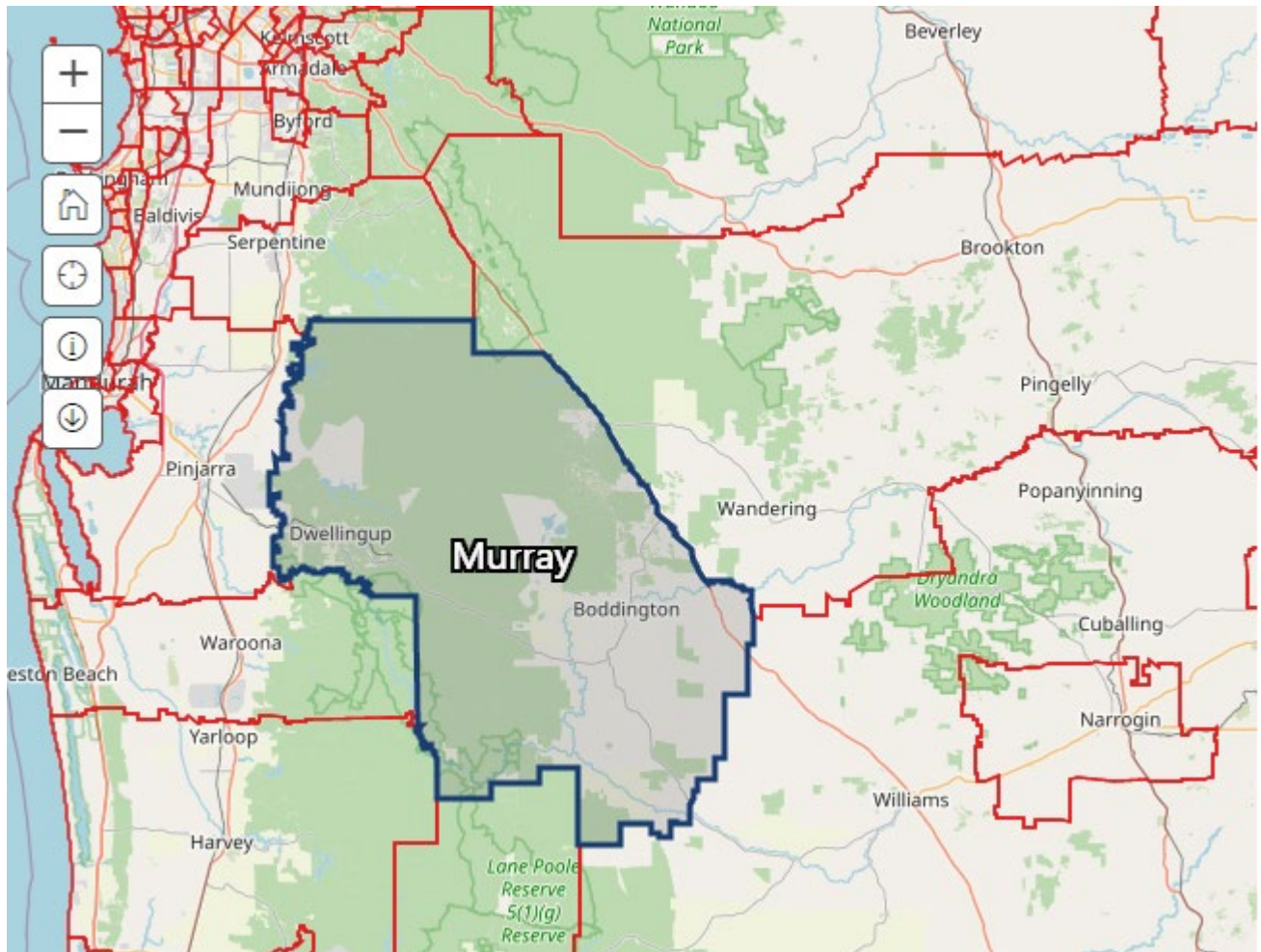
Year Market	2018/19			2020/21		
	Sample size	95% Confidence Interval Visitors (±)	95% Confidence Interval Nights (±)	Sample size	95% Confidence Interval Visitors (±)	95% Confidence Interval Nights (±)
Intrastate	546	10%	18%	491	10%	18%
Interstate	43	35%	46%	17	55%	65%
Domestic	589	9%	16%	508	9%	17%
International	406	11%	25%			

Image credit: [www.facebook.com/marradongcountrytourism](https://www.facebook.com/marradongcountrytourism)



### Regional Visitation Statistics – Inland Statistical Regions

Tourism Research Australia collects and reports on information sourced from the National Visitor Survey and International Visitor Survey. Both surveys extrapolate out from sample data. For regional areas, this data can be unreliable and insufficient sample sizes can lead to unpublished data. For this reason, the data in the graphs to follow is aggregated from the Statistical Level 2 Areas of Murray (including Boddington and Dwellingup), together with Wagin (including Williams), Narrogin and Brookton (including Pingelly and Wandering). Even by incorporating all of these destinations in the sample, the data is still unable to provide a high level of confidence for many of the breakdowns, and thus is considered only really useful for trends and indicative information to separate out visitor behaviour in the lesser visited inland towns as compared to the coastal locations which have higher visitation.



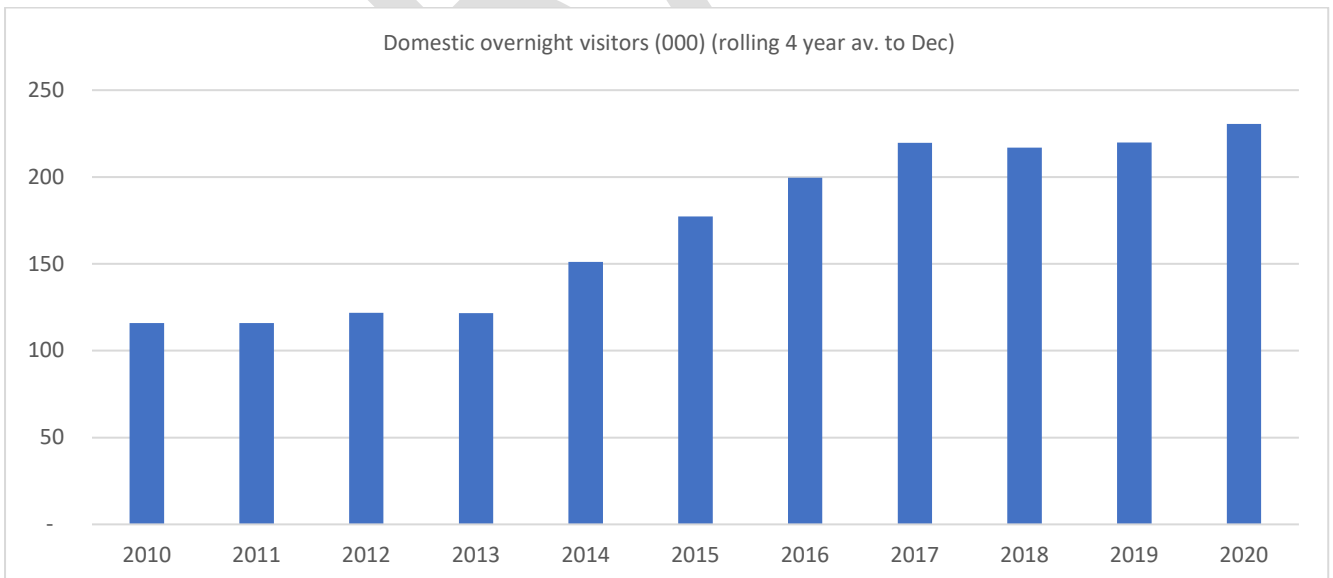
Regional Visitation Statistics – Murray, Wagin, Narrogin and Brookton

The following graphs are based on data sourced from Tourism Research Australia's International and National Visitor Surveys. As a four-year rolling average, the impacts of COVID can be seen in the four years to 2020 only. The data covers visitors to Murray (including Boddington and Dwellingup), together with Wagin (including Williams), Narrogin and Brookton (including Pingelly and Wandering).

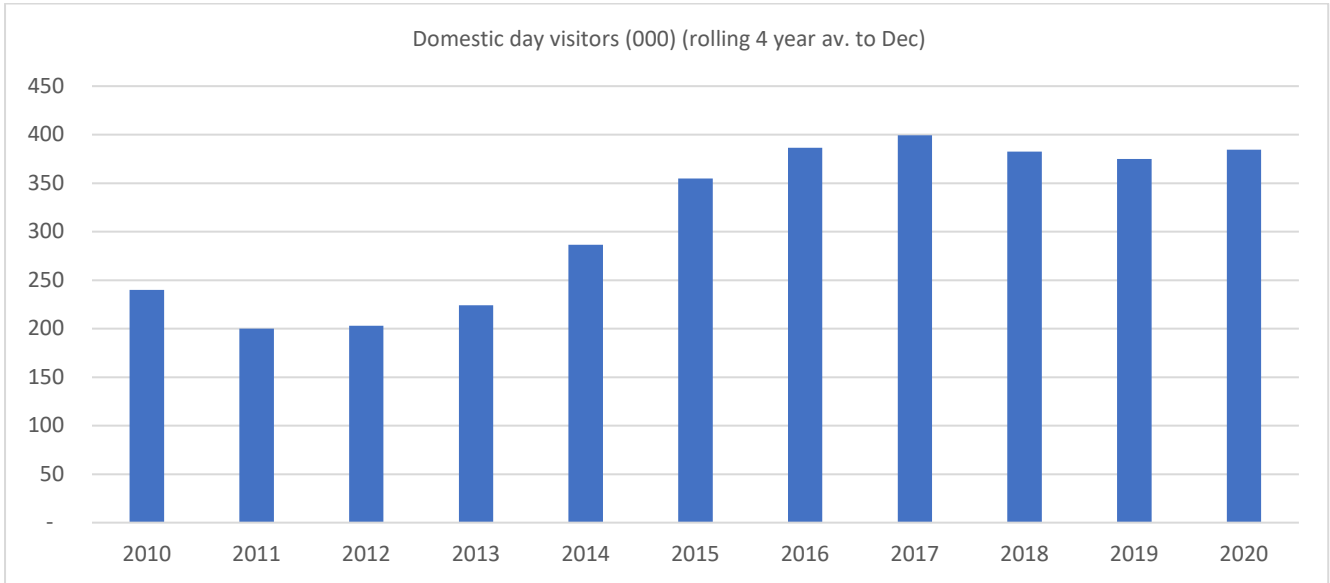
International visitors to the inland regions (including Boddington) for the 10-years to 2020 have remained relatively stable with the small fluctuations shown likely more reflective of sample size. It is estimated there were around 45,000 to 50,000 average annual international visitors in each of the four year periods from 2010 -2019.<sup>6</sup>



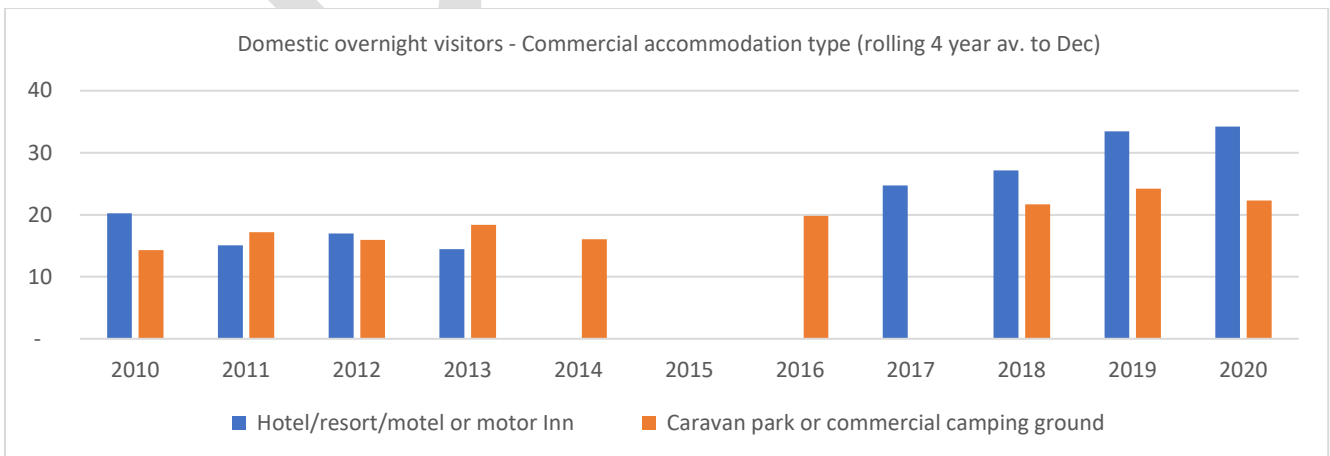
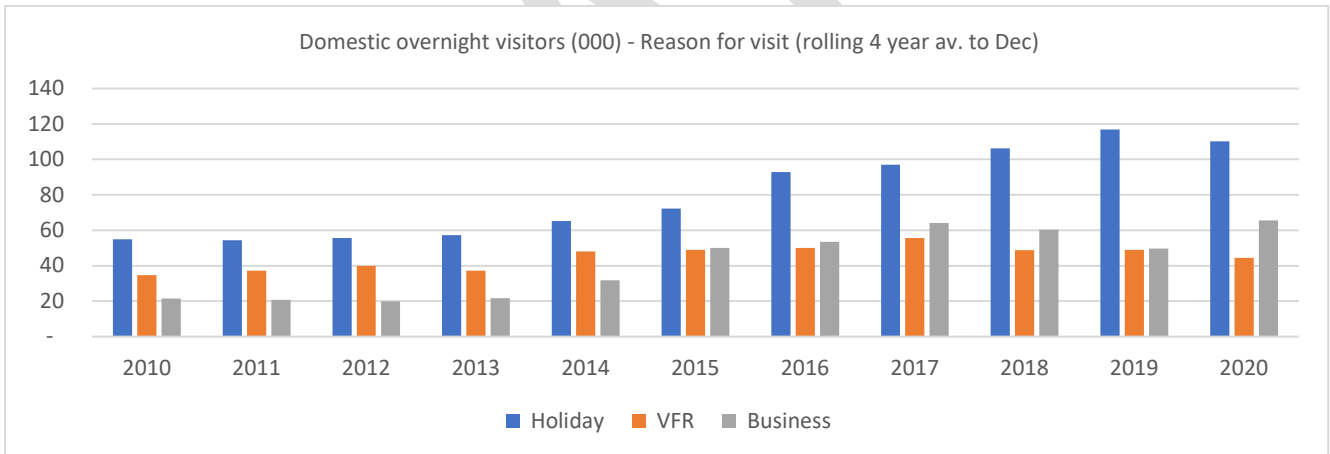
Domestic visitors for the 10-year period have shown growth from 116,000 per year in the four years to 2010 increasing to an estimated 230,000 per year in the four-years to 2020.



Domestic day visitors for the 10-year period have shown growth from 240,000 per year in the four years to 2010 increasing to an estimated 385,000 per year in the four-years to 2020.



When broken down to reason for visit, the number of domestic holiday makers has shown the most growth over the ten-year period, though business travel has also increased. Caravan park accommodation has shown some growth, but not as much as hotel accommodation.



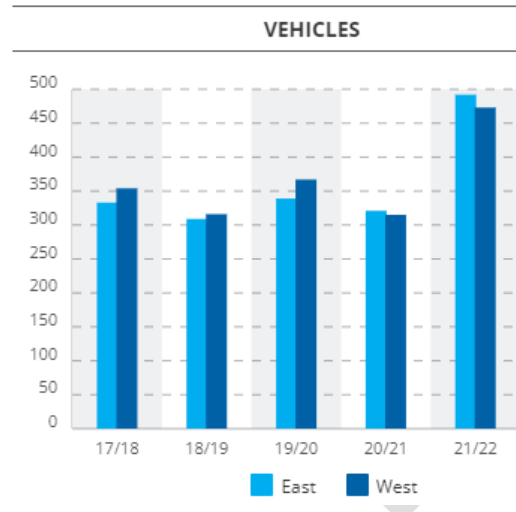
Road Traffic Counts<sup>7</sup>

The following road traffic counts include residents and visitors driving around the region as well as in and out of town.

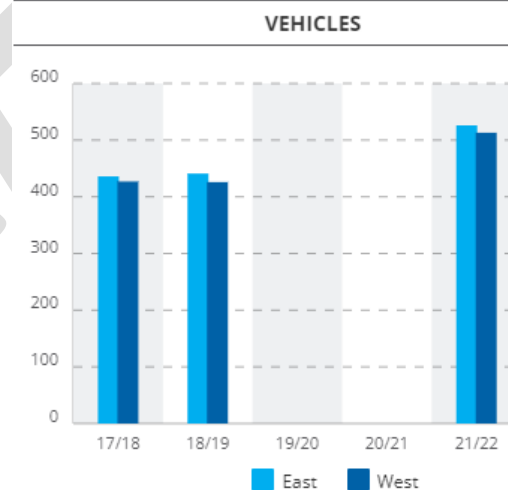
Traffic Volume Monday to Sunday 2021/22	Location	East	West	Total	Trucks
<b>Traffic coming via Dwellingup</b>	Pinjarra Williams Rd - East of Plant Access Rd	526	513	1,039	15.6%
<b>Close to townsite (from Dwellingup)</b>	Bannister Marradong Rd - South of Newmarket Rd	632	658	1,290	31.9%
<b>Close to townsite (from East of townsite)</b>	Crossman Rd, East of Bannister Marradong Rd (2020/21)	610	624	1,234	18.8%
<b>Major turnoff from Albany Highway towards Boddington</b>	Bannister Marradong Rd - West of Albany Hwy	492	473	965	23.8%

Traffic into and out of Boddington has shown growth from 2017/18 to 2021/22 as per the following five-year trend graphs. This correlates with the increases in domestic day trips and overnight visitors to the surrounding regions shown in the Tourism Research Australia data.

*Bannister Marradong Rd - West of Albany Hwy*



*Pinjarra Williams Rd - East of Plant Access Rd*





## Tourism Overview – Boddington Attractions and Events

The following information is sourced and adapted from the Shire of Boddington and Peel Development Commission and Shire of Boddington websites, and from observations by the consultant during consultation and familiarisation visits.<sup>8</sup> The tourism overview puts the current tourism accommodation supply in context of the tourism events and attractions in the local government area. Located a one-and-a-half-hour drive from Perth and just 15 minutes west of Albany Highway, Boddington is a hidden gem that is fast becoming a popular location for tourists looking for a weekend getaway. The beautiful Hotham River meanders through the heart of the Boddington townsite and has become the centrepiece for the recently opened Hotham Park.

### Current Attractions

#### Hotham Park

Hotham Park is quickly becoming a must-visit location among families and tourists after a major \$2.3 million redevelopment. The adventure park is a partnership between the Shire of Boddington, South32 Worsley Alumina and Newmont Gold to deliver projects that provide benefit for the whole community. It integrates several activities for young and old including a challenging nature and adventure playground, flying fox, skate park, pump track, sports court, and a fitness hub and has hosted several events, including the South 32 Summer by the River series which saw live music, roving performers and children's entertainment over several evenings. Recently installed lighting extends the usage of the park so that residents and visitors can connect, be physically active and take pride in Boddington's natural assets. Hotham Park was recently awarded WA Park of the Year.



Image credit: [www.facebook.com/marradongcountrytourism](https://www.facebook.com/marradongcountrytourism)

Image credit: www.facebook.com/marradongcountrytourism



Image credit: www.facebook.com/marradongcountrytourism



## Trails

The Tullis Bridge Trail is a 16km round trip along the disused Hotham Railway Line. Best hiked in spring while the hills are still green, the Tullis Bridge Trail makes the occasional historical reference to Boddington's past as a timber town. One of only a handful remaining timber put their efforts into overdrive with the expansion of their community-based recycling facility. The Hotham Park — Ranford Pool Trail is a much more relaxing 5km walk along the Hotham River, finishing at the recently upgraded Ranford Pool. Ranford Pool (otherwise known as Darmining Pool) is a naturally deeper part of the river which serviced the Tannin Factory when it was operational from the early 1930s to its closure in 1964. It is a popular spot for a picnic and a swim with remnants of old rope swings hanging in the trees that line the banks. Upgrades to existing walking trails and the creation of new trails include the acquisitive Boddington Sculpture Competition, the Shire of Boddington has plans for a sculpture trail to be added to the Trail Hub starting off at Hotham Park.

The Tullis Bridge Trail is a 16km round trip along the disused Hotham Railway Line. Best hiked in spring while the hills are still green, the Tullis Bridge Trail makes the occasional historical reference to Boddington's past as a timber town. One of only a handful remaining timber put their efforts into overdrive with the expansion of their community-based recycling facility. Boddington has several interesting and walk and bike trails, including the 13.7-km out-and-back rail walk trail which starts at Farmers Avenue or the Boddington Rodeo Grounds. Generally considered an easy route, it takes an average of three and a half hours to complete walking. This trail is great for hiking, mountain biking, and running, and it's unlikely you'll encounter many other people while exploring. The route follows an old rail trail through picturesque countryside in the Boddington - Ranford area. The landscape on this route is simply beautiful and there's some interesting history to discover, which is described on the info boards along the way.



*Boddington Tullis Bridge and Rail Trail*

The Hotham Park - Ranford Pool Trail is a much more relaxing 5km walk along the Hotham River, finishing at the recently upgraded Ranford Pool. Ranford Pool (otherwise known as Darmining Pool) is a naturally deeper part of the river which serviced the Tannin Factory when it was operational from the early 1930s to its closure in 1964. It is a popular spot for a picnic and a swim with remnants of old rope swings hanging in the trees that line the banks. Upgrades to existing walking trails and the creation of new trails include the acquisitive Boddington Sculpture Competition, the Shire of Boddington has plans for a sculpture trail to be added to the Trail Hub starting off at Hotham Park.





### Wildlife

Teeming with wildlife, Boddington is home to several precious native species with a recent sighting of a numbat which were estimated to have been extinct from the Boddington area approximately 30 years ago. Carnaby's Cockatoos and Red-Tailed Black Cockatoos are frequently found in Boddington.

### Events

#### Boddington Rodeo (Key Event)

Boddington is home to the largest single day Rodeo in Western Australia and celebrated its 45th year in 2021. The Boddington Lions Rodeo is held on the first Saturday in November each year, with the town population increasing from 1,200 residents (2016 census) to upwards of 5,000–6,000 over Rodeo weekend.

Operated by the Boddington Lions Club, the Rodeo has become more than the event itself, and has evolved into an entire weekend of festivities. The Friday Night Festival is held on Rodeo Eve at the Boddington Old School Oval and is a great family event hosted by the Shire and the Boddington Community Resource Centre. The rodeo also offers rides, food trucks, live music, games, and competitions. The Saturday morning is for markets, fresh doughnuts and coffee before visitors head down to the Rodeo Grounds for the main event.



Image credit: [www.facebook.com/marradongcountrytourism](https://www.facebook.com/marradongcountrytourism)

An extensive program covering all age groups and skills, there are events like Barrel Racing, Steer wrestling and bull riding. The Bushman's Ball follows the Day's events are all over, with music and dancing.

#### Boddington Medieval Fayre and Feast

Medieval Themed Fayre and Feast. Re-enactments, role-play and arena battles as well as music and dance.



Image credit: [www.facebook.com/marradongcountrytourism](https://www.facebook.com/marradongcountrytourism)

### The Boddington Community Markets

The markets are held first Sunday monthly, located on the old school oval. Offering a diverse and unique range of retail and food stalls the markets is a great way to spend your Sunday morning Boddington. Always something for the kids, bouncy castle, and face painting.



### Boddington Country Muster

The event brings together some of WA's finest country artists to provide a community-minded and family-friendly event of music and dance, as well as market stalls and car displays.



### Boddington Field of Quilts

Hosted at the Boddington Arts Council, Johnston Street Boddington, this event attracts quilting enthusiasts from near and far.



The above events are important drivers of tourist accommodation occupancy in Boddington. However, the calendar of events for Boddington events, does not ensure that accommodation providers in the town achieve optimum occupancy, due to their lack of frequency.

For many regional locations local attractions ensure a constant supply of visitors, including repeat visitors.

Although Boddington has some wonderful events and attractions, both natural and man-made the current events are few and the list of iconic attractions is very limited.

In 2013 the Shire of Boddington commissioned consultants, TRC Tourism and Brighthouse Strategic Consulting to prepare a stage one tourism strategy.

It is interesting that upon a review of the key issues and success enablers in the earlier Draft Boddington Tourism Strategy 2013, all remain relevant today.

The key tourism development strategies in the 2013 report - product development (accommodation, events and attractions), tourism infrastructure (signage, visitor amenities and food and beverage offering) and awareness (marketing and promotion remain essentially unfulfilled at the present time.



## Boddington Commercial Accommodation Supply

The following table lists the accommodation currently available in Boddington.

Business	Accommodation Type	Caravan RV Accommodation Camp Sites	Accommodation	Shire Licensed	Google Reviews
<b>Boddington Caravan Park</b>	Caravan Sites and Accommodation	40	Old Police Station (sleeps 6) Caretaker's Accom (2 bedroom)	Y	4.2 stars from 141 reviews
<b>Boddington Hotel</b>	12 Donga" style single units, 4 motel type units, 4 staff bedrooms within the hotel proper	None	16 Rooms	Y	3.5 Stars from 179 reviews
<b>Boddington Motel</b>	Double Motel rooms	None	9 Rooms	Y	4.6 stars from 28 reviews
<b>Boddington Retreat</b>	2 bedroom cottage (sleeps 6)	None	2 bedrooms	N	4.6 stars from 18 reviews
<b>Armoir - nature based camping</b>	9 camping bays, 30 overflow bays - Self-contained vehicles only	39	Pop-up hire tents for special events	Y	4.7 stars from 15 reviews
<b>Woolpack BnB Farmstay Crossman</b>	3 Bedroom Farm-stay Accom,	None	3 Queen Size Beds (sleep 6)	N	5 Star (Airbnb) from 12 reviews
<b>Free RV Camping</b>	Sites for fully self-contained RV's	6-8	None	Y	4.6 stars from 7 reviews

### Boddington Caravan Park

The Boddington Caravan Park is managed by the Shire of Boddington and has a variety of accommodation including powered caravan sites, powered camping sites, unpowered camping sites, the repurposed historic Police Station, and a two-bedroom manager's residence, which is currently utilised by the shire for short-term staff accommodation. The Police Station accommodates 6 guests in 3 cells (bunk accommodation) and a separate double bedroom. The Manager's residence has two bedrooms.

Conveniently located next to Hotham Park overlooking the river, the caravan park was extensively redeveloped in 2020 and now has an excellent site layout and good tourist facilities.

The park offers the following:

- Dog friendly
- Free Wi-Fi
- Town water
- Powered and unpowered sites
- Laundry and campers' kitchen
- Free BBQ's
- Communal fire pit (seasonal)
- A dump point is located nearby



Boddington Caravan Park site layout



Boddington Caravan Park internal streetscape



Aerial image of Boddington Caravan Park



*Boddington Caravan Park and adjacent vacant land with potential for short-term accommodation*

#### Boddington Hotel

The Boddington Hotel's sixteen self-contained rooms configured as three rooms with a queen-size bed and a single bed, 12 relocatable-style rooms with king single beds, plus three rooms in the hotel building, which have double beds and shared facilities.



*Boddington Hotel and Accommodation*

The hotel has consistently high all-year occupancy from mainly itinerant workers and contractors. Pricing is appropriate for the accommodation offered.

### Boddington Motel



The Boddington Motel has nine, fully self-contained units with kitchenettes, a queen-size and a king single bed.

The motel enjoys reasonable occupancy from a similar market to the hotel i.e., workers and contractors visiting the town. The occupancy is consistent with that of similar regional towns, but there is capacity to increase occupancy levels.

Pricing is slightly lower than equivalent product in other similar regional locations.

### Boddington Retreat

Located at 33 Johnstone Street, Boddington the retreat is a two-bedroom cottage, furnished un-hosted bed and breakfast establishment. It accommodated up to six guests for which linen, towels and all necessary items for tourist stays are provided.



### Armoir Nature-Based camping and Farmstay

Armoir provides basic campground facilities with a farm-stay experience. The nine licenced campsites are unpowered and do not have sullage points, so it is best suited to self-contained caravans, motorhomes, campervans and camping trailers and tents.



There are two guest toilets and one shower for which a usage fee is charged. There is also a dump point available.

The campground occupancy is derived mainly from overflow from the town's caravan park as well as groups (birthday events etc.) and returning guests. For overflow occasions such as during the Boddington Rodeo event, Armoir has accommodated up to 120 guests.



Armoir's rates and occupancy are lower than would be anticipated for other campgrounds in regional towns or Parks and Wildlife campgrounds.

## Woolpack BnB Farmstay Crossman



Woolpack BnB is located on Crossman Road approximately 10 minutes' drive from the centre of the town of Boddington. It comprises a three-bedroom house, 2-bathroom house with queen-size beds in all rooms.

## Free (No Fee) RV Camping



The free RV camping area is on a recreational reserve adjacent to the Hotham River and other public amenities. It caters for 8-10 self-contained recreational vehicles and sites are fee and non-bookable.

The Shire of Boddington implemented its Free RV Camping zone in 2013 for approximately 8-10 fully self-contained RV's. Situated alongside the Hotham River and close to the town centre, visitor centre, community resource centre public amenities, and caravan park, Tourists with fully self-contained units can enjoy a safe and shady spot for up to 48 hours without charge.

Anecdotal evidence suggests that site occupancy percentage for the free-camping sites is much higher than the licenced caravan park and it appears single overnight visitation at the caravan park has suffered since the free-camping was approved. The self-sufficiency test for occupiers of the free-camping sites is being circumvented due to the close proximity of public ablutions to the free-camping area. The tourism multipliers

### Visitor Amenities

The following table summarises the key visitor amenities in Boddington.

Amenities Type	Name
<b>Tours and attractions (well known) including wineries</b>	<ul style="list-style-type: none"> <li>• Barna Mia Animal Sanctuary</li> <li>• Bibbulmun Track</li> <li>• Boddington Old School</li> <li>• Captain Fawcett 4x4 Commemorative Track</li> <li>• Williams Woolshed (nearby in Williams)</li> <li>• Jessie Martin Museum (nearby in Williams)</li> <li>• Hotham Ridge Estate (nearby in Wandering)</li> <li>• Drakesbrook Wines (nearby in Waroona)</li> </ul>
<b>Food and Beverage</b>	<ul style="list-style-type: none"> <li>• Boddington Hotel</li> <li>• Bitchin' Kitchen</li> <li>• 124 Rusty Camp</li> <li>• Boddington Bakery</li> <li>• The Double Shot Coffee Café</li> <li>• IGA Supermarket</li> </ul>
<b>Other amenities</b>	<ul style="list-style-type: none"> <li>• Foreshore playground and tourism amenities</li> <li>• ATM</li> <li>• Post office</li> <li>• Hardware store</li> <li>• Fuel and Gas</li> <li>• Tourist Information Centre</li> <li>• Swimming pool</li> </ul>

### Tourism potential – comparison to other similar destinations

Further development of the Boddington Caravan Park to include new family-friendly, affordable tourist accommodation options such as cabins or glamping pods would enhance opportunities to leverage increased visitation from new or improved attractions.

Improved accommodation options and the simultaneous development of appealing visitor attractions are synergistic and have tremendous potential to uplift regional tourism potential. Four-wheel drive adventure trails and interactive gold mining experiences are two unique experiences which could attract significant visitor numbers, and when supported by appealing accommodation options, would encourage visitors to stay in Boddington.

Similar regional towns such as Dwellingup and Nannup have successfully leveraged off their bush and river appeal with a focus on developing adventure offerings (such as mountain biking, four-wheel drive trails, hiking trails and water activities etc) to place them firmly on the visitor map. Their

commercial caravan parks are receiving strong occupancies with tariffs above the tariffs charged by Boddington Caravan Park, even with strong competition from the ultra-low-cost Parks and Wildlife camping facilities nearby.

Adventure and immersive activities have the potential to encourage enthusiasts to visit multiple times each year, often during the off-season. The addition of regular events such as a four-wheel drive rally, produce markets and the existing rodeo may also boost occupancy. Increased visitation will present opportunities for improved food and beverage offerings which will in turn encourage visitors to return and stay longer, building a strong and resilient tourism industry. As the industry develops, there is an opportunity to increase tariffs and bring Boddington in line with the other more successful tourism destinations nearby, ensuring future viability and growth.

The following table shows a comparison of caravan park rates in Dwellingup, Boddington, and Nannup,

Rates for November 2022	Dwellingup Chalets and Caravan Park	Boddington Caravan Park Current	Nannup Caravan Park
<b>Luxury Chalet/ Cabin</b>	Spa Chalet 2 Guests Aircon, Spa & Ensuite \$190.00 /night	N/A	N/A
<b>Standard Chalet/ Cabin</b>	Chalet 2-10 Guests 2 Bedroom, aircon, kitchen, ensuite \$175.00 /night for 2 \$25 extra Adult \$16 extra Child	Old Police Station -6 Guests 3 Bedroom, Ensuite, Kitchenette, Aircon \$155.00 /night for 2 \$20 per extra person	Cabin 2 Bedroom, Ensuite, Kitchen, Riverfront, Aircon \$160.00 /night for 2 \$20 per extra adult
<b>Budget Chalet/ Cabin</b>	Cabin 2-5 Guests No ensuite Full Kitchen, Aircon \$108.00 /night for 2 \$20 extra Adult \$12 extra Child	N/A	Comfort Tent with ensuite \$109 for 2, without ensuite \$99. Family Sized Tent (Sleeps up to 5) \$109 for 2. \$20 extra Adult \$12 extra Child
<b>Powered Caravan Site</b>	\$42.00 /night for 2 \$16 extra Adult \$9 extra Child	\$30.00 /night for 2 \$8 extra Adult	\$49.00 /night for 2 \$20 extra Adult \$12 extra Child
<b>Tent Site</b>	\$35.00 /night for 2 \$16 extra Adult \$9 extra Child	\$20.00 /night for 2 \$5 extra Adult	\$34.00 /night for 2 \$20 extra Adult \$12 extra Child



## Consultation

The accommodation audit of the study included a familiarisation field trip through the Boddington local government area (LGA) to view the existing tourism infrastructure and in particular the current tourist accommodation. Prior to the familiarisation visit, initial desktop consultation was conducted with all existing tourist accommodation properties, which included Boddington Caravan Park, Boddington Hotel, Boddington Motel, Boddington Retreat, Armoir - nature-based camping and the Woolpack BnB property at Crossman.

The accommodation operators were asked to provide their perceptions of the current and future tourist accommodation demand for Boddington, prospective public and private supply opportunities and to identify barriers or constraints to tourist accommodation development. The suitability of various styles of tourist accommodation was discussed in the context of the Boddington location.

All the operators were very forthcoming with details of their accommodation, target market, tariffs and occupancy. We have utilised this data to refine the tourist occupancy of commercial accommodation in Boddington from those that were obtained for the area from other sources.

The audit of existing commercial accommodation in Boddington table on page 33 of this report was prepared from online research and verified by the face-to-face meetings.

The two major mining companies, Newmont Gold Mining and South 32 (Worsley Alumina) were contacted to ascertain their current and anticipated future use of the commercial accommodation in the town and to seek the views of companies regarding perceived gaps in the business accommodation supply.

Brighthouse consulted with officers at the Peel Development Commission to investigate current state initiatives and planned future direction for the development of tourism in Boddington. The topic of grant funding for such projects was also canvassed.

Brighthouse's Principal Consultant also met with the Shire's CEO, Senior Planner and Manager, Works and Service and had subsequent discussions with the officers to seek specific information.

The information gleaned from the consultation process has helped inform this report and enabled the consultant to analyse findings in the context of the local community and market environment.

Brighthouse has a deep understanding of the small tourist accommodation investment landscape and a knowledge of tourist accommodation development and investment incentives. The findings from the consultation were utilised to develop a tourist accommodation gap matrix, which sought to match existing properties (supply) to the potential need for tourist accommodation development (demand).

Other types of land holdings were assessed as to their potential to accommodate small-scale tourist accommodation operations as a secondary activity to their core business e.g. farm-stay and if there was potential for new tourist accommodation to be incorporated into existing public and community buildings, in the form of dormitory-style accommodation, to improve the supply of tourist beds during major events.

The consultation conversations provided insights into the issues confronting the future development of tourist accommodation in the locality.

Another important part of the desktop research phase was reviewing the various tourism marketing, strategic planning, and community development reports. Recommendations relating to general tourism and more particularly, tourism accommodation were noted.

### Improvement supply through existing tourist accommodation operations

Based on consultation with all the existing accommodation providers in Boddington, which included visitation to each of the accommodation properties by the consultant, we have reached a conclusion about the potential for expansion of supply through the existing providers.

We consider that it is important to differentiate between the two primary markets for Boddington's short-stay accommodation, which to some degree may be influenced by operational decisions of the individual accommodation providers. For instance, from the consultation it appears that both the hotel and motel predominantly target workers and contactors who visit the town and make up the highest percentage of the room occupancy. Both properties also accommodate holiday travellers but their focus is on work-related travellers as the mainstay of their business.

In Boddington, the two private holiday bed and breakfast (BnB) accommodation providers - The Retreat and Woolpack, Armoir (camping and event glamping) and the Boddington Caravan Park target mainly holiday tourists as opposed to business tourists. Although not located in the Shire, the Quindanning Hotel should also be included in the tourist accommodation supply list for Boddington, as its holidaymaker guests are potentially combining their accommodation in Quindanning with visitation to the town of Boddington.

The Boddington Motel has a small adjacent block of land which could potentially allow for a limited expansion of the number of motel units on the site. However, the owners of the motel did not seem to be motivated to undertake further development at present.

Generally, accommodation alone does not drive destination demand. For most travellers, immersion in local experiences is of primary importance hence the popularity of local events, farm stays, forest chalets and wellness retreats, where guests become involved in their special interests, or agricultural, nature-based and health and wellbeing experiences. However, the advent of 'glamping' or glamorous camping, presents opportunities for destinations close to large population centres to provide unique short getaway holidays.

Visitors to Boddington tend to be more immersed in the immediate accommodation location than other geographical areas of Perth and surrounds. The purpose for travelling to Boddington is to predominantly experience events such as the Lion's Rodeo, Medieval Fayre and Feasts, Boddington Country Muster music festival and the field of Quilts. Other attractions are the history of the area and the natural landscape, notwithstanding those other attraction that enhance the enjoyment of the visit for many including the Hotham River Foreshore Adventure Park (winner of WA Park of the Year 2022).

Thus, an opportunity exists to develop a visitor market for short romantic, or de-stressing breaks, based around glamping accommodation in Boddington.

The Shire of Boddington could seek local landowners interested in tourist accommodation development and help facilitate such small-scale tourism developments, through minor changes to local planning regulations to allow those developments as primary or secondary uses of the land.

Whilst visiting the Boddington Caravan Park the consultants viewed vacant freehold land at Lot 18A, adjacent to the caravan park and also Lot 20. Brighthouse formed the opinion that an immediate opportunity exists to expand the supply of tourist accommodation by developing part of Lot 18A into a glamping accommodation facility. Cabins, glamping pods (solid wall and roofed safari tents) or tiny houses would be suitable for family holiday accommodation. The accommodation should be managed by the caravan park, which would provide better economies of scale and a more widely accepted tourist accommodation offer.

## Flood Prone Zone Mitigation

There are potentially some issues with Lot 18A being partially flood prone and perhaps requiring the diversion of storm water for the adjacent road and properties. The flood level issue can be mitigated by raising the finished floor levels of the accommodation by the installation of stumps or pole foundations to a satisfactory level.

Lower standards can be applied to tourist sites on the basis that the consequences of flooding would be less than those associated with permanent housing. This position is supported by the numerous approvals to operate tourist caravan parks in flood prone locations in Australia. It also recognises the economic planning imperative of locating tourist related developments in proximity to natural features such as rivers

People occupying caravan and camping sites in a caravan, recreation vehicle or tent can quickly vacate themselves and their accommodation to safety in a flood event. In an unlikely or worst-case scenario, where there was insufficient time to remove the accommodation prior to water inundation due to flash flood, the loss of the asset would not equate to the loss of residential dwelling that is a person's principal place of residence.

The foundations and structure below acceptable flood levels of cabins glamping pods and tiny houses constructed in caravan parks in flood prone locations can be designed to withstand even extreme flood events. Therefore, risk associated with flood events can be successfully mitigated. Access to the short-term holiday accommodation units can be raised using boardwalk structure with the same high structural integrity. Car parking for accommodation occupants can be in a separate area that is raised to acceptable flood levels.

## Caravan Parks – the mainstay of regional tourist accommodation

In Australia, the caravan and camping industry, including caravan parks, is a \$23 billion industry that directly employs 53,000 people, manufactures 25,000 vehicles per annum, services over 740,000 vehicles on the road, generates 12 million trips and creates 60 million visitor nights across the country. It is an industry that is uniquely positioned to hold the foundation for ongoing tourism activity during and post the COVID-19 crisis.

In 2009 the Western Australian Government's Economics and Industry Standing Committee delivered the Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia.

Tourism WA subsequently commissioned Brighthouse Strategic Consulting to further investigate the tourism recommendations made by the Parliamentary Inquiry and to assess the current and future needs of the caravan and camping sector. Findings in the Brighthouse report informed recommendations within the WA Caravan and Camping Action Plan 2013 - 2018 (Action Plan).

The Action Plan contained eleven recommendations aimed at improving the supply, delivery and promotion of caravan and camping experiences. It aimed to make Western Australia the nation's most attractive caravan and camping destination by providing upgraded and new infrastructure and affordable accommodation options to meet the diverse demands of travellers.

The \$42 million Action Plan detailed clearly what is required for the future of caravanning and camping-based tourism in Western Australia.

Boddington was identified as priority area based being in a tourism location with an average annual occupancy over 60%. The limited available tourism visitation statistics impacted on its rating, although there is arguably sufficient potential demand to consider the merits of improved facilities providing a tourism drawcard to the area to meet visitor expectations and capitalise on the appeal of inland waterways such as the Hotham River,

Caravan and camping became the most popular holiday type for Australian for the first time in 2019, with 60 million holiday nights, according to Tourism Research Australia. This is no easy achievement when we consider the significant competitive nature of the tourism accommodation sector.

The most recent (August 2022) annual Caravan Industry Australia's Consumer Sentiment Report, found that travellers identifying with caravanning and camping, were keen to explore Australia (71%), experience something different to usual life (65%) and to learn something about place and people (57%). This continues to show the value of caravan and camping in connecting Australians to regional destinations, and to the local stories of people and places they visit.

Caravan Industry Australia CEO, Stuart Lamont, commented on an earlier version of the industry research report - The State of Industry 2020 – 'When you reflect that for 24.8 million Australians and 8.4 million households, caravan and camping holidays have become an integral part of our national travelling behaviour.' The State of Industry report provides an important benchmark and highlights the importance of the caravan and camping sector to the performance of Australia's visitor economy.'

Despite the exponential growth of the caravan and camping market and its potential to enhance tourism by providing safe, affordable tourist accommodation, many LGAs do not embrace the development of caravan parks. Often highly suitable locations for caravan parks are excluded as a permitted use in the zoning tables of their town schemes.

It appears that the greatest potential to increase the supply of boutique tourist accommodation in the Boddington LGA to improve visitation and duration of stay, in the short-term is through further development of the Boddington Caravan Park. The availability of the shire-owned land Lot 18A, adjacent the existing caravan park provides an opportunity to for the shire to move quickly to increase tourist accommodation supply by constructing relocatable cabins, glamping tents or pods, or tiny houses in the site.

## Appropriate Accommodation Options for Boddington

The following tourist accommodation options are grouped under appropriate user-interest categories. There is considerable potential for cross-over of accommodation styles between the various types of interests. For example, glamping accommodation is suited to farmstays, caravan parks and campgrounds, health and wellness retreats and bush retreats.

### Glamping

From early accommodated safari tours across Africa, 'glamorous camping' or glamping has come a long way. No longer the preserve of canvas accommodation, such as yurts and safari tents, offerings now include luxury cabins, chalets, tiny houses, glamping pods, treehouses, geodomes, and glam-tainers (converted shipping containers) are more and more prevalent in holiday locations all over the world.



Glamping accommodation products have evolved over the last decade to be suitable for hot, cold, and moderate climates. For example newer iterations of glamping tents have solid walls and are similar to cabin accommodation experience, whilst maintaining the allure of the safari tent appearance.

Demand for the nature-based glamping experience is very much on the rise. The lack of traditional hospitality offerings, such as hotels and resorts in small and remote regional tourist

locations has led to the development of specialised tourist accommodation at those locations.

These products are more aligned to the natural environment and often become an extension of the attraction's experience.

Operators of specialised glamping holiday accommodation properties have witnessed explosive demand due to their ability to provide socially separate, and more secluded accommodation compared to other higher-density forms of tourist accommodation.

The outdoor spaces surrounding camping-style accommodation products, present a much lower risk than the higher density accommodation in terms of transmission of airborne and contact spread diseases, such as COVID -19.

With no front desk staff, common areas and often no restaurant or bar, providers of this specialised holiday accommodation are perfectly positioned to enjoy higher financial returns from this high-growth market.

For regional and remote tourist accommodation providers or those who provide tourist accommodation as a secondary activity e.g., farmers and vineyards, glamping accommodation requires minimal capital input considering the potential financial return.



For that reason, glamping product is ideally suited to many locations throughout the Boddington LGA, particularly for small-scale accommodation developments.

Owners and operators of wineries, orchards and other horticulturalists, farmers, and other small land holders such as cideries and boutique breweries could introduce glamping accommodation as a secondary commercial activity, with the aim of increasing visitation to their primary business and adding to their commercial return from their properties.

Tour operators could seek to improve their yield from tourists by developing a glamping accommodation package.

Glamping product may be varied for the type of activity the operator provides. For example, luxury cabins, tree houses and glamping pods for short-term holiday accommodation may be more suited heavily vegetated locations due to potential fire risk.

Where accommodation may serve a dual purpose seasonally, i.e., tourist accommodation and worker accommodation for staff during harvest season, the glamping product may not be a suited as more standard cabins or tiny houses.

A growing trend of the glamping market is that travellers are seeking more quality options across a variety of price points. For experiential travellers wanting a comfortable home base that is convenient for 4-wheel driving, hiking, mountain-biking, and other low contact activities, glamping is the perfect solution.

The global glamping market was valued at \$2.68 billion in 2012 and is projected to reach \$7.11 billion by 2021, growing at a compound annual growth rate of 10.5% from 2022 to 2031. A rise in wellness travellers, estimated to represent 18% of all global tourism by the end of 2022, combined with an increase in caravanners and campers, half of whom are willing to try glamping on their next trip, has created the perfect environment for tourist accommodation providers to enter the glamping industry.<sup>9</sup>

The family travel segment dominates the glamping market, due to an increasing emphasis on maintaining family relationships and creating family memories. The 33-50 age group is the largest market segment by age, owing to their preference for comfortable and luxurious accommodation. Families with two children are predominant in the market, followed by couples.

### Caravan Parks and Campgrounds

Caravan and camping became the most popular holiday type for Australian for the first time in 2019, with 60 million holiday nights, according to Tourism Research Australia. This is no easy achievement when we consider the significant competitive nature of the tourism accommodation sector.



*Hire Motorhome*

Caravan Industry Australia CEO, Stuart Lamont, commented on the research report, *The State of Industry 2020* – The report provides an important benchmark and highlights the importance of the caravan and camping sector to the performance of Australia's visitor economy. 'When you reflect that there are 24.8 million Australians and 8.4 million households, caravan and camping holidays have become an integral part of our national travelling behaviour.'

Despite the exponential growth of the caravan and camping market and its potential to enhance tourism by providing safe, affordable tourist accommodation, many LGAs do not embrace the development of caravan parks, through their exclusion of them as a permitted use in the zoning tables of their town schemes.

The caravan parks and campgrounds legislation was designed to provide uniform regulations for the development of caravan parks, campgrounds and defined tourist accommodation facilities throughout Western Australia.

In Boddington, the Shire-owned and operated caravan park and Armoir are the only licenced caravan parks. It appears from the consultation that Armoir's owner and operator has an interest and many good ideas for developing the facility but is constrained by time and capital cost.

The operator may be interested in sourcing available funding grants for the private sector to develop of tourist businesses.

Perhaps the greatest potential to increase the supply of tourist accommodation in Boddington and to improve visitation and duration of stay is through the caravan parks and camping grounds legislation. The regulations provide for overnight accommodation for travellers in user-provided caravans, recreational vehicles, and tents (self-owned or hired) as well as cabins, tourist park-homes, glamping tents, and even tiny houses, which are owned by the facility operators.

If for instance, the Shire of Boddington were to permit a small number of campsites as secondary activity on properties such as farms, vineyards, orchards, horticultural properties, wineries, and boutique breweries, without scheme amendment or even planning application, the supply of boutique tourist accommodation would be substantially improved.



*Example of Tiny House*



Solar Cabin

The planning exemption could cater for developments of 5 – 15 sites, which could comprise caravan, and camping sites and compliant tourist accommodation (according to the definition in the Caravan Parks and Campgrounds Regulations 1997). A major benefit would be the supply of sites, which would otherwise not be provided in the locality due to land availability to achieve economy of scale. Under the legislation, bring-your-own caravans, camper vans and tents could be accommodated, and the operators could also provide relocatable accommodation such as tourist cabins, tiny houses and glamping tents and pods. The provision of such miniature caravan parks would help meet the burgeoning demand from the sector and satisfy the future need for supply of tourist accommodation in Boddington.

Another major benefit of the above initiative would be the potential for the accommodation to be utilised for short-term temporary worker accommodation for specific harvest and planting periods in farm and horticultural properties, thereby removing one of the key issues surrounding agricultural production in times of high employment.

The resulting increase in supply through the approval of applications by owners of variously designated land in the Town Scheme would help increase tourist accommodation supply without cost to the community. Such accommodation would be in addition to the recommended development of the existing Boddington Caravan Park. The 'mini caravan parks' would require licencing by the Shire and need to meet the regulations set out in the Caravan Parks and Camping Grounds Regulations 1997.

### Health, Wellness and Spa Retreats

Revenue for the health and wellness spa industry in Australia has grown rapidly and revenue is expected to rise at an annualised rate of 3.6% over the next five years to \$578.7 million.

Wellness spas have become popular with a wider client base, including men, corporate users, couples and families. Demand growth from domestic and international tourists has also benefited industry operators over the period, Guest accommodation is a significant attractor to the spa and wellness retreat experience.

The health and wellness spas industry is in a major growth stage of its economic life cycle ... widespread societal concern for health and appearance has underpinned industry growth.

In the wider Perth region users are offered a relatively small number of wellness retreats, mostly in the Perth Hills area, including Hidden Valley Eco Lodges & Day Spa and Amaroo Retreat & Spa. The allure of the natural tranquil landscapes and the small distance from the state's main centre of population makes the outer Perth regions an attractive location for the establishment of health and wellness businesses.



While Access Life Health & Fitness conducts Health and Fitness Training in Boddington, there does not appear to be any established health retreats in the LGA. There is perhaps an opportunity here for an operator to establish a retreat with short-stay accommodation and reach out to people in this niche market.

### Agritourism and Farmstays

Agritourism is generally understood as travellers visiting working farms to gain exposure to the rural lifestyle. Farmstay experiences vary greatly but a common theme is the genuine rural experience that travellers can't get elsewhere.

Food tourism, is becoming an increasingly important sector of the Australian economy, providing direct and indirect benefits to Australian agribusinesses and regional economies. Farmstays exist all over the world and are particularly prevalent in Australia, New Zealand the United Kingdom and Europe, as consumers desire to stay at a rural location to better understand where their food comes from, learn how it is produced and experience food where it is produced.

According to regional development consultants, Regionality, 'agritourism is a billion-dollar business in Australia. 'Agri-food and tourism have been identified as two of five key tourism growth sectors over the next decade. Agri-food opportunities identified to grow at around 3.6 per cent annually by 2030 and tourism expected to continue to grow faster than the national economy.'

Agritourism has an important role to play, not only in the economy but more especially in helping maintain the viability of Australian farms.

Recent CSIRO analysis predicts the specialist sector is set to boom, with figures set to double over the next 10 years. Australian food and agribusiness could reach \$250 billion by 2030, according to a September 2019 CSIRO report highlighting the importance of agritourism in regional areas.



Agritourism and Farmstay travellers seek out farm or food-related experiences, including on-site meals made from a farm's produce, farmer's markets, produce outlets and natural attractions) for enjoyment, education, or to participate in agricultural activities and events.

Agritourism activities are widely varied and include tourist accommodation, regional markets, farm and winery tours, self-picking experiences and farm gate

sales, direct shop front outlets with produce tastings of wine, craft beer and distilled spirits, fruit, vegetables, nuts, meat and seafood, gourmet foods (cheese, olives, condiments, and confectionary), cooking classes, wine festivals and restaurants sourcing local produce.

There are family-friendly farmstays which will teach children about animals and there are farms reserved for adults, so they can relax and enjoy the outdoors.

The styles of accommodation provided at farmstays can potentially include farmhouse accommodation and B&Bs, cabins and chalets, farm shed and barn accommodation, bring-your-own caravans, RVs and tents and glamping. Perhaps the way to increase in tourist accommodation supply at farm venues is through the granting of approval for small numbers of caravan and camping sites (and associated cabin accommodation), as explored in the Caravan parks and Campgrounds section earlier in this report.

### Bed and Breakfasts (BnB)

Bed and breakfast accommodation is generally defined as an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- meals are provided for guests only, and



- cooking facilities for the preparation of meals are not provided within guests' rooms, and
- dormitory-style accommodation is not provided.

However, this narrow definition does not consider the various ways in which bed and breakfast accommodation has evolved in recent years.

BnB accommodation has been traditionally provided by private houses that let bedrooms or suites for short term stay, with all the hospitality of a hotel being provided by the host. BnB accommodation is perceived as quieter and offering more of the comforts of home. Most offer a home cooked meal, generally a generous or gourmet breakfast, which has become an important feature of such accommodation.

The estimated size of the BnB market is estimated at \$71.6 million, which is a projected decline of 10.5%, mostly due to the COVID-19 epidemic. While the reposting of the decline in BnB revenue may be initially alarming, it is somewhat distorted by the advent and exponential growth of similar product to small-scale hosted accommodation, such as non-hosted holiday houses, apartments, and room-letting within residential homes, without the normal hosted features expected in traditional BnBs.<sup>10</sup>

According to IBISWorld, domestic tourists account for the largest proportion of industry revenue. Consequently, the number of domestic tourist visitor nights significantly affects consumer demand and industry revenue growth. When domestic tourist visitor nights increase, more consumers are likely to use bed and breakfast (BnB) accommodation when travelling, providing a boost to industry revenue.

The value of the Australian dollar (as well as the current COVID-19 epidemic) primarily influences the number of domestic tourist visitor nights by making it cheaper or more expensive to travel domestically rather than abroad. The number of domestic tourist visitor nights is expected to grow through years 2021-25, providing an opportunity for the industry to grow its revenue.

Industry operators have faced intensifying competition from accommodation-sharing networks such as Airbnb, which offer similar facilities and amenities to a bed and breakfast (B&B), often at a lower price. In addition, online accommodation aggregator companies, such as Stayz, make prices transparent in the accommodation sector, which has put pressure on industry operators to keep prices low to stay competitive.

Platforms such as Airbnb provide short-stay rental of residential dwellings where a property owner can rent out a home, unit or individual room. It is estimated that short stay renting of residential dwellings can resemble a traditional bed & breakfast style experience, excluding the breakfast service, particularly if the property is 'hosted'. Part of the visitor experience and attraction of bed & breakfast establishments is the interaction with the host.

The lack of registration of many properties using the AirBnB platform has led to issues concerning noise nuisance and impact on the peaceful enjoyment and safety of residential neighbours. There is also a concern regarding public liability and other insurances, where properties are let for tourist occupancy without proper local government approval. This issue has been the subject of LGA and state enquiries and Many LGAs are adopting so-called 'party house' local laws.

There are two tourist accommodation properties in Boddington (both not licenced by the shire), The Retreat and Woolpack Bed and Breakfast. It would be helpful if both properties were engaged with the shire and the local tourism industry to further opportunities to raise the area's tourism profile.

### Bush Retreats

The reason many tourists visit the Boddington is its accessibility to the State Forest.

Around half of Boddington Shire is State Forest (predominantly jarrah and marri), making it ideal for hiking, camping, picnics, birdwatching and viewing wildflowers in Spring. A 2km walk trail along the river provides wheelchair access between the caravan park and Ranford Pool, a favourite fishing, birdwatching, and picnic place. Another favourite picnic and fishing spot is Lions Weir closer to town. The Bibbulmun Track passes through the Shire with Long Gully Bridge on the Harvey Quindanning Road providing an excellent access point for trekkers. Much of the national park and state forest landscape is currently constrained from tourist accommodation development, due to environmental conservation, bushfire risk, and drinking water catchment policy.<sup>11</sup>

To maximise the tourism potential of Boddington, in the same way that Dwellingup has become a nature-based tourist location, all avenues need to be explored that will enable tourist accommodation to be developed in the important conservation and bushfire risk areas.



The advances in small-scale alternative wastewater treatment technology, the knowledge and understanding of eco-tourists of the necessity for conservation of the natural estate and the improvements in bushfire risk management may allow for the review of current restrictive policies that prevent any development in these areas.

The DBCA, through its Parks and Wildlife section, successfully manages or controls several small campgrounds and

accommodation facilities in national parks.

Staying in accommodation, whilst immersing in natural bush or forest provides a far more enjoyable experience, for many travellers, than staying in tourist outside those areas and commuting to them daily.

Proposed planning reforms recognise that the protection of property or infrastructure may be secondary to the social and economic development of a region. The distinction between commercial tourist accommodation and residential homes needs to be considered. If human safety can be satisfied, the asset may be considered replaceable, and its bushfire construction level determined to the degree necessary. Access and egress to tourist accommodation developments in the event of natural disasters, remains critical as is early notification and an evacuation management plan.

Some of the primary tourist attractions in Western Australia are the walking, mountain bike and 4-wheel driving trails that proliferate in state forests and national parks. The popularity of the trails presents opportunities for the development of boutique tourist accommodation which could act as drop-off points for travellers intending to use the tracks. Ideally, the trailheads should be accessible from the accommodation, which suggests the accommodation should be located a relatively short distance away.

### Backpacker Hostels

The term "hostel" dates to the old French term 'hôte' which means inn, lodgings, or shelter. The expression "youth hostel" is first recorded at the beginning of the 1900's in Germany by Richard Schirrmann, a German teacher who organized field trips & visits with his students. Schirrmann had the idea of using schools that were empty during holidays as guest houses for young people that were travelling in groups in the countryside. The idea caught on very quickly and spread through Europe. In time, the concept of hostel has broadened, and now hostels accept guests of all ages, providing cheap but comfortable accommodation and a unique atmosphere that cannot be found in hotels.

'Backpacker' refers to a person travelling with a backpack. Hostels and youth hostels became backpackers' hostels in Australia since backpackers were the main customers.

The audit of tourist accommodation for Boddington did not identify any dedicated backpack hostels. However, a small number of 'group accommodation' facilities exist in the town during key events, such as the Boddington Rodeo.

The lack of backpacker hostels in Boddington area may be attributed to:

- a general lack of demand in the area for backpacker accommodation
- the lack of public transport and
- the availability of other forms of low-cost accommodation, such as campgrounds and other accommodation on the Airbnb platform

There is potential to expand the availability of short-stay accommodation in Boddington during significant tourism events by utilising Shirrmann's concept of using schools and other public buildings in the town such as churches and community halls, for temporary dormitory-style accommodation.

## Barriers to Tourist Accommodation Development

To attract tourists, several matters concerning the development of tourist accommodation need to be considered, for example, visual amenity, urban design, heritage, and planning controls - the conservation and enhancement of the environment and landscape is paramount.

However, several factors may inhibit Boddington LGA from capitalising on this opportunity. These factors include

- Limited tourism product in the region;
- Lack of stakeholder interest/engagement;
- The application of planning regulations is not conducive to small-scale tourist accommodation development, according to some operators;
- No apparent Integration and implementation of tourism strategy across the Peel Region, particularly Boddington, Dwellingup, Pinjarra and Mandurah;
- Limited tourism industry knowledge and customer service capabilities;
- Low profile of tourism in the region;
- Lack of sufficient hospitality services in town; and
- The by-pass road to Williams means that most tourist traffic does not pass through Boddington.

### Key Issues

- The Alumina Refinery (Worsley) Agreement Act 1973 and the obligations it places on the State need to be considered during the preparation of local strategic planning documents and during the consideration of any statutory planning proposals;
- The mining buffer, as delineated by the Department of Mines, Industry Page 14 Regulation and Safety, needs to be protected to ensure the extraction of mineral resources is not compromised in the longer-term;
- Agricultural/rural activities need to be protected from unnecessary fragmentation;
- The extraction of mineral resources and development of the land for other purposes must occur in a staged manner, to ensure mineral resources can be extracted in the longer-term; This effectively locks out large swathes of land from development;
- Planning processes need to accommodate opportunities for tourist use in bushfire and flood-prone zones, subject to acceptable risk-mitigation plans being developed.
- Industrial areas and industrial development need to be protected from the encroachment of more sensitive land uses; and
- The design of tourism related development should be sympathetic to the landscape.

### Suitability of Existing Supply of Accommodation

The two main private sector accommodation providers in the town consider their market to be workers and contractors who visit Boddington for work related activities. Both attract some tourist visitation; however, it is not their primary focus.

The commercial accommodation providers in the town enjoy higher than average occupancy than that of similar regional locations. There does not appear to be any appetite for raising occupancy through marketing, product improvement or further development.

One commercial accommodation business cited onerous and unreasonable planning conditions as a reason for not having a greater visibility to tourists. They suggested that the conditions have led to them almost totally withdrawing from offering accommodation to tourists.

A shortage of family holiday accommodation appears to be a gap in supply of tourist accommodation in Boddington.

### Analysis of trends and best practice in comparative jurisdictions

When considering potential projects such as the further development of tourism supply in Boddington it is prudent to analyse the success (and failure) of like projects in similar jurisdictions.

While the findings of John Kotter, published in the works 'Leading Change' (1996) and McKinsey & Co's 'The irrational side of change management' 2007 found that 70 percent of change programs fail, that percentage can be significantly reduced by building a compelling story, role modelling (best practice examples) and reinforcing mechanisms (planning and execution).

Brighthouse has drawn on two diverse examples where the development of tourist caravan parks and accommodation has been integral to improvement of tourism visitation.

There are many supporters of the sentiments in the misquoted line 'Build it and they will come', from the film 'Field of Dreams' (1989). However, caution is recommended for this approach.

Assuming that there is a conclusive case for the need for additional tourist accommodation it does not automatically follow that the accommodation development will provide a reasonable return on its capital investment. Certainly, arguments can be mounted that economic returns should not be the single decision influencer. In many instances, social and community considerations balance the scorecard.

The case for development of additional tourist accommodation supply in Boddington requires consideration of many factors including:

- Does the proposed accommodation fulfil an unmet market need?
- Does it increase diversity in the supply of tourist accommodation?
- Will there be a major impact on viability of existing tourist accommodation providers in the town
- Whether or not the existing hospitality infrastructure, particularly food and beverage services, can meet the needs of an influx of visitors to the town?

### Comparison of Boddington to Dwellingup as a Tourist Destination

Dwellingup was judged WA's Top Mall Tourist Town at the 2021 GWN Top Tourism Town Awards.

It offers similar nature-based experiences to Boddington, including natural forests, rivers and trails, but is much more developed on WA's tourism map.

The \$2.5 million Dwellingup Trails and Visitor Centre offers an immersive experience for all visitors. Featuring state-of-the-art technology virtual reality experiences, interactive touch maps and

information screens, up-to-date trail maps and information and the iconic fully restored 1938 Mack Truck fire tender.



Dwellingup is identified for its hiking and mountain bike trails, water and forest adventures. The high visitation to the town has led to tourism support and hospitality businesses thriving.

The Shire of Murray has been very proactive in promoting Dwellingup as a mainstay of the Shire's tourism offer and has established a project to harness Dwellingup's tourism potential.

The development project components are:

- Hotham Valley Railway Rail Relocation - relocation of the rail triangle and the implementation of a new train turntable
- Visitor Centre Expansion - redevelopment of an expanded and transformed Dwellingup History and Visitor Information Centre with additional toilets and hot showers
- Precinct Development-skate Park, pump track and additional facilities
- Munda Biddi Trail and Bibbulmun Track - realignment of the two through the town to meet at the Trails Centre

Boddington can leverage off Dwellingup's high visibility by adding complimentary tourism product. It is important that Boddington differentiates itself sufficiently so that it is not just considered a tourism overflow of Dwellingup and so that tourists attracted to Dwellingup will combine a visit to Boddington on their travels.

## Caravan Park Revenue Management

Pricing plays an important role in hospitality businesses, none more so than caravan parks, which can be extremely competitive, due to the options available to their highly mobile customers and the accessibility of low-cost, low specification options such as Parks and Wildlife campgrounds and Main Road rest stops.

Competitors are certainly not the only factor that should influence pricing. The relationship between tariffs and occupancy is critical as the alternatives of high rates, which result in low occupancy and low rates, leading to high occupancy, may have a detrimental influence of the financial return to the caravan park operator.

Factors that influence both pricing sensitivity and occupancy are:

- Seasonality - the time of year may affect the decisions of tourist travellers to travel to certain locations;
- Suitability of the product on offer – are the sites large enough for the current users, who may have larger caravans now than in earlier times? Is the accommodation suitable for families and individual travellers? Are different price points for sites and accommodation available for those travellers who may be comfortable with basic accommodation rather than accommodation that includes all the comforts of home. Does the park provide caravan sites and campsites that are both powered and unpowered?
- More importantly, what are the underlying factors behind tourists travelling to the location – events, attractions, natural environment or food and beverage?

Many caravan park and tourist accommodation operators consider price to be the most important criterion in the consumer decision. It is one of the more important elements of the tourism marketing mix, but not necessarily due to financial yield for the operator or attraction of customers.

According to Middleton in *The Role of Price and Pricing in Tourism Marketing*, pricing is one of the most important elements in the tourism marketing mix. Tourism customers rate the product at a price and without a price there is no indication of value. Pricing decisions are therefore essential for the profitability of the tourist establishment, as it has a tremendous impact on demand and sales volume. Pricing is also often considered an indication of quality...Although the pricing element is the most important one of the marketing mix in terms of profitability, pricing cannot be seen in isolation from the other elements".<sup>12</sup>

Consumer perception carries the greatest weight in the various decisions made by tourists - the choice of destination, the purchase of goods and services while on holiday, and the decision whether to return to the destination. Perceptions are the consumer's subjective reality. Perception and is particularly important because consumers are becoming more and more discriminating.

Occupancy also plays a role in tourist accommodation pricing. After all, a vacant or unsold room achieves no revenue so pricing to maximise occupancy can often be a better tactic than pricing to maximise profit on them individually. In a highly competitive location, it's sometimes necessary to lure guests in with lower rates. However, higher occupancy can often be achieved by through other means including:

- Location
- Reputation
- Size
- Market demographics
- Level of competition
- Type of services offered

The relationship between tariffs and occupancy led to the development of yield management strategies. Yield management was the catalyst for the evolution of revenue management when it was used by the airline industry to manage supply and demand for flights. For example, different prices may have been charged for the same flight depending on when the ticket was bought or what seat was required. Hotels began utilising the principle in the late 1980s and into the 1990s.

These yield management strategies have evolved to be included in many hospitality operations, including hotels, motels resorts and caravan parks. Properly applied, yield management techniques will provide tourist accommodation operators with the maximum financial return from their asset investment.

The optimum number of caravan park sites and tourist accommodation units on a property is finite. Sites and room must be sold or the opportunity benefit of the development is lost. Revenue per available site or accommodation room is highly perishable – an unsold site or room produces nil revenue but the fixed cost of providing the site or room remains (wages, maintenance etc.).

### Yield Management Formula

A simple formula for determining the yield percentage is

$$\text{Yield management Percentage} = (\text{Achieved Revenue} / \text{Maximum Potential Revenue}) \times 100$$

As an example:

1. If on a particular day the Boddington Caravan Park had 25 of its 35 powered caravan sites occupied at full current rate of \$30 per night (2 people), it would achieve revenue of \$750.00 (25x\$30=\$750) for the day. The potential revenue if all the powered caravan sites were occupied would be \$1050.00 (35x\$30=\$1050). Therefore, the yield percentage is:

$$\text{\$750 (25x\$30=\$750) / \$1050 (35x\$30=\$1,050) X 100 = 71.4\%}$$

2. The aim of yield management is simply to determine the appropriate pricing to achieve 100% occupancy, or as near as possible to that occupancy. For example, if a reduction of \$5.00 in the daily site rate achieved an increase in occupancy of 20%, the resultant revenue and yield percentage would be:

$$\text{\$750 (30x\$25=750) / \$875 (35x\$25=\$875) = 85.7\%}$$

**Important Note** – Through the tariff reduction of \$5.00, additional revenue of \$125.00 was achieved and another 5 sites were occupied.

Based on caravan park industry averages the earnings before interest, tax, depreciation, and amortisation (EBITDA) is 47% of the total revenue from sites, based on an average occupied site tariff of \$50 per day at an annual average daily occupancy of 50%.

Therefore, the calculated cost to the operator of providing a site is \$23.50 per day.

In the above example for Boddington Caravan Park both pricing arrangements would yield the Shire \$750 revenue for the day.

In the first example, where the tariff is \$30 per day there are 25 sites occupied and the cost (based in industry average daily occupied site costs) is \$23.50, resulting in profit per occupied site of \$6.50 or \$162.50 for the subject day.

In the second example, where the tariff is reduced to \$25, the profit per occupied site drops to \$1.50 or \$45.00 (based on the increased number of sites occupied on the day).

Thus, the reduction in daily site charge, although increasing occupancy by 20%, results in a reduction of 27.6% or \$117.50 in financial return.

We have used the above detailed explanation of revenue management to illustrate our proposition that the current tariffs at the Boddington are too low. This is supported by the comparison of tariffs at other similar regional WA caravan park locations in the table on page 37, of this report, comparing Boddington Caravan Park's tariffs with those of Dwellingup and Nannup Caravan Parks.

The following tables were compiled by BDO Economics for Caravan Industry Australia from data collected from the monitoring of member caravan parks throughout Australia that use Newbooks and RMS Caravan Park Reservation and Management Systems. The data for each state was analysed separately.

The average daily rates are the average tariffs for the state cluster, occupancy is the average for the subject caravan parks in the state, and revenue per available room (RevPAR) is the total revenue received by the subject WA caravan parks, divided by the total number of powered sites.

<b>Powered Sites Data Summary</b>			
<b>State</b>	<b>Average Daily Rate</b>	<b>Occupancy %</b>	<b>Revenue per Available Room</b>
<b>Western Australia</b>	\$61.36	66.3	\$30.27

<b>Unpowered Sites (Camping Sites) Data Summary</b>			
<b>State</b>	<b>Average Daily Rate</b>	<b>Occupancy %</b>	<b>Revenue per Available Room</b>
<b>Western Australia</b>	\$49.08	33.48	\$16.43

<b>Cabin Data Summary</b>			
<b>State</b>	<b>Average Daily Rate</b>	<b>Occupancy %</b>	<b>Revenue per Available Room</b>
<b>Western Australia</b>	\$193.29	66.3	\$128.16

Source – Caravan Industry Australia Accommodation Report January 2021

Useful information gleaned from the comparing the revenue and occupancy data of the Boddington Caravan Park to the above tables includes:

- The tariff charged by the Boddington Caravan Park for powered and unpowered sites is well below the average for other Western Australian caravan parks;
- The occupancy of the Boddington Caravan Park is significantly below the average for Western Australian caravan parks; and
- The RevPAR for Boddington Caravan Park is also below the average for Western Australian caravan parks.

The table below is constructed from Boddington Caravan Park data supplied by the Shire of Boddington.

<b>Combined Boddington Caravan Park - Caravan and Camping Sites</b>			
<b>Location</b>	<b>Average Daily Rate</b>	<b>Occupancy %</b>	<b>Revenue per Available Room</b>
<b>Boddington</b>	\$34.50	51.6	\$17.20

The data in the table above for Boddington Caravan Park has a slightly lower than optimum confidence rating as the powered caravan sites, powered camping sites unpowered camping sites are combined in the revenue and occupancy data provided by the Shire.

Nevertheless, the Boddington Caravan Park data indicate substantial opportunity of improvement and a blank canvas in terms of potential redevelopment and potential growth of revenue and occupancy.

The answer to improvement appears to reside in the addressing the following key factors:

- Increasing tariffs;
- Improving marketing;
- Adding to the number and variety of attractions and events; and
- Expansion of product mix – the inclusion of high yielding tourist accommodation.



It is considered that given the limited number of available sites at the caravan park, an initial increase in site tariffs to match those charged by Dwellingup Caravan Park would not lead to the feared lower yield from the caravan park. In fact, even if the increased tariffs led to a significant fall in occupancy, the financial return from the caravan park would be improved over the current receipts. This is demonstrated in the calculations below:

Using the yield calculation 1 above as the current base tariff and occupancy, the revenue and profit achieved are \$750.00 and \$162.50 respectively.

If the current Boddington Caravan Park's site tariff \$30 was increased to match Dwellingup Caravan Park's caravan site tariff of \$40.00, and the daily site occupancy remained the same, the revenue would increase to \$1,000 and the profit to \$412.50.

$$(25 \times \$40 = \$1,000) - (25 \times \$23.50 = \$587.50) = \$412.50$$

However, some may be sceptical that the site occupancy would remain at 71.4% as per example 1. To further illustrate the financial benefit of increasing tariffs we have calculated a reduction in occupancy of 30% from that used in the example 1 and the Dwellingup comparison:

$$(15 \times \$40 = \$600) - (15 \times \$23.50 = \$325.50) = \$274.50$$

The above demonstrates that even if increasing the current daily caravan park site tariffs to a level that is consistent with similar comparative caravan parks, resulted in a decrease of 40% of daily site occupancy, the net return to the shire would increase by 69% over the current net return.

## Social and Economic Benefits of Expansion of the Boddington Caravan Park

An Economic Impact Assessment (EIA) was undertaken as part of the proposed tourist accommodation development, to provide a clear understanding of the direct and indirect economic contribution associated with the development and operation of the establishment.

In assessing the economic contribution and benefits, a customised Input-Output (IO) model was developed for this project, whereby a range of model drivers were developed to give an indication of the impacts in terms of output, value added activity, employment generated, and wages and salaries paid.

An IO model is a useful tool as a snapshot of the economic flows in the economy. The model can be used to provide estimates of the sensitivity of the size of the local Boddington economy and its components (measured by employment and value added) to changes within industries. An example might be a ten per cent increase in demand for full time equivalent (FTE) positions in Boddington area during the construction phase of the project. This might lead to an increase in upstream activities, for example local transport and haulage services and local contractors that sell their output to the project proponents. This sort of analysis can be used at the industry-wide level to estimate IO multipliers – that is, the total economy-wide impact on employment or output resulting from a change in one industry, considering the change in demand for the outputs of other industries.

The economic contribution of the Boddington project can be traced through the economic system via:

- Direct impacts, which are the first round of effects from direct operational expenditure on goods, labour and services directly used by the project; and
- Indirect or Flow-on impacts, which comprise the second and subsequent round effects of increased purchases by suppliers in response to demand for their goods and services from the project.
- Induced impact, focuses on the expenditures made by workers involved in the project (both on-site and in supplying industries) and their families.

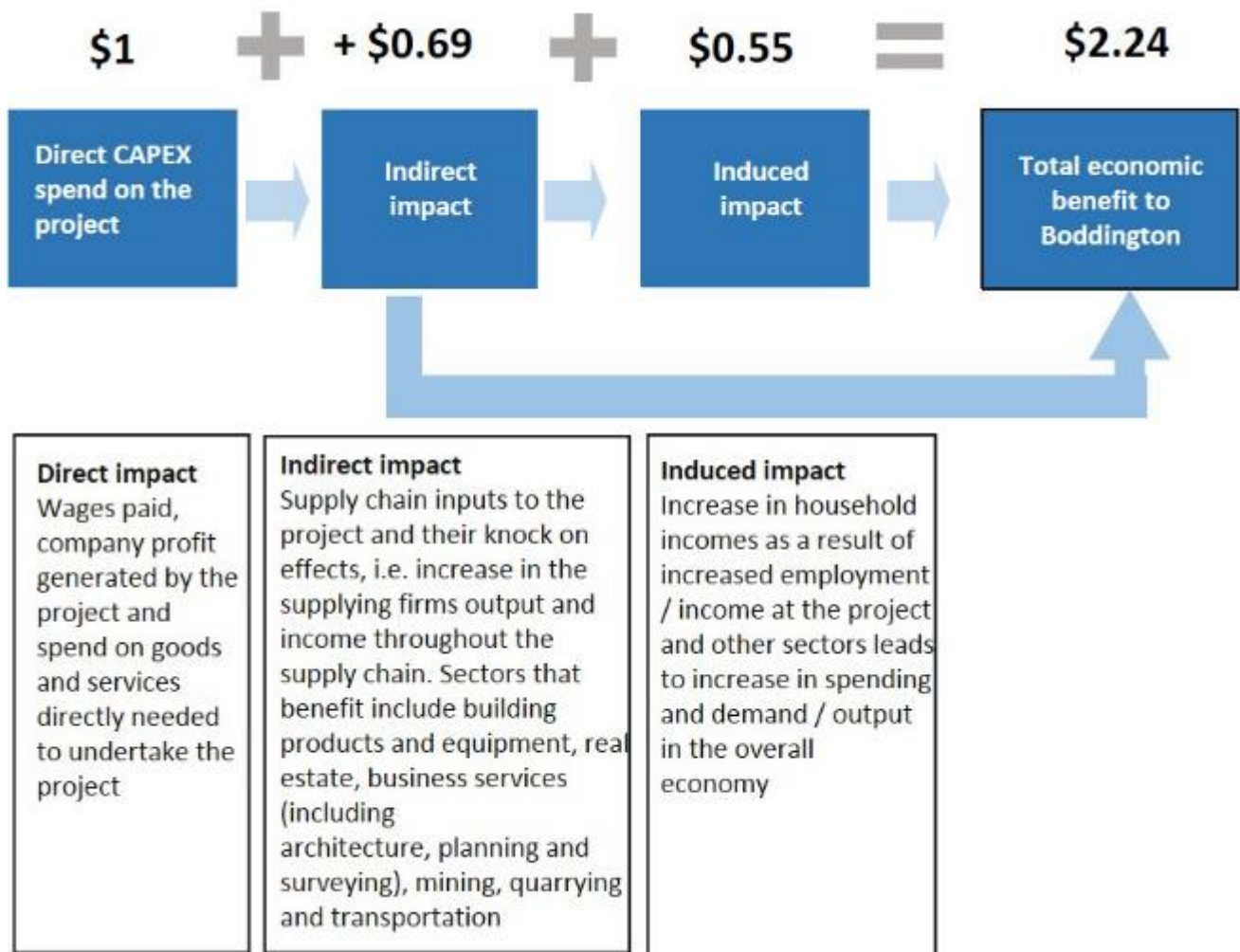
The aggregate economic impact assessment of both the construction and operations components of the potential development of tourist accommodation adjacent to the existing Boddington Caravan Park yields significant economic benefits to the Shire of Boddington.

Firstly, the economic impacts associated with the construction phase are shown in the figure below. As can be seen for every dollar spent as capital expenditure on the construction of the development (which includes wages paid, equipment hires, materials purchased, and services procured) through the process of flow on spending from this outlay (i.e. indirect and induced impacts) a total of \$2.24 is generated for the local economy.

To arrive at this calculation, using ABS multipliers and a customised input-output table for the project we anticipate that approximately 30% of the estimated total \$1.2 million project estimated construction cost will be retained within the Shire of Boddington. The remaining the 70% will be spent on wages, goods and services sourced from outside the shire, but within the state of Western Australia.

\$1 spent on construction output generates a total of \$2.24 in total economic activity (i.e., GRP increase).

Economic Impact Flow - Construction

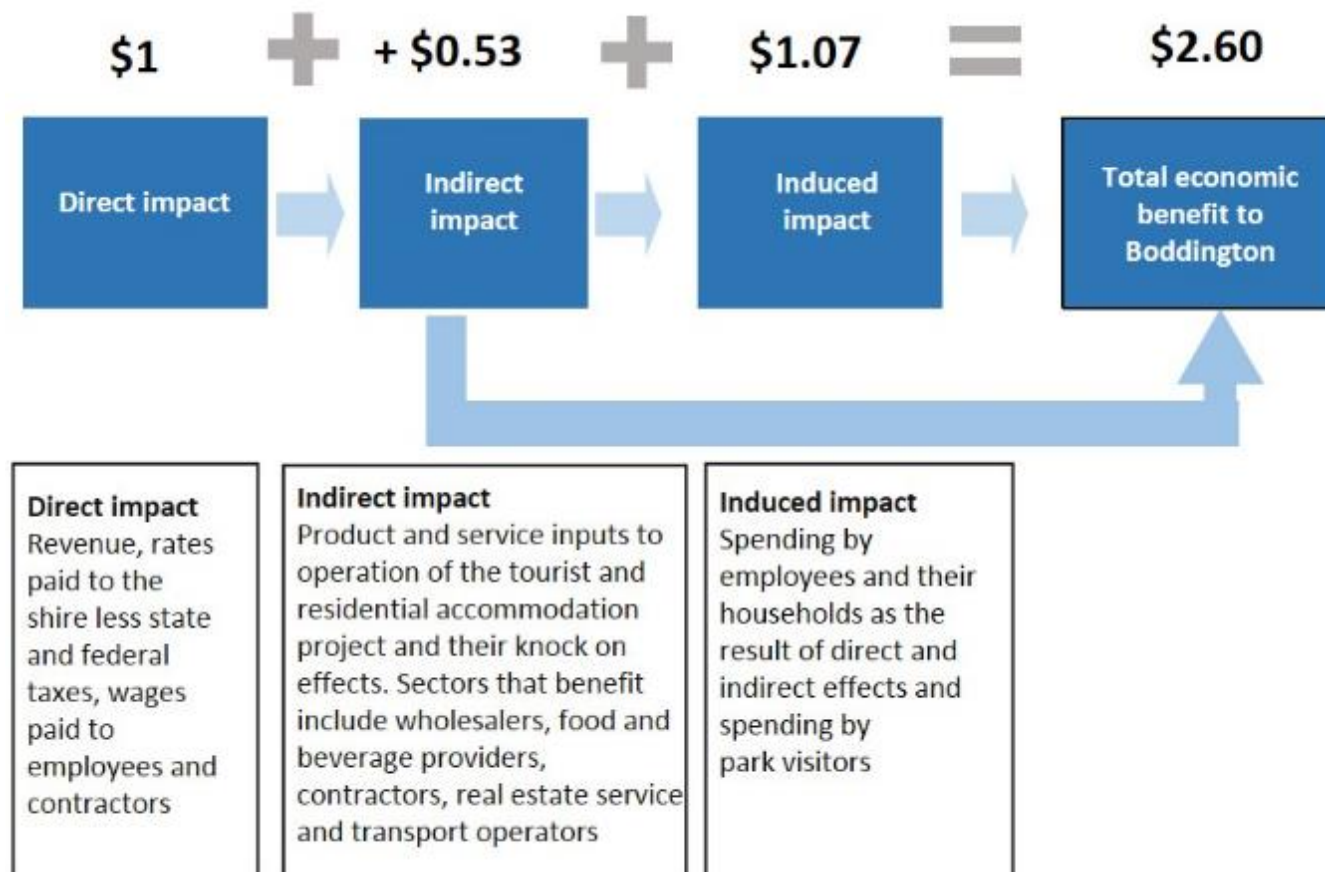


Using multipliers calculated for operational rather than construction expenditure, we can estimate the economic impact of the operations of the tourist accommodation components of the project to the Shire of Boddington. In this case we expect 80% of direct expenditure (direct output) will be retained within the shire in the form of accommodation revenue, labour, and household spending as a result of the local income. The resulting yield is higher. For each \$1 spent on operations and

additional \$1.60 will be generated in indirect and induced impact and a total of \$2.60 economic activity will be added to the Gross Regional Product (GRP) of the shire.

\$1 spent on operations generates a total of \$2.60 in total economic activity (i.e., GRP to the Shire)

#### Economic Impact Flow - Operations



Development costs for each of the project components are estimated to be \$1.16 million

*Estimate of development costs by item (Excludes government charges and headworks)*

	Development Cost	Number of Sites	Extraneous costs (e.g. professional fees)	Total Cost
<b>Siteworks</b>	\$80,000	1	\$25,000 (Design)	\$75,000
<b>Services infrastructure</b>	\$80,000	1	\$50,000 (Design)	\$130,000
<b>Accommodation Units Cabins, Glamping Pods or Tiny Houses</b>	\$120,000	6	\$90,000 (Transport)	\$810,000
<b>External Drainage</b>	\$30,000	1		\$30,000
<b>Guest Carpark</b>	\$50,000	1		\$50,000
<b>Landscaping</b>	\$20,000	1		\$20,000
<b>Services Connections</b>	\$8,000	6		\$48,000
<b>Total</b>				<b>\$1,163,000</b>

Source: Brighthouse

### Total Social Impact

A summary of the impacts according to each factor is presented in the table below. The impacts are segregated into either the construction or operational phase of developing the project.

### Social Impact Summary

Key Factor	Frame of Reference	Mechanism / Driver	Impact		Likelihood	Consequence
			Construction Phase	Operational Phase		
<b>Work</b>	Will the project provide financially or emotionally gainful opportunities for work?	Employment of local residents during the construction phase	Demand for construction based employment positions during the construction phase and subsequent improvements in local work travel distances	N/A	Possible	Minor
		Employment of local residents during the operational phase	N/A	Demand for tourism industry related employment positions	Likely	Moderate
<b>Economic Resources</b>	Will the project provide gainful opportunities for work?	Increased incomes with associated flow-on expenditure during construction	Increase in ability of residents to satisfy needs	N/A	Possible	Minor
		Increased incomes with associated flow-on expenditure during operations	N/A	Increase in ability of residents to satisfy needs	Likely	Moderate
<b>Housing</b>	Will the Project impact on the quality and availability of accommodation?	Increase in demand for rental residential dwellings during construction	Demand for short-term accommodation from construction workers	N/A	Possible	Minor
		Provision of short-term affordable accommodation options	N/A	Acts towards relieving prices	Likely	Major
		Provision of a limited number of longer-stay accommodation sites at the caravan park	N/A	Increase in security of accommodation	Likely	Major

Source: Brighthouse

The above social and economic assessment is confined to the proposed development of six tourist accommodation units and shire-owned freehold land adjacent to the existing caravan park. An economic benefit report for the existing caravan park operation was also undertaken utilising the Economic Benefit Calculator, constructed by BDO Economics, for the peak national body for the caravan industry, Caravan Industry Association of Australia.

The report estimated that the existing caravan park generated an additional economic income to the Boddington LGA of \$517,154 per annum. The report is attached to this document as Appendix 1.

**Note:** The economic contribution from the free-camping site occupiers is not equal to those tourists that occupy sites in the caravan park or commercial accommodation. This is because there is no accommodation fee and the propensity of free campers to avoid provisioning in the town.

## Recommendations

The following recommendations are provided to provoke discussion and provide potential directions for the further development of tourism in Boddington. They go well beyond the brief provided by the Shire to the Brighthouse Strategic Consulting, as the consultants considered that the development of additional tourist accommodation in Boddington would not be successful without the implementation of actions to introduce tourists to the town's attractions and events and build repeat visitation.

### Construct tourist accommodation

Gap analysis of the current tourist accommodation in Boddington highlights shortcomings in the supply of comfortable, affordable, and relaxed resort-style, family accommodation. Most caravan parks provide tourist accommodation at their parks. The accommodation provides a valuable contribution to revenue and a good return on investment. Cabins now account for 20-25% of caravan park revenue across Australia, an increase of 10-12% on the situation a decade ago.

It is recommended that the Shire engage a consultant to prepare a concept design for appropriate tourist accommodation on Lot 18A and a site plan, floor plans and elevations. The consultant could also provide potential mitigation factors to justify development in the flood prone zone.

### Raise tariffs at the Boddington Caravan Park

Increase current tariffs to be competitive with similar properties. This is aimed at creating additional revenue to provide an adequate financial return from the caravan park and to justify capital cost of developing the proposed new tourist accommodation. The current tariffs are considerably below comparative caravan parks and may raise questions of the Shire's competitive neutrality obligations to commercial accommodation providers in the town.

Utilise a portion of the increased revenue from raising caravan park tariffs to contribute to a marketing budget to promote the caravan park and the towns attractions and events.

### Close the Free Camping Area on the Foreshore

The location of the free camping area so close to the Boddington Caravan Park is detrimental to the Boddington Caravan Park's occupancy and financial yield. It adds additional maintenance cost without contributing much to the community. The users of free camping sites also seek to reduce travel costs by shopping at discount supermarkets, fuel outlets and bottle shops in major centres, so do not support local business.

The rates proposed for sites the caravan park is not prohibitive to road travellers, including the free camping fraternity. They are a small cost when compared to the value of the free camper's caravan and tow vehicle or recreational vehicle. The community may question why it needs to contribute to the free campers' holiday budget.

The closure of the free camping sites, or their relocation to less prime location, would allow the site to be utilised for higher contributing tourist accommodation, such as backpacker rooms.

### Develop a Backpacker Lodge on the River Foreshore

Construct a small backpacker lodge (4 – 6 rooms), in a purpose-designed single transportable unit with shower and toilet facilities on the land currently utilised for free-camping. This would help develop the backpacker market for Boddington and provide backpackers with appropriate accommodation for their needs.

### Investigate the Development of two Iconic Tourist Attractions

In the Boddington Tourism Strategy, Part 1 Draft 2013, several iconic attractions were identified that would attract significant numbers of tourists to the town and maintain a high frequency of revisitation. The consultant team revisited the proposed attractions and selected two that are most relevant to the present time – A 4-wheel drive adventure park and training facility and a gold mining

exhibitions and interpretation centre. The two attractions selected are even more relevant today than they were in 2013, due to:

- The exponential growth in the ownership and use of 4-wheel drive vehicles in the last decade; and
- The closure of the popular gold mine tours.

#### Gold Mining Exhibition Centre

The concept for a gold mining exhibition centre is in response to the alternative of physical mine tours of the Newmont Gold Mine in Boddington. The former mine tours were very popular and combined a tour of the Newmont Boddington Gold Mine and the Perth Mint. The tours ceased with the advent of COVID-19 and indications are that the reopening is not supported by Newmont, due to safety concerns.

A much better option to the mine tours would be the development of a gold mining exhibition centre in the main street of Boddington perhaps at the current location of the Boddington Gold offices, which could be incorporated into the centre.



The centre would be architecturally designed, unique and provide a real 'wow' factor of a huge Haulpack vehicle, like those formerly used in the gold mine, pre autonomous drive vehicles, in the centre's forecourt. The design would clearly distinguish the centre as a landmark in town such as is the case with the Shark Bay Interpretation centre.



*Artist's impression, Boddington Gold Mining Exhibition Centre*

The gold mining exhibition centre could include an interactive gold mining museum, with live demonstrations, audio visual of actual mining activities at the Boddington Gold mine, reference to Kalgoorlie's Super Pit, the Perth Mint, and the history of gold mining.

The Gold Mining Exhibition Centre would become an accessible knowledge-base for the gold mining industry in WA and would attract people interested in gold mining and mining history, tourist visitors to Perth and school groups.

#### 4-Wheel Drive Adventure Park and Training Facility

Australians continue to gorge themselves on four-wheel-drive Sports Utility Vehicles (SUV) to holiday at home. According to the Federal Chamber of Automotive Industries SUV full year 2021 sales were at 531,700 vehicles, a 50.6 per cent market share of the new vehicle market. There are currently more than 5.5 million licensed 4-wheel drive vehicles in Australia, and it is estimated that 25-30% of owners are active off-road or gravel road driving enthusiasts.

More and more Australians are preparing to holiday at home next year, with the latest sales figures showing a continued surge in sales of four-wheel-drive wagons and utilities set up for both soft and hard-core off-road experiences.

Most SUV drivers act responsibly and do not cause damage to off-road tracks in forests and national parks. However, a small element of the SUV owners seek to incorporate high-risk thrills into their off-road adventures. These drivers often cause major damage to recreational off-road tracks by creating deep holes and trenches, which are often filled by rainwater or mud. Other damage to the recreational tracks includes placement of fallen logs and boulders which, together with the mud and water trenches. More passive SUV drivers create so-called 'chicken-track' diversions around the obstacles, which in turn damages the environment by encroachment into the bush.

In many parts of Australia, business entrepreneurs and 4-wheel drive clubs have developed 4WD Adventure Parks that have a range of tracks that test beginners and hard-core off-road adventurers alike. Users pay a fee to use the facilities for a day, or even camp overnight at the location and have an extended holiday doing what they enjoy.



Queensland leads the pack with at least six off-road adventure parks, including one of Australia's best – the Landcruiser Mountain Park at Kingatham, charging \$60 per vehicle per night for overnight stays and \$35 for day use. It has over 200km of off-road tracks. South Australia has two well-known parks, NSW three and NT and WA one. The WA adventure park is at White Gum Farm in York but is closed for the summer months.



#### *The Boddington 4WD Adventure and Training Park*

The concept is to develop a 4WD Park near Boddington. The Park would include a variety of 4WD trails, a training centre, picnic area and campgrounds.

The park would need be at least 80 acres with diversity in topography to ensure trails vary in difficulty to cater for all skills levels. In particular, the trails must include a number of challenges trails for more experienced drivers.



Visitors would use the trails to practice their 4WD techniques including vehicle recovery. Visitors would also be able to stay overnight in the park at a designated campground or independently. The campgrounds will be equipped with basic amenities including toilets, showers, and picnic facilities.

The Park would enable 4WD owners to share stories and experiences in a bush setting. A number of 4WD events could also be hosted at the park throughout the year.

A training centre would also be located within the park offering accredited 4WD courses. These courses would be run and operated by a registered training organisation. The range of courses could include:

- Operate and maintain a 4WD vehicle
- Drive AWD / 4WD vehicles on unsealed roads
- Drive and recover a 4WD vehicle
- Drive a 4WD in difficult terrain

The 4WD park would link in with 4WD tracks in the area. This may include the Captain Fawcett Commemorative 4x4 Trail that runs from Lane Poole Conservation Reserve, Dwellingup and finishes near Quindanning. This would provide a round-trip itinerary for weekend visitors from Perth.

The Shire of Boddington should consult with South 32 and Boddington Gold on the development of a 4WD Adventure Park. There may be benefits to both the mining companies and the community if a 4WD adventure park could be developed as part of the mine rehabilitation process.

### Establish a Marketing and Promotional Campaign

Develop a marketing and promotional plan, targeting special interest groups and prospective visitors to key Boddington attractions and events.

Develop a 'one-stop' website for Boddington Tourism with links to the Shire website, and all relevant online tourism portals. Investigate SAAS options for online reservations of local tourist accommodation providers.

Engage an expert social media practitioner to place regular tourism marketing posts on all appropriate social platforms, join special interest groups e.g., WA Western/Rodeo Social Group (1,200,000 members), Skateboarding Perth & WA (2,500,000 members) and Quilting for Everyone (51,000 members) to build the Boddington tourism story over time and promote specific events and attractions. Seek community engagement on the social platforms to personalise the marketing message, through Shire facilitated social media educational classes.

Utilise the website, social media to build a database of tourist visitors and prospects and offer rewards (operator sponsored discounts) for best online reviews on Trip Advisor and other online traveller portals.

### Next Steps

Establish a small project group consisting of Shire executive and an appointed expert consultant to:

- a) Examine the viability of constructing tourist accommodation at the Lot 18A site and at the free-camping area, with a concept design and business case; and
- b) Design a tourism and marketing and promotion plan and establish a budget for its implementation;
- c) Work with the Peel Development Commission, Tourism WA and the mining industry to ascertain the level of support for the development of new, iconic tourism attractions in the Boddington LGA.

# Appendices

## Appendix 1

Economic Benefit Report, Boddington Caravan Park's current operations, Caravan Industry Australia, BDO Economics.

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## Appendix 2: Communication with Shire of Boddington project team, tourist accommodation operators and key stakeholders

Name	Title	Organisation
<b>Julie Burton</b>	CEO	Shire of Boddington
<b>Roy Grieve</b>	Executive Manager Planning & Development	Shire of Boddington
<b>Jeff Atkins</b>	Works and Services Manager	Shire of Boddington
<b>Wendy Muir</b>		Peel Development Commission
<b>Monica Treasure</b>	Corporate Affairs Specialist	South 32
<b>John Dagostino</b>	Manager - Sustainability and External Relations	Boddington Gold
<b>Rod and Karen</b>	Proprietor	Boddington Motel
<b>Yvonne and Steve</b>	Proprietor	Boddington Hotel
<b>Sarah</b>	Proprietor	Armoir
<b>Dawn Newman</b>	Proprietor	Woolpack BnB
<b>Melanie Hardie</b>	Proprietor	The Retreat
<b>Rene Poupart</b>	Caretaker	Boddington Caravan Park

All the accommodation providers on the above list were contacted and asked to provide their opinion on the situation concerning demand and supply of commercial accommodation in Boddington, whether they had plans to expand the number of accommodation units at their properties and if they were able to share their thoughts on the necessary actions required to improve visitation of tourists to Boddington. The consultants also conducted a site visit to all the accommodation properties.

The two mining company representatives were canvassed as to their organisation's usage of the town's commercial accommodation and if the supply was adequate or needed improvement. Future short-term accommodation requirements and preferences were also requested.

The consultants sought insights from the Shire and Peel Development Commission on future directions and needs.

The information received from those consulted was offered on the condition of confidentiality. However, the consultation was most helpful in informing the findings and recommendations of this report.

## Appendix 3

Caravan Park Accommodation Report, Caravan Industry Australia, BDO Economics.

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## References

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- <sup>1</sup> 2021 ABS Census Data <https://abs.gov.au/census/find-census-data/quickstats/2021/LGA50630>
- <sup>2</sup> 2016 ABS Census Data (2021 Census Data not yet available) <https://abs.gov.au/census/find-census-data/quickstats/2016/LGA50630>
- <sup>3</sup> <https://www.tourism.wa.gov.au/Markets-and-research/Latest-tourism-statistics/Pages/Visitor-statistics.aspx#/>
- <sup>4</sup> <https://www.peel.wa.gov.au/our-region/>
- <sup>5</sup> <https://www.boddington.wa.gov.au/documents/1443/draft-boddington-tourism-strategy-stage-1-march-2013>
- <sup>6</sup> National Visitor Survey and International Visitor Survey - Direct Data Request (September 2022) – Tourism Research Australia. Data for Brookton - Murray - Narrogin - Wagin (SA2s). Data derived from Tourism Research Australia surveys are subject to sample error.
- <sup>7</sup> <https://trafficmap.mainroads.wa.gov.au/map>
- <sup>8</sup> <https://www.peel.wa.gov.au/region-in-focus-boddington/>
- <sup>9</sup> Glamping Market 2022, Allied Market Research <https://www.alliedmarketresearch.com/glamping-market-A16856>
- <sup>10</sup> IBIS World Report H4409 Caravan Parks, Holiday Houses and Other Accommodation in Australia
- <sup>11</sup> Shire of Boddington Website
- <sup>12</sup> Middleton, 1988:357

## 9.2.2 Annual Review of Register of Delegations

File Reference: 2.015  
Applicant: Not applicable  
Disclosure of Interest: Nil  
Author: Chief Executive Officer  
Attachments: 9.2.2A Register of Delegations

### Summary

Council is requested to endorse amendments to the Register of Delegations, following a review as required under the Local Government Act 1995.

### Background

Delegations by Council are an effective way to improve customer satisfaction through prompt decision-making processes. The purpose of delegating power is to enable routine decision making to be undertaken in a cost effective and efficient manner, or rapidly where a time imperative may be involved. Council is required to make decisions of high importance, some of which require absolute majority decisions and cannot be delegated. Council also has discretionary functions that involve making routine decisions that are high frequency and low risk. It is appropriate for Council to delegate these functions.

Certain safeguards are incorporated into delegations such as limiting the use of when a delegation can be exercised, and placing conditions around reporting of the exercise of delegations. It is important to note that officers are not obliged to use a delegation; where a matter is determined to be of a contentious nature, the matter can be referred to Council.

All delegations made under the Act must be made by absolute majority and recorded in a register. Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed by the delegator for those delegations under the Act, but also presents an opportunity to review delegations made under other legislation.

### Comment

As is required by section 5.46 of the Local Government Act 1995, a review of the Delegation Register for the 2022/23 financial year has been undertaken. The review undertaken in the previous year (2021/22) was a comprehensive review, and as such, only minor changes are proposed in the current year. The review continues to be based upon a best practice approach to delegations in local government, referencing the WALGA template delegations and guidelines issued by the Department of Local Government, Sport and Cultural Industries.

A 'tracked changes' version of the Council Delegations Register is at Attachment 9.2.2A

### Consultation

Nil

### Strategic Implications

Aspiration	Performance
Outcome 12	Visionary Leadership and Responsible Governance
Objective 12.1	Maintain a high standard of leadership, corporate governance and customer service

### Legislative Implications

Section 5.46(2) of the Act requires Council to review of its delegations at least once every financial year.

### Policy Implications

Nil

### Financial Implications

Nil

### Economic Implications

Nil

### Social Implications

Nil

### Environmental Considerations

Nil

### Risk Considerations

Risk Statement and Consequence	Failure to review delegations will result in non-compliance with the Local Government Act.
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Reputational, Compliance
Risk Action Plan (controls or treatment proposed)	Annual reviews to be carried out.

### Options

1. Adding to, amending or deleting any of the delegations shown in the attached draft Delegation Register.
2. Deferring the adoption of the Register.

### Voting Requirements

Absolute Majority

### Officer Recommendation/Council Decision

**COUNCIL RESOLUTION: 126/22**

**Moved: Cr Erasmus**

**That Council notes the annual review of the Register of Delegations as detailed in Attachment 9.2.2A to be effective from 18 November 2022.**

**Seconded: Cr Smalberger**

**Carried: 7/0**



## DELEGATION REGISTER

November 2022

### Table of Contents

<b>INTRODUCTION .....</b>	<b>6</b>
<b>LOCAL GOVERNMENT ACT 1995 DELEGATIONS .....</b>	<b>11</b>
<b>1.1 Council to CEO .....</b>	<b>11</b>
<b>1.1.1 Compensation - Damage Incurred when Performing Executive Functions .....</b>	<b>11</b>
<b>1.1.2 Powers of Entry .....</b>	<b>12</b>
<b>1.1.3 Declare Vehicle is Abandoned Vehicle Wreck.....</b>	<b>14</b>
<b>1.1.4 Confiscated or Uncollected Goods.....</b>	<b>15</b>
<b>1.1.5 Disposal of Sick or Injured Animals.....</b>	<b>17</b>
<b>1.1.6 Close Thoroughfares to Vehicles .....</b>	<b>18</b>
<b>1.1.7 Control Reserves and Certain Unvested Facilities .....</b>	<b>20</b>
<b>1.1.8 Obstruction of Footpaths and Thoroughfares.....</b>	<b>21</b>
<b>1.1.9 Gates Across Public Thoroughfares.....</b>	<b>23</b>
<b>1.1.10 Public Thoroughfare – Dangerous Excavations .....</b>	<b>25</b>
<b>1.1.11 Crossing – Construction, Repair and Removal.....</b>	<b>27</b>
<b>1.1.12 Private Works on, over or under Public Places .....</b>	<b>29</b>
<b>1.1.13 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift .....</b>	<b>31</b>
<b>1.1.14 Expressions of Interest for Goods and Services.....</b>	<b>32</b>
<b>1.1.15 Tenders for Goods and Services – Call Tenders.....</b>	<b>33</b>
<b>1.1.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options.....</b>	<b>35</b>
<b>1.1.17 Tenders for Goods and Services - Exempt Procurement .....</b>	<b>38</b>
<b>1.1.18 Disposing of Property.....</b>	<b>40</b>
<b>1.1.19 Payments from the Municipal or Trust Funds.....</b>	<b>42</b>
<b>1.1.20 Nominate an Employee to be a Designated Employee .....</b>	<b>44</b>



# Register of Delegations

Shire of Boddington

1.1.21	Defer, Grant Discounts, Waive or Write Off Debts .....	45
1.1.22	Power to Invest and Manage Investments .....	47
1.1.23	Rate Record Amendment.....	49
1.1.24	Agreement as to Payment of Rates and Service Charges.....	50
1.1.25	Determine Due Date for Rates or Service Charges.....	51
1.1.26	Recovery of Rates or Service Charges .....	52
1.1.27	Recovery of Rates Debts – Require Lessee to Pay Rent .....	53
1.1.28	Recovery of Rates Debts - Actions to Take Possession of the Land.....	54
1.1.29	Rate Record – Objections .....	56
1.1.30	Renewal or Extension of Contracts during a State of Emergency .....	57
1.1.31	Procurement of Goods or Services required to address a State of Emergency .....	59
<b>1.2</b>	<b>CEO to Employees.....</b>	<b>61</b>
1.2.1	Determine if an Emergency for Emergency Powers of Entry.....	61
1.2.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare.....	62
1.2.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares.....	64
1.2.4	Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places.....	66
1.2.5	Electoral Enrolment Eligibility Claims and Electoral Roll .....	67
1.2.6	Destruction of Electoral Papers.....	69
1.2.7	Appoint Authorised Persons.....	70
1.2.8	Information to be Available to the Public .....	72
1.2.9	Financial Management Systems and Procedures .....	74
1.2.10	Audit – CEO Review of Systems and Procedures.....	76
1.2.11	Infringement Notices .....	77
<b>1.3</b>	<b>Local Law Delegations to the CEO .....</b>	<b>79</b>
1.3.1	Local Laws.....	79
<b>2</b>	<b>BUILDING ACT 2011 DELEGATIONS.....</b>	<b>81</b>
<b>2.1</b>	<b>Council to CEO .....</b>	<b>81</b>
2.1.1	Grant a Building Permit.....	81
2.1.2	Demolition Permits.....	83
2.1.3	Occupancy Permits or Building Approval Certificates.....	85
2.1.4	Designate Employees as Authorised Persons.....	87
2.1.5	Building Orders .....	88
2.1.6	Inspection and Copies of Building Records.....	90
2.1.7	Referrals and Issuing Certificates .....	91
2.1.8	Private Pool Barrier – Alternative and Performance Solutions.....	92

# Register of Delegations

Shire of Boddington

2.1.9	Smoke Alarms – Alternative Solutions .....	93
2.1.10	Appointment of approved officers and authorised officers .....	94
<b>3</b>	<b>BUSH FIRES ACT 1954 DELEGATIONS .....</b>	<b>95</b>
<b>3.1</b>	<b>Council to CEO, Shire President and Bush Fire Control Officer .....</b>	<b>95</b>
3.1.1	Make Request to FES Commissioner – Control of Fire .....	95
3.1.2	Prohibited Burning Times - Vary .....	96
3.1.3	Prohibited Burning Times – Control Activities.....	97
3.1.4	Restricted Burning Times – Vary and Control Activities .....	99
3.1.5	Control of Operations Likely to Create Bush Fire Danger.....	101
3.1.6	Burning Garden Refuse / Open Air Fires.....	102
3.1.7	Firebreaks.....	104
3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	105
3.1.9	Control and Extinguishment of Bush Fires .....	106
3.1.10	Recovery of Expenses Incurred through Contraventions of this Act .....	107
3.1.11	Prosecution of Offences.....	108
<b>4</b>	<b>CAT ACT 2011 DELEGATIONS .....</b>	<b>109</b>
<b>4.1</b>	<b>Council to CEO .....</b>	<b>109</b>
4.1.1	Cat Registrations .....	109
4.1.2	Cat Control Notices.....	111
4.1.3	Approval to Breed Cats.....	112
4.1.4	Recovery of Costs – Destruction of Cats.....	113
4.1.5	Applications to Keep Additional Cats .....	114
4.1.6	Reduce or Waiver Registration Fee .....	115
<b>4.2</b>	<b>Cat Act Delegations - CEO to Employees .....</b>	<b>116</b>
4.2.1	Infringement Notices – Extensions and Withdrawals.....	116
<b>5</b>	<b>DOG ACT 1974 DELEGATIONS .....</b>	<b>117</b>
<b>5.1</b>	<b>Dog Act Delegations Council to CEO .....</b>	<b>117</b>
5.1.1	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons .....	117
5.1.2	Refuse or Cancel Registration .....	118
5.1.3	Kennel Establishments .....	120
5.1.4	Recovery of Moneys Due Under this Act.....	121
5.1.5	Dispose of or Sell Dogs Liable to be Destroyed .....	122
5.1.6	Declare Dangerous Dog .....	123
5.1.7	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke.....	124
5.1.8	Determine Recoverable Expenses for Dangerous Dog Declaration .....	126
<b>6</b>	<b>FOOD ACT 2008 DELEGATIONS .....</b>	<b>127</b>

# Register of Delegations

Shire of Boddington

<b>6.1</b>	<b>Council to CEO</b> .....	<b>127</b>
6.1.1	Determine Compensation .....	127
6.1.2	Prohibition Orders .....	128
6.1.3	Food Business Registrations .....	129
6.1.4	Appoint Authorised Officers and Designated Officers.....	130
6.1.5	Debt Recovery and Prosecutions.....	132
6.1.6	Food Businesses List – Public Access .....	133
<b>7</b>	<b>GRAFFITI VANDALISM ACT 2016 DELEGATIONS</b> .....	<b>134</b>
<b>7.1</b>	<b>Council to CEO</b> .....	<b>134</b>
7.1.1	Give Notice Requiring Obliteration of Graffiti.....	134
7.1.2	Notices – Deal with Objections and Give Effect to Notices.....	135
7.1.3	Obliterate Graffiti on Private Property .....	136
7.1.4	Powers of Entry .....	137
<b>8</b>	<b>PUBLIC HEALTH ACT 2016 DELEGATIONS</b> .....	<b>138</b>
<b>8.1</b>	<b>Council to CEO</b> .....	<b>138</b>
8.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs).....	138
8.1.2	Enforcement Agency Reports to the Chief Health Officer.....	139
8.1.3	Designate Authorised Officers .....	140
8.1.4	Determine Compensation for Seized Items.....	142
<b>9</b>	<b>PLANNING AND DEVELOPMENT ACT 2005 DELEGATIONS</b> .....	<b>143</b>
<b>9.1</b>	<b>Council to CEO</b> .....	<b>143</b>
9.1.1	Illegal Development .....	143
9.1.2	Local Planning Scheme – Council to CEO .....	145
<b>10</b>	<b>STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES</b> .....	<b>149</b>
<b>10.1</b>	<b>Environmental Protection Act 1986</b> .....	<b>149</b>
10.1.1	Noise Control – Environmental Protection Notices [Reg.65(1)] .....	149
10.1.2	Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events .....	150
10.1.3	Noise Management Plans – Construction Sites .....	151
<b>10.2</b>	<b>Planning and Development Act 2005</b> .....	<b>152</b>
10.2.1	Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner.....	152
<b>10.3</b>	<b>Main Roads Act 1930</b> .....	<b>155</b>
10.3.1	Traffic Management - Events on Roads.....	155
10.3.2	Traffic Management – Road Works.....	158
<b>10.4</b>	<b>Road Traffic (Vehicles) Act 2012</b> .....	<b>160</b>
10.4.1	Approval for Certain Local Government Vehicles as Special Use Vehicles ..	160

# Register of Delegations

Shire of Boddington

---

<b>11</b>	<b>AUTHORISATIONS AND APPOINTMENTS BY THE COUNCIL AND CEO .....</b>	<b>162</b>
11.1.1	Authorisations and Appointments by Council .....	162
11.1.2	Authorisations by the CEO.....	162
<b>12</b>	<b>APPOINTMENTS (MADE, AND AS OF RIGHT).....</b>	<b>171</b>

# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

### Introduction

#### FORMAT OF REGISTER

This Register includes:

- Delegations from the Council to the Chief Executive Officer, and where appropriate to other employees or other persons; and
- Sub delegations from the Chief Executive Officer to other employees
- Authorisations made by the Council or the CEO
- Appointments made by the Council or the CEO, or as of right by virtue of legislation

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

The Register includes instruments of sub delegation, authorisation (by Council or the CEO), and appointments, which do not need to be adopted/approved by Council. They are included to reflect a “one stop shop” approach.

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

#### TERMINOLOGY AND ACRONYMS

Clause – of the Shire of Boddington Town Planning Scheme No 3 referenced by ‘cl’, as in cl8.2.1.

Employee – refers to an employee of the Shire of Boddington. It should be noted although the Chief Executive Officer may generally only delegate a function or duty to an employee (s5.44 Local Government Act 1995 and others), any ‘person’ may be appointed an Authorised Person (although some Acts, such as the Building Act 2011 and Health Act 1911 require only employees or certain qualified employees to be ‘authorised’ or ‘appointed’). Thus, care needs to be taken to ensure that contractors are not ‘delegated’ functions or duties, although they may be appointed as Authorised Persons.

Regulation – subordinate legislation, referenced by ‘r’, as in r22.

Schedule – to an Act, referenced as ‘Sch’, as in Sch 3.2.

Section - of an Act, referenced by ‘s’, as in s5.42.

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

#### DELEGATIONS AND SUB DELEGATIONS

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

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

The Council (and the Chief Executive Officer in the case of most sub delegations) will only delegate matters where the relevant employees (or other persons) have the appropriate skills and expertise to implement the delegation/sub delegation or authorisation within the Shire’s

# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

decision-making frameworks. At the same time the exercise of all delegated and sub delegated authority, as well as authorisations is subject to complying with relevant Policies of the Shire, which are cross referenced within each Instrument.

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

This Register describes:

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

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

### AUTHORISATIONS

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

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

### APPOINTMENTS

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

### LOCAL GOVERNMENT ACT 1995

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

- any power or duty that requires a decision of an absolute majority or special majority of the local government,
- accepting a tender which exceeds an amount determined by the local government,
- appointing an auditor,

# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government,
- any of the local government's powers under s5.98, 5.98A, s5.99, s5.99A and s5.100 of the Act,
- borrowing money on behalf of the local government,
- hearing or determining an objection of a kind referred to in s9.5 of the Act,
- the power under s9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government,
- any power or duty that requires the approval of the Minister or the Governor.

In addition, there are several other matters which cannot be delegated to the CEO:

- under r18G of the Local Government (Administration) Regulations and s7.12a, 7.12A(3)(a) and s7.12(4), which relate to meetings with auditors,
- matters covered by the CEO Standards, adopted by Council and which relate to the recruitment and performance management of the Chief Executive Officer
- under r16 of the Local Government (Financial Management) Regulations which prevent the delegation of matters relating to internal audit to an employee who has been delegated the duty of maintaining the day-to-day accounts or financial management operations.

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

### OTHER LEGISLATION

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

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

# Register of Delegations

Shire of Boddington

---

## 1. Local Government Act 1995 Delegations

- Litter Act 1979 and regulations,
- Local Government (Miscellaneous Provisions) Act 1960,
- Parks and Reserves Act 1895,
- Planning and Development Act 2005 including regulations, policies, and the Town Planning Scheme,
- Public Interest Disclosure Act 2003,
- Public Health Act 2016,
- Rates and Charges (Rebates and Deferments) Act 1982,
- Road Traffic Act 1974,
- Strata Titles Act 1985

The Shire of Boddington Town Planning Scheme No 3 permits delegation by Council to employees (rather than via the CEO as per the Local Government Act). Accordingly, the process defined by the Town Planning Scheme for delegating authority and duties is utilised.

### **SUB DELEGATION BY THE CHIEF EXECUTIVE OFFICER**

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

### **REVIEW OF DELEGATIONS**

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

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

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

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

### **RECORD OF ACTIONS AND DECISIONS**

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

The record is to contain information on:

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



# Register of Delegations

Shire of Boddington

---

## 1. Local Government Act 1995 Delegations

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

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

Similar provisions do not exist under other legislation regarding record keeping (except for the Building Act 2011).

The CEO has determined that in relation to all record keeping of the exercise of delegated authority under legislation other than the Local Government Act 1995 that the provisions of the latter will apply and the same record keeping approach as required under the Local Government Act will be applied.

These requirements will be applied as an administrative instruction from the CEO.

### PRIMARY/ANNUAL RETURNS AND GIFT DISCLOSURES

A person to whom a duty or power is delegated under the Local Government Act 1995 is a 'designated employee' under s5.74(b) of the Act and is required to:

- disclose relevant interests s5.70 LGA
- complete a Primary Return s5.75 LGA
- complete Annual Returns s5.76 LGA

Although these requirements relate only to delegations under the Local Government Act 1995 and not any other Acts, the Council and the CEO have taken the decision to require compliance with those provisions, even when made under other Acts, to ensure all employees are treated equally in such disclosures.

A delegation has prepared in this Register to give effect to this approach, with the CEO delegated authority to nominate employees as "designated employees".

### ACTING THROUGH ANOTHER PERSON

The Local Government Act recognises that employees do not always need delegations (or sub delegations) to carry out their tasks and functions on behalf of the Shire - s5.45 (2):

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

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

The key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision-making function in his or her own right.

Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to 'act through' another employee.

The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept.

Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority. For further information, see Department of Local Government and Communities Guideline No 17 - Delegations.

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### Local Government Act 1995 Delegations

#### 1.1 Council to CEO

##### 1.1.1 Compensation - Damage Incurred when Performing Executive Functions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)].</li> <li>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation is limited to settlements which do not exceed a material value of \$500
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.2 Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995:</a> s.9.10 Appointment of authorised persons – refer also s.3.32(2)]  Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry  s.3.34(2) Entry in an emergency – Refer to CEO Delegation
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

# Register of Delegations

Shire of Boddington

---

## 1. Local Government Act 1995 Delegations

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.3 Declare Vehicle is Abandoned Vehicle Wreck

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Council Conditions on this Delegation:</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority - Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.4 Confiscated or Uncollected Goods

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding, and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<p>Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p>For vehicles with estimated value of \$1 - \$500 - Notices seeking offers for purchases shall be displayed on the Shire of Boddington's notice boards and on the website. Any vehicle not purchased will be disposed of at the Boddington Refuse Tip or donated to a community group.</p> <p>For vehicles with estimated value of \$501 - \$5,000 - Notice seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of Boddington's notice boards and on the website. Any vehicle not purchased will be disposed of at the Boddington Refuse Tip or donated to a community group.</p> <p>For vehicles with estimated value of \$5,001 + - Items shall be tendered as per the requirements of S3.58 of the Local Government Act 1995. Any vehicle not purchased will be disposed of at the Boddington Refuse Tip or donated to a community group.</p>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> : Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.5 Disposal of Sick or Injured Animals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services, <u>Executive Manager Planning and Development</u>, Ranger.</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.6 Close Thoroughfares to Vehicles

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)] (relevant to a Townsite only).</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<i>Conditions on the original delegation also apply to the sub-delegations.</i>	
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.7 Control Reserves and Certain Unvested Facilities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)].</li> <li>2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the <i>Parks and Reserves Act 1895</i>. [s.3.54(1)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.8 Obstruction of Footpaths and Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> </ol> </li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1– Public Thoroughfare Obstruction – Determine Conditions</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.9 Gates Across Public Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)].</li> <li>2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)].</li> <li>5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.10 Public Thoroughfare – Dangerous Excavations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.11 Crossing – Construction, Repair and Removal

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
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# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996
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### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.12 Private Works on, over or under Public Places

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.13 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give notice to a landowner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.14 Expressions of Interest for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b> <b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy 13.3 Purchasing Policy
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.15 Tenders for Goods and Services – Call Tenders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: <ol style="list-style-type: none"> <li>i. the proposed goods or services are required to fulfil a routine contract related to the day-to-day operations of the Local Government; or</li> <li>ii. a current supply contract expiry is imminent; and</li> <li>iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b> <b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. Each sub-delegate may only use the sub-delegation regarding contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy 13.3 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: <ol style="list-style-type: none"> <li>i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and</li> <li>ii. To accept the tender that is most advantageous within the \$500,000 detailed as a condition on this Delegation [F&amp;G r.18(4)].</li> </ol> </li> <li>4. Authority to decline to accept any tender [F&amp;G r.18(5)].</li> <li>5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</li> <li>8. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the</li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p>goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% or to a maximum of \$20,000 (ex GST) whichever is the lesser value [F&amp;G r.21A(a)].</p> <p>9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
<b>Council Conditions on this Delegation:</b>	<p>a. Exercise of authority under F&amp;G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <ol style="list-style-type: none"> <li>i. The total consideration under the resulting contract is \$400,000 or less;</li> <li>ii. The expense is included in the adopted Annual Budget; and</li> <li>iii. The tenderer has complied with requirements under F&amp;G r.18(2) and (4).</li> </ol> <p>c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&amp;G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</p> <p>d. A decision to vary a tendered contract <u>after</u> entry into the contract [F&amp;G r.21A(a)] must comply with the any Council Policy and must include evidence that the variation is necessary and does not change the scope of the contract.</p> <p>e. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <b>and</b> that the contractor's performance has been reviewed and the review evidences the rationale for entering the extended term.</p>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. Each sub-delegate may only use the sub-delegation regarding contracts that are within the scope of the incumbent's position role and responsibilities.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy 13.3 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.17 Tenders for Goods and Services - Exempt Procurement

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government												
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO												
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2) When tenders have to be publicly invited ( <i>exemptions</i> )												
<b>Delegate:</b>	<b>Chief Executive Officer</b>												
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&amp;G r.11(2)(f)].</li> </ol>												
<b>Council Conditions on this Delegation:</b>	<p>a. Tender exempt procurement under F&amp;G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Maximum Value for individual contracts</th> </tr> </thead> <tbody> <tr> <td>WALGA Preferred Supplier Program [F&amp;G.r.11(2)(b)]</td> <td>\$500,000</td> </tr> <tr> <td>Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&amp;G.r.11(2)(e)]</td> <td>\$500,000</td> </tr> <tr> <td>Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&amp;G.r.(2)(f)]</td> <td>\$500,000</td> </tr> <tr> <td>Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&amp;G.r.11(2)(g)]</td> <td>\$500,000</td> </tr> <tr> <td>Goods or services supplied by a person registered on the Aboriginal Business Directory WA</td> <td>\$250,000*</td> </tr> </tbody> </table>	Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$500,000	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000	Goods or services supplied by a person registered on the Aboriginal Business Directory WA	\$250,000*
Category	Maximum Value for individual contracts												
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000												
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000												
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$500,000												
Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000												
Goods or services supplied by a person registered on the Aboriginal Business Directory WA	\$250,000*												

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p><u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that the contract represents value for money. [F&amp;G.r.11(2)(h)]</p>	*as specified in F&G.r.11(2)(h)(ii)
	<p>Goods or services supplied by an Australian Disability Enterprise [F&amp;G.r.11(2)(i)]</p>	\$500,000
	<p>b. Tender exempt procurement under F&amp;G r.11(2)(f) may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification;</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>v. The expense is included in the adopted Annual Budget.</li> </ul> <p>c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$500,000 delegated above, the decision is to be referred to Council.</p>	
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees	

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b> <b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities, and in accordance with purchasing limits.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit</p> <p>Council Policy 13.3 Purchasing Policy</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.18 Disposing of Property

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether it is the highest tender [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$2,000 or less.</li> <li>c. When determining the method of disposal: <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>○ Negotiate the sale of the property up to a -10% variance on the valuation; and</li> </ul> </li> </ul> </li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> <li>○ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> </ul> <p>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal), <u>or is an item of plant or equipment with a market value less than \$100,000 and specified in the Annual Budget, disposal</u> may be undertaken:</p> <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> <li>• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b> <b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property  <a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.19 Payments from the Municipal or Trust Funds

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1) (a)].
<b>Council Conditions on this Delegation:</b>	a. Authority to make payments is subject to annual budget limitations.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services Manager Works and Services</b> <del>Principal Environmental Health Officer /Building Surveyor</del> <b>Executive Manager Planning and Development Finance Coordinator</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>Each payment is to be authorised by two members of staff including: <ul style="list-style-type: none"> <li>one or both of the Chief Executive Officer, Executive Manager Corporate Services, or/and</li> <li><del>Principal Environmental Health Officer/Building Surveyor</del> Executive Manager Planning and Development, Manager Works and Services, <u>Finance Coordinator</u>.</li> </ul> </li> </ol>

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a>  <a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<a href="#">Local Government (Audit) Regulations 1996</a> Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a> Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.20 Nominate an Employee to be a Designated Employee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.57 Definition of a Designated Employee
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to designate an employee to be a Designated Employee.
<b>Council Conditions on this Delegation:</b>	

Compliance Links:	<a href="#">Local Government Act 1995</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.21 Defer, Grant Discounts, Waive or Write Off Debts

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)].</li> <li>4. Waive fees, levies or charges for the use of facilities and services.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Write-off a rates or service charge debt up to \$200 in accordance with the Financial Hardship Policy [s.6.12(1)(c) &amp; (2)].</li> <li>b. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire. <ol style="list-style-type: none"> <li>i. Limited to individual debts valued below \$200 or cumulative debts of a debtor valued below \$200. Write off of debts greater than these values must be referred for Council decision.</li> </ol> </li> <li>c. Fees, levies or charges in relation to the use of facilities may only be waived to a maximum of \$500, and where the application is from a local community group, or for a community purpose.</li> <li>d. Despite other indications in this delegation, where the proposed donation is considered by the Chief Executive Officer to be of a contentious nature, a decision on a proposed donation is to be determined by the Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<i>Conditions on the original delegation also apply to the sub-delegations.</i>	
Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Collection of Rates Debts – refer Delegations:</p> <p>1.1.24 Agreement as to Payment of Rates and Service Charges</p> <p>1.1.26 Recovery of Rates or Service Charges</p> <p>1.1.27 Recovery of Rates Debts – Require Lessee to Pay Rent</p> <p>1.1.28 Recovery of Rates Debts – Actions to Take Possession of the Land</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.22 Power to Invest and Manage Investments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 9.5.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>1. A decision to invest must be jointly confirmed by two Delegates.</li> </ol>

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p><a href="#"><u>Local Government (Financial Management) Regulations 1996</u></a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</p> <p>Council Policy - Investments</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.23 Rate Record Amendment

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
<b>Council Conditions on this Delegation:</b>	a. Delegates must comply with the requirements of s.6.40 of the Act.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.24 Agreement as to Payment of Rates and Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy. b. Agreements must be in writing and, subject to Council Policy, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 9.22 Financial Hardship Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.25 Determine Due Date for Rates or Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the date on which rates or service charges become due and payable to the Shire [s.6.50].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.26 Recovery of Rates or Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.27 Recovery of Rates Debts – Require Lessee to Pay Rent

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.  Council Policy 9.22 Financial Hardship Policy
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.28 Recovery of Rates Debts - Actions to Take Possession of the Land

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.64(1) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the Shire [s.6.71].</li> </ol> </li> </ol> </li> <li>2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy.</li> <li>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</li> <li>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Council Policy 9.22 Financial Hardship Policy</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.29 Rate Record – Objections

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.30 Renewal or Extension of Contracts during a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].  This authority relates to: <ul style="list-style-type: none"> <li>contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$250 000, and</li> <li>contracts formed through a public tender.</li> </ul>
<b>Council Conditions on this Delegation:</b>	<p>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:</p> <ol style="list-style-type: none"> <li>It is exercised at the sole discretion of the Local Government,</li> <li>It is in the best interests of the Local Government,</li> <li>It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration,</li> <li>It has potential to promote local and/or regional economic benefits.</li> </ol> <p>b. This authority may only be exercised where the total consideration for the renewal or extension is \$500,000 or less.</p> <p>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</p> <p>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</p>



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p>e. This authority may only be exercised where the total consideration under the resulting contract is \$500,000 or less.</p> <p>f. The CEO cannot sub-delegate this authority.</p>
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Compliance Links:	<p><a href="#">Local Government (Functions and General) Regulations 1996</a></p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit</p> <p>Council Policy 13.3 Purchasing Policy</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.1.31 Procurement of Goods or Services required to address a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> <li>1. Determine that goods or services with a purchasing value &gt;\$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&amp;G r11(3)(b)]; and</li> <li>2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&amp;G r.11(2)(aa)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe.</li> <li>b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan.</li> <li>c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e., before the expense is incurred) in accordance with LGA s.6.8.</li> <li>d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.</li> <li>e. The CEO cannot sub-delegate this authority.</li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy 13.3 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2 CEO to Employees

#### 1.2.1 Determine if an Emergency for Emergency Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b> <b><u>Executive Manager Planning and Development</u></b> <b>Manager Works and Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
<b>Delegate/s:</b>	<b>Manager Works and Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9:  <ol style="list-style-type: none"> <li>1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)].</li> <li>2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)].</li> <li>3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
<b>Delegate/s:</b>	<b>Manager Works and Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12:  <ol style="list-style-type: none"> <li>1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)].</li> <li>2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)].</li> <li>3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
<b>Delegate/s:</b>	<b>Manager Works and Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)].</li> <li>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  This delegated authority is effective only in alignment with Delegated Authority Private Works on, over or under Public Places
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.5 Electoral Enrolment Eligibility Claims and Electoral Roll

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day</li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	which is less than 100 days since the last election day [s.4.37(3)].
<b>CEO Conditions on this Delegation:</b>	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.6 Destruction of Electoral Papers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.7 Appoint Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
<b>Delegate:</b>	nil
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons or classes of persons as authorised persons [s.3.24 and s.9.10] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations: <ol style="list-style-type: none"> <li>(a) <a href="#">Local Government Act 1995</a> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act.</li> <li>(b) <i>Caravan Parks and Camping Grounds Act 1995</i>.</li> <li>(c) <i>Cat Act 2011</i>.</li> <li>(d) <i>Cemeteries Act 1986</i>.</li> <li>(e) <i>Control of Vehicles (Off-road Areas) Act 1978</i>.</li> <li>(f) <i>Dog Act 1976</i>.</li> <li>(g) <a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</li> <li>(e) any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</li> </ol> </li> <li>2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, <u>as a precondition</u> for appointment as authorised officers in accordance with Regulation 70(2) of the <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL.

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p>

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.8 Information to be Available to the Public

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)].</li> <li>2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)].</li> <li>3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)].</li> <li>5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Register of Delegations

Shire of Boddington

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## 1. Local Government Act 1995 Delegations

Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996
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### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.9 Financial Management Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> <li>i. Collection of money owed to the Shire</li> <li>ii. Safe custody and security of money collected or held by the Shire,</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records,</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities,</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards,</li> <li>vi. Making of payments in accordance with Delegated Authority 1.1.21,</li> <li>vii. Preparation of budgets, budget reviews, accounts, and reports as required by legislation or operational requirements.</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a>
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# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<a href="#">Local Government (Financial Management) Regulations 1996</a> <a href="#">Local Government (Audit) Regulations 1996</a> Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.10 Audit – CEO Review of Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Audit) Regulations 1996:</i> r.17 CEO to review certain systems and procedures
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to conduct the review of the appropriateness and effectiveness of the Shire's systems and procedures in relation to             <ol style="list-style-type: none"> <li>i. risk management; and</li> <li>ii. internal controls; and</li> <li>iii. legislative compliance [r.17(1)].</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	a. Each matter is to be reviewed at least once within every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Audit) Regulations 1996</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### 1.2.11 Infringement Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
<b>Delegate/s:</b>	<b>Ranger</b> <b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</li> <li>2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</li> <li>3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.</li> <li>b. Delegation for Dog Act, Cat Act, Parking Local Law, Infringement Notices is limited to the following listed positions ONLY: <ol style="list-style-type: none"> <li>(i) <b>Ranger</b></li> <li>(ii) <b><u>Executive Manager Corporate Services Planning and Development</u></b></li> </ol> </li> <li>c. The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices: <ol style="list-style-type: none"> <li>(i) <b>CEO</b></li> </ol> <p><b>NOTE: Delegates must also be appointed as an "Approved Officer" – appointment to be</b></p> </li> </ol>

# Register of Delegations

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<i>determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</i>
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 1.3 Local Law Delegations to the CEO

### 1.3.1 Local Laws

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	All the powers, duties, and responsibilities of the local government, in respect of all the Local Laws of the Shire of Boddington.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	All the powers, duties, and responsibilities of the local government, in respect of all the Local Laws of the Shire of Boddington: <ul style="list-style-type: none"> <li>• Cats</li> <li>• Parking and Parking Facilities</li> <li>• Unsightly land and refuse, rubbish, or disused materials on land</li> <li>• Livestock &amp; wandering at large</li> <li>• Pest Plants</li> <li>• Dogs</li> <li>• Fencing</li> <li>• Bees</li> <li>• Standing Orders</li> <li>• Local Government Property</li> <li>• Activities on Thoroughfares and Trading in Thoroughfares and Public Places</li> <li>• Cemeteries</li> <li>• Health</li> </ul>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services (all matters)</b> <b><u>Executive Manager Planning and Development (all matters)</u></b> <b>Manager Works and Services (all matters)</b> <b>Ranger (Dogs Local Law)</b> <b>Executive Assistant (<del>Grant of Rights</del>Cemeteries Local Law)</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

# Register of Delegations

Shire of Boddington

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**Version Control:**

1	OCM 21 October 2021
2	CEO amendment to sub delegation 18 January 2022
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

## 2 Building Act 2011 Delegations

### 2.1 Council to CEO

#### 2.1.1 Grant a Building Permit

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)



# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<del>Principal Environmental Health Officer/Building Surveyor</del> <del>Executive Manager Planning and Development</del>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<a href="#">Building Act 2011</a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor  <a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT  <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.2 Demolition Permits

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u>Principal <u>Environmental Health Officer/Building Surveyor</u></b>
<b>CEO Conditions on this Sub-Delegation:</b>	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

<i>Conditions on the original delegation also apply to the sub-delegations.</i>	
Compliance Links:	<p><a href="#">Building Act 2011</a>  s.119 Building and demolition permits – application for review by SAT  s.23 Time for deciding application for building or demolition permit</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.3 Occupancy Permits or Building Approval Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  Building Regulations 2012 r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u>Principal <u>Environmental Health Officer/Building Surveyor</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	<a href="#">Building Act 2011</a> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT  <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i>
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# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

	<i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.4 Designate Employees as Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol> <p>NOTE: An <i>authorised person</i> for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</p>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<a href="#">Building Act 2011:</a> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.5 Building Orders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything regarding non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><del>Executive Manager Planning and Development</del> <del>Principal Environmental Health Officer/Building Surveyor</del></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<a href="#">Building Act 2011:</a> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.6 Inspection and Copies of Building Records

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Planning and Development</b> <b>Principal Environmental Health Officer/Building Surveyor</b> <b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Building Act 2011 - s.146 Confidentiality</i>
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.7 Referrals and Issuing Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Principal Environmental Health Officer/Building Surveyor</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.8 Private Pool Barrier – Alternative and Performance Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate, or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier, or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Planning and Development</b> <b>Principal Environmental Health Officer/Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.9 Smoke Alarms – Alternative Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Principal Environmental Health Officer/Building Surveyor</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 2. Building Act 2011 Delegations

### 2.1.10 Appointment of approved officers and authorised officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).  <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i></li> <li>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).  <i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Planning and Development</b> <b>Principal Environmental Health Officer/Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment.
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 3 Bush Fires Act 1954 Delegations

### 3.1 Council to CEO, Shire President and Bush Fire Control Officer

#### 3.1.1 Make Request to FES Commissioner – Control of Fire

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to request on behalf of the Shire that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
<b>Council Conditions on this Delegation:</b>	In such an event, the Shire will support DFES's management of any incident with: <ul style="list-style-type: none"> <li>at least one and preferably more, senior Shire bushfire control officers will be a member of the Incident Management Team to provide local knowledge and facilitate effective liaison with local firefighting resources.</li> <li>Shire bush firefighting resources, including appliances and volunteers, remain at the incident and assist in suppression activities as determined by the Incident Controller.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.2 Prohibited Burning Times - Vary

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>President and Chief Bush Fire Control Officer (jointly)</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
<b>Council Conditions on this Delegation:</b>	a. Decisions under s,17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). b. The approval of the Shire of Boddington's Chief Bush Fire Control Officer should be obtained prior to the exercising of any aspect of this delegation.
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.3 Prohibited Burning Times – Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the Shire or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>



**Register of Delegations**

Shire of Boddington

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

**Version Control:**

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.4 Restricted Burning Times – Vary and Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> </ol>

## Register of Delegations

Shire of Boddington

	<p>6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</p> <p>7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p>8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</p> <p>9. Authority to recover the cost of measures taken by the Shire or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p> <p>10. The approval of the Shire of Boddington's Chief Bush Fire Control Officer should be obtained prior to the exercising of any aspect of this delegation.</p>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.5 Control of Operations Likely to Create Bush Fire Danger

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)]</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer, or an authorised CALM Act officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.6 Burning Garden Refuse / Open Air Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25  <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> <li>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)].</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].</li> </ol>

# Register of Delegations

Shire of Boddington

<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

## Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.7 Firebreaks

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and <ol style="list-style-type: none"> <li>a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire [s.38(5A)]</li> <li>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. <ol style="list-style-type: none"> <li>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	



## Register of Delegations

Shire of Boddington

### 3.1.9 Control and Extinguishment of Bush Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].</li> <li>2. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover expenses incurred because of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire or those on behalf of the Shire to do [s.58].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 3.1.11 Prosecution of Offences

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 4 Cat Act 2011 Delegations

### 4.1 Council to CEO

#### 4.1.1 Cat Registrations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates, and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged, or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire's District [Regs. Sch. 3 cl.1(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Ranger</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Cat Regulations 2012
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# Register of Delegations

Shire of Boddington

	<p>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</p> <p>r.12 Period of registration (s.9(7))</p> <p>r.11 Changes in registration</p> <p>r.14 Registration certificate (s.11(1)(b))</p> <p>r.15 Registration tags (s.76(2))</p> <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

## Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 4.1.2 Cat Control Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire's District [s.26].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Ranger</u></b> <b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

## Register of Delegations

Shire of Boddington

### 4.1.3 Approval to Breed Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Cat Regulations 2012: r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who may not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 4.1.4 Recovery of Costs – Destruction of Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u><del>Executive Manager Corporate Services</del></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	



# Register of Delegations

Shire of Boddington

## 4.1.5 Applications to Keep Additional Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 4.1.6 Reduce or Waiver Registration Fee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
<b>Council Conditions on this Delegation:</b>	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> . b. The <del>CEO may waive the</del> registration fee <u>may be waived</u> for a maximum of 12 months where a cat is rescued from impoundment by a new owner.

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	

## Register of Delegations

Shire of Boddington

### 4.2 Cat Act Delegations - CEO to Employees

#### 4.2.1 Infringement Notices – Extensions and Withdrawals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid, and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5 Dog Act 1974 Delegations

#### 5.1 Dog Act Delegations Council to CEO

##### 5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$250 [s.10A(1)(a) and (3)].</li> <li>2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b><u>Executive Manager Corporate Services</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.2 Refuse or Cancel Registration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i>, or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol>

## Register of Delegations

Shire of Boddington

### 5. Dog Act 1974 Delegations

<b>Council Conditions on this Delegation:</b>	<p>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. The CEO may waive the registration fee for a maximum of 12 months where a dog is rescued from impoundment by a new owner.</p>
<b>Express Power to Sub-Delegate:</b>	<p><i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</p>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u> <del>Executive Manager Corporate Services</del> Ranger</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	<p><i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)</p> <p>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)</p>
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.3 Kennel Establishments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate [s.10AA(3)]. b. Application processing and decisions under this delegation are to comply with the <<insert LG name>> Dogs Local Law.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u><u>Executive Manager Corporate Services</u> Ranger</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.4 Recovery of Moneys Due Under this Act

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<del>Executive Manager Corporate Services</del> <del>Executive Manager Planning and Development</del>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<b>Compliance Links:</b>	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	



## Register of Delegations

Shire of Boddington

### 5. Dog Act 1974 Delegations

#### 5.1.5 Dispose of or Sell Dogs Liable to be Destroyed

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><del>Executive Manager Planning and Development</del> <del>Executive Manager Corporate Services</del> Ranger</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.6 Declare Dangerous Dog

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development Ranger</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> <li>i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> <li>4. Authority to consider application [s.33H(5)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b> <b>Ranger</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

# Register of Delegations

Shire of Boddington

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## 5. Dog Act 1974 Delegations

Record Keeping:

In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 5. Dog Act 1974 Delegations

### 5.1.8 Determine Recoverable Expenses for Dangerous Dog Declaration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Delegation does not include s.33M(1)(b) as the setting of a fixed fee is recommended to occur by Council resolution in accordance with s.6.16 of the Local Government Act 1995
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6 Food Act 2008 Delegations

#### 6.1 Council to CEO

##### 6.1.1 Determine Compensation

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$500. Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6.1.2 Prohibition Orders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b><u>Executive Manager Planning and Development</u></b> <b><u>Environmental Health Officer</u></b> <b><u>Principal Environmental Health Officer/Building Surveyor</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	

# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6.1.3 Food Business Registrations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b><u>Executive Manager Planning and Development</u></b> <b><u>Environmental Health Officer</u></b> <b><u>Principal Environmental Health Officer/Building Surveyor</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>• Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>• WA Priority Classification System</li> <li>• Verification of Food Safety Program Guideline</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	



# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6.1.4 Appoint Authorised Officers and Designated Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Appointment of Authorised Officers as Meat Inspectors</li> <li>• Appointment of Authorised Officers</li> <li>• Appointment of Authorised Officers – Designated Officers only</li> <li>• Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers  s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

# Register of Delegations

Shire of Boddington

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## 6. Food Act 2008 Delegations

**Version Control:**

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6.1.5 Debt Recovery and Prosecutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].</li> <li>2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 6. Food Act 2008 Delegations

### 6.1.6 Food Businesses List – Public Access

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> r.51 Enforcement agency may make list of food
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b><u>Executive Manager Planning and Development</u></b> <b><u>Environmental Health Officer</u></b> <b><u>Principal Environmental Health Officer/Building Surveyor</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 7. Graffiti Vandalism Act 2016 Delegations

### 7 Graffiti Vandalism Act 2016 Delegations

#### 7.1 Council to CEO

##### 7.1.1 Give Notice Requiring Obliteration of Graffiti

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 7. Graffiti Vandalism Act 2016 Delegations

### 7.1.2 Notices – Deal with Objections and Give Effect to Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 7. Graffiti Vandalism Act 2016 Delegations

### 7.1.3 Obliterate Graffiti on Private Property

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
<b>Council Conditions on this Delegation:</b>	a. Subject to exercising Powers of Entry.
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 7. Graffiti Vandalism Act 2016 Delegations

### 7.1.4 Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	



# Register of Delegations

Shire of Boddington

## 8. Public Health Act 2016 Delegations

### 8 Public Health Act 2016 Delegations

#### 8.1 Council to CEO

##### 8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
<b>Express Power or Duty Delegated:</b>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
<b>Council Conditions on this Delegation:</b>	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
<b>Express Power to Sub-Delegate:</b>	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.

Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 8. Public Health Act 2016 Delegations

### 8.1.2 Enforcement Agency Reports to the Chief Health Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 8. Public Health Act 2016 Delegations

### 8.1.3 Designate Authorised Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> <li>i. The Public Health Act 2016 or other specified Act</li> <li>ii. Specified provisions of the Public Health Act 2016 or other specified Act</li> <li>iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act.</li> </ol> <p>Including:</p> <ol style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers
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# Register of Delegations

Shire of Boddington

## 8. Public Health Act 2016 Delegations

	<p>s.30 Certificates of authority  s.31 Issuing and production of certificate of authority for purposes of other written laws  s.32 Certificate of authority to be returned.  s.136 Authorised officer to produce evidence of authority</p> <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 8. Public Health Act 2016 Delegations

### 8.1.4 Determine Compensation for Seized Items

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of \$500, with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 9. Planning and Development Act 2005 Delegations

### 9 Planning and Development Act 2005 Delegations

#### 9.1 Council to CEO

##### 9.1.1 Illegal Development

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Planning and Development</b> <b>Principal Environmental Health Officer/Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

# Register of Delegations

Shire of Boddington

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## 9. Planning and Development Act 2005 Delegations

Compliance Links:	Part 13 of the <a href="#">Planning and Development Act 2005</a>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	OCM 21 October 2021
2	
3	

# Register of Delegations

Shire of Boddington

## 9.1.2 Local Planning Scheme – Council to CEO

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Shire of Boddington Local Planning Scheme No 3;
<b>Express Power or Duty Delegated:</b>	The CEO is delegated authority to determine development applications that fully comply with all requirements of the Act and Regulations, and the Local Planning Scheme.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. The CEO is delegated power to administer all planning matters or functions for the Shire of Boddington, subject to compliance with: <ol style="list-style-type: none"> <li>a) Planning and Development Act,</li> <li>b) Planning Regulations,</li> <li>c) Residential R Codes</li> <li>d) Local Planning Schemes, and</li> <li>e) Local Planning Policies.</li> </ol> </li> <li>2. The CEO is delegated power to respond to – <ol style="list-style-type: none"> <li>a) any appeal against a discretionary decision of the local government in accordance with the local government's decision on the matter to which the appeal or request for reconsideration relates,</li> <li>b) Development Assessment Panel requirements.</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Requirements for Public Notice <ul style="list-style-type: none"> <li>• Making a determination on the form or forms of public notice to be given of a proposed development, scheme amendment, road closure or other proposal where the Local Planning Scheme or other legislation requires that such public notice be given and give such notice.</li> <li>• Making a determination to require that public notice of a development to be given in accordance with Local Planning Scheme where such notice is considered to be in the public interest.</li> </ul> </li> <li>2. Approval of Permitted "P", Discretionary"D", Advertising Required "A" and Incidental "I" Uses <p>Making a determination on al "P", "D", "A" and "IP" uses where a proposed development is generally in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and is consistent with guiding precedent approvals.</p> </li> <li>3. Residential Design Code Matters <p>Making a determination on any matter required to be determined under the Residential Design Codes including where an exercise of discretion is required, provided that</p> </li> </ol>



# Register of Delegations

Shire of Boddington

	<p>appropriate notice of the proposed development is given to adjoining properties where it is required or is considered to have the potential to adversely affect the amenity of an adjoining property.</p> <p>4. Development Approval where Public Notice has been given</p> <p>Making a determination of “SA” uses in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and established precedent on any Development Application that has been the subject of Public Notice. This includes determining applications involving:</p> <ul style="list-style-type: none"> <li>• The variation of Scheme provisions, Local Planning Policy or provisions of the Residential Design Codes; or</li> <li>• The exercise of discretion under the Scheme, Local Planning Policy or the Residential Design Codes.</li> </ul> <p>The above is provided the application has not been the subject of objection or if the matter has become contentious in any way.</p> <p>5. Minor Modification of Planning Determinations</p> <p>Making modifications to planning approvals where:</p> <ul style="list-style-type: none"> <li>• The modification conforms to the relevant Local Planning Scheme objectives and Local Planning Policies,</li> <li>• The modification does not have a detrimental effect on the amenity of the locality; and</li> <li>• The extension to a development approval is to a maximum of 2 years</li> </ul> <p>NOTES:</p> <ul style="list-style-type: none"> <li>• Where consent of abutting landowners was required for the original application, then the modification should also be referred to abutting landowners for comment where the modification requires a substantial variation from the original application.</li> <li>• Where the original application was required to be the subject of public notice under the relevant Local Planning Scheme or the Residential Design Codes, the (if the modification is considered substantial) the modification will need a new public notice readvertised in accordance with the Local Planning Scheme or the Residential Design Codes</li> </ul> <p>6. Signs</p> <p>Approval of applications where consistent with Local Planning Policy No. 14 Signs and Advertisements.</p> <p>7. Dealing with Subdivisions</p> <p>Making recommendations to the Western Australian Planning Commission in respect of applications or other matters relating to Subdivision, Boundary Adjustment, Amalgamation and Strata Titling where such matters are in accordance with the Local</p>
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# Register of Delegations

Shire of Boddington

	<p>Planning Scheme, Local Planning Strategy, Local Planning Policies and established precedent, including minor variation to approved subdivisions and clearance of conditions provided appropriate.</p> <p>8. Dealing with Scheme Amendments</p> <p>8.1 Requiring modifications to Local Planning Scheme Amendment documents to ensure that all documents are maintained at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.</p> <p>8.2 Accepting modifications to Local Planning Scheme Amendment documents required by the Western Australian Planning Commission or the Minister for Planning at any stage throughout the Scheme Amendment process.</p> <p>8.3 Respond in writing to scheme amendment request.</p> <p>9. Legal Proceedings</p> <p>9.1 Taking all necessary action against owners or occupiers of properties to cease illegal uses, comply with the Local Planning Scheme and/or comply with conditions of Development Approval, including instituting prosecution proceedings under the Planning and Development Act, in the Court in its summary jurisdiction.</p> <p>9.2 Represent Council, or appoint appropriate representatives, where necessary at prosecutions, rights of review and enquiries pertaining to the enforcement of the provisions of the Planning and Development Act and the implementation of Council's Local Planning Scheme.</p> <p>10. Miscellaneous Matters</p> <p>10.1 Electing to return or defer consideration of incomplete and unsatisfactory applications for planning consent.</p> <p>10.2 Granting variations to relevant Local Planning Policies and provisions of the Residential Design Codes on Building Permit applications (where the application is exempt from the requirement to gain planning approval under the residential Design Codes and/or the Local Planning Scheme).</p> <p>10.3 Approve the use of street names where an approved street names list exists.</p> <p>10.4 Provision of written and verbal responses to rights of review, mediated settlements resulting from rights of review and Western Australian Planning Commission requests for reconsideration.</p> <p>10.5 Prepare submissions and correspondence to government agencies and other organisations where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and guiding precedent approvals.</p>
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## Register of Delegations

Shire of Boddington

	<p>10.6 Respond to referrals and correspondence from State Government agencies, servicing agencies and other organisations on matters including planning, land management, natural resource management and servicing where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and Council adopted documents.</p> <p>11. Right to have matter heard by Council</p> <p>Where an applicant disputes or has issue with a planning determination made in accordance with this delegation, it will be a matter of right for the applicant to request that the matter be reconsidered by Council, provided the exercise of such right does limit any other right of appeal that exist in Law.</p> <p>12. Matters that may be of significant financial interest to Council</p> <p>Despite other indications in this delegation, it is required that any planning matter that may have significant impact on Council infrastructure is to be determined by the Council.</p>
<b>Express Power to Sub-Delegate:</b>	
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b><u>Executive Manager Planning and Development</u></b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

**Version Control:**

1	OCM 21 October 2021
2	
3	

## 10 Statutory Authorisations and Delegations to Local Government from State Government Entities

### 10.1 Environmental Protection Act 1986

#### 10.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)]

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
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No. 47. 19-Mar-2004  
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**EV401**

#### **ENVIRONMENTAL PROTECTION ACT 1986**

##### **Section 20**

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

**Delegation Register**

Shire of Boddington

**10.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events**Published by:  
Environment**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)No. 232. 20-Dec-2013  
Page: 6282 [Pdf](#) - [3Mb](#)**EV402****ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to--

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--
  - (i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

### 10.1.3 Noise Management Plans – Construction Sites

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
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No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - [2Mb](#)

**EV405**

#### **ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of--

(a) Chief Executive Officer under the *Local Government Act 1995*; and

(b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

# Delegation Register

Shire of Boddington

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## 10.2 Planning and Development Act 2005

### 10.2.1 Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

#### PLANNING AND DEVELOPMENT ACT 2005

#### INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the *2<sup>nd</sup>* day of *June* 2016



**HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS**

# Delegation Register

## Shire of Boddington

### SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> <li>a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or</li> <li>the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the <i>Building Regulations 2012</i> (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road.</li> </ul> <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brookton Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Cannington Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cunderdun Shire of Cuse Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Donnybrook-Rainup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Goswells Shire of Hall Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalbarrie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Maekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>



# Delegation Register

## Shire of Boddington

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Shire of Nannup  
Shire of Narembeen  
Shire of Naremgin  
Town of Nerriggin  
City of Nedlands  
Shire of Ngaanyerjarraku  
Shire of Northam  
Shire of Northampton  
Shire of Nungarin  
Shire of Peppermint Grove  
Shire of Perenjori  
City of Perth  
Shire of Pingelly  
Shire of Plantagenet  
Town of Port Hedland  
Shire of Quairading  
Shire of Ravensthorpe  
City of Rockingham  
Shire of Roebourne  
Shire of Sandstone  
Shire of Serpentine Jarrahdale  
Shire of Shark Bay  
City of South Perth  
City of Stirling  
City of Subiaco  
City of Swan

Shire of Tammin  
Shire of Three Springs  
Shire of Toodyay  
Shire of Trayning  
Shire of Upper Gascoyne  
Town of Victoria Park  
Shire of Victoria Plains  
Town of Vincent  
Shire of Wagin  
Shire of Wandering  
City of Warneeroo  
Shire of Waroona  
Shire of West Arthur  
Shire of Westonia  
Shire of Wickiepin  
Shire of Williams  
Shire of Wiluna  
Shire of Wongan-Ballidu  
Shire of Woodanilling  
Shire of Wyalkatchem  
Shire of Wyndham-East Kimberley  
Shire of Yalgoo  
Shire of Yilgarn  
Shire of York



**HON DONALD TERRENCE REDMAN MLA**  
**MINISTER FOR LANDS**

*2nd* ..... day of *June* ..... 2016

## Delegation Register

Shire of Boddington

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### 10.3 Main Roads Act 1930

#### 10.3.1 Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)

# Delegation Register

Shire of Boddington

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**WESTERN AUSTRALIA**  
**ROAD TRAFFIC CODE 2000**  
**REGULATION 297(2)**  
**INSTRUMENT OF AUTHORISATION**

RELATING TO  
 TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (Insert name of Local Government) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

# Delegation Register

Shire of Boddington

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Dated:

**THE COMMON SEAL OF THE** )  
**COMMISSIONER OF MAIN ROADS** )  
 WAS AFFIXED BY )  
 )  
**COMMISSIONER OF MAIN ROADS** )  
 )  
 FOR THE TIME BEING IN THE )  
 PRESENCE OF: )

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

## ACKNOWLEDGMENT BY AUTHORISED BODY

.....(*Insert name of Local Government*)..... agrees to unconditionally observe, perform and be bound by the above conditions.

**THE COMMON SEAL of** )  
 )  
 )  
 )  
 \_\_\_\_\_ )  
 [*Insert name of Local Government*] )  
 )  
 Was hereunto affixed pursuant to a )  
 resolution of the Council in the )  
 presence of. )  
 )

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

## Delegation Register

Shire of Boddington

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### 10.3.2 Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA  
ROAD TRAFFIC CODE 2000  
REGULATION 297(2)  
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads (“the Commissioner”) hereby authorises ..... (“Authorised Body”) by itself, its employees, consultants, agents and contractors (together “Representatives”) to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the “Traffic Management for Works on Roads Code of Practice” (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia (“the Code”) referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner’s delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

# Delegation Register

Shire of Boddington

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Dated:

THE COMMON SEAL OF THE )  
COMMISSIONER OF MAIN ROADS )  
WAS AFFIXED BY )  
)  
)  
COMMISSIONER OF MAIN ROADS )  
FOR THE TIME BEING IN THE PRESENCE OF: )

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Witness

## ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be bound by the above conditions.

THE COMMON SEAL OF THE )  
..... )  
WAS AFFIXED PURSUANT TO A RESOLUTION )  
OF THE COUNCIL IN THE PRESENCE OF )

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

\_\_\_\_\_  
Witness

# Delegation Register

Shire of Boddington

## 10.4 Road Traffic (Vehicles) Act 2012

### 10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia  
Department of Transport  
Driver and Vehicle Services

#### **ROAD TRAFFIC (VEHICLES) ACT 2012**

*Road Traffic (Vehicles) Regulations 2014*

**RTVR-2017-202046**

#### **APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES**

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

#### **CONDITIONS**

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:

# Delegation Register

Shire of Boddington

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Government of **Western Australia**  
Department of **Transport**  
**Driver and Vehicle Services**

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

A handwritten signature in blue ink, appearing to read 'C Davers', written over a horizontal line.

Christopher Davers  
Assistant Director, Strategy and Policy  
Driver and Vehicle Services  
Department of Transport

Dated the 5<sup>th</sup> day of September 2017

[Approval for ranger vehicles to fit and use yellow flashing lights \(transport.wa.gov.au\)](http://transport.wa.gov.au)  
Extracted online on 15 March 2021



## Delegation Register

Shire of Boddington

### 11 Authorisations and Appointments by the Council and CEO

#### 11.1.1 Authorisations and Appointments by Council

The following Authorisations or appointments of Authorised Persons are made by the Council of the Shire of Boddington.

Act/Section	Position	Purpose	Comment
Local Government Act 1995 s5.120	CEO	In the absence of the CEO designating another employee to be the Complaints Officer, the CEO is, by default.	This effectively relates to Division 4 Complaints under the Code of Conduct.
Local Government Act 1995, Reg 11 (3) Local Government (Model Code of Conduct) Regulations 2021 and Shire of Boddington Model Code of Conduct for Council Members, Committee Members and Candidates for Election (2021)	CEO	Council has authorised the CEO to receive complaints and withdrawals of complaints.	This effectively relates to Division 3 Complaints under the Code of Conduct.
Building Regulations 2012: r.70 Approved officers and authorised officers	CEO	Appointed an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004, in accordance with Building Regulation 70(1) and (1A).	
Criminal Code Act Compilation Act 1913 – S70A(1)(a)	CEO	The Chief Executive Officer is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings	

#### 11.1.2 Authorisations by the CEO

## Delegation Register

Shire of Boddington

The following Authorisations or appointments of Authorised Persons are made by the CEO, under delegated authority from Council, or by the CEO, as of right, under relevant legislation.

The CEO may appoint, in writing, persons to be Authorised Persons for the purposes of:

- the Local Government Act 1995
- the Caravan Parks and Camping Grounds Act 1995,
- the Cat Act 2011,
- the Cemeteries Act 1986,
- the Control of Vehicles (Off-road Areas) Act 1978,
- the Dog Act 1976.

For Authorised Persons, appointed by the CEO pursuant to s9.10 Local Government Act 1995:

- the CEO must give to each person appointed under subsection (2) an identity card that — on the front of the card, sets out —
  - the name and official insignia of the local government; and
  - the name of the person; and
  - a recent photograph of the person; and
- on the back of the card, specifies each law to which the person's appointment relates.

An authorised person must:

- always carry their identity card when performing functions under a specified law; and
- produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law.

<b>Act/Section</b>	<b>Position</b>	<b>Purpose</b>	<b>Comment</b>
Local Government Act 1995 s3.24, Subdivision 2	CEO Manager Works Ranger	Subdivision 2 — Certain provisions about land	See conditions above
Local Government Act 1995 s3.25	CEO Manager Works Ranger	Authorised to issue notices under sections 3.25 and 3.27 and to perform any of the other functions set out in subdivision 2 of Division 3 Part 3 of the Local Government Act 1995.	See conditions above
Local Government Act 1995 s3.39	CEO Manager Works Ranger	Appointed and authorised as an authorised person for the purposes of section 3.39 of the Local Government Act 1995 (power to	See conditions above

**Delegation Register**

Shire of Boddington

		remove and impound goods)	
Local Government Act 1995 s3.40A	CEO Manager Works Ranger	Appointed and authorised as an authorised person for the purposes of section 3.40A of the Local Government Act 1995 (power to remove and impound abandoned vehicle wreck).	See conditions above
Local Government Act 1995 s9.11, 9.13, 9.16, 9.17, 9.19, 9.20 and 9.24	CEO Manager Works Ranger	CEO, Manager Works and Services, Ranger are appointed an authorised person for the purposes of s9.11, 9.13, 9.16, 9.17, 9.19, 9.20 and 9.24 of the Local Government Act 1995.	See conditions above
Local Government Act 1995 s9.10	CEO Manager Works Ranger	Appointed and authorised to perform the functions of an Authorised Person for the purposes of all the Shire of Boddington Local Laws.	See conditions above
Local Government Act 1995 s9.49(A)(4)	CEO	Authorised to sign and execute documents on behalf of the local government.	See conditions above
Local Government Act 1995 s9.49(A)(5)	CEO	Authorised to execute a document as a deed on behalf of the Shire where there is a requirement for the document to be executed as a deed.	See conditions above
Local Government Act 1995 s9.49	CEO	Authorised under s9.49 of the Local Government Act to sign building permit applications on behalf of the Shire for building permits required for work on	See conditions above

## Delegation Register

Shire of Boddington

		Shire owned or managed property.	
Local Government Miscellaneous Provisions Act 1960 Part xx	CEO Manager Works Ranger	Appointed and authorised as an authorised person for the purposes of the Local Government Miscellaneous Provisions Act 1960.	See conditions above
Building Act 2011 s96	CEO Principal Environmental Health Officer/ Building Surveyor	Designated an Authorised Person for the purposes of the Building Act 2011 in relation to buildings and incidental structures.	Must be issued with an identity card.  Must always carry ID card when exercising powers or performing functions as an authorised person.
Building Act 2011 and Planning Act 2005	CEO Principal Environmental Health Officer/ Building Surveyor	Appointed and Authorised Officer for the purpose of sections 100 to 104 of the Building Act 2011, Part 10 cl.79 of the Planning and Development (local Planning schemes)	Must be issued with Authorisation card.  Must always carry ID card when exercising powers or performing functions as an authorised person
Bush Fires Act 1954 s59(1), (3); s59A(2)	CEO	Only the CEO may institute legal proceedings. Only the CEO or the Shire President may withdraw infringement notices pursuant to s59A (3) Bush Fires Act 1954 and r4 Bush Fires (Infringements) Regulations 1958	
Caravan Parks and Camping Grounds Act 1995 s17(1) s23(11)	CEO Manager Works Ranger	Appointed and authorised as authorised person for the purpose of the Caravan Parks and Camping Grounds Act 1995.	See conditions above
Cat Act 2011 s48(1)	CEO	CEO is a Registration Officer and Authorised Person for all purposes of the Cat Act 2011	See conditions above

**Delegation Register**

Shire of Boddington

	Executive Manager Corporate Services Finance Coordinator  Ranger	Executive Manager Corporate Services, Finance Coordinator as Registration Officers to perform the functions for Registration related matters in accordance with s9, 10, 11, 12, 13 of the Cat Act 2011.  Ranger as Authorised Person for the purposes of s48, 49, 62, 63 of the Cat Act 2011.	
Control of Vehicles (Off- road Areas) Act 1978 s38(3)	CEO Manager Works Ranger	Appointed and authorised as an authorised officer for the purposes of the Control of Vehicles (Off-road Areas) Act 1978	See conditions above
Control of Vehicles (Off Road Areas) Act 1978 – s38(3)	CEO Manager Works Ranger	Appointed as Authorised Officers to perform all functions of the local government under the Act.	See conditions above
Criminal Code Act Compilation Act 1913 – S70A(1)(a))	CEO	CEO is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings	
Dog Act 1976 s3(1) s14, s16(2),16(3A), s16(3), s16(3c), s16(6)	CEO, Executive Manager Corporate Services Ranger, Finance Coordinator	CEO, Executive Manager Corporate Services, Ranger, Finance Coordinator appointed and authorised as a registration officer for the purposes of the Dog Act 1976 s3(1) s14, s16(2), 16(3A), s16(3), s16(3c), s16(6)	See conditions above.

## Delegation Register

Shire of Boddington

Dog Act 1976 s12A, S14, s29(1), s33G, s38, s43A, s47	CEO Manager Works Ranger	CEO, Manager Works and Ranger are appointed and authorised as an authorised person for the purposes of s12A, S14, s29(1), s33G, s38, s43A, s47	See conditions above
Dog Act 1976 s33E, 33F, 33G, 33H, 39, 43A	CEO Manager Works Ranger	CEO, Manager Works and Services, Ranger as a specifically Authorised Persons for the purposes of s33E, 33F, 33G, 33H, 39, 43A	See conditions above
Dog Act 1976	CEO Manager Works Ranger	CEO, Manager Works and Services and Ranger to undertake the powers of an authorised person under the Dog Act 1976 and the Dog Regulations 2013 for all sections not mentioned in prior authorisations.	See conditions above
Dog Regulations 2013 cl 35(5)	CEO Manager Works Ranger	Appointed and authorised as an authorised person to withdraw infringement notices.	See conditions above. <u>NOTE – cannot withdraw notice issued by same person.</u>
Environmental Protection Act 1986 s38	CEO	Pursuant to s38 of the Environmental Protection Act 1986 the CEO is authorised to refer Proposals to the Environmental Protection Authority.	
Fines, Penalties and Infringement Notices Enforcement Act 1994 s13(2)	CEO	CEO is appointed and authorised as a Prosecuting Officer for the purpose of the Fines, Penalties and Infringement Notices Enforcement Act 1954	Authorised to lodge and withdraw matters which have been registered with Fines Enforcement Registry. FER are notified of appointments by the Shire (see s13)

**Delegation Register**

Shire of Boddington

		CEO is authorised the power to provide written notice to the Registrar designating those officers that are prosecution officers for the purposes of sections 16 and 22 of the Fines, Penalties and Infringement Notices Enforcement Act 1994.	
Food Act 2008 s38, s54, s62, s 65, s66, s67, s110, s112, s122, s125, s126,	CEO Environmental Health Officer	CEO, Principal Environmental Health Officer/ Building Surveyor are appointed and authorised as Authorised Persons for the purpose of the Food Act 2008.	Shall be furnished with a certificate of authority in the prescribed manner and shall produce that certificate if asked to do so when entering food premises or requiring a person to produce anything or answer any question.
Graffiti Vandalism Act 2016	CEO	CEO is appointed an Authorised Person to deal with Objections and Suspension of effects of Notices and for all other relevant purposes under the Act.	See conditions above.
Graffiti Vandalism Act 2016	Executive Manager Corporate Services, Manager Works, Ranger	CEO appoints the Executive Manager Corporate Services, Manager Works, Ranger as Authorised Persons for the other purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016] and to have all the powers and duties of Chief Executive	See conditions above.

## Delegation Register

Shire of Boddington

		Officer, except as otherwise provided	
Health (Asbestos) Regulations 1992: r.15D(7) Infringement Notices  Pt 2 Criminal Procedure Act 2004	CEO  Principal Environmental Health Officer/ Building Surveyor	CEO be authorised pursuant to the Health (Asbestos) Regulations 1992 for the issuing of infringement notices.  Principal Environmental Health Officer/ Building Surveyor be appointed as an Approved Officer pursuant to the Health (Asbestos) Regulations 1992 and the Criminal Procedure Act 2004 for the withdrawal or extension to a period to pay an infringement notice.	Each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Liquor Control Act 1988 s39 (Health), s40 (Planning), s61(1)(d), (2), s69(7), (8)	CEO	CEO is authorised to issue Certificates for grant, change or removal of liquor licences. CEO is authorised to provide comment and make recommendations on Applications for Extended Trading Permits. CEO is authorised to intervene in Applications.	
Litter Act 1979 26(1)(c)	All Council members and all employees – as of right, by virtue of Act.	Appointed and authorised as an authorised officer for the purposes of the Litter Act 1979.	Shall be issued with a certificate of appointment as an authorised officer in the prescribed form, evidencing the area of jurisdiction entrusted to him/her under this Act, which he shall, on reasonable demands, be produced.
Litter Act 1979 s30(4a)	CEO  Shire President	CEO is authorised to withdraw infringement notices. If the Chief Executive Officer	



## Delegation Register

Shire of Boddington

		has issued the relevant infringement notice, the Shire President is authorised to withdraw such a notice.	
Public Health Act 2016 Health (Miscellaneous Provisions) Act 1911	CEO Principal Environmental Health Officer/ Building Surveyor	CEO and Principal Environmental Health Officer/ Building Surveyor are appointed as an authorised officer under s24 of the Public Health Act 2016.	A list of all officers designated as authorised officers must be kept and maintained in accordance with s27 of the Public Health Act 2016. Each person who is designed as an authorised officer must be issued with certificate of authority as an authorised officer in accordance with s30 of the Public Health Act 2016.
Public Health Act 2016	CEO	CEO as an Authorised Person to undertake duties and functions in relation to: s125 Instituting proceedings and s126(13) The Chief Executive Officer is to be the Designated Officer.	A list of all officers designated as authorised officers must be kept and maintained in accordance with s27 of the Public Health Act 2016. Each person who is designed as an authorised officer must be issued with certificate of authority as an authorised officer in accordance with s30 of the Public Health Act 2016.

## Delegation Register

Shire of Boddington

### 12 Appointments (made, and as of right)

The following appointments are made by the CEO, under delegated authority from Council, or by the CEO, as of right, under relevant legislation. The list includes some, as of right appointments.

Act/Section	Position	Purpose	Comment
Animal Welfare Act 2002 s33(2)(a)(v)	CEO	Appointed as a General Inspector.	To be reviewed every financial year.
Bush Fires Act 1954 s38(1)	William Batt	Appointed and authorised as Chief Bush Fire Control Officer for the purpose of the Bush Fires Act 1954.	Shall be issued with a certificate of appointment by the local government.
Bush Fires Act 1954 s38(1)	As per BFAC Annual General Meeting.	Appointed and authorised as a Bush Fire Control Officer for the purpose of the Bush Fires Act 1954.	Shall be issued with a certificate of appointment by the local government.
Bush Fires Act 1954 s38(1)	Jess Reid	Appointed and authorised as Deputy Chief Bush Fire Control Officer for the purpose of the Bush Fires Act 1954.	Shall be issued with a certificate of appointment by the local government
Equal Employment Opportunity Act 1984 s145	CEO	CEO is to prepare and implement equal employment opportunity management plans pursuant to s145 Equal Employment Opportunity Act 1984.	
Freedom of Information Act 1992 s41	CEO	CEO is designated Internal Review Officer	
Freedom of Information Act 1992 s11, 12, 100	Executive Manager Corporate Services	Executive Manager Corporate Services appointed as Freedom of Information Coordinator to undertake the duties and functions associated with the lodgement and collation of an application for information in	

**Delegation Register**

Shire of Boddington

		accordance with s11, 12, of the Freedom of Information Act 1992	
Freedom of Information Act 1992 s100	CEO	Principal Decision Maker is the Chief Executive Officer.	
Public Interest Disclosure Act 2003 – s23(1)(a)	CEO	Principal Executive Officer (Chief Executive Officer) designates the occupant of a specified position within the authority as the person responsible for receiving disclosures of public interest information. CEO of the Shire of is designated accordingly.	
Rates and Charges (Rebates and Deferments) Regulation Act 1992 – s12; s13; s32	CEO  Executive Manager Corporate Services	CEO is the Pensioner Rates Review Officer, as defined by the Act.  Senior Finance / Rates Officer is the Pensioner Rates Determination Officer as defined by the Act.	
Tobacco Products Control Act 2006 s77	CEO	Appointed and authorised as a Restricted Investigator for the purposes of the Tobacco Products Control Act 2006.	

### 9.2.3 Risk Management Policy Review

File Reference: 2.015  
Applicant: Nil  
Disclosure of Interest: Nil  
Author: Chief Executive Officer  
Attachments: 9.2.3A Current Risk Management Policy  
9.2.3B Proposed Risk Management Policy

#### Summary

Council is requested to endorse amendments to the Risk Management Policy.

#### Background

Council first adopted a Risk Management Policy in November of 2017. During the process of various audits and reviews conducted over the past year, the Policy was identified as requiring review. This review also coincided with a full review of the Risk Management Framework, comprising the Policy, Procedures, Operational and Strategic Risk Registers, and the Risk Assessment Tables.

#### Comment

The revised Risk Management Policy, contained in Attachment 9.2.3B, is based on the International Standard, and tailored for the Shire of Boddington's size and scale of operations. This Policy will provide the basis on which to assess all risks, and outlines roles and responsibilities as well as the monitoring and review process.

#### Consultation

Nil

#### Strategic Implications

Aspiration	Performance
Outcome 12	Visionary Leadership and Responsible Governance
Objective 12.1	Maintain a high standard of leadership, corporate governance and customer service

#### Legislative Implications

Nil

#### Policy Implications

The recommendation will result in a change to the Risk Management Policy (11.34).

#### Financial Implications

Nil

#### Economic Implications

Nil

### Social Implications

Nil

### Environmental Considerations

Nil

### Risk Considerations

Risk Statement and Consequence	Failure to have a policy that is current and relevant to the Shire leads to an increased likelihood of risk exposure with insufficient controls.
Risk Rating (prior to treatment or control)	Medium
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	Risk Management monitoring and review processes will ensure that key operational and strategic risk areas remain visible to Council and Executive.

### Options

1. Amend the Policy as presented.
2. Determine not to approve the changes, which will result in the current Policy remaining in place.

### Voting Requirements

Absolute Majority

### Officer Recommendation/Council Decision

**COUNCIL RESOLUTION: 127/22**

**Moved: Cr Smalberger**

**That Council adopt the Risk Management Policy as detailed in Attachment 9.2.3B.**

**Seconded: Cr Ryley**

**Carried: 7/0**

## 11.34 RISK MANAGEMENT

### Policy Statement:

It is the Shire's Policy to achieve best practice (aligned with AS/NSZ ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shires' Senior Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee, elected member, volunteer and contractor within the Shire is recognised as having a role in risk management.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

### Definitions (from AS/NZS ISO 31000:2009)

**Risk:** Effect of uncertainty on objectives.

**Note 1:** An effect is a deviation from the expected – positive or negative.

**Note 2:** Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation - wide, project, product or process).

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

### Risk Management Objectives:

Optimise the achievement of our vision, mission, strategies, goals and objectives.

Provide transparent and formal oversight of the risk and control environment to enable effective decision making.

Enhance risk versus return within our risk appetite. Embed appropriate and effective controls to mitigate risk.

Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.

Enhance organisational resilience.

Identify and provide for the continuity of critical operations.

### Risk Appetite:

The Shire defined its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however, these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment and approved by a member of the Senior Management Team. Roles,

Responsibilities & Accountabilities:

Council's role is to-

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

Monitor & Review:

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Senior Management Team and will be formally reviewed by Council biennially .

Resolution No: 137/17  
Resolution Date: 21/11/2017

## Purpose

The purpose of this Policy is to state the Shire of Boddington's ('Shire's') intention to identify potential risks before they occur, so that impacts can be minimised or opportunities realised. This is to ensure that the Shire achieves its strategic and corporate objectives efficiently, effectively and within good corporate governance principles.

## Scope

This Policy applies to all Council Members, Employees and Contractors involved in any Shire operations.

## Definitions

Term	Meaning
Risk	The effect of uncertainty on objectives. 1. An effect is a deviation from the expected – positive or negative. 2. Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).
Risk Management	Coordinated activities to direct and control an organisation with regard to risk.
Risk Management Process	Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

## Policy Statement

It is the Shire's intention to achieve best practice aligned with AS/NZS ISO 31000:2018 Risk Management – Guidelines, in the management of all risks that may affect the Shire meeting its objectives.

Risk management functions are to be resourced appropriately to match the size and scale of the Shire's operations, form part of Strategic, Operational, and Project responsibilities, and be incorporated within the Shire's Integrated Planning and Reporting Framework.

Council is committed to ensuring that risk management:

- Optimises the achievement of the Shire's values, strategies, goals and objectives.
- Aligns with and assists the implementation of Shire Policies.
- Provides transparent and formal oversight of the risk and control environment, enabling effective decision-making.
- Reflects risk versus return considerations within the Shire's risk appetite.
- Embeds appropriate and effective controls to mitigate risk.
- Achieves effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.



- Enhances organisational resilience.
- Identifies and provides for the continuity of critical operations.

### **Roles & Responsibilities**

The CEO is responsible for:

- Implementation of this Policy.
- Measurement and reporting on the performance of risk management.
- Review and improvement of this Policy and the Shire's risk management framework at least biennially, or in response to a material event or change in circumstances.

The Shire's risk management framework outlines in detail all roles and responsibilities associated with managing risks within the Shire.

### **Risk Assessment and Acceptance Procedures**

The Shire has quantified its broad risk appetite through the Shire's 'Risk Assessment and Acceptance Criteria' (below). The Criteria are included within the Risk Management Framework and as a component of this Policy.

All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision-making.

While these risk criteria are necessarily broad in their guidance, they offer insight to staff about risk areas or activities where Council has set reasonable boundaries.

For operational requirements such as Projects, Events, Work Health and Safety, or in rare instances in which the Shire's Risk Assessment and Acceptance Criteria are unclear in determining a level of risk, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's risk appetite, and approval for such use must first be obtained from the CEO.

### **Monitor & Review**

A monitor and review process is to be implemented, to report on the achievement of risk management objectives, the management of individual risks, and the ongoing identification of issues and trends.

**Shire of Boddington Risk Assessment and Acceptance Criteria**

Shire of Boddington Measures of Consequence								
Rating (Level)	Compliance	Environment	Financial	Health / People	Property	Reputational	Service Interruption	Projects
<b>Insignificant (1)</b>	No noticeable regulatory or statutory impact	Contained, reversible impact managed by on-site response	Less than \$10,000	Near miss. Minor first aid injuries	Inconsequential damage.	Unsubstantiated, low impact, low profile or 'no news' item	No material service interruption <3 hours	<5% deviation in project outputs (Time, Cost, Scope and Quality) or funding
<b>Minor (2)</b>	Some temporary non-compliances	Contained, reversible impact managed by internal response	\$10,000 - \$50,000	Medical -type injuries	Localised damage rectified by routine internal procedures	Un/Substantiated, low impact, low news item	Short-term temporary interruption – backlog cleared <1 day	5-10% deviation in project outputs (Time, Cost, Scope and Quality) or funding
<b>Moderate (3)</b>	Short term non-compliance but with significant regulatory requirements imposed	Contained, reversible impact managed by internal & external agencies	\$50,001 to \$500,000	Lost-time physical or mental injury <30 days / Multiple staff morale problems	Localised damage requiring internal & external resources to rectify	Un/Substantiated, public embarrassment, moderate impact, moderate news profile	Medium-term temporary interruption – backlog cleared by additional resources <1 week	10-25% deviation in project outputs (Time, Cost, Scope and Quality) or funding
<b>Major (4)</b>	Non-compliance results in termination of services or imposed penalties	Uncontained, reversible impact managed by a coordinated response from external agencies	\$500 000 to \$1,000,000	Lost-time physical or mental injury >30 days / Widespread staff morale problems	Significant and/or widespread damage requiring internal & external resources to rectify	Substantiated, public embarrassment, high impact, high news profile, third party actions	Prolonged interruption of services – additional resources required; performance affected <1 month	25-50% deviation in project outputs (Time, Cost, Scope and Quality) or funding
<b>Catastrophic (5)</b>	Non-compliance results in litigation, criminal charges, significant damages and/or penalties	Uncontained, irreversible impact	>\$1,000,000	Fatality, permanent disability. Shire no longer an employer of choice. Loss of key staff.	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Indeterminate prolonged interruption of services – non-performance >1 month	More than 50% deviation in project outputs (Time, Cost, Scope and Quality) or funding

ATTACHMENT 9.2.3B

Shire of Boddington Measures of Likelihood				
Level	Rating	Description	In the past	Control Effectiveness
1	Rare	The event may only occur in exceptional circumstances (<5% chance)	Less than once in 10 years	Controls are very strong and operating as intended. There is no scope for improvement
2	Unlikely	The event could occur at some time (<10% chance)	Once in 10 years	Controls are strong and operating as intended
3	Possible	The event should occur at some time (20% chance)	Once in 3 years	Controls are operating as intended, but there is scope for improvement
4	Likely	The event will probably occur in most circumstances (>50% chance)	Once per year	Controls are operating; however, inadequacies exist
5	Almost Certain	The event is expected to occur in most circumstances (>90% chance)	More than once per year	Controls are weak, do not exist, or are not being complied with

Consequence X Likelihood = Risk Rating

Shire of Boddington Risk Rating						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)

Shire of Boddington Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Coordinator / Team Leader
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Executive Team Member
High	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	CEO & Executive
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	Council

Shire of Boddington Existing Control Ratings		
Rating	Foreseeable	Description
Effective	There is no scope for improvement with all available resources.	Controls are operating as intended and aligned with policies and procedures. Controls are documented, up to date, understood by users, not forgotten or components missed, does not expose the organisation to theft or fraud and is delivered consistently within statutory or service delivery standards. Controls are subject to ongoing monitoring. Controls are reviewed and tested regularly.
Adequate	There is some scope for improvement.	Controls are generally operating as intended; however, inadequacies exist. Limited monitoring of controls. Controls are reviewed and tested, but not regularly.
Inadequate	There is a need for improvement or action.	Controls are not operating as intended. Controls do not exist, or are not being complied with. Controls have not been reviewed or tested for some time.

<b>Responsible Officer</b>	Executive Manager Corporate Services
<b>History</b>	Adopted 21 November 2017 (Resolution 137/17) Amended xx November 2022 (Resolution XX/XX)
<b>Delegation</b>	Not Applicable
<b>Relevant Legislation</b>	Not Applicable
<b>Related Documentation</b>	Procedure: Risk Management

DRAFT

### 9.3. CORPORATE SERVICES

#### 9.3.1 Payment Listing

File Reference:	3.0070
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Finance Administration Officer
Attachments:	9.3.1A List of Payments ending 31 October 2022

#### Summary

The list of payments for October 2022 is presented for noting by Council.

#### Background

Council has delegated the Chief Executive Officer the exercise of its power to make payments from the Shires municipal fund and the trust fund.

In exercising their authority, and in accordance with the Local Government (Financial Management) Regulation, it is a requirement to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to Council for the purposes of noting, in the following month.

#### Comment

The List of Payments have been made in accordance with Councils adopted budget, and statutory obligations.

#### Consultation

Nil

#### Strategic Implications

Nil

#### Legislative Implications

*Local Government (Financial Management) Regulations 1996 - Reg 13*

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.

#### Policy Implications

Nil

### Financial Implications

As disclosed within the payment listing.

### Economic Implications

Nil

### Social Implications

Nil

### Environmental Considerations

Nil

### Risk Considerations

Risk Statement and Consequence	Failure to present a detailed listing of payments made from the Shire bank accounts in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.
Risk Rating (prior to treatment or control)	Minor (2)
Principal Risk Theme	Reputational / Compliance
Risk Action Plan (controls or treatment proposed)	Nil

### Options

1. Council may choose to receive the list of payments reports as presented.
2. Council may choose not to receive the list of payment reports as presented.

### Voting Requirements

Simple Majority

### Officer Recommendation/Council Decision

**COUNCIL RESOLUTION: 128/22**

**Moved: Cr Erasmus**

**That Council receive the list of payments for the period ending 31 October 2022 as presented.**

**Seconded: Cr Webster**

**Carried: 7/0**





## ATTACHMENT 9.3.1A

### SHIRE OF BODDINGTON - LIST OF PAYMENTS - OCTOBER 2022

CHK/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24392	28/10/2022	DEPARTMENT OF FIRE & EMERGENCY SERVICES	2022/23 ESL FOR SHIRE PROPERTIES	2,418.00
EFT24393	28/10/2022	THOMPSON BUILDING INDUSTRIES	REMOVAL OF VEHICLE CROSSMAN ROAD	110.00
DD15083.1	04/10/2022	PRECISION ADMINISTRATION SERVICES PTY LTD	SUPERANNUATION CONTRIBUTIONS	16,001.57
DD15091.1	05/10/2022	NATIONAL AUSTRALIA BANK	TRANSACT FEE	15.35
DD15091.2	05/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,072.70
DD15092.1	04/10/2022	WESTNET	INTERNET CHARGES POOL	59.95
DD15092.2	04/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,215.10
DD15092.3	04/10/2022	SYNERGY	ELECTRICITY CHARGES QUINDANNING FIRE SHED	151.40
DD15093.1	03/10/2022	WESTNET	INTERNET CHARGES MEDICAL CENTRE	39.95
DD15093.2	03/10/2022	NATIONAL AUSTRALIA BANK	NAB AUDIT CERT FEE	70.00
DD15093.3	03/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,989.40
DD15093.4	03/10/2022	SYNERGY	ELECTRICITY CHARGES IC UNIT2	238.53
DD15093.5	03/10/2022	TELSTRA	MOBILE PHONE CHARGES SES	123.59
DD15096.1	06/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	794.85
DD15101.1	07/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	474.95
DD15101.2	07/10/2022	TELSTRA	MOBILE PHONE CHARGES SHIRE	545.02
DD15102.1	10/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	3,711.45
DD15104.1	11/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,419.90
DD15108.1	12/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	252.10
DD15108.2	12/10/2022	SYNERGY	ELECTRICITY CHARGES - VARIOUS SHIRE PROPERTIES	5,374.59
DD15113.1	13/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	277.95
DD15113.2	13/10/2022	SYNERGY	ELECTRICITY CHARGES - VARIOUS SHIRE PROPERTIES	2,751.04
DD15117.1	14/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,772.75
DD15119.1	17/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,336.05
DD15124.1	19/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	4,911.05
DD15125.1	18/10/2022	PRECISION ADMINISTRATION SERVICES PTY LTD	SUPERANNUATION CONTRIBUTIONS	16,437.90
DD15125.2	18/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,860.90
DD15125.3	18/10/2022	TELSTRA	PHONE CHARGES SES LANDLINES	195.29
DD15130.1	20/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,270.60
DD15132.1	21/10/2022	BOC GASES BOC ACCOUNT PROCESSING	GAS CONTAINER FEES	31.67
DD15132.2	21/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	909.15
DD15135.2	24/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	283.35
DD15135.3	24/10/2022	SYNERGY	ELECTRICITY CHARGES STREET LIGHTING	3,438.93
DD15135.4	24/10/2022	TELSTRA	PHONE CHARGES SHIRE	949.74
DD15140.1	27/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,329.95
DD15141.1	25/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	246.30
DD15142.1	26/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,781.90
DD15147.1	28/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	394.50
DD15148.1	31/10/2022	NATIONAL AUSTRALIA BANK	NAB BPAY & ACCT FEES	422.16
DD15148.2	31/10/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,815.95
DD15148.3	31/10/2022	KLEENHEAT GAS	BULK GAS - VARIOUS SHIRE PROPERTIES	2,889.76
DD15148.4	31/10/2022	TELSTRA	MOBILE PHONE CHARGES SES	123.83
DD		NAB BUSINESS VISA	CREDIT CARD PURCHASES	5,905.66
				<u>599,771.94</u>
		<b>JEFF ATKINS</b>		
24/10/2022		KENNARDS HIRE	HIRE OF TURF CUTTER - TOWN OVAL	223.00
		<b>SAM KEMPTON</b>		
12/10/2022		BIGW SUCCESS	ITEMS FOR THE YOUTH CENTRE	201.00
21/10/2022		FACE PAINT SUPPLIES PERTH	ITEMS FOR CHILDRENS WEEK	103.30
27/10/2022		VISTAPRINT AUSTRALIA PTY	PULL UP BANNERS	99.99
		<b>ROY GRIEVE</b>		
03/10/2022		OTTERBOX HONG KONG LTD	IPHONE COVER - RANGERS	134.94
12/10/2022		BP DONNYBROOK	FUEL BT010	124.66
17/10/2022		OTTERBOX HONG KONG LTD	IPHONE COVERS - PLANNING	215.91
14/10/2022		BP DONNYBROOK	FUEL BT010	143.11
19/10/2022		BP DONNYBROOK	FUEL BT010	126.00
23/10/2022		BP DONNYBROOK	FUEL BT010	115.41
		<b>CARA RYAN</b>		
05/10/2022		SHIRE OF WANDERING	FUEL BT04	99.00
10/10/2022		AMPOL ROCKINGHAM	FUEL BT04	121.70
17/10/2022		PUMA ENERGY BEDFORDALE	FUEL BT04	121.52
19/10/2022		SHIRE OF WANDERING	FUEL BT04	30.00
19/10/2022		ADOBE	ADOBE LICENSE	101.21
24/10/2022		KMART MULGRAVE	ITEMS FOR CHILDRENS WEEK	43.00
24/10/2022		CPP CONVENTION CENTRE PERTH	PARKING FEE - IT VISION CONFERENCE	23.00
24/10/2022		COLES ONLINE	ITEMS FOR CHILDRENS WEEK	91.17
24/10/2022		KMART MULGRAVE	ITEMS FOR CHILDRENS WEEK	196.00
24/10/2022		EDUCATIONAL ART SUPPLIES NEDLANDS	ITEMS FOR CHILDRENS WEEK	135.74
24/10/2022		AMPOL FORRESTDALE	FUEL BT04	129.08
		<b>JULIE BURTON</b>		
03/10/2022		ADOBE LICENSE	ADOBE CANCELLATION FEE	98.96
05/10/2022		DROP BOX	COUNCILLOR INFORMATION	18.69
05/10/2022		EXETEL PTY LTD	INTERNET PLAN	725.00
05/10/2022		CROWN PROMENADE PERTH	ACCOMMODATION - WALGA CONVENTION	391.20
05/10/2022		CROWN PROMENADE PERTH	ACCOMMODATION - WALGA CONVENTION	382.73
19/10/2022		ADOBE	ADOBE LICENSE	21.99
19/10/2022		MONDAY.COM	PROJECT MANAGEMENT SOFTWARE	1,632.26
28/10/2022		NAB CARD FEE	FEE	45.00
28/10/2022		NAB INTERNATIONAL TRANSACTION FEES	FEE	11.09
		<b>PAYROLL PAYMENTS</b>		
		NAB	NET PAYROLL F/N ENDING 02/10/2022	71,812.73
		NAB	NET PAYROLL F/N ENDING 16/10/2022	74,521.20
		NAB	NET PAYROLL F/N ENDING 30/10/2022	75,006.81
<b>TOTAL MUNI</b>				<u>821,112.68</u>
<b>TOTAL TRUST &amp; MUNI</b>				<u>821,112.68</u>

### 9.3.2 Monthly Financial Statements

File Reference:	3.0056
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Executive Manager Corporate Services
Attachments:	9.3.2A Monthly Financial Report period end 31 October 2022

#### Summary

The Monthly Financial Report for October 2022 is presented for Councils consideration.

#### Background

In accordance with the Local Government Act 1995, a statement of financial activity must be presented at an Ordinary Meeting of Council. This is required to be presented within two months, after the end of the month, to which the statement relates.

The statement of financial activity is to report on the revenue and expenditure as set out in the annual budget for the month, including explanations of any variances. Regulation 34, from the Local Government (Financial Management) Regulations 1996 sets out the detail that is required to be included in the reports.

#### Comment

The attached monthly financial statements and supporting information have been compiled to meet compliance with the Local Government Act 1995 and associated Regulations.

#### Consultation

Nil

#### Strategic Implications

Aspiration	Performance
Outcome 12	Visionary Leadership and Responsible Governance
Objective 12.2	Responsibly manage the Shire's finances, human resources and assets

#### Legislative Implications

##### *Local Government Act 1995*

Section 6.4 Specifies that a local government is to prepare such other financial reports as are prescribed.

##### *Local Government (Financial Management) Regulations 1996*

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in

paragraphs (b) and (c);  
(e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

#### Policy Implications

Nil

#### Financial Implications

As disclosed in the financial statements.

#### Economic Implications

Timely submission of detailed monthly financial reports allows Council to monitor the financial performance of the Shire and review any adverse financial trends that may impact on the Shire's financial sustainability.

#### Social Implications

Nil

#### Environmental Considerations

Nil

#### Risk Considerations

Risk Statement and Consequence	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position. As the monthly report is a legislative requirement, non-compliance may result in a qualified audit.
Risk Rating (prior to treatment or control)	Minor
Principal Risk Theme	Reputational / Legislative
Risk Action Plan (controls or treatment proposed)	Nil

#### Options

1. Council may choose to receive the monthly financial reports as presented.
2. Council may choose not to receive the monthly financial reports as presented.

#### Voting Requirements

Simple Majority

**Officer Recommendation/Council Decision**

**COUNCIL RESOLUTION: 129/22**

**Moved: Cr Erasmus**

**That Council receive the financial statements as presented, for the period ending 31 October 2022.**

**Seconded: Cr Lewis**

**Carried: 7/0**



**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**

**For the Period Ended 31 October 2022**

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

**TABLE OF CONTENTS**

Basis of Preparation	2
Nature or Type Descriptions	3
Statement of Financial Activity by Nature or Type	4
Note 1 Explanation of Material Variances	5
Note 2 Statement of Financial Activity Information	6
Note 3 Cash and Financial Assets	7
Note 4 Receivables	8
Note 5 Rate Revenue	9
Note 6 Capital Acquisitions	11
Note 7 Borrowings	13
Note 8 Grants and Contributions	14
Note 9 Budget Amendments	15

**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**BASIS OF PREPARATION**

**BASIS OF PREPARATION**

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

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

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

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

**THE LOCAL GOVERNMENT REPORTING ENTITY**

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

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

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

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING ESTIMATES**

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

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

**GOODS AND SERVICES TAX**

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

**ROUNDING OFF FIGURES**

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

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 08 November 2022

**KEY TERMS AND DESCRIPTIONS****FOR THE PERIOD ENDED 31 OCTOBER 2022****NATURE OR TYPE DESCRIPTIONS****REVENUE****RATES**

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

**OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

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

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

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

**REVENUE FROM CONTRACTS WITH CUSTOMERS**

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

**FEES AND CHARGES**

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

**SERVICE CHARGES**

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**INTEREST EARNINGS**

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

**OTHER REVENUE / INCOME**

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

**PROFIT ON ASSET DISPOSAL**

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

**EXPENSES****EMPLOYEE COSTS**

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

**MATERIALS AND CONTRACTS**

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

**UTILITIES (GAS, ELECTRICITY, WATER, ETC.)**

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

**INSURANCE**

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

**LOSS ON ASSET DISPOSAL**

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

**DEPRECIATION ON NON-CURRENT ASSETS**

Depreciation expense raised on all classes of assets.

**INTEREST EXPENSES**

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

**OTHER EXPENDITURE**

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

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**BY NATURE OR TYPE**

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	2(c)	1,551,592	1,551,592	<b>1,547,437</b>	(4,155)	(0%)	
<b>Revenue from operating activities</b>							
Rates	5	6,125,764	6,125,096	<b>6,124,764</b>	(332)	(0%)	
Operating grants, subsidies and contributions	8	586,301	126,092	<b>129,780</b>	3,688	3%	
Fees and charges		1,494,206	720,656	<b>693,645</b>	(27,011)	(4%)	
Interest earnings		35,111	12,752	<b>16,756</b>	4,004	31%	
Other revenue		53,250	17,500	<b>26,191</b>	8,691	50%	
Profit on disposal of assets	6	14,700	4,900	<b>176</b>	(4,724)	(96%)	
		<b>8,309,332</b>	<b>7,006,996</b>	<b>6,991,312</b>	(15,684)		
<b>Expenditure from operating activities</b>							
Employee costs		(3,339,754)	(1,119,185)	<b>(1,154,945)</b>	(35,760)	(3%)	
Materials and contracts		(2,879,521)	(803,895)	<b>(693,620)</b>	110,275	14%	▲
Utility charges		(360,005)	(120,000)	<b>(126,780)</b>	(6,780)	(6%)	
Depreciation on non-current assets		(2,799,320)	(933,096)	<b>0</b>	933,096	100%	▲
Interest expenses		(67,819)	(12,681)	<b>(12,681)</b>	0	0%	
Insurance expenses		(212,345)	(212,744)	<b>(215,322)</b>	(2,578)	(1%)	
Other expenditure		(28,150)	(9,386)	<b>(3,824)</b>	5,562	59%	
Loss on disposal of assets	6	(10,790)	(3,596)	<b>0</b>	3,596	100%	
		<b>(9,697,704)</b>	<b>(3,214,583)</b>	<b>(2,207,172)</b>	1,007,411		
Non-cash amounts excluded from operating activities	2(a)	2,795,410	931,792	<b>(176)</b>	(931,968)	(100%)	▼
<b>Amount attributable to operating activities</b>		<b>1,407,038</b>	<b>4,724,205</b>	<b>4,783,964</b>	59,759		
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions	8	1,891,613	80,000	<b>182,247</b>	102,247	128%	▲
Proceeds from disposal of assets	6	67,000	0	<b>176</b>	176	0%	
Payments for property, plant and equipment & infrastructure	6	(4,177,552)	(352,365)	<b>(450,633)</b>	(98,268)	(28%)	▼
		<b>(2,218,939)</b>	<b>(272,365)</b>	<b>(268,210)</b>	4,155		
<b>Financing Activities</b>							
Transfer from reserves	3	477,080	0	<b>0</b>	0	0%	
Repayment of debentures	7	(356,511)	(42,060)	<b>(42,060)</b>	(0)	(0%)	
Transfer to reserves	3	(860,260)	(2,000)	<b>(2,049)</b>	(49)	(2%)	
<b>Amount attributable to financing activities</b>		<b>(739,691)</b>	<b>(44,060)</b>	<b>(44,109)</b>	(49)		
<b>Closing funding surplus / (deficit)</b>	2(c)	<b>0</b>	<b>5,959,372</b>	<b>6,019,081</b>			

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 1 for an explanation of the reasons for the variance.

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



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 1  
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing / Permanent	Explanation of Variances
	\$	%		
<b>Revenue from operating activities</b>				
Rates	(332)	(0%)		
Operating grants, subsidies and contributions	3,688	3%		
Fees and charges	(27,011)	(4%)		
Service charges	0	0%		
Interest earnings	4,004	31%		
Other revenue	8,691	50%		
Profit on disposal of assets	(4,724)	(96%)		
<b>Expenditure from operating activities</b>				
Employee costs	(35,760)	(3%)		
Materials and contracts	110,275	14%	▲	Timing Expenditure to still be incurred in Road Maintenance area.
Utility charges	(6,780)	(6%)		
Depreciation on non-current assets	933,096	100%	▲	Timing Depreciation will commence after 21/22 Audit is complete.
Interest expenses	0	0%		
Insurance expenses	(2,578)	(1%)		
Other expenditure	5,562	59%		
Loss on disposal of assets	3,596	100%		
<b>Non-cash amounts excluded from operating activities.</b>	(931,968)	(100%)	▼	Timing Depreciation.
<b>Investing activities</b>				
Proceeds from non-operating grants & contributions	102,247	128%	▲	Permanent Main Road Bridge Funding held in Contract Liabilities. Funding and expenditure not included in Budget.
Proceeds from disposal of assets	176	0%		
Payments for property, plant and equipment & infrastructure	(98,268)	(28%)	▼	Permanent Main Road Bridge Program - Bridge 3806 Lower Hotham Rd - funds held in Contract Liabilities since 2018/2019. See corresponding funding variance.
<b>Financing activities</b>				
Transfer from reserves	0	0%		
Repayment of debentures	(0)	(0%)		
Transfer to reserves	(49)	(2%)		

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 2  
STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

**(a) Non-cash items excluded from operating activities**

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

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	5	(14,700)	(4,900)	(176)
Movement in pensioner deferred rates (non-current)		0	0	0
Add: Loss on asset disposals	5	10,790	3,596	0
Add: Depreciation on assets		2,799,320	933,096	0
<b>Total non-cash items excluded from operating activities</b>		<b>2,795,410</b>	<b>931,792</b>	<b>(176)</b>

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

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

		Last Year Closing 30 June 2022	This Time Last Year 31 October 2021	Year to Date 31 October 2022
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	2	(1,629,000)	(1,668,321)	(1,631,050)
Add: Borrowings	6	356,511	309,223	314,451
Add: Provisions - employee		0	0	0
<b>Total adjustments to net current assets</b>		<b>(1,272,489)</b>	<b>(1,359,098)</b>	<b>(1,316,599)</b>

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

**Current assets**

Cash and cash equivalents	2	6,328,549	4,000,471	10,265,821
Rates receivables	3	275,370	5,388,003	1,053,467
Receivables	3	160,699	129,886	140,775
Inventories		0	0	0
Other current assets	5	119,792	155,803	119,792
<b>Less: Current liabilities</b>				
Payables		(558,532)	(279,412)	(225,718)
Borrowings	7	(356,511)	(309,223)	(314,451)
Contract liabilities		(2,885,730)	(1,596,684)	(3,440,295)
Provisions		(263,711)	(260,498)	(263,711)
<b>Less: Total adjustments to net current assets</b>	2(b)	<b>(1,272,489)</b>	<b>(1,359,098)</b>	<b>(1,316,599)</b>
<b>Closing funding surplus / (deficit)</b>		<b>1,547,437</b>	<b>5,869,249</b>	<b>6,019,082</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022

OPERATING ACTIVITIES  
NOTE 3  
CASH AND FINANCIAL ASSETS

## CASH AND INVESTMENTS

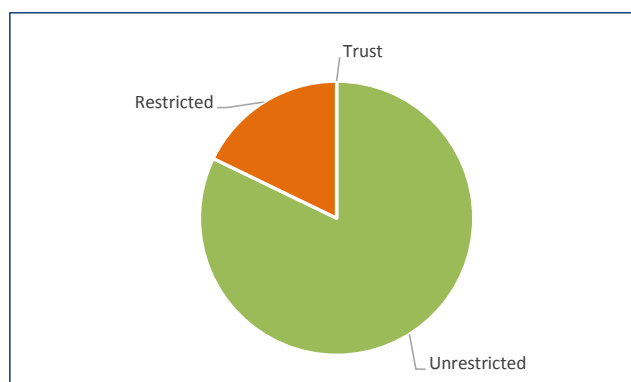
Description	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>Cash on hand</b>							
Petty Cash & Floats	400	0	400			0.00%	On Hand
<b>At Call Deposits</b>							
Municipal Funds	3,435,488	0	3,435,488		NAB		At Call
Reserve Funds	0	0	0		NAB		At Call
Bonds & Deposits	0	95,166	95,166		NAB		At Call
<b>Term Deposits &amp; Overnight Cash Deposits</b>							
OCDF Boddington Supertowns	0	103,718	103,718		Treasury	2.55%	Overnight
Reserve Funds	0	1,631,050	1,631,050		NAB	2.70%	12/01/23
Municipal Funds	5,000,000	0	5,000,000		NAB	2.70%	12/01/23
<b>Total</b>	<b>8,435,888</b>	<b>1,829,933</b>	<b>10,265,821</b>	<b>0</b>			

## KEY INFORMATION

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

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

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



Total Cash	Unrestricted
<b>\$10.27 M</b>	<b>\$8.44 M</b>

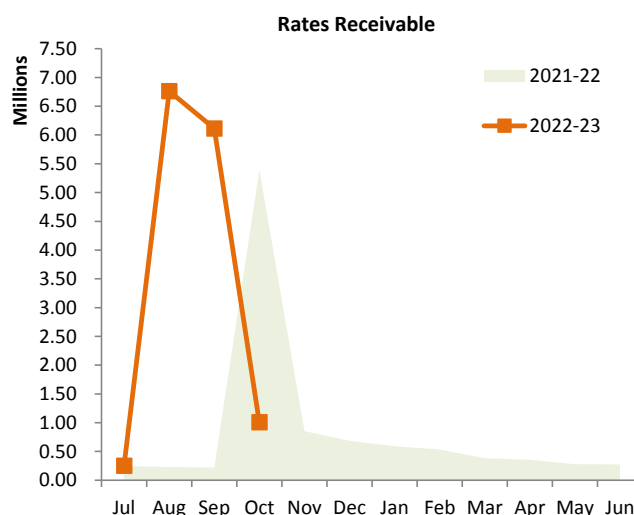
## CASH BACKED RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant Reserve	221,394	1,107	0	50,000	279	0	0	272,501	221,673
Building Reserve	97,221	486	0	200,000	122	0	0	297,707	97,343
Community Facility Fund	40,649	203	0	40,000	51	0	0	80,852	40,700
Refuse Site Reserve	39,510	198	0	40,000	50	0	0	79,708	39,560
Aged Housing Reserve	267,197	1,336	0	40,000	336	(100,000)	0	208,533	267,533
Swimming Pool Reserve	21,026	105	0	200,000	27	0	0	221,131	21,053
River Crossing Reserve	47,692	238	0	40,000	60	0	0	87,930	47,752
Prepaid Conditional Grants Reserve	199,759	0	0	0	251	0	0	199,759	200,010
Unspent Conditional Grants Reserve	377,080	0	0	0	474	(377,080)	0	0	377,554
Public Open Space Reserve	267,473	1,337	0	45,000	337	0	0	313,810	267,810
Town Weir Reserve	50,000	250	0	200,000	62	0	0	250,250	50,062
	1,629,001	5,260	0	855,000	2,049	(477,080)	0	2,012,181	1,631,050

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**OPERATING ACTIVITIES  
NOTE 4  
RECEIVABLES**

Rates receivable	30 Jun 2022	31 Oct 2022
	\$	\$
Opening arrears previous years	253,668	275,370
RATES - levied this year	5,227,323	6,125,764
RUBBISH - levied this year	253,247	279,852
ESL - levied this year	107,448	111,135
<b>TOTAL levied this year</b>	<b>5,588,018</b>	<b>6,516,751</b>
Less - collections to date	(5,566,316)	(5,738,654)
<b>Equals current outstanding</b>	<b>275,370</b>	<b>1,053,467</b>
<b>Net rates collectable</b>	<b>275,370</b>	<b>1,053,467</b>
% Collected	95.3%	84.5%



Receivables - general	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - general	673	40	5,301	60,174	66,187
Percentage	1%	0.1%	8%	90.9%	
<b>Balance per trial balance</b>					
Sundry receivable					66,187
GST receivable					53,757
Increase in Allowance for impairment of receivables from contracts with customers					(4,070)
Receivables for employee related provisions					23,926
Accrued Income					119,792
Loan Clay Target Club					975
<b>Total receivables general outstanding</b>					<b>260,567</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

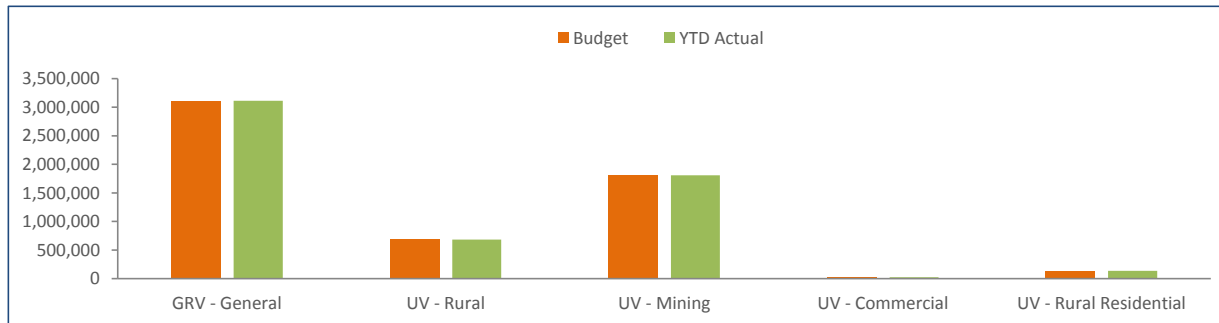
**OPERATING ACTIVITIES  
NOTE 5  
RATE REVENUE**

**General rate revenue**

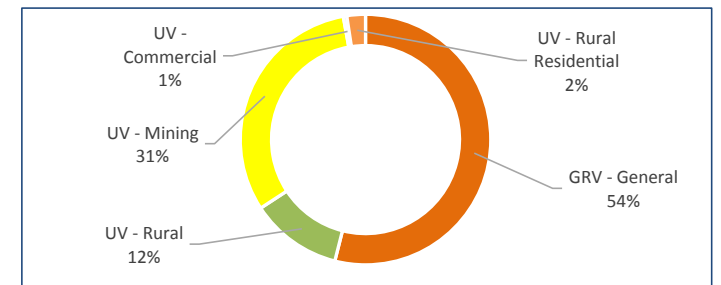
RATE TYPE				Budget			YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue \$	Interim Rate \$	Total Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$
<b>Gross rental value</b>										
GRV - General	0.111213	503	27,988,941	3,112,734	500	3,113,234	3,113,234	0	0	3,113,234
<b>Unimproved value</b>										
UV - Rural	0.006196	127	110,247,000	683,090	500	683,590	683,590		0	683,590
UV - Mining	0.035258	49	51,338,414	1,810,090	0	1,810,090	1,810,090	0	0	1,810,090
UV - Commercial	0.025432	2	1,013,000	25,763	0	25,763	25,763		0	25,763
UV - Rural Residential	0.010326	131	13,411,500	138,487	0	138,487	138,487	0	0	138,487
<b>Sub-Total</b>		<b>812</b>	<b>203,998,855</b>	<b>5,770,164</b>	<b>1,000</b>	<b>5,771,164</b>	<b>5,771,164</b>	<b>0</b>	<b>0</b>	<b>5,771,164</b>
<b>Minimum payment</b>	<b>Minimum \$</b>									
<b>Gross rental value</b>										
GRV - General	900	132	251,571	118,800	0	118,800	118,800	0	0	118,800
<b>Unimproved value</b>										
UV - Rural	900	98	10,666,000	88,200	0	88,200	88,200	0	0	88,200
UV - Mining	900	42	176,928	37,800	0	37,800	37,800	0	0	37,800
UV - Commercial	900	0	0	0	0	0	0	0	0	0
UV - Rural Residential	900	122	9,160,000	109,800	0	109,800	109,800	0	0	109,800
<b>Sub-total</b>		<b>394</b>	<b>20,254,499</b>	<b>354,600</b>	<b>0</b>	<b>354,600</b>	<b>354,600</b>	<b>0</b>	<b>0</b>	<b>354,600</b>
<b>Amount from general rates</b>						<b>6,125,764</b>				<b>6,125,764</b>

**KEY INFORMATION**

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



General Rates	
Budget	Actual
<b>\$6.13 M</b>	<b>\$6.13 M</b>



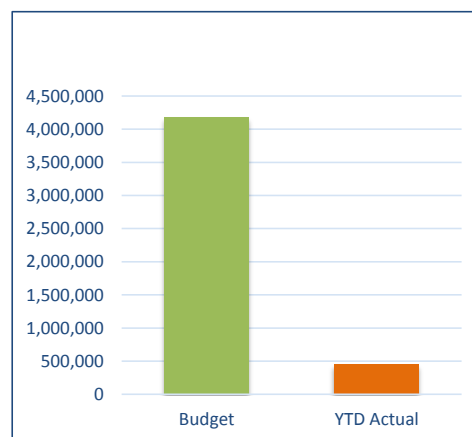
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Furniture and Equipment	141,668	35,300	37,651	2,351
Land and Buildings	523,894	6,165	6,164	(1)
Plant and Equipment	442,233	78,900	77,884	(1,016)
Road Infrastructure	1,354,717	7,000	105,000	98,000
Footpath Infrastructure	385,000	0	0	0
Drainage Bridges Culverts	110,000	0	0	0
Infrastructure - Parks, Gardens, Recreation Facilities	1,220,040	225,000	223,935	(1,065)
<b>Total Capital Acquisitions</b>	<b>4,177,552</b>	<b>352,365</b>	<b>450,633</b>	<b>98,268</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	1,891,613	80,000	182,247	102,247
Borrowings	0	0	0	0
Other (disposals & C/Fwd)	67,000	0	176	176
Cash backed reserves				
Plant Reserve	279	0	0	0
Building Reserve	122	0	0	0
Community Facility Fund	51	0	51	51
Refuse Site Reserve	50	0	0	0
Aged Housing Reserve	100,000	0	0	0
Swimming Pool Reserve	27	0	0	0
River Crossing Reserve	60	0	0	0
Prepaid Conditional Grants Reserve	251	0	0	0
Unspent Conditional Grants Reserve	474	0	0	0
Public Open Space Reserve	337	0	0	0
Town Weir Reserve	62	0	0	0
Contribution - operations	2,117,226	272,365	268,159	(4,206)
<b>Capital funding total</b>	<b>4,177,552</b>	<b>352,365</b>	<b>450,633</b>	<b>98,268</b>

**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$4.18 M</b>	<b>\$0.45 M</b>	<b>11%</b>

Capital Grants	Annual Budget	YTD Actual	% Received
	<b>\$1.89 M</b>	<b>\$0.18 M</b>	<b>10%</b>

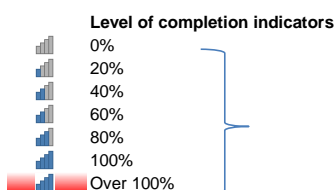
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS (CONTINUED)

## Capital Disposals

Asset description	Amended Budget			YTD Actual		
	Net Book Value	Proceeds	Profit / (Loss)	Net Book Value	Proceeds	Profit / (Loss)
P17 - Road Broom Sewell	0	0	0	0	176	0
1971 Toyota Landcruiser	2,000	12,000	10,000	0	0	0
2017 Ford Ranger	10,300	15,000	4,700	0	0	0
2012 Isuzu Truck	16,045	10,000	(6,045)	0	0	0
Mitsubishi Fuso Truck	34,745	30,000	(4,745)	0	0	0
	<b>63,090</b>	<b>67,000</b>	<b>3,910</b>	<b>0</b>	<b>176</b>	<b>0</b>

## Capital Acquisitions
























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

Account Description	Current Budget	YTD Budget	YTD Actual	Variance Under/(Over)
IT Equipment - New Server	25,000	0	0	(0)
Councillor Tablets	14,000	14,000	16,587	(2,587)
Printer Replacement	10,368	0	0	0
Laptop replacements	16,000	16,000	18,179	(2,179)
PC replacements (other)	11,000	0	0	0
IT replacements ELC (3iPads + iMac)	5,000	0	0	0
Ice Machine for Depot	5,300	5,300	2,885	2,415
CCTV Upgrades	15,000	0	0	0
Electronic Sign Board	35,000	0	0	0
Library Shelving	5,000	0	0	0
<b>Total Furniture &amp; Equipment</b>	<b>141,668</b>	<b>35,300</b>	<b>37,651</b>	<b>(2,351)</b>
Building Asset Renewal Program	163,894	6,165	6,164	1
Upgrade Medical Centre Security	10,000	0	0	0
Upgrade to Pavilion to accommodate Gym	200,000	0	0	0
Crib Room for Depot	150,000	0	0	0
<b>Total Land &amp; Buildings</b>	<b>523,894</b>	<b>6,165</b>	<b>6,164</b>	<b>1</b>
New Plant Float	50,158	45,000	45,034	(34)
Truck Modifications to Tow Plant Float	14,875	6,900	6,871	29
New Mower	51,200	0	0	0
Replace utility	30,000	0	0	0
Replace utility	39,000	0	0	0
4.5 Tonne Tipper	50,000	0	0	0
6 Tonne Truck	150,000	0	0	0
Slip on Unit for Ranger Vehicle	20,000	0	0	0
Remote Traffic Lights	27,000	27,000	25,979	1,021
Minor Equipment	10,000	0	0	0
<b>Total Plant &amp; Equipment</b>	<b>442,233</b>	<b>78,900</b>	<b>77,884</b>	<b>1,016</b>
RTR - Johnstone St - Reseal	52,800	0	0	0
RTR - Hill St - Reseal	28,800	0	0	0
RTR - Hotham Ave - Reseal	19,800	0	0	0
RTR - George Street - Reseal	25,080	0	0	0
RTR - River Rd/Forrest St Intersection Upgrade	37,341	2,000	2,000	0
RRG - Crossman Rd - Surface treatment & Reseal	219,000	2,500	2,500	0
RRG - Harvey Quindanning Rd - improve geometry widen	555,000	2,500	2,500	0
RRG - Lower Hotham Rd (Carry over 2021/2022)	169,396	0	0	0
RRG - Lower Hotham Rd - Reseal, shoulders, drainage	247,500	0	0	0
Main Roads Bridge Program	0	0	98,000	(98,000)
<b>Total Road Infrastructure</b>	<b>1,354,717</b>	<b>7,000</b>	<b>105,000</b>	<b>(98,000)</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS (CONTINUED)

## Capital Acquisitions (continued)

Account Description	Current Budget	YTD Budget	YTD Actual	Variance Under/(Over)
 Footpath renewal program	100,000	0	0	0
 Club Drive, Hadea Rd and Adam Street (east side)	65,000	0	0	0
 Mountain Bike Trail	220,000	0	0	0
<b>Total Footpath Infrastructure</b>	<b>385,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
 Kerbing - Town Roads	10,000	0	0	0
 Drainage Implementation	100,000	0	0	0
<b>Total Drainage/Bridges &amp; Culverts</b>	<b>110,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
 Hotham Park - Lighting	180,000	160,000	154,416	5,584
 Ranford Playground	46,248	40,000	40,134	(134)
 Shade Over Hotham Park	100,000	0	0	0
 Playground - Toddlers & Small Children	100,000	0	2,215	(2,215)
 Bicycle Rack - Hotham Park	10,000	0	0	0
 Playground - Early Learning Centre	70,000	0	0	0
 Town Centre Master Plan	141,192	0	0	0
 Regional Destination Signage	80,000	0	0	0
 Upgrade Interpretive Centre	100,000	0	0	0
 Community Club - Playground	118,600	25,000	25,000	0
 Install Bore - Hotham Park	50,000	0	0	0
 Resurface Bowling Green	141,000	0	0	0
 Niche Wall	8,000	0	0	0
 Ranford - Information Bay	50,000	0	247	(247)
 Boddington Sign - Albany Hwy	10,000	0	1,923	(1,923)
 Tennis Practice Wall	15,000	0	0	0
<b>Total Other Infrastructure</b>	<b>1,220,040</b>	<b>225,000</b>	<b>223,935</b>	<b>1,065</b>
<b>Grand Total</b>	<b>4,177,552</b>	<b>352,365</b>	<b>450,633</b>	<b>(98,268)</b>



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**FINANCING ACTIVITIES  
NOTE 7  
BORROWINGS**

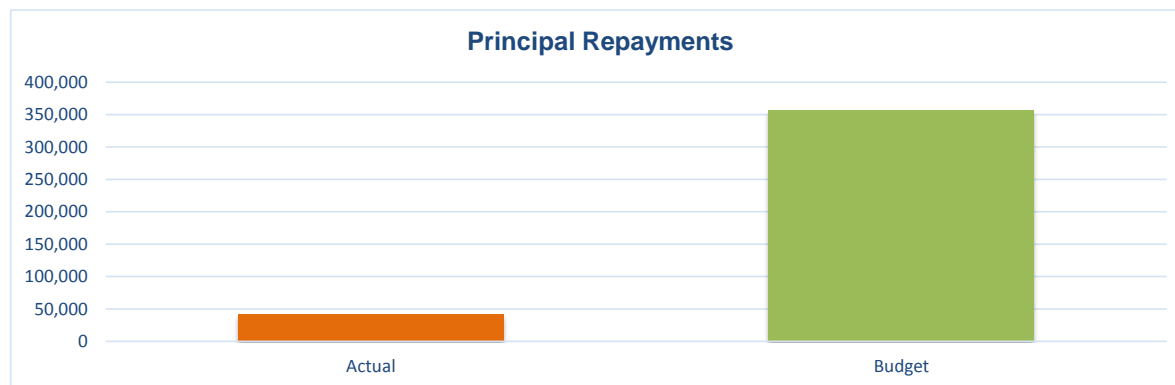
**Repayments - borrowings**

Information on borrowings Particulars	Loan No.	Interest %	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
				\$	\$	\$	\$	\$	\$	\$	\$
<b>Governance</b>											
Administration Centre	105	4.01%	292,375	0	0	0	142,705	292,375	149,670	0	10,206
<b>Education and welfare</b>											
Childcare Centre	100	6.42%	84,619	0	0	9,345	18,989	75,274	65,630	2,687	5,075
<b>Housing</b>											
3 Pecan Place	94	6.45%	164,128	0	0	0	16,256	164,128	147,872	0	10,328
34 Hill Street	97	6.45%	166,448	0	0	0	16,486	166,448	149,962	0	10,474
<b>Recreation and culture</b>											
Recreation Centre	106	3.36%	596,762	0	0	32,716	65,981	564,046	530,781	9,994	19,438
Recreation Centre	107	1.56%	812,235	0	0	0	96,094	812,235	716,141	0	12,298
<b>Total</b>			<b>2,116,567</b>	<b>0</b>	<b>0</b>	<b>42,060</b>	<b>356,511</b>	<b>2,074,507</b>	<b>1,760,056</b>	<b>12,681</b>	<b>67,819</b>
Current borrowings			356,511					314,451			
Non-current borrowings			1,760,056					1,760,056			
			<b>2,116,567</b>					<b>2,074,507</b>			

All debenture repayments were financed by general purpose revenue.

**KEY INFORMATION**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



**Principal Repayments**  
**\$42,060**

**Interest Earned**  
**\$16,756**

**Interest Expense**  
**\$12,681**

**Reserves Balance**  
**\$1,631,050**

**Loans Due**  
**\$2,074,507**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022

NOTE 8  
GRANTS & CONTRIBUTIONS

Provider	Unspent grants, subsidies and contributions liability				Grants, subsidies & contribution revenue					
	Liability	Increase	Decrease	Liability	YTD	Adopted	Budget	Expected	YTD	
	1 Jul 22	in Liability	in Liability	31 Oct 22	Budget	Budget	Variations		Revenue	
	\$	\$	(As revenue)	\$	\$	\$	\$	\$	\$	
<b>Operating grants, subsidies and contributions</b>										
<b>Governance</b>										
Employee Contributions	0	0	0	0	0	0	0	0	0	0
<b>General purpose funding</b>										
Federal Assistance Grant - General Purpose	0	0	0	0	6,510	26,038	0	26,038	5,396	
Federal Assistance Grant - Local Roads	0	0	0	0	9,070	36,280	0	36,280	13,065	
<b>Law, order, public safety</b>										
DFES - Fire Brigade Operating Grant	0	0	0	0	28,235	56,470	0	56,470	31,895	
DFES - SES Operating Grant	0	0	0	0	15,225	30,450	0	30,450	15,225	
Abandoned Vehicles	0	0	0	0	168	500	0	500	0	
<b>Education and welfare</b>										
Newmont - Community Investment Funding	0	0	0	0	0	45,000	0	45,000	0	
Seniors - Living Stronger/Longer	0	0	0	0	832	2,500	0	2,500	2,209	
Youth Centre Grants	0	0	0	0	668	2,000	0	2,000	0	
Wheatbelt Suicide Prevention Project	0	0	0	0	5,000	5,000	0	5,000	0	
<b>Recreation and culture</b>										
South 32 - Events Contribution	0	0	0	0	0	25,000	0	25,000	0	
Mountain Bike Trail Funding	114,732	0	0	114,732	0	114,732	0	114,732	0	
Library Childrens Week Grant	0	0	0	0	0	0	0	0	0	
Better Beginnings Grant	0	0	0	0	0	0	0	0	0	
Thank a Volunteer	0	0	0	0	0	2,000	0	2,000	1,650	
Australia Day Grant	0	0	0	0	0	0	0	0	0	
<b>Transport</b>										
Main Roads - Direct Road Grant	0	0	0	0	58,091	58,091	0	58,091	59,341	
Road Safety Alliance	130,416	0	0	130,416	0	98,615	0	98,615	0	
<b>Economic services</b>										
Contributions Area Promotion & Tourism	0	0	0	0	668	2,000	0	2,000	0	
Caravan Park Funding	30,000	0	0	30,000	0	30,000	0	30,000	0	
South 32 Cultural Centre	2,000,000	0	0	2,000,000	0	50,000	0	50,000	0	
Visitor Centre Café - Contibution Shelving	0	0	0	0	1,625	1,625	0	1,625	0	
	<b>2,275,148</b>	<b>0</b>	<b>0</b>	<b>2,275,148</b>	<b>126,092</b>	<b>586,301</b>	<b>0</b>	<b>586,301</b>	<b>128,780</b>	
<b>Non-operating contributions</b>										
<b>General purpose funding</b>										
LRCI - Town Centre Master Plan	0	138,108	0	138,108	0	141,192	0	141,192	84,304	
LRCI - Shade over Hotham Park	0	75,000	0	75,000	0	100,000	0	100,000	0	
LRCI - Playground Toddlers & Small Children	0	75,000	0	75,000	0	100,000	0	100,000	0	
<b>Community Amenities</b>										
Hotham Park Lighting - South 32	40,000	0	0	40,000	80,000	40,000	0	40,000	0	
Hotham Park Lighting - Newmont	40,000	0	0	40,000	0	40,000	0	40,000	0	
<b>Recreation and culture</b>										
Community Gym	0	0	0	0	0	100,000	0	100,000	0	
Mountain Bike Funding	0	0	0	0	0	200,000	0	200,000	0	
Community Club - Playground	0	0	0	0	0	93,600	0	93,600	0	
Bowling Club - Resurface Bowling Green	0	0	0	0	0	94,000	0	94,000	0	
Peel Devt. Comm - Rail Trail Grant	13,414	0	0	13,414				0		
<b>Transport</b>										
LRCI Phase 2 - Footpaths & Lighting	0	0	0	0	0	0	0	0	0	
Roads to Recovery Funding	17,225	0	0	17,225	0	163,821	0	163,821	0	
Regional Road Group Funding	0	364,400	0	364,400	0	819,000	0	819,000	0	
Special Bridge Funding	499,943	0	(97,943)	402,000	0	0	0	0	97,943	
	<b>610,582</b>	<b>652,508</b>	<b>(97,943)</b>	<b>1,165,147</b>	<b>80,000</b>	<b>1,891,613</b>	<b>0</b>	<b>1,891,613</b>	<b>182,247</b>	
<b>TOTALS</b>	<b>2,885,730</b>	<b>652,508</b>	<b>(97,943)</b>	<b>3,440,295</b>	<b>206,092</b>	<b>2,477,914</b>	<b>0</b>	<b>2,477,914</b>	<b>311,027</b>	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 9  
BUDGET AMENDMENTS**

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	<b>Budget adoption</b>		Closing Surplus	\$	\$	\$	\$
							0
3121002	Townstreet Master Plan	110/22	Operating Expenses			(55,000)	(55,000)
8011491	Public Open Space Reserve	110/22	Capital Revenue		55,000		0
				<b>0</b>	<b>55,000</b>	<b>(55,000)</b>	<b>0</b>

## 9.4 COMMUNITY AND ECONOMIC DEVELOPMENT

### 9.4.1 Extended Trading Hours

File Reference:

Applicant: N/A

Disclosure of Interest: N/A

Author: Coordinator Community and Economic Development

Attachments: 9.4.1A Extended Trading Hours Engagement Report  
9.4.1B Peel Chamber of Commerce and Industry - Letter of Support  
9.4.1C Mia Davies MLA - Letter of Support

#### Summary

Council is requested to support a proposal to extend trading hours for general retail shops following a period of public consultation and industry liaison.

#### Background

At its Ordinary Meeting in February 2022, Council endorsed in-principle support for extending trading hours for general retail shops within the Shire of Boddington. Support was also endorsed for undertaking community consultation on the following proposal, with the results to be referred back to Council for consideration:

*To write to the Department of Mines, Industry Regulation and Safety requesting permission for retail shops in the Shire of Boddington to be able to permanently trade on the following additional days and hours:*

- *Sundays and Public Holidays between the hours of 8am and 5pm; and*
- *Weekdays until 9pm.*

Retail trading hours provide times when retailers in Western Australia can open for business. All shops are regarded as general retail shops unless they fall under any one of the other categories including: small retail shops, special retail shops, filling - service stations or motor vehicle shops. In some instances the type of business determines the hours in which the business can be open to customers. For example:

- Small retail shops can trade 24 hours a day, every day of the year.
- Special retail shops are considered necessary for emergency, convenience or recreation goods. Shops in this category can trade between 6.00am to 11:30pm every day of the year.

Currently there are retail businesses within Boddington which don't fit either of these two categories, so they are classified as a general retail shop. The current trading hours for a general retail shop is as follows:

- Monday, Tuesday, Wednesday and Friday 8am – 6pm
- Thursday 8am – 9pm
- Saturday 8am – 5pm
- Sunday Closed

Local Government Authorities outside the Perth Metropolitan Area can apply to the Department of Mines, Industry Regulation and Safety - Consumer Protection Division (DMIRS), to extend the trading hours for general retail shops in their district beyond those stipulated in the Act.

Consumer Protection requires a local government to consult with the community to demonstrate there is general support for a permanent change to Sunday or late night trading hours. If approved, individual retailers will retain the right to choose whether to open on Sundays or later at night (to 9pm on weeknights) or not.

At present, general retail shops within the Shire of Boddington are authorised to open as follows:

- 8am – 6pm on Monday, Tuesday, Wednesday and Friday
- 8am – 9pm on Thursday
- 8am – 5pm on Saturday

### Comment

Earlier in 2022 the Shire Administration facilitated a survey to determine the level of community support for permanently extended retail trading hours for general stores based within the Shire of Boddington. This was the first time the Shire Administration had undertaken targeted consultation to understand the retail needs and expectations of residents, as well as measure the extent of economic leakage taking place to nearby retail centres such as Armadale, Pinjarra and Narrogin. While primarily the survey results clarify the preferences in extending trading hours, the body of knowledge generated will also be useful to inform the Shire's economic development projects and programs outlined in the 2022-32 Council Plan.

Key findings of the survey revealed:

- The majority of respondents (87.5%) were found to support extending trading hours to enable general retail shops to have the choice to open on Sundays and Public Holidays between the hours of 8am and 5pm, as well as weekdays until 9pm.
- Half of respondents (50%) conduct a quarter of their current shopping within Boddington, while a little over 40% of respondents conduct half of their shopping within Boddington. Should extended trading hours be approved both these metrics are set to reduce to 28% and 32% respectively.
- A small portion of respondents (8%) conduct 75% of their current shopping within Boddington, but this is set to increase to 22% of respondents should extended trading hours be approved.
- Respondents who currently shop 2-3 times per week (18%), once per week (34%) or once in two weeks (37%) are set to decrease their frequency of shopping outside of Boddington (9%, 31% and 24% respectively), should extended trading hours be approved.
- Respondents were found to increase their monthly shop outside of Boddington from 6% to 16% should extended trading hours be approved, however factoring the aforementioned point, this indicates there is a larger gap between shopping outside of Boddington.
- While 65% of respondents would not change their online purchasing behaviour should extended trading hours be approved, it was found 25% of respondents would reduce their online purchases by 25% and 50% of respondents would reduce their online purchases by 10%.
- 1 in 3 respondents indicated the current retail hours is the primary motivator for shopping outside of Boddington, however product availability (87%) and price (67%) carry greater significance.
- Items driving the need to shop outside of Boddington include clothing (100%), electrical goods (93%), groceries (91%), furniture (83%), cosmetics (52%), books or music (50%) and liquor (48%).

The Peel Chamber of Commerce and Industry, as well as the Office of Mia Davies MLA have been engaged and briefed on the outcomes of the survey, as part of the process set by Department of Mines, Industry Regulation and Safety. Based on the findings, both stakeholders are supportive of extending trading hours for general retail shops due to the notable reduction in economic leakage, minor reduction in online leakage, and enable greater support of local business.

It is also noteworthy to mention Boddington's nearby retail competitors already have approval from the Department of Mines, Industry Regulation and Safety for extending trading hours. Unrestricted trading is approved for the Pinjarra townsite within the Shire of Murray, and the Shire of Narrogin recently obtained approval for extended trading comprising late night shopping to 9pm on weeknights and Sundays and Public Holidays between 11am and 5pm. The Shires of York, Merredin and Narembeen are examples of other Wheatbelt communities that rival Boddington as a daytrip and weekend destination from Perth and already have approval for extended trading too. The Shire of Mingenew within the Mid West region also has approval for extended trading and is developing a renowned reputation as a destination for visitors 'wandering out yonder' in regional Western Australia.

If extended trading hours is approved for general retail shops, it is important to note that under the Retail Trading Hours Act 1987, it will remain an individual choice of the general retail shop to open within the specified hours or not. Taking this into account, the Shire Administration has recommended in support of weeknight hours to 9pm and Sunday and Public Holiday trading from 11am to 5pm, it has not however supported a broader opening up of retail trading hours to becoming deregulated. It is recognised that extending trading hours will enhance Boddington's liveability, character and attractiveness for aspiring residents from the Perth Metropolitan Area considering a 'tree change', as well as characterise Boddington as a community that is 'open for business'.

### Consultation

Consultation has occurred with residents, Peel Chamber of Commerce and Industry and Mia Davies MLA.

### Strategic Implications

Aspiration	Prosperity
Outcome	A thriving economy with good access to education and jobs for everyone.
Objective	Grow and diversify the economy and local job opportunities.

### Legislative Implications

Retail Trading Hours Act 1987

### Policy Implications

Nil

### Financial Implications

Nil

### Economic Implications

It is recognised that extending trading hours will enhance Boddington's liveability, character and attractiveness for aspiring residents from the Perth Metropolitan Area considering a 'tree change', as well as characterise Boddington as a community that is 'open for business'.

### Social Implications

Anecdotally extending trading hours may impact a resident's capacity to commit to sporting, volunteer or social activities, however individual businesses can manage rostering to consider the work-life balance needs of staff.

### Environmental Considerations

Nil.

### Risk Considerations

Risk Statement and Consequence	The primary risks in not progressing the proposal to extend trading hours will result in continued economic leakage, diminishing Boddington's liveability, as well as the localised impact incurred from failing to respond to community and retail business needs.
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	Nil

### Options

1. Provide support to extending trading hours for general retail shops in Boddington.
2. Determine extending trading hours for general retail shops is not in the best interest for Boddington and decline to progress to the Department of Mines, Industry Regulation and Safety.

### Voting Requirements

Simple Majority

### Officer Recommendation/Council Decision

**COUNCIL RESOLUTION: 130/22**

**Moved: Cr Webster**

**That Council authorise the Chief Executive Officer to write to the Department of Mines, Industry Regulation and Safety requesting permission for general retail shops in the Shire of Boddington to permanently be able to trade on the following additional days and hours if they so wish:**

- **Sundays and Public Holidays between the hours of 11am and 5pm; and**
- **Weekdays until 9pm (currently 6pm, bar Thursdays, which is already 9pm).**

**Seconded: Cr Lewis**

**Carried: 7/0**

# Extended Trading Hours Survey Results

## Summary

The Shire of Boddington undertook a survey with residents to understand local perceptions of extending trading hours for general retail shops in Boddington. In recent times there has also been the opportunity expressed to understand local purchasing behaviour, particularly the underlying needs and motivations to shop outside the Shire of Boddington. This Engagement Report provides a firm foundation by summarising the findings and consensus points of the survey to inform a Council decision.

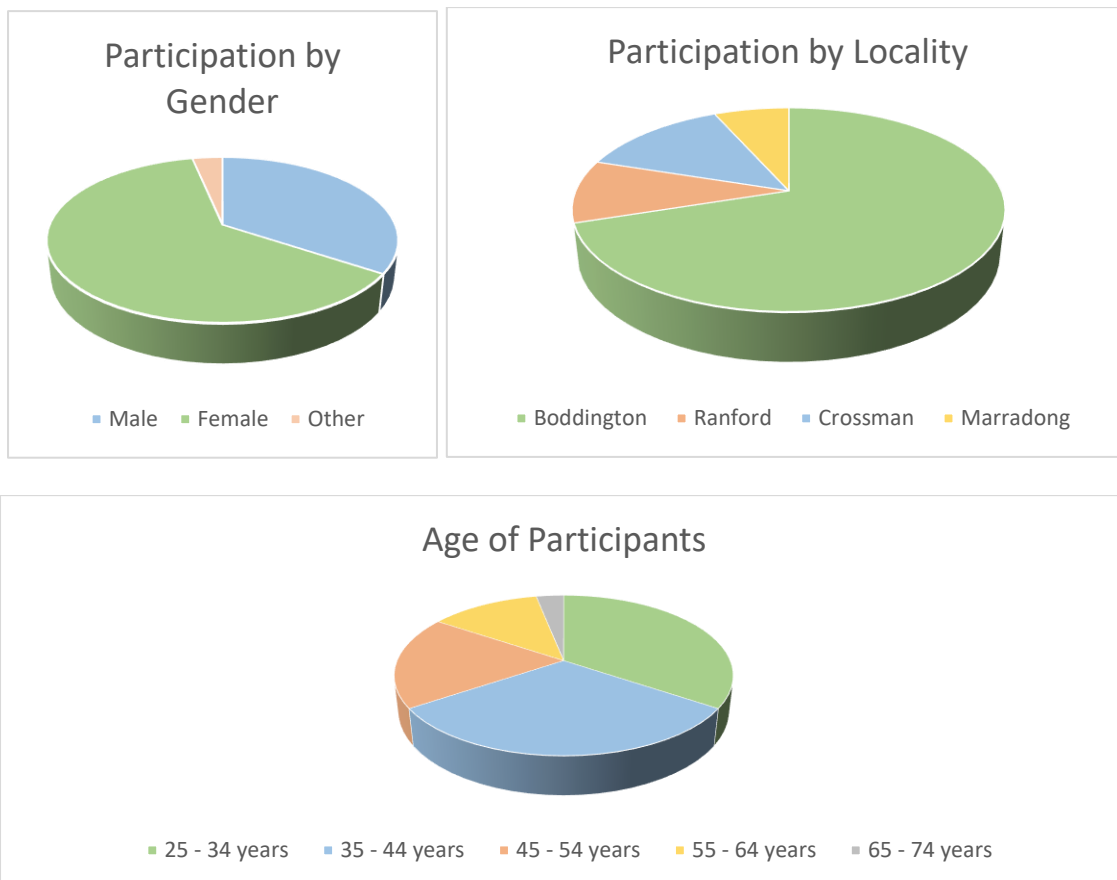
## Consultation Objectives

The objective of the consultation was to determine:

- The level of support for permanently extended retail trading hours for general stores in the Shire of Boddington
- The frequency of shopping outside the Shire of Boddington by residents
- The potential change in shopping behaviour by residents if extended hours occur
- The underlying need or motivation triggering residents to shop outside the Shire of Boddington

## Who Participated

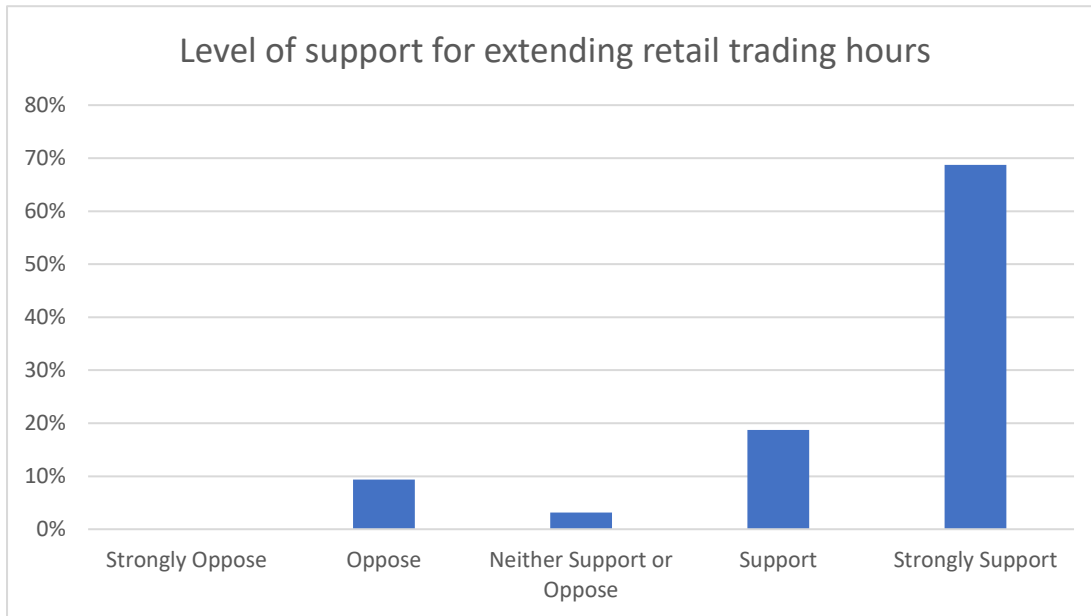
A representative group of residents participated in the survey.





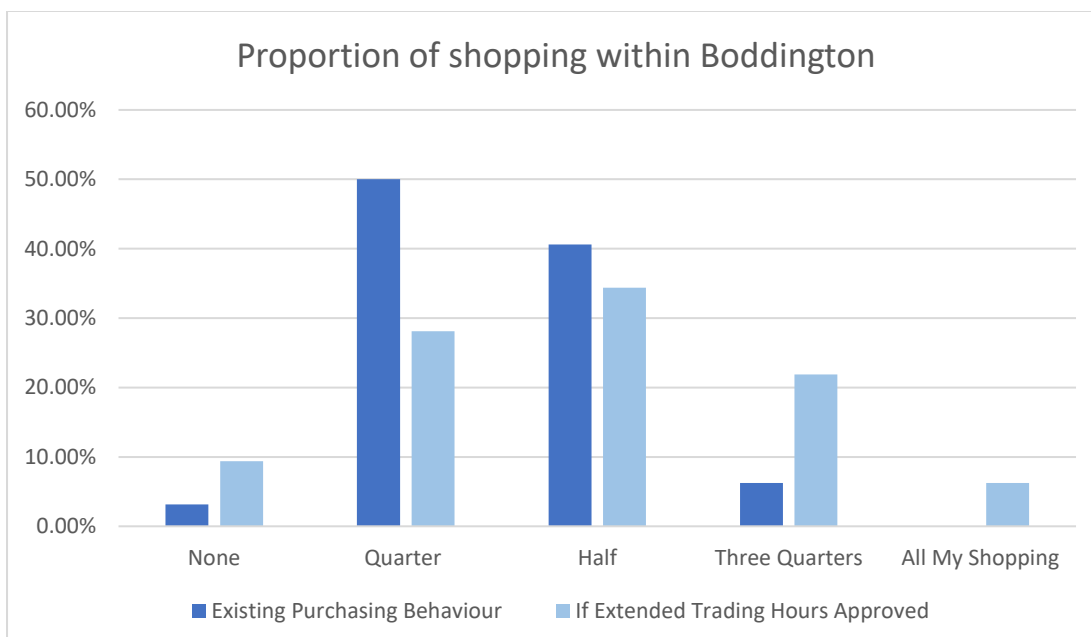
## Perceptions of Extended Trading Hours

The majority of Shire of Boddington residents support the permanent extension of the current retail trading hours.



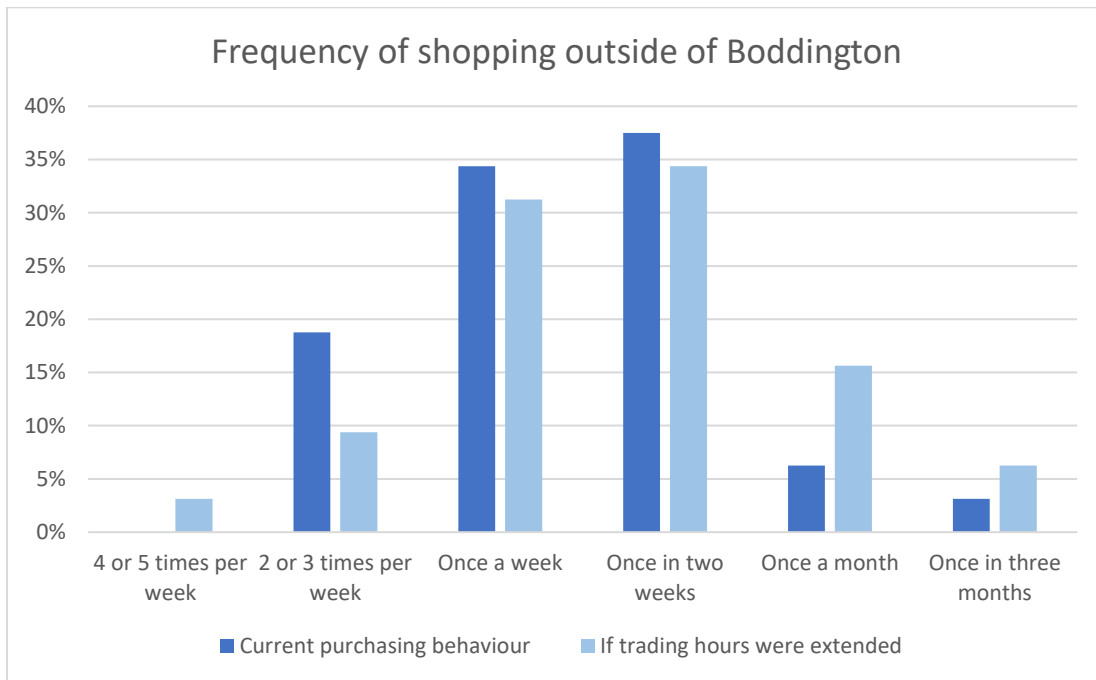
## Purchasing Behaviour

Half of respondents currently conduct a quarter of their shopping within Boddington, while a little over 40% of respondents conduct half of their shopping within Boddington. Should extended trading hours be approved both these metrics are set to reduce. Below 10% of respondents currently conduct three quarters of their shopping within Boddington, but this is set to increase to over 20% should extended trading hours be approved.

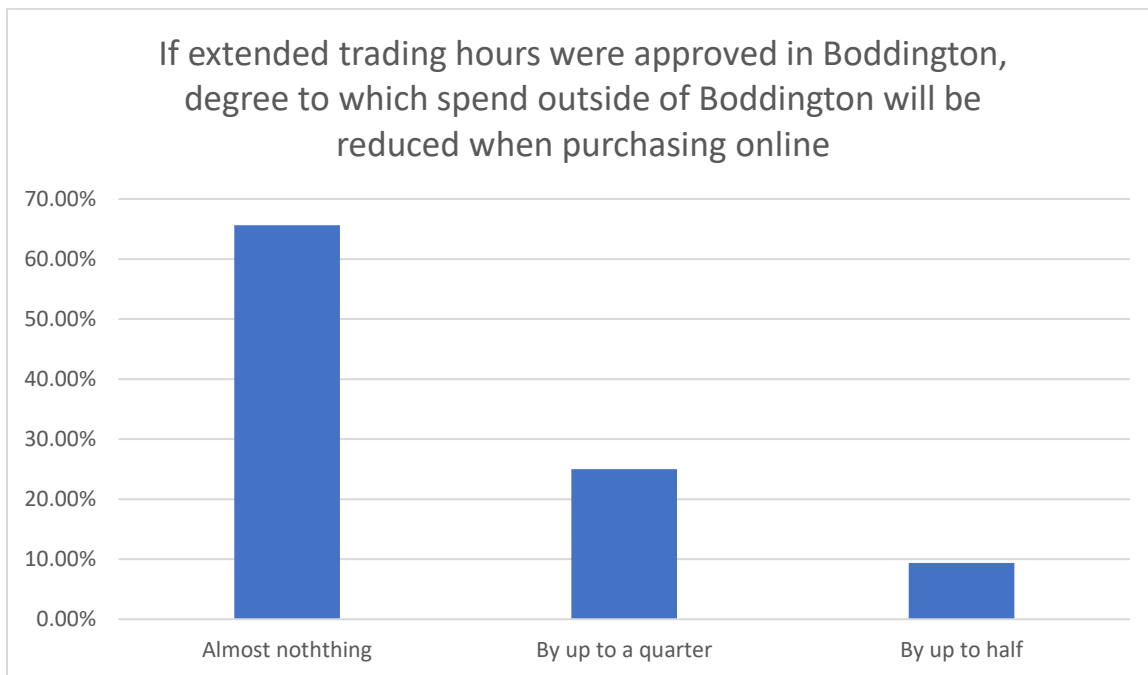


ATTACHMENT 9.4.1A

Respondents who shop 2-3 times per week, once per week or once in two weeks are set to decrease their frequency of shopping outside of Boddington, should extended trading hours be approved. This is further reinforced by an increase to a monthly frequency should extended trading hours be approved.

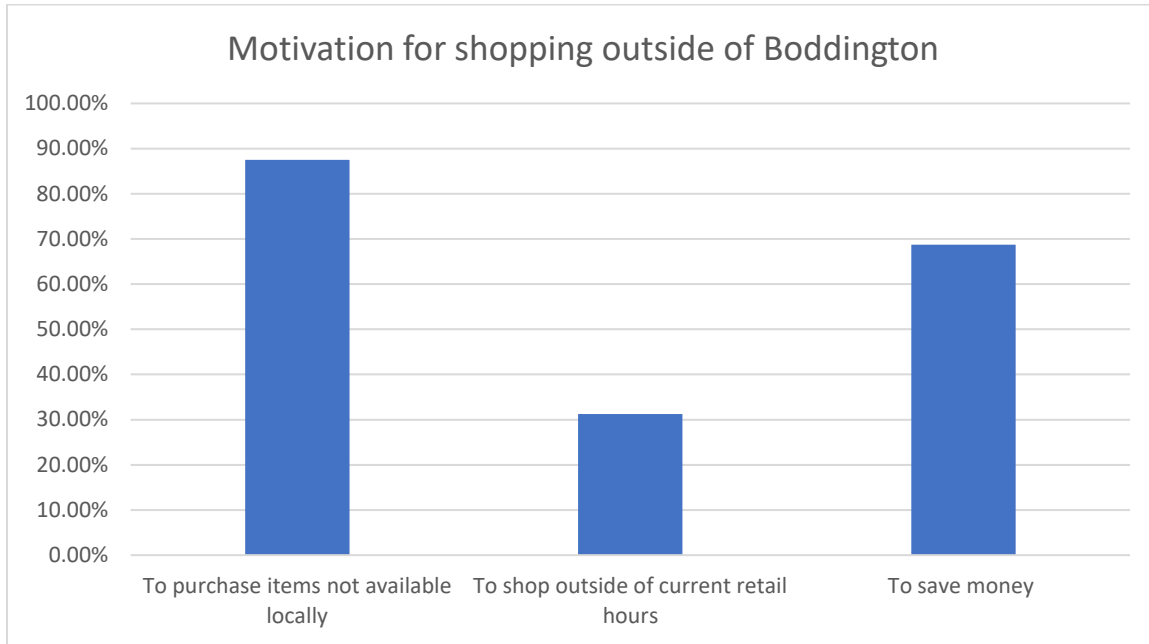


Extending trading hours will reduce online spending by 25% in 25% of responses, as well as by up to 10% in half of respondents. Up to 65% of respondents indicated their online purchasing behaviour would not change.

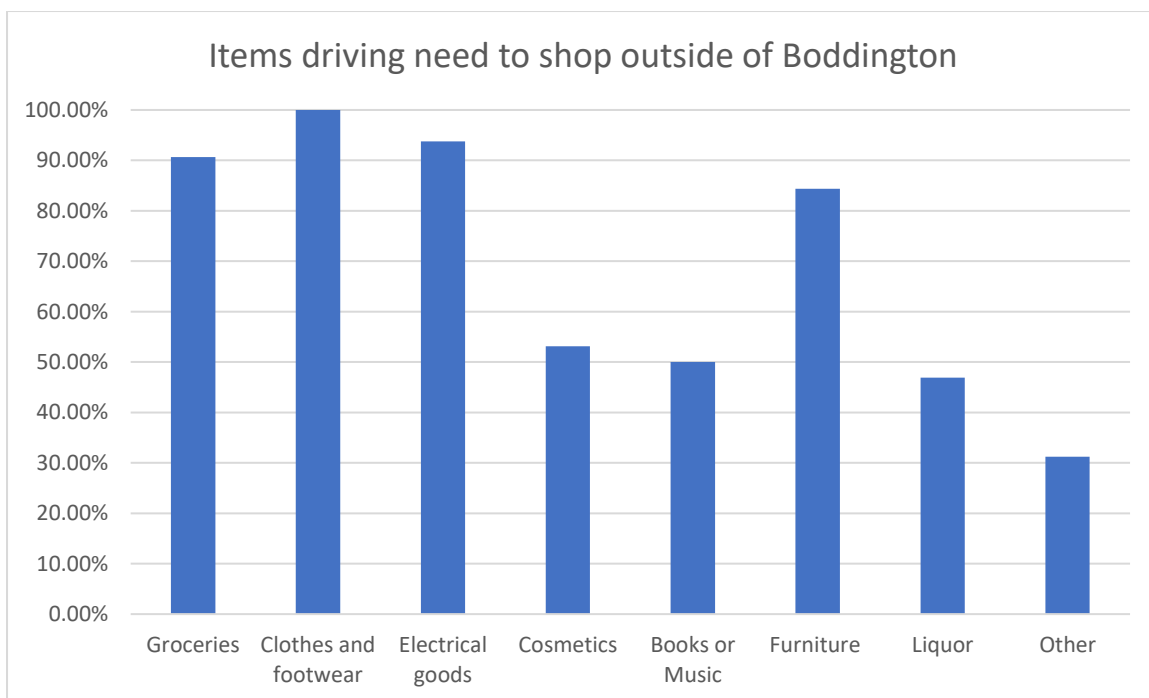


ATTACHMENT 9.4.1A

1 in 3 responded indicated the current retail hours is the primary motivator for shopping outside of Boddington, however product availability (87%) and price (67%) carry greater significance.



The feedback below indicates product availability as a primary driver underlining the need to shop outside of Boddington.





Att: Hon. Roger Cook MLA  
Deputy Premier; Minister for State Development,  
Jobs and Trade; Tourism; Commerce; Science  
13th Floor, Dumas House,  
2 Havelock Street,  
WEST PERTH WA 6005

Peel Chamber of Commerce & Industry  
Mandurah Transit Station Office  
Cnr Galgoyl Rd & Allnut St  
PO Box 574, Mandurah WA 6210  
E: manager@peelcci.com.au

2<sup>nd</sup> November 2022

Dear Deputy Premier,

On behalf of the Peel Chamber of Commerce and Industry Inc. I hereby acknowledge the Shire of Boddington in their endeavours to move to a deregulated retail trading hours model for general stores within the Shire of Boddington Local Government Area (LGA).

Peel Chamber can confirm the Shire of Boddington has undertaken an extensive consultation process seeking public comment and feedback from the community in relation to the proposed deregulation. It must also be noted that this endeavour has been spearheaded by local small business and supported by the community, resulting in a unified view.

The focus of Peel Chamber is always to protect and support regional business, and unlike in other areas where retail saturation has resulted in a negative competitive environment therefore requiring the Chamber to have a different position on this topic, the Shire of Boddington has limited general retail options and therefore harm to small and independent businesses resulting from such deregulation is marginal. Because of this factor, accompanied with the public consultation results, Peel Chamber is supportive.

Some key findings of this consultation and driving factors of this support are as follows:

- Of all survey participants, only 9% opposed the move to deregulation.
- Feedback indicates an increase to mid-week and weekly local shopping expenditure, therefore signalling commercial viability given the healthy competitive environment.
- Feedback also indicates a significant overall decrease to out of area expenditure
- Overall online purchasing behaviour is envisaged to remain unchanged however this is due to product diversity

Acknowledging the driving forces and circumstances behind such topics, the Peel Chamber has confidence in the due diligence conducted by the Shire of Boddington and applauds them for taking such a considered approach.

Please do not hesitate to contact me, personally, should you have any further queries.

Kind regards,

Andrew McKerrell  
**General Manager**  
**Peel Chamber of Commerce & Industry Inc.**

Peel Chamber sincerely acknowledges the significant support of our Platinum Partners

Premier Members



# Hon Mia Davies MLA

Member for Central Wheatbelt | Leader of The Nationals WA | Leader of The Opposition

To Whom It May Concern

## RETAIL TRADING HOURS: BODDINGTON

As per the requirements stipulated by Government for non-metropolitan Local Governments to apply to the Department of Mines, Industry Regulation and Safety (Consumer Protection Division) to extend the trading hours for local general retail shops beyond those allowed in the Retail Trading Hours Act 1987 I can confirm they have consulted me as the Local Member.

The Shire of Boddington wishes to move to extending retail trading hours for general stores within the Shire of Boddington Local Government Area and has undertaken a consultation process seeking public comment and feedback from the community in relation to the proposed extension.

The Nationals WA do not support the deregulation of trading hours – being of the view that this increases market share for the two major supermarket chains and puts pressure on suppliers and reduces choice of brands available for shoppers. I have expressed this to the Shire as part of the consultation process.

In the case of Boddington, there are limited general retail options and therefore harm to small and independent businesses resulting from extending trading hours will be minimal. Because of this factor, accompanied with the public consultation results, I do not object to the request.

Yours sincerely



HON MIA DAVIES MLA

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**9.5. WORKS AND SERVICES**

Nil

**10. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN**

Nil

**11. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING**

**12. CONFIDENTIAL ITEMS**

**13. CLOSURE OF MEETING**

There being no further business, Cr Garry Ventris, Shire President, declared the meeting closed at 5:50pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting on 15 December 2022

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GARRY VENTRIS  
(Shire President)