



*'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'*

## AGENDA

For The  
Ordinary Meeting of Council  
To Be Held At

21 October 2021

At 5:30pm

Council Chambers  
39 Bannister Rd, Boddington

# DISCLAIMER

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

In particular and with derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Boddington during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Boddington. The Shire of Boddington warns that anyone who has an application lodged with the Shire of Boddington must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Boddington in respect of the application.

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1.        DECLARATION OF OPENING:

I would like to begin by acknowledging the Traditional Owners of the land on which we meet today. I would also like to pay my respects to Elders past and present.

1.1       ELECTION AND DECLARATION OF THE SHIRE PRESIDENT  
& DEPUTY SHIRE PRESIDENT

1.2       ALLOTMENT OF COUNCILLOR SEATS

## 2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1	Attendance
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2.1.2	Apologies
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Nil

2.1.3	Leave of Absence
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Nil

## 3. DISCLOSURE OF FINANCIAL INTEREST:

Nil

## 4. PUBLIC QUESTION TIME:

### 4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

### 4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

### 4.3 PUBLIC QUESTIONS FROM THE GALLERY:

Nil

## 5. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

Nil

## 6. CONFIRMATION OF MINUTES:

6.1.1	Ordinary Meeting of Council held on Thursday 16 September 2021
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That the minutes of the Ordinary Meeting of Council held on 16 September 2021 be confirmed as a true record of proceedings.

6.1.1	Special Meeting of Council held on Thursday 23 September 2021
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That the minutes of the Ordinary Meeting of Council held on 23 September 2021 be confirmed as a true record of proceedings.

6.1.1	Special Meeting of Council held on Thursday 30 September 2021
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That the minutes of the Ordinary Meeting of Council held on 30 September 2021 be confirmed as a true record of proceedings.

6.1.1	Audit Committee Meeting of Council held on Thursday 21 October 2021
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That the minutes of the Audit Committee Meeting held on 21 October 2021 be confirmed as a true record of proceedings.

## 7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

Nil

## 8. REPORTS OF OFFICERS AND COMMITTEES:

### 8.1 PLANNING:

8.1.1	Proposed subdivision of Lots 304 and 305 Forrest Street and River Road, Boddington
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File Ref. No:	160536
Applicant:	Site Planning + Design for Absinth Pty Ltd
Disclosure of Interest	Edge Planning & Property receive payment for planning advice to the Shier and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
Author	Steve Thompson
Attachment:	8.1.1A Amended Subdivision Plan 8.1.1B Letter from applicant 8.1.1C Extract from Shire of Boddington Local Planning Scheme No.3 8.1.1D Local Structure Plan 8.1.1E Extract of other key planning documents

#### Summary

A subdivision application for a residential and rural residential subdivision on Lots 304 and 305 Forrest Street and River Road is recommended for approval subject to conditions.

#### Background

#### Background

The Western Australian Planning Commission (WAPC) has referred subdivision application No. 160536 to the Shire for comment. **Comments are due back to WAPC by 27 October 2021.** The WAPC is the decision-making authority for subdivision applications. The amended subdivision plan, outlined in Attachment 8.1.1A, proposes 15 lots ranging between 3629m<sup>2</sup> and 2.79 hectares, plus two large balance lots. Details provided by the applicant are set out in Attachment 8.1.1B which are not repeated in this report.

Relevant matters relating to the application site include:

- The Council has considered planning matters associated with the subject land on many occasions and has supported the planning to date;
- The land contains some remnant vegetation along with cleared areas;
- There are various slopes, a watercourse and various drainage lines;
- Most of the site is classified as Bush Fire Prone at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>;
- The site is zoned 'Special Use' (SU1) in the *Shire of Boddington Local Planning Scheme No. 3* (LPS3) and portions of the site are within Special Control Area No. 5 – Landscape Protection. Various site-specific statutory provisions relate to the property (see Attachment 8.1.1C);
- The approved Local Structure Plan for the property is outlined in Attachment 8.1.1D. The Local Structure Plan allocates the application site as Special Residential (R2), Rural Residential and Landscape Protection Area; and
- The legal tests for valid subdivision conditions are that it is imposed for a planning purpose, it fairly and reasonably relates to development (nexus) and that it is reasonable.

Separate to the current subdivision application, it is expected the Shire will shortly receive a modified Local Structure Plan from the applicant. Once received, this will be subject to community/stakeholder consultation before being considered by Council. The WAPC will then determine whether it will endorse the modified Local Structure Plan.

While not directly related to the subdivision application, there is a need for the Shire to consider and address drainage and associated erosion in different parts of the Forrest Street reserve including adjoining the application site.

### Comment

#### 1. *Overview*

The subdivision is conditionally supported for reasons including:

- It is consistent with the Local Planning Strategy and generally consistent with the endorsed structure plan;
- It appears that the proposed lots can achieve suitable planning outcomes including bushfire, on-site sewerage disposal, access etc;
- While the current proposal is a 'leap frog' development (not directly adjoining the townsite), the land owned by Absinth Pty Ltd forms a logical extension to the Boddington town site;
- It will be appropriately serviced; and
- If implemented, in the short term, it will provide an important boost to the on-going development of Boddington.

Some of the key considerations with the subdivision application are summarised below.

#### 2. *On-site sewerage disposal*

A Site and Soil Evaluation (SSE) has been prepared which is supported by the Shire. The SSE demonstrates there is a suitable area on each proposed lot for a Land Application Area (area for on-site sewerage disposal) that is setback from the watercourse and drainage lines.

#### 3. *Landscape/vegetation protection*

As previously outlined, a portion of the site is within a Landscape Values Area. The intention is to retain and effectively manage landscape and environmental values in this area. The planning framework, including *State Planning Policy 2.5 Rural Planning* and LPS3, promotes improved environmental and landscape outcomes via subdivision proposals.

Given the applicant proposes to modify the Local Structure Plan and show much of the application site as 'Rural Residential', based on LPS3, there will be no requirement for landowners to gain development approval for rural pursuit/hobby farm (which includes the rearing, agistment, stabling or training of animals). Accordingly, to protect the native vegetation, it is suggested there is a need for a fence to restrict stock access to the native vegetation on Lots 9-14.

The Local Structure Plan sets out that the landowner/applicant should prepare a vegetation management plan, which addresses Landscape Protection Areas within the Structure Plan area, to the specifications of the Shire of Boddington as a condition of subdivision approval. The officer recommendation does not request a vegetation management plan for this first

stage subdivision. Instead, to protect the native vegetation, recommended subdivision conditions are advising prospective purchasers of LPS3 and the Local Structure Plan, requiring a Building Envelope Plan (which locates dwellings outside of the Landscape Values Area) plus the fence to restrict stock.

#### 4. *Bushfire*

A Bushfire Management Plan was prepared in 2016 to support the Local Structure Plan. This outlines there is sufficient area on each lot to accommodate a dwelling which achieves BAL - 29 or below.

*Council's Local Planning Policy No. 8 - Fire Protection Measures for New Development and Subdivisions* in part states:

'Where strategic firebreaks are required as part of an approved Fire Management Plan, the Council will require the subdivider to install the strategic firebreaks, gates and other required measures to the satisfaction of Council. In particular, the strategic firebreak is to be to an all weather standard that can be accessed by two wheel drive vehicles. Where the strategic firebreak is also used for pedestrian/cyclist access, the Council may require the access to be sealed, concreted or constructed to an appropriate standard to the satisfaction of Council.

The Council's preference is that the on-going management and maintenance of strategic firebreaks (not firebreaks around each property) rests with the Council for:

- larger rural residential and rural small holding subdivisions;
- residential, tourism or industrial subdivisions adjoining river foreshores and/or public land; and
- other subdivisions as determined appropriate by Council.

The strategic firebreak is to be protected through an easement, inclusion in a Public Access Way or through other measures to the satisfaction of Council.'

Proposed Lots 9-14 contain areas of native vegetation and some proposed lots are within Special Control Area 5 – Landscape Protection. Instead of firebreaks on property boundaries in areas containing native vegetation, it is suggested a strategic firebreak, now called an Emergency Access Way (EAW) be constructed instead. An EAW will have less landscape and environmental impacts and can be designed, in part, to follow contours to minimise erosion.

Based on Council policy, the recommended EAW should be protected with an easement in favour of the Shire. It is also suggested that it is complemented with suitable gates and appropriate signage.

Based on Council policy, following the subdivider constructing the EAW to the agreed standard, the Shire is then responsible for on-going maintenance of the EAW.

#### 5. *Stormwater management*

The proposed lots are generous in size. Based on *Local Planning Policy 17 – Stormwater Management*, there is a need to manage run-off erosion or damage to adjoining properties particularly on Lots 5-8.

## 6. *Traffic impacts*

The Local Structure Plan requires 'A traffic impact management assessment, which identifies an appropriate road hierarchy, the required road widths, appropriate intersection controls and any road upgrades which may be required' to be prepared prior to conditional subdivision approval.

The first stage subdivision, to create 15 residential and rural residential lots and associated dwellings, will generate limited traffic. In time, Forrest Street (which is a neighbourhood connector road), will however carry considerable traffic (particularly relative to a country town) in accessing the town centre, other facilities/services and other areas.

At this stage, no subdivision condition has been recommended to require the subdivider to prepare the traffic impact management assessment. The traffic impact management assessment is a required technical investigation for the next subdivision stage. This should consider and work through relevant matters including the approach to safe and convenient cycling and walking.

## 7. *Crossovers and battleaxe access leg*

The subdivider is required to appropriately locate, construct (seal) and drain the crossovers in accordance with *Local Planning Policy 9 – Car Parking and Vehicular Access*.

There is a need for the subdivider to construct the battleaxe access leg on Lot 14. While the crossover will be sealed, the remainder of the battleaxe access leg can be unsealed subject to suitable design and construction which includes addressing erosion.

## 8. *Cycling and Walking Paths*

The subdivider is not proposing a footpath/dual use path on Forrest Street within the application site or on River Road (adjoining the application site).

Various planning documents note the need for safe and convenient cycling and walking infrastructure with some of these outlined in Attachment 8.1.1E.

Given Forrest Street will be one of the key and busiest roads in Boddington, it is suggested there is a need to consider the approach to providing safe and convenient access for cyclists and pedestrians, considering where this infrastructure is located (preferred alignments) and also who pays. There are various options including:

- A) The subdivider not providing a dual use path or a cycling 'shoulder' (bike lane) on Forrest Street or River Road adjoining the application site. If there is no provision, contribution or alternative alignment agreed with the subdivider for cycling and walking infrastructure, it is expected the cost will in-time be passed to the Shire to provide the infrastructure based on ratepayer/community expectations;
- B) The provision of a dual use path adjacent to proposed lots on Forrest Street and River Road. This option has a significant cost implication for the subdivider. It is noted there are constraints on the north-west side of Forrest Street due to the swale drain, while the south-east side has existing or proposed services;
- C) The provision of a bike lane, adjoining the application site;
- D) Subject to Council setting out its position and support from the WAPC, there may be scope for a partnership for this initial subdivision stage with some of the costs met by

the subdivider and some of the costs met by the Shire. Any partnership approach needs careful consideration given the need for consistency with other subdividers, addressing precedent, being transparent with the community and of course ensuring there is Shire funding; or

- E) Locating the dual use path in the future public open space (to the south of Forrest Street). This is the Shire administration's favoured alignment. As part of future planning, there is a need to lock-in a suitable alignment and clarify who pays between the subdivider and the Shire. If Council accepts Option 'E', there is no requirement for a dual use path or bike lane adjoining the application site on Forrest Street and River Road as part of Application 160536.

It is suggested there will, in time, be a need for a footpath/dual use path connecting the area with safe and convenient pedestrian and cyclist connections within the subdivision. Cycling/walking infrastructure should be provided in accordance with the WAPC's *Liveable Neighbourhood* document. Additionally, for future subdivision stages along Forrest Street, a dual use path should be provided to connect to the town centre. These details can be progressed through the required Traffic Impact and Management Assessment which identified key connections, the road hierarchy and the approach to cycling and walking infrastructure.

#### 9. *Building envelopes*

Given the applicant proposes to modify the Structure Plan, most lots will be classified as 'Rural Residential' and not 'Special Residential'. Accordingly, there is scope to utilise building envelopes as a planning tool rather than the setbacks based on the Residential Design Codes (R-Codes). The provision of a Building Envelope Plan will assist to address site constraints and to provide certainty for landowners and the Shire.

#### 10. *Other services*

All lots will be provided with underground power and will be connected to the reticulated (scheme) water system.

#### 11. *Model Subdivision Conditions*

Based on WAPC requirements, conditions and advice from local government should reflect the WAPC's Model Subdivision Conditions unless there are site specific matters to be addressed. Accordingly, the conditions set out in the Officer Recommendation are generally based on the Model Subdivision Conditions.

#### Strategic Implications

The application is consistent with the Local Planning Strategy and generally consistent with the endorsed Local Structure Plan and the *Boddington-Ranford Townsite Strategy*.

The *Shire of Boddington Strategic Community Plan 2017-2027* sets out a vision of 'A vibrant and connected community providing employment and lifestyle opportunities, a beautiful environment, and easy access to the city.'

## Statutory Environment

*Planning and Development Act 2005 and Shire of Boddington Local Planning Scheme No. 3.*

## Policy Implications

Several State Planning Policies and Local Planning Policies are of relevance to the application and to the site:

*State Planning Policy 2 – Environment and Natural Resources Policy*

*State Planning Policy 2.9 – Water Resources*

*State Planning Policy 3.0 – Urban Growth and Settlement*

*State Planning Policy 3.6 – Infrastructure Contributions*

*State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

*State Planning Policy 5.2 – Rural Planning*

*Government Sewerage Policy*

*Liveable Neighbourhoods*

*Local Planning Policy 4 – Rural Residential Lots and Water Supplies*

*Local Planning Policy 5 – Developer and Subdivider Contributions*

*Local Planning Policy 8 – Fire Protection Measures for New Development and Subdivisions*

*Local Planning Policy 9 – Car Parking and Vehicular Access*

*Local Planning Policy 10 – Boddington-Ranford Townsite Strategy*

*Local Planning Policy 17 – Stormwater Management*

## Financial Implications

There are no immediate financial implications for Council from this proposed subdivision. There is expected to be later resident and community pressure on the Shire to provide a dual use path or bike lane on Forrest Street and River Road adjoining the application site.

Based on Council's *Local Planning Policy No. 8 – Fire Protection Measures for New Development and Subdivisions*, it is suggested that the Shire should be responsible for on-going maintenance of the EAW. The Council should accordingly adequately increase budget accounts in upcoming years to ensure the EAW is appropriately maintained.

## Economic Implications

The application, if approved and implemented, will result in the additional release of residential and rural residential lots and associated dwellings that will assist to provide economic benefits to the local economy supporting enhanced and additional services.

## Social Implications

These were addressed at the scheme amendment and structure plan stages. The additional population resulting from implementation of the subdivision should add to the strength of the community and make better use of available services. However, it will also tend to create the demand for increased levels of service and it will be important that service providers keep pace with the demands.

### Environmental Considerations

It is suggested the key environmental issues for the site are protecting native vegetation, managing stormwater and appropriate on-site wastewater disposal systems.

### Consultation

The WAPC invites comments from the Shire and other government agencies at the subdivision stage. Previously, community consultation occurred through the Shire advertising Scheme Amendment No. 13 and the Local Structure Plan.

### Options

The Council can:

1. Support the subdivision application with no conditions;
2. Support the subdivision application with conditions;
3. Support an amended plan; or
4. Not support the subdivision application (giving reasons).

### Voting Requirements

Simple Majority

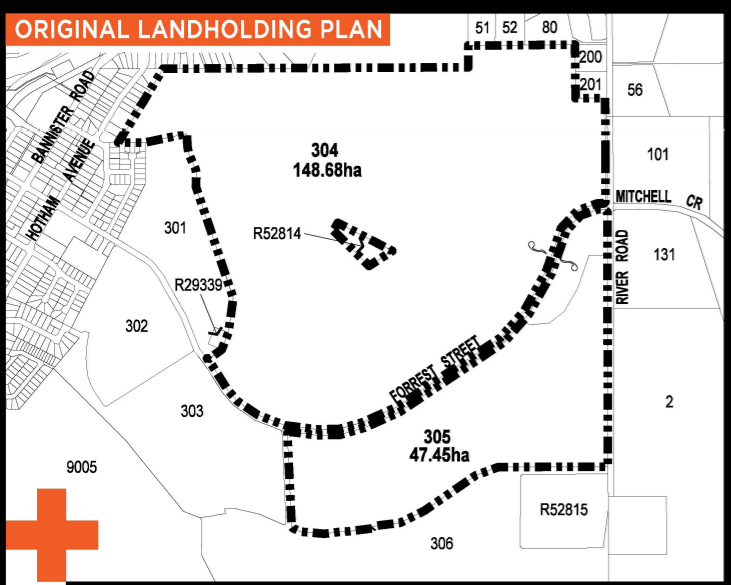
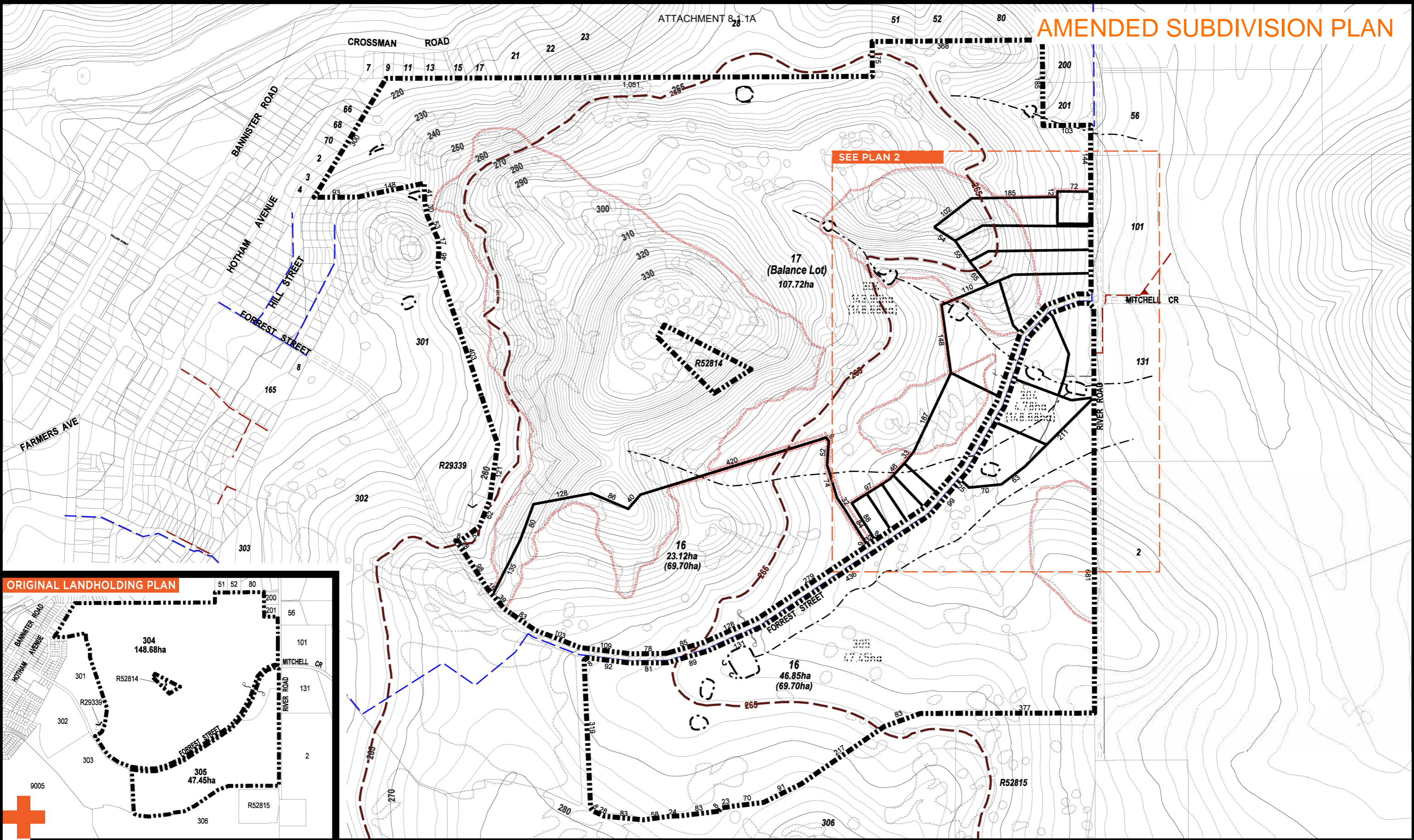
### OFFICER RECOMMENDATION – ITEM 8.1.1

That Council advise the Western Australian Planning Commission that it supports the subdivision of Lots 304 and 305 Forrest Street and River Road, Boddington (WAPC 160536) subject to the following conditions:

No	Code	Condition
1	AM4	The landowner/applicant installing suitable rural fencing of good standing abutting the public open space as outlined on the Local Structure Plan (the boundary with Lots 3 and 4). (Local Government)
2	B8	Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development. (Local Government)
3	B9 Modified	The landowner/applicant shall provide a written undertaking to advise prospective purchasers of the provisions of the local government's local planning scheme and the local structure plan that relate to the use and management of the land. (Local Government)
4	EN6 Modified	A fence restricting stock access to the vegetation on Lots 9-14 is to be constructed to protect native vegetation. (Local Government)
5	E1	Arrangements being made with a licensed electricity network operator for the provision of an underground electricity distribution system that can supply electricity to each lot shown on the approved plan of subdivision. (Western Power / Horizon Power)
6	F1	Information is to be provided to demonstrate that the measures contained in the bushfire management plan that address the following:

		<ul style="list-style-type: none"> <li>Emergency access ways/strategic firebreaks on Lots 9-14 with easements in favour of the Shire. They are to be suitably aligned, constructed and connected to the public road system to provide access from multiple directions; and</li> <li>Gates and signage;</li> </ul> <p>Have been implemented during subdivisinal works. This information should include a notice of 'Certification by Bushfire Consultant'.</p>
7	F2	<p>A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor.</p> <p>Notice of the notification is to be included on the diagram or plan of survey (deposited plan).</p> <p>The notification is to state as follows:</p> <p><b>"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land". (Western Australian Planning Commission)</b></p>
8	F4	<p>Easement(s) in accordance with Section 195 of the Land Administration Act 1997 specifying access rights for emergency fire purposes in favour of the Local Government and/or public authority are to be placed on the certificate(s) of title of the proposed lot(s) and the deed(s) of easement to specify care and management of the easement area is by the Local Government. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows:</p> <p><b>"6 metre wide permanent emergency access way for vehicles is to be provided on Lots 9-14. (Local Government)</b></p>
9	T16 Modified	<p>The proposed access way (battleaxe access leg on Lot 14) being constructed and drained at the landowner/applicant cost to the specifications of the local government. (Local Government)</p>
10	T20	<p>Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)</p>
11	W5	<p>A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:</p> <p>A reticulated sewerage service is not available to the lots. (Local Government)</p>
12	W1	<p>Arrangements being made with a licensed water provider for the provision of a suitable water supply service to each lot shown on the approved plan of subdivision. (Water Corporation)</p>
13		<p>The landowner/applicant to install drainage bunds/contour banks (or similar) on or near the north-eastern boundaries of Lots 5-8 to assist in managing erosion and directing stormwater to Forrest Street. (Local Government)</p>

AMENDED SUBDIVISION PLAN



WWW.SITEPD.COM.AU

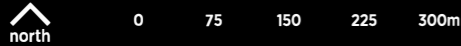
LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT	304_305-3-001	REVISION	H	DRAWN	BDL
PLAN NO.	304_305-3-001	DATE	13 August 2021	SCALE	1:7,500@A3

NOTE  
Source of base data: Landgate; source of watercourse data: DPLH  
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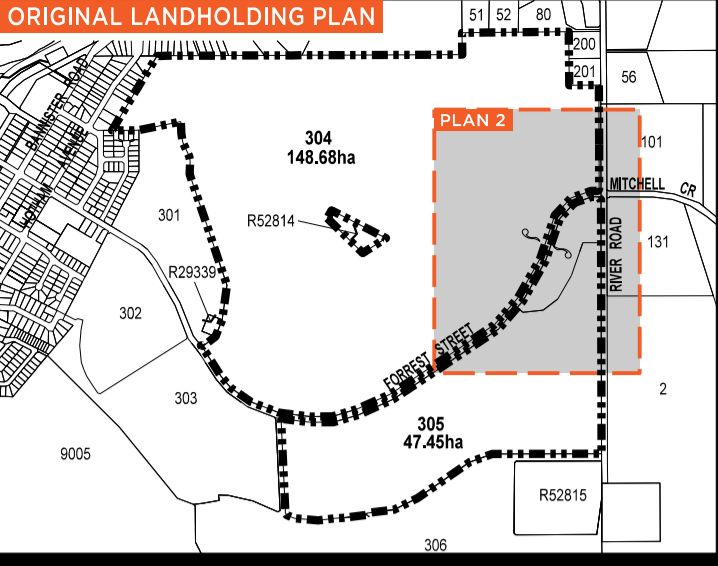


LEGEND		
Application Boundary	Application Boundary	Existing Road
Existing Lot Boundary To Be Removed	Existing Lot Boundary To Be Removed	Proposed Road
Proposed Lot Boundary	Proposed Lot Boundary	Existing Dam / Soak
Existing Vegetation	Existing Vegetation	Strategic Firebreak
Watercourse	Watercourse	Water Corp. - Water Main
		Western Power (O.Head/U.G.)



PROPOSED PLAN OF SUBDIVISION - PLAN 1

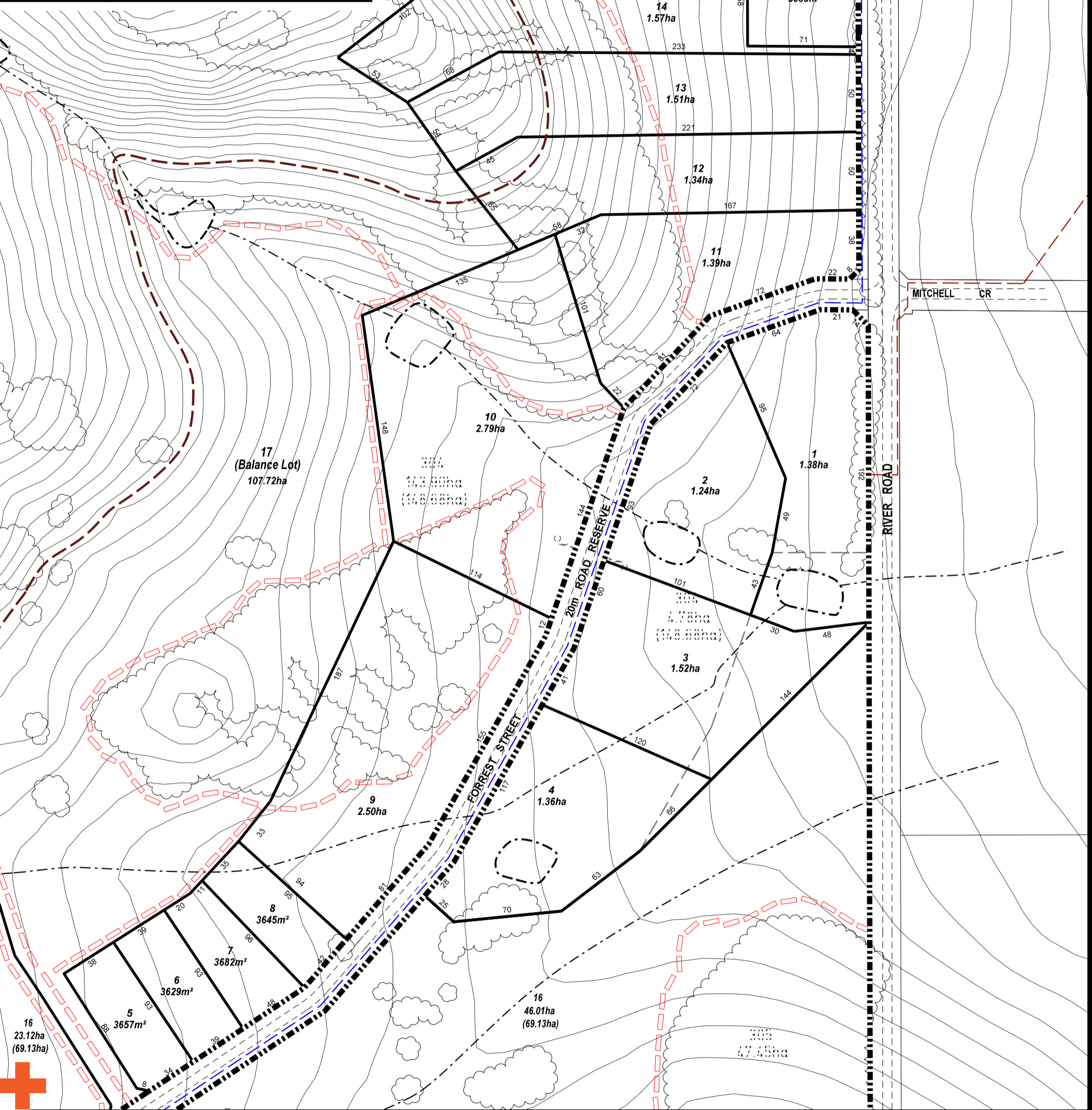
ORIGINAL LANDHOLDING PLAN



LEGEND ATTACHMENT 8.1.1A

- |   |                                |
|---|--------------------------------|
| ■■■■■ APPLICATION BOUNDARY              | --- EXISTING ROAD              |
| --- EXISTING LOT BOUNDARY TO BE REMOVED | --- PROPOSED ROAD              |
| --- PROPOSED LOT BOUNDARY               | --- EXISTING DAM / SOAK        |
| --- EXISTING VEGETATION                 | --- STRATEGIC FIREBREAK        |
| --- WATERCOURSE                         | --- WATER CORP. - WATER MAIN   |
|   | --- WESTERN POWER (O.HEAD/U.G) |

AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT : -	REVISION : H	DRAWN : BDL
PLAN NO. : 304_305-3-001_1	DATE : 13 August 2021	SCALE : 1:2,500@A3

NOTE  
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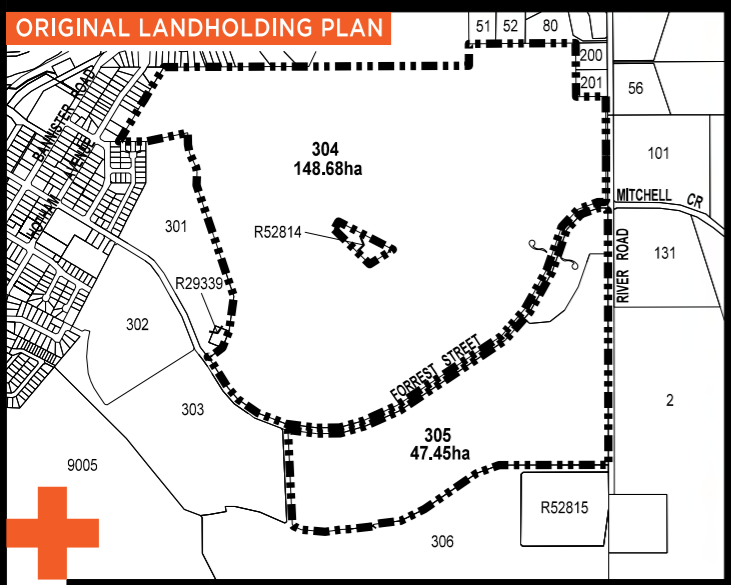
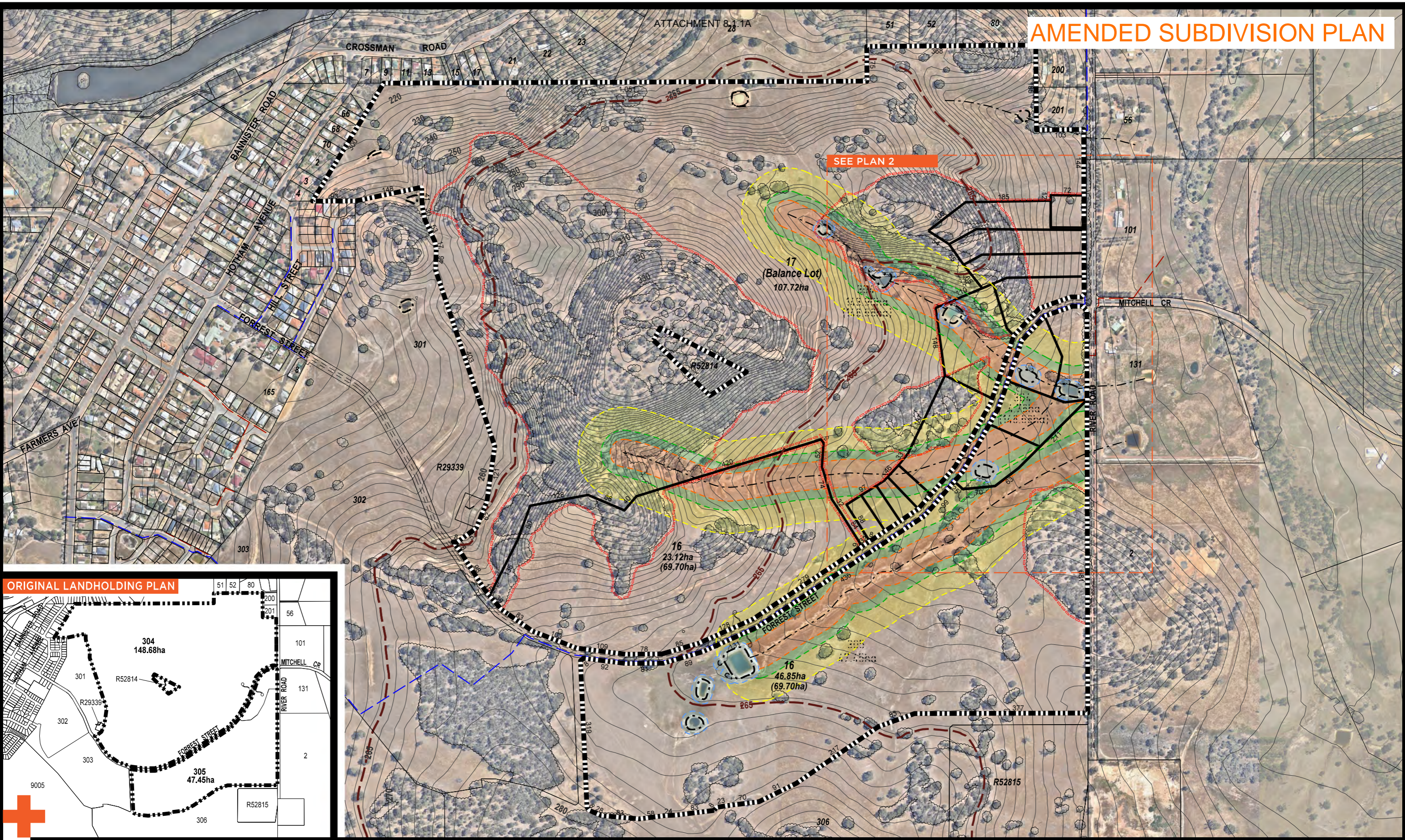
LEIGHTON  
Land development DRAFTING & VISUALS

**SITE**  
PLANNING + DESIGN

PROPOSED PLAN OF SUBDIVISION - PLAN 2

0 25 50 75 100m  
north

AMENDED SUBDIVISION PLAN



WWW.SITEPD.COM.AU

LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT	:	-	REVISION	:	H	DRAWN	:	BDL
PLAN NO.	:	304_305-3-001	DATE	:	13 August 2021	SCALE	:	1:7,500@A3

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LEIGHTON  
Land development DRAFTING & VISUALS

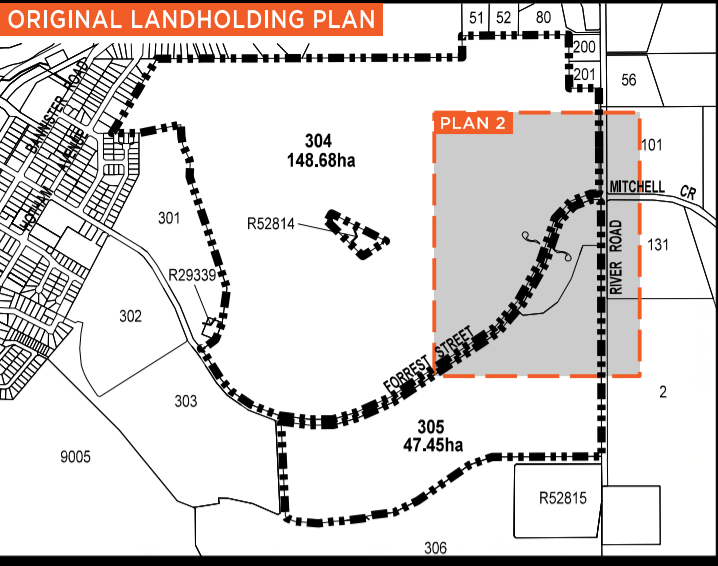
LEGEND			
APPLICATION BOUNDARY	---	EXISTING ROAD	---
EXISTING LOT BOUNDARY TO BE REMOVED	---	PROPOSED ROAD	---
PROPOSED LOT BOUNDARY	---	EXISTING DAM / SOAK	---
EXISTING VEGETATION	---	STRATEGIC FIREBREAK	---
WATERCOURSE	---	WATER CORP. - WATER MAIN	---
		WESTERN POWER (O.HEAD/U.G.)	---
		10m DAM SET BACK	---
		30m WATERCOURSE SETBACK	---
		50m WATERCOURSE SETBACK	---
		100m WATERCOURSE SETBACK	---

SITE  
PLANNING + DESIGN



PROPOSED PLAN OF SUBDIVISION - PLAN 1

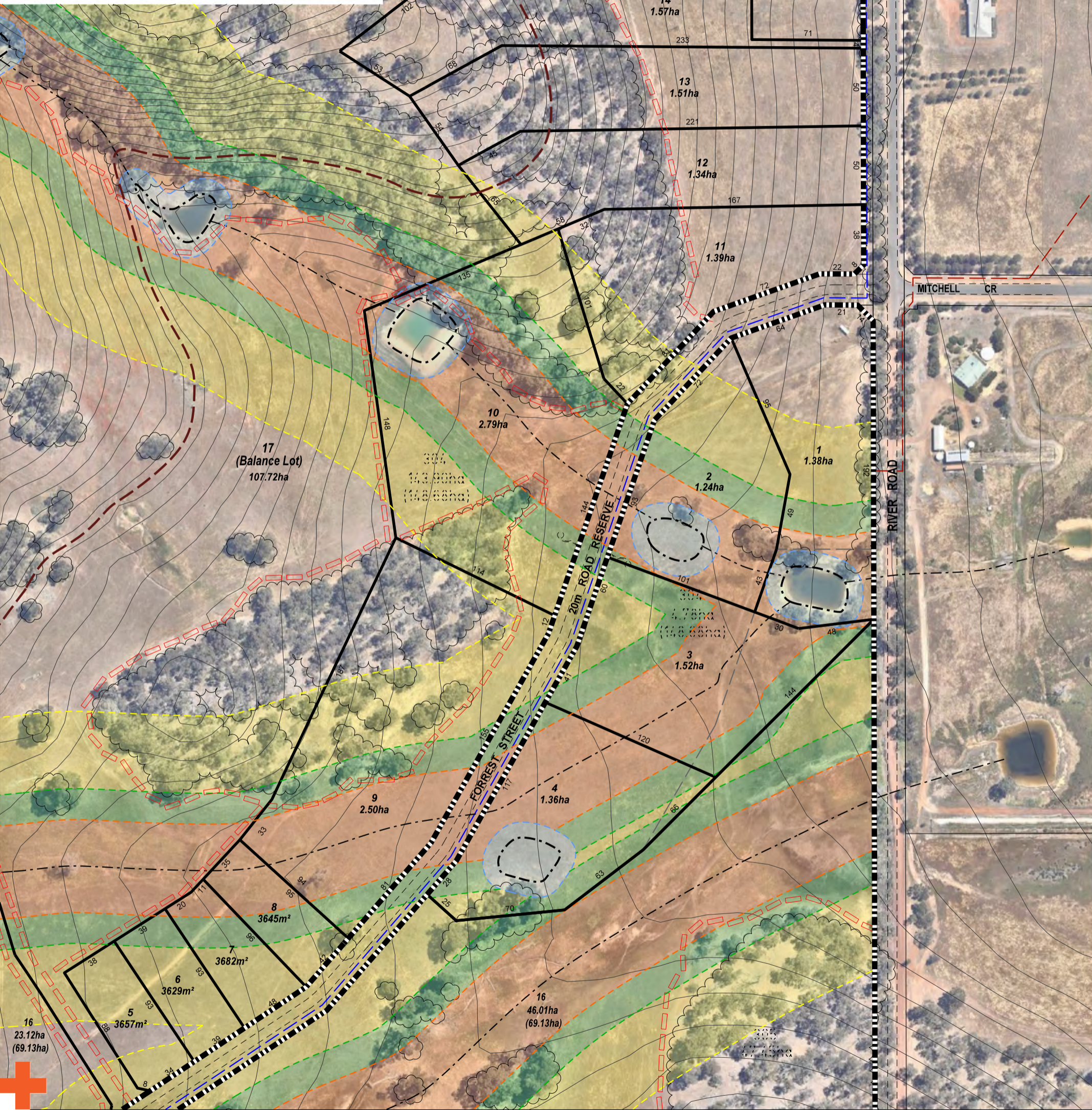
ORIGINAL LANDHOLDING PLAN



LEGEND ATTACHMENT 8.1.1A

- APPLICATION BOUNDARY
- EXISTING LOT BOUNDARY TO BE REMOVED
- PROPOSED LOT BOUNDARY
- EXISTING VEGETATION
- WATERCOURSE
- EXISTING ROAD
- PROPOSED ROAD
- EXISTING DAM / SOAK
- STRATEGIC FIREBREAK
- WATER CORP. - WATER MAIN
- WESTERN POWER (O.HEAD/U.G)
- 10m DAM SET BACK
- 30m WATERCOURSE SETBACK
- 50m WATERCOURSE SETBACK
- 100m WATERCOURSE SETBACK

AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

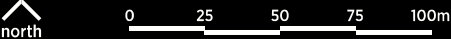
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PLAN NO.	:	304_305-3-001_1	DATE	:	13 August 2021	SCALE	:	1:2,500@A3

NOTE  
Source of base data: Landgate / Nearmaps (photo 4/11/2014)  
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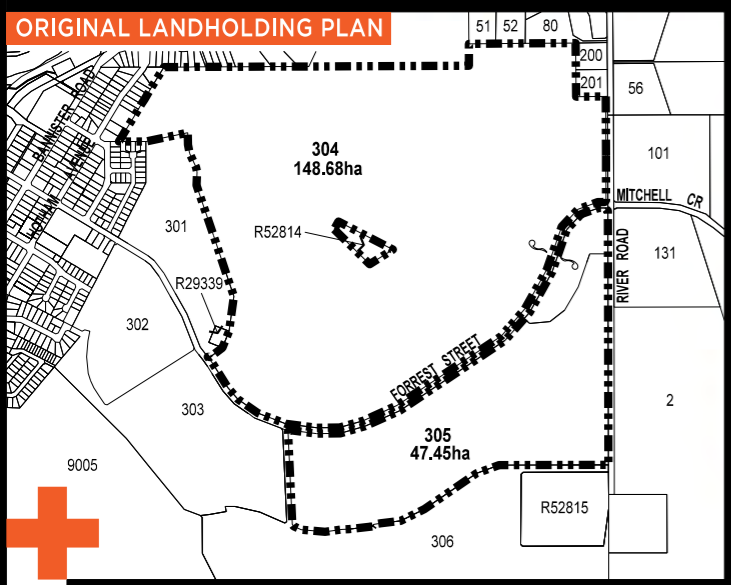
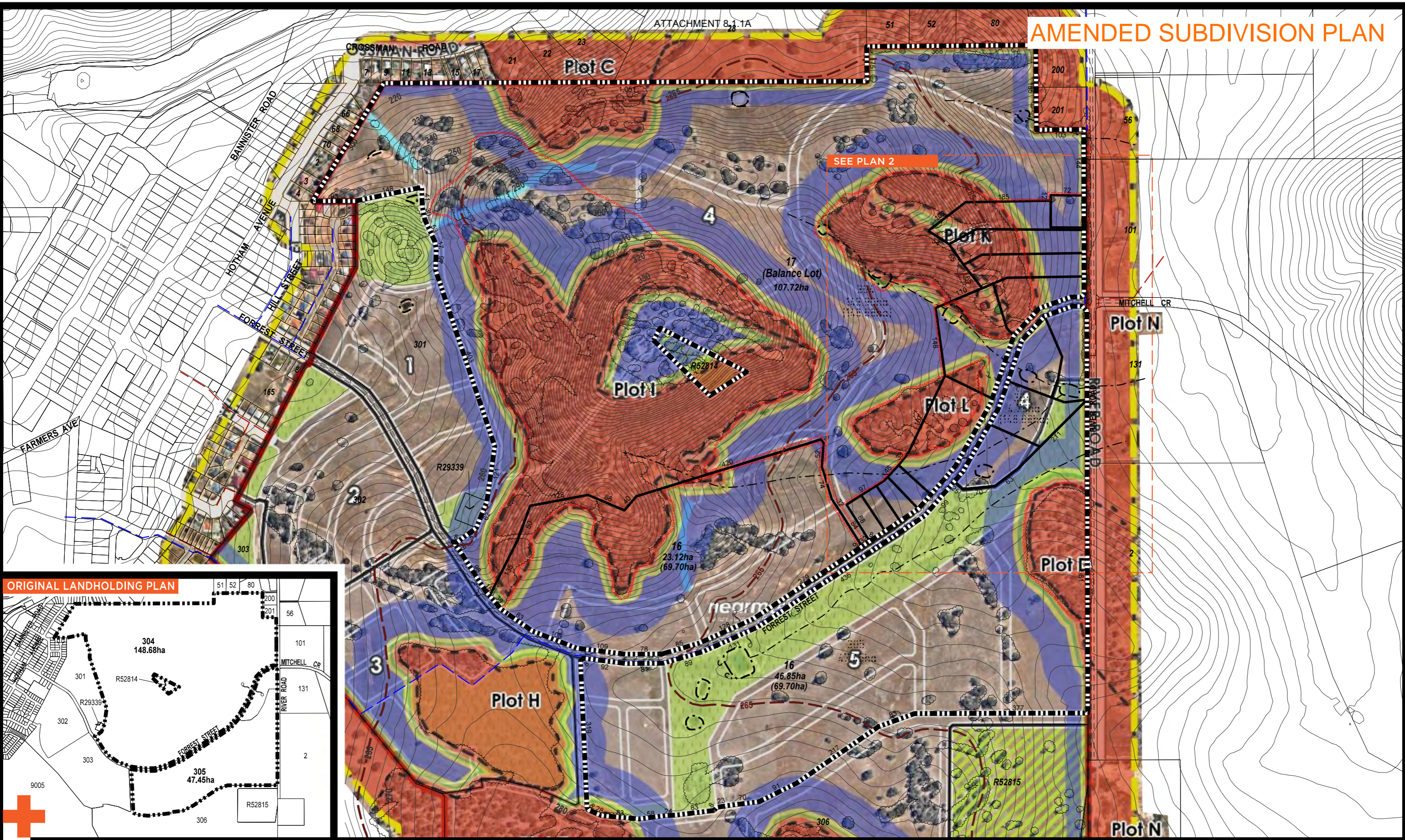
LEIGHTON  
Land development DRAFTING & VISUALS

SITE  
PLANNING + DESIGN

PROPOSED PLAN OF SUBDIVISION - PLAN 2



AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT	:	-	REVISION	:	H	DRAWN	:	BDL
PLAN NO.	:	304_305-3-001	DATE	:	13 August 2021	SCALE	:	1:7,500@A3

NOTE  
Source of base data: Landgate; source of watercourse data: DPLH  
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LEIGHTON  
Land development DRAFTING & VISUALS

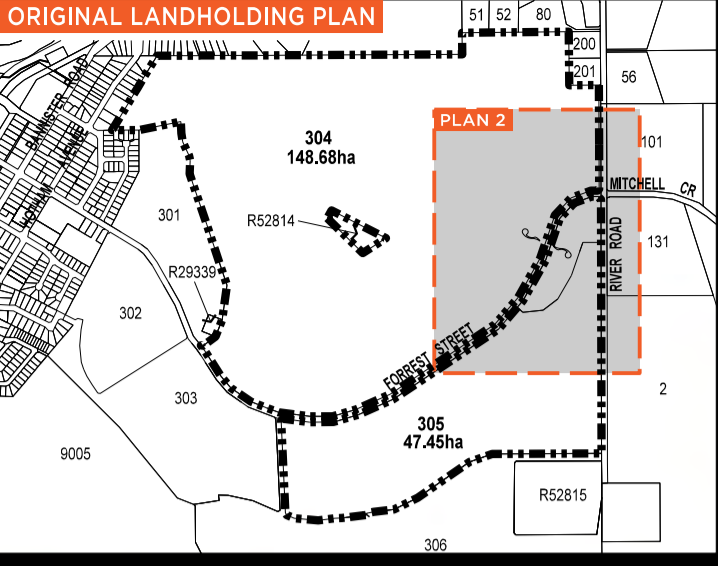
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	---	EXISTING LOT BOUNDARY TO BE REMOVED	---	PROPOSED ROAD
	---	PROPOSED LOT BOUNDARY	---	EXISTING DAM / SOAK
	---	EXISTING VEGETATION	---	STRATEGIC FIREBREAK
	---	WATERCOURSE	---	WATER CORP. - WATER MAIN
			---	WESTERN POWER (O.HEAD/U.G.)

SITE  
PLANNING + DESIGN



PROPOSED PLAN OF SUBDIVISION - PLAN 1

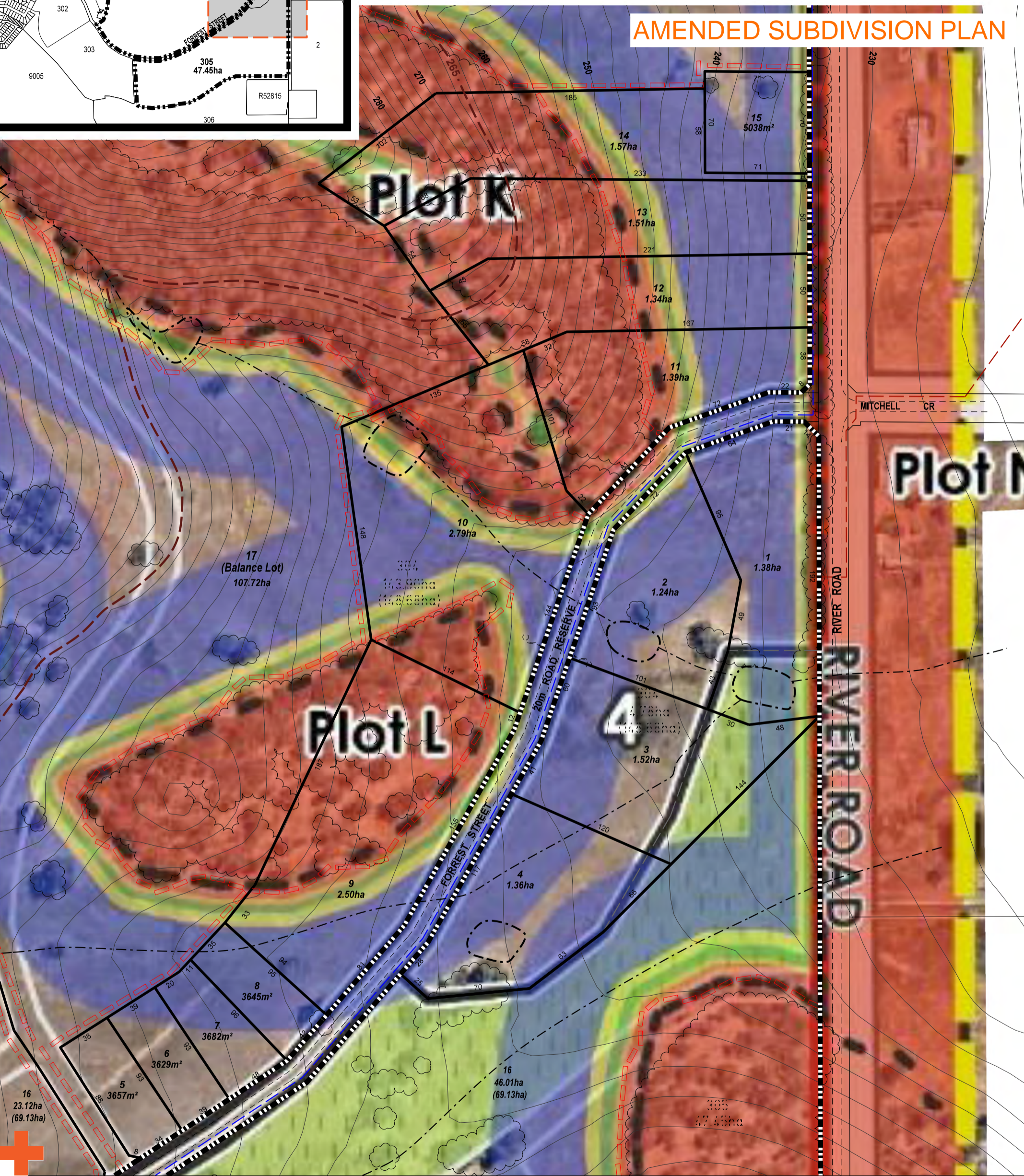
ORIGINAL LANDHOLDING PLAN



LEGEND ATTACHMENT 8.1.1A

- APPLICATION BOUNDARY
- EXISTING LOT BOUNDARY TO BE REMOVED
- PROPOSED LOT BOUNDARY
- EXISTING VEGETATION
- WATERCOURSE
- EXISTING ROAD
- PROPOSED ROAD
- EXISTING DAM / SOAK
- STRATEGIC FIREBREAK
- WATER CORP. - WATER MAIN
- WESTERN POWER (O.HEAD/U.G.)

AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT	:	-	REVISION	:	H	DRAWN	:	BDL
PLAN NO.	:	304_305-3-001_1	DATE	:	13 August 2021	SCALE	:	1:2,500@A3

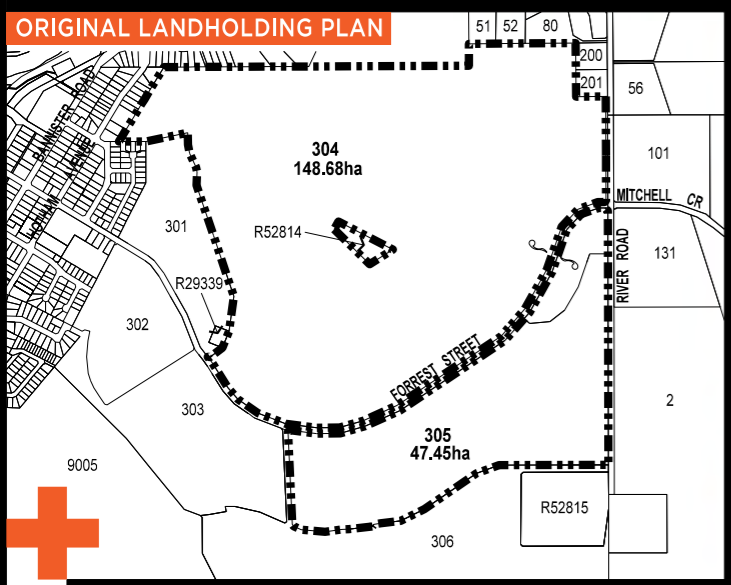
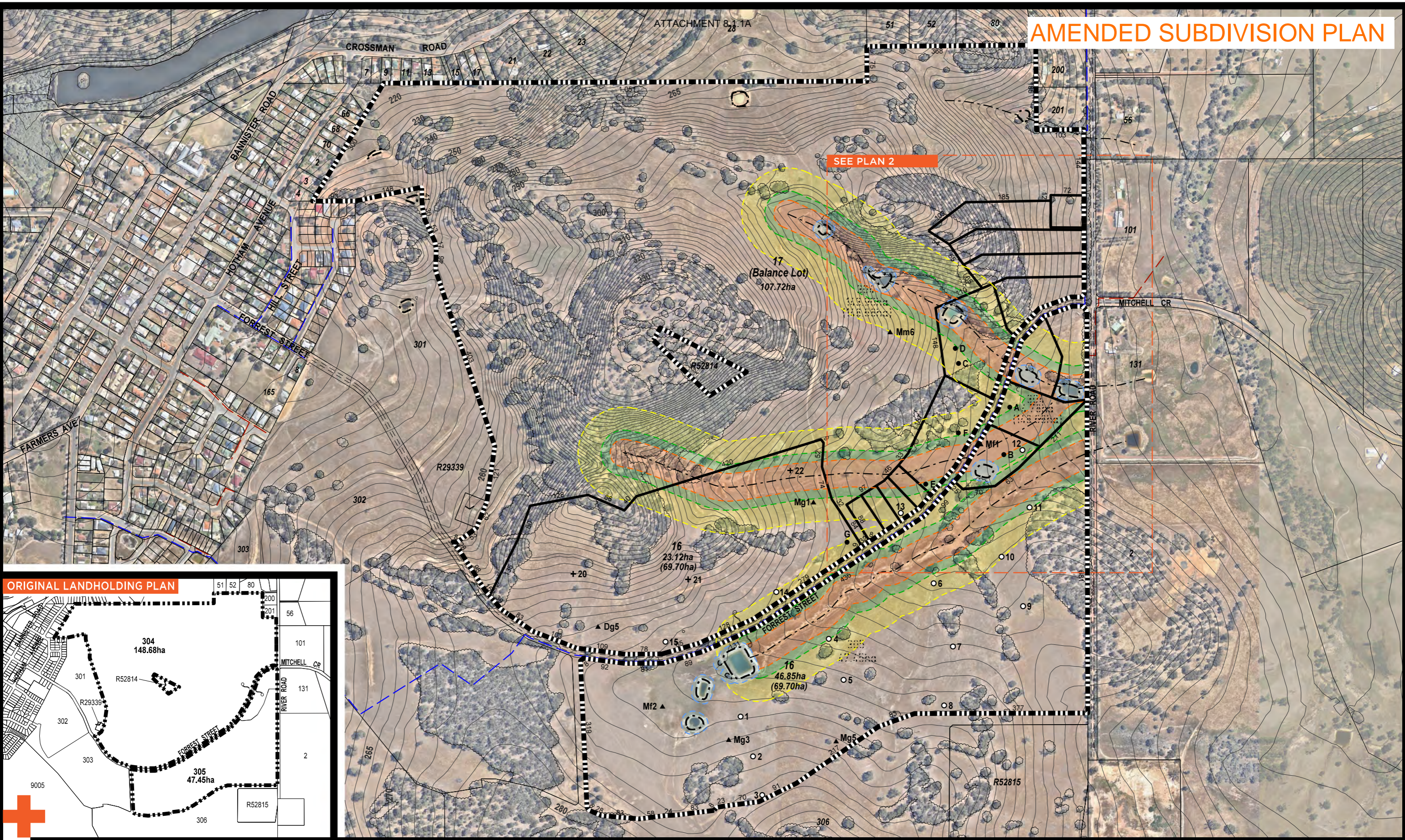
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PROPOSED PLAN OF SUBDIVISION - PLAN 2

AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT	:	-	REVISION	:	G	DRAWN	:	BDL
PLAN NO.	:	304_305-3-001	DATE	:	13 August 2021	SCALE	:	1:7,500@A3

NOTE  
Source of base data: Landgate; source of watercourse data: DPLH  
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LEIGHTON  
Land development DRAFTING & VISUALS

LEGEND			
APPLICATION BOUNDARY	---	EXISTING ROAD	---
EXISTING LOT BOUNDARY TO BE REMOVED	---	PROPOSED ROAD	---
PROPOSED LOT BOUNDARY	---	EXISTING DAM / SOAK	---
EXISTING VEGETATION	---	WATER CORP. - WATER MAIN	---
WATERCOURSE	---	WESTERN POWER (O.HEAD/U.G.)	---

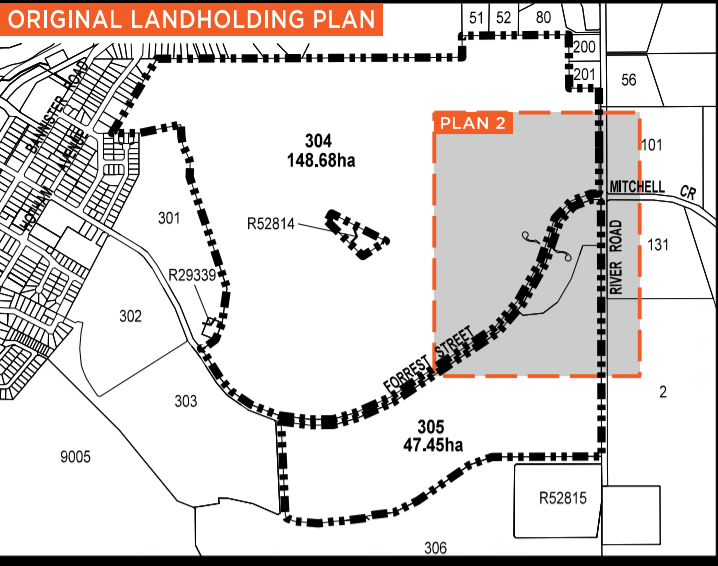
- 10m DAM SET BACK
- 30m WATERCOURSE SETBACK
- 50m WATERCOURSE SETBACK
- 100m WATERCOURSE SETBACK
- (A-G) 2021 LA SITES
- (1-15) 2009 SHIRE SITES
- (M1 etc) 2008 VDM SITES
- (20-22) 2006 LA SITES

SITE  
PLANNING + DESIGN



SOIL SITES AND SETBACKS - PLAN 1

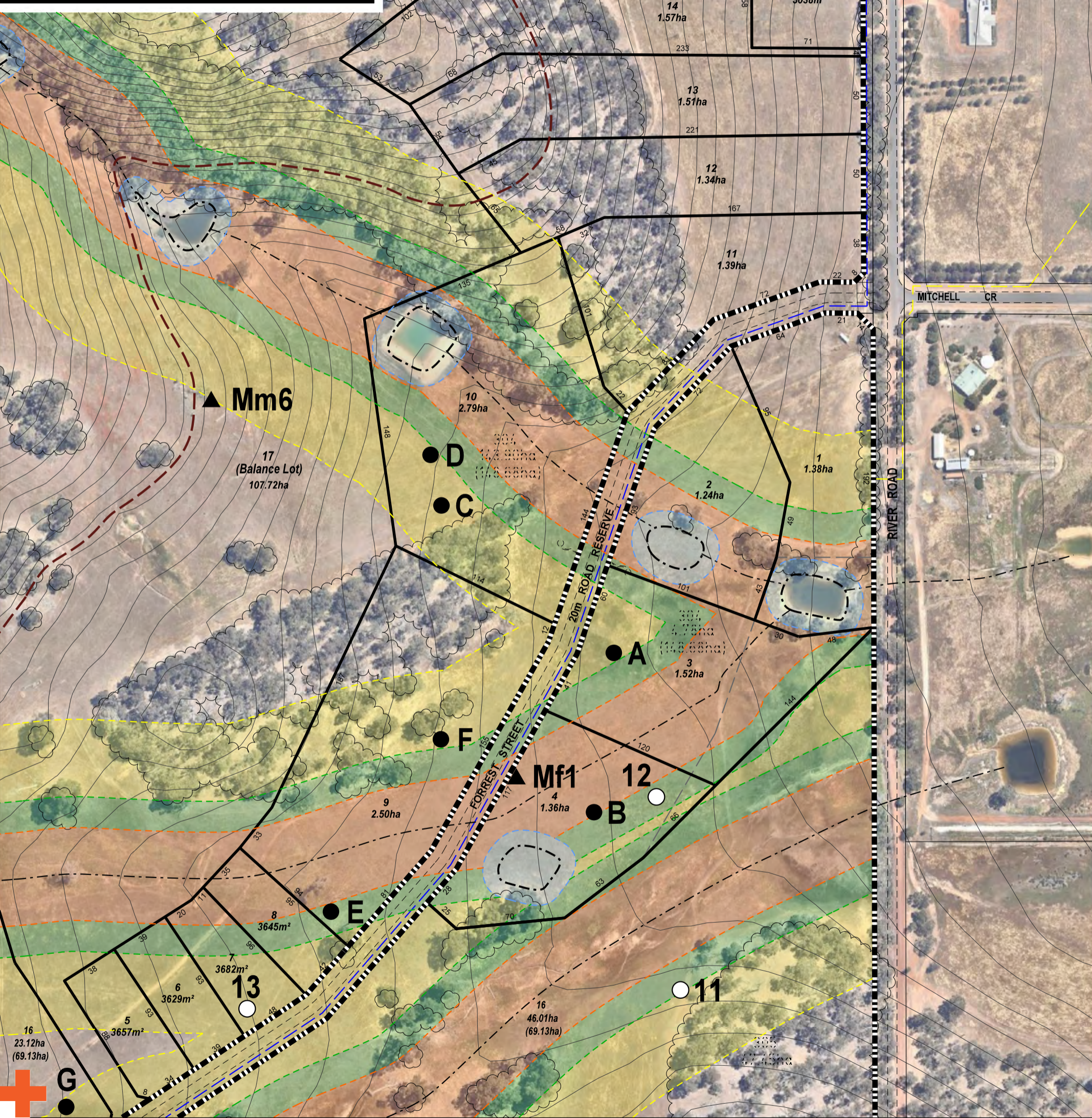
ORIGINAL LANDHOLDING PLAN



LEGEND ATTACHMENT 8.1.1A

- APPLICATION BOUNDARY
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- (Mff etc) 2008 VDM SITES
- (20-22) 2006 LA SITES

AMENDED SUBDIVISION PLAN



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LOT 304 & 305 FORREST STREET, BODDINGTON

CLIENT : -  
PLAN NO. : 304\_305-3-001\_1  
REVISION : G  
DATE : 13 August 2021  
DRAWN : BDL  
SCALE : 1:2,500@A3

NOTE  
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LEIGHTON  
Land development DRAFTING & VISUALS

SITE  
PLANNING + DESIGN

SOIL SITES AND SETBACKS - PLAN 2

1 September 2021

Our Ref : 20-026 BOD / 210901 20-026 BOD It WAPC Form 2A Amended Plan WAPC 160536

Western Australian Planning Commission  
140 William Street  
PERTH WA 6000

Dear Mek

**RE: WAPC 160536 - FORM 2A AMENDED PLAN OF FREEHOLD SUBDIVISION  
AMENDMENT TO PROPOSED SUBDIVISION - 15 SPECIAL RESIDENTIAL / RURAL  
RESIDENTIAL LOTS AND 2 BALANCE LOTS  
LOTS 304 AND 305 FORREST STREET AND RIVER ROAD, BODDINGTON/RANFORD**

On behalf of our client, Absinth Pty Ltd, SITE planning + design is pleased to submit the enclosed Form 2A application seeking WAPC approval for an amended plan proposing the freehold subdivision of Lots 304 and 305 Forrest St and River Road, Boddington to create fifteen (15) lots and two (2) balance lots.

Enclosed with this cover letter are the following documents:

- Letter of Consent, signed by two Directors of Absinth Pty Ltd
- Amended Plan of Subdivision
- Amended Plan of Subdivision – aerial photograph, watercourses and setbacks
- Amended Plan of Subdivision – soil test sites and setbacks
- Amended Plan of Subdivision – BAL mapping
- Site and Soil Evaluation Report
- Original Plan of Subdivision and 2015 Approved Structure Plan

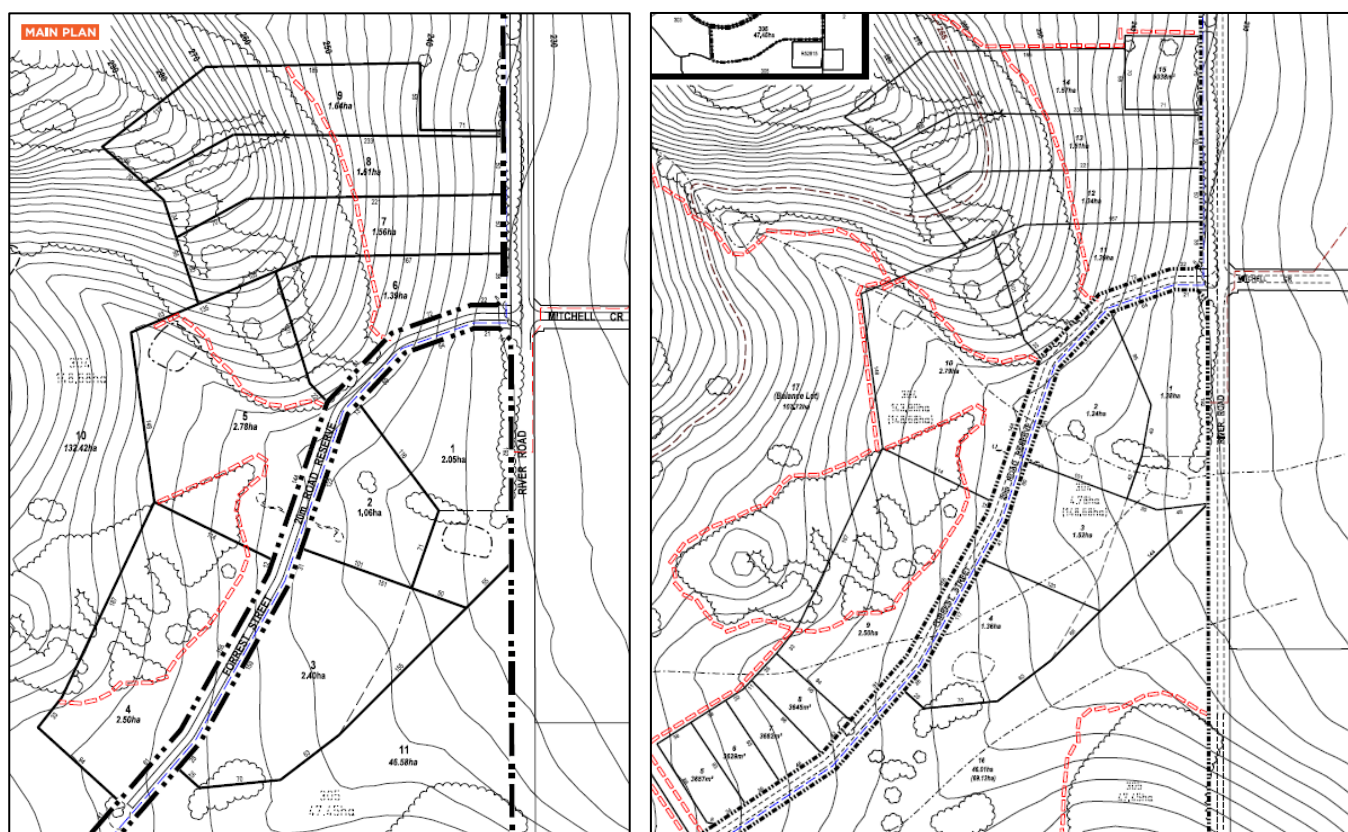
Absinth Pty Ltd will make payment for the application fee on receipt of a tax invoice addressed to Absinth Pty Ltd, C/o SITE planning + design.

**1. SUMMARY OF ORIGINAL AND AMENDED SUBDIVISION PLAN**

The original and amended subdivision plans propose the subdivision of Lot 304 (148.68ha) and Lot 305 (47.45ha) on the eastern edge of the Boddington townsite. A summary highlighting the changes between the original and amended plans is outlined in the table below and a comparison of the two plans is shown at Figure 1.

WAPC 160536	SUBJECT LOTS	TOTAL LAND AREA	NUMBER OF PROPOSED LOTS	LOT AREAS
Original subdivision plan	Lots 304 and 305	196.146ha	11 lots	3 x Special Residential lots – 1.06ha to 2.40ha 6 x Rural Residential lots – 1.34ha to 2.78ha 2 x balance lots – 46.58ha and 132.42ha
Amended subdivision plan	Lots 304 and 305	196.146ha	17 lots	9 x Special Residential lots – 3,629m <sup>2</sup> to 1.52ha 6 x Rural Residential lots – 1.34ha to 2.79ha 2 x balance lots – 69.13ha and 107.72ha

FIGURE 1 – ORIGINAL (LEFT) AND AMENDED (RIGHT) SUBDIVISION PLANS



Source: Extracts from Original and Amended Plan of Subdivision, SITE planning + design

## 2. AMENDED SUBDIVISION PLAN CONTEXT

In response to three mapped watercourse areas across Lots 304 and 305 (refer to Figure 2 below), the original freehold subdivision application (WAPC 160536) was deferred on 3 June 2021 to allow for the preparation and submission of a Site and Soil Evaluation (SSE) to demonstrate that the proposed subdivision is consistent with the Government Sewerage Policy (2019) in the absence of a reticulated sewerage network to service the lots.

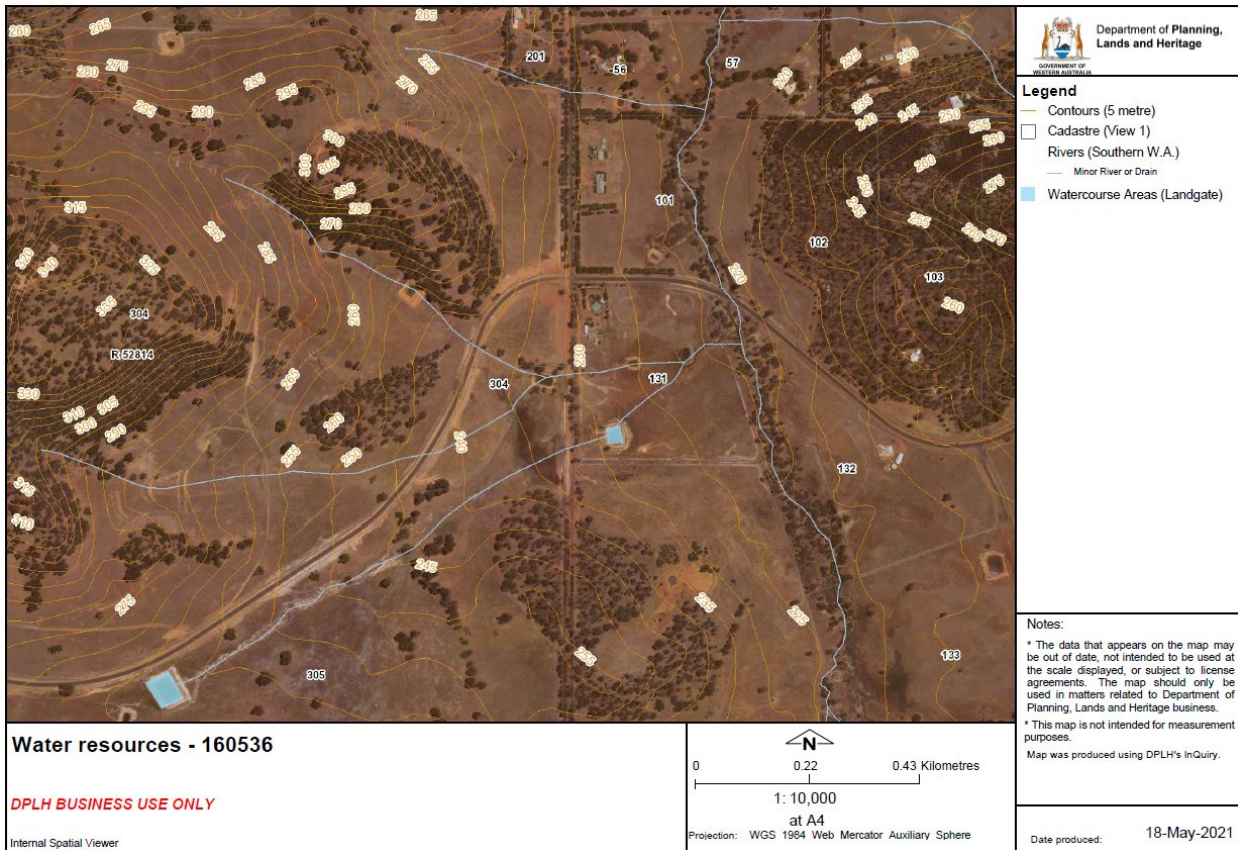
Land Assessment Pty Ltd (Land Assessments) undertook a review of earlier studies and field investigations, in consultation with the Shire of Boddington's Environmental Health Officer, across June and July 2021 to determine the suitability of the proposed lots to accommodate on-site effluent disposal. The SSE report is enclosed with this application. Key findings of the SSE are summarised in Section 3 below.

The enclosed amended subdivision plan reflects the outcomes of the SSE and has informed proposed modifications to the 2015 endorsed structure plan that will be lodged with the Shire of Boddington in the near future.

Additionally, the amended subdivision plan:

- Reflects minor adjustments to the rear boundaries of proposed Lots 12 – 14 (Lots 7 – 9 on the original subdivision plan) to avoid the removal of vegetation to construct boundary fencing, as requested by the Department of Planning Lands and Heritage (DPLH)). Refer to the yellow lines on the original proposed subdivision plan in Figure 3 below.
- Illustrates strategic firebreaks across the proposed balance lots (proposed Lots 16 and 17) to prevent the removal of mature vegetation to implement lot boundary firebreaks.
- Proposes six (6) additional lots to respond to increased demand for larger residential lots.

FIGURE 2 - WATERCOURSE AREAS



Source: Department of Planning Lands and Heritage, 25 May 2021

FIGURE 3 - DPLH REQUEST FOR REAR BOUNDARY MODIFICATIONS



### 3. SITE AND SOIL EVALUATION

Land Assessments were engaged to undertake desktop and field investigations to inform the preparation of a Site and Soil Evaluation (SSE) to demonstrate that the proposed subdivision plan is consistent with the Government Sewerage Policy (2019) in the absence of a reticulated sewerage network to service the lots.

The SSE confirms that the subject land is not part of a “sewerage sensitive area” and does not occur within a “Public Drinking Water Source Area” (PDWSA).

The SSE draws on earlier studies and field work (including test pits) across the site (former Lot 8016 and former Lot 9001) undertaken in support of the original (2008) and modified (2010 and 2015) structure plans, including:

- 2006 Land Capability Study Report by Land Assessments (including on-site test pits).
- 2007 Environmental Assessment by ENV.
- 2008 Local Water Management Strategy by Ewing VDM Engineers (including on-site test pits).
- 2009 soil testing completed by the Shire’s Senior Environmental Health Officer, Mr Peter Haas.

Initial discussions between Land Assessments and Peter Haas to determine the extent of additional on-site testing (in addition to the 25 test pits from earlier studies mentioned above) concluded that:

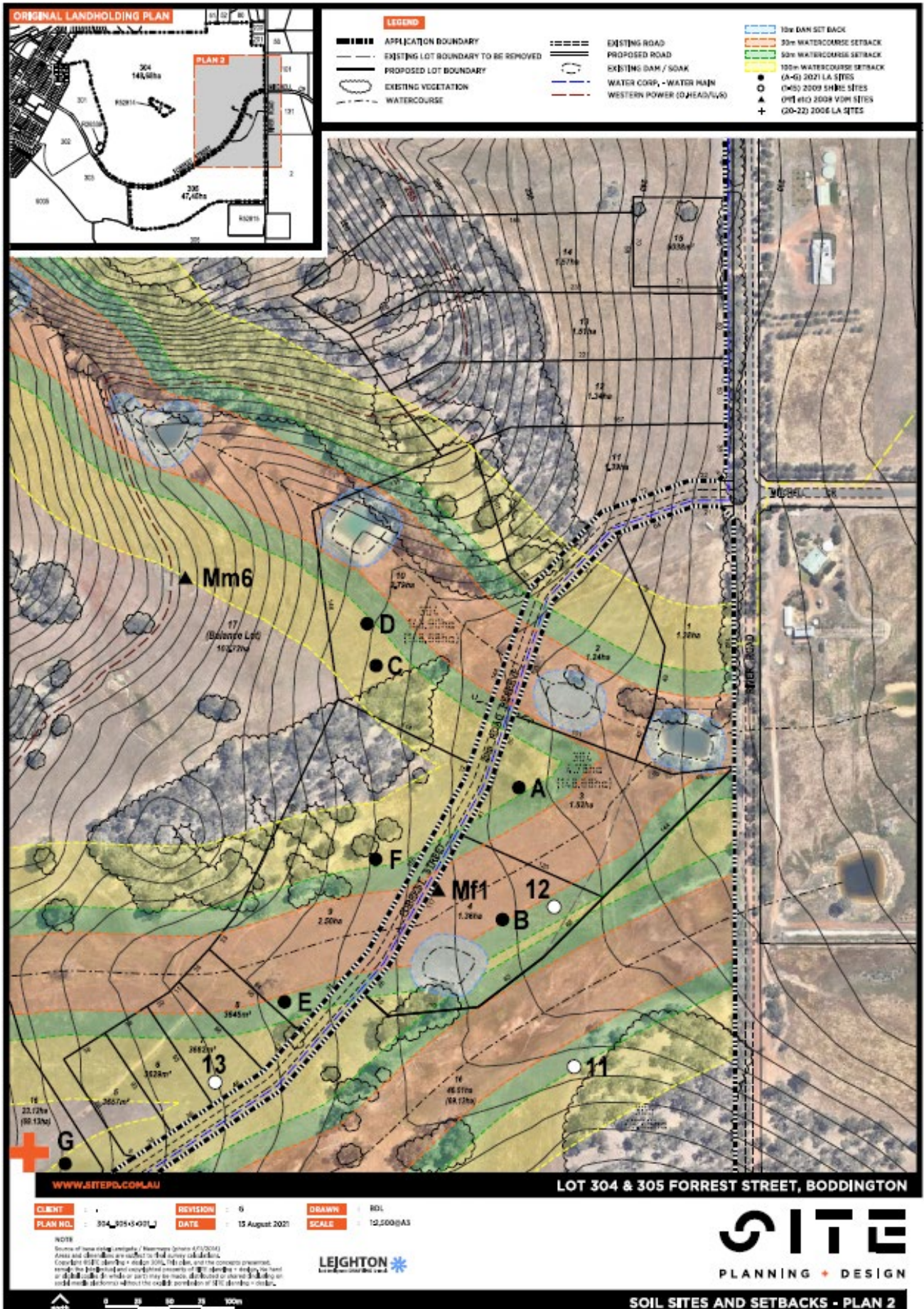
1. The areas with poorer drained soils (indicated by reeds and surface seepage) in the lower portions of lots south of Forrest Street are generally unsuitable for conventional septic tanks and leach drains.
2. Secondary treatment systems, such as ATU’s, could possibly be used to address limitations in this area although they are generally not favoured within the Shire (due to need for regular maintenance inspections).
3. The Government Sewerage Policy allows for discretion to be exercised by responsible authorities such as the Shire in relation to setbacks from water resources.
4. Apart from the more significant, but still non-perennial, watercourse within the future “Public Open Space” area south of Forrest Street, the other designated watercourses affected by the subdivision are generally non-incised and considered likely to conduct water for only limited periods after rainfall.
5. In view of points 3 and 4 above, it is considered appropriate to apply a 30m minimum setback in accordance with the existing regulations under the Health Act, rather than a generic 100m for any watercourse/waterway regardless of its size and water flow longevity.

An additional 7 on-site test pits were dug under the supervision of Land Assessments and inspected by Peter Haas on 1 July 2021. Figure 4 illustrates the location of previous and 2021 test pits in the context of the proposed amended subdivision plan. A copy of the plan at Figure 4 is enclosed.

The study concluded that all lots arising from the proposed subdivision are capable of supporting on-site wastewater management systems (primary treatment with leach drains) consistent with the Government Sewerage Policy subject to:

- Positioning of land application areas at least 30m (and preferably greater than 50m where possible) from the ‘designated’ watercourses, and
- The use of partially or fully inverted leach drains within the land application areas for proposed Lots 3 and 4, and also for any portions of other lots where, at the proposed installation site, the depth to subsoil clay does not enable a minimum 60cm vertical separation from the leach drain base.

FIGURE 4 - PREVIOUS AND 2021 TEST PIT LOCATIONS



Source: Extract from Amended Plan of Subdivision – Soil Sites and Setbacks Plan, SITE planning + design and Land Assessments

## **4. PLANNING FRAMEWORK**

### **4.1 STATUTORY PLANNING FRAMEWORK**

Compliance with the planning framework and any minor variations proposed by the amended subdivision are outlined in the table included in Section 5.5.

#### **4.1.1 STATE PLANNING POLICY 3.7 – PLANNING IN BUSHFIRE PRONE AREAS**

Portions of Lots 304 and 305 are designated by the Fire and Emergency Services Commissioner as a ‘Bushfire Prone Area’.

In accordance with State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) a Bushfire Attack Level (BAL) Assessment was undertaken to inform the preparation of a Bushfire Management Plan (BMP) across former Lot 9001 (now Lots 301 – 306) and support the assessment and 2015 endorsement of the modified structure plan.

The BMP, approved by the Shire of Boddington in 2016, demonstrates that bush fire risk can be appropriately managed across the site. A copy of the endorsed BMP was enclosed with the original subdivision application.

The proposed lot configuration reflects the BAL mapping, with each lot containing sufficient land classified as BAL-12.5 or lower to accommodate a residential dwelling and related outbuildings. Refer to the enclosed Amended Plan of Subdivision illustrating the BAL contours that form part of the BMP.

Refer to Section 5.5 for compliance with SPP 3.7.

#### **4.1.2 GOVERNMENT SEWERAGE POLICY**

The Government Sewerage Policy outlines the general requirement to connect new subdivision and/or development to, or provide for, reticulated sewerage in accordance with the provisions of 5.1.1 of the Policy. Where provisions 5.1.1 do not apply (such as the subdivision proposed by this application), on-site sewerage disposal may be considered where the responsible authority is satisfied that:

- Each lot is capable of accommodate on-site sewerage disposal without endangering public health or the environment; and
- The minimum site requirements for on-site sewerage disposal are met.

Lots 304 and 305 are not located in a Public Drinking Water Source Area or a Sewerage Sensitive Area.

Section 3 Site and Soil Evaluation (above) and the enclosed SSE report prepared by Land Assessments, demonstrates that each of the lots is capable of accommodating on-site effluent disposal.

Refer to Section 5.5 for compliance with the Government Sewerage Policy.

#### **4.1.3 LOCAL PLANNING SCHEME NO. 3**

The Shire of Boddington’s Local Planning Scheme No. 3 (LPS 3) was gazetted on 11 June 2021 (post lodgement of the original subdivision application).

Under LPS 3, Lots 304 and 305 are zoned “Special Use 1”, where the objectives of the zone are:

*“To facilitate special categories of land uses which do not sit comfortably within any other zone.*

*To enable the Council to impose specific conditions associated with the special use."*

Land use permissibility within the "Special Use" zone is in accordance with Table 4, which outlines that:

*"Structure plan area for Subdivision and Development in accordance with the Residential zone, Rural Residential zone, Public Purpose reserve and Public Open Space reserve.*

*In addition to the uses permissible in the above zones under the Zoning Table, 'park home park' is an 'A' use."*

LPS 3 introduces several new land use classifications (from LPS 2) across the "Residential" and "Rural Residential" zones that are applicable to Lots 304 and 305 and aim to provide greater support to diversify and grow the economy, which in turn will support efforts to attract new investment and population growth.

In line with the Planning and Development (Local Planning Scheme) Regulations 2015, LPS 3 does not refer to the "Special Residential" zone, which is now referred to as "Residential" with the applicable density code.

Conditions that guide the use, subdivision and development of land zoned "Special Use 1" are outlined in Table 4 of LPS 3, and are as follows:

- "1. Lifestyle village developments generally exist under tenure arrangements which consist of singular ownership with residents occupying their dwellings via leasehold. Development is generally configured and serviced in a manner which cannot meet the requirements of the Residential Design Codes. Due to these factors, this form of development cannot be assessed as a form of development defined by the Residential Design Codes. Accordingly, development proposals for lifestyle villages are to be assessed as 'park home park'.*
- 2. Subdivision and development should be generally in accordance with a Structure Plan approved by the Western Australian Planning Commission.*
- 3. An Urban Water Management Plan is to be prepared to the satisfaction of the local government and the Department of Water and Environmental Regulation and implemented prior to the creation of titles.*
- 4. A Bushfire Management Plan is to be prepared prior to subdivision being supported.*
- 5. No building shall be constructed of material or colours which in the opinion of the local government are incompatible with the amenity of the locality.*
- 6. No trees or substantial vegetation shall be removed or felled except where:*
  - trees are dead, diseased or dangerous;*
  - access to a building site or for bush fire management is required and approved;*
  - erection of a building or outbuilding;*
  - an area up to one metre in width for the purpose of erecting and maintaining a fence line.*
- 7. The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting consent, the local government may require tree planting in locations approved by the*

*local government.”*

Lot 304 also contains three areas of land identified under LPS 3 as “Special Control Area 5 – Environment (Landscape Protection)”, where the objectives are:

*“To protect the amenity and character of visually prominent land in and near Boddington and Ranford townsites which have scenic or other values.*

*To encourage small scale, low impact development designed to retain and preserve the natural, visual and physical characteristics of the environment.*

*To encourage the improvement of the rural landscape, including rehabilitation and revegetation of areas considered to be of significant scenic value.”*

Conditions that guide the use, subdivision and development of land zoned “Special Control Area 5 – Environment (Landscape Protection)” are outlined in Table 7 of LPS 3, and are as follows:

*“1. Notwithstanding other provisions of this Scheme, development approval shall be required for the following development within SCA5:*

*(a) the erection, demolition or alteration of any building or structure (not including farm fencing, wells, bores or troughs and minor drainage works ancillary to the general rural pursuits of the locality);*

*(b) the clearing of land or removal of trees; and*

*(c) the erection of advertising signs.*

*2. Any development of new buildings, other than outbuildings approved by the local government as being required for bona fide agricultural purposes, and telecommunications infrastructure, is to be sited in accordance with any building envelope or building exclusion zone to be stipulated by the local government.”*

The proposed lots provide sufficient land for the construction of a dwelling and outbuildings outside of the areas mapped for “Special Control Area 5 – Environment (Landscape Protection)” under LPS 3.

Refer to Section 5.5 for compliance with LPS 3.

#### **4.1.4 STRUCTURE PLANNING**

On 13 October 2015, the WAPC endorsed a modified structure plan across former Lot 9001 (now Lots 301 – 306) Forrest Street Boddington. Refer to the enclosed 2015 Structure Plan.

The plan illustrates:

- Lot 304 as being suitable for:
  - Special Residential (R5)
  - Special Residential (R2)
  - Rural Residential (9,900m<sup>2</sup> to 1ha)
  - Rural Residential (1ha – 4ha)
  - Public Open Space
  - Public Purpose

land use, and containing areas identified for Landscape Protection, a high-level water tank and a public lookout.

- Lot 305 as being suitable for:

- Residential R12.5
- Special Residential (R5)
- Special Residential (R2)
- Public Open Space

land use, and containing areas identified for a sewer pump station and bridle trails.

Both lots contain land above and below the 265m contour, where the creation of lots and/or development of single dwellings above the 265m contour triggers the requirement to install a high-level water tank on the lot identified for “Public Purpose” on the plateau of Lot 304, to achieve the required mains water pressure within the network.

The lots proposed by this application are located below the 265m contour and therefore do not trigger the requirement for additional infrastructure.

The provisions of the structure plan applicable to the proposed subdivision are outlined below:

- Lots within the “Rural Residential” zone shall achieve a minimum lot area of 1ha and range in area from 1ha to 4ha. Larger lots may be necessary in some portions of the site, particular in “Landscape Protection Areas” and accordingly lot sizes shall be determined through the subdivision application process, following further assessment of topographic constraints, remnant vegetation and visual impacts.
- Building Envelopes shall be prescribed for each proposed “Rural Residential” lot that does not contain a cleared area of at least 2,000m<sup>2</sup>.
- All lots shall be connected to a reticulated potable water service, unless the building site sits less than 15m below the level of the Water Corporation’s High Level Water Tank.
- On-site effluent disposal systems shall be provided to the satisfaction of the Shire of Boddington at the time of house construction. The Shire of Boddington will require alternative treatment units for those lots where geotechnical investigations reveal limitations for conventional on-site effluent disposal systems.
- Arrangements are to be made, to Western Power’s specifications, for the provision of an underground power supply to all lots.
- Prior to conditional subdivision approval being granted, the landowner/proponent is to prepare a bushfire hazard assessment.
- Prior to conditional subdivision approval being granted, the landowner/proponent is to prepare a bushfire management plan (which may include the bushfire hazard assessment).
- Prior to conditional subdivision approval being granted, the landowner/proponent is to prepare a traffic impact and management assessment, which identifies an appropriate road hierarchy, the required road widths, appropriate intersection controls and any road upgrades which may be required.

The structure plan reflects the outcomes of a Bushfire Management Plan, submitted in 2015 and approved in 2016 (following updates to reflect changes to SPP 3.7 and the inclusion of additional commentary on the staged subdivision and/or development of six (6) super lots (Lots 301 – 306) approved by WAPC Ref 150292).

A request to modify the endorsed structure plan will be lodged with the Shire of Boddington in the near future to reflect changes to the local planning framework and market conditions over the 6 years following endorsement by the WAPC in 2015.

The proposed modifications will reflect the outcomes of the SSE, amongst others, and those that relate to the amended subdivision plan are as follows:

- Rezoning proposed Lots 2 – 4 from “Special Residential (R2)” to “Rural Residential (9,900m<sup>2</sup> to 1ha)” to reflect limitations for on-site effluent disposal.

- Rezoning proposed Lots 5 – 8 from “Special Residential (R2)” to “Special Residential (R5)” to reflect favourable site conditions for on-site effluent disposal.

In line with the Planning and Development (Local Planning Scheme) Regulations 2015 the modified structure plan will also remove reference to the “Special Residential” zone, in favour of the “Residential” zone with an applicable density code. For ease of reference this cover letter continues to refer to “Special Residential”, where applicable, in accordance with the endorsed structure plan.

Refer to Section 5.5 for compliance with the Structure Plan.

### 3.3.3 LOCAL PLANNING POLICIES

Refer to Section 5.5 for the requirements of, and compliance with, local planning policies.

## 5. PROPOSED SUBDIVISION (AMENDED PLAN)

### 5.1 AMENDED LOT CONFIGURATION

The enclosed application and plans propose the subdivision of Lot 304 (148.68ha) and Lot 305 (47.45ha) on the eastern edge of the Boddington townsite to create:

- Nine (9) “Special Residential” lots ranging in size from 3,629m<sup>2</sup> to 1.52ha.
- Six (6) “Rural Residential” lots ranging in size from 1.34ha to 2.79ha.
- Two (2) balance lots of 69.13ha and 107.72ha.

A summary of the original and amended subdivision plans is outlined in the table below.

WAPC 160536	SUBJECT LOTS	TOTAL LAND AREA	NUMBER OF PROPOSED LOTS	LOT AREAS
Original subdivision plan	Lots 304 and 305	196.146ha	11 lots	3 x Special Residential lots – 1.06ha to 2.40ha 6 x Rural Residential lots – 1.34ha to 2.78ha 2 x balance lots – 46.58ha and 132.42ha
Amended subdivision plan	Lots 304 and 305	196.146ha	17 lots	9 x Special Residential lots – 3,629m <sup>2</sup> to 1.52ha 6 x Rural Residential lots – 1.34ha to 2.79ha 2 x balance lots – 69.13ha and 107.72ha

All the proposed lots enjoy direct frontage to either Forrest Street or River Road, both of which are constructed public roads, managed by the Shire of Boddington.

The proposed lot configuration and lot sizes reflect:

- The land use identified on the 2015 approved structure plan (except for proposed Lots 5 – 8, which are at an R3 density and “generally” in accordance with the “Special Residential R2” zone and density).
- The BAL mapping prepared to inform the 2016 approved Bushfire Management Plan.
- The availability of reticulated water and power services.

Whilst the structure plan provides for the subdivision of the “Special Residential (R2)” land to a minimum lot size of 5,000m<sup>2</sup> and the “Rural Residential” land to a minimum lot size of 1ha (up to 4ha), the proposed lot sizes reflect the desire to provide sufficient land to accommodate a residential dwelling and outbuildings on land mapped as BAL-12.5 and lower, and remote from existing vegetation, to reduce building costs for prospective purchasers and minimise vegetation clearing.

The lot sizes also reflect local advice about the demand for and interest in larger lifestyle lots and the lack of supply in the current market.

The eastern portion of proposed Lot 10 and the rear of proposed Lots 11 – 14 are elevated and enjoy views across the surrounding valleys.

The proposed lot boundaries allow for the retention of four (4) existing dams, which will reduce reliance on the reticulated water supply and support a greater diversity of land uses on Lots 1 2, 4 and 10 in accordance with the land use permissibility under LPS 3.

## **5.2 ROAD NETWORK**

All the proposed lots enjoy direct frontage to Forrest Street and/or River Road, both local roads under the control and management of the Shire of Boddington.

Forrest Street is constructed to a sealed standard with roadside swales along the entire frontage of the adjoining proposed lots.

River Road is constructed to a sealed standard with roadside swales along the frontage of proposed Lots 11 – 15 and to a graded gravel standard with roadside swales south of the intersection with Forrest Street/Mitchell Crescent and along the frontage of proposed Lot 1. Proposed Lot 1 also enjoys direct frontage to Forrest Street.

South of the intersection with Forrest Street/Mitchell Crescent, River Road provides:

- Sole vehicular access to a “Reserve for Recreation” vested to the Shire and the Shire’s former rubbish tip site.
- Secondary access to one (1) “Rural” zoned lot, one (1) large “Rural Residential” zoned lot and two (2) “Special Use” zoned lots, where all three (3) enjoy future subdivision potential in accordance with the relevant adopted structure plans.

## **5.3 SERVICING**

### **5.3.1 POWER SUPPLY**

Western Power advise that the existing power lines within River Road/Mitchell Crescent have the capacity to service an additional nine (9) lots.

Electrical engineering consultants have been engaged to design an extension of Western Power’s electrical network from the Boddington townsite to the proposed lots along Forrest Street.

### **5.3.2 RETICULATED WATER**

Water Corporation’s reticulated water supply runs within the southern verge of Forrest Street and the western verge of River Road, north of the intersection with Forrest Street (as illustrated on the 2015 Structure Plan). The Shire of Boddington’s 2018 Local Planning Strategy outlines that the existing network has capacity to accommodate approximately 145 new residential lots.

### **5.3.3 WASTEWATER**

Water Corporation’s sewerage network is remote from the proposed lots; however, the outcomes of the SSE, summarised in Section 3 and detailed in the enclosed report, confirm that all of the proposed lots are capable of supporting on-site wastewater management systems (primary treatment with leach drains) consistent with the Government Sewerage Policy subject to:

- Positioning of land application areas at least 30m (and preferably greater than 50m where possible) from the ‘designated’ watercourses, and
- The use of partially or fully inverted leach drains within the land application areas for proposed Lots 3 and 4, and also for any portions of other lots where, at the proposed installation site, the depth to subsoil clay does not enable a minimum 60cm vertical separation from the leach drain

base.

#### **5.3.4 STORMWATER DRAINAGE**

The 2014 Boddington-Ranford Drainage Study – Stage 2, prepared by Porters Consulting Engineers on behalf of the Shire, reports on the existing drainage infrastructure and its capacity in the context of the Boddington Growth Plan, Local Planning Strategy and Draft Local Planning Scheme No. 3 to determine the extent and cost of upgrades required to accommodate future growth.

The network was mapped and reviewed during a severe winter storm to ensure the recommendations were robust. The Study illustrates the location of the proposed lots as being within Catchment Areas 5 and 6 of the Ranford Catchment Plan.

The following upgrades to the drainage network were identified:

- An additional pipe in River Road in the vicinity of the common boundary of Lot 304 and Lot 201.
- An additional culvert to be installed in River Road, abutting Lot 305, to eliminate flooding over the road under winter conditions.

The culvert in River Road abutting Lot 305 was installed to satisfy a condition of the super lot subdivision of former Lot 9001 (now Lots 301 – 306).

The proposed lots are large enough to retain and infiltrate stormwater on-site.

#### **5.4 BUSHFIRE MANAGEMENT**

A Bushfire Management Plan (BMP), prepared by RUIC Fire, was submitted to the Shire of Boddington in 2015 in support of the proposed modification to the structure plan and a proposed super lot subdivision application. Refer to the enclosed BAL Mapping and the BMP provided with the original subdivision application.

The BMP identified the bushfire impact associated with the location and extent of vegetation, bushfire structures and fuel loads within 150m of the site (former Lot 9001) and the recommendations were reflected in the modified structure plan, approved by the WAPC in late 2015.

In 2016, the Shire of Boddington approved the BMP, following updates to reflect changes to SPP 3.7 and the inclusion of additional commentary on the staged subdivision and/or development of the super lots (Lots 301 – 306) approved by the WAPC (Ref 150292).

BAL Mapping for the site (refer to the enclosed Amended Plan of Subdivision – BAL Mapping) illustrates that all the proposed lots contain sufficient land area classified as BAL-12.5 or lower for the construction of a residential dwelling and associated outbuildings, which was a key consideration for detailed subdivision design to minimise additional building costs for prospective purchasers and/or the clearing of existing vegetation.

The BMP outlines a series of recommendations for the super lot subdivision (that created lots 301 – 306) and future subdivision/development for compliance with SPP 3.7, those relevant to the proposed subdivision include:

- The establishment of 20m Asset Protection Zones around Class 1, 2, 3 and 10a buildings.
- The establishment of Hazard Protection Zones for buildings other than Class 1, 2, 3 and 10a buildings.
- The provision of two access routes via the public road network and/or emergency access ways, constructed to the required standards.
- Internal perimeter firebreaks for lots greater than 0.5ha.

- Provision of a reticulated water supply.

The proposed subdivision illustrates strategic firebreaks in response to existing vegetation mapped as Landscape Protection Area on the structure plan/LPS 3 and steep site contours.

Preliminary consultation with the Shire of Boddington indicated general support for strategic firebreaks with further consideration to be given to providing a continuous firebreak between Lots 4 and 5 and Lots 6 and 9 (on the original subdivision plan - Lots 9 - 14 on the amended subdivision plan), connecting the strategic firebreaks to public roads, provision of an easement over the strategic firebreaks in favour of the Shire and gates on lot boundaries to facilitate access by the Shire to maintain firebreaks.

It is recommended that a condition be imposed on the subdivision approval seeking an addendum to the endorsed BMP to outline the requirement for strategic firebreaks around Landscape Protection Areas and the responsibilities of the Shire and landowners for implementation and management in perpetuity.

## 5.5 COMPLIANCE WITH THE PLANNING FRAMEWORK

The table below outlines the provisions and requirements applicable to the proposed subdivision of the land, where compliance is achieved, or a variation is sought and provides additional commentary on compliance and/or justification for any variations.

RELEVANT PROVISION	COMPLIES	COMMENTS
<b>STATE PLANNING POLICY 3.7 PLANNING IN BUSHFIRE PRONE AREAS</b>		
Parts of Lots 304 and 305 are mapped as bush fire prone.	✓	<p>A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016.</p> <p>The proposed lot configuration responds to the BAL mapping to ensure each lot contains sufficient land to accommodate a residential dwelling on land classified as BAL-29 or lower and strategic firebreaks are proposed on proposed Lots 4-9 in accordance with the BMP.</p> <p>In this instance, the subdivision design proposes lots that contain sufficient land classified as BAL-12.5 or lower to accommodate a residential dwelling.</p> <p>All lots enjoy direct frontage to an existing public road that provides two routes of emergency access.</p> <p>Strategic firebreaks are proposed to protect areas of vegetation mapped as Landscape Protection on the approved structure plan and in response to steep site contours.</p> <p>It is recommended that a condition be imposed on the subdivision approval seeking an addendum to the endorsed BMP to outline the requirement for strategic firebreaks around Landscape Protection Areas and the responsibilities of the Shire and landowners for implementation and management in perpetuity.</p>
<b>GOVERNMENT SEWERAGE POLICY</b>		
<p>5.2.1 Lot Size</p> <p>Urban/industrial subdivision outside public drinking water source areas and sewerage sensitive areas - minimum lot size of 2,000m<sup>2</sup>.</p>	✓	<p>Proposed lot sizes range from 3,629m<sup>2</sup> to 2.79ha.</p> <p>Refer to the enclosed SSE.</p>

RELEVANT PROVISION	COMPLIES	COMMENTS
Residential and commercial subdivision in towns outside the Metropolitan and Peel Region Scheme areas with existing sewerage schemes (as listed in Schedule 3) where unsewered subdivision at the density proposed is specifically provided for through the provisions of the local planning scheme or a local structure plan endorsed by the Western Australian Planning Commission – minimum lot size of 1,000m².		
5.2.2 Separation from Water Resources 100m of a waterway or significant wetland	✓	Refer to the enclosed SSE.
5.2.3 Separation from Groundwater The discharge point of the on-site sewerage system should be 0.6 to 1.5 metres above the highest groundwater level, depending on soil type and system used.	✓	The 2019 Boddington District Water Management Strategy outlines that groundwater is approximately 4 – 5m deep. Refer to the enclosed SSE.
5.2.4 Land Application Area / Schedule 2 Table 1 Minimum lot sizes for residential development services by on-site sewerage disposal in heavy soils	✓	Refer to the enclosed SSE.
Schedule 1: 3.4 Where on-site sewerage disposal is proposed A site and soil evaluation will generally be required in support of an application to demonstrate that the proposed land use and lot sizes are capable of accommodating on-site sewerage disposal. Where the Western Australian Planning Commission, after considering advice from referral agencies, is satisfied that proposed lots are capable of accommodating on-site sewage disposal, but require further information to inform future development, the condition below may be required	✓	Refer to the enclosed SSE.
<b>LOCAL PLANNING SCHEMES NO. 3 – TABLE 4</b>		
Subdivision and development should be generally in accordance with a Structure Plan approved by the Western Australian Planning Commission.	✓ <b>Minor variation sought</b>	The proposed subdivision is “generally” consistent with the modified structure plan approved in 2015. Proposed Lots 5 – 8 propose a minor variation, seeking approval for an R3 density, as opposed to the R2 density outlined in the structure plan. The variation is supported by the results of the SSE.
An Urban Water Management Plan is to be prepared to the satisfaction of the local government and the Department of Water and Environmental Regulation and implemented prior to the creation of titles.	NA	The proposed lots are large enough to accommodate stormwater drainage on-site.
A Bushfire Management Plan is to be prepared prior to subdivision being supported.	✓	A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016. The proposed lot configuration responds to the BAL mapping to ensure each lot contains sufficient land to accommodate a residential dwelling and strategic firebreaks are proposed on proposed Lots 4-9 in accordance with the BMP.
No trees or substantial vegetation shall be removed or felled except where: <ul style="list-style-type: none"> <li>trees are dead, diseased or dangerous;</li> <li>access to a building site or for bush fire management is required and approved;</li> <li>erection of a building or outbuilding;</li> <li>an area up to one metre in width for the purpose of erecting and maintaining a fence line.</li> </ul>	✓	Each of the proposed lots provide a sufficient area of land for the construction of a dwelling and outbuildings in areas remote from existing vegetation. The rear boundaries of Lots 12 – 14 have been amended at the request of DPLH to reduce vegetation removal for the installation of boundary fencing. A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016. The proposed lot configuration provides for strategic firebreaks, in accordance with

RELEVANT PROVISION	COMPLIES	COMMENTS
		<p>the BMP, to avoid clearing of vegetation for lot boundary firebreaks.</p> <p>It is recommended that a condition be imposed on the subdivision approval seeking an addendum to the endorsed BMP to outline the requirement for strategic firebreaks around Landscape Protection Areas and the responsibilities of the Shire and landowners for implementation and management in perpetuity.</p>
The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting consent, the local government may require tree planting in locations approved by the local government."	NA	As above.
<b>LOCAL PLANNING SCHEMES NO. 3 - TABLE 7</b>		
<p>Notwithstanding other provisions of this Scheme, development approval shall be required for the following development within SCA5:</p> <p>(a) the erection, demolition or alteration of any building or structure (not including farm fencing, wells, bores or troughs and minor drainage works ancillary to the general rural pursuits of the locality);</p> <p>(b) the clearing of land or removal of trees; and</p> <p>(c) the erection of advertising signs.</p>	NA	As above.
Any development of new buildings, other than outbuildings approved by the local government as being required for bona fide agricultural purposes, and telecommunications infrastructure, is to be sited in accordance with any building envelope or building exclusion zone to be stipulated by the local government.	NA	As above.
<b>STRUCTURE PLAN</b>		
Clause 1.5 - Development and subdivision within the Structure Plan area shall generally be in accordance with the endorsed Structure Plan.	<p>✓</p> <p>Minor variation sought.</p>	<p>The proposed subdivision is "generally" consistent with the modified structure plan approved in 2015.</p> <p>Proposed Lots 5 – 8 propose a minor variation, seeking approval for an R3 density, as opposed to the R2 density outlined in the structure plan. The variation is supported by the results of the SSE.</p> <p>The proposed lots are identified for "Special Residential R2" and "Rural Residential" use, subdivision and development.</p> <p>The rear portion of proposed Lots 1 and 3 encroach on land identified for "Public Open Space" (POS).</p> <p>The modification to the POS is proposed on the basis that it:</p> <ul style="list-style-type: none"> <li>Retains an existing dam in proposed Lot 1 providing an opportunity to put the dam to productive use.</li> <li>Removes the responsibility (and liability) from the Shire to manage an open water body within POS.</li> </ul> <p>The encroachment at the rear of proposed Lot 3, simply straightens the boundary between the POS and "Special Residential" lots.</p>
Clause 1.5.4 - Lots within the Rural Residential zone shall achieve a minimum lot area of 1ha and range in area from 1ha to 4ha. Larger lots may be necessary in some portions of the site, particular in Landscape Protection Areas and accordingly lot	✓	The proposed lot configuration responds to the outcomes of the Bushfire Management Plan and the provision of sufficient land area to accommodate a

RELEVANT PROVISION	COMPLIES	COMMENTS
sizes shall be determined through the subdivision application process, following further assessment of topographic constraints, remnant vegetation and visual impacts.		residential dwelling on land classified as BAL-29 or lower.
Clause 1.5.6 (a) - Building Envelopes shall be prescribed for each proposed Rural Residential lot that does not contain a cleared area of at least 2,000m <sup>2</sup> .	✓	All "Rural Residential" (and "Special Residential") lots contain a cleared area of at least 2,000m <sup>2</sup> .
Clause 1.5.8 (a) - All lots shall be connected to a reticulated potable water service, unless the building site sits less than 15m below the level of the Water Corporation's High Level Water Tank.	✓	A Water Corporation Water main runs within the Forrest Street and River Road verges, abutting the proposed lots. Refer to Section 4.3.2.
Clause 1.5.8 (e) - On-site effluent disposal systems shall be provided to the satisfaction of the Shire of Boddington at the time of house construction. The Shire of Boddington will require alternative treatment units for those lots where geotechnical investigations reveal limitations for conventional on-site effluent disposal systems.	✓	Refer to the enclosed SSE.
Clause 1.5.8 (f) - Arrangements are to be made, to Western Power's specifications, for the provision of an underground power supply to all lots.	✓	Refer to Section 4.3.1.
Clause 1.5.9 (a) - Prior to conditional subdivision approval being granted, the landowner/proponent is to prepare a bushfire hazard assessment, in accordance with the <i>Planning For Bushfire Protection Guidelines</i> (or any guidelines/regulations which supersede the <i>Planning For Bushfire Protection Guidelines</i> ).	✓	A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016.
Clause 1.5.9 (b) - Prior to conditional subdivision approval being granted, the landowner/proponent is to prepare a bushfire management plan (which may include the bushfire hazard assessment), to the specifications of the Shire of Boddington and the Department of Fire and Emergency Services and in accordance with the <i>Planning For Bushfire Protection Guidelines</i> (or any guidelines/regulations which supersede the <i>Planning For Bushfire Protection Guidelines</i> ).	✓	A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016.  It is recommended that a condition be imposed on the subdivision approval seeking an addendum to the endorsed BMP to outline the requirement for strategic firebreaks around Landscape Protection Areas and the responsibilities of the Shire and landowners for implementation and management in perpetuity.
Clause 1.5.9 (c) - Prior to conditional subdivision approval being granted, a traffic impact and management assessment, which identifies an appropriate road hierarchy, the required road widths, appropriate intersection controls and any road upgrades which may be required.	NA	All proposed lots enjoy direct frontage to an existing public road.
<b>LOCAL PLANNING POLICY (LPP)</b>		
LPP 3 - Urban Drainage Contribution Financial contribution towards upgrading drainage for new lots and grouped dwelling developments. Applications that propose to create lots for residential, special residential, commercial, industrial and other urban purposes, in particular, where proposed lots are 9,999m <sup>2</sup> and below and where the subdivision creates impacts on the local government's drainage system.	NA	
LPP 4 - Rural Residential Lots and Water Supplies Rural Residential lots are to be connected to the reticulated water system.	✓	A Water Corporation Water main runs within the Forrest Street and River Road verges, abutting the proposed lots. Refer to Section 4.3.2.
LPP 5 - Developer and Subdivider Contributions Contributions for the provision of infrastructure, services and facilities, where Council consider that the proposal will cause or contribute to impacts or create a demand.	NA	In accordance with Clause 6.3 of the LPP, the proposal does not create additional impacts or demand in relation to roads, paths, stormwater, public open space or community and therefore does not warrant a contribution.
LPP 8 - Fire Protection	✓	A Bushfire Management Plan (with BAL mapping) was approved by Shire of Boddington in 2016.

RELEVANT PROVISION	COMPLIES	COMMENTS
More intensive land use and development should only take place in areas where the performance criteria and acceptable solutions set out in Planning for Bush Fire Protection can be achieved.		
LPP 17 – Stormwater Management All new subdivision to detain stormwater and wherever possible retain stormwater on site.	✓	All the proposed lots are large enough to retain and infiltrate stormwater on-site.

## 6. SUMMARY

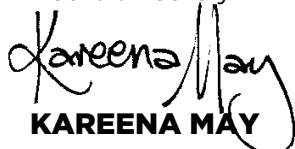
The enclosed application and plans propose the subdivision of Lot 304 (148.68ha) and Lot 305 (47.45ha) on the eastern edge of the Boddington townsite to create:

- Fifteen (15) “Special Residential” and “Rural Residential” lots ranging in size from 3,629m<sup>2</sup> to 2.79ha.
- Two (2) balance lots of 45.58ha and 132.42ha.

The proposed subdivision is consistent with the established local planning framework, structure plan and Bushfire Management Plan. The lots front existing public roads and can be readily serviced with reticulated water supply and power services.

In light of the above information, we respectfully request that the Western Australian Planning Commission process the amended subdivision application at the earliest possible opportunity. Should you have any queries regarding the proposed subdivision or require any additional information, please do not hesitate to contact the undersigned on 0411 103 198 or by email at kareena@sitepd.com.au.

Yours sincerely



**KAREENA MAY**

**MANAGING DIRECTOR + PRINCIPAL TOWN PLANNER**

Enc:

- Letter of Consent (SITE ref: 210805 Client CONSENT FORM\_Form 2)
- Amended Plan of Subdivision (SITE doc ref: 210817 20-026 BOD 304\_305-3-001 RevH Set 1)
- Amended Plan of Subdivision – aerial photograph, watercourses and setbacks (SITE doc ref: 210817 20-026 BOD 304\_305-3-001 RevH Set 2\_Setbacks)
- Amended Plan of Subdivision – soil test sites and setbacks (SITE doc ref: 210817 20-026 BOD 304\_305-3-001 RevG\_Soil Test Sites)
- Amended Plan of Subdivision – BAL mapping (SITE doc ref: 210817 20-026 BOD 304\_305-3-001 RevH Set3\_BAL)
- Site and Soil Evaluation Report (SITE doc ref: 210810 LA Site and Soil Evaluation Report Boddington Complete)
- Original Plan of Subdivision (SITE doc ref: 210205 26-026 BOD 304\_305-3-001 RevB)
- 2015 Approved Structure Plan (SITE doc ref: 150821 ABS 9001-SP RevL option 2\_Lots 304 + 305)

Cc:

- Absinth Pty Ltd / Shire of Boddington



- a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
  - b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
  - c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- (5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
- (6) If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land -
- a) a structure plan;
  - b) a local development plan.

## 19. ADDITIONAL USES

There are no additional uses for zoned land that apply to this Scheme.

## 20. RESTRICTED USES

There are no restricted uses which apply to this Scheme.

## 21. SPECIAL USE ZONES

- (1) Table 4 sets out –
- a) special use zones for specified land that are in addition to the zones in the zoning table; and
  - b) the classes of special use that are permissible in that zone; and
  - c) the conditions that apply in respect of the special uses.

**Table 4 – Special Use zones in Scheme area**

No.	Description of land	Special use	Conditions
SU1	Lots 301, 302, 303, 304, 305 and 306 Forrest Street, Boddington	Structure plan area for Subdivision and Development in accordance with the Residential zone, Rural Residential zone, Rural Smallholding zone, Public Purpose reserve and Public Open Space reserve.  In addition to the uses permissible in the above zones under the zoning table, 'park home park' is an 'A' use.	1. Lifestyle village developments generally exist under tenure arrangements which consist of singular ownership with residents occupying their dwellings via leasehold. Development is generally configured and serviced in a manner which cannot meet the requirements of the Residential Design Codes. Due to these factors, this form of development cannot be assessed as a form of

No.	Description of land	Special use	Conditions
			<p>development defined by the Residential Design Codes. Accordingly, development proposals for lifestyle villages are to be assessed as 'park home park'.</p> <ol style="list-style-type: none"> <li>2. Subdivision and development should be generally in accordance with a Structure Plan approved by the Western Australian Planning Commission.</li> <li>3. An Urban Water Management Plan is to be prepared to the satisfaction of the local government and the Department of Water and Environmental Regulation and implemented prior to the creation of titles.</li> <li>4. A Bushfire Management Plan is to be prepared prior to subdivision being supported.</li> <li>5. The structure plan is to detail how the design requirements for buildings should be addressed to ensure that all buildings are compatible with and contribute to the desired amenity of the locality, including whether the preparation of any subsequent planning instruments is required.</li> <li>6. No trees or substantial vegetation shall be removed or felled except where:               <ol style="list-style-type: none"> <li>(a) trees are dead, diseased or dangerous; or</li> <li>(b) access to a building site or for bush fire management is required and approved; or</li> <li>(c) erection of a building or outbuilding; or</li> <li>(d) an area up to one metre in width for the purpose of erecting and maintaining a fence line; or</li> <li>(e) a clearing permit has been issued or the clearing is exempt from requiring a clearing permit.</li> </ol> </li> </ol>

No.	Description of land	Special use	Conditions
			<p>7. The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting consent, the local government may require tree planting in locations approved by the local government.</p> <p>8. All development to comply with the provisions set out in Table 5 which are applicable to the zones specified by any structure plan, and/or any other planning instrument prepared under this scheme to the satisfaction of the local government, including a local planning policy or design guideline which applies to the land.</p>
SU2	Lots 21, 22 and 23 Crossman Road, Ranford	Structure plan area for Subdivision and Development in accordance with the Residential zone, Rural Residential zone, Public Purpose reserve and Public Open Space reserve.	<p>1. Subdivision should generally be in accordance with a Structure Plan approved by the Western Australian Planning Commission.</p> <p>2. Connection to reticulated water is required for all lots.</p> <p>3. No more than one dwelling will be permitted on each lot.</p> <p>4. Where depicted on the Structure Plan, all buildings are to be located outside of the designated building exclusion zones and not within 10 metres of the front lot boundary and 5 metres from side boundaries.</p> <p>5. In the interest of landscape and soil preservation, no trees or substantial vegetation shall be removed or felled except where:</p> <ul style="list-style-type: none"> <li>(a) trees are dead, diseased or dangerous; or</li> <li>(b) access to a building site or for bush fire management is required and approved; or</li> <li>(c) erection of a building or outbuilding; or</li> <li>(d) an area up to one metre in width for the purpose of</li> </ul>

Name of area	Purpose	Objectives	Additional provisions
		<p>or prospective mineral resources.</p> <p>To ensure landowners are made aware of the potential for mining operation to impact the use and enjoyment of the land.</p>	<p>habitable buildings to the Department of Mines, Industry Regulation and Safety for advice prior to determination of the application, except where it has agreed that particular types of development do not require referral.</p> <p>3. Where land is proposed to be subdivided, the local government shall recommend to the Western Australian Planning Commission that notifications be placed on newly created titles to ensure prospective purchasers are aware of the possibility of mining on adjacent properties and the potential for impact upon the amenity of the land.</p> <p>4. The local government may impose a condition on development approvals requiring a notification on the title, within SCA3, for new habitable buildings.</p> <p>5. The local government shall recognise the rights that exist to the parties to the <i>Alumina Refinery (Worsley) Agreement Act 1973</i> (including Mining Lease 258SA) that operates within the Scheme area, and shall advise the Department(s) for Jobs Tourism, Science and Innovation where appropriate on development approvals.</p>
SCA4	Wastewater Treatment Buffer	To ensure that land use and development within the Special Control Area is compatible with the protection and long-term management of waste water, including addressing odour impacts, to support the functioning and development of the Boddington townsite.	<p>1. Development approval shall be required for all development within SCA4.</p> <p>2. The local government shall refer any development application to the Water Corporation and the Department of Water and Environmental Regulation for advice prior to determination of the application, except where it has agreed that a particular type of development does not require referral.</p>
SCA5	Landscape Protection	<p>To protect the amenity and character of visually prominent land in and near the Boddington and Ranford townsites which have scenic or other values.</p> <p>To encourage small scale, low impact development designed to retain and preserve the natural, visual and physical characteristics of the environment.</p>	<p>1. Notwithstanding other provisions of this Scheme, development approval shall be required for the following development within SCA5:</p> <p>(a) the erection, demolition or alteration of any building or structure (not including farm fencing, wells, bores or troughs and minor drainage works ancillary to the general rural pursuits of the locality);</p> <p>(b) the clearing of land or removal of trees; and</p> <p>(c) the erection of advertising signs.</p> <p>2. Any development of new buildings, other than outbuildings approved by the local</p>

Name of area	Purpose	Objectives	Additional provisions
		To encourage the improvement of the rural landscape, including rehabilitation and revegetation of areas considered to be of significant scenic value.	government as being required for bona fide agricultural purposes, and telecommunications infrastructure, is to be sited in accordance with any building envelope or building exclusion zone to be stipulated by the local government.
SCA6	Structure Plan Areas	To identify areas requiring structure planning prior to subdivision and development.	<ol style="list-style-type: none"> <li>1. Subdivision and development should be generally in accordance with a Structure Plan approved in accordance with Part 4 of the deemed provisions.</li> <li>2. The structure plan prepared for Lot 300 Adam Street, Boddington is to ensure that subdivision or development proposals provide a suitable buffer or interface with the adjoining industrial land.</li> </ol>



Your Ref: ADM 0221  
Our Ref: SPN/0684  
Enquiries: Aiden O'Brien (Ph 9586 4692)

Chief Executive Officer  
Shire of Boddington  
PO Box 4  
BODDINGTON WA 6390

*Transmission via electronic mail to: [shire@boddington.wa.gov.au](mailto:shire@boddington.wa.gov.au)*

Dear Sir

***Shire of Boddington***  
***Lot 9001 Forrest Street & River Road, Boddington Local Structure Plan***

**WESTERN AUSTRALIAN PLANNING COMMISSION DECISION –  
STRUCTURE PLAN APPROVAL**

Pursuant to Part 4, Clause 22(1)(a) of the deemed provisions of the Shire of Boddington Planning Scheme No. 2, the Western Australian Planning Commission granted approval to Lot 9001 Forrest Street & River Road, Boddington on 13 October 2015 (copy attached).

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kerrine Blenkinsop".

Kerrine Blenkinsop  
Secretary  
Western Australian Planning Commission

17 December 2015

cc: [info@thspatialgroup.com.au](mailto:info@thspatialgroup.com.au)



# LOCAL STRUCTURE PLAN MODIFICATION 1

*Lot 9001 Forrest Street and River Road,  
Boddington*

**Shire of Boddington, Western Australia**

Prepared For:

**Absinth Pty Ltd  
November 2015**

SHIRE OF  
BODDINGTON  
RECEIVED

06 NOV 2015

Distribution to:

☐ DCS ☐ DSP ☐ MINS  
☐ PEHO ☐ FM ☐ CEO  
☐ MWS ☐ TPC ☐ MCS

No 150292



A7109994

(the spatial group)

planning + design

thespatialgroup.com.au

**LOT 9001 FORREST STREET AND RIVER ROAD,  
BODDINGTON**

**SHIRE OF BODDINGTON, WESTERN AUSTRALIA**

**LOCAL STRUCTURE PLAN: MODIFICATION 1**

**NOVEMBER 2015**

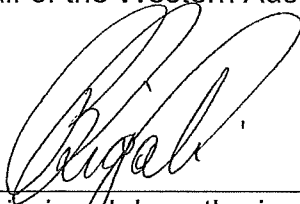
**Issue 3: post WAPC endorsement**

Prepared for:	<b>Absinth Pty Ltd</b>
Prepared by:	The Spatial Group planning + design PO Box 1345, South Perth W.A. 6951 Email: <a href="mailto:info@thespatialgroup.com.au">info@thespatialgroup.com.au</a> Telephone: 0411 103 198 Website: <a href="http://www.thespatialgroup.com.au">www.thespatialgroup.com.au</a>
Project Planner:	Kareena May
Job code:	ABS 9001
File reference:	151102 rp ABS 9001 LSP Modification 1.doc
Issue No:	3
Revision No:	-

This structure plan is prepared under the provisions of the Shire of Boddington Town Planning Scheme No. 2

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON: 13 OCTOBER 2015

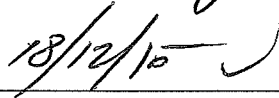
Signed for and on behalf of the Western Australian Planning Commission



an officer of the Commission duly authorised by the Commission pursuant to Section 16 of the *Planning and Development Act 2005* for that purpose, in the presence of:



Witness



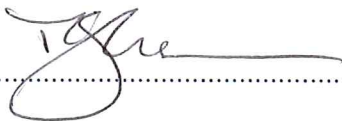
Date

13 OCTOBER 2025 \_\_\_\_\_ Date of Expiry

**FORMAL ADOPTION OF THE LOT 9001 FORREST STREET AND RIVER ROAD BODDINGTON  
LOCAL STRUCTURE PLAN**

**SHIRE OF BODDINGTON FINAL APPROVAL**

Adopted for final approval, pursuant to clauses 7.2.9.1 and 3.4 and Appendix 4 – Special Use Zone 1 of  
the Shire of Boddington Local Planning Scheme No. 2, by resolution of the Council of the Shire of  
Boddington at the meeting held on the 15<sup>th</sup> day of July 2014.

  
.....  
Acting SHIRE PRESIDENT

  
.....  
CHIEF EXECUTIVE OFFICER

**WESTERN AUSTRALIAN PLANNING COMMISSION ENDORSEMENT**

Endorsed, pursuant to pursuant to clause 7.2.10.2 of the Shire of Boddington Local Planning Scheme No. 2,  
by resolution of the Western Australian Planning Commission on the \_\_\_\_\_ day of  
\_\_\_\_\_ 20\_\_\_\_.

Signed for, and on behalf of, the Western Australian Planning Commission

.....  
\_\_\_\_\_  
\_\_\_\_\_

by an officer of the Commission duly authorised by the Commission for that purpose.

## ADOPTION

Following Council endorsement on 15 July 2014 subject to modifications, this Subdivision Guide Plan was adopted under delegation by the Chief Executive Officer under clause 3.4 of the terms of Boddington Local Planning Scheme No. 2.

  
CHIEF EXECUTIVE OFFICER

18/11/15  
DATE




**ENDORSEMENT**  
F.L.C. 11/12



This Subdivision Guidelines Plan was endorsed by resolution of the Western Australian Planning Commission and is signed for, and on behalf of, the Western Australian Commission.

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose.

DATE \_\_\_\_\_

- 150270


-  Structure Plot Boundary  
 Residential R20/40  
 Residential R15  
 Residential R12.5

-  Special Residential (R3)  
 Special Residential (R2)  
 Rural Residential (9900m<sup>2</sup> - 1 lot)  
 Rural Residential

- Public Purpose  
POS

-  On Wide Emergency (Bushing) Access Route / Pedestrian Access Way (Refer to endorsed Fire Management Plan)
-  Bridle Trail
-  26.5m Corridor
-  100m Rubbish Tip Buffer

-  Public Linkout
-  Landscape Protection Areas
-  Landscape Protection Area - Remain Vegetation Linkage
-  Possible Future Road Connection
-  Boundary Mining Buffer

-  Sewer Pump Station (Subject to Detailed Design)  
 High Level Water Tank & Nominal 11kV Site (Subject to Detailed Design)  
 Future Water Corporation Water Main  
 (Subject to Detailed Engineering Design & Survey)  
 Indicative Road Network (Subject to Council / WAPC Approval)

**(the spatial group)**  
planning + design

**LEIGHTON**  leighton-ny.com  
100 Broadway, DUMFRIES 10001 646 826 6011

**Lot 9001 Forrest Street & River Road, BODDINGTON**

LOCAL STRUCTURE PLAN: MODIFICATION 1

Client	: Absolute Pty Ltd
Plan No.	: 9001-SF
Endowment	: K option 2
Date	: 21 August 2015
Drawn	: BDI
Scale	: 1:5,000 (A3); 1:10,000 (A4)

**RECORD OF AMENDMENTS MADE TO THE LOT 9001 FORREST STREET AND RIVER ROAD  
BODDINGTON LOCAL STRUCTURE PLAN**

<b>MODIFICATION NO.</b>	<b>DESCRIPTION OF AMENDMENT</b>	<b>DATE OF COUNCIL/WAPC ENDORSEMENT</b>

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### PLAN

PLAN 1	LOT 9001 FOREST STREET & RIVER ROAD, BODDINGTON   LOCAL STRUCTURE PLAN: MODIFICATION 1
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## **1. PART 1 – STATUTORY SECTION**

### **1.1 STRUCTURE PLAN AREA**

The Structure Plan shall apply to Lot 9001 Forrest Street and River Road, Boddington.

### **1.2 STRUCTURE PLAN CONTENT**

The Structure Plan consists of a structure plan map and statutory planning provisions and requirements.

### **1.3 INTERPRETATION AND RELATIONSHIP WITH THE SCHEME**

Unless otherwise specified in this part, the words and expressions used in the Structure Plan shall have the respective meanings given to them in the Shire of Boddington Local Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

The Structure Plan map outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under the Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to clauses 7.2.5 – 7.2.15, clause 3.4 and Appendix 4 – Special Use Zone 1 of the Scheme:

- a) The provisions, standards and requirements specified in the Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of the Structure Plan, then the provisions, standards or requirements of the Scheme shall prevail; and
- b) Any other provision, standard or requirement of the Structure Plan that is not otherwise contained in the Scheme, shall apply to the Structure Plan area as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme.

### **1.4 OPERATION**

In accordance with clause 7.2.12 of the Scheme, this structure plan shall come into operation when it is either endorsed by the Western Australian Planning Commission (WAPC) pursuant to clause 7.2.12.1(a) of the Scheme or adopted, signed and sealed by the Council pursuant to clause 7.2.12.1(b) of the Scheme, whichever is the latter.

## 1.5 LAND USE AND SUBDIVISION

Development and subdivision within the Structure Plan area shall generally be in accordance with the endorsed Structure Plan.

### 1.5.1 LAND USE DEFINITIONS

Land use definitions shall have the respective meanings given to them in the Scheme.

Land uses definitions applicable to the Structure Plan, not listed in the Scheme, are outlined as follows:

***Lifestyle village*** means development (other than a park home park) containing accommodation for aged persons with associated ancillary administration and communal facilities.

### 1.5.2 LAND USE PERMISSIBILITY

Land use permissibility within the Structure Plan area shall be in accordance with clause 3.2 of the Scheme and the related zoning table of the Scheme.

- a) Lifestyle Village – as defined above, is an SA use within the Residential zone identified on the Structure Plan, meaning that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 6.4 of the Scheme, and is an X use over the balance of the site.
- b) Where land is identified as Residential R20/40, the higher residential density coding applies (only) to applications proposing grouped dwellings.

### 1.5.3 RURAL RESIDENTIAL

Lots zoned Rural Residential (9900m<sup>2</sup> to 1ha) shall achieve a minimum lot area ranging between 9900m<sup>2</sup> and 1ha.

### 1.5.4 RURAL RESIDENTIAL

Lots within the Rural Residential zone shall achieve a minimum lot area of 1ha and range in area from 1ha to 4ha. Larger lots may be necessary in some portions of the site, particular in Landscape Protection Areas and accordingly lot sizes shall be determined through the subdivision application process, following further assessment of topographic constraints, remnant vegetation and visual impacts.

### 1.5.5 PUBLIC OPEN SPACE

The landowner/applicant shall provide a written undertaking, to the satisfaction of the Western Australian Planning Commission, to advise prospective purchasers of the provisions of the local government's planning scheme that relate to the use and management of the land, as a condition of subdivision approval.

In particular, any prospective purchasers are to be made aware of public open space requirements, the distribution of public open space throughout the structure plan area and the possibility that some lots will need to cede more/less land for public open space than other lots within the Structure Plan area.

#### **1.5.6 BUILDING ENVELOPES**

- a) Building Envelopes shall be prescribed for each proposed Rural Residential lot that does not contain a cleared area of at least 2000m<sup>2</sup>.
- b) Where a building envelope has been prescribed for a lot, all buildings (including outbuildings) on the lot must be located within the building envelope for that lot, as shown on an endorsed local development plan.
- c) The Shire of Boddington may permit a variation to the building envelope shown on the endorsed local development plan in accordance with clause 7.2.15 of the Scheme, where it is satisfied that for reasons of topography or landscape preservation, such a variation will not adversely affect the amenity of the area.

#### **1.5.7 NATURAL RESOURCE MANAGEMENT**

- a) Within Rural Residential or Special Residential areas and/or within the Landscape Protection Area, all existing trees, or groups of trees, shall be retained unless their removal is authorised by the Shire of Boddington for any of the following purposes:
  - i. subdivision works;
  - ii. residential development and associated outbuildings;
  - iii. firebreaks and Building Protection Zones (consistent with an endorsed Bushfire Management Plan or Shire of Boddington Firebreak Notice);
  - iv. removal of trees which are dead, dying or diseased and/or those which are, in the opinion of the Shire of Boddington, unsafe.
- b) Within the Landscape Protection Areas shown on the endorsed Structure Plan, no clearing is permitted unless in accordance with clause 1.5.7(a) above.
- c) Where lots contain drainage lines, appropriate buffers shall be identified for on-site effluent disposal systems to the satisfaction of the Shire of Boddington.

#### **1.5.8 SERVICING**

- a) All lots shall be connected to a reticulated potable water service, unless the building site sits less than 15m below the level of the Water Corporation's High Level Water Tank.
- b) In areas less than 15m below the level of the Water Corporation's High Level Water Tank that cannot connect to a reticulated water service, lots shall provide an on-site water supply in accordance with the *Shire of Boddington Local Planning Policy No. 4: Rural Residential Lots and*

*Water Supplies, WAPC Development Control Policy No. 3.4: Subdivision of Rural Land* and the requirements of the approved bushfire management plan.

- c) Subdivision applications proposing lots above 265m AHD may trigger the need for the provision of a ground level water tank and other associated infrastructure to provide adequate mains pressure to consumers, subject to clause 1.5.8(a) above. The notional High Level Water Tank location and 1ha+ site illustrated on the Structure Plan are subject to detailed design and approval of the Water Corporation. Applicants proposing lots above 265m AHD should liaise with the Water Corporation prior to the lodgement of an application for subdivision.
- d) All lots below 2000m<sup>2</sup> in area shall be connected to a reticulated sewer service.
- e) On-site effluent disposal systems shall be provided to the satisfaction of the Shire of Boddington at the time of house construction. The Shire of Boddington will require alternative treatment units for those lots where geotechnical investigations reveal limitations for conventional on-site effluent disposal systems.
- f) Arrangements are to be made, to Western Power's specifications, for the provision of an underground power supply to all lots.

## **1.5.9 ADDITIONAL PLANS, REPORTS AND/OR STRATEGIES REQUIRED**

### **1.5.9.1 Prior to subdivision approval**

Prior to conditional subdivision approval being granted, the following plans, reports and/or strategies are required:

- a) The landowner/proponent is to prepare a bushfire hazard assessment, in accordance with the *Planning For Bushfire Protection Guidelines* (or any guidelines/regulations which supersede the *Planning For Bushfire Protection Guidelines*).
- b) The landowner/proponent is to prepare a bushfire management plan (which may include the bushfire hazard assessment), to the specifications of the Shire of Boddington and the Department of Fire and Emergency Services and in accordance with the *Planning For Bushfire Protection Guidelines* (or any guidelines/regulations which supersede the *Planning For Bushfire Protection Guidelines*).
- c) A traffic impact and management assessment, which identifies an appropriate road hierarchy, the required road widths, appropriate intersection controls and any road upgrades which may be required.

### **1.5.9.2 Condition of subdivision approval**

In addition to standard conditions of subdivision approval, the landowner/applicant should be required to prepare and implement, as a condition of subdivision approval:

- a) A rehabilitation and revegetation management plan, which addresses the creek located within the linear public open space area (abutting the southern boundary of the central road connecting Forest

Street to River Road), for applications proposing the subdivision of land in that vicinity, to the specifications of the Shire of Boddington.

- b) A vegetation management plan, which addresses Landscape Protection Areas within the Structure Plan area, to the specifications of the Shire of Boddington.
- c) An urban water management plan, in accordance with the *Better Urban Water Management Guidelines*.
- d) A local development plan, which identifies building envelopes for Rural Residential lots that do not contain a cleared area of at least 2000m<sup>2</sup>, to the specifications of the Shire of Boddington.
- e) Building and landscaping guidelines, to the specifications of the Shire of Boddington.

## Element 2 - Movement network

Arterial routes will have signalised intersections, and these may be relatively closely spaced, especially in locations such as neighbourhood and town centres to provide pedestrian safety and convenience. Medians allow staged pedestrian crossing of the arterial routes.

Traffic signals have significant capital and recurrent costs, but can be a cheaper alternative to pedestrian underpasses. MRWA is responsible for all traffic signals and allocates priority for their installation. The WAPC considers that the full cost associated with the advancement in priority for signals should be borne by the developer (refer to Development Control Policy 1.7 General Road Planning and WAPC Planning Bulletin 18 Developer Contributions for Infrastructure).

The WAPC considers that the use of roundabouts on arterials should be minimised, as they are less conducive to pedestrians and cyclists, as well as providing fewer breaks in flow to support vehicle access into and out of side streets. Roundabouts may be considered on arterials where pedestrian and cyclist volume are very low, or as an interim treatment before a dual carriageway is constructed.

Proposals that contemplate intersection control using traffic signals should be discussed with MRWA at an early stage.

### Pedestrian movement network

In conventional development, walking has been made difficult for many journeys because of the disconnected street system, lack of footpaths, unsafe routes and long distances to most destinations. To encourage people to walk, a place must have high pedestrian amenity and efficiency, be stimulating, legible and safe for pedestrians.

Liveable Neighbourhoods recognises the complexity of daily movement patterns and the need to make pedestrian trips as short and pleasant as possible. The primary pedestrian network is the street system, which is detailed to support pedestrian movement.

Footpaths should ideally be provided on both sides of all streets. For cost reasons, footpaths may be omitted from one side of lower order access streets, unless the street forms an important pedestrian link (eg to a school, centre or station).

### Pedestrian interest, safety and efficiency

A relatively continuous building frontage can create interest for pedestrians and provide casual surveillance or assist security.

Footpaths should have ramps at all kerb corners for wheelchairs and pram access and cater for people with disabilities. Street lighting that adequately lights the footpaths should be provided in all streets. Placement of street trees needs to consider affect on lighting. Pedestrian crossing distances in local streets should be limited through kerb extensions and tight turning radii, which ensure vehicular traffic will slow to negotiate the tighter corners.

A standard footpath width of 1.5 m is specified. This enables two pedestrians to pass with comfort, and enables ease of use by people with prams, wheelchairs and other mobility aids. Shared paths of typically 2 - 2.5 m wide are to be provided on specified streets.

### Walkable catchment (ped shed) efficiency

The efficiency of a particular street network layout in providing walking access to centres, stations, bus stops or schools can be measured using a walkable catchment, or ped shed, analysis. The technique for calculating walkable catchment areas is included in Appendix 2.

Typically, most people will consider walking up to 400 m (five minutes) to daily activities, or 800 m (10 minutes) to a train station or town centre. A well-connected street network should achieve at least 60 per cent efficiency (meaning 60 per cent of the area in a 400 m radius of the destination can be reached by a 400 m walk along streets).

### Safe routes to schools, bus stops and stations

A network of quiet local streets, focused on schools, should be designed to ensure safe use by young pedestrians and cyclists. Secondary and private schools should be located to benefit from good public transport access with safe pedestrian routes between transport stops and schools.

Safe routes to stations and most bus stops require more consideration of surveillance to provide nighttime safety. Main routes to stations should be fronted by a

## Element 2 - Movement network

mix of housing and uses that are open at night (eg delicatessens, gyms, recreation centres), with minimal gaps in surveillance. Bus stops and their approaches should be in view of adjacent land uses and provided with adequate lighting. Streets used to access the stops should be fronted by development and have minimal breaks in surveillance. Where pedestrian access streets or paths cross linear parks, these parks may need to be narrowed to around 30-50 m in width to ensure they provide a safe night-time walking environment. Further detail is available in the WAPC Designing Out Crime Planning Guidelines.

### Cyclist movement network

Good cycling conditions and encouragement of cycling should be designed into the urban fabric. This includes such measures as; bike parking facilities, slower vehicle speeds and low traffic volumes, appropriate lane widths along local streets to allow cyclists to share travel lanes with cars, marked cycle lanes on busy streets and shared paths and routes parallel to arterials with less traffic.

Bicycle arterial routes should be identified to efficiently serve key destinations such as schools, centres sports areas and stations. These may predominantly comprise on-street cycling on local streets, where detailed street design has provided safe and comfortable conditions for heavier cycle use. On bicycle arterial routes, bicycle head-start treatments may be required at signals.

### Shared paths and dedicated bike paths

Much cycling for daily activities will be on streets. On busier streets close to schools, wider footpaths designed for use by pedestrians, cyclists, and other small wheeled-vehicle users are appropriate.

Long distance commuter cycling and recreational cycling may justify specially designed shared paths or cycle-only paths, usually in accordance with a regional structure plan, and relevant design and construction standards.

### Movement network for users with disabilities

Access to and ease of use of the movement network for users with disabilities is an important emphasis of Liveable Neighbourhoods. The needs of disabled users must be considered during design. Liveable Neighbourhoods provides for these users in several ways:

- journeys can be carried out on the street network rather than through a separate open space network which is often poorly maintained and lacking surveillance;
- footpaths are required for most streets, often on both sides of the street, making journeys simpler and safer;
- footpath widths standardised at 1.5 m minimum, and kerb ramp design suited to people with disabilities in accord with Main Roads WA design details;
- access to public transport is easier, more direct and closer; and
- public transport should be more efficient and therefore more frequent.

The requirements of the *Disability Discrimination Act 1992* must be followed. The local government should also be consulted with respect to any disability service plan.

### Public transport

Designing new areas to facilitate a much higher quality of public transport provision is a key focus of Liveable Neighbourhoods. Planning for the public transport mode and routes should be undertaken at the regional and district structure plan level. At these levels, the density, mix and distribution of land uses are also established. Detailed design to support use of the public transport service is achieved in the local structure plans and subdivision process. This includes the street network and layout, street design, detailed design of centres, and lot layout.

The WAPC's Development Control Policy 1.6 Planning to Support Transit Use and transit Oriented Development and Out Crime Planning Guidelines are also relevant.

## Element 2 - Movement network

### Objectives

#### Street movement network

- O1** To provide acceptable levels of safety and convenience for all street users in residential areas, while ensuring acceptable levels of amenity and minimising negative affects of through traffic.
- O2** To provide a managed network of streets with clear physical distinctions between arterial routes and local streets based on function, legibility, convenience, traffic volume, vehicle speed, public safety and amenity.
- O3** To support development that fronts streets wherever possible.
- O4** To establish a movement network which provides convenient linkages to activity centres and local facilities either in or adjoining the development.
- O5** To provide a movement network which is efficient, affordable, legible, minimises travel time, supports access to public transport and contributes to limiting fossil fuel use.

#### Public transport

- O6** To design all urban areas to facilitate increased use of public transport.
- O7** To ensure efficient and convenient public transit routes and to locate transit stops in a street network that facilitates access by pedestrians, cyclists, buses and cars.
- O8** To accommodate a comprehensive public transit network that is efficient to operate, comfortable to travel on, and with bus stops that are conveniently and safely accessible by foot from most dwellings.

#### Cycle movement network

- O9** To provide a safe, convenient and legible bike movement network to meet the needs of both experienced and less experienced cyclists, including on-road and off-road routes.

### Movement for people with disabilities

- O10** To provide a safe, convenient and legible movement network for people with disabilities, including those using wheelchairs and similar aids.

#### Pedestrian movement network

- O11** To provide a safe, convenient and legible movement network for pedestrians, principally along the street network; to provide excellent accessibility between residences and safe and efficient access to points of attraction in and beyond the development.
- O12** To design street networks to optimise the walkable access to centres, schools, public transit stops, and other destinations.
- O13** To design major routes as integrator arterials with extensive and frequent opportunity for pedestrians to move safely along and across them.
- O14** To design and detail new developments to promote and support walking to daily activities.
- O15** To provide pedestrian paths through parks for recreation purposes wherever practicable.

#### Street design

- O16** To provide attractive streetscapes which reinforce the functions of a street as important and valuable public places that add value to the amenity of adjacent housing and developments.
- O17** To enable roads and verges to perform their designated functions in the street network, recognising, that streetscapes that are too wide encourage higher vehicle speeds.
- O18** To provide street geometry which is safe and appropriate to the street function.
- O19** To accommodate on-street parking where required, including parking for people with disabilities.
- O20** To provide a safe, distinct and pleasant environment for residents and other users.

## Element 2 - Movement network

cross-sections, bus frequency or likelihood of constrained bus passing conditions), and should comply with other requirements of the Department for Planning and Infrastructure and the Public Transport Authority.

**R28** Streets near railway stations or bus interchanges should be focused towards transit stops to optimise the walkable catchments and have fronting uses which provide a high level of activity and surveillance. Walkable catchment analysis should be provided for train stations, neighbourhood and town centres, and bus stops where these are not located in centres.

**R29** Where railway lines cut through or bound a proposed development, sufficient street crossings should be provided to integrate urban development on both sides. This may be achieved by:

- providing grade-separated street crossings typically at around 500 m spacing;
- additional grade-separated pedestrian crossings as required;
- taking advantage of topography to provide grade separations (including low clearance underpasses in residential areas) wherever practicable;
- providing controlled level crossings where the above are topographically impractical or where an over or underpass would be undesirable (eg at stations or in town centres);

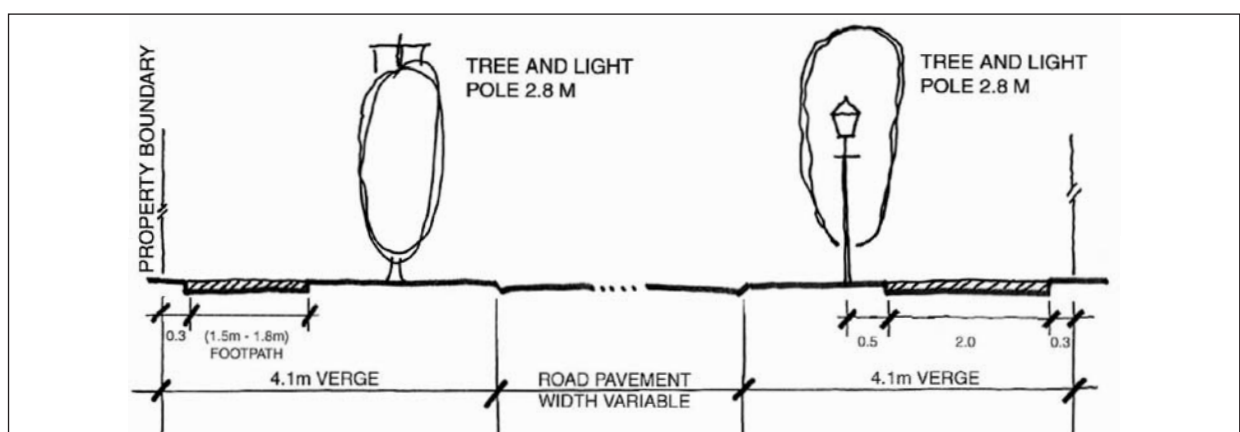
- locating stations where efficient street over or underpasses may be provided;
- supplementing vehicle crossings with at-grade pedestrian and/or cycle crossings with electronic ped-gates if desired; and
- depression of lines to contain noise.

### Footpaths and shared paths in streets

**R30** Arterial roads and neighbourhood connector streets must have footpaths or shared paths on both sides in accordance with **figures 12 to 18**, and constructed to an approved construction standard.

**R31** Access streets must have a footpath or shared path on one side in accordance with **figures 19 to 22**. A footpath or shared path may be required on both sides where pedestrian activity is high, (ie where the path forms part of a pedestrian link, near schools, shops or stations).

**R32** Footpaths in streets should be 1.5 m minimum wide, and be widened to 2 m minimum in the vicinity of schools, shops and other activity centres. Footpaths 1.5 m wide are offset a minimum of 0.3 m from the property boundary, or are built at 1.8 m wide if abutting the property boundary (**figure 26**). Pram crossings are required at all intersections and should have a maximum grade of 1:10.



**Figure 26: Typical footpath and/or shared path widths and trees, showing their locations in the verge.**

- Notes:
1. 0.3 m clearance required to property boundary for minimum footpath width of 1.5 m and minimum shared path of 2 m. The footpath or shared path may be paved to the property boundary in addition to minimum width.
  2. 0.5 m clearance required between shared path and tree.
  3. Setbacks shown to property boundary only. Road pavement may vary.
  4. Trees and light poles are typically located 2.8 m from property boundary in the minimum width verge of 4.1 m.

## Element 2 - Movement network

- R33** Footpaths should be separated from the street pavement, and usually located against or close to the property boundary. Footpaths may only be located abutting kerbs where site constraints preclude alternative siting, and where vehicle volumes or road design speeds are low. If footpaths abut kerbs, verges may need to be widened to accommodate trees in locations clear of services. Footpaths should be designed and located taking into account pedestrian amenity, sun and shade, street lighting, postal deliveries and likely use patterns. Footpath construction must be continuous across driveways.
- R34** Shared space for pedestrians, cyclists and vehicles should be designed and detailed to enable pedestrians and vehicles to share the same pavement, particularly in town and neighbourhood centres, with a sense of equal priority.
- R35** Pedestrian crossings of integrator arterials should be provided at-grade wherever practical. Grade-separated pedestrian crossings should only be used where topography can be used to advantage and is overlooked by adjacent development, or at freeways or other high speed distributor roads.
- R36** Full height dividing fences must be avoided next to shared paths to improve driver sight lines at driveways.

### Walkable catchments

- R37** At least 60 per cent of dwellings should be in a safe 400 m walk from a neighbourhood or town centre, or an existing or potential bus stop, or in a safe 600 m walk from a railway station.

### Cycling on streets

- R38** A safe, convenient and legible bike network should be provided for both experienced and less experienced cyclists. The network may comprise both on-road and off-road routes, planned in accordance with any State plan or local walking trail or bike plan and responding to:
- projected bike travel demand;
  - expected vehicular traffic volumes and composition;

- linkages between trip attractors such as schools, local centres and other community facilities; and
- safety, security and convenience for users.

- R39** The local street network should provide a permeable network of routes for cyclists to promote on-pavement cycling to daily activities. Abutting cul-de-sac heads should have a foot and bike path connection. A continuous local street system for cyclists parallel to arterial streets to supplement paved shoulders and/or cycle lanes and shared paths along arterials should be provided wherever practical. In residential areas where projected traffic volume is less than 3000 vehicles per day, cycling should generally be on-street, shared with cars (figure 27).

- R40** Cycle lanes should be provided on streets with projected traffic volumes of more than 3000 vehicles per day and near schools, stations, centres or where long distance commuter cycling and recreational cycling is likely.

Additional shared paths may be also be necessary for cyclist safety along streets with higher traffic volumes. Arterial roads should normally incorporate a cycle lane for on-street cyclists.

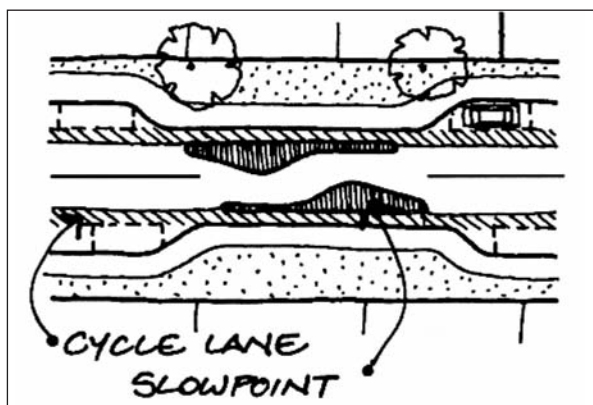


Figure 27: Example of slow point to accommodate cyclists.

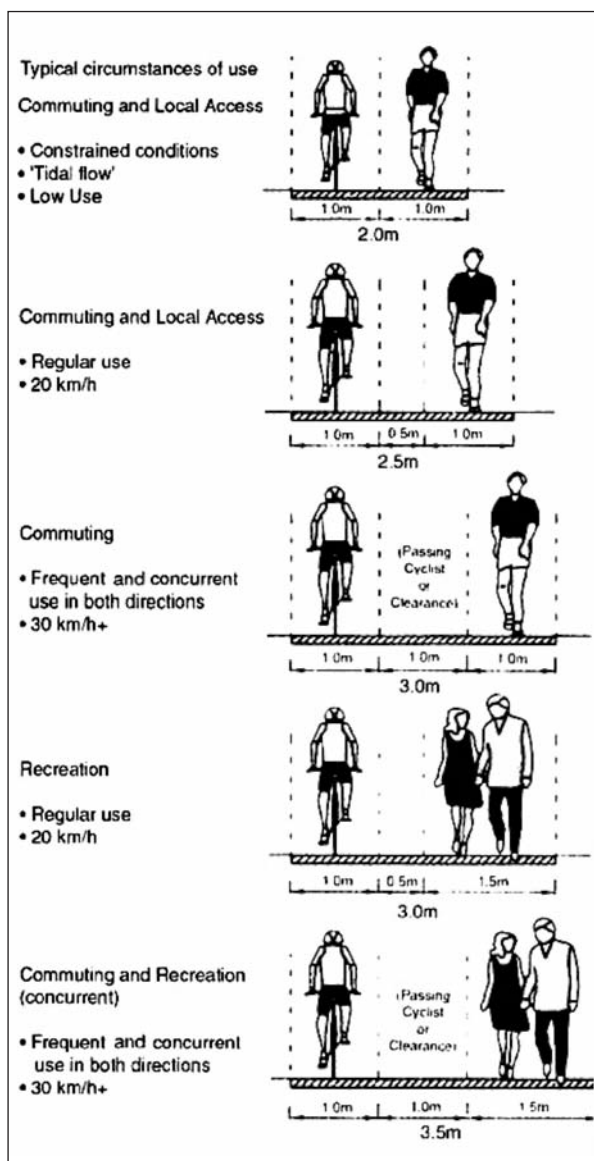
### Shared paths

- R41** Off-street shared paths and bike paths should be designed to take into account the specific requirements of the route (eg of long distance commuter cycling and/or recreational cycling). Paths for the use of pedestrians, wheelchairs or motorised wheelchairs, and cyclists should be constructed in accordance with approved

## Element 2 - Movement network

construction standards, and take into account the safety requirements of all potential users.

- R42** Shared paths must be provided with facilities for the separation of pedestrians and cyclists where appropriate (eg meeting points or junctions on high-use activity areas).
- R43** Shared path width and design should cater for projected user types and volumes, and to facilitate ease of use by the disabled, aged and the very young. Grade separations can be provided where topography assists or where a direct route is desirable and can be safely achieved.



**Figure 28: Indicative dimensions for shared paths.**

Derived from Austroads Guide to Traffic Engineering Practice, Part 14: Bicycles, Figure 6.6.

- R44** Shared paths on neighbourhood connectors or arterial routes providing major access to a school should desirably be 2.5 m wide and designated as a shared path in accordance with Austroads Guide to Traffic Engineering Practice, Part 14: Bicycles. **Figure 28** provides indicative dimensional criteria for shared paths.

### Footpath and/or shared path construction

- R45** Footpaths and shared paths must have a durable, non-skid surface with tactile ground surface indicators at bus stops and traffic signals and at other road crossing points in activity centres, near stations and medical centres where there is high pedestrian usage. The path surface should be continuous across driveways.

### Streetscape

- R46** The design of each street should convey to the user its primary function, character and identity, and encourage appropriate driver behaviour. Street design should respond to landscape features, vegetation and landforms. Large trees should be set back from the edge of the nearest travel lane in accordance with **Table 7 - Tree clear zone for urban streets**.
- R47** Street trees that provide a generous canopy at maturity should be planted in most streets (except rear laneways) for pedestrian shade and shelter, streetscape amenity, and traffic management.

### Street reserves, road and crossovers

- R48** The street reserve and road width must be sufficient to cater for all functions that the street is expected to fulfil, including safe and efficient movement of all users, provision for parking on the majority of streets, buffering residents against traffic nuisance, and provision of public utilities and landscaping. This may normally be satisfied by using the indicative street sections shown in **figures 12 to 24**.
- R49** Despite R48, care should be taken to avoid unnecessarily wide streets and verges as this encourages higher traffic speeds, reduces the amenity of the adjoining land, and discourages pedestrian activity.

**Actions**

The Shire of Boddington will:

- (a) Monitor the capacity of the Shire of Boddington's existing waste management facilities and their ability to support the Shire of Boddington's growth and development.
- (b) Undertake planning to identify a new site for a waste management facility and its buffer area, when it becomes evident that waste management facilities currently being used by the Shire of Boddington are approaching the end of their life-span.

**3.3.5 Transport Infrastructure**

The Shire of Boddington's transport network needs to be capable of moving people and freight (using a variety of transport modes) in a safe, convenient and efficient manner on a network which is easily accessible.

**Strategies**

- (a) Encourage the development of better pedestrian and bicycle access to the Boddington townsite and the surrounding area, with a focus on connections to the town centre, recreational and community facilities.
- (b) Support the construction of new and extended dual use paths, trails and cycle lanes as land in and around the Boddington townsite is subdivided for urban purposes.
- (c) Support the integration of cycling and walking paths with the road network.
- (d) Monitor the need for improvements to and the upgrading of local and regional roads including (but not limited to) Pinjarra-Williams Road, Bannister-Marradong Road, Harvey-Quindanning Road and Marradong Road.
- (e) Support the implementation of *Roads 2030: Strategies for Significant Local Government Roads - South West Region*.
- (f) Support the identification, protection and management of transport corridors.
- (g) Support proposals to improve the safety and amenity of Bannister Road.

**Actions**

The Shire of Boddington will:

- (a) Continue working with Main Roads WA to progressively seal Marradong Road and Harvey-Quindanning Road.
- (b) Promote the following road-related projects:
  - (i) additional passing lanes on Pinjarra-Williams Road between Boddington and Dwellingup;
  - (ii) widening of Pinjarra-Williams Road between Marradong and Quindanning;
  - (iii) intersection upgrade at Crossman Road/Albany Highway; and
  - (iv) intersection upgrade at Crossman-Dwarda Road/Albany Highway.
- (c) Establish new dual use paths, trails and cycle lanes in and around the Boddington townsite.
- (d) Prepare and implement pedestrian and cycling plans.
- (e) Require developers to provide (or make a contribution towards the cost of providing) dual use paths where:
  - (i) their development is likely to create the demand for additional pedestrian and bicycle facilities; and
  - (ii) it would be fair and reasonable to do so.
- (f) Investigate the provision of a new bridge at Old Soldiers Road/Palmer Road.
- (g) Seek funding for the construction of a pedestrian/bicycle crossing of the Hotham River.
- (h) Upgrade walking and bicycle trails linking the Bibbulmun Track and the Boddington townsite.
- (i) Work with the Public Transport Authority to improve the availability of public transport services.
- (j) Explore the potential use of existing, unused, railway reserves for walking, cycling and horse riding trails.

**3.3.6 Community Infrastructure**

Communities require access to a broad range of infrastructure, which extends beyond the infrastructure required to provide reticulated wastewater, potable water and electricity

## **SHIRE OF BODDINGTON PLANNING POLICY NO. 5 DEVELOPER AND SUBDIVIDER CONTRIBUTIONS**

### **1. Policy Statement**

It is Council's policy to require contributions in the form of land to be dedicated to Council, infrastructure works, or monetary payment for the provision of infrastructure, services and facilities, where Council considers the proposal (development application, subdivision application or scheme amendment, structure plan, development guide plan request) will cause or contribute to impacts and/or will assist to satisfy the demands created by the proposal.

This policy is primarily focused on "off-site" (outside of the site subject to the proposal) impacts/demands and the associated need for appropriate developer/subdivider contributions to address these, rather than "on-site" contributions (on the development/subdivision site). The provision of on-site infrastructure, services and facilities is the responsibility of the developer/subdivider unless otherwise outlined in this policy or agreed to by Council or the Western Australian Planning Commission (WAPC).

The Council will determine the need and nature of the contribution in assessing development applications, determining scheme amendment requests, and providing advice to the WAPC on subdivision, boundary adjustment or amalgamation applications. Should the Council determine that a contribution is necessary, it will be typically implemented through a condition of the development/subdivision approval.

Throughout this policy, references to "developer/subdivider", "development/subdivision" also relates to "scheme amendment, structure plan and development guide plan" requests where considered appropriate by Council, the term "developer" or "subdivider" can also imply "applicant", "proposal" implies "development application", "subdivision application" or "scheme amendment request".

### **2. Background and Issues**

The Council considers that the local community, within the municipality, should not be adversely affected as a result of developments/subdivisions being implemented. Accordingly, the Council expects that developers/subdividers should meet or contribute towards the cost of providing appropriate infrastructure, services or facilities where the "impact" and "demand" will result through implementing their proposal.

Developer/subdivider contributions come in three main forms; land contributions,

approval or negotiate an agreement (or similar) through a scheme amendment, structure plan or development guide plan request, a requirement for the provision of:

- land to be dedicated to the Council;
- infrastructure works;
- monetary payment (either a cash payment or other means acceptable to Council e.g. bank guarantee).

Unless otherwise stated, this policy focuses on off-site contributions.

Unless otherwise agreed to by Council, all on-site works and costs associated with implementing the development/subdivision are to be met by the proponent including the provision and/or upgrading of infrastructure/services and where relevant facilities. This includes meeting the requirements of the Council, the WAPC and the relevant servicing authority to provide necessary infrastructure, services and facilities. Standard on-site works and requirements include, relevant to the proposal (such as intensity of development, proposed number of lots, intended use, site location, site features etc.), the following:

- internal roads, pathways, drainage etc;
- connection to reticulated water;
- connection to reticulated sewerage;
- connection to a suitable power supply;
- provision of public open space (for urban and rural living subdivisions);
- car parking (including cash-in-lieu arrangements) – this is addressed in the Council's Town Planning Scheme, other Council policies, and the Residential Design Codes of Western Australia; and
- landscaping – this is addressed in the Council's Town Planning Scheme, other Council policies, and the Residential Design Codes of Western Australia.

The responsibilities of a developer/subdivider to meet on-site requirements does not negate their obligations towards meeting off-site contributions as outlined in this policy, other Council policies, and/or in accordance with WAPC policies.

In assessing proposals and possible contributions (such as road upgrading), the Council will consider natural environmental assets and associated impacts.

## 6.2 Assessment Considerations

The Council will determine whether a contribution is required and if it is, the contribution type and amount by considering matters including:

- the extent to which there are additional abnormal costs associated with the development/subdivision as determined by Council;
- the scale of the contributions, including where appropriate, economic viability of the development/subdivision in the opinion of Council;
- other relevant Council and WAPC policies; and
- written justification put forward by the proponent and/or the proponent's consultant/s.

### 6.3 Proposals Typically Requiring Contributions

Contributions will be typically sought by Council for development applications, including those that propose:

- retail, commercial, office and industrial development;
- leisure and/or recreational development;
- educational/training establishments;
- tourist developments and/or holiday accommodation;
- home occupation and industry-cottage;
- industry - extractive and/or mining;
- industry - rural;
- timber plantations;
- group dwellings, second dwellings and aged care developments; and
- other applications determined by Council to create off-site impacts and/or demands for infrastructure, services and facilities.

The Council will seek the support of the WAPC to impose appropriate contribution conditions on subdivision approvals that:

- create additional traffic generation onto unsealed roads managed by Council;
- create significant additional traffic generation onto sealed roads where safety and/or capacity issues are anticipated;
- propose access from an unconstructed road;
- propose or have the ability to access a constructed or unconstructed laneway/right-of-way which is managed by Council;
- create the need for footpaths/dual use paths based on considerations including safety and convenience;
- can not dispose/retain stormwater on the subdivision site;
- create the need for public open space; and
- create the need for community purpose sites and other public facilities.

The Council will typically require contributions for scheme amendment, structure plan and

### 6.10 Footpaths and Dual Use Paths

The Council may require developers/subdividers to make an appropriate contribution for off-site footpaths and dual use paths (reconstruct and/or construct). If deemed necessary by Council, the developer/subdivider is required to provide a footpath/dual use path adjoining and/or not adjoining the proposal site in order to provide safe and convenient pedestrian and cyclist connections to existing footpaths/dual use paths.

The requirement to upgrade and/or provide new footpaths/dual use paths are as follows:

- by developers on the frontage of the development site where the Council considers the development will warrant this, as determined by predicted pedestrian and/or cycle movement, which will be in conflict with existing or estimated traffic volumes/types;
- by developers for relevant off-site works in the opinion of Council where in addition to the above point, the path is required as a link for convenience and/or safety;
- by subdividers within urban and rural residential/rural living subdivisions; and
- by subdividers for off-site works, for urban, rural residential/rural living and tourist subdivision, where the site is not connected to the existing public footpath/dual use path system and where the Council considers the path is required as a link for convenience and/or safety.

There may be opportunities for cost-sharing with the proponent financially contributing in partnership with other landowners and/or with the Council.

### 6.11 Drainage

Council requires appropriate stormwater management and treatment for the proposed subdivision/development that satisfactorily addresses stormwater control and meets appropriate environmental standards in the opinion of Council. Where possible and practical, stormwater will need to be appropriately detained and treated on the proposal site.

New developments/subdivisions draining to an existing Council drainage system, or requiring an off-site drainage requirement, may attract a drainage contribution unless the proponent's suitably qualified professional submits a design, which is approved by Council, for the installation of appropriate disposal/retention systems is carried out for full on site disposal/retention in the opinion of Council.

New developments/subdivisions are to be provided with a comprehensive drainage system and where that system contributes to an impact on downstream drainage (includes issues of

## EXECUTIVE SUMMARY

This Local Bicycle Plan has been prepared with the overall aim of making cycling safer and more convenient within and near the Boddington and Ranford townsites and in other parts of the Shire of Boddington (District). It identifies barriers to cycling and proposes a number of measures by which these can be eliminated. It is anticipated that, when implemented, the upgraded cycling network will result in an increase in the number of local trips by bicycle.

The objectives of this Local Bicycle Plan are to:

- make cycling safer within the District;
- increase the number of cycling trips made by local residents;
- make cycling more convenient for residents and visitors;
- increase community awareness of the needs of cyclists;
- encourage cycling for health, fitness and recreation; and
- encourage cycle tourism in the District.

The needs of existing and potential cyclists can be accomplished by:

- enhancing and upgrading, where necessary, the existing bicycle facility network;
- establishing new paths and on-road facilities where appropriate;
- providing links to existing paths;
- removing barriers, obstacles and deterrents to cycling;
- providing end-of-trip facilities; and
- establishing recreational cycling opportunities.

This Local Bicycle Plan mainly focusses on “off-road” (i.e. path) improvements. In particular, it focuses on routes where the majority of cycling currently occurs, where it is expected to occur or where there is the greatest likelihood of cyclists/motorist interaction. The recommended improvements focus on connecting dual use paths, trip attractors and enhancing safety. While noting the above, the Local Bicycle Plan also seeks progressive improvements to on-road cycling.

The main recommendations of this Local Bicycle Plan are:

1. Improvements and additions to the existing path network primarily through the installation of missing links, progressively widening paths and addressing general maintenance issues. Priority works are outlined in Appendix 1 and 2 which are broadly costed. Priority works will be spread over a 5 – 15 year timeframe dependent on the capacity of the Council to dedicate funds to the works program and securing extra funding.
2. Removal of barriers and hazards to cycling and walking by fixing dangerous situations and other minor ('spot') improvements.
3. Provision of bike parking rails at destinations to encourage more people to use a bicycle for local trips.
4. Improvements to some roads by the creation of bike lanes or sealed shoulders where major new works are being undertaken.
5. Promoting cycle tourism in the District.
6. Encouragement and education strategies to complement the expanded cycling network.

a quality riding surface, ability to ride at a consistent speed, connectivity of cycle routes and adequate information.

The Local Bicycle Plan is a planning tool which will be used by the Shire to help strengthen and develop a bicycle network, seek to fulfil the expectations and requirements of residents, visitors and tourists.

## 1.2 OBJECTIVES

The objectives of this Local Bicycle Plan are to:

- make cycling safer within the District;
- increase the number of cycling trips made by local residents;
- make cycling more convenient for residents and visitors;
- increase community awareness of the needs of cyclists;
- encourage cycling for health, fitness and recreation; and
- encourage cycle tourism in the District.

The intent of this Plan is to provide strategic directions to the Shire to allow it to provide facilities and conditions which enhance the cycling environment. Implementation of the Local Bicycle Plan should increase the numbers of residents and visitors riding (with greater safety) for recreation, fitness, tourism and other journeys.

## 8.7 DEVELOPER AND SUBDIVIDER CONTRIBUTIONS

As new subdivision and developments are undertaken, developers will be required to contribute wholly or partly towards the upgrade, extension or development of the path network. This will ensure that subdivisions and developments are connected to the path network and existing paths are of a suitable quality and design. These contributions will apply to most new subdivision proposals, where there is not an existing path, and for larger development proposals.

## 8.8 COUNCIL FUNDING

Most projects that are planned will have part or full funding coming from money set aside in the Shire of Boddington budget for the year. Large projects will usually be funded by grants and the rest of the contribution will come from the Shire. Smaller projects that are of high importance may be fully funded by the Shire if given Council endorsement. Projects that are considered of higher importance by the Council, determined by safety/liability, economic development opportunities and documents including the Local Bicycle Plan, will be given priority and funding by the Shire.

Regular inspection of pathways, trails and on-road cycling facilities is required. In particular, close inspection of the pathway surface will determine locations where remedial action is required to eliminate dangerous conditions. Sweeping sand and debris off paths and repairing paths as required, pruning overhanging vegetation, and repairing damage to signage are likely to be among the primary maintenance activities.

The Shire should keep clear records of each activity/inspection.

In general, the optimum maintenance regime is based upon regular inspections, at which time simple maintenance activities should take place. The capacity to respond immediately to random incoming reports of hazards or major infrastructure failures is required.

## 9.5 REGIONAL AND OFF ROAD PATHS

Information relating to major paths such as those to Tullis Bridge are available. There are also opportunities to enhance path network maps. This includes brochures indicating where paths start/finish length, difficulty or elevations. Provision of this information to inform residents, visitors and tourists where regional off road tracks are in the District and their difficulty and distance would generate more recreational trips by bicycle.

## 9.6 DEVELOPER AND SUBDIVIDER CONTRIBUTIONS

Besides developers being responsible for the provision of paths within their subdivision, developers are also required to contribute fully fund to connect their subdivision to the existing bicycle network. All new developments that include new roads will generally be required to include dual use paths in accordance with *Liveable Neighbourhoods*, adjacent and within the development area and to partially or entirely fund the subdivision being connected to the existing path network.

## 9.7 EDUCATION PROGRAMS

### 9.7.1 Overview

Engineering improvements are just one of a range of factors which affect the propensity of people to cycle to and within the District. There are a number of other initiatives which have a significant impact on the cycling environment. These initiatives include:

- encouragement factors - such as web pages on cycling, the provision of end of trip facilities, promotional brochures and incentives to cycle;
- education factors - such as ensuring cyclists and non-cyclists are well informed about the extent of the cycling network, the position of end-of-trip facilities through such means as promotional brochures, informing road users of their rights and responsibilities and child/adult bicycle use education (techniques; rules and responsibilities); and
- enforcement factors -such as reinforcing courteous behaviour between all modes of transport within the town.

It is expected that many of the initiatives that could be developed in the encouragement, education and enforcement elements of the Local Bicycle Plan can have just as dramatic effect on bicycle user levels and safety as can the development of a path network or on-road improvements.

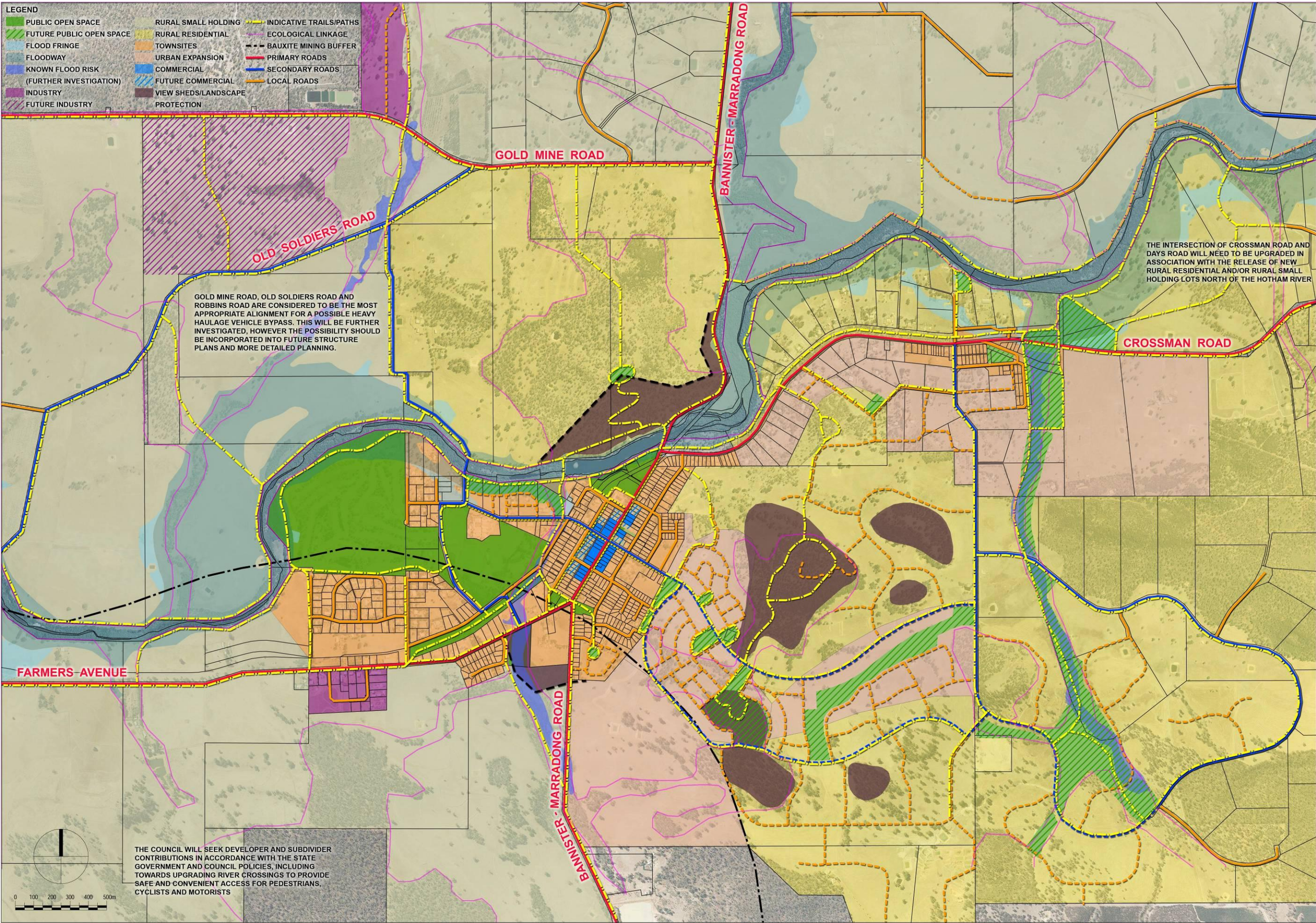


Figure 3: Strategic Direction

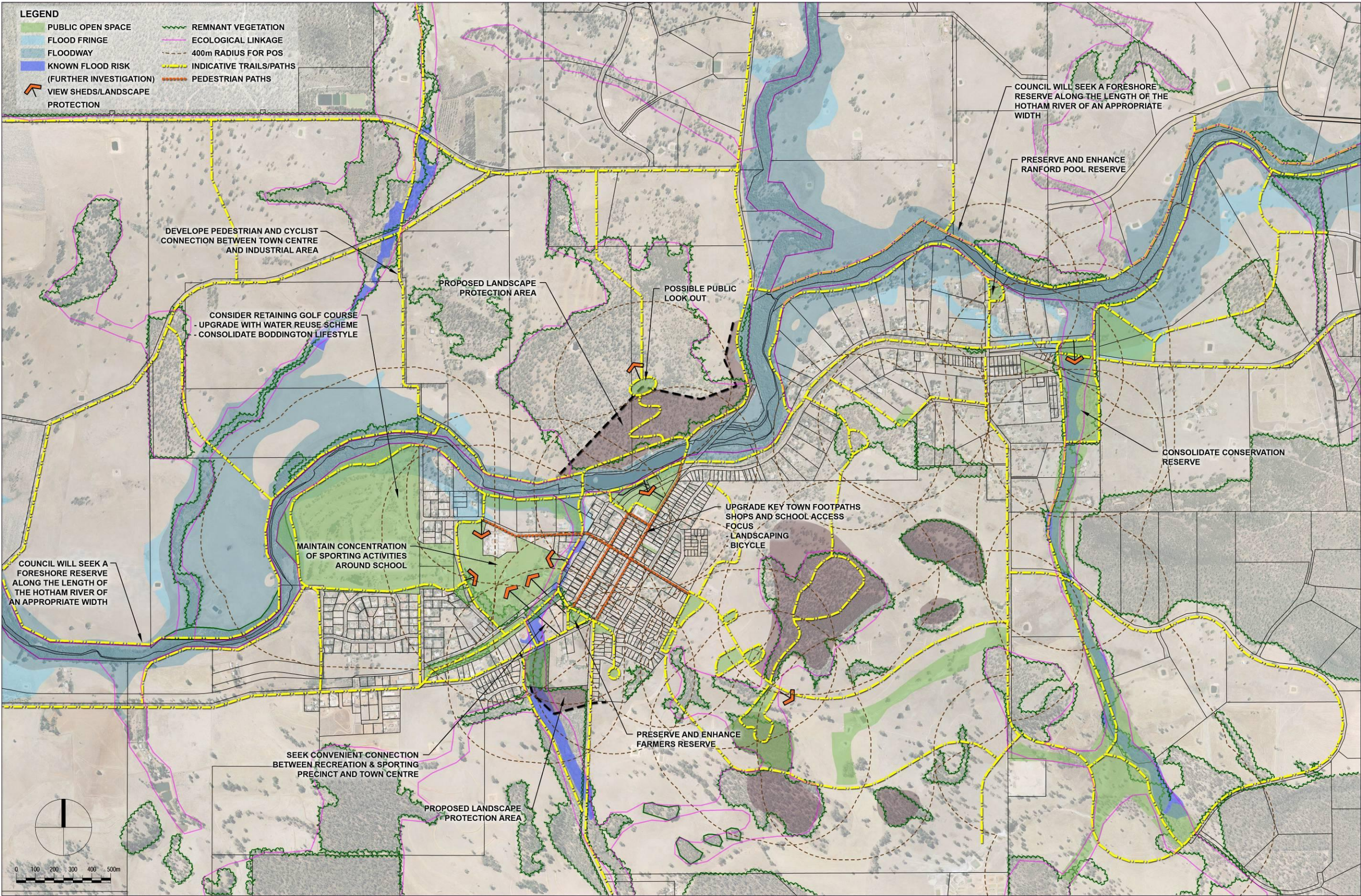


Figure 11: Public Open Space Strategy

## **5.11 Walking/Riding Trail Network**

The Council supports an expansion and upgrading of the existing trail/path network connecting the two towns to each other and also to and through the surrounding areas. Where physically possible, trails should be dedicated multi-user trails, being able to accommodate a range of activities including horse riding, cycling and walking. An emphasis should be placed on a river bank trail between the two towns as this will help to reduce the potential for conflict between users on the current main trail.

## **5.12 Development Requirements**

### **5.12.1 Subdivider/Developer Contributions**

Various proposals in this Strategy will require contributions from subdivider/developers to assist the Shire in providing necessary infrastructure for the public domain. The Council will seek developer's contributions for community infrastructure, which is defined as 'the structures, systems and capacities which help communities function effectively' (WAPC, 2009). State Planning Policy 3.6 Development Contributions for Infrastructure outlines the principles and imposition of development contributions, with one of the key objectives focused on the promotion of efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development.

Developer contributions will be required, amongst matters and as appropriate to the application, to help establish streetscapes, other public space improvements, infrastructure upgrades, stormwater management initiatives and vegetation conservation efforts.

Consideration will also be needed to be given by developers and subdivider to the Council's Planning Policy No. 5 Developer and Subdivider Contributions and Planning Policy No. 3 Urban Drainage Contribution.

### **5.12.2 Sustainable Development**

The Council seeks to encourage all new development in the town sites and surrounding areas to display innovative and sustainable design. This sustainable subdivision and individual housing design is becoming increasingly common as a desirable outcome from local governments. This type of development may also increase the attractiveness of the town sites to visitors and prospective buyers in terms of the promotion of environmentally friendly outcomes for the towns.

The Council will consider the development of a Sustainability Framework to provide guidance for developers and the Shire alike in designing and assessing new environmentally sustainable and innovative urban development. A framework that includes objectives, criteria and performance indicators for the following categories could be implemented in the design and construction of new buildings in Boddington and Ranford to address matters such as:

- » Governance (leadership and management of sustainability practice);
- » Energy (renewable energy, energy use monitoring, efficiency);
- » Water (efficiency, water use monitoring, non-potable water supply);

## 8.2 CORPORATE SERVICES:

### 8.2.1 Monthly Financial Statements – September 2021

File Ref:	FINM012
Applicant:	Nil
Disclosure of Interest:	Nil
Author:	D Long – Finance Consultant
Attachments:	8.2.1A Monthly Financial Statements – September 2021

#### Summary

The Monthly Financial Report for 30 September 2021 is presented for Councils consideration.

#### Background

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 require local governments to prepare monthly reports containing the information that is prescribed.

#### Comment

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity;
- (d) Summary of Net Current Asset Position;
- (e) Statement of Explanation of Material Variances;
- (f) Statement of Financial Position;
- (g) Statement of Cash Flows;
- (h) Detailed Operating and Non-Operating Schedules;
- (i) Statement of Cash Back Reserves; and
- (j) Loan Borrowings Statement.

#### **MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE**

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income.

At its budget meeting, Council adopted a material variance threshold of \$10,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$10,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*. The material variance commentary is now provided in a separate statement, called the Statement of Explanation of Material Variances.

The Statement of Financial Activity as at 30 September shows a closing surplus of \$719,389.

## Statutory Environment

### 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.

OFFICER'S RECOMMENDATION – 8.2.1
----------------------------------

That Council receive the monthly financial report for the period ending 30 September 2021.



**SHIRE OF BODDINGTON**

**MONTHLY FINANCIAL REPORT**

**30 SEPTEMBER 2021**

Statement of Comprehensive Income by Program

Statement of Comprehensive Income by Nature/Type

Statement of Financial Activity

Statement of Net Current Position

Statement of Material Variances

Statement of Financial Position

Statement of Cash Flows

Detailed Operating and Non-Operating Statements

Supplementary Information -

- Reserve Accounts
- Loan Schedule

**SHIRE OF BODDINGTON**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

	<b>2021-22 ORIGINAL BUDGET</b>	<b>2021-22 YTD ACTUAL</b>
<b>EXPENDITURE (Excluding Finance Costs)</b>	<b>\$</b>	<b>\$</b>
General Purpose Funding	(22,307)	(492)
Governance	(106,276)	(449,688)
Law, Order, Public Safety	(523,783)	(46,177)
Health	(218,897)	(20,050)
Education and Welfare	(816,473)	(125,615)
Housing	3,563	(13,775)
Community Amenities	(837,143)	(92,011)
Recreation and Culture	(2,088,386)	(202,552)
Transport	(3,309,496)	(241,391)
Economic Services	(827,708)	(79,357)
Other Property and Services	(4,095)	7,685
	(8,751,001)	(1,263,424)
<b>REVENUE</b>		
General Purpose Funding	5,367,369	40,358
Governance	42,435	25,269
Law, Order, Public Safety	124,793	28,966
Health	39,290	10,146
Education and Welfare	505,200	237,494
Housing	23,400	10,148
Community Amenities	296,030	32,131
Recreation and Culture	48,895	31,161
Transport	110,080	0
Economic Services	291,697	108,438
Other Property & Services	11,005	3,611
	6,860,194	527,722
<i>Increase(Decrease)</i>	(1,890,807)	(735,702)
<b>FINANCE COSTS</b>		
Governance	(21,154)	0
Education & Welfare	(6,237)	(3,260)
Housing	(23,448)	(419)
Recreation & Culture	(35,379)	(9,994)
Total Finance Costs	(86,218)	(13,672)
<b>NON-OPERATING REVENUE</b>		
Community Amenities	100,000	(105)
Recreation & Culture	0	0
Transport	1,171,930	476,514
Economic Services	0	0
Total Non-Operating Revenue	1,271,930	476,409
<b>PROFIT/(LOSS) ON SALE OF ASSETS</b>		
Transport Profit	0	0
Transport Loss	0	0
Total Profit/(Loss)	0	0
<b>NET RESULT</b>	(705,095)	(272,965)
<b>Other Comprehensive Income</b>		
Changes on revaluation of non-current assets	0	0
Total Abnormal Items	0	0
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>(705,095)</b>	<b>(272,965)</b>

**SHIRE OF BODDINGTON**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**BY NATURE/TYPE**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

	<b>2021-22 ORIGINAL BUDGET</b>	<b>2021-22 YTD ACTUAL</b>
<b>Expenses</b>		
Employee Costs	(3,048,975)	(749,294)
Materials and Contracts	(2,578,728)	(392,792)
Utility Charges	(298,245)	(85,775)
Depreciation on Non-Current Assets	(2,393,945)	0
Interest Expenses	(86,218)	(13,672)
Insurance Expenses	(271,598)	(16,682)
Other Expenditure	(159,510)	(18,880)
	<b>(8,837,219)</b>	<b>(1,277,096)</b>
<b>Revenue</b>		
Rates	5,225,193	0
Operating Grants, Subsidies and Contributions	367,919	119,912
Fees and Charges	1,213,952	367,781
Service Charges	0	0
Interest Earnings	17,300	2,683
Other Revenue	35,830	37,346
	<b>6,860,194</b>	<b>527,722</b>
	<b>(1,977,025)</b>	<b>(749,374)</b>
Non-Operating Grants, Subsidies & Contributions	1,271,930	476,409
Fair Value Adjustments to financial assets at fair value through profit/loss	0	0
Profit on Asset Disposals	0	0
Loss on Asset Disposals	0	0
	<b>1,271,930</b>	<b>476,409</b>
<b>Net Result</b>	<b>(705,095)</b>	<b>(272,965)</b>
<b>Other Comprehensive Income</b>		
Changes on revaluation of non-current assets	0	0
<b>Total Other Comprehensive Income</b>	<b>0</b>	<b>0</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>(705,095)</b>	<b>(272,965)</b>

**SHIRE OF BODDINGTON  
FINANCIAL ACTIVITY STATEMENT  
30 SEPTEMBER 2021**

	2021-22 ORIGINAL BUDGET	2021-22 YTD BUDGET (a)	2021-22 YTD ACTUAL (b)	MATERIAL \$ (b)-(a)	MATERIAL % (b)-(a)/(a)	VAR
<b>OPERATING REVENUE</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>			
General Purpose Funding	143,176	35,603	40,358	Within Threshold	13.36%	
Governance	42,435	10,753	25,269	14,515	134.98%	
Law, Order Public Safety	124,793	24,019	28,966	Within Threshold	20.59%	↑
Health	39,290	8,556	10,146	Within Threshold	18.59%	↑
Education and Welfare	505,200	152,268	237,494	85,226	55.97%	↑
Housing	23,400	5,960	10,148	Within Threshold	70.28%	↑
Community Amenities	296,030	16,238	32,131	15,893	97.88%	↑
Recreation and Culture	48,895	7,081	31,161	24,080	340.05%	↑
Transport	110,080	52,280	0	(52,280)	(100.00%)	↓
Economic Services	291,697	79,553	108,438	28,885	36.31%	↑
Other Property and Services	11,005	4,296	3,611	Within Threshold	(15.95%)	↓
	<b>1,636,001</b>	<b>396,606</b>	<b>527,722</b>			
<b>LESS OPERATING EXPENDITURE</b>						
General Purpose Funding	(22,307)	(709)	(492)	Within Threshold	(30.66%)	
Governance	(127,430)	(30,792)	(449,688)	(418,896)	(1360.41%)	
Law, Order, Public Safety	(523,783)	(115,020)	(46,177)	68,843	59.85%	
Health	(218,897)	(61,305)	(20,050)	41,255	67.30%	
Education and Welfare	(822,710)	(175,899)	(128,875)	47,024	(26.73%)	
Housing	(19,885)	(1,962)	(14,194)	(12,232)	(623.44%)	
Community Amenities	(837,143)	(204,163)	(92,011)	112,152	54.93%	
Recreation and Culture	(2,123,765)	(517,426)	(212,546)	304,879	58.92%	
Transport	(3,309,496)	(810,039)	(241,391)	568,649	70.20%	
Economic Services	(827,708)	(182,580)	(79,357)	103,223	56.54%	
Other Property & Services	(4,095)	(500)	7,685	Within Threshold	1638.36%	
	<b>(8,837,219)</b>	<b>(2,100,394)</b>	<b>(1,277,096)</b>			
<i>Increase(Decrease)</i>	<b>(7,201,218)</b>	<b>(1,703,788)</b>	<b>(749,374)</b>			
<b>Non-Cash Amounts Excluded from Operating Activities</b>						
Movement in Employee provisions N/C	34,790	0		Within Threshold	0.00%	
(Profit) on the disposal of assets		0	0	Within Threshold	0.00%	
Loss on the disposal of assets	0	0	0	Within Threshold	0.00%	
Depreciation Written Back	2,393,945	598,247	0	(598,247)	(100.00%)	↓
	<b>2,428,735</b>	<b>598,247</b>	<b>0</b>			
<i>Sub Total</i>	<b>(4,772,483)</b>	<b>(1,105,541)</b>	<b>(749,374)</b>			
<b>INVESTING ACTIVITIES</b>						
Purchase of Land	0	0	0	Within Threshold	0.00%	
Purchase Buildings	(70,000)	0	0	Within Threshold	0.00%	
Purchase Plant and Equipment	(222,233)	0	0	Within Threshold	0.00%	
Purchase Furniture and Equipment	(55,000)	0	0	Within Threshold	0.00%	
Infrastructure Assets - Roads	(1,300,638)	(30,145)	(40,414)	(10,269)	(34.06%)	
Infrastructure Assets - Bridges	0	0	0	Within Threshold	0.00%	
Infrastructure Assets - Footpaths	(111,073)	0	0	Within Threshold	0.00%	
Infrastructure Assets - Drainage	(55,000)	(1,600)	(1,440)	Within Threshold	Within Threshold	
Infrastructure Assets - Foreshore	(241,312)	(41,312)	(14,802)	26,510	64.17%	
Infrastructure Assets - Parks & Ovals	(35,000)	0	0	Within Threshold	0.00%	
Infrastructure Assets - Other	(123,000)	0	(271)	Within Threshold	0.00%	
Proceeds from Sale of Assets	34,000	0	0	Within Threshold	0.00%	
Non-Operating Grants, Subsidies & Contributions	1,271,930	310,080	476,409	166,329	53.64%	↑
	<b>(907,326)</b>	<b>237,023</b>	<b>419,483</b>			
<b>FINANCING ACTIVITIES</b>						
Repayment of Debt - Loan Principal & Finance Leases	(357,077)	(46,782)	(47,854)	Within Threshold	Within Threshold	
Transfer to Reserves	(61,202)	0	0	Within Threshold	0.00%	
	<b>(418,279)</b>	<b>(46,782)</b>	<b>(47,854)</b>			
Plus Rounding						
<i>Sub Total</i>	<b>(6,098,088)</b>	<b>(915,300)</b>	<b>(377,746)</b>			
<b>FUNDING FROM</b>						
Transfer from Reserves	0	0	0	Within Threshold	0.00%	
Loans Raised	0	0	0	Within Threshold	0.00%	
Estimated Opening Surplus at 1 July	1,043,000	1,043,000	1,097,135	54,135	Within Threshold	↑
Amount Raised from General Rates	5,224,193	0	0	Within Threshold	0.00%	
	<b>6,267,193</b>	<b>1,043,000</b>	<b>1,097,135</b>			
<b>NET SURPLUS/(DEFICIT)</b>	<b>169,105</b>	<b>127,700</b>	<b>719,389</b>			

**SHIRE OF BODDINGTON**  
**SUMMARY OF CURRENT ASSETS AND LIABILITIES**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

	<b>ACTUAL</b>
	<b>30 SEPTEMBER 2021</b>
<u>Current Assets</u>	
Cash at bank and on Hand	2,426,787
Restricted Cash - Bonds & Deposits	91,677
Restricted Cash Reserves	1,668,321
Trade Receivables	514,925
Accrued Income	2,963
Self Supporting Loan	2,925
Land held for Resale	0
<b>Total Current Assets</b>	<b>4,707,597</b>
<u>Current Liabilities</u>	
Trade Creditors	(\$164,215)
Bonds and Deposits	(\$91,677)
Accrued Wages	(\$28,642)
Accrued Interest on Loans	(\$13,420)
Accrued Expense	(\$70,283)
ATO Liabilities	(\$56,594)
Contract Liability	(\$1,634,556)
Loan Liability	(\$309,223)
Provisions	(\$260,498)
<b>Total Current Liabilities</b>	<b>(\$2,629,107)</b>
 Sub-Total	 <b>2,078,490</b>
<b>Adjustments</b>	
LESS Cash Backed Reserves	(\$1,668,321)
LESS Land held for Resale	\$0
LESS Restricted Cash (Bonds & Deposits)	(\$91,677)
ADD: Bonds and Deposits Liability	\$91,677
ADD: Current Loan Liability	\$309,223
Rounding	(2)
<b>Net Current Position</b>	<b>719,389</b>

**SHIRE OF BODDINGTON**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**EXPLANATION OF MATERIAL VARIANCES**

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
<b>OPERATING REVENUE</b>			
<b>General Purpose Funding</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	13.36%
<b>Governance</b>			
Ccontribution for long service leave for staff not anticipated.	PERMANENT	14,515	134.98%
<b>Law Order &amp; Public Safety -</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	20.59%
<b>Health</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	18.59%
<b>Education &amp; Welfare</b>			
Childcare centre Fees higher than anticipated. Childcare contributions lower than anticipated . ILU rental income higher than anticipated for reporting period.	PERMANENT/ TIMING	85,226	55.97%
<b>Housing</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	70.28%
<b>Community Amenities</b>			
Town Planning fees and cemetery fees higher than anticipated for reporting period.	TIMING	15,893	97.88%
<b>Recreation &amp; Culture</b>			
Resource Sharing contribution from Department of Education received earlier than anticipated. Library technology grant received earlier than anticipated.	TIMING	24,080	340.05%
<b>Transport</b>			
Main Roads Road Maintenance grant not yet claimed	TIMING	(52,280)	(100.00%)
<b>Economic Services</b>			
Caravan park fees and Community Café fees higher than anticipated for reporting period.	TIMING	28,885	36.3%
<b>Other Property and Services</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	(15.95%)

**SHIRE OF BODDINGTON**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**EXPLANATION OF MATERIAL VARIANCES**

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
<b>OPERATING EXPENDITURE</b>			
<b>General Purpose Funding</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	(30.66%)
<b>Governance</b>			
Election expenses, councillor expenses and member allowances lower than anticipated for reporting period. Insurance premium expenses, consultants fees, and computer and software expenses lower than anticipated for reporting period. Administration allocation expenses and depreciation expenses not yet booked.	TIMING	(418,896)	(1360.41%)
<b>Law Order &amp; Public Safety -</b>			
Administration allocation expenses and depreciation expenses not yet booked. Brigade operation expenses, fire insurance expenses, standpipe maintenance expenses lower than anticipated.	TIMING	68,843	59.85%
<b>Health</b>			
Housing allocation expenses and depreciation expense not yet booked.	TIMING	41,255	67.30%
<b>Education &amp; Welfare</b>			
Child Care Centre expenses lower than anticipated for reporting period. Administration allocation expenses and depreciation expenses not yet booked. Youth Centre operating expenses lower than anticipated for reporting period.	TIMING	47,024	(26.73%)
<b>Housing</b>			
Housing allocations not yet booked.	TIMING	(12,232)	(623.44%)
<b>Community Amenities</b>			
Depreciation expense and administration allocation expenses not yet booked. Town planning expenses lower than anticipated for reporting period.	TIMING	112,152	54.93%
<b>Recreation &amp; Culture</b>			
Depreciation expense and administration allocation expenses not yet booked. Hotham Park maintenance expenses lower than anticipated for reporting period. Streetscape wages expenses higher than anticipated for reporting period. Swimming pool operating expenses lower than anticipated for reporting period. Library operating expenses higher than anticipated for reporting period.	TIMING	304,879	58.92%
<b>Transport</b>			
Depreciation expense and administration allocation expenses not yet booked. Street tree maintenance and unsealed road maintenance expenses lower than anticipated for reporting period. Storm damage expenses higher than anticipated for reporting period.	TIMING	568,649	70.20%
<b>Economic Service</b>			
Depreciation expense and administration allocation expenses not yet booked. Community café expenses higher than anticipated for reporting period. Caravan Park expenses, area promotion expenses and Economic Development Staff expenses lower than anticipated for reporting period.	PERMANENT/ TIMING	103,223	56.54%
<b>Other Property &amp; Services</b>			
Variance within \$10,000 Materiality Threshold		Within Threshold	1638.36%

**SHIRE OF BODDINGTON**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**EXPLANATION OF MATERIAL VARIANCES**

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
<b>CAPITAL REVENUES</b>			
<b><u>Non-Operating Grants, Subsidies &amp; Contributions</u></b>			
<b><i>Community Amenities</i></b>			
Community Amenities - Contribution Income -		0	
<b><i>Transport</i></b>			
Regional Road Group Grants - Grant claimed higher than anticipated for reporting period.	TIMING	65,934	
Roads to Recovery Grants -		0	
Special Bridge Grant Funding - Grant funding received and not anticipated	TIMING	100,500	
		<u>166,434</u>	53.64%
<b><u>Proceeds from Sale of Assets</u></b>			
Proceeds from Sale of Assets -		0	
		<u>0</u>	0.00%
<b><u>Transfers from Reserve</u></b>			
Transfers from Reserve -		0	0.00%

**SHIRE OF BODDINGTON**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**EXPLANATION OF MATERIAL VARIANCES**

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
<b>CAPITAL EXPENDITURE</b>			
<b><u>Transfers to Reserve</u></b>			
Transfers to Reserve -		0	0.00%
<b><u>Furniture &amp; Equipment</u></b>			
<u>Governance</u>			
Computer Equipment - New Server		0	
Office Equipment -		0	
<b>Total (Over)/Under Budget</b>		<b>0</b>	<b>0.00%</b>
<b><u>Buildings</u></b>			
<u>Recreation &amp; Culture</u>			
Swimming Pool - Disabled Toilet -		0	
<u>Economic Services</u>			
Rusty Camp Oven Kitchen Fitout -		0	
<b>Total (Over)/Under Budget</b>		<b>0</b>	<b>0.00%</b>
<b><u>Plant &amp; Equipment</u></b>			
<u>Health</u>			
Doctors Vehicle -		0	
<u>Transport</u>			
Plant Float Trailer		0	
Truck Modifications For Towing Plant Float		0	
Purchase Mowers		0	
Purchase D/Cab Utility BT015		0	
Purchase Utility BT011		0	
Purchase Slasher/Flail Mower		0	
<b>Total (Over)/Under Budget</b>		<b>0</b>	<b>0.00%</b>
<b><u>Road Construction</u></b>			
Road Construction - Council - Projects commenced earlier than anticipated	TIMING	(251)	
Regional Road Group Projects - Road construction expenses lower than anticipated for reporting period.	TIMING	6,932	
Roads to Recovery - RTR Road construction expenses higher than anticipated for reporting period.	TIMING	(16,949)	
Local Roads and Community Infrastructure projects -		0	
MRWA Bridge Program -		0	
<b>Total (Over)/Under Budget</b>		<b>(10,269)</b>	<b>(34.06%)</b>
<b><u>Footpath Construction</u></b>			
Footpath Construction - Project not yet commenced		0	
<b>Total (Over)/Under Budget</b>		<b>0</b>	<b>0.00%</b>
<b><u>Drainage Infrastructure</u></b>			
Early Learning Centre Drainage - Project expenses lower than anticipated for reporting period.	TIMING	160	
<b>Total (Over)/Under Budget</b>		<b>160</b>	<b>Within Threshold</b>
<b><u>Foreshore Infrastructure</u></b>			
Foreshore Landscape and Design - Project expenses lower than anticipated for reporting period.	TIMING	26,510	
<b>Total (Over)/Under Budget</b>		<b>26,510</b>	<b>64.17%</b>

**SHIRE OF BODDINGTON**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**EXPLANATION OF MATERIAL VARIANCES**

REPORTING PROGRAM & EXPLANATION	TIMING / PERMANENT	\$ VARIANCE	% VARIANCE
<b><u>Parks &amp; Ovals</u></b>			
Ranford Playground Upgrades - Project not yet commenced		0	
<b>Total (Over)/Under Budget</b>		<b>0</b>	<b>0.00%</b>
<b><u>Other Infrastructure</u></b>			
<b><u>Education &amp; Welfare</u></b>			
Early Learning Centre Replace Shade Sails -		0	
<b><u>Recreation &amp; Culture</u></b>			
Swimming Pool Bowl Repaint - Project not yet commenced		0	
<b><u>Transport</u></b>			
Street Lighting Upgrades - Project not yet commenced		0	
<b><u>Other Property &amp; Services</u></b>			
Entry Statements & Public Art - Project expenses higher than anticipated for reporting period.	TIMING	(271)	
<b>Total (Over)/Under Budget</b>		<b>(271)</b>	<b>0.00%</b>
<b>Note: (NB) = No Budget Provision Made</b>			

**SHIRE OF BODDINGTON  
RESERVE ACCOUNTS  
FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**LEAVE RESERVE**

Purpose - To be used to fund annual and long service leave requirements.

	ACTUAL	BUDGET
	2021-22	2021-22
<b>Opening Balance</b>	0	0
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	0
- Other Transfers	0	0
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>0</b>	<b>0</b>

**PLANT RESERVE**

Purpose - To be used to fund the purchase of new or second hand plant and equipment.

	ACTUAL	BUDGET
	2021-22	2021-22
<b>Opening Balance</b>	221,172	220,766
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	265
- Other Transfers	0	0
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>221,172</b>	<b>221,031</b>

**BUILDING RESERVE**

Purpose - To be used to for the construction of buildings

	ACTUAL	BUDGET
	2021-22	2021-22
<b>Opening Balance</b>	97,125	96,947
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	116
- Other Transfers	0	0
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>97,125</b>	<b>97,063</b>

**SHIRE OF BODDINGTON  
RESERVE ACCOUNTS  
FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

**UNSPENT CONDITIONAL GRANTS RESERVE**

Purpose - To be used as a mechanism to identify unspent grants where the expenditure will be incurred in the next financial year.

	<b>ACTUAL 2021-22</b>	<b>BUDGET 2021-22</b>
<b>Opening Balance</b>	376,700	376,011
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	452
- Other Transfers	0	0
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>376,700</b>	<b>376,463</b>

**PUBLIC OPEN SPACE RESERVE**

Purpose - To be used to fund the upgrade and rationalisation of Public Open Space and Parklands within the Shire

	<b>ACTUAL 2021-22</b>	<b>BUDGET 2021-22</b>
<b>Opening Balance</b>	267,203	266,714
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	321
- Other Transfers	0	0
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>267,203</b>	<b>267,035</b>

**TOWN WEIR RESERVE**

Purpose - To be used to fund the renewal, replacement, upgrade and maintenance expenses related to the Town Weir.

	<b>ACTUAL 2021-22</b>	<b>BUDGET 2021-22</b>
<b>Opening Balance</b>	0	0
<b>Transfer from Accumulated Surplus</b>		
- Interest Earned	0	0
- Other Transfers	0	50,000
<b>Less Transfer to Accumulated Surplus</b>		
-Transfer to Municipal Fund	0	0
<b>CLOSING BALANCE</b>	<b>0</b>	<b>50,000</b>
<b>TOTAL RESERVES</b>	<b>1,668,323</b>	<b>1,726,467</b>

**SHIRE OF BODDINGTON  
LOAN SCHEDULE  
FOR THE PERIOD ENDING 30 SEPTEMBER 2021**

LOAN DESCRIPTION	LOAN No.	PRINCIPAL 01.07.20	LOANS RAISED		INTEREST		PRINCIPAL		CLOSING BALANCE
			Budget 2020-21	Actual 2020-21	Budget 2020-21	Actual 2020-21	Budget 2020-21	Actual 2020-21	
<b>Governance</b>									
Administration Centre	105	561,337	0	0	21,154	0	131,812	0	561,337
<b>Health</b>									
Doctors Residence	83	26,114	0	0	1,451	419	12,132	6,367	19,747
<b>Education &amp; Welfare</b>									
Childcare Centre	100	119,180	0	0	7,329	3,260	16,735	8,772	110,408
<b>Housing</b>									
3 Pecan Place	94	193,702	0	0	12,267	0	14,318	0	193,702
34 Hill Street	97	196,895	0	0	12,440	0	14,520	0	196,895
<b>Recreation &amp; Culture</b>									
Recreation Centre	106	722,307	0	0	23,692	9,994	61,727	32,716	689,591
Recreation Centre	107	1,000,000	0	0	14,512	0	93,880	0	1,000,000
		<b>2,819,535</b>	<b>0</b>	<b>0</b>	<b>92,845</b>	<b>13,672</b>	<b>345,124</b>	<b>47,854</b>	<b>2,771,681</b>

## 8.2.2 List of Payments - September 2021

File Ref:	FINM012
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Finance Administration Officer
Attachments:	8.2.2A List of Payments end 30 September 2021

### Summary

The Local Government (Financial Management) Regulations 1996 require the preparation of a List of Payments made from the Council's bank accounts.

### Background

A list of the payments made in each month is to be prepared and presented to a meeting of Council in the following month.

This list of payments is to be reviewed by Council separately from the monthly financial statements. This will ensure that the requirement of the Financial Regulations for the list of payments made in one month to be presented to the Council meeting in the following month, will be met even if the financial statements are not presented to that meeting.

Councillors have the opportunity to query payments before the meeting to satisfy themselves before the item comes before Council.

### Comment

The List of Payments for the month of September 2021 is presented in Attachment 8.2.2A.

### Statutory Environment

Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
- (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.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - (a) for each account which requires council authorisation in that month —
    - (i) the payee's name; and
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction; and
  - (b) the date of the meeting of the council to which the list is to be presented.

- (3) A list prepared under subregulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

Policy Implications

Nil

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION – 8.2.2
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That Council receive the list of payments for the period ending 30 September 2021; at Attachment 8.2.2A.

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
CHQ/EFT	Date	Name	Description	Amount
EFT23008	06-09-2021	SHIRE OF BODDINGTON	AUGUST 2021	50.00
EFT23009	06-09-2021	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY	AUGUST 2021	686.68
EFT23060	16-09-2021	PETER WILMOT	REFUND OF TRAP BOND	115.00
EFT23061	16-09-2021	JACKIEWICZ STEFAN	REFUND OF KEY BOND	115.00
	<b>TOTAL TRUST ACCOUNT</b>			<b>\$ 966.68</b>
EFT22992	03-09-2021	CROSSMAN HOT WATER & PLUMBING	BLOCKED STORM WATER LINE	665.50
EFT22993	03-09-2021	BODDINGTON TYRE SERVICE	TYRES FOR RANGERS VEHICLE	600.00
EFT22994	03-09-2021	PUMPS AUSTRALIA	PUMP INSPECTION FEE	121.00
EFT22995	03-09-2021	SHERIDAN'S	STAFF NAME BADGES	70.29
EFT22996	03-09-2021	LOREN BRYANT	REIMBURSEMENT FOR YOUTH CENTRE EQUIPMENT	23.50
EFT22997	03-09-2021	WOK DISWAY	CATERING SERVICES	100.00
EFT22998	03-09-2021	ON THE LEVEL PLUMBING	TESTING RPZD AND REPAIRS	1000.00

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT22999	03-09-2021	THE GOLDEN NUGGET (WA) PTY LTD	REFRESHMENTS FOR COUNCIL	111.00
EFT23000	03-09-2021	DAVID BLUETT	REIMBURSEMENT FOR CCTV CAMERA SIGNS	50.00
EFT23001	03-09-2021	KEITH HUNTER	MOBILE PHONE CONTRIBUTION JULY 2021	50.00
EFT23002	03-09-2021	CAFE FIFTY 2	CATERING SERVICES	100.00
EFT23003	03-09-2021	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LIMITED	MUSIC FOR COUNCIL LICENCE FEE	350.00
EFT23004	03-09-2021	BODDINGTON BAKEHOUSE	CATERING SERVICES	48.00
EFT23005	03-09-2021	AVON WASTE	RUBBISH SERVICE AUGUST 2021	21112.34
EFT23006	03-09-2021	BODDINGTON COMMUNITY RESOURCE CENTRE INC	VENUE HIRE FEE	23.75
EFT23007	03-09-2021	BODDINGTON SES	REIMBURSEMENT FOR JULY 2021	2859.39
EFT23010	10-09-2021	WATERVALE INVESTMENTS PTY LTD	LEASE LOT 210 No 30 BANNISTER ROAD	804.99
EFT23011	10-09-2021	BODDINGTON TYRE SERVICE	SUSPENSION UPGRADE ON FORD RANGER	5051.00
EFT23012	10-09-2021	BODDINGTON HARDWARE AND NEWSAGENCY	FERTILISER	7063.34
EFT23013	10-09-2021	LGISWA	INSURANCE ACTUAL WAGES ADJUSTMENT 30/06/2019 TO 30/06/2020	6790.95

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23014	10-09-2021	WOK DISWAY	CATERING SERVICES	120.00
EFT23015	10-09-2021	G & D LYSTER	HIRE OF LOW GRADER	704.00
EFT23016	10-09-2021	BANNISTER EXCAVATIONS PTY LTD	HIRE OF EXCAVATOR	10758.00
EFT23017	10-09-2021	ZIRCODATA PTY LTD	STORAGE FEES	91.22
EFT23018	10-09-2021	TAFE WA SOUTH REGIONAL	TRAINING COURSE	904.00
EFT23019	10-09-2021	BODDINGTON DIESEL SERVICES PTY LTD	SERVICE AND REPAIRS TO BODDINGTON LIGHT TANKER	1415.15
EFT23020	10-09-2021	THOMMO'S BRICKPAVING	REPAIRS TO FOOTPATH BANNISTER ROAD	858.00
EFT23021	10-09-2021	STEWART & HEATON PTY LTD	BFB PROTECTIVE WEAR	548.04
EFT23022	10-09-2021	AVON WASTE	RUBBISH SERVICE AUGUST 2021	7138.49
EFT23023	10-09-2021	BODDINGTON SERVICE STATION	PARTS	20.00
EFT23024	10-09-2021	GREG DAY MOTORS	FUEL FOR AUGUST 2021	9332.69
EFT23025	10-09-2021	DEPARTMENT OF FIRE & EMERGENCY SERVICES : DFES	2021/22 ESL	107976.00
EFT23026	10-09-2021	AUSTRALIAN TAXATION OFFICE (BAS RETURNS)	BAS FEE FOR JUNE 2021	273.33

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23027	10-09-2021	BODDINGTON COMMUNITY RESOURCE CENTRE INC	HIRE OF GALLERY ROOM	33.75
EFT23028	10-09-2021	VISIMAX	PROTECTIVE WEAR	1202.30
EFT23029	10-09-2021	A & P REID CONTRACTING	MAINTENANCE ON TABLE DRAINS & CULVERTS	4345.00
EFT23030	10-09-2021	FORPARK AUSTRALIA	ST TRILOBE X 5	21.45
EFT23031	10-09-2021	THE LOCK MAN SECURITY	REPAIRS TO SERCURITY SCREEN DOOR/SECURITY GATE	200.00
EFT23032	16-09-2021	TQUIP	REPLACEMENT PARTS TORO GROUNDMASTER	292.75
EFT23033	16-09-2021	CROSSMAN HOT WATER & PLUMBING	REPAIRS TO GAS STOVE IN TOWN HALL	290.40
EFT23034	16-09-2021	WESTERN AUSTRALIAN LAND INFORMATION AUTHORITY (LANDGATE)	OTHER DLI INVOCES AUGUST 2021	54.40
EFT23035	16-09-2021	ADVANTAGE ENVIRONMENTAL PEST CONTROL	TERMITE INSPECTIONS AND REPORT ON COUNCIL BUILDINGS	7079.10
EFT23036	16-09-2021	BODDINGTON TYRE SERVICE	NEW BATTERY FOR FORD RANGER	260.00
EFT23037	16-09-2021	SEEK LIMITED	ADVERTISING - EXECUTIVE MANAGER CORPORATE SERVICES	324.50
EFT23038	16-09-2021	ATF BODPROP UNIT TRUST BODIGA PTY LTD	PURCHASES FOR AUGUST 2021	419.24
EFT23039	16-09-2021	COURIER AUSTRALIA TOLL IPEC	COURIER CHARGES	366.75

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23040	16-09-2021	INDUSTRIAL AUTOMATION	WISP SUPPORT	949.85
EFT23041	16-09-2021	ATF BODPROP UNIT TRUST BODIGA PTY LTD	PURCHASES FOR AUGUST 2021	418.96
EFT23042	16-09-2021	SHERIDAN'S	NAME BADGE	42.85
EFT23043	16-09-2021	EARLY CHILDHOOD AUSTRALIA	EARLY CHILDHOOD AUSTRALIA MEMBERSHIP/SUBSCRIPTION	312.00
EFT23044	16-09-2021	VOLT AIR PTY LTD	REPLACE LIGHT SWITCH AT ELC	534.56
EFT23045	16-09-2021	BODDINGTON DIESEL SERVICES PTY LTD	SERVICE AND REPAIRS BODDINGTON 3.4 REG BT3866	2696.76
EFT23046	16-09-2021	ACCESS LIFE	STRENGTH FOR LIFE COACH FEES FOR AUGUST	380.00
EFT23047	16-09-2021	THE WEST AUSTRALIAN ( IRSA)	ADVERTISING INDUSTRY ROAD SAFETY ALLIANCE SOUTH WEST	1320.00
EFT23048	16-09-2021	CITY OF BUSSELTON	SWLC CONTRIBUTION 20212022	599.50
EFT23049	16-09-2021	JOSHUA POTTS	WORK JACKET	69.50
EFT23050	16-09-2021	ATF BODPROP UNIT TRUST BODIGA PTY LTD	PURCHASES FOR THE YOUTH CENTRE FOR AUGUST 2021	39.69
EFT23051	16-09-2021	DARREN LONG CONSULTING	CONSULTANCY FEES FOR JULY 2021	11511.50
EFT23052	16-09-2021	STEWART & HEATON PTY LTD	BFB PROTECTIVE WEAR	3752.61

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23053	16-09-2021	BODDINGTON SERVICE STATION	FUEL CAP	30.00
EFT23054	16-09-2021	G B GILLESPIE & SONS PTY LTD	EMERGENCY REPAIRS TO HINO TIPPER TRUCK	16098.79
EFT23055	16-09-2021	IT VISION	ALTUS PAYROLL IMPLEMENTATION SERVICES MAY 2021	34989.87
EFT23056	16-09-2021	AUSTRALIAN TAXATION OFFICE (BAS RETURNS)	BAS JULY 2021	57931.00
EFT23057	16-09-2021	BODDINGTON COMMUNITY RESOURCE CENTRE INC	SUMMER IN THE PARK	7100.50
EFT23058	16-09-2021	BODDINGTON STORE	STATIONERY ITEMS FOR AUGUST 2021	440.21
EFT23059	16-09-2021	THE LOCK MAN SECURITY	PADLOCK x 4	751.60
EFT23062	28-09-2021	I SWEEP TOWN & COUNTRY	STREET SWEEPING	1848.00
EFT23063	28-09-2021	WESTERN AUSTRALIAN LAND INFORMATION AUTHORITY (LANDGATE)	RURAL UV INTERIM VALUATION	200.81
EFT23064	28-09-2021	ADVANTAGE ENVIRONMENTAL PEST CONTROL	TERMITE INSPECTION REPORT	4502.52
EFT23065	28-09-2021	BUNNINGS GROUP LIMITED	HIRE OF PANEL LIFT	160.00
EFT23066	28-09-2021	ABCO PRODUCTS PTY LTD	CLEANING PRODUCTS	1608.41
EFT23067	28-09-2021	EDGE PLANNING & PROPERTY	PLANNING SERVICES FOR AUGUST 2021	4800.67

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23068	28-09-2021	NARROGIN TOYOTA & MAZDA	VEHICLE SERVICE	415.83
EFT23069	28-09-2021	COURIER AUSTRALIA TOLL IPEC	COURIER CHARGES	785.09
EFT23070	28-09-2021	PERTH SAFETY PRODUCTS PTY LTD	SIGNAGE	694.10
EFT23071	28-09-2021	DMC CLEANING CORPORATION PTY LTD	CLEANING SERVICES AUGUST 2021	18629.19
EFT23072	28-09-2021	BODDINGTON RSL SUB BRANCH	LOAF CONTRIBUTIONS TOWARDS REPLACING ROOF OF RSL BUILDING	1500.00
EFT23073	28-09-2021	VOLT AIR PTY LTD	REPLACEMENT OF SPITFIRE EMERGENCY LIGHTS IN SHIRE OFFICE	2691.43
EFT23074	28-09-2021	DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES	WA TRAILS FORUM	120.00
EFT23075	28-09-2021	DAVID BINNS	CONTRIBUTION TOWARDS PHONE BILL JUNE,JULY,AUGUST	180.00
EFT23076	28-09-2021	BODDINGTON DIESEL SERVICES PTY LTD	FIRE TRUCK SERVICE	541.57
EFT23077	28-09-2021	TOURISM COUNCIL WESTERN AUSTRALIA LTD	SOCIAL MEDIA TRAINING WORKSHOP	300.00
EFT23078	28-09-2021	BODDINGTON MINI SKIPS	STREET BIN COLLECTION & CLEANING	2134.00
EFT23079	28-09-2021	INTEGRAL STEEL	REPAIRS TO GRAVE SHORING	1760.00
EFT23080	28-09-2021	BRANCHING OUT TREE CARE	PRUNING OF STREET TREES	5390.00

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
EFT23081	28-09-2021	PHASE3 LANDSCAPE CONSTRUCTION PTY LTD	BODDINGTON SKATE PARK & PUMP TRACK	16282.66
EFT23082	28-09-2021	KEITH HUNTER	CONTRIBUTION TOWARDS PHONE BILL AUGUST	50.00
EFT23083	28-09-2021	ECO OFFICE SUPPLIES	CLEANING PRODUCTS	779.76
EFT23084	28-09-2021	JEFF ATKINS	REIMBURSEMENT OF EXPENSES	410.00
EFT23085	28-09-2021	CRACK SEAL WA PTY LTD	CRACK SEALING	4112.90
EFT23086	28-09-2021	SHERRIN RENTALS PTY LTD	HIRE OF ROLLER	3328.88
EFT23087	28-09-2021	WHEATBELT SERVICES PTY LTD	TRAFFIC MANAGEMENT SIGNS	510.40
EFT23088	28-09-2021	CUTTING EDGES EQUIPMENT PARTS PTY LTD	GRADER BLADES	951.81
EFT23089	28-09-2021	WESTRAC EQUIPMENT WA PTY LTD	GRAPHITE SPRAY	90.68
EFT23090	28-09-2021	AUSTRALIAN TAXATION OFFICE (BAS RETURNS)	BAS AUGUST 2021	35988.00
EFT23091	28-09-2021	VISIMAX	MICROCHIP READER	806.10
EFT23092	28-09-2021	A & P REID CONTRACTING	PLANT HIRE AND LABOUR	8714.00
DD14102.1	02-09-2021	PRINTSYNC BUSINESS SOLUTIONS	COPIER CHARGES RECEPTION	483.19

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
DD14102.2	02-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1328.75
DD14103.1	01-09-2021	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN GUARANTEE	12031.87
DD14103.2	01-09-2021	WESTNET	INTERNET CHARGES MEDICAL CEN	39.95
DD14103.3	01-09-2021	NATIONAL AUSTRALIA BANK	NAB MERCHANT FEES	762.17
DD14103.4	01-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1499.25
DD14103.5	01-09-2021	SYNERGY	ELECTRICITY CHARGES CENTRAL PARK	73.45
DD14110.1	03-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	771.80
DD14111.1	06-09-2021	WESTNET	INTERNET CHARGES POOL	59.95
DD14111.2	06-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1742.90
DD14111.3	06-09-2021	SYNERGY	ELECTRICITY CHARGES VARIOUS	4837.18
DD14111.4	06-09-2021	TELSTRA	MOBILE PHONE CHARGES SHIRE	1208.23
DD14117.1	09-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	436.05
DD14118.1	08-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1152.70

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
DD14119.1	07-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	5405.60
DD14119.2	07-09-2021	SYNERGY	ELECTRICITY CHARGES BCRC	1551.20
DD14124.1	10-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	8187.25
DD14125.1	13-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1756.20
DD14125.2	13-09-2021	WESTERN AUSTRALIAN TREASURY CORPORATION	PAYMENT LOAN 106	42709.40
DD14131.1	15-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1727.40
DD14132.1	14-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	5660.25
DD14134.1	16-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1054.65
DD14141.1	17-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1230.85
DD14145.1	21-09-2021	BOC GASES BOC ACCOUNT PROCESSING	GAS CONTAINER FEES	56.03
DD14145.2	21-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1087.55
DD14145.3	21-09-2021	TELSTRA	PHONE CHARGES EHO RESIDENCE	47.22
DD14146.1	20-09-2021	WATER CORPORATION	WATER CHARGES VARIOUS	5197.23

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
DD14146.2	20-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1767.95
DD14146.3	20-09-2021	SYNERGY	ELECTRICITY CHARGES VARIOUS	876.37
DD14146.4	20-09-2021	TELSTRA	PHONE CHARGES SES LANDLINES	232.05
DD14148.1	22-09-2021	WATER CORPORATION	WATER CHARGES EHO RESIDENCE	573.82
DD14148.2	22-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	4011.35
DD14148.3	22-09-2021	SYNERGY	ELECTRICITY CHARGES VARIOUS	7510.37
DD14150.1	23-09-2021	WATER CORPORATION	WATER CHARGES VARIOUS	1811.38
DD14150.2	23-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	3175.80
DD14155.1	24-09-2021	WATER CORPORATION	WATER CHARGES VARIOUS	6548.31
DD14155.2	24-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1334.65
DD14155.3	24-09-2021	SYNERGY	ELECTRICITY CHARGES CROSSMAN FIRE SHED	178.39
DD14155.4	24-09-2021	TELSTRA	MOBILE & ONLINE ACCESS CHARGES SMS	60.00
DD14158.1	29-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1386.85

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
DD14158.2	29-09-2021	SYNERGY	ELECTRICITY CHARGES BANKSIA PARK	395.81
DD14168.1	28-09-2021	WATER CORPORATION	WATER CHARGES VARIOUS	1744.13
DD14168.2	28-09-2021	EASIFLEET MANAGEMENT	CEO VEHICLE LEASE GEN (Rent / Lease (Expense)	2192.15
DD14168.3	28-09-2021	SYNERGY	ELECTRICITY CHARGES VARIOUS	1802.41
DD14168.4	28-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	535.35
DD14168.5	28-09-2021	TELSTRA	PHONE CHARGES SHIRE VARIOUS	1763.83
DD14174.1	30-09-2021	NATIONAL AUSTRALIA BANK	NAB BPAY & ACCT FEES	100.71
DD14174.2	30-09-2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	969.40
DD	30-09-2021	NAB BUSINESS VISA	CREDIT CARD PURCHASES	5397.86
		<b>PETER HAAS</b>		
	03-09-2021	DEPARTMENT OF TRANSPORT - RENEWAL BT013		81.40
	03-09-2021	CARD FEE CREDIT		- 3.15
		<b>JULIE BURTON</b>		

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
	30-08-2021	ADOBE ACROPRO		21.99
	31-08-2021	BARCODES COM - BAR CODE SCANNER		371.80
	02-09-2021	EXETEL PTY LTD - NORTH SYDNEY INTERNET PLAN		725.00
	02-09-2021	CANVA PTY LTD - SUBSCRIPTION		164.99
	03-09-2021	FACEBOOK - ADVERTISING		30.00
	03-09-2021	OFFICE WORKS - CAFÉ SUPPLIES		113.71
	06-09-2021	FACEBOOK - ADVERTISING		30.00
	06-09-2021	FACEBOOK - ADVERTISING		30.00
	06-09-2021	DROP BOX - COUNCILLOR INFORMATION		18.69
	08-09-2021	FACEBOOK - ADVERTISING		40.00
	08-09-2021	PFD FOODS P/L -CAFÉ SUPPLIES		242.70
	09-09-2021	METCASH TRADING - CAFÉ SUPPLIES		1,430.18
	10-09-2021	FACEBOOK - ADVERTISING		40.00

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
	10-09-2021	COSTCO ONLINE SHOPPING		55.00
	13-09-2021	FACEBOOK - ADVERTISING		70.00
	15-09-2021	ADOBE ACROPRO		21.99
	15-09-2021	OFFICE WORKS - CAFÉ SUPPLIES		104.95
	16-09-2021	FACEBOOK - ADVERTISING		40.00
	16-09-2021	COLES ONLINE - CAFÉ SUPPLIES		116.00
	16-09-2021	CAMPBELLS CANNING VALE - CAFÉ SUPPLIES		- 99.53
	17-09-2021	FACEBOOK - ADVERTISING		70.00
	22-09-2021	PFD FOODS P/L - CAFÉ SUPPLIES		727.71
	23-09-2021	COLES ONLINE - CAFÉ SUPPLIES		85.50
	23-09-2021	COCA-COLA AMATIL - CAFÉ SUPPLIES		204.73
	24-09-2021	KENNARDS HIRE - TURF CUTTER		132.00
	27-09-2021	KMART - YOUTH CENTRE SUPPLIES		481.15

ATTACHMENT 8.2.2A LIST OF PAYMENTS SEPTEMBER 2021				
	28-09-2021	ADOBE ACROPRO		21.99
		<b>NAB TRANSACTIONS FEES</b>		
	28-09-2021	NAB CARD FEE		18.00
	28-09-2021	NAB INTERNATIONAL TRANSACTION FEES		11.06
		<b>PAYROLL PAYMENTS</b>		
		NAB	NET PAYROLL F/N ENDING 05/09/2021	74251.96
		NAB	NET PAYROLL F/N ENDING 19/09/2021	80099.82
	<b>TOTAL MUNI</b>			<b>\$ 763,099.16</b>
	<b>TOTAL TRUST &amp; MUNI</b>			<b>\$ 764,065.84</b>

8.3      ENVIRONMENTAL HEALTH / BUILDING SERVICES

Nil

8.4      WORKS & SERVICES

Nil

8.5      COMMUNITY SERVICES

Nil

## 8.6 CHIEF EXECUTIVE OFFICER:

### 8.6.1 Appointments to Committees

File Ref No:	GOVN000
Applicant:	Nil
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Attachments:	Nil

#### Summary

Council is to consider appointments to Committees of Council and to various external committees and advisory groups.

#### Background

##### **Membership of the Audit Committee**

Section 5.8 of the Local Government Act 1995 (Act) provides that a local government may establish committees of three or more persons to assist the Council. Section 7.1A(1) of the Act requires a local government to establish an Audit Committee of three or more persons to exercise the powers and discharge the duties conferred on it.

Section 5.10(1) provides that persons are to be appointed to a committee of Council by an absolute majority decision.

Section 5.11(2) states that where a person is appointed as a member of a committee of Council, the person's membership of the Committee continues until:

- a) the term of the person's appointment as a committee member expires; or
  - b) the Local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
  - c) the committee is disbanded; or
  - d) the next ordinary elections day,
- whichever happens first.

##### **Membership of the Local Emergency Management Committee**

Section 38 of the Emergency Management Act 2005 requires local governments to establish a Local Emergency Management Committee. The provisions of the Local Government Act 1995 do not apply to Local Emergency Management Committees.

##### **Membership of other external committees and groups**

The Shire is also requested to appoint Council delegates and deputy delegates to represent the Shire on a range of groups and committees of external organisations. The Shire appoints Councillors as delegates to these external groups and committees by way of membership or by invitation.

It should be noted that Council is not required to appoint a delegate to each of the external organisations referred to in Appendix 8.2A and may choose not to appoint a delegate if Council is of the view that there is little value to the Shire in doing so.

## Comment

The current Council delegates to Committees of Council and external organisations are:

Committees of Council		
Committees of Council	Delegate	Proxy Delegate
Shire of Boddington Audit Committee	All Councillors	N/A
CEO Employment and Performance Appraisal Committee	All Councillors	N/A
Local Emergency Management Committee (LEMC)	Cr Schreiber	Cr Webster

Other Committees / Groups		
Committee / Group	Delegate	Proxy Delegate
Shire of Boddington Cemeteries Advisory Committee	Cr Hoffman	-
Boddington Aged Accommodation Committee	Cr Erasmus, Cr Schreiber,	Cr Smalberger
Advance Peel Formerly (PRLF) (Peel Regional Leaders Forum)	Shire President	Deputy Shire President
Peel Zone of WALGA Delegate	Shire President Deputy Shire President	CEO
Hotham William Economic Development Alliance	Cr Smalberger	Cr Erasmus CEO
South West Regional Road Group (RRG)	Cr Hoffman	
Boddington Local Health Advisory Group (LHAG)	Cr Ventris Cr Erasmus	Cr Schreiber Cr Webster
SOUTH 32 Worsley Community Liaison Committee (CLC)	Cr SR Manez	Cr Webster
Rail Heritage Foundation of WA	Cr Schreiber	
Youth Advisory Committee	Cr Schreiber	Cr SR Manez
Community Reference Group (Newmont)	Cr Erasmus	Cr Webster
Development Assessment Panel (DAP)	Nil	

## Statutory Environment

### *Local Government Act (1995)*

#### *5.8. Establishment of committees*

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

*\* Absolute majority required*

#### *5.10. Appointment of committee members*

*(1) A committee is to have as its members -*

*(a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*

*(b) persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* Absolute majority required.*

*(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

*(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*

*(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

*(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish -*

*(a) to be a member of the committee; or*

*(b) that a representative of the CEO be a member of the committee,*

*the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

#### *5.11. Tenure of committee membership*

*(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until -*

*(a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*

*(b) the person resigns from membership of the committee;*

*(c) the committee is disbanded; or*

*(d) the next ordinary elections day,*

*whichever happens first.*

*(2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until -*

*(a) the term of the person's appointment as a committee member expires;*

- (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;*  
(c) *the committee is disbanded; or*  
(d) *the next ordinary elections day,*  
*whichever happens first*

Policy Implications

Nil

Financial Implications

Nil

Economic Implications

Nil

Strategic Implications

Nil

Social Implications

Nil

Environmental Considerations

Nil

Consultation

Nil

Options

Council can:

1. choose to appoint a delegate to all committees / groups;
2. choose to decline the appointment of a delegate to some committees/groups

Voting Requirement

Absolute Majority (Appointment to Committees of Council)

Simple Majority (Appointment to other Committees / Groups)

OFFICER'S RECOMMENDATION – ITEM 8.6.1

That Council appoint the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as per the table below:

Committees of Council		
Committees of Council	Delegate	Proxy Delegate
Shire of Boddington Audit Committee	Full Council	N/A
CEO Employment and Performance Appraisal Committee	Full Council	N/A
Local Emergency Management Committee (LEMC)	One Councillor	One Councillor

Other Committees / Groups		
Committee / Group	Delegate	Proxy Delegate
Boddington Aged Accommodation Committee	One Councillor	One Councillor
Shire of Boddington Cemeteries Advisory Committee	Nil	Nil
Advance Peel Formerly (PRLF) (Peel Regional Leaders Forum)	Shire President	Deputy Shire President
Peel Zone of WALGA Delegate	Shire President, Deputy Shire President	One Councillor CEO
Hotham William Economic Development Alliance	One Councillor	One Councillor CEO
South West Regional Road Group (RRG)	One Councillor	
Boddington Local Health Advisory Group (LHAG)	One Councillor	One Councillor
SOUTH 32 Worsley Community Liaison Committee (CLC)	One Councillor	One Councillor
Rail Heritage Foundation of WA	One Councillor	One Councillor
Youth Advisory Committee	One Councillor	One Councillor

Other Committees / Groups				
Committee / Group			Delegate	Proxy Delegate
Community (Newmont)	Reference	Group	One Councillor	One Councillor
Development (DAP)	Assessment	Panel	Two Councillors	Two Councillors

## 8.6.2 Nomination for Peel Harvey Catchment Council - Board

File Ref No: ENVM001  
 Applicant: Not Applicable  
 Disclosure of Interest: Nil  
 Author: Chief Executive Officer  
 Attachments: Attachment 8.6.8A Invitation letter  
 Attachment 8.6.8B Nomination form

### Summary

Council is requested to consider the opportunity to nominate a Councillor as an applicant for the Peel Harvey Catchment Council Board.

### Background

Following the completion of the October Local Government elections, the Peel-Harvey Catchment Council (PHCC) has invited local governments that are part of the Catchment, to nominate one Elected Member to be considered for an opportunity to be a Member or Proxy Member of the PHCC Board.

Following the close of nominations, all applications from local governments will be considered by an independent panel which makes recommendations on appointment to the PHCC. A determination on the successful applicant will then be made and endorsed by the PHCC Board during the December Board Meeting. The successful applicant will become the Local Government Member (or Proxy), representing all Inland local governments within the Peel-Harvey Catchment.

Further information about the PHCC can be found in the following documents:

- [PHCC's Strategic Directions](#)
- [Annual Report](#)
- [Constitution](#)
- [Map of the Catchment](#)

### Comment

A minimum of six PHCC Board meetings are held annually, usually on the third Thursday of every second month, with travel costs for these meetings reimbursed by the PHCC. Members are expected to be active ambassadors and contribute beyond general meeting attendance, working to ensure informative, productive and inclusive representation on

behalf of all Inland Councils. The successful applicant will be provided clarity as to membership expectations via an induction process and mentoring.

Should Council wish to nominate a representative from the Shire of Boddington to be considered as an applicant for a Board position, an application form is to be completed, noting endorsement from Council, outlining the applicant's reasons for nominating and their knowledge and experience in relation to natural resource management, local government, board governance, strategic planning and/or any other relevant skills that they can bring to the PHCC.

#### Strategic Implications

Pillar 3            A healthy, clean, green and sustainable environment  
Strategy 3.3    Support sustainable natural resource management

#### Statutory Environment

Nil

#### Policy Implications

Nil

#### Financial Implications

Nil

#### Economic Implications

Nil

#### Social Implications

Nil

#### Environmental Considerations

Support of the PHCC and the Board increases awareness and pursuit of sustainable environmental practices.

#### Consultation

Nil

#### Options

Council may choose to:

1. Support a nomination from a Councillor to be considered for a Board position.
2. Choose not to nominate a Councillor to be considered for a Board position.

### Risk Considerations

Risk Statement and Consequence	If Council chooses not to nominate a representative for consideration for a Board position, there may be the perception that there is not a strong environmental focus from the Shire of Boddington. In addition, there is also a risk that if Council nominates a Councillor who does not have significant knowledge and experience in relation to environmental management, it may result in lower quality outcomes than if the catchment was represented by a Councillor who has experience in this area.
Risk Rating (prior to treatment or control)	Medium
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further actions proposed

### Voting Requirements

Simple Majority

### **OFFICER'S RECOMMENDATION – ITEM 8.6.2**

That Council nominate Cr \_\_\_\_\_ as the nominee for the Peel Harvey Catchment Council Board position.

Enquiries: Jane O'Malley  
Our Ref: 084\_2021\_10\_06\_DC  
File No: BO\_M\_100 v4

6 October 2021

Ms Julie Burton  
CEO  
Shire of Boddington  
PO Box 4  
BODDINGTON WA 6390

Sent via email: [ceo@boddington.wa.gov.au](mailto:ceo@boddington.wa.gov.au)

Dear Julie

**Call for Nomination for Local Government Representation (Inland) on the Peel-Harvey  
Catchment Council – closes 10am Thursday 18 November 2021**

On completion of the October Local Government elections, the Peel-Harvey Catchment Council (PHCC) invites you to nominate one of your Elected Members to be a Member or Proxy Member of the PHCC Board. Following receipt, all applications are considered by an independent panel which makes recommendations on appointment to the PHCC. A determination on the successful applicant is then made and endorsed by the PHCC Board during the December Board Meeting. The successful applicant will become the Local Government Member (or Proxy), representing all Inland local governments within the Peel-Harvey Catchment.

To assist you to select a nominee who has the capacity and ability to help guide and shape the vision of PHCC, please find attached a copy of PHCC's Strategic Directions, Annual Report, Constitution and a map of the Catchment.

A minimum of six PHCC Board meetings are held annually, usually on the third Thursday of every second month, with travel costs for these meetings reimbursed by the PHCC. Members are expected to be active ambassadors and contribute beyond general meeting attendance, working to ensure informative, productive and inclusive representation on behalf of all Inland Councils. The successful applicant will be provided clarity as to membership expectations via an induction process and mentoring.

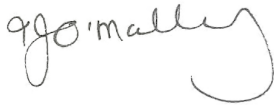
If you choose to nominate an Elected Member and their application is successful, your nominee will be joining a dedicated group with representation from across community, industry and government.

Applications are requested in writing on the attached form, with endorsement from Council, outlining the applicant's reasons for nominating and their knowledge and experience in relation to natural resource management, local government, board governance, strategic planning and/or any other relevant skills that they can bring to the PHCC.

If you would like to nominate a representative, please ensure we receive your nomination by **10am Thursday 18 November 2021**. Please don't hesitate to contact myself or Deborah Chard on 6369 8800 or email [jane.omalley@peel-harvey.org.au](mailto:jane.omalley@peel-harvey.org.au) if you would like any further information.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'jane.omalley', written in dark ink.

Jane O'Malley  
Chief Executive Officer

*Enc.*

1. *Nomination Form*
2. *Strategic Directions*
3. *Annual Report*
4. *Constitution*
5. *Map of Peel-Harvey Catchment*

# Local Government Representative Nomination

*Join the team that really makes a difference*

The Peel-Harvey Catchment Council (PHCC) is seeking suitably qualified councilors for the position of Local Government Representative on the PHCC Board.

If you tick any, or many of the following boxes, you may be just what we are looking for:

- ☐ Knowledge, interest and understanding of the ecological principles of natural resource management
- ☐ Experience and expertise in sustainable natural resource management practice
- ☐ Knowledge of social, economic, environmental and/or indigenous issues in the Peel-Harvey Catchment
- ☐ Experience in coordinating and managing projects, business and/or community engagement activities
- ☐ Experience in legislative programs or environmental policy framing
- ☐ Ability to communicate and use community networks effectively
- ☐ Ability to analyse and work strategically across a wide range of complex integrated issues
- ☐ Knowledge and experience in financial and/or risk management
- ☐ Skills/experience/knowledge in mentoring, developing, supporting and training of team members

The term of your tenure will be two years, plenty of time to make a significant impact for the local environment.

If successful, you will be one of two local government members joining forces with ten community members, one representative from key State Government agencies with environmental responsibilities and the Peel Development Commission. Meetings are held on the third Thursday of every second month. Some recompense is made for the cost of travel to meetings.

As part of the nomination process, we ask that you provide a letter addressing the selection criteria, demonstrating those skills you ticked above, complete the 'Self-Assessment' over the page using the assessment levels below, and fill in the insurance related questions.

<b>VERY HIGH</b>	A Post Graduate Degree or higher qualification in a related discipline, as well as demonstrated, significant professional experience or extensive, practical experience in the area and/or relevant qualification/s
<b>HIGH</b>	A Degree or Diploma/Certificate in a related discipline as well as demonstrated, professional experience or significant, practical experience in the area and/or relevant qualification/s
<b>MEDIUM</b>	At least 3 years practical experience in the Natural Resource Management Sector.
<b>LOW</b>	Some practical experience (including volunteering) in the Natural Resource Management Sector.
<b>NONE</b>	Awareness and interest, limited or no practical experience.

## Self-Assessment

The self-assessment requires you to reflect on your level of knowledge, experience and skill in the following key areas:

Knowledge/Skill Area	VERY HIGH	HIGH	MED	LOW	NONE
Knowledge, interest and understanding of the ecological principles of natural resource					
Experience and expertise in sustainable natural resource management practice					
Knowledge of social, economic, environmental and/or indigenous issues in the Peel-Harvey Catchment					
Experience in Indigenous engagement, participation and/or capacity building					
Experience in coordinating and managing projects, business and/or community engagement activities					
Experience in legislative programs or environmental policy framing					
Ability to communicate and use community networks effectively					
Ability to analyse and work strategically across a wide range of complex integrated issues					
Knowledge and experience in financial management					
Knowledge and experience in risk management					

These criteria are guidelines only and, if you believe you can demonstrate high level skills, knowledge or experience outside of these areas, we encourage you to inform us within your supporting letter.

Name

Address

Phone

Mobile

Email

Checklist to complete and return to PHCC:

- ☐ I have completed the self-assessment table above
- ☐ I have attached a letter detailing the skills and knowledge I would bring to the PHCC as a Local Government Representative
- ☐ I have completed the Association Liability Insurance Questions for Members/Proposed Members (Attachment 1)

Signed:

Date:

## Association Liability Insurance Questions for Members/Proposed Members

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Residential address: \_\_\_\_\_  
Bus hrs phone: \_\_\_\_\_ Date: \_\_\_\_\_

In order to comply with the PHCC Association Liability Insurance Policy, you are required to answer the following questions from the PHCC Association Liability Insurance Schedule. (See bottom of page for definitions.) Please note that all responses will be treated with the utmost confidentiality.

### Q1 – Insured Persons’ details

Has the **Insured Person** ever been declared bankrupt? YES / NO

Has the **Insured Person** ever been an **Insured Person** of an organisation placed in receivership, liquidation or provisional liquidation? YES / NO

Has the **Insured Person** ever had a conviction for crimes involving dishonesty? YES / NO

*If you answered YES to any of the above questions, please provide full details using a separate sheet.*

### Q11 – Claims History

For the purpose of answering this question, please note that reference to “Association” includes all of its past and current subsidiaries.

- Has any claim ever been made or civil, criminal or regulatory proceedings brought against the **Insured Person** (whether as **Insured Persons** of the Association or any other entity), in respect of the risks of the kind to which this Proposal Form relates (ie Association Liability)? YES / NO
- Has the **Insured Person** ever received a notice to attend an official investigation, examination, inquiry or other proceedings ordered or commissioned by an official body or institution, in respect of the risks of the kind to which this Proposal Form relates? YES / NO
- During the past 5 years has the **Insured Person** had any fine or penalty or infringement notice (other than for traffic offences) imposed by any Federal, State, Territory or local government or other regulatory authority, in respect of the risks of the kind to which this Proposal Form relates? YES / NO

*If you answered YES to any of the above questions, please provide full details using a separate sheet.*

### Q 12 – Known Circumstances

Is the **Insured Person** aware of any act, omission, conduct, fact, event, circumstance or matter which might reasonably be expected to:

- Give rise to a claim or lead to civil or criminal proceedings against the Association or any **Insured Person**. YES / NO
- Result in the Association or the **Insured Person** being required to attend an official investigation, examination, inquiry or other proceedings? YES / NO
- Give rise to a fine or penalty being imposed on the Association or the **Insured Person** (other than for traffic offences) by a Federal, State, Territory or local government or other regulatory authority? YES / NO

*If you answered YES to any of the above questions, please provide full details using a separate sheet.*

The following answers are required by the Australian Charities and Not-for-profits Commission (ACNC).

- What is your date of birth:
- Is this person of Aboriginal origin?
- Is this person of Torres Strait Island origin?

4. What language does this person generally speak at home?

**\*\* Insured Person** means any natural person who was **prior to the Policy Period**, or is **during or after the Policy Period**;

(a) a director, secretary, officer, trustee, committee member, employee (whether salaried or not) or volunteer of the **Association**; or

(b) a person acting on behalf of the **Association** at the direction of an officer or board or committee of management of the **Association**, but only in his or her capacity as such.

**\*\*\* Association** means Peel-Harvey Catchment Council (PHCC)

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Written nominations must be received by **10am Thursday 18 November 2021** and addressed to:

Chief Executive Officer  
Peel-Harvey Catchment Council (Inc)  
58 Sutton Street  
MANDURAH WA 6210

Or email to: [Deborah.chard@peel-harvey.org.au](mailto:Deborah.chard@peel-harvey.org.au)

For further information email Deborah Chard [Deborah.chard@peel-harvey.org.au](mailto:Deborah.chard@peel-harvey.org.au) or phone 08 6369 8800

Refer also <https://peel-harvey.org.au> and [Constitution](#)

### 8.6.3 2019/20 Annual Report

File Ref No:	FINM020
Applicant	Not Applicable
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Attachments:	8.6.3A 2019/20 Annual Report

#### Summary

Council is requested to adopt the 2019/20 Annual Report, together with the, 2019/20 Annual Financial Report and Auditors Report.

#### Background

Section 5.54(1) of the Local Government Act 1995 requires Council to receive the Annual Report no later than 31 December after that financial year. Section 5.54(2) states that If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Section 5.27(2) requires a date to be set for the Annual Electors' Meeting to be held no later than fifty-six (56) days after receiving the Annual Report.

#### Comment

Council received the 2019/20 Independent Auditors Report and signed Annual Financial Report on Friday 1 October 2021. Council therefore, must adopt the Annual Report by 30 November 2021.

In accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996, the Annual Report which includes the Annual Financial Report and Audit Report for the year ending 30 June 2020 has been prepared and is attached at 8.6.1A

Following adoption of the 2019/20 Annual Report, Council is required to hold an Annual Electors Meeting within 56 days of acceptance of the report. It is therefore proposed to hold the Annual Electors Meeting on Thursday 2 December 2021 at 6:30pm.

#### Strategic Implications

Nil

#### Statutory Environment

Local Government Act 1995 Sections:

5.27(2) – Calling of Annual General Meeting of Electors

5.53 – Contents of Annual Report 5.54 – Acceptance of Annual Report

5.55 – Notice of Annual Report 5.55A – Publication of Annual Reports

### Policy Implications

Nil

### Financial Implications

The report demonstrates sound financial management of the Shire's resources during the 2019/20 financial year.

### Economic Implications

Nil

### Social Implications

Nil

### Environmental Considerations

Nil

### Consultation

Office of the Auditor General  
AMD Chartered Accountants

### Options

Council may choose to:

1. Adopt the Annual Report as presented
2. Modify content of the Annual Report, as far as is permitted by legislation.

### Risk Considerations

Risk Statement and Consequence	The primary risks include non-compliance with legislative requirements for the annual report, including content and timing of adoptions. Any non-compliance would be raised as a matter in the auditor's report.
Risk Rating (prior to treatment or control)	Medium
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further action proposed.

### Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.3
---------------------------------------

That Council:

1. Adopt the Annual Report for the 2019/20 Financial Year, inclusive of the Annual Financial Report and Auditors Report.
2. Endorse 6.30pm Thursday 2 December 2021 as the time and date for the Annual Electors Meeting, to consider the 2019/20 Annual Report.



SHIRE OF BODDINGTON

# 2019/2020 ANNUAL REPORT

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# About Boddington



The Shire of Boddington is situated in the Peel region of Western Australia, approximately 123 kilometres southeast of Perth and 92 kilometres southeast of Mandurah. The Shire is accessible from the north via the Albany Highway from Perth and via the Pinjarra Williams Road from Mandurah to the west. The Shire has no separate wards and all seven Shire Councillors are elected from a single, district ward. The Shire of Boddington borders the local government authorities of Collie, Harvey, Waroona, Murray, Wandering and Williams.

The Shire's main localities are Boddington, Ranford, Marradong, and Quindanning.

Boddington is a rural township with a strong community base, with a diverse range of community groups. The town owes its name to an early settler, Henry Boddington, who was a shepherd in the 1860's, later moving to Wagin. His name became associated with a pool in the Hotham River at which he frequently camped with his sheep.

The original settlement was called 'The Hotham', found 2km west of the current town, at the end of what is now known as Farmers Avenue, named after the Farmer family on whose farm a post office and school were established. The Hotham Valley Railway was constructed in 1912 to meet demand created by the local timber industry to 'Farmers Crossing'.



A townsite was chosen adjacent to the Boddington Pools on the Hotham River, and subsequently was gazetted as a town. The railway line continued to Boddington in 1916 and in 1920 a new one-roomed school was built. This was followed by further buildings including Roads Board office, Hotel, shops and an agricultural hall.

The town continued to expand with new industries including farming, timber, Tannin Extracts, and later the mining industry. A railway bridge was built over the upper reaches of the Murray River in 1949, originally known as "Asquith Bridge" and later as the Long Gully bridge. This was used for carting railway timber to the Banksiadale sawmill.



Image: Long Gully Bridge



Image: Boddington Hall

The area declined slowly over time, and the Dwellingup fires of 1961 devastated the local timber industry. By 1969, the railway had been closed and Boddington became a typical small service area for the surrounding district.

The establishment of Bauxite mining in 1979 at Boddington, continues to service Western Australia's alumina refinery at Worsley (near Collie). Further mining followed with the opening of the Boddington Gold Mine in 1987. Together the Gold & Bauxite mines create a thriving rural mining town.

## Key Statistics:

Length of Sealed Roads:	125km
Length of Unsealed Roads:	146km
Population:	1844
Distance from Perth:	123 km
Area:	190,447 square kilometres
Rates Levied 2019/20:	\$4.54 million

# From the President

It is my pleasure to introduce the Shire of Boddington's Annual Report to provide details of the Shire's operations for the 2019/2020 financial year. While I did not serve as President during this time, I have been able to reflect on the year in my role as Deputy President.

The year was most notable for a significant challenge, being the arrival of Covid-19, which altered our perspective and required adaptations that will be reflected in how we all move forward. I am very proud that, during the most challenging period, everyone came together and ensured our community was well supported throughout the regional lockdowns and the vulnerable were well serviced.

Council adopted the Annual Budget for 2019/20 in August 2019. This year was a revaluation year for all properties valued under the gross rental valuation method, and as a result some properties received a higher rate increase than others due to valuation fluctuations.

Significant achievements have also marked this year. Foremost was the construction of the Hotham Park precinct. This is a significant project that contributes to tourism growth in our region, helping to build a strong local economy and regional prosperity, one that will bring many years of enjoyment and recreation opportunities to the local community, Peel residents, and visitors alike. This amazing project leverages the natural beauty and amenity of the Hotham River foreshore, providing a skate park, pump track, nature play and fitness zone as well as extensive landscaping for wide recreational use.

The 2019/20 year was a period of change for Boddington, with the announcement in June 2020 of the retirement of the CEO, Mr Chris Littlemore. Chris had been with the Shire since 2014 and led the organisation through a number of large projects.

Two new Councillors were elected at the October Local Government Ordinary Election: Cr Erasmus and Cr Schreiber. Cr McSwain was elected President and Cr Ventris Deputy President. An extraordinary election was also held due to the resignation of Cr Glynn. Cr Smalberger was successfully elected with her term commencing in May 2020. We thank Cr Smart, Cr Manez and Cr Glynn for their contributions to Council over their terms.

As we begin to recover and emerge into a new normal, the Shire is continuing to gather momentum for a positive and vibrant future. We are very fortunate to live in this wonderful location, and as we enter the 2020/21 year we can look forward to ongoing commitment from Councillors, staff and valued partnerships with the community.

Garry Ventris  
Shire President



# Chief Executive Officer's Report

Having commenced with the Shire of Boddington subsequent to the 2019/20 year, I am pleased to provide this report detailing the activities, projects and services that took place.

The 2019/2020 financial year saw the worldwide impact of the COVID-19 pandemic beginning to take effect. The pandemic impacted the Shire operations and ability to achieve goals due to lockdowns and supply issues, however, also highlighted the unity of the community as it came together to support others in need. COVID-19 has also taught us many new lessons and ways to do business that were unexpected prior to this worldwide pandemic. This will ensure we are more resilient in the future to deal with unexpected business interruptions.

The delivery of the Hotham Park Precinct, including the skate park, pump track, playgrounds and landscaping formed the major project for the Shire of Boddington after years of planning. This project demonstrates the collaborative relationship that the Shire has with its funding partners, with the resulting project enjoyed by many residents, ratepayers and visitors.

A review of the Local Government Act 1995 saw the introduction in August 2019 of compulsory Councillor training, additional reporting obligations and other requirements. The 2019/20 year was the second year of transition to the audit processes under the Office of the Auditor General, and this, along with substantial changes to the Accounting Standards subsequent to the end of financial year, caused significant delays in finalising auditing for local governments.

I would like to thank all the staff at the Shire for their work and commitment. Their positive attitude and fantastic values contribute significantly in delivering services to the community.

Julie Burton  
Chief Executive Officer



# Elected Members



Rodney McSwain  
Shire President



Garry Ventris  
Deputy Shire President



Coert Erasmus  
Councillor



Martin Glynn  
Councillor



Jason Hoffman  
Councillor



William McGrath  
Councillor



Earl Schreiber  
Councillor



# Key Projects

Hotham Park

- Skate Park
- Pump Track
- Nature Playground
- Foreshore Development

Entry Statement and Public Art

Rodeo Grounds – New Toilet Block

Boddington Old School – Air conditioning

Old Pavilion – Refurbishments

Harvey Quindanning Road Upgrades




Newmarket Road, Farmers Ave – Reseals

Medical Centre – Solar System



# Strategic Community Plan

The Shire's Strategic Community Plan 2019 – 2029 was adopted in December 2019 following a period of community consultation. The Strategic Community Plan is built on three pillars:

-  A vibrant and connected community
-  A thriving and diverse economy
-  A healthy, clean, green and sustainable environment

The next review of the Plan is due to be completed by December 2023.

## Corporate Business Plan

The Shire's Corporate Business Plan 2019 – 2023 was adopted in March 2020, and provides a detailed four year planning document to give effect to the first four years of the Strategic Community Plan. The Corporate Business Plan is updated every year to allow reassessment of priorities, while still maintaining strong links to the 10 year Strategic Plan.



# Environmental Health & Building Services

	2018/2019	2019/2020
Dwellings	6	5
Dwelling Additions		1
Sheds/Patios/Pergolas/Garages	19	14
Swimming Pools	6	2
Commercial	4	1
Demolitions	1	
Other	10	17
Building Approval Cert.	1	
Building Permit Extensions	2	2
Total	49	42



# National Competition Policy



The National Competition Policy was introduced by the Commonwealth Government in 1995, to promote competition for the benefit of business, consumers and the economy by removing unnecessary protection of monopolies of markets where competition can be enhanced. It affects local governments because factors such as exemption from company and income tax or possible local regulations and laws may give local government a potential advantage over private contractors.

The Shire is required to comply with certain policies contained with the National Competition Policy Statement, and report on the progress in connection with the National Competitive Neutrality Principles and review of Local Laws. During the 2019/20 financial year the Shire met its obligations under the National Competition Policy. The Shire continues to monitor Council policies and local laws for anti-competitive practices. The Shire does not operate significant business activities which compete or could compete with private business sector business.

## Disability Access & Inclusion (DAIP)

The Shire of Boddington aims to improve accessibility and inclusiveness for people with disability and their carers/families through the strategies outlined in the Disability Access and Inclusion Plan (DAIP) 2019 - 2024.

The Shire's DAIP is a statutory requirement of the State Government under The Disability Services Act (1993, amended 2004). The DAIP includes strategies to address access barriers and promote inclusion, identified through the review and consultation with the community.

For further information on the Shire's DAIP, visit:

<https://www.boddington.wa.gov.au/documents/publications>

# The Story of Boddington

Discover how the environment has shaped, challenged and blessed Boddington and its people.

## Public Interest Disclosure

In accordance with the Public Interest Disclosure Act 2003, procedures have been implemented to facilitate reporting and action on public interest disclosures. During the 2019/20 reporting period, no public interest disclosures were lodged.

## Record Keeping

The Shire of Boddington is required to create, maintain and submit a Recordkeeping Plan to the State Records Office every 5 years. The latest review was undertaken in 2016. The next review of the Plan is due in 2021.

The Shire's record keeping plan is constantly being reviewed to ensure the Shire of Boddington remains compliant, addresses requirements stemming from technological changes and makes improvements to record keeping practices where necessary. The next major review will be undertaken in 2021/22 in accordance with regulatory requirements. All communications to and from the Shire captured and stored, ensuring an important information source is secure and accessible to all staff. Ongoing records management support is available to all staff from experienced administration staff.

# Freedom of Information

Access to Shire of Boddington information/documents may be granted under the Freedom of Information Act 1992. An Information Statement is available along with application forms on the Shire's website. The statement is a guide on the Freedom of Information process, and also lists the types of documents available outside of this process. During 2019/2020, the Shire received zero (0) Freedom of Information applications.

## Register of Complaints

The Shire of Boddington maintains a register of complaints on the Shire of Boddington website. There were two (2) complaints against Councillors in the 2019/20 financial year that were considered a minor breach, under section 5.121 of the Local Government Act 1995.

## Employee Remuneration

Regulation 19B of the Local Government (Administration) Regulations 1996 requires the Shire to include the following in the following information in its annual report:

- The number of employees of the Shire entitled to an annual salary of \$100,000 or more; and
- The number of those employees with an annual salary entitlement that falls within each band of the \$10,000 over \$100,000.

Salary Range	Number of Employees
\$100,000 - \$110,000	1
\$110,000 - \$120,000	1
\$120,000 - \$130,000	-
\$130,000 - \$140,000	1
\$140,000 - \$150,000	1

# Meeting Attendance

The Council of the Shire of Boddington meets monthly for information sessions and workshops on a variety of topics. In the third week of the month, Council convenes an Ordinary Council Meeting. Below is a table outlining individual Elected Members' attendance, for the financial year, on various Council Meetings and Committees as a member in their capacity as an Elected Member.

Councillor Name *	Ordinary Council Meetings (11)	Special Council Meetings (5)	Audit Committee (2)	CEO Performance Appraisal (1)	LEMC (7)
Cr R. Mcswain	10	4	2	1	1
Cr M. Glynn	5	2	1	1	
Cr w. McGrath	11	4	1		
Cr D. Smart	4	1			
Cr Sharan Manez	4	1			
Cr G. Ventris	10	5			
Cr J. Hoffman	11	5			
Cr C. Erasmus	8	4	2	1	
Cr E. Schreiber	8	4	1	1	7
Cr E. Smalberger	2	3			

\*

Cr M Glynn term ended February 2020

Cr D Smart term ended October 2019

Cr S Manez term ended October 2019

Cr C Erasmus term commenced November 2019

Cr Schreiber term commenced November 2019

Cr Smalberger term commenced May 2020

**SHIRE OF BODDINGTON**  
**FINANCIAL REPORT**  
**FOR THE YEAR ENDED 30 JUNE 2020**

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**COMMUNITY VISION**

A vibrant and connected community, providing employment and lifestyle opportunities and a beautiful natural environment, surprisingly close to the coast and city.

Principal place of business:  
39 Bannister Road  
BODDINGTON WA 6390

**SHIRE OF BODDINGTON  
FINANCIAL REPORT  
FOR THE YEAR ENDED 30 JUNE 2020**

*Local Government Act 1995  
Local Government (Financial Management) Regulations 1996*

**STATEMENT BY CHIEF EXECUTIVE OFFICER**

The attached financial report of the Shire of Boddington for the financial year ended 30 June 2020 is based on proper accounts and records to present fairly the financial position of the Shire of Boddington at 30 June 2020 and the results of the operations for the financial year then ended in accordance with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

Signed on the 29th day of September 2021



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

\_\_\_\_\_  
JULIE BURTON

\_\_\_\_\_  
Name of Chief Executive Officer

**SHIRE OF BODDINGTON**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**BY NATURE OR TYPE**  
**FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	2020 Actual \$	2020 Budget \$	2019 Actual \$
<b>Revenue</b>				
Rates	21(a)	4,543,706	4,580,000	4,513,324
Operating grants, subsidies and contributions	2(a)	681,139	550,704	833,493
Fees and charges	2(a)	1,121,056	1,274,020	1,195,134
Interest earnings	2(a)	98,339	132,779	147,415
Other revenue	2(a)	146,576	56,478	80,703
		6,590,816	6,593,981	6,770,069
<b>Expenses</b>				
Employee costs		(2,583,325)	(2,746,307)	(2,683,401)
Materials and contracts		(1,833,883)	(1,793,894)	(1,764,986)
Utility charges		(378,422)	(339,677)	(347,629)
Depreciation on non-current assets	10(b)	(2,254,722)	(2,087,079)	(2,087,079)
Interest expenses	2(b)	(88,704)	(89,044)	(100,140)
Insurance expenses		(223,594)	(247,880)	(235,075)
Other expenditure		(149,610)	(162,795)	(123,878)
		(7,512,260)	(7,466,676)	(7,342,188)
		(921,444)	(872,695)	(572,119)
Non-operating grants, subsidies and contributions	2(a)	683,682	1,862,779	532,555
Profit on asset disposals	10(a)	36,277	0	6,750
(Loss) on asset disposals	10(a)	(12,669)	0	(61,669)
Fair value adjustments to financial assets at fair value through profit or loss		4,677	0	30,934
		711,967	1,862,779	508,570
<b>Net result for the period</b>		<b>(209,477)</b>	<b>990,084</b>	<b>(63,548)</b>
<b>Other comprehensive income</b>				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Changes in asset revaluation surplus	11	3,487,594	0	(405,696)
<b>Total other comprehensive income for the period</b>		<b>3,487,594</b>	<b>0</b>	<b>(405,696)</b>
<b>Total comprehensive income for the period</b>		<b>3,278,117</b>	<b>990,084</b>	<b>(469,245)</b>

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

**SHIRE OF BODDINGTON**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**BY PROGRAM FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	2020 Actual \$	2020 Budget \$	2019 Actual \$
<b>Revenue</b>				
	2(a)			
Governance		82,466	59,287	58,139
General purpose funding		4,966,888	4,931,865	4,975,669
Law, order, public safety		242,183	94,777	313,295
Health		20,212	29,538	26,996
Education and welfare		445,221	612,088	519,398
Housing		20,613	6,812	10,304
Community amenities		290,300	335,446	332,926
Recreation and culture		37,374	69,928	68,687
Transport		124,967	122,247	130,745
Economic services		249,944	299,293	274,102
Other property and services		110,648	32,700	59,808
		6,590,816	6,593,981	6,770,069
<b>Expenses</b>				
	2(b)			
Governance		(393,954)	9,863	(14,997)
General purpose funding		(21,583)	(34,368)	(31,454)
Law, order, public safety		(594,400)	(474,054)	(584,697)
Health		(230,830)	(210,125)	(239,370)
Education and welfare		(693,897)	(755,729)	(733,669)
Housing		(13,084)	19,972	31,022
Community amenities		(669,931)	(738,902)	(714,669)
Recreation and culture		(1,765,467)	(1,745,353)	(1,673,534)
Transport		(2,540,639)	(2,685,120)	(2,578,184)
Economic services		(616,185)	(741,507)	(628,308)
Other property and services		116,414	(22,309)	(74,188)
		(7,423,556)	(7,377,632)	(7,242,048)
<b>Finance Costs</b>				
	2(b)			
Governance		(26,291)	(26,285)	(31,995)
Health		(744)	(8,354)	(9,902)
Education and welfare		(7,996)	0	0
Housing		(27,387)	(28,690)	(30,551)
Recreation and culture		(26,286)	(25,715)	(27,692)
		(88,704)	(89,044)	(100,140)
		(921,444)	(872,695)	(572,119)
Non-operating grants, subsidies and contributions	2(a)	683,682	1,862,779	532,555
Profit on disposal of assets	10(a)	36,277	0	0
(Loss) on disposal of assets	10(a)	(12,669)	0	(54,919)
Fair value adjustments to financial assets at fair value through profit or loss		4,677	0	30,934
		711,967	1,862,779	508,570
<b>Net result for the period</b>		<b>(209,477)</b>	<b>990,084</b>	<b>(63,548)</b>
<b>Other comprehensive income</b>				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Changes in asset revaluation surplus	11	3,487,594	0	(405,696)
<b>Total other comprehensive income for the period</b>		<b>3,487,594</b>	<b>0</b>	<b>(405,696)</b>
<b>Total comprehensive income for the period</b>		<b>3,278,117</b>	<b>990,084</b>	<b>(469,245)</b>

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

**SHIRE OF BODDINGTON**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	2020 \$	2019 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	3	5,125,842	5,052,930
Trade and other receivables	6	530,872	547,068
Other assets	7	50,313	12,067
<b>TOTAL CURRENT ASSETS</b>		<b>5,707,027</b>	<b>5,612,065</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables	6	19,236	0
Other financial assets	5(a)	35,611	30,934
Property, plant and equipment	8	33,007,749	29,841,541
Infrastructure	9	54,740,065	53,384,328
<b>TOTAL NON-CURRENT ASSETS</b>		<b>87,802,661</b>	<b>83,256,803</b>
<b>TOTAL ASSETS</b>		<b>93,509,688</b>	<b>88,868,868</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	12	1,426,927	662,214
Contract liabilities	13	484,971	0
Borrowings	14(a)	344,397	240,532
Employee related provisions	15	245,545	323,626
<b>TOTAL CURRENT LIABILITIES</b>		<b>2,501,840</b>	<b>1,226,372</b>
<b>NON-CURRENT LIABILITIES</b>			
Trade and other payables	12	300,000	300,000
Borrowings	14(a)	2,473,643	1,818,039
Employee related provisions	15	89,222	45,024
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>2,862,865</b>	<b>2,163,063</b>
<b>TOTAL LIABILITIES</b>		<b>5,364,705</b>	<b>3,389,435</b>
<b>NET ASSETS</b>		<b>88,144,983</b>	<b>85,479,432</b>
<b>EQUITY</b>			
Retained surplus		33,374,011	32,701,686
Reserves - cash backed	4	3,029,055	4,365,804
Revaluation surplus	11	51,741,917	48,411,940
<b>TOTAL EQUITY</b>		<b>88,144,983</b>	<b>85,479,432</b>

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

**SHIRE OF BODDINGTON**  
**STATEMENT OF CHANGES IN EQUITY**  
**FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	RETAINED SURPLUS \$	RESERVES CASH BACKED \$	REVALUATION SURPLUS \$	TOTAL EQUITY \$
<b>Balance as at 1 July 2018</b>		<b>34,156,787</b>	<b>2,974,251</b>	<b>48,817,636</b>	<b>85,948,675</b>
Comprehensive income					
Net result for the period		(63,548)	0	0	(63,548)
Other comprehensive income	11	0	0	(405,696)	(405,696)
Total comprehensive income		(63,548)	0	(405,696)	(469,245)
Transfers from reserves	4	1,474,407	(1,474,407)	0	0
Transfers to reserves	4	(2,865,960)	2,865,960	0	0
<b>Balance as at 30 June 2019</b>		<b>32,701,686</b>	<b>4,365,804</b>	<b>48,411,940</b>	<b>85,479,432</b>
Change in accounting policies	26(b)	(454,947)	0	(157,617)	(612,564)
<b>Restated total equity at 1 July 2019</b>		<b>32,246,739</b>	<b>4,365,804</b>	<b>48,254,323</b>	<b>84,866,866</b>
Comprehensive income					
Net result for the period		(209,477)	0	0	(209,477)
Other comprehensive income	11	0	0	3,487,594	3,487,594
Total comprehensive income		(209,477)	0	3,487,594	3,278,117
Transfers from reserves	4	1,396,438	(1,396,438)	0	0
Transfers to reserves	4	(59,689)	59,689	0	0
<b>Balance as at 30 June 2020</b>		<b>33,374,011</b>	<b>3,029,055</b>	<b>51,741,917</b>	<b>88,144,983</b>

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

**SHIRE OF BODDINGTON**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	2020 Actual \$	2020 Budget \$	2019 Actual \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
<b>Receipts</b>				
Rates		4,563,901	4,580,000	4,429,777
Operating grants, subsidies and contributions		661,576	550,704	833,493
Fees and charges		1,285,593	1,511,385	1,087,071
Interest received		103,822	132,779	143,760
Goods and services tax received		0	0	4,518
Other revenue		146,576	56,478	173,632
		6,761,468	6,831,346	6,672,251
<b>Payments</b>				
Employee costs		(2,684,132)	(2,746,307)	(2,657,829)
Materials and contracts		(1,056,173)	(2,031,258)	(1,833,460)
Utility charges		(378,422)	(339,677)	(347,629)
Interest expenses		(88,704)	(89,044)	(98,440)
Insurance paid		(223,594)	(247,880)	(235,075)
Goods and services tax paid		(128,109)	0	89
Other expenditure		(149,491)	(162,797)	(123,878)
		(4,708,625)	(5,616,963)	(5,296,222)
<b>Net cash provided by (used in) operating activities</b>	16	2,052,843	1,214,383	1,376,027
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Payments for purchase of property, plant & equipment	8(a)	(723,349)	(893,185)	(315,812)
Payments for construction of infrastructure	9(a)	(2,885,363)	(6,052,850)	(1,263,948)
Non-operating grants, subsidies and contributions	2(a)	683,682	1,862,779	532,555
Proceeds from sale of property, plant & equipment	10(a)	185,630	184,500	1,058,250
<b>Net cash provided by (used in) investment activities</b>		(2,739,400)	(4,898,756)	11,045
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
Repayment of borrowings	14(b)	(240,531)	(240,531)	(226,327)
Proceeds from new borrowings	14(b)	1,000,000	1,000,000	0
<b>Net cash provided by (used in) financing activities</b>		759,469	759,469	(226,327)
<b>Net increase (decrease) in cash held</b>		72,912	(2,924,904)	1,160,745
Cash at beginning of year		5,052,930	4,560,614	3,892,183
<b>Cash and cash equivalents at the end of the year</b>	16	5,125,842	1,635,709	5,052,930

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

**SHIRE OF BODDINGTON**  
**RATE SETTING STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

	NOTE	2020 Actual \$	2020 Budget \$	2019 Actual \$
<b>OPERATING ACTIVITIES</b>				
Net current assets at start of financial year - surplus/(deficit)	22 (b)	(146,266)	279,975	369,622
		(146,266)	279,975	369,622
<b>Revenue from operating activities (excluding rates)</b>				
Governance		82,466	59,287	58,139
General purpose funding		423,182	351,865	462,345
Law, order, public safety		242,183	94,777	313,295
Health		20,212	29,538	26,996
Education and welfare		445,221	612,088	519,398
Housing		20,613	6,812	10,304
Community amenities		290,300	335,446	332,926
Recreation and culture		37,374	69,928	75,437
Transport		161,244	122,247	130,745
Economic services		254,621	299,293	305,036
Other property and services		110,648	32,700	59,808
		2,088,064	2,013,981	2,294,429
<b>Expenditure from operating activities</b>				
Governance		(425,222)	(16,422)	(90,612)
General purpose funding		(21,583)	(34,368)	(31,454)
Law, order, public safety		(594,400)	(474,054)	(584,697)
Health		(231,574)	(218,479)	(249,272)
Education and welfare		(701,893)	(755,729)	(736,915)
Housing		(40,471)	(8,718)	471
Community amenities		(669,931)	(738,902)	(714,669)
Recreation and culture		(1,791,753)	(1,771,068)	(1,710,049)
Transport		(2,548,331)	(2,685,120)	(2,579,848)
Economic services		(616,185)	(741,507)	(632,624)
Other property and services		116,414	(39,109)	(74,188)
		(7,524,929)	(7,483,476)	(7,403,857)
Non-cash amounts excluded from operating activities	22(a)	2,203,136	2,103,879	2,141,998
<b>Amount attributable to operating activities</b>		(3,379,995)	(3,085,641)	(2,597,808)
<b>INVESTING ACTIVITIES</b>				
Non-operating grants, subsidies and contributions	2(a)	683,682	1,862,779	532,555
Proceeds from disposal of assets	10(a)	185,630	184,500	1,058,250
Purchase of property, plant and equipment	8(a)	(723,349)	(893,185)	(315,812)
Purchase and construction of infrastructure	9(a)	(2,885,363)	(6,052,850)	(1,263,948)
<b>Amount attributable to investing activities</b>		(2,739,400)	(4,898,756)	11,045
<b>FINANCING ACTIVITIES</b>				
Repayment of borrowings	14(b)	(240,531)	(240,531)	(226,327)
Proceeds from borrowings	14(c)	1,000,000	1,000,000	0
Transfers to reserves (restricted assets)	4	(59,689)	(17,519)	(2,865,960)
Transfers from reserves (restricted assets)	4	1,396,438	2,953,482	1,474,407
<b>Amount attributable to financing activities</b>		2,096,218	3,695,432	(1,617,880)
<b>Surplus/(deficit) before imposition of general rates</b>		(4,023,177)	(4,288,965)	(4,204,643)
<b>Total amount raised from general rates</b>	21(a)	4,543,706	4,580,000	4,513,324
<b>Surplus/(deficit) after imposition of general rates</b>	22(b)	<b>520,529</b>	<b>291,034</b>	<b>308,681</b>

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

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## 1. BASIS OF PREPARATION

The financial report comprises general purpose financial statements which have 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.

### AMENDMENTS TO LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Prior to 1 July 2019, *Financial Management Regulation 16* arbitrarily prohibited a local government from recognising as assets Crown land that is a public thoroughfare, i.e. land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets pertaining to vested land, including land under roads acquired on or after 1 July 2008, were not recognised in previous financial reports of the Shire. This was not in accordance with the requirements of AASB 1051 *Land Under Roads* paragraph 15 and AASB 116 *Property, Plant and Equipment* paragraph 7.

From 1 July 2019, the Shire has applied AASB 16 *Leases* which requires leases to be included by lessees in the statement of financial position. Also, the *Local Government (Financial Management) Regulations 1996* have been amended to 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 (i.e. not included in the statement of financial position) 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.

The Shire has accounted for the removal of the vested land values associated with vested land previously recognised by removing the land value and associated revaluation reserve as at 1 July 2019. The comparative year amounts have been retained as AASB 16 does not require comparatives to be restated in the year of transition.

Therefore the departure from AASB 1051 and AASB 16 in respect of the comparatives for the year ended 30 June 2019 remains.

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 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.

### NEW ACCOUNTING STANDARDS FOR APPLICATION IN FUTURE YEARS

On 1 July 2020 the following new accounting standards are to be adopted:

- AASB 1059 *Service Concession Arrangements: Grantors*
- AASB 2018-7 *Amendments to Australian Accounting Standards - Materiality*

AASB 1059 *Service Concession Arrangements: Grantors* is not expected to impact the financial report.

Specific impacts of AASB 2018-7 *Amendments to Australian Accounting Standards - Materiality*, have not been identified.

### 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.

### 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. A separate statement of those monies appears at Note 27 to these financial statements.

## 2. REVENUE AND EXPENSES

### REVENUE RECOGNITION POLICY

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

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns/Refunds/Warranties	Determination of transaction price	Allocating transaction price	Measuring obligations for returns	Timing of revenue recognition
Rates	General Rates	Over time	Payment dates adopted by Council during the year	None	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Specified area rates	Rates charge for specific defined purpose	Over time	Payment dates adopted by Council during the year	Refund in event monies are unspent	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Service charges	Charge for specific service	Over time	Payment dates adopted by Council during the year	Refund in event monies are unspent	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants, subsidies or contributions for the construction of non-financial assets	Construction or acquisition of recognisable non-financial assets to be controlled by the local government	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants with no contract commitments	General appropriations and contributions with no reciprocal commitment	No obligations	Not applicable	Not applicable	Cash received	On receipt of funds	Not applicable	When assets are controlled
Fees and charges	Building, cemetery services, childcare services, aged accommodation services, library fees, property hire, private works, planning, development, animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	Adopted by Council annually or Set by State legislation or limited by legislation to the cost of provision	Applied fully based on timing of provision/entry, or based on timing of issue of the associated rights	Not applicable	Output method based on provision of service or completion of works, or n payment and issue of the licence, registration or approval
Commissions	Commissions on licencing and ticket sales	Over time	Payment in full on sale	None	Set by mutual agreement with the customer	On receipt of funds	Not applicable	When assets are controlled
Reimbursements	Insurance claims and reimbursable expenses	Single point in time	Payment in arrears for claimable event	None	Set by mutual agreement with the customer	When claim is agreed or expense is incurred	Not applicable	When claim is agreed or when expense is incurred

## 2. REVENUE AND EXPENSES

### (a) Grant revenue

Grants, subsidies and contributions are included as both operating and non-operating revenues in the Statement of Comprehensive Income:

	2020 Actual \$	2020 Budget \$	2019 Actual \$
<b>Operating grants, subsidies and contributions</b>			
General purpose funding	311,864	202,664	302,681
Law, order, public safety	180,140	76,880	257,003
Health	5,058	0	0
Education and welfare	49,263	88,100	109,109
Community amenities	0	0	5,000
Recreation and culture	50	5,813	3,450
Transport	122,076	122,247	130,500
Economic services	12,688	55,000	25,750
	681,139	550,704	833,493
<b>Non-operating grants, subsidies and contributions</b>			
General purpose funding	0	664,500	97,943
Community amenities	75,000	0	0
Recreation and culture	234,883	200,000	134,412
Transport	373,799	998,279	300,200
	683,682	1,862,779	532,555
<b>Total grants, subsidies and contributions</b>	1,364,821	2,413,483	1,366,048
<b>Fees and charges</b>			
Governance	30,954	14,780	34,784
General purpose funding	4,718	10,564	15,403
Law, order, public safety	61,902	13,807	26,055
Health	14,180	28,425	26,481
Education and welfare	395,957	520,989	410,289
Housing	14,723	20,185	3,170
Community amenities	290,300	335,446	327,926
Recreation and culture	32,906	13,112	60,199
Transport	331	33,980	245
Economic services	229,191	252,969	239,553
Other property and services	45,894	29,763	51,029
	1,121,056	1,274,020	1,195,134

### SIGNIFICANT ACCOUNTING POLICIES

#### Grants, subsidies and contributions

Operating grants, subsidies and contributions are grants, subsidies or contributions that are not non-operating in nature.

Non-operating grants, subsidies and contributions are amounts received for the acquisition or construction of recognisable non-financial assets to be controlled by the local government.

#### Fees and Charges

Revenue (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.

## 2. REVENUE AND EXPENSES (Continued)

### (a) Revenue (Continued)

#### Contracts with customers and transfers for recognisable non-financial assets

Revenue from contracts with customers and transfers to enable the acquisition or construction of recognisable non-financial assets to be controlled by the Shire was recognised during the year for the following nature or types of goods or services:

Operating grants, subsidies and contributions	308,263	266,165	425,712
Fees and charges	1,121,056	1,274,020	1,195,134
Non-operating grants, subsidies and contributions	683,682	1,862,779	532,555

	2,113,001	3,402,964	2,153,401
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Revenue from contracts with customers and transfers to enable the acquisition or construction of recognisable non-financial assets to be controlled by the Shire is comprised of:

Contracts with customers included as a contract liability at the start of the period	454,947	0	0
Other revenue from contracts with customers recognised during the year	1,429,319	1,540,185	1,620,846
Other revenue from performance obligations satisfied during the year	228,735	1,862,779	532,555
	2,113,001	3,402,964	2,153,401

Information about receivables, contract assets and contract liabilities from contracts with customers along with financial assets and associated liabilities arising from transfers to enable the acquisition or construction of recognisable non financial assets is:

Trade and other receivables from contracts with customers	68,256		232,793
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## 2. REVENUE AND EXPENSES (Continued)

### (a) Revenue (Continued)

#### Revenue from statutory requirements

Revenue from statutory requirements was recognised during the year for the following nature or types of goods or services:

#### General rates

#### Other revenue

Reimbursements and recoveries

Other

#### Interest earnings

Interest on reserve funds

Rates instalment and penalty interest

Other interest earnings

	2020 Actual \$	2020 Budget \$	2019 Actual \$
General rates	4,543,706	4,580,000	4,513,324
	4,543,706	4,580,000	4,513,324
Other revenue			
Reimbursements and recoveries	132,681	48,778	73,424
Other	13,895	7,700	7,279
	146,576	56,478	80,703
Interest earnings			
Interest on reserve funds	59,689	26,162	30,900
Rates instalment and penalty interest	35,364	33,996	35,033
Other interest earnings	3,286	72,621	81,482
	98,339	132,779	147,415

### SIGNIFICANT ACCOUNTING POLICIES

#### Interest earnings

Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance).

#### Interest earnings (continued)

Interest income is presented as finance income where it is earned from financial assets that are held for cash management purposes.

## 2. REVENUE AND EXPENSES (Continued)

### (b) Expenses

#### Auditors remuneration

- Audit of the Annual Financial Report

#### Interest expenses (finance costs)

Borrowings

Note	2020 Actual \$	2020 Budget \$	2019 Actual \$
	28,000	28,000	28,000
	28,000	28,000	28,000
14(b)	88,704	89,044	100,140
	88,704	89,044	100,140

### 3. CASH AND CASH EQUIVALENTS

NOTE	2020	2019
	\$	\$
Cash at bank and on hand	4,022,314	552,930
Term deposits	1,103,528	4,500,000
<b>Total cash and cash equivalents</b>	<b>5,125,842</b>	<b>5,052,930</b>
<b>Restrictions</b>		
requirements which limit or direct the purpose for which the resources may be used:		
- Cash and cash equivalents	3,909,535	4,458,733
	<b>3,909,535</b>	<b>4,458,733</b>

The restricted assets are a result of the following specific purposes to which the assets may be used:

Reserves - cash backed	4	3,029,055	4,365,804
Contract liabilities from contracts with customers	13	484,971	0
Bonds and deposits	12	88,823	92,929
Unspent loans	14(d)	306,686	0
<b>Total restricted assets</b>		<b>3,909,535</b>	<b>4,458,733</b>

#### SIGNIFICANT ACCOUNTING POLICIES

##### Cash and cash equivalents

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 financial position.

##### Restricted assets

Restricted asset balances are not available for general use by the local government due to externally imposed restrictions. Externally imposed restrictions are specified in an agreement, contract or legislation. This applies to reserves, unspent grants, subsidies and contributions and unspent loans that have not been fully expended in the manner specified by the contributor, legislation or loan agreement.

**SHIRE OF BODDINGTON**  
**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT**  
**FOR THE YEAR ENDED 30 JUNE 2020**

ATTACHMENT 8.6.3

**4. RESERVES - CASH BACKED**

	2020 Actual Opening Balance	2020 Actual Transfer to	2020 Actual Transfer (from)	2020 Actual Closing Balance	2020 Budget Opening Balance	2020 Budget Transfer to	2020 Budget Transfer (from)	2020 Budget Closing Balance	2019 Actual Opening Balance	2019 Actual Transfer to	2019 Actual Transfer (from)	2019 Actual Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
(a) Leave reserve	0	0	0	0	0	0	0	0	282,930	4,078	(287,008)	0
(b) Plant reserve	886,944	12,126	(324,603)	574,467	886,943	0	(663,185)	223,758	601,944	285,000	0	886,944
(c) Building reserve	321,078	4,390	(228,521)	96,947	321,077	0	(321,077)	0	316,516	4,562	0	321,078
(d) Local organisation assistance reserve	31,133	426	0	31,559	31,133	579	0	31,712	30,691	442	0	31,133
(e) Refuse site reserve	38,866	531	0	39,397	38,866	772	0	39,638	38,314	552	0	38,866
(f) Aged housing reserve	628,019	8,586	0	636,605	628,019	6,016	0	634,035	619,096	8,923	0	628,019
(g) High school resource sharing reserve	0	0	0	0	0	0	0	0	25,663	370	(26,033)	0
(h) Swimming pool reserve	20,684	283	0	20,967	20,684	10,152	0	30,836	10,532	10,152	0	20,684
(i) River crossing reserve	46,915	641	0	47,556	46,915	0	0	46,915	65,964	951	(20,000)	46,915
(j) Prepaid conditional grants reserve	196,506	2,687	0	199,193	195,534	0	(181,267)	14,267	212,017	183,092	(198,603)	196,506
(k) Unspent conditional grants reserve	420,265	5,746	(50,000)	376,011	286,075	0	(50,000)	236,075	528,143	769,885	(877,763)	420,265
(l) Public open space reserve	1,775,394	24,273	(793,314)	1,006,353	1,825,394	0	(1,737,953)	87,441	242,441	1,597,953	(65,000)	1,775,394
	4,365,804	59,689	(1,396,438)	3,029,055	4,280,640	17,519	(2,953,482)	1,344,677	2,974,251	2,865,960	(1,474,407)	4,365,804

All reserves are supported by cash and cash equivalents and are restricted within equity as Reserves - cash backed.

In accordance with Council resolutions or adopted budget in relation to each reserve account, the purpose for which the reserves are set aside and their anticipated date of use are as follows:

Name of Reserve	Anticipated date of use	Purpose of the reserve
(a) Leave reserve	Ongoing	To be used to fund annual and long service leave requirements.
(b) Plant reserve	Ongoing	To be used to fund the purchaser of new or second hand plant and equipment.
(c) Building reserve	Ongoing	To be used to fund the construction of buildings.
(d) Local organisation assistance reserve	Ongoing	To be used to fund local organisations projects as per Council Policy.
(e) Refuse site reserve	Ongoing	To be used to fund the establishment and operation of the refuse site. All surplus income over expenditure for Sanitation at the end of each financial year is transferred to this reserve.
(f) Aged housing reserve	Ongoing	To be used to fund future aged housing developments.
(g) High school resource sharing reserve	Ongoing	To be used to fund the ongoing maintenance and reconstruction of the resources shared. Council has entered a resource sharing agreement with the Education Department in relation to the usage of the Shire's recreational facilities by the Boddington District High School. the agreement entails the transfer of a depreciation based calculation to reserve each financial year.
(h) Swimming pool reserve	Ongoing	To be used to fund the ongoing upgrading and maintaining of the swimming pool.
(i) River crossing reserve	Ongoing	To be used to fund the ongoing upgrading and refurbishment of river crossings as decided by Council.
(j) Prepaid conditional grants reserve	Ongoing	To be used to provide a mechanism for identifying prepaid grants where the expenditure associated will be incurred in the next financial year, these mainly consist of prepaid Financial Assistance Grants and Local Road Grants.
(k) Unspent conditional grants reserve	Ongoing	To be used to provide a mechanism for identifying conditional unspent grants where the expenditure associated will be undertaken in future years, be it operating or capital in nature.
(l) Public open space reserve	Ongoing	To be used to fund the upgrade and rationalisation of Public Open Space and parklands within the Shire.

## 5. OTHER FINANCIAL ASSETS

### (a) Non-current assets

Financial assets at fair value through profit and loss

	2020	2019
	\$	\$
	35,611	30,934
	35,611	30,934
	35,611	30,934
	35,611	30,934

Financial assets at fair value through profit and loss

Units in Local Government House Trust

### SIGNIFICANT ACCOUNTING POLICIES

#### Other financial assets at amortised cost

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

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

#### Financial assets at fair value through profit and loss

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

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

#### Impairment and risk

Information regarding impairment and exposure to risk can be found at Note 23.

## 6. TRADE AND OTHER RECEIVABLES

### Current

Rates receivable	
Trade and other receivables	
GST receivable	
Allowance for impairment of receivables	
Other sundry receivables	

### Non-current

Pensioner's rates and ESL deferred	
------------------------------------	--

2020	2019
\$	\$
268,443	268,368
68,256	232,793
193,610	49,244
(3,337)	(3,337)
3,900	0
530,872	547,068
19,236	0
19,236	0

### SIGNIFICANT ACCOUNTING POLICIES

#### Trade and other receivables

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.

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

#### Impairment and risk exposure

Information about the impairment of trade receivables and their exposure to credit risk and interest rate risk can be found in Note 23.

### SIGNIFICANT ACCOUNTING POLICIES (Continued)

#### Classification and subsequent measurement

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.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

## 7. OTHER ASSETS

### Other assets - current

Prepayments  
 Accrued income

2020	2019
\$	\$
0	6,707
50,313	5,360
50,313	12,067

### SIGNIFICANT ACCOUNTING POLICIES

#### Other current assets

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

#### Non-current assets held for sale

Assets are classified as held for sale where the carrying amount will be recovered through a sale rather than continuing use and the asset is available for immediate sale with a sale being highly probable.

#### Non-current assets held for sale (Continued)

Non-current assets classified as held for sale are valued at the lower of the carrying amount and fair value less costs to sell.

The fair value of land and buildings was determined using the sales comparison approach using comparable properties in the area. This is a level 2 measurement as per the fair value hierarchy set out in Note 28(h).

## 8. PROPERTY, PLANT AND EQUIPMENT

### (a) Movements in Carrying Amounts

Movement in the carrying amounts of each class of property, plant and equipment between the beginning and the end of the current financial year.

	Land - freehold land	Land - vested in and under the control of Council	Total land	Buildings - non- specialised	Buildings - specialised	Total buildings	Total land and buildings	Furniture and equipment	Plant and equipment	Total property, plant and equipment
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Balance at 1 July 2018</b>	3,383,210	157,617	3,540,827	1,596,887	22,233,633	23,830,520	27,371,347	129,055	2,942,153	30,442,555
Additions	0	0	0	135,477	98,335	233,812	233,812	35,072	46,928	315,812
(Disposals)	0	0	0	0	0	0	0	(3,046)	(61,623)	(64,669)
Revaluation increments / (decrements) transferred to revaluation surplus	0	0	0	0	0	0	0	0	(263,157)	(263,157)
Depreciation (expense)	0	0	0	(48,840)	(393,749)	(442,589)	(442,589)	(44,850)	(231,561)	(719,000)
Transfers	130,000	0	130,000	0	0	0	130,000	0	0	130,000
<b>Carrying amount at 30 June 2019</b>	3,513,210	157,617	3,670,827	1,683,524	21,938,219	23,621,743	27,292,570	116,231	2,432,740	29,841,541
<b>Comprises:</b>										
Gross carrying amount at 30 June 2019	3,513,210	157,617	3,670,827	1,789,967	22,702,490	24,492,457	28,163,284	302,587	2,617,562	31,083,433
Accumulated depreciation at 30 June 2019	0	0	0	(106,443)	(764,271)	(870,714)	(870,714)	(186,356)	(184,822)	(1,241,892)
<b>Carrying amount at 30 June 2019</b>	3,513,210	157,617	3,670,827	1,683,524	21,938,219	23,621,743	27,292,570	116,231	2,432,740	29,841,541
Change in accounting policy	0	(157,617)	(157,617)	0	0	0	(157,617)	0	0	(157,617)
<b>Carrying amount at 1 July 2019</b>	3,513,210	0	3,513,210	1,683,524	21,938,219	23,621,743	27,134,953	116,231	2,432,740	29,683,924
Additions	0	0	0	131,664	102,357	234,021	234,021	9,770	479,558	723,349
(Disposals)	0	0	0	0	0	0	0	0	(162,022)	(162,022)
Revaluation increments / (decrements) transferred to revaluation surplus	189,790	0	189,790	2,956,248	341,556	3,297,804	3,487,594	0	0	3,487,594
Depreciation (expense)	0	0	0	(52,169)	(372,222)	(424,391)	(424,391)	(31,897)	(268,808)	(725,096)
Transfers	0	0	0	0	(6,255)	(6,255)	(6,255)	6,255	0	0
<b>Carrying amount at 30 June 2020</b>	3,703,000	0	3,703,000	4,719,267	22,003,655	26,722,922	30,425,922	100,359	2,481,468	33,007,749
<b>Comprises:</b>										
Gross carrying amount at 30 June 2020	3,703,000	0	3,703,000	4,719,267	22,003,655	26,722,922	30,425,922	318,612	2,634,275	33,378,809
Accumulated depreciation at 30 June 2020	0	0	0	0	0	0	0	(218,253)	(152,807)	(371,060)
<b>Carrying amount at 30 June 2020</b>	3,703,000	0	3,703,000	4,719,267	22,003,655	26,722,922	30,425,922	100,359	2,481,468	33,007,749

## 8. PROPERTY, PLANT AND EQUIPMENT (Continued)

### (b) Fair Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
<b>Land and buildings</b>					
Land - freehold land	Level 2	Market approach	Independent registered valuers	June 2020	Recent observable market data for similar properties/income approach using discounted cash flow methodology
Buildings - non-specialised	Level 2	Market approach	Independent registered valuer	June 2020	Recent observable market data for similar properties/income approach using discounted cash flow methodology
Buildings - specialised	Level 3	Improvements to land valued using cost approach using depreciated replacement cost	Independent registered valuer	June 2020	Construction costs (Level 2), current condition, residual values and remaining useful life assessments (Level 3) inputs
<b>Furniture and equipment</b>	Level 3	Cost approach using recent observable market data/specific quotes	Management valuation	June 2016	Current condition, residual values and remaining useful life assessments (Level 3) inputs
<b>Plant and equipment</b>					
- Management valuation 2019	Level 3	Cost approach using recent observable market data/specific quotes	Management valuation	June 2019	Current condition, residual values and remaining useful life assessments (Level 3) inputs

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used by the local government to determine the fair value of property, plant and equipment using either level 2 or level 3 inputs.

**SHIRE OF BODDINGTON**  
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ATTACHMENT 8.6.3

**9. INFRASTRUCTURE**

**(a) Movements in Carrying Amounts**

Movement in the carrying amounts of each class of infrastructure between the beginning and the end of the current financial year.

	Infrastructure - roads	Infrastructure - bridges & culverts	Infrastructure - footpaths	Infrastructure - drainage, kerbs & channel	Infrastructure - parks & ovals	Infrastructure - public facilities	Infrastructure - other infrastructure	Infrastructure - foreshore infrastructure	Infrastructure - caravan park	Infrastructure - waste site	Infrastructure - water assets	Total Infrastructure
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$
Balance at 1 July 2018	34,920,735	9,629,243	1,570,782	1,460,340	742,507	2,103,856	1,219,310	292,674	125,625	1,423,387	1,048,500	54,536,959
Additions	669,381	23,766	54,318	0	3,091	0	399,284	0	0	0	114,108	1,263,948
(Disposals)	0	0	0	0	0	0	0	0	0	0	(1,048,500)	(1,048,500)
Depreciation (expense)	(745,955)	(194,802)	(49,157)	(29,582)	(29,579)	(128,828)	(107,244)	(23,630)	(15,576)	(43,726)	0	(1,368,079)
Carrying amount at 30 June 2019	34,844,161	9,458,207	1,575,943	1,430,758	716,019	1,975,028	1,511,350	269,044	110,049	1,379,661	114,108	53,384,328
Comprises:												
Gross carrying amount at 30 June 2019	35,590,116	9,653,009	1,625,100	1,460,340	745,598	2,103,856	1,618,594	292,674	125,625	1,423,387	114,108	54,752,407
Accumulated depreciation at 30 June 2019	(745,955)	(194,802)	(49,157)	(29,582)	(29,579)	(128,828)	(107,244)	(23,630)	(15,576)	(43,726)	0	(1,368,079)
Carrying amount at 30 June 2019	34,844,161	9,458,207	1,575,943	1,430,758	716,019	1,975,028	1,511,350	269,044	110,049	1,379,661	114,108	53,384,328
Additions	701,188	19,011	28,831	173,986	16,239	0	257,055	1,689,053	0	0	0	2,885,363
Depreciation (expense)	(824,108)	(213,869)	(54,517)	(65,562)	(29,461)	(125,191)	(125,849)	(28,487)	(17,774)	(44,808)	0	(1,529,626)
Transfers	25,568	0	0	(25,568)	0	0	114,108	0	0	0	(114,108)	0
Carrying amount at 30 June 2020	34,746,809	9,263,349	1,550,257	1,513,614	702,797	1,849,837	1,756,664	1,929,610	92,275	1,334,853	0	54,740,065
Comprises:												
Gross carrying amount at 30 June 2020	36,291,299	9,672,020	1,653,931	1,634,328	761,837	2,103,856	1,989,757	1,981,727	125,625	1,423,387	0	57,637,767
Accumulated depreciation at 30 June 2020	(1,544,490)	(408,671)	(103,674)	(120,714)	(59,040)	(254,019)	(233,093)	(52,117)	(33,350)	(88,534)	0	(2,897,702)
Carrying amount at 30 June 2020	34,746,809	9,263,349	1,550,257	1,513,614	702,797	1,849,837	1,756,664	1,929,610	92,275	1,334,853	0	54,740,065

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**9. INFRASTRUCTURE (Continued)**

**(b) Fair Value Measurements**

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
Infrastructure - roads	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - bridges & culverts	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - footpaths	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - drainage, kerbs & channels	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - parks & ovals	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - public facilities	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - other infrastructure	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - foreshore infrastructure	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - caravan park	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs
Infrastructure - waste site	Level 3	Cost approach using depreciated replacement cost	Independent valuation	June 2018	Construction costs (Level 2); current condition, residual values and remaining useful life assessments (Level 3) inputs

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used to determine the fair value of infrastructure using level 3 inputs.

## 10. FIXED ASSETS

### SIGNIFICANT ACCOUNTING POLICIES

#### Fixed assets

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

#### Initial recognition and measurement between mandatory revaluation dates

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

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

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

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

#### Revaluation

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

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

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

### AUSTRALIAN ACCOUNTING STANDARDS - INCONSISTENCY

#### Land under control prior to 1 July 2019

In accordance with the then *Local Government (Financial Management) Regulation 16(a)(ii)*, the Shire was previously required to include as an asset (by 30 June 2013), vested Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land.

#### Land under roads prior to 1 July 2019

In Western Australia, most land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in *Australian Accounting Standard AASB 1051 Land Under Roads* and the then *Local Government (Financial Management) Regulation 16(a)(i)* which arbitrarily prohibited local governments from recognising such land as an asset. This regulation has now been deleted.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, the then *Local Government (Financial Management) Regulation 16(a)(i)* prohibited local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, *Local Government (Financial Management) Regulation 4(2)* provides, in the event of such an inconsistency, the *Local Government (Financial Management) Regulations* prevail. Consequently, any land under roads acquired on or after 1 July 2008 was not included as an asset of the Shire.

#### Land under roads from 1 July 2019

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

The Shire has accounted for the removal of the vested land values associated with vested land previously recognised by removing the land value and associated revaluation reserve as at 1 July 2019. The comparatives have not been restated.

#### Vested improvements from 1 July 2019

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

Refer to Note 10 that details the significant accounting policies applying to leases (including right of use assets).

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10. FIXED ASSETS

(a) Disposals of Assets

	2020 Actual Net Book Value	2020 Actual Sale Proceeds	2020 Actual Profit	2020 Actual Loss	2020 Budget Net Book Value	2020 Budget Sale Proceeds	2020 Budget Profit	2020 Budget Loss	2019 Actual Net Book Value	2019 Actual Sale Proceeds	2019 Actual Profit	2019 Actual Loss
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Furniture and equipment	0	0	0	0	0	0	0	0	3,046	0	0	(3,046)
Plant and equipment	162,022	185,630	36,277	(12,669)	201,300	184,500	0	(16,800)	61,623	9,750	6,750	(58,623)
Infrastructure - water assets	0	0	0		0	0	0		1,048,500	1,048,500	0	0
	162,022	185,630	36,277	(12,669)	201,300	184,500	0	(16,800)	1,113,169	1,058,250	6,750	(61,669)

The following assets were disposed of during the year.

	2020 Actual Net Book Value	2020 Actual Sale Proceeds	2020 Actual Profit	2020 Actual Loss
	\$	\$	\$	\$
<b>Plant and Equipment</b>				
<b>Governance</b>				
Holden Captiva	12,696	12,273	0	(423)
Subaru Forrester	12,736	8,182	0	(4,554)
<b>Transport</b>				
Massey Ferguson Tractor	10,000	18,323	8,323	0
Loader	65,000	85,000	20,000	0
Ranger Vehicle BT4	21,401	25,455	4,054	0
Toyota Hilux BT6	28,827	29,545	718	0
Old utility	0	3,182	3,182	0
Spray Unit	11,362	3,670	0	(7,692)
	162,022	185,630	36,277	(12,669)
	162,022	185,630	36,277	(12,669)

## 10. FIXED ASSETS

### (b) Depreciation

	2020 Actual	2020 Budget	2019 Actual
	\$	\$	\$
Buildings - non-specialised	52,169	48,840	48,840
Buildings - specialised	372,222	393,749	393,749
Furniture and equipment	31,897	44,850	44,850
Plant and equipment	268,808	231,564	231,561
Infrastructure - roads	824,108	745,951	745,955
Infrastructure - bridges & culverts	213,869	0	194,802
Infrastructure - footpaths	54,517	49,157	49,157
Infrastructure - drainage, kerbs & channel	65,562	224,385	29,582
Infrastructure - parks & ovals	29,461	29,579	29,579
Infrastructure - public facilities	125,191	128,828	128,828
Infrastructure - other infrastructure	125,849	107,244	107,244
Infrastructure - foreshore infrastructure	28,487	23,630	23,630
Infrastructure - caravan park	17,774	15,576	15,576
Infrastructure - waste site	44,808	43,726	43,726
	2,254,722	2,087,079	2,087,079

### SIGNIFICANT ACCOUNTING POLICIES

#### Depreciation

The depreciable amount of all fixed assets including buildings but excluding freehold land and vested land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

#### Depreciation rates

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

Asset Class	Useful life
Buildings	10 to 100 years
Furniture and equipment	1 to 12 years
Plant and equipment	1 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	75 years
seal	
- bituminous seals	10 to 30 years
- asphalt surfaces	10 to 30 years
Gravel roads	
formation	not depreciated
pavement	6 to 15 years
Footpaths - slab	30 years
Sewerage piping	75 years
Water supply piping and drainage systems	40 to 75 years
Caravan park infrastructure	7 to 15 years
Foreshore infrastructure	10 to 25 years
Parks and ovals infrastructure	5 to 25 years
Public use facilities infrastructure	5 to 30 years
Waste site infrastructure	20 to 40 years
Other infrastructure	3 to 50 years

#### Depreciation on revaluation

When an item of property, plant and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

- The gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset. For example, the gross carrying amount may be restated by reference to observable market data or it may be restated proportionately to the change in the carrying amount. The accumulated depreciation at the date of the revaluation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset after taking into account accumulated impairment losses; or
- Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

#### Amortisation

All intangible assets with a finite useful life, are amortised on a straight-line basis over the individual asset's useful life from the time the asset is held for use.

The residual value of intangible assets is considered to be zero and the useful life and amortisation method are reviewed at the end of each financial year.

Amortisation is included within Depreciation on non-current assets in the Statement of Comprehensive Income and in the note above.

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**11. REVALUATION SURPLUS**

	2020 Opening Balance	2020 Change in Accounting Policy	2020 Revaluation Increment	2020 Revaluation (Decrement)	Total Movement on Revaluation	2020 Closing Balance	2019 Opening Balance	2019 Revaluation Increment	2019 Revaluation (Decrement)	Total Movement on Revaluation	2019 Closing Balance
	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Revaluation surplus - Land - freehold land	1,970,969	0	189,790	0	189,790	2,160,759	2,113,508	0	(142,539)	(142,539)	1,970,969
Revaluation surplus - Land - vested in and under the control of Council	157,617	(157,617)	0	0	0	0	157,617	0	0	0	157,617
Revaluation surplus - Buildings - non-specialised	3,826,651	0	2,956,248	0	2,956,248	6,782,899	3,826,651	0	0	0	3,826,651
Revaluation surplus - Buildings - specialised	0	0	341,556	0	341,556	341,556	0	0	0	0	0
Revaluation surplus - Plant and equipment	118,039	0	0	0	0	118,039	381,196	0	(263,157)	(263,157)	118,039
Revaluation surplus - Infrastructure - roads	27,370,687	0	0	0	0	27,370,687	27,370,687	0	0	0	27,370,687
Revaluation surplus - Infrastructure - bridges & culverts	8,876,736	0	0	0	0	8,876,736	8,876,736	0	0	0	8,876,736
Revaluation surplus - Infrastructure - footpaths	1,093,794	0	0	0	0	1,093,794	1,093,794	0	0	0	1,093,794
Revaluation surplus - Infrastructure - drainage, kerbs & channel	570,324	0	0	0	0	570,324	570,324	0	0	0	570,324
Revaluation surplus - Infrastructure - parks & ovals	409,916	0	0	0	0	409,916	409,916	0	0	0	409,916
Revaluation surplus - Infrastructure - public facilities	1,658,763	0	0	0	0	1,658,763	1,658,763	0	0	0	1,658,763
Revaluation surplus - Infrastructure - other infrastructure	704,614	0	0	0	0	704,614	704,614	0	0	0	704,614
Revaluation surplus - Infrastructure - foreshore infrastructure	261,249	0	0	0	0	261,249	261,249	0	0	0	261,249
Revaluation surplus - Infrastructure - caravan park	43,871	0	0	0	0	43,871	43,871	0	0	0	43,871
Revaluation surplus - Infrastructure - waste site	1,348,710	0	0	0	0	1,348,710	1,348,710	0	0	0	1,348,710
	48,411,940	(157,617)	3,487,594	0	3,487,594	51,741,917	48,817,636	0	(405,696)	(405,696)	48,411,940

Movements on revaluation of property, plant and equipment (including infrastructure) are not able to be reliably attributed to a program as the assets were revalued by class as provided for by AASB 116 Aus 40.1.

## 12. TRADE AND OTHER PAYABLES

### Current

Sundry creditors  
 Prepaid rates  
 Accrued salaries and wages  
 ATO liabilities  
 Bonds and deposits held  
 Accrued interest on loans

2020	2019
\$	\$
1,153,045	373,962
40,355	0
16,913	107,074
112,444	72,596
88,823	92,929
15,347	15,653
1,426,927	662,214

### Non-Current

Retirement village - lease loan

300,000	300,000
300,000	300,000

## SIGNIFICANT ACCOUNTING POLICIES

### Trade and other payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services.

The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition

### Prepaid rates

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises revenue for the prepaid rates that have not been refunded.

13. CONTRACT LIABILITIES

Current

Contract liabilities from contracts with customers

2020	2019
\$	\$
484,971	0
484,971	0

Performance obligations from contracts with customers are expected to be recognised as revenue in accordance with the following time bands:

Less than 1 year

484,971
484,971

SIGNIFICANT ACCOUNTING POLICIES

Contract Liabilities

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

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

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

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**14. INFORMATION ON BORROWINGS**

<b>(a) Borrowings</b>		<b>2020</b>	<b>2019</b>
		<b>\$</b>	<b>\$</b>
Current		344,397	240,532
Non-current		2,473,643	1,818,039
		<u>2,818,040</u>	<u>2,058,571</u>

**(b) Repayments - Borrowings**

Particulars	Loan Number	Institution	Interest Rate	Actual Principal	30 June 2020 Actual New Loans	30 June 2020 Actual Principal repayments	30 June 2020 Actual Interest repayments	30 June 2020 Actual Principal outstanding	Budget Principal	30 June 2020 Budget New Loans	30 June 2020 Budget Principal repayments	30 June 2020 Budget Interest repayments	30 June 2020 Budget Principal outstanding	Actual Principal	30 June 2019 Actual Principal repayments	30 June 2019 Actual Interest repayments	30 June 2019 Actual Principal outstanding
				1 July 2019					1 July 2019					1 July 2018			
				\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Governance</b>																	
Administration Centre	105	WATC*	4.01%	688,018	0	126,681	26,291	561,337	688,018	0	126,681	26,285	561,337	808,583	120,565	32,400	688,018
<b>Health</b>																	
Doctors Residence	83	WATC*	6.47%	36,446	0	11,372	1,832	25,074	36,446	0	11,372	2,211	25,074	47,107	10,661	2,878	36,446
<b>Education and welfare</b>																	
Childcare Centre	100	WATC*	6.42%	134,890	0	15,710	7,996	119,180	134,890	0	15,710	8,354	119,180	148,735	13,845	10,219	134,890
<b>Housing</b>																	
3 Pecan Street Residence	94	WATC*	6.45%	207,139	0	13,437	13,057	193,702	207,139	0	13,437	13,147	193,702	219,751	12,612	13,974	207,139
34 Hill Street Residence	97	WATC*	6.45%	210,067	0	13,627	13,241	196,440	210,067	0	13,627	13,332	196,440	222,856	12,789	14,170	210,067
<b>Recreation and culture</b>																	
Recreation Centre	106	WATC*	3.36%	782,011	0	59,704	25,051	722,307	782,011	0	59,704	25,715	722,307	837,866	55,855	26,499	782,011
Recreation Centre	107	WATC*	1.56%	0	1,000,000	0	1,236	1,000,000	0	1,000,000	0	0	1,000,000	0	0	0	0
				<u>2,058,571</u>	<u>1,000,000</u>	<u>240,531</u>	<u>88,704</u>	<u>2,818,040</u>	<u>2,058,571</u>	<u>1,000,000</u>	<u>240,531</u>	<u>89,044</u>	<u>2,818,040</u>	<u>2,284,898</u>	<u>226,327</u>	<u>100,140</u>	<u>2,058,571</u>
				2,058,571	1,000,000	240,531	88,704	2,818,040	2,058,571	1,000,000	240,531	89,044	2,818,040	2,284,898	226,327	100,140	2,058,571

\* WA Treasury Corporation

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**14. INFORMATION ON BORROWINGS (Continued)**

**(c) New Borrowings - 2019/20**

Particulars/Purpose	Institution	Loan Type	Term Years	Interest Rate	Amount Borrowed		Amount (Used)		Total Interest & Charges	Actual Balance Unspent
					2020 Actual	2020 Budget	2020 Actual	2020 Budget		
Recreation Centre	WATC*	Debenture	10	1.56%	\$ 1,000,000	\$ 1,000,000	\$ 693,314	\$ 1,000,000	\$ 83,914	\$ 306,686
* WA Treasury Corporation					\$ 1,000,000	\$ 1,000,000	\$ 693,314	\$ 1,000,000	\$ 83,914	\$ 306,686

**(d) Unspent Borrowings**

Particulars	Date Borrowed	Unspent Balance 1 July 2019	Borrowed During Year	Expended During Year	Unspent Balance 30 June 2020
Loan 107 - Recreation Centre	02-06-20	\$ 0	\$ 1,000,000	\$ (693,314)	\$ 306,686
* WA Treasury Corporation		\$ 0	\$ 1,000,000	\$ (693,314)	\$ 306,686

**(e) Undrawn Borrowing Facilities**

**Credit Standby Arrangements**

	2020	2019
Bank overdraft limit	\$ 750,000	\$ 750,000
Bank overdraft at balance date	0	0
Credit card limit	30,000	20,000
Credit card balance at balance date	(3,460)	(8,158)
<b>Total amount of credit unused</b>	<b>776,540</b>	<b>761,842</b>

**Loan facilities**

Loan facilities - current	344,397	240,532
Loan facilities - non-current	2,473,643	1,818,039
<b>Total facilities in use at balance date</b>	<b>2,818,040</b>	<b>2,058,571</b>

**Unused loan facilities at balance date**

306,686	0
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**SIGNIFICANT ACCOUNTING POLICIES**

**Financial liabilities**

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

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

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

**Borrowing costs**

Borrowing costs are recognised as an expense when incurred.

**Risk**

Information regarding exposure to risk can be found at Note 23.

## 15. EMPLOYEE RELATED PROVISIONS

### (a) Employee Related Provisions

#### Opening balance at 1 July 2019

Current provisions

Non-current provisions

Additional provision

Amounts used

#### Balance at 30 June 2020

#### Comprises

Current

Non-current

	Provision for Annual Leave	Provision for Long Service Leave	Total
	\$	\$	\$
Opening balance at 1 July 2019			
Current provisions	182,563	141,063	323,626
Non-current provisions	0	45,024	45,024
	182,563	186,087	368,650
Additional provision	99,618	46,122	145,740
Amounts used	(105,903)	(73,720)	(179,623)
Balance at 30 June 2020	176,278	158,489	334,767
Comprises			
Current	176,278	69,267	245,545
Non-current	0	89,222	89,222
	176,278	158,489	334,767

#### Amounts are expected to be settled on the following basis:

Less than 12 months after the reporting date

More than 12 months from reporting date

Expected reimbursements from other WA local governments

	2020	2019
	\$	\$
Less than 12 months after the reporting date	167,209	0
More than 12 months from reporting date	132,211	333,303
Expected reimbursements from other WA local governments	35,347	35,347
	334,767	368,650

Timing of the payment of current leave liabilities is difficult to determine as it is dependent on future decisions of employees. Expected settlement timings are based on information obtained from employees and historical leave trends and assumes no events will occur to impact on these historical trends.

## SIGNIFICANT ACCOUNTING POLICIES

### Employee benefits

#### Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

#### Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at

#### Other long-term employee benefits (Continued)

rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

#### Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

## 16. NOTES TO THE STATEMENT OF CASH FLOWS

### Reconciliation of Cash

For the purposes of the Statement of Cash Flows, cash includes cash and cash equivalents. Cash at the end of the reporting period is reconciled to the related items in the Statement of Financial Position as follows:

	2020 Actual \$	2020 Budget \$	2019 Actual \$
Cash and cash equivalents	5,125,842	1,635,709	5,052,930
<b>Reconciliation of Net Cash Provided By Operating Activities to Net Result</b>			
Net result	(209,477)	990,084	(63,548)
Non-cash flows in Net result:			
Adjustments to fair value of financial assets at fair value through profit and loss	(4,677)	0	0
Depreciation on non-current assets	2,254,722	2,087,079	2,087,079
(Profit)/loss on sale of asset	(23,608)	0	54,919
Changes in assets and liabilities:			
(Increase)/decrease in receivables	(3,040)	0	(172,807)
(Increase)/decrease in other assets	(38,246)	0	(30,934)
Increase/(decrease) in payables	764,710	0	43,906
Increase/(decrease) in provisions	(33,883)	0	(10,034)
Increase/(decrease) in contract liabilities	30,024	0	0
Non-operating grants, subsidies and contributions	(683,682)	(1,862,779)	(532,555)
Net cash from operating activities	2,052,843	1,214,383	1,376,027

## 17. TOTAL ASSETS CLASSIFIED BY FUNCTION AND ACTIVITY

	2020	2019
	\$	\$
Governance	3,260,408	15,010,623
General purpose funding	5,672,157	0
Law, order, public safety	2,019,708	2,146,670
Health	2,002,670	1,821,434
Education and welfare	5,204,119	1,614,065
Housing	2,055,000	1,585,713
Community amenities	1,997,243	1,643,708
Recreation and culture	20,025,893	15,016,117
Transport	49,132,118	48,139,992
Economic services	1,449,952	711,195
Other property and services	690,420	1,179,351
	93,509,688	88,868,868

## 18. CONTINGENT LIABILITIES

The Shire is not aware of any reportable contingent liabilities as at the reporting date.

## 19. CAPITAL COMMITMENTS

### (a) Capital Expenditure Commitments

Contracted for:

- capital expenditure projects
- plant & equipment purchases

	2020	2019
	\$	\$
	596,275	130,537
	103,510	214,000
	<u>699,785</u>	<u>344,537</u>
	699,785	344,537

Payable:

- not later than one year

In 2020 the Shire had uncompleted contracted works for the foreshore development totalling \$596,275 and \$103,510 for the purchase of a new tractor and a new utility.

In 2019 the Shire had \$130,537 committed towards the renewal of the Rodeo Grounds toilet block and \$214,000 for the purchase of a new loader.

## 20. RELATED PARTY TRANSACTIONS

### Elected Members Remuneration

The following fees, expenses and allowances were paid to council members and/or the President.

	2020 Actual	2020 Budget	2019 Actual
	\$	\$	\$
Meeting fees	37,395	45,161	41,940
President's allowance	8,320	8,320	8,000
Deputy President's allowance	2,080	2,080	2,060
Travelling expenses	605	5,252	5,225
Telecommunications allowance	3,476	7,225	3,726
	51,876	68,038	60,951

### Key Management Personnel (KMP) Compensation Disclosure

The total of remuneration paid to KMP of the Shire during the year are as follows:

	2020 Actual	2019 Actual
	\$	\$
Short-term employee benefits	619,301	843,623
Post-employment benefits	80,643	83,180
Other long-term benefits	55,116	60,655
	755,060	987,458

#### Short-term employee benefits

These amounts include all salary, fringe benefits and cash bonuses awarded to KMP except for details in respect to fees and benefits paid to elected members which may be found above.

#### Post-employment benefits

These amounts are the current-year's estimated cost of providing for the Shire's superannuation contributions made during the year.

#### Other long-term benefits

These amounts represent long service benefits accruing during the year.

## 20. RELATED PARTY TRANSACTIONS (Continued)

### Transactions with related parties

Transactions between related parties and the Shire are on normal commercial terms and conditions, no more favourable than those available to other parties, unless otherwise stated.

The following transactions occurred with related parties:	2020 Actual \$	2019 Actual \$
Sale of goods and services	12,862	3,850
Purchase of goods and services	29,573	39,595
<b>Amounts outstanding from related parties:</b>		
Trade and other receivables	112	1,450
<b>Amounts payable to related parties:</b>		
Trade and other payables	2,014	2,570

### Related Parties

#### The Shire's main related parties are as follows:

##### i. Key management personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any elected member, are considered key management personnel.

##### ii. Other Related Parties

The associate person of KMP was employed by the Shire under normal employment terms and conditions.

##### iii. Entities subject to significant influence by the Shire

An entity that has the power to participate in the financial and operating policy decisions of an entity, but does not have control over those policies, is an entity which holds significant influence. Significant influence may be gained by share ownership, statute or agreement.

21. RATING INFORMATION

(a) Rates

RATE TYPE	Rate in \$	Number of Properties	2019/20 Actual Rateable Value \$	2019/20 Actual Rate Revenue \$	2019/20 Actual Interim Rates \$	2019/20 Actual Back Rates \$	2019/20 Actual Total Revenue \$	2019/20 Budget Rate Revenue \$	2019/20 Budget Interim Rate \$	2019/20 Budget Back Rate \$	2019/20 Budget Total Revenue \$	2018/19 Actual Total Revenue \$
Differential general rate												
<b>Gross rental valuations</b>												
GRV Townsites	0.10850	475	7,144,420	775,170	(1,699)	0	773,471	775,170	0	0	775,170	751,297
GRV Mining	0.07427	2	20,635,000	1,532,561	0	0	1,532,561	1,532,561	0	0	1,532,561	1,509,943
<b>Unimproved valuations</b>												
UV Rural	0.006716	240	97,998,000	658,154	(21,196)	0	636,958	658,155	13,398	0	671,553	679,692
UV Mining	0.031850	44	37,706,996	1,200,968	0	0	1,200,968	1,200,968	0	0	1,200,968	1,161,315
UV Non Rural	0.024812	1	703,000	17,443	0	0	17,443	17,443	0	0	17,443	21,577
<b>Sub-Total</b>		762	164,187,416	4,184,296	(22,895)	0	4,161,401	4,184,297	13,398	0	4,197,695	4,123,824
Minimum payment \$												
<b>Gross rental valuations</b>												
GRV Townsites	960	155	415,564	148,800	0	0	148,800	148,800	0	0	148,800	128,250
GRV Mining	960	1	20	960	0	0	960	960	0	0	960	950
<b>Unimproved valuations</b>												
UV Rural	825	233	23,419,500	192,225	0	0	192,225	192,225	0	0	192,225	220,400
UV Mining	960	42	176,167	40,320	0	0	40,320	40,320	0	0	40,320	39,900
UV Non Rural	960	0	0	0	0	0	0	0	0	0	0	0
<b>Sub-Total</b>		431	24,011,251	382,305	0	0	382,305	382,305	0	0	382,305	389,500
<b>Total amount raised from general rate</b>		1,193	188,198,667	4,566,601	(22,895)	0	4,543,706	4,566,602	13,398	0	4,580,000	4,513,324
							4,543,706				4,580,000	4,513,324

SIGNIFICANT ACCOUNTING POLICIES

Rates

Control over assets acquired from rates is obtained at the commencement of the rating period.

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises revenue for the prepaid rates that have not been refunded.

## 21. RATING INFORMATION (Continued)

### (b) Interest Charges & Instalments

Instalment Options	Date Due	Instalment Plan Admin Charge \$	Instalment Plan Interest Rate %	Unpaid Rates Interest Rate %
<b>Option One</b>				
Single full payment	09-10-19	0.00	0.00%	11.00%
<b>Option Two</b>				
First instalment	09-10-19	0.00	0.00%	11.00%
Second instalment	14-02-20	8.50	5.50%	11.00%
<b>Option Three</b>				
First instalment	09-10-19	0.00	0.00%	11.00%
Second instalment	09-12-19	8.50	5.50%	11.00%
Third instalment	14-02-20	8.50	5.50%	11.00%
Fourth instalment	17-04-20	8.50	5.50%	11.00%

	2020 Actual \$	2020 Budget \$	2019 Actual \$
Interest on unpaid rates	29,377	27,714	30,793
Interest on instalment plan	5,987	6,282	4,240
Charges on instalment plan	1,153	0	4,944
	36,517	33,996	39,977

## 22. RATE SETTING STATEMENT INFORMATION

		2019/20 Budget	2019/20	2018/19
		(30 June 2020	(1 July 2019	(30 June 2019
Note	2019/20 (30 June 2020 Carried Forward)	Carried Forward)	Brought Forward)	Carried Forward
	\$	\$	\$	\$
<b>(a) Non-cash amounts excluded from operating activities</b>				
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Rate Setting Statement in accordance with <i>Financial Management Regulation 32</i> .				
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	10(a)	(36,277)	0	0
Less: Fair value adjustments to financial assets at fair value through profit and loss		26,257	0	0
Movement in pensioner deferred rates (non-current)		(19,236)	0	0
Movement in employee benefit provisions (non-current)		44,198	0	0
Movement in other sundry debtors		9,633	0	0
Movement in Bonds and deposits		(88,830)	0	0
Add: Loss on disposal of assets	10(a)	12,669	16,800	54,919
Add: Depreciation on non-current assets	10(b)	2,254,722	2,087,079	2,087,079
<b>Non cash amounts excluded from operating activities</b>		2,203,136	2,103,879	2,141,998
<b>(b) Surplus/(deficit) after imposition of general rates</b>				
The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement in accordance with <i>Financial Management Regulation 32</i> to agree to the surplus/(deficit) after imposition of general rates.				
<b>Adjustments to net current assets</b>				
Less: Reserves - cash backed	4	(3,029,055)	(1,344,675)	(4,365,804)
Less: Restricted Cash - Bonds and deposits account		(88,823)	0	(92,929)
Add: Current liabilities not expected to be cleared at end of year				
- Current portion of borrowings	14(a)	344,397	0	226,327
- Current portion bonds and deposits liability		88,823	0	0
<b>Total adjustments to net current assets</b>		(2,684,658)	(1,344,675)	(4,232,406)
<b>Net current assets used in the Rate Setting Statement</b>				
Total current assets		5,707,027	1,935,709	5,660,329
Less: Total current liabilities		(2,501,840)	(300,000)	(1,119,238)
Less: Total adjustments to net current assets		(2,684,658)	(1,344,675)	(4,232,406)
<b>Net current assets used in the Rate Setting Statement</b>		520,529	291,034	308,681
<b>(c) Adjustments to current assets and liabilities at 1 July 2019 on application of new accounting standards</b>				
<b>Total current assets at 30 June 2019</b>				
- Contract assets	25(a)			5,660,329
<b>Total current assets at 1 July 2019</b>				5,660,329
<b>Total current liabilities at 30 June 2019</b>				
- Contract liabilities from contracts with customers	25(a)			(1,119,238)
<b>Total current liabilities at 1 July 2019</b>				(1,574,185)

## 23. FINANCIAL RISK MANAGEMENT

This note explains the Shire's exposure to financial risks and how these risks could affect the Shire's future financial performance.

Risk	Exposure arising from	Measurement	Management
Market risk - interest rate	Long term borrowings at variable rates	Sensitivity analysis	Utilise fixed interest rate borrowings
Credit risk	Cash and cash equivalents, trade receivables, financial assets and	Aging analysis Credit analysis	Diversification of bank deposits, credit limits. Investment policy
Liquidity risk	Borrowings and other liabilities	Rolling cash flow forecasts	Availability of committed credit lines and borrowing facilities

### (a) Interest rate risk

#### Cash and cash equivalents

The Shire's main interest rate risk arises from cash and cash equivalents with variable interest rates, which exposes the Shire to cash flow interest rate risk. Short term overdraft facilities also have variable interest rates however these are repaid within 12 months, reducing the risk level to minimal.

Excess cash and cash equivalents are invested in fixed interest rate term deposits which do not expose the Shire to cash flow interest rate risk. Cash and cash equivalents required for working capital are held in variable interest rate accounts and non-interest bearing accounts. Carrying amounts of cash and cash equivalents at the 30 June and the weighted average interest rate across all cash and cash equivalents and term deposits held disclosed as financial assets at amortised cost are reflected in the table below.

	Weighted Average Interest Rate	Carrying Amounts	Fixed Interest Rate	Variable Interest Rate	Non Interest Bearing
	%	\$	\$	\$	\$
<b>2020</b>					
Cash and cash equivalents	1.2286%	5,125,842	1,103,528	4,021,374	940
<b>2019</b>					
Cash and cash equivalents	0.0164%	5,052,930	4,702,225	349,765	940

#### Sensitivity

Profit or loss is sensitive to higher/lower interest income from cash and cash equivalents as a result of changes in interest rates.

	2020	2019
	\$	\$
Impact of a 1% movement in interest rates on profit and loss and equity*	51,258	50,529

\* Holding all other variables constant

#### Borrowings

Borrowings are subject to interest rate risk - the risk that movements in interest rates could adversely affect funding costs. The Shire manages this risk by borrowing long term and fixing the interest rate to the situation considered the most advantageous at the time of negotiation. The Shire does not consider there to be any interest rate risk in relation to borrowings. Details of interest rates applicable to each borrowing may be found at Note 14(b).

## 23. FINANCIAL RISK MANAGEMENT (Continued)

### (b) Credit risk

#### *Trade and Other Receivables*

The Shire's major receivables comprise rates annual charges and user fees and charges. The major risk associated with these receivables is credit risk – the risk that the debts may not be repaid. The Shire manages this risk by monitoring outstanding debt and employing debt recovery policies. It also encourages ratepayers to pay rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of the Shire to recover these debts as a secured charge over the land, that is, the land can be sold to recover the debt. The Shire is also able to charge interest on overdue rates and annual charges at higher than market rates, which further encourages payment.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

The Shire applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

No expected credit loss was forecast on 1 July 2019 or 30 June 2020 for rates receivable as penalty interest applies to unpaid rates and properties associated with unpaid rates may be disposed of to recover unpaid rates.

	Current	More than 1 year past due	More than 2 years past due	More than 3 years past due	Total
<b>30 June 2020</b>					
Rates receivable					
Gross carrying amount	3,090	156,021	66,401	62,167	287,679
<b>30 June 2019</b>					
Rates receivable					
Gross carrying amount	16,686	136,058	59,737	55,887	268,368

The loss allowance as at 30 June 2020 and 30 June 2019 was determined as follows for trade receivables.

	Current	More than 30 days past due	More than 60 days past due	More than 90 days past due	Total
<b>30 June 2020</b>					
Trade and other receivables					
Expected credit loss	0.00%	0.00%	0.0833%	9.96%	
Gross carrying amount	6,951	1,605	26,417	33,283	68,256
Loss allowance	0	0	22	3,315	3,337
<b>30 June 2019</b>					
Trade and other receivables					
Expected credit loss	0.00%	0.00%	1.55%	5.94%	
Gross carrying amount	60,196	115,366	1,457	55,774	232,793
Loss allowance	0	0	23	3,315	3,338

## 23. FINANCIAL RISK MANAGEMENT (Continued)

### (c) Liquidity risk

#### Payables and borrowings

Payables and borrowings are both subject to liquidity risk – that is the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due. The Shire manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer. Payment terms can be extended and overdraft facilities drawn upon if required and disclosed in Note 16(d).

The contractual undiscounted cash flows of the Shire's payables and borrowings are set out in the liquidity table below. Balances due within 12 months equal their carrying balances, as the impact of discounting is not significant.

	Due within 1 year	Due between 1 & 5 years	Due after 5 years	Total contractual cash flows	Carrying values
	\$	\$	\$	\$	\$
<b>2020</b>					
Payables	1,426,927	300,000	0	1,726,927	1,726,927
Borrowings	437,945	1,559,325	1,263,630	3,260,900	2,818,040
	<u>1,864,872</u>	<u>1,859,325</u>	<u>1,263,630</u>	<u>4,987,827</u>	<u>4,544,967</u>
<b>2019</b>					
Payables	662,214	300,000	0	962,214	962,214
Borrowings	240,532	1,045,943	772,096	2,058,571	2,058,571
	<u>902,746</u>	<u>1,345,943</u>	<u>772,096</u>	<u>3,020,785</u>	<u>3,020,785</u>

## 24. EVENTS OCCURRING AFTER THE END OF THE REPORTING PERIOD

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Shire.

## 25. INITIAL APPLICATION OF AUSTRALIAN ACCOUNTING STANDARDS

During the current year, the Shire adopted all of the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory and which were applicable to its operations.

### (a) AASB 15: Revenue from Contracts with Customers

The Shire adopted AASB 15 Revenue from Contracts with Customers (issued December 2014) on 1 July 2019 resulting in changes in accounting policies. In accordance with the transition provisions AASB 15, the Shire adopted the new rules retrospectively with the cumulative effect of initially applying these rules recognised on 1 July 2019. In summary the following adjustments were made to the amounts recognised in the statement of financial position at the date of initial application (1 July 2019):

	Note	AASB 118 carrying amount 30 June 2019 \$	Reclassification \$	AASB 15 carrying amount 01 July 2019 \$
<b>Contract liabilities - current</b>				
Contract liabilities from contracts with customers	13	0	(454,947)	(454,947)
Adjustment to retained surplus from adoption of AASB 15	26(b)		(454,947)	

### (b) AASB 1058: Income For Not-For-Profit Entities

The Shire adopted AASB 1058 Income for Not-for-Profit Entities (issued December 2016) on 1 July 2019 which will result in changes in accounting policies. In accordance with the transition provisions AASB 1058, the Shire adopted the new rules retrospectively with the cumulative effect of initially applying AASB 1058 recognised at 1 July 2019. Comparative information for prior reporting periods was not restated in accordance with AASB 1058 transition requirements.

In applying AASB 1058 retrospectively with the cumulative effect of initially applying the Standard on 1 July 2019 no changes were required. Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Therefore the rates received in advance gave rise to a financial liability that is within the scope of AASB 9. On 1 July 2019 the prepaid rates were recognised as a financial asset and a related amount recognised as a financial liability and no income recognised by the Shire. When the taxable event occurred, the financial liability was extinguished and the Shire recognised income for the prepaid rates that have not been refunded.

Assets that were acquired for consideration, that were significantly less than fair value principally to enable the Shire to further its objectives, may have been measured on initial recognition under other Australian Accounting Standards at a cost that was significantly less than fair value. Such assets are not required to be remeasured at fair value.

The impact on the Shire's retained surplus due to the adoption of AASB 15, AASB 1058 and AASB 16 as at 1 July 2019 was as follows:

## 25. INITIAL APPLICATION OF AUSTRALIAN ACCOUNTING STANDARDS (Continued)

The table below provides details of the amount by which each financial statement line item is affected in the current reporting period by the application of this Standard as compared to AASB 118 and 1004 and related Interpretations that were in effect before the change.

		2020 \$		2020 \$
	Note	As reported under AASB 15 and AASB 1058	Adjustment due to application of AASB 15 and AASB 1058	Compared to AASB 118 and AASB 1004
<b>Statement of Comprehensive Income</b>				
<b>Revenue</b>				
Operating grants, subsidies and contributions	2(a)	681,139	(454,947)	226,192
Net result		(209,477)	(454,947)	(664,424)
<b>Statement of Changes in Equity</b>				
Net result		(209,477)	(454,947)	(664,424)
Retained surplus		33,374,011	(454,947)	32,919,064

Refer to Note 2(a) for new revenue recognition accounting policies as a result of the application of AASB 15 and AASB 1058.

### (c) AASB 16: Leases

The Shire adopted AASB 16 retrospectively from 1 July 2019 which resulted in changes in accounting policies. In accordance with the transition provisions of AASB 16, the Shire has applied this Standard to its leases retrospectively, with the cumulative effect of initially applying AASB16 recognised on 1 July 2019. In applying AASB 16, under the specific transition provisions chosen, the Shire will not restate comparatives for prior reporting periods.

No adjustments were made as a result of the adoption of the standard.

## 26. CHANGE IN ACCOUNTING POLICIES

### (a) Change in Accounting Policies due to regulation changes

Effective 6 November 2020, *Local Government (Financial Management) Regulation 16* was deleted and *Local Government (Financial Management) Regulation 17A* was amended with retrospective application. The changes were effective for financial years ending on or after 30 June 2020 so are required to be applied retrospectively with cumulative effect applied initially on 1 July 2019.

In accordance with the changes, the Shire was required to remove the values attributable to certain crown land assets previously required to be recognised, as well as the associated revaluation surplus at 1 July 2019. These assets have been measured as concessionary lease right-of-use assets at zero cost in accordance with AASB 16. For further details relating to these changes, refer to Note 11.

In summary the following adjustments were made to the amounts recognised in the statement of financial position at the date of initial application (1 July 2019):

	Note	Carrying amount 30 June 2019 \$	Reclassification \$	Carrying amount 01 July 2019 \$
Property, plant and equipment	8	29,841,541	(157,617)	29,683,924
Revaluation surplus	11	48,411,940	(157,617)	48,254,323

Also, following changes to *Local Government (Financial Management) Regulation 17A*, plant and equipment type assets (being plant and equipment and furniture and equipment) are to be measured under the cost model, rather than at fair value. This change is effective from 1 July 2019 and represents a change in accounting policy. Revaluations carried out previously or during the year were not reversed as it was deemed fair value approximates cost at the date of the change.

### (b) Changes in equity due to change in accounting policies

The impact on the City's opening retained surplus due to the adoption of AASB 15 and AASB 1058 as at 1 July 2019 was as follows:

	Note	Adjustments	2019 \$
Retained surplus - 30 June 2019			32,701,686
Adjustment to retained surplus from adoption of AASB 15	25(a)	(454,947)	
Adjustment to retained surplus from adoption of AASB 1058	25(b)	0	(454,947)
Retained surplus - 1 July 2019			32,246,739

The impact on the City's opening revaluation surplus resulting from *Local Government (Financial Management) Regulation 16* being deleted and the amendments to *Local Government (Financial Management) Regulation 17A* as at 1 July 2019 was as follows:

	Note	Adjustments	2019 \$
Revaluation surplus - 30 June 2019			48,411,940
Adjustment to revaluation surplus from deletion of FM Reg 16	26(a)	(157,617)	
Adjustment to revaluation surplus from deletion of FM Reg 17	26(a)	0	(157,617)
Revaluation surplus - 1 July 2019			48,254,323

## 27. TRUST FUNDS

The Shire held no funds at balance date which are required to be held in trust and which are not included in the financial statements.

## 28. OTHER SIGNIFICANT ACCOUNTING POLICIES

### a) Goods and services tax (GST)

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.

### b) Current and non-current classification

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire's intentions to release for sale.

### c) Rounding off figures

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian Dollars.

### d) Comparative figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements that has a material effect on the statement of financial position, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

### e) Budget comparative figures

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

### f) Superannuation

The Shire contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

### g) Fair value of assets and liabilities

Fair value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

### h) Fair value hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

#### Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

#### Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

#### Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

### Valuation techniques

The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

#### Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

#### Income approach

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

#### Cost approach

Valuation techniques that reflect the current replacement cost of the service capacity of an asset.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

### i) Impairment of assets

In accordance with Australian Accounting Standards the Shire's cash generating non-specialised assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

For non-cash generating specialised assets that are measured under the revaluation model, such as roads, drains, public buildings and the like, no annual assessment of impairment is required. Rather AASB 116.31 applies and revaluations need only be made with sufficient regularity to ensure the carrying value does not differ materially from that which would be determined using fair value at the ends of the reporting period.

## 29. ACTIVITIES/PROGRAMS

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

PROGRAM NAME AND OBJECTIVES	ACTIVITIES
<b>GOVERNANCE</b> To provide a decision making process for the efficient allocation of scarce resources	Administration and operation of members of Council. Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
<b>GENERAL PURPOSE FUNDING</b> To collect revenue to allow for the provision of services	To collect revenue in the form of rates, interest and general purpose Government grants to allow for the provision of services.
<b>LAW, ORDER, PUBLIC SAFETY</b> To provide services to help ensure a safer and environmentally conscious community	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services
<b>HEALTH</b> To provide an operational framework for environmental and community health	Inspection of food outlets and their control, noise control and waste disposal compliance
<b>EDUCATION AND WELFARE</b> To provide services to the elderly, children and youth	The provision of childcare facilities, aged housing, and the support of youth in the community.
<b>HOUSING</b> To provide and maintain staff and other housing	Provision and maintenance of staff and other housing
<b>COMMUNITY AMENITIES</b> To provide services required by the community	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences
<b>RECREATION AND CULTURE</b> To establish and effectively manage infrastructure and resource which will help the social well being of the community	Maintenance of public halls, civic centres, swimming pool, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities
<b>TRANSPORT</b> To provide safe, effective and efficient transport services to the community	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
<b>ECONOMIC SERVICES</b> To help promote the shire and its economic wellbeing	Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control
<b>OTHER PROPERTY AND SERVICES</b> To monitor and control Shire's overheads operating accounts	Private works operation, plant repair and operation costs and engineering operation costs, administration costs allocated and other unclassified works and services

### 30. FINANCIAL RATIOS

	2020 Actual	2019 Actual	2018 Actual
Current ratio	1.11	0.94	1.48
Asset consumption ratio	0.79	0.69	0.77
Asset renewal funding ratio	0.78	0.82	0.78
Asset sustainability ratio	0.35	0.51	1.02
Debt service cover ratio	4.41	4.87	5.65
Operating surplus ratio	(0.15)	(0.10)	(0.03)
Own source revenue coverage ratio	0.79	0.80	0.85

The above ratios are calculated as follows:

Current ratio	$\frac{\text{current assets minus restricted assets}}{\text{current liabilities minus liabilities associated with restricted assets}}$
Asset consumption ratio	$\frac{\text{depreciated replacement costs of depreciable assets}}{\text{current replacement cost of depreciable assets}}$
Asset renewal funding ratio	$\frac{\text{NPV of planned capital renewal over 10 years}}{\text{NPV of required capital expenditure over 10 years}}$
Asset sustainability ratio	$\frac{\text{capital renewal and replacement expenditure}}{\text{depreciation}}$
Debt service cover ratio	$\frac{\text{annual operating surplus before interest and depreciation}}{\text{principal and interest}}$
Operating surplus ratio	$\frac{\text{operating revenue minus operating expenses}}{\text{own source operating revenue}}$
Own source revenue coverage ratio	$\frac{\text{own source operating revenue}}{\text{operating expense}}$

## INDEPENDENT AUDITOR'S REPORT

To the Councillors of the Shire of Boddington

### Report on the Audit of the Financial Report

#### **Opinion**

I have audited the annual financial report of the Shire of Boddington which comprises the Statement of Financial Position as at 30 June 2020, the Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Statement of Changes in Equity, Statement of Cash Flows and Rate Setting Statement for the year then ended, and notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by the Chief Executive Officer.

In my opinion the annual financial report of the Shire of Boddington:

- (i) is based on proper accounts and records; and
- (ii) fairly represents, in all material respects, the results of the operations of the Shire for the year ended 30 June 2020 and its financial position at the end of that period in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

#### **Basis for Opinion**

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of the Shire in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Emphasis of Matter – Basis of Accounting**

I draw attention to Note 1 to the annual financial report, which describes the basis of accounting. The annual financial report has been prepared for the purpose of fulfilling the Shire's financial reporting responsibilities under the Act, including the Local Government (Financial Management) Regulations 1996 (Regulations). My opinion is not modified in respect of these matters:

- (i) Regulation 17A requires a local government to measure vested improvements at fair value and the associated vested land at zero cost. This is a departure from AASB 16 *Leases* which would have required the entity to measure the vested improvements also at zero cost.
- (ii) In respect of the comparatives for the previous year ended 30 June 2019, Regulation 16 did not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report.

### ***Responsibilities of the Chief Executive Officer and Council for the Financial Report***

The Chief Executive Officer (CEO) of the Shire is responsible for the preparation and fair presentation of the annual financial report in accordance with the requirements of the Act, the Regulations and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. The CEO is also responsible for such internal control as the CEO determines is necessary to enable the preparation of the annual financial report that is free from material misstatement, whether due to fraud or error.

In preparing the annual financial report, the CEO is responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the State Government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

### ***Auditor's Responsibility for the Audit of the Financial Report***

The objectives of my audit are to obtain reasonable assurance about whether the annual financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the annual financial report.

A further description of my responsibilities for the audit of the annual financial report is located on the Auditing and Assurance Standards Board website at [https://www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf). This includes the identification and assessment of the risk of material misstatement due to fraud arising from management override of controls. This description forms part of my auditor's report.

### ***Report on Other Legal and Regulatory Requirements***

In accordance with the *Local Government (Audit) Regulations 1996* I report that:

- (i) The following material matters indicating non-compliance with Part 6 of the *Local Government Act 1995*, the Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law were identified during the course of my audit:
  - a. Changes made to the supplier Masterfile were not independently reviewed and authorised.
  - b. Accounting journal adjustments were processed with no evidence of independent review and approval.
- (ii) In my opinion, the following material matters indicate significant adverse trends in the financial position of the Shire:
  - a. The Operating Surplus Ratio as reported in Note 30 of the annual financial report is below the DLGSCI standard for the last three years; and
- (iii) All required information and explanations were obtained by me.
- (iv) All audit procedures were satisfactorily completed.
- (v) In my opinion, the Asset Consumption Ratio and the Asset Renewal Ratio included in the annual financial report was supported by verifiable information and reasonable assumptions.

**Matters Relating to the Electronic Publication of the Audited Financial Report**

This auditor's report relates to the annual financial report of the Shire of Boddington for the year ended 30 June 2020 included on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the annual financial report described above. It does not provide an opinion on any other information which may have been hyperlinked to/from this annual financial report. If users of the annual financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited annual financial report to confirm the information contained in this website version of the annual financial report.



Grant Robinson  
Acting Deputy Auditor General  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
1 October 2021

## 8.6.4 Business Assistance Grant

File Ref. No:	GRSU017
Applicant:	Boddington Motel
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Attachments:	8.6.4A Business Assistance Grant - Application

### Summary

Council is requested to consider supporting an application from the Boddington Motel for \$500 under the Business Assistance Grant funding.

### Background

The Shire of Boddingtons Business Assistance Grant (BAG) funding has the objective of supporting small business to develop and become more sustainable, leading to strengthened economic outcomes for the town.

The BAG has no specific funding rounds, and can be applied for throughout the year.

Financial support to local businesses under the Business Assistance Fund is on a 50/50 basis with Council contributing either:

1. up to \$500 for business improvement initiatives, or
2. in the case of shop front enhancement initiatives up to \$1500

Eligibility is limited to businesses based primarily in Boddington Shire with an ABN, with funding available for:

- Training in social media
- Website design or enhancement
- Customer service training
- Business coaching or mentoring
- Seminars
- Shop front enhancement
- Commissioning and acquisition of appropriate sculptures

### Comment

The BAG application is attached at 8.6.4A. In summary, this application is seeking assistance for the amount of \$500, for the upgrade and improvement of the business's website, to

- Integrate with other social media.
- Gather data on visitors to the site.
- Run specific campaigns targeted at specific age and interest groups.

It will be a professional website, and it is proposed that it will include an integrated map, photo gallery, links to local events and organisations that have relevance to visitor needs. The site will allow for social media integration and mobile optimisation, to enhance the ability to promote both the business individually and Boddington overall.

The Policy defines the selection criteria as:

The application demonstrates:

1. How the proposal will improve business prospects.
2. Capacity to fund 50% of the cash required.
3. Whether the proposal will proceed if less than the full amount is granted.
4. Previous acquittals have been completed in full to a satisfactory standard.

The applicant demonstrates that it:

1. Supports community projects and/or events.
2. If applicable, previous funding has been satisfactorily acquitted.
3. Meets all Grant Conditions of the funding program.

The application from the Boddington Hotel meet all of the criteria of the Policy, and therefore the full amount requested, being \$500, is recommended for funding.

### Strategic Implications

Pillar 2            A thriving and diverse economy

### Statutory Environment

Nil

### Policy Implications

Policy 9.2 Business Assistance Grant, outlines the intent of the funding, parameters, criteria and assessment process.

### Financial Implications

A total financial impact of \$500 will be realised if Council approves the officer recommendation. Sufficient budget allocation exists with the 2021/22 Budget to fund this application.

### Economic Implications

Supporting local business owners strengthens the local economy and further facilitates other businesses to flourish.

### Social Implications

Nil

### Environmental Considerations

Nil

### Consultation

Boddington Motel Owners

### Options

1. Council may approve funding of up to \$500; or
2. Approve a lesser amount; or
3. Council may choose not to approve any funding.

### Risk Considerations

Risk Statement and Consequence	The key risk is that the funding decision may be applied outside of the policy parameters.
Risk Rating (prior to treatment or control)	Low
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further action proposed.

### Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.4
---------------------------------------

That Council approve an amount of \$500 under the Business Assistance Grant funding, to the Boddington Motel, to assist with the development of the business website.

## Business Assistance Grant Application Form

The Business Assistance Funding is intended to support initiatives that provide local business with improved economic prospects. Financial support to local businesses under the Fund is to a maximum of 50%, with Council contributing either:

1. up to \$500 for business improvement initiatives, or
2. in the case of shop front enhancement initiatives up to \$1,500

Applications for assistance from the Business Assistance Fund can be submitted at any time during the year.

### Who is eligible?

- Businesses based primarily in Boddington Shire with an ABN.

### Funding may be available for business improvement items such as:

- Training in social media
- Website design or enhancement
- Customer service training
- Business coaching or mentoring
- Seminars
- Shop front enhancement
- Commissioning and acquisition of appropriate sculptures

### Funding is not available for

- Salaries
- consumables
- disposable items, and
- retrospective funding

Applicants are encouraged to contact the Shire to discuss project eligibility.

### BAG Amounts

BAG grants are capped at 50% of the total cost of a proposal, this cannot exceed \$500. Shop front enhancement and sculpture projects may apply for up to \$1500.

### BAG Payment and Acquittal

Grant recipients will not be paid until proposal has concluded and the applicant has submitted an acquittal. An invoice and a completed acquittal must be submitted within 3 months of proposal completion. Acquittal forms will be provided by the Shire via the Grant Recipient Information advice.

APPLICANT DETAILS	
Business Name	Boddington Motel
Business Contact Name	Rod McSwain
Position held	Manager / Director
Postal address	PO Box 115 Boddington WA 6390

## Business Assistance Grant Application Form

Office Hours Telephone	9883 9383    Mobile - 0403 259 719
Email address	boddmotel@bigpond.com
Australian Business Number	ABN – 21161470999
Are you registered for GST?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Total amount requested	\$500

<b>BACKGROUND</b>	<p>Please provide background information on your business including information such as how long the business has operated in the Shire of Boddington, staff numbers and plans for growth / expansion.</p> <p>*****</p> <p>The Boddington Motel was built in 1991. Karen &amp; Rod have been running the business since October 2013.</p> <p>There was a major and well overdue upgrade done in 2015/16 and in 2017, the Motel was judged as a finalist in the Peel Small business Excellence Awards, after being advised that the business offered a high standard of service previously lacking in the region. The Motel continues to be #1 on both TripAdvisor and Google.</p> <p>Karen &amp; Rod have different rolls in the business, but the Motel has also employed a local mother of 2 since 2017.</p> <p>Despite the availability of land to expand, the decision to do so medium to long term, relies heavily on an increase in occupancy which currently has a 5 year average of under 60%, made up of mainly workers. The plan is to increase this by attracting more tourists and visitors to stay overnight, with exposure via a fresh website and other linked social media.</p>
<b>PROJECT/ACTIVITY OUTLINE</b>	<p>Please give a detailed outline of your activity / project that the business is seeking funding for.</p> <p>*****</p> <p>Due to COVID, tourist and visitor occupancy has been severely affected, but we believe we can, as we always have, help the Shire do some heavy lifting by attracting overnight stays by promoting Boddington and local events via a new website.</p> <p>The initial aim is to set up the foundations for a fresh website with the assistance of Citrus Wheel Marketing, a local company based in Wandering. It will have the ability to;</p> <ol style="list-style-type: none"> <li>1) Integrate with other social media.</li> <li>2) Gather data on visitors to the site.</li> <li>3) Run specific campaigns targeted at specific age and interest groups.</li> </ol> <p>There will be the ability for other modules to be added later, thus enhancing the website. It will be a professional website built in Squarespace and it is proposed that it will include an integrated map, photo gallery, links to local events and organisations that may have relevant to visitor needs. The site will allow for social media integration and mobile optimisation, to enhance the ability to promote both the business individually and Boddington overall.</p>

## Business Assistance Grant Application Form

PROJECT BENEFITS	<p>Please provide a summary of how the activity / project will benefit the business.</p> <p>*****</p> <p>The project is not just for the benefit of 'the business', but for the benefit of the whole town. The Motel is an accommodation business, so 'bodies in beds' are required for it to be viable. The planned outcomes of the project completion should have a kick on effect, by not only allowing the Motel to continue employing locals, support local community groups, but to help to grow the local economy through guests spending money in other businesses around town, especially food outlets.</p> <p>The website will also have the ability to be controlled locally, rather than offsite.</p>
NEED	<p>How has the need for your activity / project been identified?</p> <p>*****</p> <p>An upgrade was always part of the initial business plan. It has also been recognised that with the advancement of technology, the current website is 'past its use by date'. Feedback has also been received from guests.</p>
How has the business supported the Boddington community, including projects and events	<p>Please detail.</p> <p>*****</p> <p>Prior to Covid the business has financially supported a local community group every year. That included but was not limited to The Hospital Auxiliary, The Boddington Youth Centre, The Boddington Community Club and sponsored the Lions Rodeo, The Bowling Club, The Football Club and the Bodd News, as well as helped bring, then sponsor the Boddington Safari Rally to town – a round of the state car rally championships.</p> <p>In October 2013, the Motel commenced B2B relationships, using local services where possible and setting a high standard of prioritising payment of invoices to those local service providers.</p> <p>Part of the personal check-in service, often includes promoting and recommending things to do and see in the Shire. A brochure rack is in reception for guests to help themselves to. Events are regularly promoted on the Facebook page when advised and or known. A trifold leaflet with information on the Motel &amp; Boddington, is spread at tourist information outlets from Waroona to Narrogin and Armadale to Williams. Paid advertising is also done on Radio Great Southern, based in Wagin.</p>
Has your business received funding from the Shire in the last 3 years?	<p>If yes, please detail.</p> <p>*****</p> <p>No.</p>

## Business Assistance Grant Application Form

Who will be responsible for the matching component of the funding, and how will it be funded?	The Motel business out of general revenue.
What will be the impact to the project / activity if the Business Assistance Funding is not granted, or less than the full amount requested is funded?	There is the potential for the project to be delayed without the assistance of a capital injection, as minimal as it seems. We have a desire to have the website active by the end of October 2021 to attract people still travelling the state, to stay overnight in Boddington. This will diminish with the hotter days closer to Summer.
How does your business propose to acknowledge the Shire of Boddington for their contribution?	Recognition is a given and it is intended that the Shire and the local facilities will be acknowledged and promoted via social media as a minimum.
Project Commencement Date	1 <sup>st</sup> October 2021
Project Completion Date	End Oct 2021

## Business Assistance Grant Application Form

The following must be included with this application:

- Locality, site and design specifications for project (if applicable)
- Program/ Advertising for events
- An itemised project cost

### Declaration by applicant

I, the undersigned, certify that I have been authorised to submit this application and that the information contained herein is to the best of my knowledge true and correct. I understand that I will be required to lodge an acquittal before funds can be paid to the business, and that this must happen within 3 months of the project / activity.

Name: Rod McSwain

Date: 8<sup>th</sup> September 2021

Position: Manager

Signature: R.A. McSwain

### BUDGET

EXPENDITURE	\$
Citrus Wheel Marketing – quote attached	1192
5 to 10 hours in kind by Karen & Rod @ \$35 per hour – consulting, supply of photos and motel information.	350
GST	119.20

GRANT AMOUNT REQUESTED

\$500

TOTAL EXPENDITURE

\$1661.20

## 8.6.4 Delegation Register Review

File Ref. No: GOVN000  
Applicant: Nil  
Disclosure of Interest: Nil  
Author: Chief Executive Officer  
Attachments: 8.6.5A Delegation Register

### Summary

Council is requested to adopt the revised Register of Delegations that has been developed in accordance with the Western Australian Local Government Association (WALGA) model.

### Background

Delegations by Council are an effective way to improve customer satisfaction through prompt decision-making processes. Using the power of delegation appropriately assists local governments to efficiently deal with a wide range of operational matters that are minor, administrative in nature and potentially time consuming.

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.

The Shire's current Register of Delegations can be found on the Shire's website. As is required by section 5.46 of the Local Government Act 1995, a review of the Delegation Register for the 2021/22 financial year has been undertaken. This review has been 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.

In general, Council will delegate operational matters that occur regularly in the business of the government to the CEO in order to facilitate efficient management and allow Council to concentrate on matters of greater significance during meetings.

The *Local Government Act 1995*, *Dog Act 1976*, *Cat Act 2011* and the *Planning and Development (Local Planning Schemes) Regulations 2015* all require local governments to conduct an annual review of delegations made under those Acts.

### Comment

In accordance with section 5.46 of the Local Government Act 1995 (Act), Council must review its delegations at least once each financial year. The last significant review was conducted in September 2020. This review thoroughly overhauls the format of the current delegated authority register to reflect sector best practice.

These proposed delegations are based upon templates produced by WALGA and the local government guideline on delegations. This model of delegation is steadily being adopted across the sector. These delegations reference the specific sections of legislation where a delegation is made under, and detail the express function and to what extent that function is delegated.

### Strategic Implications

Nil

### Statutory Environment

- Legal compliance Section 5.42 of the Local Government Act 1995
- Section 9.49A of the Local Government Act 1995
- Section 127 of the Building Act 2011
- Section 48 of the Bush Fires Act 1954
- Section 44 of the Cat Act 2011
- Section 10AA of the Dog Act 1976
- Section 118 of the Food Act 2008
- Section 16 of the Graffiti Vandalism Act 2016
- Section 21 of the Public Health Act 2016
- Schedule 2 clause 82(1) of the Planning and Development (Local Planning Schemes) Regulations 2015

### Policy Implications

The review of the Delegation Register will trigger a review of the Council Policy Manual.

### Financial Implications

Nil

### Economic Implications

Nil

### Social Implications

Nil

### Environmental Considerations

Nil

### Consultation

A workshop / training session was held with Councillors on 7 October 2021, to detail the overarching legal framework of delegations and to discuss some of the specific inclusions of the proposed Delegation Register.

### Options

Council has the option of:

1. Adding to, amending or deleting any of the delegations shown in the attached draft Delegation Register.
2. Deferring the adoption of the Register to allow for additional workshops and discussion.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.5
---------------------------------------

That Council adopts the Register of Delegations as detailed in attachment 8.6.5A to be effective from 22 October 2021.



## DELEGATION REGISTER

Current as at ....

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# Delegation Register

Shire of Boddington

## 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

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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

and expertise to implement the delegation/sub delegation or authorisation within the Shire's 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,

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

- appointing an auditor,
- 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,

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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

- Land Administration Act 1997, and regulations,
- 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,

Shire of Boddington – Register of Delegations October 2021

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

- when the person exercised the power or discharged the duty; and
- 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.

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

For further information, see Department of Local Government and Communities Guideline No 17 - 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>	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>	Local Government Act 1995: 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>	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>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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>	<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> s.9.10 Appointment of authorised persons – refer also s.3.32(2)]</p> <p>Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry</p> <p>s.3.34(2) Entry in an emergency – Refer to CEO Delegation</p>
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

Shire of Boddington – Register of Delegations October 2021

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

### Version Control:

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# Delegation Register

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>	

<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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

# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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### 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, Ranger.</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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### 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</li> </ol>

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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
<b>Council Conditions on this Delegation:</b>	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)]. b. Maintain access to adjoining land [s.3.52(3)] (relevant to a Townsite only).
<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.
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

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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>	
<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>

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# Delegation Register

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:

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# Delegation Register

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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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

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

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# Delegation Register

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## 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

# Delegation Register

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

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# Delegation Register

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## 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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Record Keeping:

In accordance with r19 Local Government (Administration) Regulations 1996

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# Delegation Register

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## 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>	

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Shire of Boddington

## 1. Local Government Act 1995 Delegations

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 (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

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# Delegation Register

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

# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

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

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

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

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# Delegation Register

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>

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# Delegation Register

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>The total consideration under the resulting contract is \$400,000 or less;</li> <li>The expense is included in the adopted Annual Budget; and</li> <li>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) <u>and</u> 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>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>

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

<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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# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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</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	\$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	\$250,000*												

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	Aboriginal Business Directory WA <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&G.r.11(2)(h)]	<i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>
	Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$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>	<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 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:	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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>

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# Delegation Register

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) 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>	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 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:	<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> – s.3.58 Disposal of Property</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58</p> <p>Council Policy &lt;&lt;insert ref #&gt;&gt; Disposal of Property</p>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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 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>	1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. 2. 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>Principal Environmental Health Officer/Building Surveyor, Manager Works and Services.</li> </ul>

<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. <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>
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# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	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:

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# Delegation Register

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

# Delegation Register

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>. 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>	

# Delegation Register

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>&lt;&lt;insert Ref #&gt;&gt; Agreement as to Payment of Rates and Service Charges</p> <p>&lt;&lt;insert Ref #&gt;&gt; Recovery of Rates or Service Charges</p> <p>&lt;&lt;insert Ref #&gt;&gt; Recovery of Rates Debts – Require Lessee to Pay Rent</p> <p>&lt;&lt;insert Ref #&gt;&gt; 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

# Delegation Register

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.

# Delegation Register

Shire of Boddington

## 1. Local Government Act 1995 Delegations

	<p><u><a href="#">Local Government (Financial Management) Regulations 1996</a></u> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</p> <p>Council Policy XX - Investments</p> <p>&lt;&lt;insert / list other legislation, Local Laws, policies and procedures which must be considered when making decisions under this delegation&gt;&gt;</p>
Record Keeping:	<<Detail how records of decisions are to be kept by delegates>>

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>	

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

#### Version Control:

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

# Delegation Register

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>	
<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>	

<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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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Shire of Boddington – Register of Delegations October 2021

# Delegation Register

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

### Version Control:

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

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>	<ol style="list-style-type: none"> <li>The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies: <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> </li> <li>This authority may only be exercised where the total consideration for the renewal or extension is \$500,000 or less.</li> <li>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).</li> <li>The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</li> </ol>

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# Delegation Register

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:	<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

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>

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# Delegation Register

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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.

<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>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

# Delegation Register

[Insert Local Government Name]

## 1. Local Government Act 1995 Delegations

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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:  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)].  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)].  3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
<b>CEO Conditions on this Delegation:</b>	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations.  b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i> .
<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

# Delegation Register

[Insert Local Government Name]

## 1. Local Government Act 1995 Delegations

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>

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# Delegation Register

[Insert Local Government Name]

## 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.

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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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.

<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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 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><i>Caravan Parks and Camping Grounds Act 1995</i>.</li> <li><i>Cat Act 2011</i>.</li> <li><i>Cemeteries Act 1986</i>.</li> <li><i>Control of Vehicles (Off-road Areas) Act 1978</i>.</li> <li><i>Dog Act 1976</i>.</li> <li><a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</li> <li>any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</li> </ol> </li> <li>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 register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL.

# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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 [s.5.94(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 [s.5.95(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.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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# Delegation Register

[Insert Local Government Name]

## 1. Local Government Act 1995 Delegations

Record Keeping:

In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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.

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>
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

## 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>	1. Authority to conduct the review of the appropriateness and effectiveness of the Shire's systems and procedures in relation to  i. risk management; and  ii. internal controls; and  iii. legislative compliance [r.17(1)].
<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.

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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 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>Executive Manager Corporate Services</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 determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</b></p> </li> </ol>

# Delegation Register

[Insert Local Government Name]

## 1. Local Government Act 1995 Delegations

Express Power to Sub-Delegate:	Nil.
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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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>Manager Works and Services (all matters)</b> <b>Ranger – Dogs Local Law</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:

Shire of Boddington – Register of Delegations October 2021

**Delegation Register**

[Insert Local Government Name]

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1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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)

# Delegation Register

[Insert Local Government Name]

## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<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>	

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

### Version Control:

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

[Insert Local Government Name]

## 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>Principal Environmental Health Officer/Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b>	

Shire of Boddington – Register of Delegations October 2021

# Delegation Register

[Insert Local Government Name]

## 2. Building Act 2011 Delegations

Conditions on the original delegation also apply to the sub-delegations.	
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 <i>Building Services (Complaint Resolution and Administration) Act 2011 – 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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  <i>Building Regulations 2012</i> 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>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>	

<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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Shire of Boddington – Register of Delegations October 2021

## Delegation Register

[Insert Local Government Name]

### 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>	
<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="#"><i>Building Act 2011:</i></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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>Building work</li> <li>Demolition work</li> <li>An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>Authority to revoke a building order [s.117].</li> <li>If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>take any action specified in the order; or</li> <li>commence or complete any work specified in the order; or</li> <li>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>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>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)

# Delegation Register

[Insert Local Government Name]

## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<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>	

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

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>Principal Environmental Health Officer/Building Surveyor 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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>	

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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>	

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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>	

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

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

##### Version Control:

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

## Delegation Register

[Insert Local Government Name]

### 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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## Delegation Register

[Insert Local Government Name]

### 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>

Shire of Boddington – Register of Delegations October 2021

## Delegation Register

[Insert Local Government Name]

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

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

## Delegation Register

[Insert Local Government Name]

	<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>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 person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>a person using explosives [r.39D(2)].</li> <li>a person using fireworks [r.39E(3)]</li> </ol> </li> <li>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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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## Delegation Register

[Insert Local Government Name]

### 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>

## Delegation Register

[Insert Local Government Name]

<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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>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>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>Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>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>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>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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>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>	Cat Regulations 2012  r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.
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Shire of Boddington – Register of Delegations October 2021

## Delegation Register

[Insert Local Government Name]

	r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2))  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> .
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

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

## Delegation Register

[Insert Local Government Name]

### 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>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>	<i>Cat Regulations 2012:</i> 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

## Delegation Register

[Insert Local Government Name]

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

#### Version Control:

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2	

# Delegation Register

[Insert Local Government Name]

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

### Version Control:

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# Delegation Register

[Insert Local Government Name]

## 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>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>	<p>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>.</p> <p>b. The CEO may waive the registration fee for a maximum of 12 months where a cat is rescued from impoundment by a new owner.</p>

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

### Version Control:

1	
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# Delegation Register

[Insert Local Government Name]

## 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>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 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

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

#### Version Control:

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

# Delegation Register

[Insert Local Government Name]

## 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>

# Delegation Register

[Insert Local Government Name]

## 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>Executive Manager Corporate Services 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

## 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>Executive Manager Corporate Services 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

# Delegation Register

[Insert Local Government Name]

## 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>	<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>	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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

## 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>Executive Manager Corporate Services 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>	
<b>Record Keeping:</b>	In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

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

# Delegation Register

[Insert Local Government Name]

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

# Delegation Register

[Insert Local Government Name]

## 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>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
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## Delegation Register

[Insert Local Government Name]

### 5. Dog Act 1974 Delegations

Record Keeping:

In accordance with r19 Local Government (Administration) Regulations 1996

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

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

# Delegation Register

[Insert Local Government Name]

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

# Delegation Register

[Insert Local Government Name]

## 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>Principal Environmental Health Officer/Building Surveyor</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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

# Delegation Register

[Insert Local Government Name]

## 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>Principal Environmental Health Officer/Building Surveyor</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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

# Delegation Register

[Insert Local Government Name]

## 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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>Principal Environmental Health Officer/Building Surveyor</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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

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

# Delegation Register

[Insert Local Government Name]

## 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>	

<b>Compliance Links:</b>	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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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>	

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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# Delegation Register

[Insert Local Government Name]

## 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> </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>
<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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Shire of Boddington – Register of Delegations October 2021

# Delegation Register

[Insert Local Government Name]

## 8. Public Health Act 2016 Delegations

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

### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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# Delegation Register

[Insert Local Government Name]

## 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)].

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

#### Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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## Delegation Register

[Insert Local Government Name]

### 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>	<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>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>	

Shire of Boddington – Register of Delegations October 2021

# Delegation Register

[Insert Local Government Name]

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

DRAFT

## Delegation Register

[Insert Local Government Name]

### 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>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>Planning and Development Act,</li> <li>Planning Regulations,</li> <li>Residential R Codes</li> <li>Local Planning Schemes, and</li> <li>Local Planning Policies.</li> </ol> </li> <li>The CEO is delegated power to respond to – <ol style="list-style-type: none"> <li>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>Development Assessment Panel requirements.</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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>Approval of Permitted "P", Discretionary "D", Advertising Required "A" and Incidental "I" Uses Making a determination on all "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.</li> <li>Residential Design Code Matters 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</li> </ol>

Shire of Boddington – Register of Delegations October 2021

## Delegation Register

[Insert Local Government Name]

	<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</p>
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## Delegation Register

[Insert Local Government Name]

	<p>Titling where such matters are in accordance with the Local 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</p>
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## Delegation Register

[Insert Local Government Name]

	<p>with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and guiding precedent approvals.</p> <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>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

### Version Control:

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

# Delegation Register

Shire of Boddington

## 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  
[Previous](#) [Close](#) [Next](#)

No. 47. 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

**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.

# Delegation Register

Shire of Boddington

## 10.1.3 Noise Management Plans – Construction Sites

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

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

### 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 2018



**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 Busselton City of Bayswater City of Belmont Shire of Beville Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnarvon 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 Coslee Shire of Cranbrook Shire of Cunderdin Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby-West Kimberley Shire of Dornbrook-Rainup Shire of Doregin 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 Glenelg Shire of Gossmang City of Gnowee 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 Manjimup City of Melville Shire of Merredin Shire of Merredin Shire of Mingenew Shire of Moora Shire of Moora Town of Moora 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

Shire of Mannup  
Shire of Narembean  
Shire of Nerriggin  
Town of Nerriggin  
City of Nedlands  
Shire of Nganyerjany  
Shire of Northam  
Shire of Northampton  
Shire of Nungah  
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 Wickham  
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

2<sup>nd</sup> 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](#)

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# Delegation Register

## Shire of Boddington

### 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*.

Page 1 of 2

**Delegation Register**

Shire of Boddington

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)*

Page 2 of 2

## Delegation Register

Shire of Boddington

### 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

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



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.

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	

## Delegation Register

Shire of Boddington

### 11.1.2 Authorisations by the CEO

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.

Act/Section	Position	Purpose	Comment
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	See conditions above

Shire of Boddington – Register of Delegations October 2021

# Delegation Register

Shire of Boddington

		Act 1995 (power to 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	See conditions above

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## Delegation Register

Shire of Boddington

		required for work on 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

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## Delegation Register

Shire of Boddington

	Executive Manager Corporate Services Finance Coordinator	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	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

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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

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		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	

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# 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 meeting 24 August 2021	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	

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# Delegation Register

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		information in 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.	

## 8.6.6 Marradong Voluntary Regional Organisation of Councils

File Ref. No:	ECOD009
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Attachments:	Attachment 8.6.6A – draft Marradong VROC Memorandum of Understanding

### Summary

Council is requested to endorse, in principle, the proposal to form a Voluntary Regional Organisation of Councils (VROC) with the Shires of Wandering and Williams, to continue to progress projects developed by the Hotham Williams Economic Development Alliance, as well as other opportunities.

### Background

The Hotham Williams Economic Development Alliance Inc. (HWEDA) is the board of management for the Marradong Country region. It is an incorporated association, established as part of the Boddington Super Town Economic Development Strategy. The alliance is comprised of elected members of the Shires of Boddington, Wandering and Williams as well as representatives from the business sector within each of the Shires.

Correspondence has been received from HWEDA advising of a recent decision that the Association be wound up, and proposing the local government members of the organisation form a voluntary regional organisation of councils (VROC) group. The correspondence contains the following:

*"I refer to the HWEDA Board Meeting held on 10 August 2021 where the Board voted on a recommendation to disband HWEDA, as an association under the Associations Incorporation Act 2015, and request member local governments to consider the formation of a Voluntary Regional Organisation of Councils (VROC).*

*The Marradong VROC could be set up to oversee the continuation of current projects that HWEDA has underway and be in receipt of its financial and intellectual assets. HWEDA's current commitments to projects are the continuing marketing of Marradong Country Self Drive Trail to 31st October 2021 and the Online Business Register development.*

*As a result of this decision, the HWEDA Board formally requests that the local governments consider the formation of a VROC to continue the important investment and progress made to date by HWEDA. A draft Memorandum of Understand has been prepared, as the basis of an agreement between the local governments."*

### Comment

The Shire of Boddington has been a member of the HWEDA since its inception, and during this time has established and nurtured strong relationships with the major industries operating in the Shire, including South32 Worsley Alumina, Newmont Australia and Suez. While the Association will not continue in its current form, there is an opportunity to

continue the alliance with local governments which have been involved in HWEDA, to progress initiatives that are suitable to a regional approach.

A VROC model allows flexibility, opportunities to apply for funding, and the ability to transfer resources from HWEDA as an initial injection towards projects.

A draft Marradong VROC Memorandum of Understanding accompanied the letter from HWEDA. A copy is attached at 8.6.5A.

If all of the Councils of the local governments involved approve the formation of the VROC in principle, the local governments will then convene a meeting to discuss the progression of the MOU and other matters.

### Strategic Implications

Pillar 2            A thriving and diverse economy

Strategy 2.5    Continue to collaborate with surrounding areas for regional visitor attraction

### Statutory Environment

The *Local Government Act 1995* (the Act) does not refer to VROCs in the legislation and therefore they do not exercise any powers of a local government., however, Section 3.68 of the Act refers to local governments being able to make arrangements under which a local government performs a function for another local government or local governments perform a function jointly.

### Policy Implications

Nil

### Financial Implications

Nil

### Economic Implications

HWEDA originally formed with the intention to improve the economic development outcomes of the localities represented by stakeholders within the HWEDA membership. While HWEDA will be disbanded, the VROC presents an opportunity to continue to pursue economic based projects that have been suggested by the Association, as well as other projects that will benefit the partnership of local governments involved.

### Social Implications

Nil

### Environmental Considerations

Nil

### Consultation

The discussions held within the HWEDA meetings by the parties involved in this proposal, supported the concept of a VROC in principle, with a further determination to be sought from the relevant Councils.

### Options

Council may choose to:

1. Support the proposal to form a VROC with Williams and Wandering.
2. Decline the support for a VROC, and suggest an alternative partnership model.
3. Decline the support for a VROC, with no partnership proposed.

### Risk Considerations

Risk Statement and Consequence	The key risk in relation to this decision is the potential to lose the collaborative relationship with the local governments involved, and the inability to maximise opportunities for the future growth of the region.
Risk Rating (prior to treatment or control)	Medium
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further actions are proposed.

### Voting Requirements

Simple Majority

### **OFFICER'S RECOMMENDATION – ITEM 8.6.6**

That Council advise HWEDA that it supports, in principle, the proposal to form a Voluntary Regional Organisation of Councils (VROC) including the Shires of Boddington, Wandering and Williams.



Boddington | Wandering | Williams

# Marradong VROC

## Memorandum of Understanding

**CERTIFICATE OF AGREEMENT**

The Shires of Boddington, Wandering and Williams enter into a Memorandum of Understanding (MOU) with the intent of developing an alliance that will assist in providing the group with a clear strategic direction for economic development in the Marradong Region.

The MOU recognises (the group) role as a strategic regional management team represented by appointed elected members and staff.

The MOU has a particular focus to support economic development and sets out commitments by all parties for the timely implementation of initiatives and specific projects agreed to by the parties of the MOU.

As part of this MOU the undersigned agree to abide by the underlying principle and commitments (outlined) on which the agreement are based.

Signed by .....for and on behalf of the Shire of Boddington

Name.....Date.....

Signed by .....for and on behalf of the Shire of Wandering

Name.....Date.....

Signed by .....for and on behalf of the Shire of Williams

Name.....Date.....

**NAME**

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The name of the voluntary regional organisation of councils is the Marradong Voluntary Organisation of Councils (Marradong VROC). It is recognised that the Marradong VROC has been established to continue the work of the Hotham Williams Economic Development Alliance (HWEDA) that was established as part of the Boddington SuperTown Economic Development Strategy. HWEDA was a collaborative sub-regional group made up of the three communities of Boddington, Wandering and Williams.

## **PURPOSE**

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A Memorandum of Understanding between the Shires of Boddington, Wandering and Williams is to establish a working partnership:-

- To achieve recognition of the Marradong area as a viable, political, social and economic region;
- To enhance service delivery and infrastructure for the collective and individual communities;
- To achieve a sustainable, cost effective model for the sharing of resources.

## **PARTIES TO THE MOU**

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The Shires of Boddington, Wandering and Williams.

## **OBJECTIVES**

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The objectives of the Marradong VROC as follows:

1. To initiate, facilitate and coordinate activities to meet the business development needs and interests of:
  - a. Existing corporations and other business enterprises operating in the Marradong area; and
  - b. Corporations and other business enterprises investing in or considering investment in the area;
2. Provide assistance to investors and potential investors through strategic introductions and non-financial assistance to appropriate sources of advice to encourage the economic development and promotion of the area;
3. Lobby government at all levels for the provision of government services, infrastructure, concessions and incentives which encourage and facilitate economic development;
4. Strengthen the local government / business interface;
5. Market and promote the Marradong area as a destination to commercial/industry visitors and recreation visitors;
6. Generally conduct activities identified by the group from time to time that meet the aims of regional economic development; and
7. Promote sustainable development through a balance between economic, environment and quality of life.

## **PRINCIPLES**

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In entering this MOU all the parties agree to abide by the following principles, as established between the local governments.

### **OVERARCHING PRINCIPLE**

*To promote and expand the economy of the Marradong area by undertaking purposeful and agreed joint initiatives and projects.*

## GENERAL PRINCIPLES

**1. Partnerships**

- a. Recognise that partnerships between the local governments in the MOU are essential to achieve social, environmental and economic development of the Marradong area.
- b. Be flexible and open to new approaches to service delivery and funding.
- c. Recognise and acknowledge the needs and constraints of all spheres of government, community and stakeholders.
- d. Recognise that new partnership agreements may be considered if initiated by either state or local government.
- e. Invite participation from key business, industry and community groups where appropriate.

**2. Roles and Responsibilities**

- a. Identify, understand and respect the roles and responsibilities of all parties.
- b. Ensure that these roles and responsibilities are considered and respected in all decision making.
- c. Recognise and respect the role that each plays in enhancing sustainable social, environmental and economic development.

**3. Communication**

- a. Open and timely communication on issues of relevance to the group.
- b. Recognise the need to confidentiality of discussion until a mutually agreed time.

**4. Consultation**

- a. Appropriate consultation to facilitate understanding and consensus.

**5. Outcomes**

- a. Well defined and agreed outcomes and performance measures for all projects and activities.
- b. Adopt a realistic approach to funding and resource issues, including opportunities for development of local assets for the benefit of the people of the area.
- c. Commitment to contribute resources and expertise to the partnership process.

**6. Accountability**

- a. A transparent approach where changes to roles, responsibilities and budgets are negotiated and agreed and resources necessary to implement changes are identified.
- b. Undertake open assessments of the effectiveness of agreements.
- c. Have clearly defined reporting, dispute resolution and review mechanisms.

## **MEMBERSHIP COMMITTEE**

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### **Appointment of Committee**

- a. Each local government is to have two representative voting members.
- b. Non-voting elected members and officers of each local government may participate in meetings.

### **Chairperson**

There will be a rotational chairperson who will be an elected member of the host local government.

### **Role of representative of Marradong VROC**

- a. Represent the interests of the individual local governments, ratepayers and residents of the region;
- b. Facilitate communication between the community of the region and Marradong VROC;
- c. Participate in the decision making processes at meetings of Marradong VROC and its committees (if formed);
- d. Represents and undertakes actions on behalf of Marradong VROC as authorised by Marradong VROC;

### **Decision making process**

- a. In all strategic and planning issues, consensus will be reached to make recommendations back to individual MOU local governments for ratification.
- b. Where voting is required on approved operational issues a simple majority prevails.
- c. In relation to membership of Marradong VROC any decision must be absolute.

## **FINANCIAL CONTRIBUTIONS**

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### **Annual contributions**

As determined by consensus each local government will contribute to meet project and executive/secretarial financial needs.

### **Manner of Payment**

The contributions shall be paid by each party to the Marradong VROC in a manner determined by the VROC.

## **PROJECTS**

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### **Requirements**

Marradong VROC shall only undertake a project once it is satisfied that any services and facilities will:-

- a. Integrate and coordinate, so far as practical, with any provided by the Commonwealth, State or any public body;
- b. Within the district of a local government do not duplicate, to an extent that the party consider inappropriate, services or facilities provided by the Commonwealth, State or any other body or person, whether public or private; and
- c. Are managed efficiently and effectively.

### **Project plan to be prepared**

Where the Marradong VROC is considering a proposed project it shall prepare a project plan.

**Contents of a project plan**

Project plan can include:-

- a. Clearly identified project purpose, objectives and outcomes;
- b. Cost benefit analysis;
- c. A project action plan with clear timelines and performance milestones clearly outlined ;
- d. A project budget which includes the following :-
  - Grant or other funding
  - Local Government contributions
  - Project expenses
  - Administrative expenditure
  - Human resource cost
  - A dollar cost of in-kind contributions

Recurrent budget if required which includes:

- Revenue
- Expenditure
- Human Resource Cost
- Program maintenance and asset management costs

**Parties to be given a project plan**

Upon completion of the project plan the Marradong VROC shall give a copy of the plan to each of the member local governments.

**Election to participate in a project**

Each local government shall, within a reasonable period determined by Marradong VROC, elect whether to participate in the project by giving notice of its election to Marradong VROC.

**Review of project plan**

As soon as practicable after the period referred to in the project plan:-

- a. Review the project plan and its viability having regard to the number of local governments that elected to participate;
- b. Decide whether to proceed with the project; and give notice to each of the project parties of its decision.

**Project parties to be bound**

Where the Marradong VROC decides to proceed with a project and gives notice of its decision to each of the local governments then each of the parties shall be bound by the terms of the project plan in a new project agreement.

**Winding up the project**

The Marradong VROC may resolve to wind up the project. An absolute majority vote will be required by the Marradong VROC to resolve to wind up any project.

**Division of assets**

If a project is to be wound up and there remains after satisfaction of all its debts and liabilities, any property and assets of the project then the property and assets shall be realised and the proceeds along with any surplus funds shall be divided among the project parties in the proportions referred to in the project plan.

**Division of liabilities**

If a project is wound up and there remains any liability or debt in excess of the realised property and assets of the project plan then the liability or debt is to be met by the project parties in the proportions referred to in the project plan.

**Indemnification by project parties of Marradong VROC**

If a project is wound up then the project parties shall indemnify Marradong VROC (in the proportions referred to in the project plan) with respect to that liability or project.

**TERM AND TERMINATION**

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**Term of agreement**

Unless wound up, this agreement shall remain in place, in perpetuity.

**Winding up by agreement**

The parties may, by agreement, wind up the Marradong VROC.

**Division of assets**

If the Marradong VROC is wound up and there remains, after satisfaction of all its debts and liabilities, any property and assets of Marradong VROC then the property and assets shall be realised and the proceeds along with any surplus funds shall be divided among the parties in the proportions referred to in the agreement.

**Division of liabilities**

If the Marradong VROC is wound up and there remains any liability or debt in excess of the realised property and assets of Marradong VROC then the liability or debt is to be met by each of the parties in the proportions referred to in the agreement.

**WITHDRAWAL OF A PARTY**

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**Withdrawal**

Parties may at any time may advise the Marradong VROC of their intent to withdraw from Marradong VROC

**When withdrawal to take effect**

Withdrawal will take effect as from the end of the relevant financial year with a minimum of three (3) months' notice.

**Entitlement or liability of withdrawing party**

As soon as practicable following withdrawal taking effect the Marradong VROC shall:-

- a. Distribute to the party an amount equal to the proceeds and any surplus funds which would have been payable if Marradong VROC was wound up; or
- b. Be entitled to recover from the party an amount equal to the liability or debt which would have been payable by the party if Marradong VROC was wound up.

**Parties may be required to pay distribution**

If the Marradong VROC is unable to meet the distribution referred to above from funds on hand then, unless Marradong VROC decides otherwise, the parties (other than the party that has withdrawn) shall pay the distribution in the proportions equal to their respective equities in the Marradong VROC.

## **ADMITTING NEW MEMBERS**

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Prospective new members may only be admitted by full agreement of all parties and shall be required to contribute to Marradong VROC a sum equal to the current year's contribution schedule or a discretionary sum agreed to by the Marradong VROC.

## **DISPUTE RESOLUTION**

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### **Dispute**

In the event of any dispute or difference arising between the parties or any matter or thing arising under in connection with the Memorandum of Understanding, then notice in writing may be given adequately identifying the matters, the subject of the dispute.

### **Arbitration**

The party or Marradong VROC may refer the matter to arbitration under and in accordance with the provisions of the *Commercial Arbitration Act 1985*.

### **Legal representation**

For the purposes of the *Commercial Arbitration Act 1985*, the parties consent to each other and to Marradong VROC being legally represented at any such arbitration.

### **Memorandum of Understanding in Good Faith**

*Despite anything expressed or implied to the contract in this Memorandum of Understanding (MOU) or anywhere else, this MOU is a mere non-justiciable statement of current intent, and is neither intended to be, nor is it, (a) legally binding, or (b) creative of legal relations between the parties to it. No legal rights or obligations will come into existence unless or until one or more legally enforceable written agreements are entered into.*

9. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN:

Nil

10. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

Nil

11. CONFIDENTIAL ITEMS

ACCEPT THE RECOMMENDATION OF THE CONFIDENTIAL ITEM

12. CLOSURE OF MEETING: