



## ORDINARY COUNCIL MEETING

25 May 2021

Attachment Booklet – May 2021

**ATTACHMENT: CC01**  
Accounts for Payment – April 2021

*Attachment 1*  
Accounts for Payment – April 2021

# Shire of Irwin

List of Accounts paid April 2021 for presentation to the  
Council Meeting 25 May 2021

MUNICIPAL/(TRUST) PAYMENTS				
EFT/CHQ #	DATE		DESCRIPTION	PAYMENTS
EFT27158	01/04/2021	DC TWO PTY LTD	VOIP CHARGES	-1,709.55
EFT27159	01/04/2021	HUGGABLE TOYS	VISITOR CENTRE STOCK	-503.25
EFT27160	01/04/2021	IN-SITU CONSTRUCTION AND MAINTENANCE	GRANNIES BEACH LIMESTONE RETAINING WALL	-47,334.72
EFT27161	01/04/2021	LOCAL BLOKE MARKETING AND DISTRIBUTION	VISITOR CENTRE STOCK	-361.35
EFT27162	01/04/2021	NODE 1 PTY LTD	NBN FIBRE CONNECTION FEE	-179.90
EFT27163	01/04/2021	OFFICE NATIONAL	STATIONERY CONSUMABLES	-2,122.98
EFT27164	01/04/2021	RESIDENTIAL AND RURAL SERVICES	INSTALLATION OF FENCE ALONG OCEAN DRIVE USING EXISTING PRODUCTS	-1,260.00
EFT27165	01/04/2021	WELL DONE INTERNATIONAL	CALL CENTRE CHARGES	-1,024.98
EFT27166	01/04/2021	WINC AUSTRALIA PTY LTD	PRINTER CHARGES DEPOT	-691.82
EFT27167	15/04/2021	AUSTRALIAN TAXATION OFFICE - BAS	BAS RECONCILIATION MARCH 2021	-26,503.00
EFT27168	15/04/2021	IRWIN SHIRE - RATES	PAYROLL DEDUCTIONS	-926.43
EFT27169	15/04/2021	SHIRE OF IRWIN - LOTTO FUND	PAYROLL DEDUCTIONS	-75.00
EFT27170	15/04/2021	AUSSIE NATURAL	ANNUAL FEE - WATER COOLER & STORAGE RACK FOR VISITORS CENTRE	-157.50
EFT27171	15/04/2021	AUSTRALIA POST	POSTAGE CHARGES	-1,023.71
EFT27172	15/04/2021	BLUESTEEL ENTERPRISES PTY LTD	PORTABLE WEATHER METERS FOR BUSH FIRE BRIGADES	-476.52
EFT27173	15/04/2021	DEPARTMENT OF MINES INDUSTRY REGULATION AND SAFETY	BUILDING SERVICES LEVY RECONCILIATION	-1,419.76
EFT27174	15/04/2021	CORE BUSINESS AUSTRALIA	PROJECT SUPERVISOR	-21,435.83
EFT27175	15/04/2021	TOLL	FREIGHT CHARGES	-32.18
EFT27176	15/04/2021	DONGARA LOCAL RAG	ADVERTISING	-1,200.00
EFT27177	15/04/2021	RIVERBEND FOODWORKS DONGARA	MONTHLY CONSUMABLES	-186.74
EFT27178	15/04/2021	EASY AUTO CARE	SERVICE OF TOYOTA PRADO	-800.10
EFT27179	15/04/2021	DONGARA TOWN BUSHFIRE BRIGADE	REIMBURSEMENTS OF DRINKS AND FOOD FOR BUSHFIRE INCIDENTS	-243.06
EFT27180	15/04/2021	FIVESTAR BUSINESS SOLUTIONS & INNOVATION	PRINTER CHARGES	-1,626.73
EFT27181	15/04/2021	FIVE GUMS FAMILY MEDICAL PRACTICE	PRE PLACEMENT MEDICAL	-160.50
EFT27182	15/04/2021	CITY OF GREATER GERALDTON	MERU WASTE DISPOSAL AND BUILDING CERTIFICATION SERVICES	-24,951.10
EFT27183	15/04/2021	GLASS CO WA	UPGRADE SECURITY SCREENS AND DOORS AT RICHARDSON RD RESIDENCE, SECURITY MAINTENANCE AT THE VILLAGE AND 2 KENNEDY HEIGHTS	-5,063.67
EFT27184	15/04/2021	GREAT NORTHERN RURAL SERVICES	RETICULATION SUPPLIES	-1,465.90
EFT27185	15/04/2021	GUARDIAN PRINT & GRAPHICS	CAMPING BROCHURE DESIGN AND PRINTING	-335.00
EFT27186	15/04/2021	ISABELLA MARY SCOTT	MEMBERS ATTENDANCE FEES	-1,903.00
EFT27187	15/04/2021	INCITE SECURITY	SECURITY MONITORING - MEDICAL CENTRE, EMERGENCY ONSITE VISIT TO FIX DPI BUILDING ALARM ISSUE AND REPLACEMENT OF FAULTY SENSOR AT ADMIN	-1,958.46
EFT27188	15/04/2021	JASON SIGNMAKERS	END CAP, BRACKETS AND SIGNS	-3,242.97
EFT27189	15/04/2021	JB HI-FI GROUP PTY LTD	COMPUTER ACCESSORIES	-1,295.50
EFT27190	15/04/2021	KOMATSU AUSTRALIA PTY LTD	FILTERS FOR PLANT	-59.30
EFT27191	15/04/2021	MARKET CREATIONS	SUPPORT AGREEMENT, HOSTING SERVICES, VOIP SERVICES FOR SHIRE FACILITIES AND MEDICAL CENTRE	-11,912.59
EFT27192	15/04/2021	MARKETFORCE PTY LTD	ADVERTISING	-535.02
EFT27193	15/04/2021	MIDWEST FIRE PROTECTION & SAFETY SERVICES	REPLACEMENT BATTERIES FOR FIRE MONITORING PANEL	-132.00
EFT27194	15/04/2021	MITCHELL & BROWN	CELFI MOBILE BOOSTER	-1,149.00
EFT27195	15/04/2021	PIXIES SCREEN PRINTS	SHIRE LOGO ON TABLET CASE/COVERS	-70.40
EFT27196	15/04/2021	ROSELAKE HOLDINGS PTY LTD	SPRAYING OF THE IRWIN SHIRE RURAL ROAD NETWORK	-5,038.00
EFT27197	15/04/2021	ROXANE ELIZABETH SHADBOLT	PRE PLACEMENT MEDICAL	-165.00
EFT27198	15/04/2021	SEASPRAY BEACH HOLIDAY PARK	ACCOMMODATION	-750.00
EFT27199	15/04/2021	STRATAGREEN	MESH AND PINS FOR SURF BEACH STABILISATION	-7,690.30
EFT27200	15/04/2021	DONGARA IGA	MONTHLY CONSUMABLES	-383.96
EFT27201	15/04/2021	VANGUARD PRESS	MONTHLY TRANSPORT, WAREHOUSING AND BROCHURE DISPLAY FEE	-466.96
EFT27202	15/04/2021	WESTRAC EQUIPMENT	SERVICE OF ROLLER	-1,529.46
EFT27203	15/04/2021	ON HOLD ON LINE	MESSAGE ON HOLD MONTHLY FEE	-207.00
EFT27204	15/04/2021	WREN OIL	ADMIN FEE FOR OIL WASTE DISPOSAL AT DEPOT	-16.50
EFT27205	15/04/2021	YOUNG MOTORS PTY LTD	SERVICE OF HOLDEN TRAILBLAZER AND COLORADO'S	-1,933.71
EFT27206	20/04/2021	CLEARWATER CONSTRUCTIONS PTY LTD	OFFICE ALTERATIONS	-6,959.00
EFT27207	27/04/2021	ALYKA	WEBSITE CUSTOMER SUPPORT AND UPDATES	-6,545.00
EFT27208	27/04/2021	ATOM	FLOOR CREEPER AND OPERATION SUPPLIES	-285.56
EFT27209	27/04/2021	AUSTRALIA POST	POSTAGE CHARGES	-534.06
EFT27210	27/04/2021	BABA MARDIA ROAD SERVICES	TRAFFIC MANAGEMENT FOR MORETON BAY TREE PRUNING	-3,770.97
EFT27211	27/04/2021	BATAVIA COAST TRIMMERS	REPAIRS TO SHADE SAIL AND FRAME AT THE RESOURCE CENTRE	-755.00
EFT27212	27/04/2021	BLACKWOODS	WALL MOUNTED FANS FOR TRANSFER STATION	-471.99
EFT27213	27/04/2021	BLUESTEEL ENTERPRISES PTY LTD	EQUIPMENT AND ACCESSORIES FOR IRWIN & DONGARA BFB	-836.78
EFT27214	27/04/2021	BORAL CONSTRUCTION MATERIALS GROUP LTD	AGGREGATE	-2,475.00
EFT27215	27/04/2021	BP MEDICAL	REPLACEMENT STERILISER (AUTOCLAVE) - DONGARA MEDICAL CENTRE	-165.00
EFT27216	27/04/2021	BRAND MECHANICAL SERVICES	SERVICE OF ZERO TURN MOWER	-587.32
EFT27217	27/04/2021	BUNNINGS BUILDING SUPPLIES	LOCKABLE STEEL CABINET	-687.80
EFT27218	27/04/2021	BOB WADDELL CONSULTANT	ASSISTANCE WITH AFS AND MONTHLY FINANCIAL STATEMENTS	-627.00
EFT27219	27/04/2021	CENTRAL REGIONAL TAFE	SAFETY & HEALTH REPRESENTATIVE, SECURE CARGO AND LOAD & UNLOAD GOODS TRAINING	-1,800.00
EFT27220	27/04/2021	IRWIN RURAL SUPPLIES & STOCKFEEDS	FOOD FOR SENTINEL CHICKENS	-57.00
EFT27221	27/04/2021	DIAL BEFORE YOU DIG	QUARTERLY REFERRAL FEES	-265.65
EFT27222	27/04/2021	DONGARA FREIGHT	FREIGHT CHARGES	-470.25
EFT27223	27/04/2021	DELTA CLEANING SERVICES	CLEANING CONTRACT	-14,473.99
EFT27224	27/04/2021	LANDGATE - WESTERN AUSTRALIAN LAND INFORMATION AUTHORITY	GROSS RENTAL VALUATIONS	-170.92

# Shire of Irwin

List of Accounts paid April 2021 for presentation to the  
Council Meeting 25 May 2021

MUNICIPAL/(TRUST) PAYMENTS			
EFT/CHQ #	DATE	DESCRIPTION	PAYMENTS
EFT27225	27/04/2021	DONGARA HANDYMAN SERVICE	INSTALLATION OF TWO WEATHER STATIONS
EFT27226	27/04/2021	DONGARA DRILLING & ELECTRICAL	ELECTRICAL REPAIRS AT THE VILLAGE, SHIRE ABLUTIONS AND REC CENTRE
EFT27227	27/04/2021	TYREPOWER DONGARA	SUPPLY AND FIT NEW TYRES INCLUDING WHEEL ALIGNMENT TO TELEHANDLER, HOLDEN COLORADO AND HOLDEN TRAILBLAZER
EFT27228	27/04/2021	DONGARA TREE SERVICES	PRUNE AND REMOVE PEPPER TREE BRANCHES AT THE MUSEUM
EFT27229	27/04/2021	DONGARA GOLF CLUB INC	SUNDRY DONATION - DONGARA GOLF CLUB OPENING DAY 2021
EFT27230	27/04/2021	DONGARA LOCAL RAG	VISITOR CENTRE STOCK
EFT27231	27/04/2021	EASTMAN POLETTI SHERWOOD ARCHITECTS	MAINTENANCE INSPECTION OF DENISON HOUSE & MONASTERY
EFT27232	27/04/2021	EJ DIESEL	INSTALL PHONE SIGNAL ENHANCER
EFT27233	27/04/2021	FIVESTAR BUSINESS SOLUTIONS & INNOVATION	NEW MULTI FUNCTION LASER PRINTER FOR MEDICAL CENTRE
EFT27234	27/04/2021	CITY OF GREATER GERALDTON	MERU WASTE DISPOSAL
EFT27235	27/04/2021	REFUEL AUSTRALIA	BULK DIESEL FUEL PURCHASE
EFT27236	27/04/2021	GHD PTY LTD	MORETON TERRACE DESIGN - ADDITIONAL DESIGN REQUIREMENTS
EFT27237	27/04/2021	GLASS CO WA	SUPPLY AND INSTALL NEW WINDOW TREATMENTS TO RICHARDSON RD
EFT27238	27/04/2021	THE GOOD GUYS DISCOUNT WAREHOUSES	PURCHASE OF FRIDGE/FREEZER, MICROWAVE AND WASHING MACHINE FOR 2 KENNEDY HEIGHTS
EFT27239	27/04/2021	GLOBAL SPILL & SAFETY	FOOTPATH SAFETY SIGNS AND FRAMES
EFT27240	27/04/2021	MOORE AUSTRALIA (WA) PTY LTD	AUDIT FEE DEFERRED RATES
EFT27241	27/04/2021	INCITE SECURITY	MONITORING OF REC CENTRE AND ADMIN
EFT27242	27/04/2021	IN-SITU CONSTRUCTION AND MAINTENANCE	SURF BEACH STABILISATION
EFT27243	27/04/2021	JASON SIGNMAKERS	VARIOUS SIGNS AND NAME BLADES
EFT27244	27/04/2021	GRACE RESOURCES PTY LTD T/AS KEEN BROS	TIE DOWN RESTRAINT TRAINING
EFT27245	27/04/2021	KIRKLAND ELECTRICAL SERVICES	INSTALL AIR CONDITIONER AT UNIT 11 THE VILLAGE AND ELECTRICAL REPAIRS AT MEDICAL CENTRE AND ELECTRONIC LED SIGN
EFT27246	27/04/2021	KUPSCH FARMING	UNPROCESSED GRAVEL
EFT27247	27/04/2021	LO-GO APPOINTMENTS	CONTRACTOR - ACTING MANAGER FINANCE
EFT27248	27/04/2021	MARKET CREATIONS	HOSTING SERVICES - MEDICAL CENTRE
EFT27249	27/04/2021	MARKS WATERTRUCK	WATER CART FOR SURF BEACH EROSION WORKS AND GRADING WORKS ON ELLERY ROAD
EFT27250	27/04/2021	MCDONALDS WHOLESALERS	REC CENTRE KIOSK SUPPLIES
EFT27251	27/04/2021	MCLEODS BARRISTERS & SOLICITORS	FINALISATION OF LEASE FOR EXECUTION - DONGARA TOURIST PARK
EFT27252	27/04/2021	MITCHELL & BROWN	TV FOR ADMIN MEETING ROOM AND OVEN FOR UNIT 6 THE VILLAGE
EFT27253	27/04/2021	MIDWEST SOLAR AND WATER	PLUMBING UPGRADE AND REPAIRS AT THE VILLAGE AND SHIRE FACILITIES
EFT27254	27/04/2021	ONSHORE CABINETS AND FURNITURE	REPAIRS AND UPGRADE OF KITCHEN IN UNIT 6 THE VILLAGE
EFT27255	27/04/2021	SEASIDE SIGNS	SIGNAGE FOR DEPOT
EFT27256	27/04/2021	SIMPLY STONE	CONSTRUCT WALL AT GRANNIES BEACH INCLUDING BLOCKS
EFT27257	27/04/2021	STRATAGREEN	BIOTEK MAESH MATTING FOR SURF BEACH STABILISATION WORKS
EFT27258	27/04/2021	GERALDTON HYDRAULICS	SERVICE KEVREK CRANE
EFT27259	27/04/2021	ST JOHN AMBULANCE - WESTERN AUSTRALIA - MIDWEST	SERVICING OF ALL FIRST AID KITS
EFT27260	27/04/2021	TOTAL PACKAGING WA PTY LTD	DOGGY DUMPAGE DISPOSAL BAGS
EFT27261	27/04/2021	T-QUIP	PARTS FOR GROUND MASTER MOWER
EFT27262	27/04/2021	VERLINDENS ELECTRICAL GERALDTON	INVESTIGATION AND TESTING OF REC CENTRE CARPARK LIGHTS
EFT27263	27/04/2021	WELL DONE INTERNATIONAL	CALL CENTRE CHARGES
EFT27264	27/04/2021	WESTRAC EQUIPMENT	GRADER BLADES AND SOS KIT FOR PLANT FOR FUTURE SERVICING
EFT27265	27/04/2021	IRWIN SHIRE - RATES	PAYROLL DEDUCTIONS
EFT27266	27/04/2021	SHIRE OF IRWIN - LOTTO FUND	PAYROLL DEDUCTIONS
EFT27267	29/04/2021	BRENDA KRETSCHMER-BENDER & PAUL REGINALD BENDER	REFUND
32050	09/04/2021	DEPARTMENT OF TRANSPORT	SHIRE OF IRWIN NUMBER PLATES
32051	15/04/2021	DEPARTMENT OF TRANSPORT	SHIRE OF IRWIN NUMBER PLATES
32052	15/04/2021	SHIRE OF IRWIN	CONTAINER DEPOSIT SCHEME
32053	15/04/2021	WATER CORPORATION	VARIOUS WATER CHARGES
32054	29/04/2021	ARCADIA WATERS MIDWEST PTY LTD	REFUND
DD21012.1	10/04/2021	TELSTRA AUSTRALIA	TELSTRA INTEGRATED MESSAGING - MARCH - CORELLA CONTROL
DD21015.1	27/04/2021	TELSTRA AUSTRALIA	FREE WIFI DATA CHARGES
DD21017.1	30/04/2021	TELSTRA AUSTRALIA	VARIOUS MOBILE & DATA CHARGES
DD21006.1	01/04/2021	WA TREASURY CORPORATION	LOAN 98 - PLANT PURCHASES
DD21009.1	07/04/2021	WA TREASURY CORPORATION	LOAN 93 - RECREATION CENTRE
SOL 04/21	16/04/2021	SHINE TECH SOLAR	SOLAR REPAYMENT APRIL 2021
CR 060421	06/04/2021	NAB BUSINESS VISA	NAB BUSINESS VISA TRANSACTIONS INCLUDING FURNITURE FOR 2 KENNEDY HEIGHTS, PRINTING FOR COMMUNITY CONSULTATION, ACCOMMODATION FOR A/MANAGER FINANCE, COMPUTER EXPENSES AND REC CENTRE EXPENSES
DD20964.1	06/04/2021	ANZ SMART CHOICE SUPER	SUPERANNUATION
DD20964.4	06/04/2021	ASGARD SUPERANNUATION	SUPERANNUATION
DD20964.5	06/04/2021	AUSTRALIAN SUPER	SUPERANNUATION
DD20964.6	06/04/2021	AWARE SUPER PTY LTD	SUPERANNUATION
DD20964.7	06/04/2021	GESB - WEST STATE SUPER SCHEME	SUPERANNUATION
DD20964.8	06/04/2021	HOSTPLUS	SUPERANNUATION
DD20964.9	06/04/2021	MLC SUPER FUND	SUPERANNUATION
DD20964.10	06/04/2021	REST SUPERANNUATION	SUPERANNUATION
DD20964.11	06/04/2021	AMP CORPORATE SUPER - SUPERLEADER	SUPERANNUATION
DD20964.2	13/04/2021	THE KDP SUPERANNUATION FUND	SUPERANNUATION

# Shire of Irwin

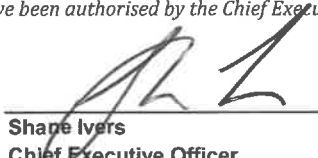
List of Accounts paid April 2021 for presentation to the  
Council Meeting 25 May 2021

MUNICIPAL/(TRUST) PAYMENTS				
EFT/CHQ #	DATE	DESCRIPTION		PAYMENTS
DD20964.3	13/04/2021	THE M & L OLSEN SUPERANNUATION FUND	SUPERANNUATION	-92.50
DD20981.1	13/04/2021	ANZ SMART CHOICE SUPER	SUPERANNUATION	-235.60
DD20981.2	13/04/2021	AMP CORPORATE SUPER - SUPERLEADER	SUPERANNUATION	-128.04
DD20981.3	13/04/2021	ASGARD SUPERANNUATION	SUPERANNUATION	-388.78
DD20981.4	13/04/2021	AUSTRALIAN SUPER	SUPERANNUATION	-1,002.14
DD20981.5	13/04/2021	AWARE SUPER PTY LTD	SUPERANNUATION	-11,744.60
DD20981.6	13/04/2021	HOSTPLUS	SUPERANNUATION	-359.30
DD20981.7	13/04/2021	MLC SUPER FUND	SUPERANNUATION	-1,105.68
DD20981.8	13/04/2021	THE M & L OLSEN SUPERANNUATION FUND	SUPERANNUATION	-78.18
DD20981.9	13/04/2021	REST SUPERANNUATION	SUPERANNUATION	-344.78
DD20981.10	13/04/2021	THE KDP SUPERANNUATION FUND	SUPERANNUATION	-38.41
DD20990.1	27/04/2021	ANZ SMART CHOICE SUPER	SUPERANNUATION	-300.96
DD20990.2	27/04/2021	ASGARD SUPERANNUATION	SUPERANNUATION	-302.91
DD20990.3	27/04/2021	AUSTRALIAN SUPER	SUPERANNUATION	-1,044.44
DD20990.4	27/04/2021	AWARE SUPER PTY LTD	SUPERANNUATION	-12,076.72
DD20990.5	27/04/2021	HOSTPLUS	SUPERANNUATION	-357.15
DD20990.6	27/04/2021	MLC SUPER FUND	SUPERANNUATION	-1,036.42
DD20990.7	27/04/2021	THE M & L OLSEN SUPERANNUATION FUND	SUPERANNUATION	-140.60
DD20990.8	27/04/2021	AMP CORPORATE SUPER - SUPERLEADER	SUPERANNUATION	-169.60
DD20990.9	27/04/2021	THE KDP SUPERANNUATION FUND	SUPERANNUATION	-41.78
				-846,140.78

Sundry Creditors as at 30/04/2021 262,378.17

The Payments included in the above list of Accounts Paid, have been authorised by the Chief Executive Officer under delegation from Council.

19/5/21  
DATE

  
Shane Ivers  
Chief Executive Officer

# Shire of Irwin

## ***Corporate Credit Card Expenditure - Payment Reference CR 060421***

### **S.Ivers Credit Card Expenses**

MYOB Australia	Upgrade of MYOB at Visitor Centre Monthly Charge	70.50
Spotify	Rec Centre Gym Music	11.99
Target	Materials for 2 Kennedy Heights	207.00
Harvey Norman	TV for 2 Kennedy Heights	395.00
Leander Reef Holiday Park	Accommodation for A/Manager Finance	190.00
Mitchell & Brown	Fridge for Transfer Station	250.00
NAB	Card Fee	9.00
		<u>1,133.49</u>

### **D.Chandler Credit Card Expenses**

Invarion RapidPlan Pty Ltd	Traffic Management Plan Software Annual Fee	1,868.90
Kick Solutions	Printing for Community Consultation Session	41.00
Fifth Street Furniture	Bed & Mattress for 2 Kennedy Heights	670.00
Fifth Street Furniture	Desk for 2 Kennedy Heights	285.00
NAB	Card Fee	9.00
		<u>2,873.90</u>

**TOTAL PAYMENT TO CORPORATE CREDIT CARD ACCOUNT**

4,007.39

**ATTACHMENT: CC02**  
Monthly Financial Statements for the Period Ended  
30 April 2021

*Attachment 1*  
Financial Statements for the Period Ended 30 April 2021



## **SHIRE OF IRWIN**

### **MONTHLY FINANCIAL REPORT (Containing the Statement of Financial Activity) For the Period Ended 30 April 2021**

**LOCAL GOVERNMENT ACT 1995**

**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**Items of Significance**

The material variance adopted by the Shire of Irwin for the 2020/21 year is \$10,000 and 10%. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of significant/material variance is disclosed in Note 15.

	% Collected / Completed	Amended Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over
<b>Significant Projects</b>					
AGED APPROPRIATE HOUSING - STAGE 2	12%	2,042,453	1,702,040	239,422	1,462,618
R2R - FANE ROAD	102%	1,000	810	1,017	(207)
R2R - PIGGERY LANE	82%	1,000	810	818	(8)
R2R - BELAURA PLACE	Unbudgeted	0	0	0	0
CASUARINAS ROAD - RRG	75%	357,000	328,430	268,311	60,119
MORETON TERRACE	23%	722,000	601,660	165,249	436,411
TABLETOP ROAD - RRG	58%	422,500	388,690	245,919	142,771
BURMA ROAD - RRG	24%	251,500	231,356	59,450	171,906
MILO ROAD DESIGN	Unbudgeted	0	0	0	0
BLenheim ROAD	100%	4,950	4,120	4,950	(830)
GENERAL FOOTPATHS	48%	5,000	4,600	2,378	2,222
CEMETERY REVITALISATION	14%	130,000	130,000	18,683	111,317
CLIFF HEAD - PAID CAMPING IMPLEMENTATION	76%	15,000	12,500	11,439	1,061
SKATE PARK - PUMP TRACK	100%	263,500	219,580	263,479	(43,899)
RURAL SIGNS	43%	69,000	57,490	29,476	28,014
<b>Grants, Subsidies and Contributions</b>					
Operating Grants, Subsidies and Contributions	77%	525,225	417,516	403,834	(13,682)
Non-operating Grants, Subsidies and Contributions	16%	5,860,315	4,533,193	930,637	(3,602,556)
	21%	6,385,540	4,950,709	1,334,471	(3,616,238)
Rates Levied	100%	5,394,500	4,487,610	5,373,775	886,165

% Compares current ytd actuals to annual budget

Financial Position		Prior Year 30 April 2020	Current Year 30 April 2021
Adjusted Net Current Assets	81%	\$ 1,912,642	\$ 1,547,612
Cash and Equivalent - Unrestricted	190%	\$ 2,053,903	\$ 3,895,928
Cash and Equivalent - Restricted	98%	\$ 1,322,615	\$ 1,297,753
Receivables - Rates	68%	\$ 761,183	\$ 518,408
Receivables - Other	175%	\$ 125,901	\$ 220,621
Payables	180%	\$ 207,856	\$ 373,606

% Compares current ytd actuals to prior year actuals at the same time

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

## **PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 30 April 2021  
Prepared by: Jenny Goodbourn (Senior Finance Officer)  
Reviewed by: Shane Ivers (CEO)

## **BASIS OF PREPARATION**

### **REPORT PURPOSE**

This report is prepared to meet the requirements of Local Government (Financial Management) Regulations 1996, Regulation 34. Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

### **BASIS OF ACCOUNTING**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### **THE LOCAL GOVERNMENT REPORTING ENTITY**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. 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 statement, but a separate statement of those monies appears at Note 14.

## **SIGNIFICANT ACCOUNTING POLICIES**

### **GOODS AND SERVICES TAX**

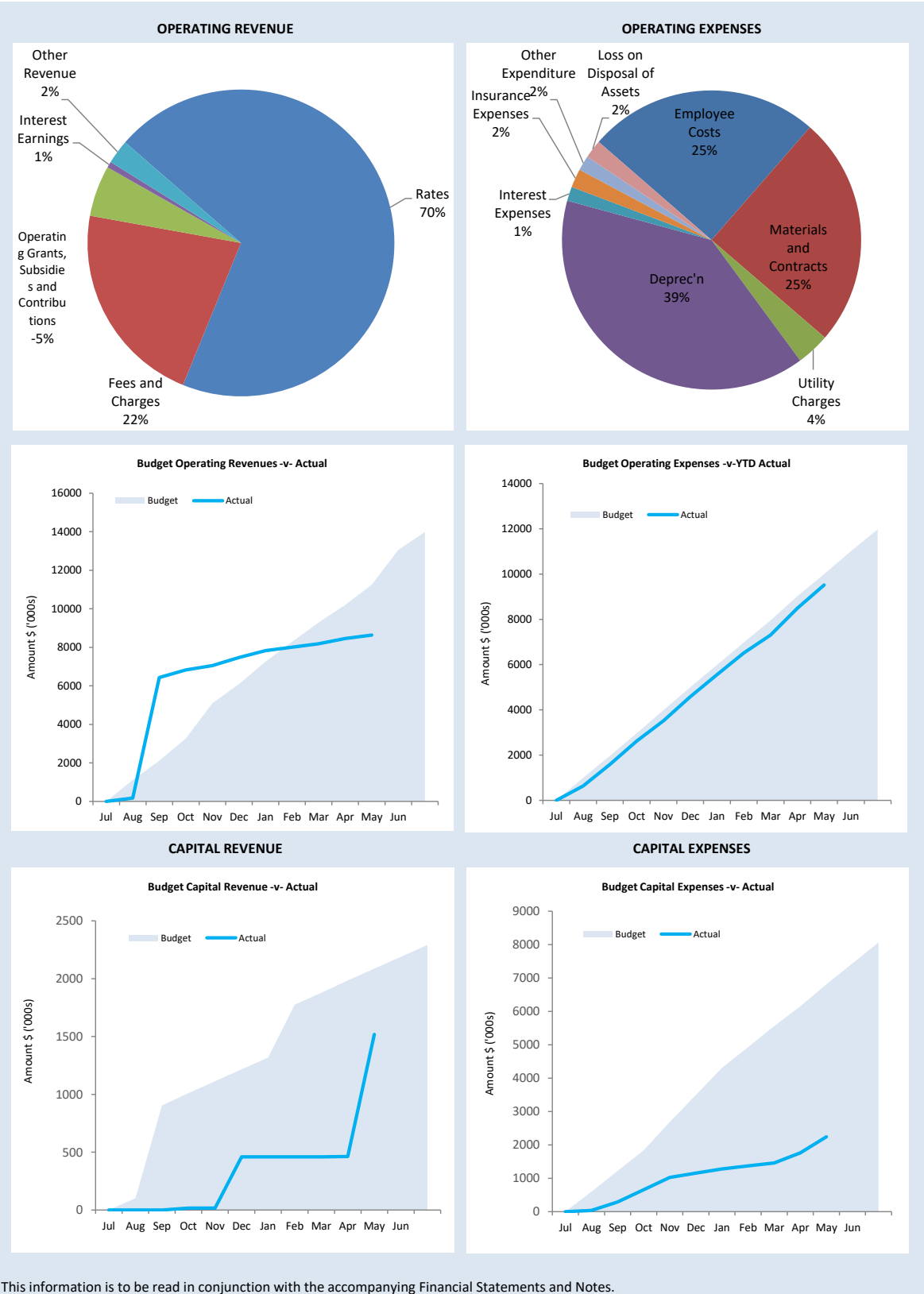
Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

### **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.

### **ROUNDING OFF FIGURES**

All figures shown in this statement are rounded to the nearest dollar.



Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

	ACTIVITIES
<b>GOVERNANCE</b> To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern a specific council services.
<b>GENERAL PURPOSE FUNDING</b> To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
<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, provision of meat inspection services, noise control and waste disposal compliance.
<b>EDUCATION AND WELFARE</b> To provide services to the elderly, children and youth.	Maintenance of playgroup centre and senior citizen centre. Provision of youth support services.
<b>HOUSING</b> To provide and maintain elderly residents housing.	Provision and maintenance of elderly residents housing.
<b>COMMUNITY AMENITIES</b> To provide services required by the community.	Rubbish collection services, operation of rubbish transfer site, litter control, 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 wellbeing of the community.	Maintenance of public halls, heritage buildings, civic centres, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, television and radio rebroadcasting 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. 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.

SHIRE OF IRWIN  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021

STATUTORY REPORTING PROGRAMS

	Note	Adopted Annual Budget	Amended Annual Budget (d)	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. ▲▼	Significant Var. S
		\$	\$	\$	\$	\$	%		
<b>Opening Funding Surplus(Deficit)</b>	1	(168,015)	(412,904)	(412,904)	<b>(412,904)</b>	0	0%		
Governance		0	0	0	<b>0</b>	0			
General Purpose Funding - Rates	6	5,394,500	5,388,077	4,685,050	<b>5,373,775</b>	688,725	15%	▲	S
General Purpose Funding - Other		316,641	326,517	249,675	<b>255,349</b>	5,674	2%	▲	
Law, Order and Public Safety		172,994	177,494	137,884	<b>121,342</b>	(16,542)	(12%)	▼	S
Health		60,700	86,200	70,030	<b>75,578</b>	5,548	8%	▲	
Education and Welfare		8,550	3,550	2,950	<b>2,593</b>	(357)	(12%)	▼	
Housing		353,000	371,160	309,280	<b>296,811</b>	(12,469)	(4%)	▼	
Community Amenities		853,855	1,034,100	861,690	<b>972,316</b>	110,626	13%	▲	S
Recreation and Culture		153,817	268,950	188,430	<b>189,471</b>	1,041	1%	▲	
Transport		85,766	95,114	93,020	<b>95,730</b>	2,710	3%	▲	
Economic Services		131,657	249,575	207,900	<b>226,455</b>	18,555	9%	▲	
Other Property and Services		69,500	123,000	99,150	<b>94,934</b>	(4,216)	(4%)	▼	
		<b>7,600,980</b>	<b>8,123,737</b>	<b>6,905,059</b>	<b>7,704,355</b>				
<b>Expenditure from operating activities</b>									
Governance		(558,300)	(609,552)	(517,995)	<b>(453,808)</b>	64,187	12%	▲	S
General Purpose Funding		(1,460,715)	(691,260)	(570,980)	<b>(495,133)</b>	75,847	13%	▲	S
Law, Order and Public Safety		(471,125)	(468,280)	(392,451)	<b>(410,062)</b>	(17,611)	(4%)	▼	
Health		(339,547)	(497,070)	(404,635)	<b>(382,655)</b>	21,980	5%	▲	
Education and Welfare		(62,370)	(67,650)	(56,710)	<b>(54,470)</b>	2,240	4%	▲	
Housing		(590,171)	(817,942)	(685,640)	<b>(709,138)</b>	(23,498)	(3%)	▼	
Community Amenities		(1,199,904)	(1,391,744)	(1,159,640)	<b>(1,078,580)</b>	81,060	7%	▲	
Recreation and Culture		(2,555,055)	(2,736,644)	(2,274,235)	<b>(2,183,446)</b>	90,789	4%	▲	
Transport		(3,440,854)	(4,186,635)	(3,487,987)	<b>(3,190,349)</b>	297,638	9%	▲	
Economic Services		(383,644)	(445,444)	(370,765)	<b>(326,113)</b>	44,652	12%	▲	S
Other Property and Services		(48,500)	(66,000)	(75,563)	<b>(232,078)</b>	(156,515)	(207%)	▼	S
		<b>(11,110,185)</b>	<b>(11,978,220)</b>	<b>(9,996,601)</b>	<b>(9,515,832)</b>				
<b>Operating activities excluded from budget</b>									
Add back Depreciation		4,358,601	4,348,543	3,623,680	<b>3,742,572</b>	118,892	3%	▲	
Adjust (Profit)/Loss on Asset Disposal	7	9,620	186,871	155,730	<b>176,479</b>	20,749	13%	▲	S
Movement in Leave Reserve (Added Back)		1,334	352	500	<b>476</b>	(25)	(5%)	▼	
Movement in Deferred Pensioner Rates/ESL		0	0	0	<b>0</b>	0			
Movement in Employee Benefit Provisions		0	0	0	<b>0</b>	0			
Rounding Adjustments		0	0	0	<b>0</b>	0			
Movement Due to Changes in Accounting Standards		0	0	0	<b>0</b>	0			
Loss on Asset Revaluation		0	0	0	<b>0</b>	0			
Adjustment in Fixed Assets		0	0	0	<b>0</b>	0			
<b>Amount attributable to operating activities</b>		<b>860,350</b>	<b>681,283</b>	<b>688,368</b>	<b>2,108,048</b>				
<b>Investing Activities</b>									
Non-operating Grants, Subsidies and Contributions	13	3,628,255	5,860,315	4,533,193	<b>930,637</b>	(3,602,556)	(79%)	▼	S
Proceeds from Disposal of Assets	7	40,000	469,961	391,620	<b>454,961</b>	63,341	16%	▲	S
Land Held for Resale	8	0	0	0	<b>0</b>	0			
Land and Buildings	8	(2,329,327)	(2,172,816)	(1,810,630)	<b>(356,927)</b>	1,453,703	80%	▲	S
Plant and Equipment	8	(66,000)	(688,500)	(574,560)	<b>(31,380)</b>	543,180	95%	▲	S
Furniture and Equipment	8	(26,100)	(44,200)	(38,670)	<b>(35,936)</b>	2,734	7%	▲	
Infrastructure Assets - Roads	8	(1,791,127)	(3,506,930)	(3,008,391)	<b>(852,801)</b>	2,155,590	72%	▲	S
Infrastructure Assets - Drainage	8	0	0	0	<b>0</b>	0			
Infrastructure Assets - Footpaths	8	0	0	0	<b>0</b>	0			
Infrastructure Assets - Public Facilities	8	0	0	0	<b>0</b>	0			
Infrastructure Assets - Other	8	(495,000)	(872,300)	(736,970)	<b>(669,280)</b>	67,690	9%	▲	
<b>Amount attributable to investing activities</b>		<b>(1,039,299)</b>	<b>(954,470)</b>	<b>(1,244,408)</b>	<b>(560,726)</b>				
<b>Financing Activities</b>									
Proceeds from New Debentures	9	1,095,010	1,585,010	1,496,670	<b>1,055,010</b>	(441,660)	(30%)	▼	S
Repayment of Debentures	9	(391,148)	(341,683)	(274,088)	<b>(273,343)</b>	745	0%	▲	
Repayment of Lease Financing	9	(19,929)	(19,929)	(16,590)	<b>(16,570)</b>	20	0%	▲	
Advances to Community Groups		(395,010)	(355,010)	(295,840)	<b>(355,010)</b>	(59,170)	(20%)	▼	S
Proceeds from Advances		0	0	0	<b>0</b>	0			
Self-Supporting Loan Principal		25,941	8,098	8,096	<b>8,098</b>	2	0%	▲	
Transfer to Restricted Cash - Other		0	0	0	<b>0</b>	0			
Transfer from Restricted Cash - Other		0	0	0	<b>0</b>	0			
Transfer from Reserves	10	20,000	228,135	206,770	<b>0</b>	(206,770)	(100%)	▼	S
Transfer to Reserves	10	(14,000)	(416,300)	(346,910)	<b>(4,990)</b>	341,920	99%	▲	S
<b>Amount attributable to financing activities</b>		<b>320,864</b>	<b>688,320</b>	<b>778,108</b>	<b>413,194</b>				
<b>Closing Funding Surplus(Deficit)</b>	1	<b>(26,099)</b>	<b>2,229</b>	<b>(190,836)</b>	<b>1,547,613</b>				

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 15 for an explanation of the reasons for the variance.  
The material variance adopted by Council for the 2020/21 year is \$10,000 and 10%.

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

## SHIRE OF IRWIN

### KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 APRIL 2021

## NATURE OR TYPE DESCRIPTIONS

### REVENUE

#### RATES

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

#### OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

#### NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

#### PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

#### FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

#### SERVICE CHARGES

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

#### INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

#### OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

### EXPENSES

#### EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

#### MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

#### UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

#### INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

#### LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

#### DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

#### INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

#### OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF IRWIN  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021

BY NATURE OR TYPE

		Adopted Annual Budget	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. ▲▼	Significant Var. \$
	Note	\$	\$	\$	\$	\$	%		
<b>Opening Funding Surplus (Deficit)</b>	1	(168,015)	(412,904)	(412,904)	(412,904)	0	0%		
Rates	6	5,394,500	5,394,500	4,487,610	5,373,775	886,165	20%	▲	\$
Operating Grants, Subsidies and Contributions	12	491,725	525,225	417,516	403,834	(13,682)	(3%)	▼	
Fees and Charges		1,391,062	1,896,785	1,756,823	1,669,370	(87,453)	(5%)	▼	
Service Charges		0	0	0	0	0			
Interest Earnings		53,167	52,300	43,560	48,703	5,143	12%	▲	
Other Revenue		269,350	242,403	189,120	196,149	7,029	4%	▲	
Profit on Disposal of Assets	7	1,176	12,524	10,430	12,524	2,094	20%	▲	
Gain FV Valuation of Assets		0	0	0	0	0			
		<b>7,600,980</b>	<b>8,123,737</b>	<b>6,905,059</b>	<b>7,704,355</b>				
<b>Expenditure from operating activities</b>									
Employee Costs		(2,403,645)	(2,683,323)	(2,234,830)	(2,382,418)	(147,588)	(7%)	▼	
Materials and Contracts		(2,541,343)	(3,845,832)	(3,205,116)	(2,368,099)	837,017	26%	▲	\$
Utility Charges		(346,700)	(291,705)	(249,296)	(342,130)	(92,834)	(37%)	▼	\$
Depreciation on Non-Current Assets		(4,358,601)	(4,348,543)	(3,623,680)	(3,742,572)	(118,892)	(3%)	▼	
Interest Expenses		(222,963)	(211,410)	(169,568)	(146,477)	23,091	14%	▲	\$
Insurance Expenses		(188,849)	(187,112)	(175,036)	(191,482)	(16,446)	(9%)	▼	
Other Expenditure		(1,037,288)	(210,898)	(172,915)	(153,651)	19,264	11%	▲	\$
Loss on Disposal of Assets	7	(10,796)	(199,396)	(166,160)	(189,003)	(22,843)	(14%)	▼	\$
Loss FV Valuation of Assets		0	0	0	0	0			
		<b>(11,110,185)</b>	<b>(11,978,220)</b>	<b>(9,996,601)</b>	<b>(9,515,831)</b>				
<b>Operating activities excluded from budget</b>									
Add back Depreciation		4,358,601	4,348,543	3,623,680	3,742,572	118,892	3%	▲	
Adjust (Profit)/Loss on Asset Disposal	7	9,620	186,871	155,730	176,479	20,749	13%	▲	\$
Movement in Leave Reserve (Added Back)		1,334	352	500	476	(25)	(5%)	▼	
Movement in Employee Benefit Provisions		0	0	0	0	0			
Rounding Adjustments		0	0	0	0	0			
Movement Due to Changes in Accounting Standards		0	0	0	0	0			
Loss on Asset Revaluation		0	0	0	0	0			
Adjustment in Fixed Assets		0	0	0	0	0			
<b>Amount attributable to operating activities</b>		<b>860,350</b>	<b>681,283</b>	<b>688,368</b>	<b>2,108,049</b>				
<b>Investing activities</b>									
Non-Operating Grants, Subsidies and Contributions	13	3,628,255	5,860,315	4,533,193	930,637	(3,602,556)	(79%)	▼	\$
Proceeds from Disposal of Assets	7	40,000	469,961	391,620	454,961	63,341	16%	▲	\$
Land Held for Resale	8	0	0	0	0	0			
Land and Buildings	8	(2,329,327)	(2,172,816)	(1,810,630)	(356,927)	1,453,703	80%	▲	\$
Plant and Equipment	8	(66,000)	(688,500)	(574,560)	(31,380)	543,180	95%	▲	\$
Furniture and Equipment	8	(26,100)	(44,200)	(38,670)	(35,936)	2,734	7%	▲	
Infrastructure Assets - Roads	8	(1,791,127)	(3,506,930)	(3,008,391)	(852,801)	2,155,590	72%	▲	\$
Infrastructure Assets - Drainage	8	0	0	0	0	0			
Infrastructure Assets - Footpaths	8	0	0	0	0	0			
Infrastructure Assets - Public Facilities	8	0	0	0	0	0			
Infrastructure Assets - Other	8	(495,000)	(872,300)	(736,970)	(669,280)	67,690	9%	▲	
<b>Amount attributable to investing activities</b>		<b>(1,039,299)</b>	<b>(954,470)</b>	<b>(1,244,408)</b>	<b>(560,726)</b>				
<b>Financing Activities</b>									
Proceeds from New Debentures		1,095,010	1,585,010	1,496,670	1,055,010	(441,660)	(30%)	▼	\$
Repayment of Debentures	9	(391,148)	(341,683)	(274,088)	(273,343)	745	0%	▲	
Repayment of Lease Financing	9	(19,929)	(19,929)	(16,590)	(16,570)	20	0%	▲	
Advances to Community Groups		(395,010)	(355,010)	(295,840)	(355,010)	(59,170)	(20%)	▼	\$
Proceeds from Advances		0	0	0	0	0			
Self-Supporting Loan Principal	9	25,941	8,098	8,096	8,098	2	0%	▲	
Transfer to Restricted Cash - Other		0	0	0	0	0			
Transfer from Restricted Cash - Other		0	0	0	0	0			
Transfer from Reserves	10	20,000	228,135	206,770	0	(206,770)	(100%)	▼	\$
Transfer to Reserves	10	(14,000)	(416,300)	(346,910)	(4,990)	341,920	99%	▲	\$
<b>Amount attributable to financing activities</b>		<b>320,864</b>	<b>688,320</b>	<b>778,108</b>	<b>413,194</b>				
<b>Closing Funding Surplus (Deficit)</b>	1	<b>(26,099)</b>	<b>2,229</b>	<b>(190,836)</b>	<b>1,547,613</b>				

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020/21 year is \$10,000 and 10%.

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



## ADJUSTED NET CURRENT ASSETS

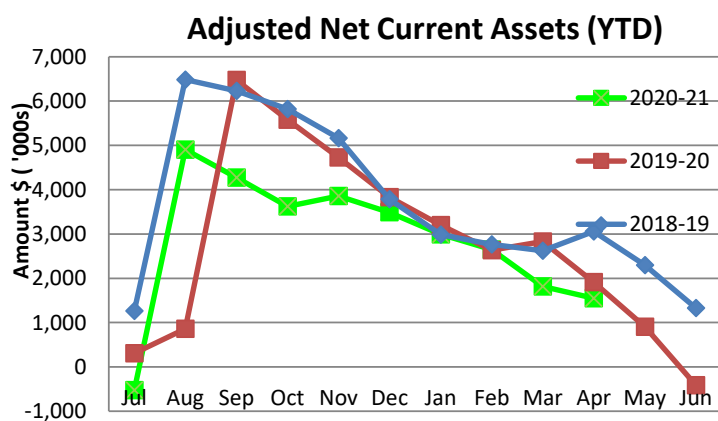
Adjusted Net Current Assets	Note	Last Years Closing 30/06/2020	This Time Last Year 30/04/2020	Year to Date Actual 30/04/2021
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	2	1,651,177	2,053,903	3,895,928
Cash Restricted - Reserves	2	1,292,763	1,322,615	1,297,753
Cash Restricted - General	2	362,875	376,298	362,875
Cash Restricted - Bonds & Deposits	2	198,687	199,908	205,079
Receivables - Rates	3	403,418	761,183	518,408
Receivables - Other	3	189,988	125,901	220,621
Inventories	4	18,521	20,118	18,521
		4,117,429	4,859,925	6,519,185
<b>Less: Current Liabilities</b>				
Payables	5	(816,575)	(207,856)	(373,606)
Contract Liabilities	11	(1,277,058)	(851,007)	(2,158,458)
Financial Liabilities	5	(140,508)	(140,508)	(140,508)
Bonds & Deposits	14	(198,687)	(199,908)	(205,079)
Loan and Lease Liability	9	(361,613)	(40,289)	(71,699)
Provisions	11	(416,446)	(348,465)	(416,446)
		(3,210,887)	(1,788,033)	(3,365,795)
Less: Cash Reserves	10	(1,292,763)	(1,322,615)	(1,297,753)
Add Back: Component of Leave Liability not Required to be funded		123,184	123,072	123,660
Add Back: Loan and Lease Liability		361,613	40,289	71,699
Less : Loan Receivable - clubs/institutions		(8,098)	4	0
Less : Restricted Cash General	15	(503,383)	0	(503,383)
<b>Net Current Funding Position</b>		<b>(412,904)</b>	<b>1,912,642</b>	<b>1,547,612</b>

## SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

## KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD

Surplus(Deficit)

\$1.55 M

Last Year YTD

Surplus(Deficit)

\$1.91 M

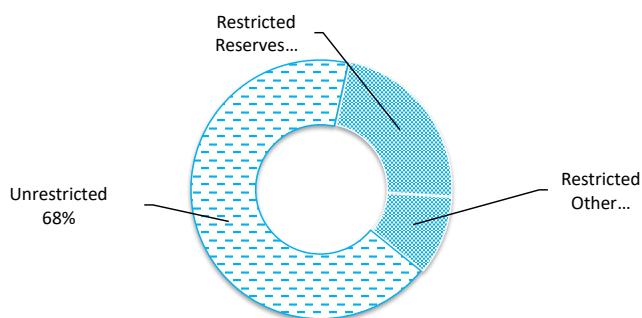
	Unrestricted	Restricted Reserves	Restricted Muni	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>Cash on Hand</b>							
CASH ADVANCES	2,050			2,050	Cash on Hand	Nil	On Hand
<b>At Call Deposits</b>							
CASH AT BANK MUNI A/C	3,893,878			3,893,878	NAB	0.25%	At Call
RESERVE FUND BANK A/C		1,297,753		1,297,753	NAB	0.25%	At Call
RESTRICTED ASSETS BANK			362,875	362,875	NAB	0.25%	At Call
BONDS AND DEPOSITS HELD BANK (OLD TRUST FUND BANK)			205,079	205,079	NAB	0.25%	At Call
<b>Term Deposits</b>							
Nil							
<b>Total</b>	<b>3,895,928</b>	<b>1,297,753</b>	<b>567,954</b>	<b>5,761,635</b>			

**SIGNIFICANT ACCOUNTING POLICIES**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments 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.

**KEY INFORMATION**

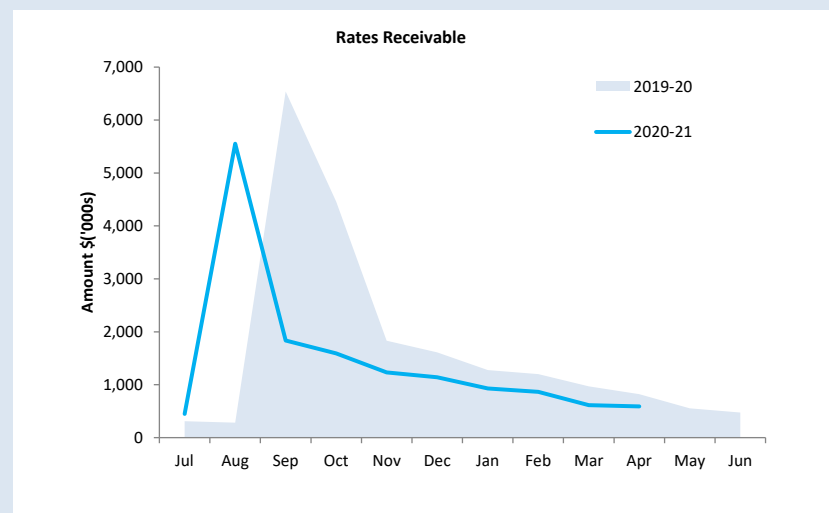
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**Total Cash****\$5.76 M****Unrestricted****\$1.3 M**

Receivables - Rates & Rubbish	30 June 2020	30 Apr 21
	\$	\$
Opening Arrears Previous Years	350,992	472,740
Levied this year	6,085,751	6,114,212
<u>Less</u> Collections to date	(5,964,004)	(5,999,222)
Equals Current Outstanding	472,740	587,730
<b>Net Rates Collectable</b>	<b>472,740</b>	<b>587,730</b>
% Collected	92.66%	91.08%

## KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

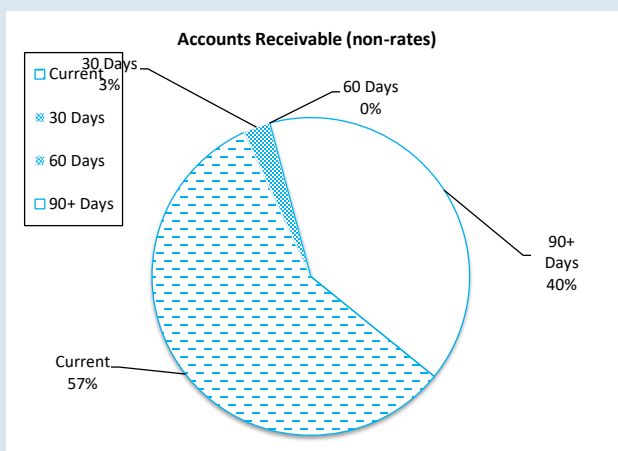


Collected	Rates Due
<b>91%</b>	<b>\$587,730</b>

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	68,824	3,222	64	48,060	120,170
Percentage	57%	3%	0%	40%	
<b>Balance per Trial Balance</b>					
Sundry Debtors					120,170
Receivables - Other					100,452
<b>Total Receivables General Outstanding</b>					<b>220,621</b>
Amounts shown above include GST (where applicable)					

## SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due

**\$220,621**

Over 30 Days

**43%**

Over 90 Days

**40%**

**SHIRE OF IRWIN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2021**

**OPERATING ACTIVITIES**  
**NOTE 4**  
**OTHER CURRENT ASSETS**

<b>Other Current Assets</b>	<b>Opening Balance 1 Jul 2020</b>	<b>Asset Increase</b>	<b>Asset Reduction</b>	<b>Closing Balance 30 Apr 2021</b>
	\$	\$	\$	\$
<b>Other Financial Assets at Amortised Cost</b>				
Financial assets at amortised cost - self supporting loans	20,638	346,912	0	367,551
<b>Inventory</b>				
Fuel, Visitor and Rec Centres stock on hand	18,521	0	0	18,521
<b>Accrued income and prepayments</b>				
Accrued income and prepayments	15,302	0	(15,302)	0
<b>Contract assets</b>				
Contract assets	0	0	0	0
<b>Total Other Current assets</b>				<b>386,072</b>
<b>Amounts shown above include GST (where applicable)</b>				

**KEY INFORMATION**

**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.

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Land held for resale**

Land held for development and resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Borrowing costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed onto the buyer at this point.

Land held for resale is classified as current except where it is held as non-current based on the Council's intentions to release for sale.

**CONTRACT ASSETS**

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

Payables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Payables (Sundry Creditors) - General	74,179	168,121	15,021	5,057	262,378
Percentage	28.3%	64.1%	5.7%	1.9%	
<b>Balance per Trial Balance</b>					
Sundry creditors - General					262,378
Other creditors					69,187
Accrued salaries and wages					0
ATO liabilities					42,041
Financial liabilities (Developer Contributions)					140,508
Other accruals/payables					0
<b>Total Payables General Outstanding</b>					<b>514,114</b>
Amounts shown above include GST (where applicable)					

## KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire 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.

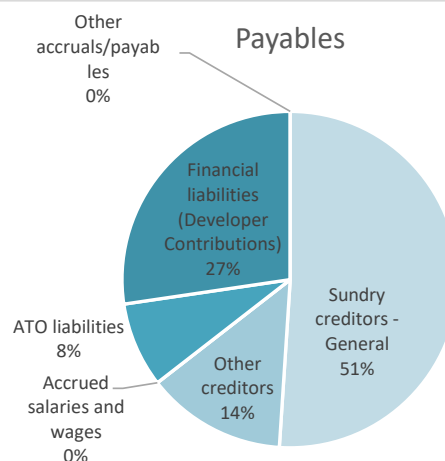
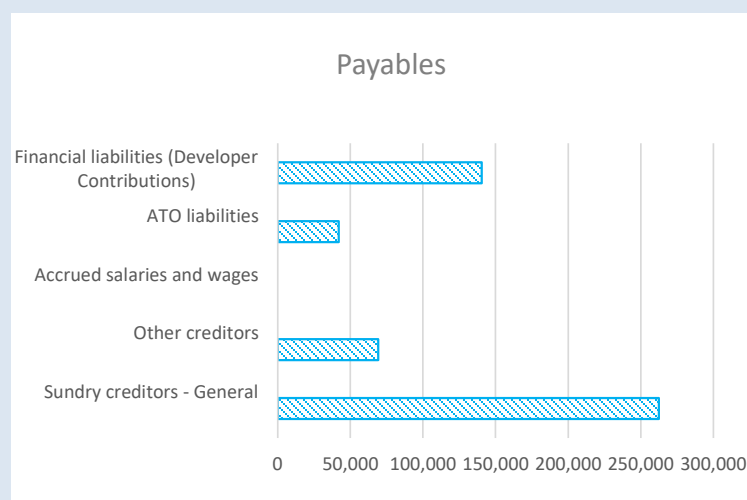
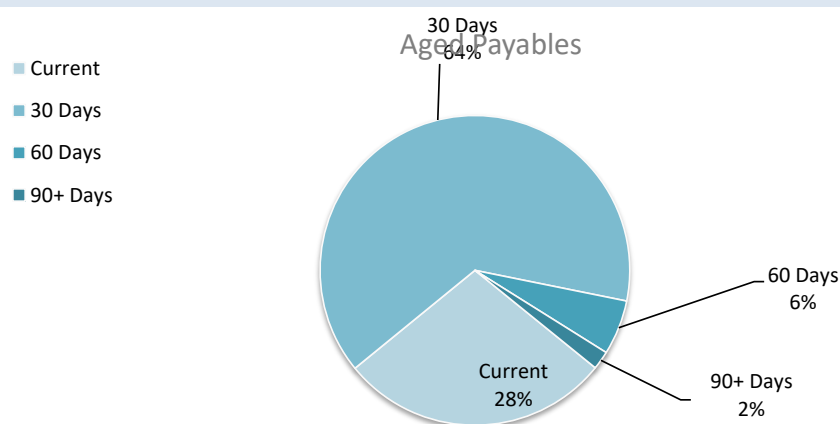
## Creditors Due

**\$514,114**

## Over 30 Days

**72%**

## Over 90 Days

**1.9%**

## SHIRE OF IRWIN

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021

## OPERATING ACTIVITIES

NOTE 6  
RATE REVENUE

RATE TYPE	Budget							YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
	\$			\$	\$	\$	\$	\$	\$	\$	\$
<b>Differential General Rate</b>											
GRV - Residential	0.111808	1,334	17,151,409	1,917,663	5,000	5,000	1,927,663	1,917,662.88	1,561	0	1,919,224
GRV - Commercial	0.111808	121	4,037,910	451,470	0	0	451,470	443,329.86	0	(2,327)	441,003
GRV - Undeveloped	0.111808	20	311,776	34,859	0	0	34,859	34,859.02	0	0	34,859
GRV - Residential - R50 Develop	0.111808	75	1,286,620	143,854	0	0	143,854	143,854.51	0	0	143,855
GRV - Residential - R50 Undevel	0.111808	12	166,050	18,566	0	0	18,566	18,565.74	0	0	18,566
UV - Policy Area A	0.014193	5	3,160,000	44,850	0	0	44,850	44,849.88	0	0	44,850
UV - Policy Area B	0.014193	13	4,451,902	63,186	0	0	63,186	63,185.84	(412)	(866)	61,908
UV - Policy Area C	0.014193	132	74,477,529	1,057,060	0	0	1,057,060	1,057,002.80	1,105	0	1,058,108
UV - Policy Area D	0.014193	109	14,172,852	201,155	0	0	201,155	201,155.30	0	0	201,155
UV - Policy Area E	0.014193	40	9,917,800	140,763	0	0	140,763	140,763.34	0	0	140,763
UV - Policy Area F	0.014193	24	5,209,350	73,936	0	0	73,936	73,936.31	0	0	73,936
UV - Policy Area G	0.014193	27	3,704,751	52,582	0	0	52,582	52,581.53	0	0	52,582
UV - Mining	0.189882	28	1,480,782	281,174	0	0	281,174	282,811.59	(820)	379	282,371
UV - Mining Developed	0.189882	9	887,524	168,525	0	0	168,525	168,524.83	0	0	168,525
<b>Sub-Totals</b>		<b>1,949</b>	<b>140,416,255</b>	<b>4,649,643</b>	<b>5,000</b>	<b>5,000</b>	<b>4,659,643</b>	<b>4,643,083</b>	<b>1,435</b>	<b>(2,813)</b>	<b>4,641,705</b>
<b>Minimum Payment</b>											
	Minimum \$										
GRV - Residential	1,021	98	760,027	100,058	0	0	100,058	100,058	0	0	100,058
GRV - Commercial	1,021	65	295,666	66,365	0	0	66,365	66,365	0	0	66,365
GRV - Undeveloped	1,021	457	1,310,417	466,597	0	0	466,597	466,597	0	0	466,597
GRV - Residential - R50 Develop	1,021	7	58,658	7,147	0	0	7,147	7,147	0	0	7,147
GRV - Residential - R50 Undevel	1,021	14	73,830	14,294	0	0	14,294	14,294	0	0	14,294
UV - Policy Area A	1,021	4	185,500	4,084	0	0	4,084	4,084	0	0	4,084
UV - Policy Area B	1,021	2	146,998	4,084	0	0	4,084	2,042	0	0	2,042
UV - Policy Area C	1,021	27	1,274,271	27,567	0	0	27,567	27,567	0	0	27,567
UV - Policy Area D	1,021	11	595,198	11,231	0	0	11,231	11,231	0	0	11,231
UV - Policy Area E	1,021	0	0	0	0	0	0	0	0	0	0
UV - Policy Area F	1,021	11	598,500	11,231	0	0	11,231	11,231	0	0	11,231
UV - Policy Area G	1,021	1	66,499	1,021	0	0	1,021	0	0	0	0
UV - Mining	1,021	18	46,545	18,378	0	0	18,378	18,378	0	0	18,378
UV - Mining Developed	1,021	0	0	0	0	0	0	0	0	0	0
<b>Sub-Totals</b>		<b>715</b>	<b>5,412,109</b>	<b>732,057</b>	<b>0</b>	<b>0</b>	<b>732,057</b>	<b>728,994</b>	<b>0</b>	<b>0</b>	<b>728,994</b>
		<b>2,664</b>	<b>145,828,364</b>	<b>5,381,700</b>	<b>5,000</b>		<b>5,391,700</b>	<b>5,372,077</b>	<b>1,435</b>	<b>(2,813)</b>	<b>5,370,699</b>
Discounts							0				0
Concession							0				0
<b>Amount from General Rates</b>							<b>5,391,700</b>				<b>5,370,699</b>
Ex-Gratia Rates							2,800				3,076
Movement in Excess Rates							0				0
Specified Area Rates							0				0
<b>Total Rates</b>							<b>5,394,500</b>				<b>5,373,775</b>

**SHIRE OF IRWIN**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021**

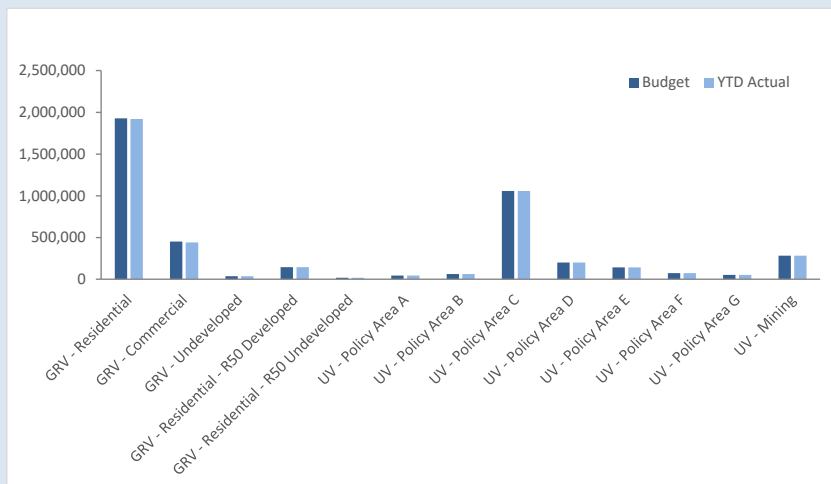
**OPERATING ACTIVITIES**

**NOTE 6**

**RATE REVENUE**

**KEY INFORMATION**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.



General Rates		
Budget	YTD Actual	%
\$5.39 M	\$5.37 M	100%

## SHIRE OF IRWIN

## NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDED 30 APRIL 2021

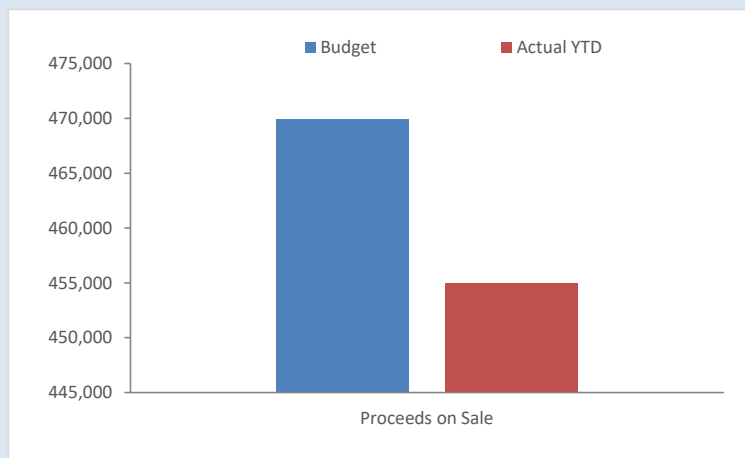
## OPERATING ACTIVITIES

## NOTE 7

## DISPOSAL OF ASSETS

Asset Number	Asset Description	Amended Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
<b>Land and Buildings</b>									
2646	Land - 4 Kennedy Heights	160,000	160,000			160,000	160,000		
2598	Duplex 4A Kennedy Heights	215,310	125,000		(90,310)	215,310	125,000		(90,310)
2599	Duplex 4B Kennedy Heights	220,657	125,000		(95,657)	220,657	125,000		(95,657)
<b>Plant and Equipment</b>									
634	John Deere Tractor Mower Ir420	0	0			0	0		
970	2010 Fuso Canter 2 Way Tip Body Ir197	25,392	15,000		(10,392)	0	0		
2758	Skid Steer Loader 226D	34,774	31,737		(3,037)	34,774	31,737		(3,036)
810	10 Cubic Metre Tipping Body	700	13,224	12,524.00		700	13,224	12,524	
		0	0						
		0	0						
		<b>656,833</b>	<b>469,961</b>	<b>12,524</b>	<b>(199,396)</b>	<b>631,440</b>	<b>454,961</b>	<b>12,524</b>	<b>(189,003)</b>

## KEY INFORMATION



## Proceeds on Sale

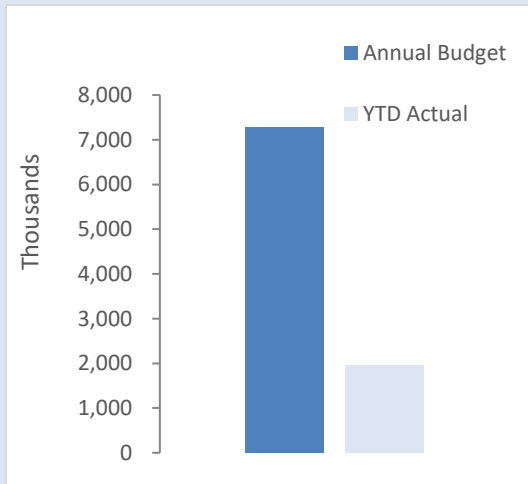
Budget	YTD Actual	%
<b>\$469,961</b>	<b>\$454,961</b>	<b>97%</b>



Capital Acquisitions	Adopted		Amended		YTD Budget Variance
	Annual Budget	YTD Budget	Annual Budget	YTD Actual Total	
	\$	\$	\$	\$	\$
Land Held for Resale	0	0	0	0	0
Land and Buildings	2,329,327	1,810,630	2,172,816	356,927	(1,453,703)
Plant and Equipment	66,000	574,560	688,500	31,380	(543,180)
Furniture and Equipment	26,100	38,670	44,200	35,936	(2,734)
Infrastructure Assets - Roads	1,791,127	3,008,391	3,506,930	852,801	(2,155,590)
Infrastructure Assets - Drainage	0	0	0	0	0
Infrastructure Assets - Footpaths	0	0	0	0	0
Infrastructure Assets - Public Facilities	0	0	0	0	0
Infrastructure Assets - Other	495,000	736,970	872,300	669,280	(67,690)
<b>Capital Expenditure Totals</b>	<b>4,707,554</b>	<b>6,169,221</b>	<b>7,284,746</b>	<b>1,946,324</b>	<b>(4,222,897)</b>
<b>Capital acquisitions funded by:</b>					
	\$	\$	\$	\$	\$
Capital Grants and Contributions	3,628,255	4,533,193	5,860,315	930,637	(3,602,556)
Borrowings	1,095,010	1,496,670	1,585,010	1,055,010	(441,660)
Other (Disposals & C/Fwd)	40,000	391,620	469,961	454,961	63,341
Council contribution - Cash Backed Reserves					
Various Reserves		206,770	118,135	0	(206,770)
Council contribution - operations		-459,032	-748,675	-494,284	(35,252)
<b>Capital Funding Total</b>		<b>6,169,221</b>	<b>7,284,746</b>	<b>1,946,324</b>	<b>(4,222,897)</b>

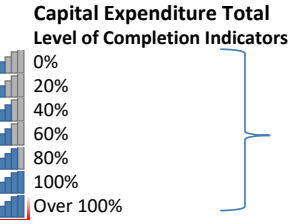
**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**KEY INFORMATION**


Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$7.28 M</b>	<b>\$1.95 M</b>	<b>27%</b>

	Capital Grant	Annual Budget	YTD Actual	% Received
		\$5.86 M	\$ .93 M	16%

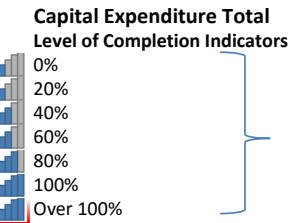


Percentage YTD Actual to Annual Budget  
Expenditure over budget highlighted in red.

% of  
Completion

 Level of completion indicator, please see table at the top of this note for further detail.

Level of completion indicator, please see table at the top of this note for further detail.					Adopted		Amended				
				Account Number	Balance Sheet Category	Job Number	Annual Budget	Annual Budget	YTD Budget	Total YTD	Variance (Under)/Over
Assets							\$	\$	\$	\$	\$
Buildings											
Other Health											
Total - Other Health					0	0	0	0	0	0	
Housing											
	AGED APPROPRIATE HOUSING - STAGE 1	2574	1311	1626	0	(26,000)	(21,660)	(25,854)	(4,194)		
	AGED APPROPRIATE HOUSING - STAGE 2	2574	1311	CJ18	(2,259,327)	(2,042,453)	(1,702,040)	(239,422)	1,462,618		
	AGED APPROPRIATE HOUSING - LIVABLE HOUSING AUSTRALIA PLATI	2574	1311	CJ31	0	(44,363)	(36,960)	(44,363)	(7,403)		
Total - Housing					(2,259,327)	(2,112,816)	(1,760,660)	(309,640)	1,451,020		
Community Amenities											
	CONTAINER DEPOSIT SCHEME	1944	1311	CJ70	(20,000)	(40,500)	(33,730)	(40,961)	(7,231)		
Total - Community Amenities					(20,000)	(40,500)	(33,730)	(40,961)	(7,231)		
Recreation And Culture											
	IRWIN REC CENTRE BUILDING - RENEWAL	2834	1311	CJ05	(25,000)	(12,500)	(10,410)	0	10,410		
	REC JETTY	2834	1311	CJ908	(25,000)	0	0	0	0		
Total - Recreation And Culture					(50,000)	(12,500)	(10,410)	0	10,410		
Total - Buildings					(2,329,327)	(2,172,816)	(1,810,630)	(356,927)	1,453,703		
Plant & Equipment											
Recreation & Culture											
	PARKS & GARDENS - TRACTOR MOWER - REG IR420	2844	1312	V420	(35,000)	(50,000)	(41,660)	0	41,660		
	NEW TRUCK - PARKS & GARDENS	2844	1312	V852	0	(77,000)	(64,160)	0	64,160		
Total - Recreation & Culture					(35,000)	(127,000)	(105,820)	0	105,820		
Transport											
	SIDE TIPPER	3534	1312	CJ52	(5,000)	(5,000)	(5,000)	(4,930)	70		
	PRIME-MOVER	3534	1312	V850	0	(309,000)	(257,500)	0	257,500		
	SIDE TIPPING SEMI TRAILER	3534	1312	V851	0	(260,000)	(184,160)	0			
	NISSAN UD PRME MOVER 540IR	3534	1312	V526	(14,000)	(13,500)	(11,250)	(13,288)	(2,038)		
	BULK FUEL STORAGE TANK & SYSTEM	3584	1312	CJ44	(12,000)	(13,000)	(10,830)	(12,857)	(2,027)		
Total - Transport					(31,000)	(600,500)	(468,740)	(31,075)	253,505		
Total - Plant & Equipment					(66,000)	(727,500)	(574,560)	(31,075)	359,325		
Furniture & Equipment											
Recreation & Culture											
	BASKETBALL SCOREBOARD	2824	1314	CJ81	(15,000)	(9,100)	(7,580)	(9,065)	(1,485)		
	GYMNASTICS EQUIPMENT - MATS, BOARDS, BEAM ETC	2824	1314	CJ35	0	(5,500)	(4,580)	(4,090)	490		
Total - Recreation & Culture					(15,000)	(14,600)	(12,160)	(13,155)	(995)		
Other Property & Services											
	IT - HARDWARE	0264	1314	CJ33	(11,100)	(11,100)	(11,100)	(10,281)	819		
	IT - WEBSITE & INTRANET	0264	1314	CJ34	0	(12,500)	(10,410)	(12,500)	(2,090)		
Total - Other Property & Services					(11,100)	(23,600)	(21,510)	(22,781)	(1,271)		
Total - Furniture & Equipment					(26,100)	(44,200)	(38,670)	(35,936)	2,734		
Roads											
Housing											
	THE VILLAGE - FOOTPATHS, HANDRAILS, KERBS	2586	1317	CJ45	(44,700)	0	0	0	0		
Total - Housing					(44,700)	0	0	0	0		
Transport											
	R2R - FANE ROAD	6644	1317	CJ75	(64,000)	(1,000)	(810)	(1,017)	(207)		
	R2R - PIGGERY LANE	6644	1317	CJ76	(129,540)	(1,000)	(810)	(818)	(8)		
	R2R - BELAURA PLACE	6644	1317	CJ77	(21,259)	0	0	0	0		
	TABLETOP ROAD - SEAL - RRG	6644	1317	CJ78	0	(262,000)	(218,330)	0	218,330		
	ALLANOOKA SPRINGS ROAD - SEAL - RRG	6644	1317	CJ79	0	(450,000)	(375,000)	(83,958)	291,042		
	MORETON TERRACE	6664	1317	CJ22	(450,000)	(722,000)	(601,660)	(165,249)	436,411		
	CASUARINAS ROAD - RRG	6674	1317	CJ72	(357,000)	(357,000)	(328,430)	(268,311)	60,119		
	TABLETOP ROAD - RRG	6674	1317	CJ73	(422,500)	(422,500)	(388,690)	(245,919)	142,771		
	BURMA ROAD - RRG	6674	1317	CJ74	(251,500)	(251,500)	(231,356)	(59,450)	171,906		
	MILO ROAD DESIGN	6674	1317	CJ23	(38,528)	0	0	0	0		
	BLENHEIM ROAD	6694	1317	CJ24	(7,100)	(4,950)	(4,120)	(4,950)	(830)		
	ALLANOOKA RD SHOULDERS - SAFETY CRITICAL WORKS	6754	1317	SC01	0	(23,500)	(19,580)	(14,271)	5,309		
	DRAINAGE RENEWAL - GENERAL	6754	1317	DR01	0	(6,480)	(5,400)	(6,480)	(1,080)		
	GENERAL FOOTPATHS	6784	1317	CJ26	(5,000)	(5,000)	(4,600)	(2,378)	2,222		
Total - Transport					(1,746,427)	(3,506,930)	(3,012,116)	(852,801)	2,159,315		
Total - Roads					(1,791,127)	(3,506,930)	(3,012,116)	(852,801)	2,159,315		



Percentage YTD Actual to Annual Budget  
Expenditure over budget highlighted in red.

% of  
Completion

Level of completion indicator, please see table at the top of this note for further detail.

Level of completion indicator, please see table at the top of this note for further detail.					Adopted		Amended		
Assets	Account Number	Balance Sheet Category	Job Number	Annual Budget	Annual Budget	YTD Budget	Total YTD	Variance (Under)/Over	
				\$	\$	\$	\$	\$	
Infrastructure - Other									
Community Amenities									
	CEMETERY REVITALISATION	2644	1318	CJ03	(130,000)	(130,000)	(130,000)	(18,683)	111,317
Total - Community Amenities					(130,000)	(130,000)	(130,000)	(18,683)	111,317
Recreation And Culture									
	CLIFF HEAD - PAID CAMPING IMPLEMENTATION	8054	1318	CJ71	0	(15,000)	(12,500)	(11,439)	1,061
	GRANNY'S BEACH - WALL	8054	1318	CJ86	0	(55,000)	(45,830)	(49,657)	(3,827)
	SHADE SAILS - PARKS	2864	1318	1429	0	(9,000)	(7,490)	(7,615)	(125)
	REHABILITAION FORMER FISHERMANS HALL AREA	2864	1318	CJ80	(55,000)	(55,000)	(41,250)	0	41,250
	REPLACEMENT BBQ - FORESHORE	2864	1318	CJ84	0	(7,500)	(6,250)	(8,106)	(1,856)
	SKATE PARK - PUMP TRACK	2864	1318	CJ37	(220,000)	(263,500)	(219,580)	(263,479)	(43,899)
	TREE PLANTING	2864	1318	CJ49	(21,000)	(21,000)	(10,500)	(1,800)	8,700
Total - Recreation And Culture					(296,000)	(673,300)	(549,480)	(621,121)	(71,641)
Transport									
	RURAL SIGNS	6794	1318	CJ10	(69,000)	(69,000)	(57,490)	(29,476)	28,014
Total - Transport					(69,000)	(69,000)	(57,490)	(29,476)	28,014
Total - Infrastructure - Other					(495,000)	(872,300)	(736,970)	(669,280)	67,690
Grand Total					(4,707,554)	(7,323,746)	(6,172,946)	(1,946,019)	4,042,767

(a) Information on Loan Debenture Borrowings

Particulars/Purpose	01 Jul 2020	New Loans			Principal Repayments			Principal Outstanding			Interest & Guarantee Fee Repayments		
		Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Other Health</b>													
Loan 99 - Medical Centre	1,450,000	0	0	0	29,326	58,961	58,961	1,420,674	1,391,039	1,391,039	15,560	32,786	32,786
<b>Other Housing</b>													
Loan 100- SIHI Completion	0	700,000	700,000	700,000	0	0	31,621	700,000	700,000	668,379	0	0	7,385
<b>Recreation and Culture</b>													
Loan 93 - Recreation Centre	2,105,156	0	0	0	91,142	109,992	109,992	2,014,014	1,995,164	1,995,164	113,897	152,737	152,737
Loan 96 - Tennis Courts Resurfacing	79,897	0	0	0	19,623	39,478	39,478	60,274	40,419	40,419	1,173	2,311	2,311
<b>Transport</b>													
Loan 98 - Plant	791,096	0	0	0	125,155	125,155	125,155	665,940	665,940	665,940	14,342	21,631	21,631
Loan 101 - Plant	0	0	530,000	0	0	0	0	0	530,000	0	0	0	0
	4,426,148	700,000	1,230,000	700,000	265,246	333,586	365,207	4,860,903	5,322,563	4,760,942	144,971	209,464	216,849
<b>Self supporting loans</b>													
<b>Recreation and Culture</b>													
Loan 97 - Golf Club	20,638	0	0	0	8,098	8,098	8,098	12,541	12,541	12,541	371	629	629
Loan 101 - Golf Club - Not proceeding	0	0	0	40,000	0	0	1,807	0	0	38,193	0	0	422
Loan 102 - Denison Bowling Club	0	355,010	355,010	355,010	0	0	16,037	355,010	355,010	338,973	0	0	3,745
	20,638	355,010	355,010	395,010	8,098	8,098	25,941	367,551	367,551	389,707	371	629	4,796
<b>Total</b>	4,446,787	1,055,010	1,585,010	1,095,010	273,343	341,683	391,148	5,228,453	5,690,113	5,150,649	145,342	210,093	221,646
Current loan borrowings	341,683							68,340					
Non-current loan borrowings	4,105,103							5,160,113					
	4,446,787							5,228,453					

All debenture repayments were financed by general purpose revenue except the Self Supporting Loan.

(b) Information on Financing

Particulars/Purpose	01 Jul 2020	New Financing			Lease Financing Principal Repayments			Lease Financing Principal Outstanding			Lease Financing Interest Repayments		
		Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Recreation and Culture</b>													
Solar Panels (67.941%)	39,333	0	0	0	11,258	13,540	13,540	28,075	25,793	25,793	771	895	895
<b>Other Property and Services</b>													
Solar Panels (32.059%)	18,560	0	0	0	5,312	6,389	6,389	13,247	12,171	12,171	364	422	422
	57,893	0	0	0	16,570	19,929	19,929	41,322	37,964	37,964	1,136	1,317	1,317
<b>Total</b>	57,893	0	0	0	16,570	19,929	19,929	41,322	37,964	37,964	1,136	1,317	1,317
Current financing borrowings	19,930							3,359					
Non-current financing borrowings	37,963							37,963					
	57,893							41,322					

SHIRE OF IRWIN  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021

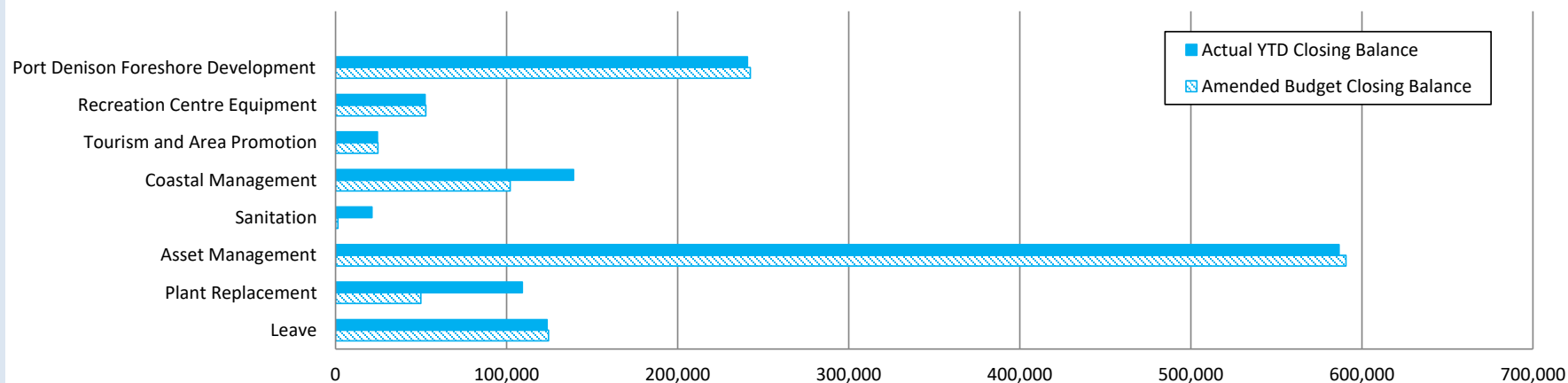
OPERATING ACTIVITIES  
NOTE 10  
CASH BACKED RESEVES

Cash Backed Reserve

Reserve Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave	123,184	1,334	476	0	0	0	0	124,518	123,660
Plant Replacement	108,736	1,178	420	0	0	(60,000)	0	49,914	109,156
Asset Management	584,401	6,329	2,256	0	0	0	0	590,730	586,657
Sanitation	21,161	229	82	0	0	(20,000)	0	1,390	21,242
Coastal Management	138,669	1,502	535	0	0	(38,135)	0	102,036	139,204
Tourism and Area Promotion	24,469	265	94	0	0	0	0	24,734	24,563
Recreation Centre Equipment	52,183	565	201	0	0	0	0	52,748	52,385
Port Denison Foreshore Development	239,960	2,598	926	0	0	0	0	242,558	240,886
	<b>1,292,763</b>	<b>14,000</b>	<b>4,990</b>	<b>0</b>	<b>0</b>	<b>(118,135)</b>	<b>0</b>	<b>1,188,628</b>	<b>1,297,753</b>

KEY INFORMATION

Note 9 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF IRWIN  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021

OPERATING ACTIVITIES  
NOTE 11  
OTHER CURRENT LIABILITIES

Other Current Liabilities	Note	Opening Balance 1 Jul 2020	Liability Increase	Liability Reduction	Closing Balance 30 Apr 2021
		\$	\$	\$	\$
<b>Contract Liabilities</b>					
Unspent grants, contributions and reimbursements					
- operating	12	85,372	47,996	(33,548)	99,820
- non-operating	13	1,191,686	1,631,463	(764,512)	2,058,638
<b>Total unspent grants, contributions and reimbursements</b>		<b>1,277,058</b>	<b>1,679,459</b>	<b>(798,059)</b>	<b>2,158,458</b>
<b>Provisions</b>					
Annual leave		211,873	0	0	211,873
Long service leave		204,573	0	0	204,573
<b>Total Provisions</b>		<b>416,446</b>	<b>0</b>	<b>0</b>	<b>416,446</b>
<b>Total Other Current Liabilities</b>					<b>2,574,904</b>
Amounts shown above include GST (where applicable)					

KEY INFORMATION

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.

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 calculation of net current assets.

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 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.



**SHIRE OF IRWIN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2021**

**NOTE 12**

**OPERATING GRANTS AND CONTRIBUTIONS**

Provider	Unspent Operating Grant, Subsidies and Contributions Liability					Operating Grants, Subsidies and Contributions Revenue			
	Liability 1 Jul 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Apr 2021	Current Liability 30 Apr 2021	Adopted Budget Revenue	Amended Annual Budget	Amended YTD Budget	YTD Actual Revenue
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Operating Grants and Subsidies</b>									
<b>General purpose funding</b>									
Grants Commission - Roads (WALGGC)	0	0	0	0	0	155,310	155,310	116,481	114,248
Grants Commission - General (WALGGC)	0	0	0	0	0	103,831	103,831	77,871	73,223
<b>Law, order, public safety</b>								0	
DFES Grant - Operating Bush Fire Brigade	15,583	35,996	(22,991)	28,587	28,587	47,994	47,994	35,994	22,991
DFES Bushfire Risk Management Project	23,923	0	0	23,923	23,923	0	5,500	4,580	0
Seniors Week Grant (Council on the Ageing)	0	0	0	0	0	2,000	0	0	0
<b>Community amenities</b>						0	0	0	0
Local Planning Scheme Review	22,283	0	0	22,283	22,283	0	0	0	0
Springfield Structure Plan Grant	9,392	0	0	9,392	9,392	0	0	0	0
<b>Recreation and culture</b>						0	0	0	0
Dept Land & Development Coastal Nodes	1,500	0	0	1,500	1,500	0	0	0	0
Coastal Management	6,600	12,000	(10,556)	8,044	8,044	0	0	0	10,556
State Library - General Excellence Award Grant	5,000	0	0	5,000	5,000	0	0	0	0
<b>Transport</b>						0	0	0	0
DRFAWA - Grant - storm damage	0	0	0	0	0	0	550,000	458,330	0
Direct Grant (MRWA)	0	0	0	0	0	82,590	82,590	82,590	82,590
	<b>84,281</b>	<b>47,996</b>	<b>(33,548)</b>	<b>98,729</b>	<b>98,729</b>	<b>391,725</b>	<b>950,725</b>	<b>780,426</b>	<b>303,609</b>
<b>Operating Contributions</b>									
<b>Law, order, public safety</b>									
DFES - Community Emergency Services Manager	0	0	0	0	0	100,000	100,000	75,000	80,225
<b>Community amenities</b>									
Dongara Pop-up Shop - Sustainable Environment Commit	1,091	0	0	1,091	1,091	0	0	0	0
<b>Other property and services</b>									
Employer Incentive Funding	0	0	0	0	0	0	30,000	25,000	20,000
	<b>1,091</b>	<b>0</b>	<b>0</b>	<b>1,091</b>	<b>1,091</b>	<b>100,000</b>	<b>130,000</b>	<b>100,000</b>	<b>100,225</b>
<b>TOTALS</b>	<b>85,372</b>	<b>47,996</b>	<b>(33,548)</b>	<b>99,820</b>	<b>99,820</b>	<b>491,725</b>	<b>1,080,725</b>	<b>880,426</b>	<b>403,834</b>

**SHIRE OF IRWIN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2021**

**NOTE 13**

**NON-OPERATING GRANTS AND CONTRIBUTIONS**

Provider	Unspent Non Operating Grants, Subsidies and Contributions Liability					Non Operating Grants, Subsidies and Contributions Revenue			
	Liability 1 Jul 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Apr 2021	Current Liability 30 Apr 2021	Adopted Budget Revenue	Amended Annual Budget	Amended YTD Budget	YTD Actual Revenue
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Non-Operating Grants and Subsidies</b>									
<b>Housing</b>									
SIHI Ageing in Place (WA Country Health Service)	1,078,741	0	(228,651)	850,090	850,090	1,559,327	1,559,327	779,663	228,651
<b>Recreation and culture</b>									
Skate Park - Pump Track (Lotterywest)	0	250,000	(250,000)	0	0	250,000	250,000	250,000	250,000
Coastal Reserve Works	15,463	0	0	15,463	15,463	0	0	0	0
<b>Transport</b>									
RTR Grant - Casuarinas Rd (CJ72)	0	104,252	0	104,252	104,252	119,000	119,000	89,250	0
RTR Grant - Tabletop Rd (CJ73)	0	16,155	0	16,155	16,155	140,833	140,833	105,624	0
RTR Grant - Burma Rd (CJ74)	0	40,011	0	40,011	40,011	83,833	83,833	62,874	0
RTR Grant - Fane Rd (CJ75)	0	16,000	(1,017)	14,983	14,983	64,000	1,000	830	1,017
RTR Grant - Piggery Lane (CJ76)	0	32,385	(818)	31,567	31,567	129,540	1,000	830	818
RTR Grant - Bileaura Rd (CJ77)	0	5,314	0	5,314	5,314	21,259	0	0	0
RRG Grant - Moreton Terrace (CJ22)	73,204	0	(49,065)	24,139	24,139	300,000	481,333	401,110	49,065
RRG Grant - Milo Road Design (CJ23)	2,595	0	0	2,595	2,595	22,195	0	0	0
RRG Grant - Casuarinas RD (CJ72)	0	199,920	(169,315)	30,605	30,605	238,000	238,000	238,000	169,315
RRG Grant - Tabletop Rd (CJ73)	0	112,667	(10,465)	102,202	102,202	281,667	281,667	281,664	10,465
RRG Grant - Burma RD (CJ74)	0	67,067	(34,300)	32,767	32,767	167,667	167,667	167,664	34,300
RRG Grant - Tabletop Rd Seal (CJ78)	0	76,854	0	76,854	76,854	0	174,667	145,550	0
RRG Grant -Allanooka Spring Rd Seal (CJ79)	0	130,826	0	130,826	130,826	0	300,000	250,000	0
Roadwise Funds	6,776	0	0	6,776	6,776	0	0	0	0
Bridge Grant	14,907	0	0	14,907	14,907	0	0	0	0
LRCIP Grant - Cemetery Revitalisation CJ03	0	65,000	(5,929)	59,071	59,071	130,000	130,000	130,000	5,929
LRCIP Grant - Rehabilitate Former Fisherman's Hall CJ80	0	25,967	0	25,967	25,967	51,934	51,934	51,934	0
LRCIP Grant - Rural Signage CJ10	0	34,500	(14,951)	19,549	19,549	69,000	69,000	69,000	14,951
LRCIP Grant - Surf Beach Stabilisation CJ87	0	0	0	0	0	0	261,054	217,540	166,125
DCPE Grant - Moreton Terrace CJ88	0	454,545	0	454,545	454,545	0	0	0	0
	<b>1,191,686</b>	<b>1,631,463</b>	<b>(764,512)</b>	<b>2,058,638</b>	<b>2,058,638</b>	<b>3,628,255</b>	<b>4,310,315</b>	<b>3,241,533</b>	<b>930,637</b>
<b>Total Non-operating grants, subsidies and contributions</b>	<b>1,191,686</b>	<b>1,631,463</b>	<b>(764,512)</b>	<b>2,058,638</b>	<b>2,058,638</b>	<b>3,628,255</b>	<b>4,310,315</b>	<b>3,241,533</b>	<b>930,637</b>

**SHIRE OF IRWIN**
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2021**
**NOTE 14**
**BONDS & DEPOSITS AND TRUST FUNDS**

In previous years, bonds and deposits were held as trust monies. They are still reported in this Note but also included in Restricted Cash - Bonds and Deposits and as a current liability in the books of Council.

Trust funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2020	Amount Received	Amount Paid	Closing Balance 30 Apr 2021
	\$	\$	\$	\$
<b>Restricted Cash - Bonds and Deposits</b>				
Nomination Deposits	0.00	0.00	0.00	0.00
DDHS Rock Esteidford Funds	0.00	0.00	0.00	0.00
Aged Persons Units - Bonds	18,689.76	701.50	0.00	19,391.26
Youth Advisory Council	17,014.33	0.00	0.00	17,014.33
Kerbing Deposits	23,900.00	12,000.00	(6,000.00)	29,900.00
Dongara Childrens Centre	0.00	0.00	0.00	0.00
Old Mill Restoration	0.00	0.00	0.00	0.00
Water Main Contributions	0.00	0.00	0.00	0.00
Performance Bonds	75,832.52	0.00	0.00	75,832.52
Key Bonds & Various	2,070.00	0.00	(50.00)	2,020.00
Safer WA Committee	340.52	0.00	0.00	340.52
Other Grant Funds	6,643.50	0.00	0.00	6,643.50
Various Bonds	2,654.05	1,100.00	(1,360.00)	2,394.05
Basketball Club Funds	0.00	0.00	0.00	0.00
Shire Of Irwin - LEMC	4,887.30	0.00	0.00	4,887.30
BROC Funds	0.00	0.00	0.00	0.00
Dongara Community Festival	0.00	0.00	0.00	0.00
Toddler Time - Rec Centre	702.97	0.00	0.00	702.97
Contributions To Roads_P.O.S.	45,912.11	0.00	0.00	45,912.11
Transport	0.00	0.00	0.00	0.00
Dongara Public Cemetery	0.00	0.00	0.00	0.00
Non Shire - Internal Activity	40.00	0.00	0.00	40.00
Interest Earned On Trust Items	0.00	0.00	0.00	0.00
<b>Sub-Total</b>	<b>198,687.06</b>	<b>13,801.50</b>	<b>(7,410.00)</b>	<b>205,078.56</b>
<b>Trust Funds</b>				
Nil				
<b>Sub-Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>198,687.06</b>	<b>13,801.50</b>	<b>(7,410.00)</b>	<b>205,078.56</b>

**KEY INFORMATION**

**ATTACHMENT: CC03**  
**Differential Rates 2021/22**

*Attachment 1*  
Statement of Objects and Reasons 2021/22



## Including Objects and Reasons for the Current Rating Structure

This Statement is published by the Shire of Irwin in accordance with Section 6.36 of the Local Government Act 1995 to advise the public of its objectives and reasons for implementing differential rates.

The purpose of levying of rates is to meet Council's budgetary requirements in each financial year in order to deliver services, facilities and community infrastructure. Property valuations provided by the Valuer General are used as the basis for the calculation of rates each year. Section 6.36 of the Local Government Act provides the ability to differentially rate properties based on zoning and/or land use as determined by the Shire of Irwin. The application of differential rating maintains equity in the rating of properties across the Shire, enabling the Council to provide facilities, services and infrastructure to the entire community and visitors to the area.

## Gross Rental Values (GRV)

The Local Government Act 1995 provides that properties of a Non-Rural purpose be rated using the Gross Rental Valuation (GRV) as the basis for the calculation of annual rates. The Valuer General determines the GRV for all properties with a non-rural purpose within the Shire of Irwin approximately every four years and provides a GRV Roll. The current valuation is effective from 1 July 2019. Interim valuations are provided regularly to Council by the Valuer General for properties where changes have occurred during the year (i.e. subdivisions or strata title of property, amalgamations, building constructions, demolition, additions and/or property rezoning). In such instances Council recalculates the rates for the affected properties and issues interim rate notices.

## GRV – Uniform Rate

All land within the Shire used for non-rural purposes (GRV) is rated using a uniform GRV Rate. The uniform rate is calculated and adopted after the consideration of many factors such as current economic conditions, increases to land valuations as assessed by the Valuer General's Office, the infrastructure and service improvement proposals contained in the Budget, as well as other factors. It is considered that for this financial year the valuations imposed by the Valuer General provides the capacity for the additional rate contributions that may be required from different zoning/land use and therefore the need for a differential rate is not deemed necessary.

## Unimproved Values (UV)

The Local Government Act 1995 provides that properties predominantly used for a rural purpose are assigned an Unimproved Value as supplied and reviewed by the Valuer General on an annual basis. The unimproved value of land refers to the market value of the land in its natural state without improvements such as buildings, fences, dams etc.

The rate in the dollar set for the UV Rural category forms the basis for calculating all other UV differential rates. Interim valuations are provided regularly to Council by the Valuer General for properties where changes have occurred during the year (i.e. subdivisions of property, amalgamations, and/or property rezoning). In such instances Council recalculates the rates for the affected properties and issues interim rate notices.

## UV Differential Rate - Rural

All land in the Shire used for rural purposes are classified into Policy Areas based on their zoning in the Shire of Irwin Local Planning Scheme No 5, as set out below. All land within these zoning areas are rated using the same differential rate.

Policy Area A Conservation Crown Land: To preserve and protect the major areas of Crown Reservations and Vacant Land within this policy area in its natural state.

Policy Area B Urban: Set aside for Townsite expansion or impacted on by buffers and mining leases.

<u>Policy Area C</u>	General Farming Zone: General Broadacre farming, not suitable for subdivision, designed to consolidate and preserve existing agricultural practices.
<u>Policy Area D</u>	Rural Smallholdings Zone: Hobby farming suitable for subdivision into rural/small holdings to a minimum of 15 ha.
<u>Policy Area E</u>	General Farming Zone: Coastal management area for future development of tourist projects and possible subdivision into rural smallholdings to a minimum lot size of 15ha.
<u>Policy Area F</u>	Special Residential Zone: Properties zoned as Special Residential with provision for subdivision of small 1 to 2 ha lifestyle lots.
<u>Policy Area G</u>	Rural Small Holdings Zone: Hobby farming suitable for subdivision into rural/small holdings to a minimum of 20 ha.

## Objects and Reasons for UV Rural Differential Rate

To distinguish land zoned Policy Area A-G from land used for Mining, Prospecting and Exploration in recognition of the variation in land use intensity and the impact on the Shire's road infrastructure network and other services.

### UV Differential Rate - Mining

The Local Government Act provides for rural use properties used for mining, exploration or prospecting purposes to be assigned an Unimproved Value supplied and reviewed by the Valuer General. It refers to all land for which a mining tenement has been issued by the Department of Mines and Petroleum (DMP), and valued as such by the Valuer General's Office.

The valuation determined by the Valuer General for mining tenements is calculated by multiplying the following factors.

- Rental cost of the tenement type (mining lease, prospecting lease, exploration license, petroleum producing licence etc.);
- UV basis as determined by the DMP, and
- Tenement/license area

The valuation of mining tenements is provided annually, interim valuations are provided regularly to Council by the Valuer General for properties when changes to the tenement rental is amended or the tenement is surrendered. In such instances Council recalculates the rates for the affected tenements and issues interim rate notices.

### Objects and Reasons for UV Mining Differential Rate

Land used for Mining is rated higher than the UV-Rural differential rate to improve fairness and equity outcomes by:

- Ensuring mining rates payable are no less than the average rates payable, per property, in Policy Area C (General Farming), in part to;
  - compensate for the different valuation method and comparatively lower valuation level;
  - to recognise the often short term tenure of mining projects in the region; and
  - to maintain comparability with other commercial operations in the rural sector.
- Applying a percentage premium above the average rates payable, per property, in Policy Area C (General Farming), at a level determined by the Council, to reflect the following:
  - the impact of higher road infrastructure maintenance costs to Council as a result of frequent vehicle use over extensive lengths of roads throughout the year;
  - capacity of property owners to pass on the rates charge as a business cost;
  - additional emergency service arrangements that have to be put in place;

- the monitoring of environmental impacts of clearing, noise, dust and smell;
- planning, building and health assessment cost; and
- additional costs of amenities and services provided to cater for the employees of the mining operations, such as recreation, parking and law, order and public safety.

## **Minimum Payments**

The setting of general minimum payment level within all rating categories is an important method of ensuring all properties contribute an equitable rate amount to non-exclusive services.

## **Objections & Appeals**

Objections to valuations must be lodged with the Valuer General's Office within 60 days after issue of the rates notice. Rates are still required to be paid if an objection is lodged with a refund paid if the objection is successful. Forms are available from the Shire Office or on the Shire's web site.

Under the provisions of the Local Government Act 1995, a property owner is able to lodge an objection to the rates imposed by a Council on the following grounds:

- There is an error on the rate assessment, either in respect to the owners or property details;  
or
- The characteristics of the land differ from that used in the differential rating system. The objection is to be received within 60 days of the issue of the rate notice.

Please contact Shire Staff if you would like to discuss this matter further.

## **Pensioner's Discount**

Eligible Pensioners are entitled to receive a discount on their rates. Council shall determine the nature and extent of entitlement from details as at 1 July, in relation to ownership and occupation. Also a pro-rata rebate amount will be paid if a person becomes the holder of an eligible card type during the financial year which is effective from the date of registration. A deferral arrangement is also possible.

If the circumstances of a Pensioner, who is already claiming the rebate, have changed during the previous year, they will need to update their details (i.e. card number, etc.) with Council.

Please contact Shire Staff if you believe you may be eligible for the rebate.

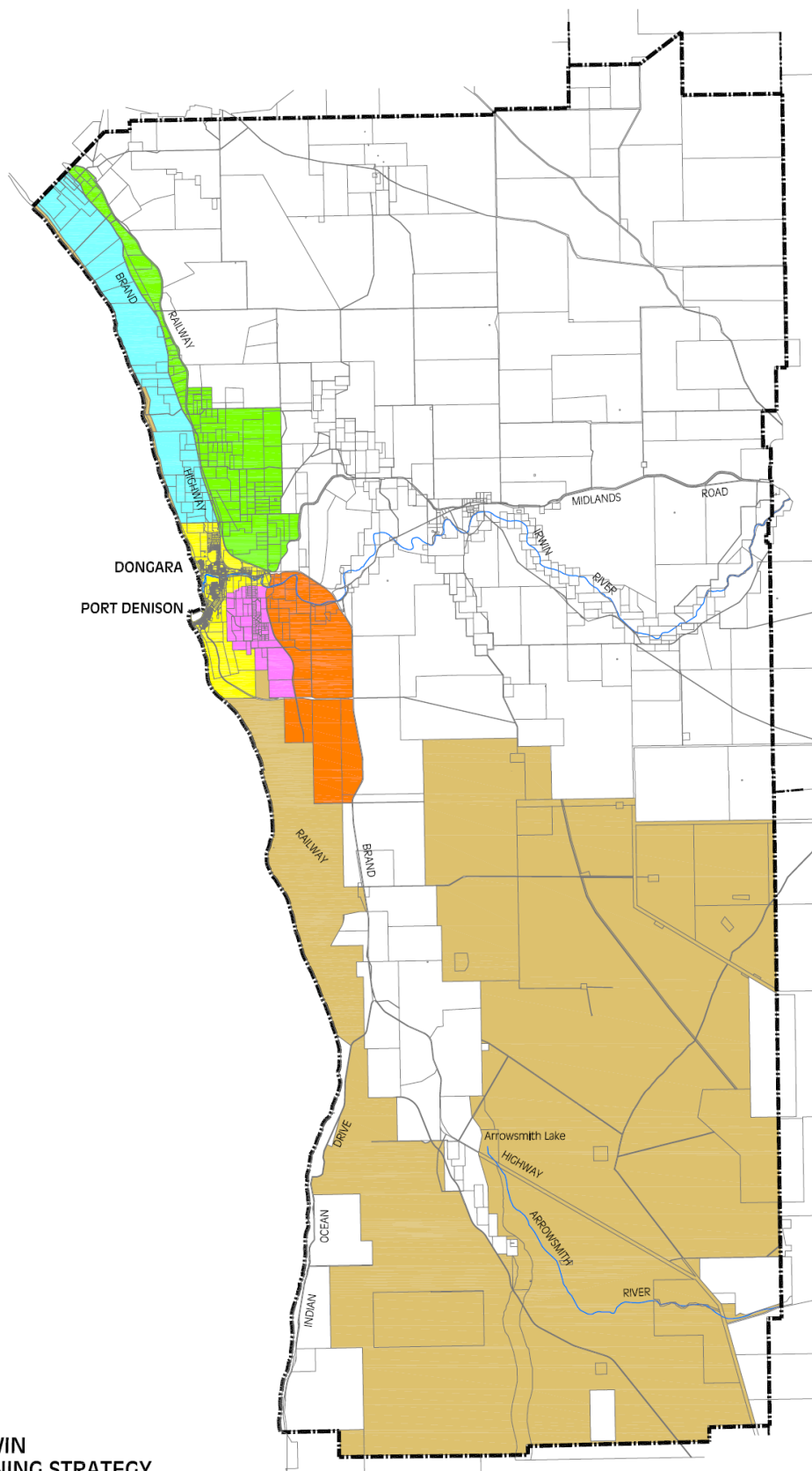
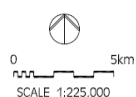


# SHIRE OF IRWIN LOCAL PLANNING STRATEGY EXISTING POLICY AREAS

EC 01538\_map3B

060405

- POLICY AREAS**
- POLICY AREA 'A'
  - POLICY AREA 'B'
  - POLICY AREA 'C'
  - POLICY AREA 'D'
  - POLICY AREA 'E'
  - POLICY AREA 'F'
  - POLICY AREA 'G'



**ATTACHMENT: CEO01**

**Register of Delegations – Council to CEO Delegations –  
Annual Review**

*Attachment 1*

Register of Delegations – Council to CEO – May 2021



# Shire of Irwin

## Shire of Irwin Delegations Register

Adopted 22/09/2020

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## INTRODUCTION

### Delegations under the Local Government Act 1995

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government 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 (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government & Communities *Guideline No.17 – Delegations*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

"Nothing in this Division is to read as preventing –

- (a) A local government from performing any of its functions by acting through a person other than the CEO"; or
- (b) A CEO from performing any of his or her functions by acting through another person."

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

## Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers. For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

Building Act 2011  
Bush Fires Act 1954, regulations and local law created under that Act  
Caravan Parks and Camping Grounds Act 1995;  
Cat Act 2011 and regulations  
Control of Vehicles (Off-Road Areas) Act 1978 and regulations  
Dog Act 1976 and regulations  
Environmental Protection (Noise) Regulations 1997  
Environmental Protection Act 1986  
Food Act 2008  
Graffiti Vandalism Act 2016  
Litter Act 1979 and regulations  
Local Government (Miscellaneous Provisions) 1960 as amended  
Planning and Development Act 2005 and associated regulations  
Public Health Act 2016

N.B. – This is not an exhaustive list.



## DELEGATIONS

Delegation	CEO100 Tenders for Goods and Services – (Amended for a declared State of Emergency)
Category	Council to CEO
Head of power	Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services  <i>Local Government (Functions and General) Regulations 1996:</i> r.11 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 r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	<p>New regulation amendments in response to a declared State of Emergency are below in <b>bold</b></p> <ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</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 a sole supplier arrangement [F&amp;G r.11(f)].</li> <li>3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is <b>\$250,000</b> or less [F&amp;G.r.11(2).  <b>r.11(2)(aa) the supply of the goods or services is associated with a state of emergency;</b>  <b>r.11(2)(h) the following apply-</b>  <b>(i) the goods or services are to be supplied by —</b>  <b>(I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or</b>  <b>(II) Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;</b>  <b>r.11(2)(ja) the contract is a renewal or extension of the term of a contract (the original contract)</b>  <b>r.11(3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if — see [F&amp;G r.11(3)] for further information</b> </li> <li>4. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>6. 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>7. Authority to vary tender information after public notice of invitation to tender and before the</li> </ol>

	<p>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)].</p> <p>8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</p> <p>9. Authority to accept a tender which does not exceed the value detailed as a condition on this Delegation and in accordance with s.5.43(b). and; Authority to accept and reject tenders in accordance with the requirements of the Functions and General Regulations [F&amp;G r.18].</p> <p>10 Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and negotiate minor variations with the successful tenderer before entering into a contract, in accordance with Council Conditions on this delegation. [F&amp;G r.20(1) (3)].</p> <p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</p> <p>12. Authority to decline to accept any tender [F&amp;G r.18(5)].</p> <p>13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)]</p> <p>14. Authority to:</p> <ul style="list-style-type: none"> <li>i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or as per Council conditions on this delegation</li> <li>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j)(ja). [F&amp;G r.21A] and before the contract is to expire.</li> </ul> <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&amp;G r.18(6) (7)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<p>a. Sole supplier arrangements 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; and</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers;</li> </ul> <p>b. 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 and where the:</p> <ul style="list-style-type: none"> <li>i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government,</li> <li>ii. current supply contract expiry is imminent,</li> <li>iii. 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> </ul> <p><b>c. Tender exempt procurement is required to have the expense included in the adopted annual budget, unless exercising the requirement for emergency purchasing under the definition of Emergency or a declared State of Emergency.</b></p> <p>d. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.</p> <p>e. A minor variation negotiation, in relation to an invitation to Tender, is subject to a maximum 20% variation and is not to exceed \$500,000.</p> <p>f. The variation of a contract is subject to a maximum limit of a 15% increase of the contract value.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	<p>Local Government Act 1995</p> <p>Local Government (Functions and General) Regulations 1996</p>
<b>Policy</b>	<p>Council Policy - CP20 Purchasing – Amended for State of Emergency</p> <p>Management Policy MP04 Purchasing</p>
<b>Record keeping</b>	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 r.19</p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO101 Payments from the Municipal or Trust Funds</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>  <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Function</b>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Authority to make payments is subject to Council approved budget.  b. or the payments have been authorised by a resolution of Council in advance, or authorised in advance by the Shire President in an emergency.  c. A list of payments is presented to Council in accordance with Financial Management Regulations 13.  d. All payments are signed by two delegated signatories, one being the CEO the other sub-delegated by the CEO.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Executive Manager Infrastructure & Development Coordinator Administration Supervisor Finance
<b>Statutory framework</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Financial Management) Regulations 1996
<b>Policy</b>	Council Policy – CP20 Purchasing
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19

<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO102 Trust Fund</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.6.9(4) Trust fund
<b>Function</b>	<p>1. Authority to transfer money, where money has been held in the trust fund for 10 years it may be transferred to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO103 Expression of Interest Goods and Services</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>	Local Government Act 1995: 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>Function</b>	<p>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].</p> <p>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].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Compliance with Delegation CEO100 - Tender for Goods and Services</p> <p>b. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
<b>Policy</b>	Council Policy - CP20 Purchasing
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720

<b>Last reviewed</b>	22 September 2020
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<b>Delegation</b>	<b>CEO104 Application of Regional Price Preference Policy</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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 (Functions and General) Regulations 1996:</i> r.24G Adopted regional price preference policy, effect of
<b>Function</b>	1. Authority to decide when not to apply the regional price preference policy to a particular tender in the future for a contract of that type [F&G r.24G].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Functions and General) Regulations 1996
<b>Policy</b>	Council Policy - CP01 Localised Purchasing (Regional Price Preference) Council Policy - CP20 Purchasing
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO105 Appoint Authorised Persons</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
<b>Function</b>	<p>1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the Local Government (Miscellaneous Provisions) Act 1960 and Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</p> <p>2. Authority to appoint authorised persons for the purposes of section 9.16 of the Local Government Act 1995, as a precondition for appointment as authorised officers in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the Criminal Procedure Act 2004.</p> <p>3. Authority to appoint authorised person for the 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].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. A Register of Authorised Persons is to be maintained as a Local Government Record.</p> <p>b. Only persons who are appropriately qualified and trained may be appointed as authorised persons.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995 Graffiti Vandalism Act 2016
<b>Policy</b>	Schedule of Authorised Persons Management Policy - MP02 Purchasing Order Authorisation

<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO106 Compensation for Damage Incurred when Performing Executive Functions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
<b>Function</b>	<p>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)].</p> <p>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Delegation is limited to settlements which do not exceed a material value of \$5,000.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO107 Powers of Entry</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of entry 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, without notice if not practicable. Using such force as is reasonable [s.3.34(1) (3) (5)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>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.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020

<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO108 Declare Vehicle is Abandoned Vehicle Wreck</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegation CEO109 Confiscated or Uncollected Goods or alternatively, referred for Council decision.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	Council Policy CP43 Disposal of Property
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO109 Confiscate or Uncollected Goods</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A, or removed under s.3.40 or 3.40A to be collected until the costs of removing and/or impounding and keeping them have been paid to the local government. [s.3.46]</p> <p>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]</p> <p>3. Authority to recover expenses if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction. [s.3.48]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Function and General) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. May be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
<b>Policy</b>	Council Policy CP43 Disposal of Property
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020



<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO110 Disposal of Sick or Injured Animals</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Function</b>	<p>1. Authority to determine when an impounded animal is ill or injured to an extent that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</p> <p>2. Authority to recover expenses if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction [s.3.48].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>As per the Local Government Act</p> <p>a. On the condition that the animal has been impounded for no less than 7 days and reasonable steps have been taken to notify the owner [s.3.47A(2)(3)].</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	Council Policy CP43 Disposal of Property
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO111 Close Thoroughfares to Vehicles</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks [s.3.50(1a) (2) (4)].</p> <p>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</p> <p>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].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions &amp; General) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<p>As per the Local Government Act</p> <p>a. Before doing anything to which section 3.51 applies, fixing or alter the level or alignment of a public thoroughfare or draining water from a public thoroughfare or other public place onto adjoining land, a person having an interest is to be notified in writing. If any land is likely to be adversely affected by doing of the thing, give local public notice. Allow reasonable time for submissions and consider any submissions made. [s3.51].</p> <p>b. In determining to close a thoroughfare for a period exceeding 4 weeks [s.3.50(1a) (2) (4)] and before doing so, to:</p> <ul style="list-style-type: none"> <li>• give; public notice</li> <li>• give 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) (4)].</li> </ul> <p>c. 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)].</p> <p>d. Maintain access to adjoining land [s.3.52(3)] (relevant to the metropolitan area or a Townsite only).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegate conditions</b>	<p><b>Sub-delegates (appointed by CEO):</b></p> <p>Executive Manager Infrastructure &amp; Development</p> <p>Works Supervisor</p>
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO112 Control Reserves and Certain Unvested Facilities</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to do anything for the purpose of controlling and managing land that is vested in or placed under the control and management of the Shire of Irwin, that it could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>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.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO113 Obstruction of Footpaths and Thoroughfares</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to give, 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: [ULP r.5(2)]</p> <p>a. prevent damage to the footpath; or</p> <p>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</p> <p>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) (4)].</p> <p>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)].</p> <p>4. Authority to require an owner or occupier of land to remove anything that has fallen from the land or from anything on the land and is obstructing a public thoroughfare [ULP r.7A].</p> <p>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].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<p>a. Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</p> <p>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.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegate conditions</b>	<p><b>Sub-delegates (appointed by CEO):</b>          Executive Manager Infrastructure &amp; Development          Works Supervisor</p>
<b>Statutory framework</b>	<p>Local Government Act 1995          Local Government (Uniform Local Provisions) Regulations 1996</p>
<b>Policy</b>	<p><b>Local Law</b>          Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law</p>
<b>Record keeping</b>	<p>Local Government Act 1995 – Section 5.46(3)          Local Government (Administration) Regulations 1996 – regulation 19</p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO114 Gates Across Public Thoroughfares</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>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)].</p> <p>3. Authority to impose conditions on granting permission [ULP r.9(4)].</p> <p>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)].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Each approval provided must be recorded in the Shire of Irwin's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Works Supervisor
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
<b>Policy</b>	<b>Local Law</b> Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law

<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO115 Public Thoroughfare – Dangerous Excavations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>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)].</p> <p>3. Authority to impose conditions on granting permission [ULP r.11(6)].</p> <p>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>Permission may only be granted where, the proponent has:</p> <p>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.</p> <p>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.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Works Supervisor
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
<b>Policy</b>	<b>Local Law</b> Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO116 Crossing – Construction, Repair and Removal</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</p> <p>3. Authority to, subject to regulation 14(2), give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</p> <p>4. Authority to, if the person fails to comply with the notice, construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Works Supervisor
<b>Statutory framework</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Uniform Local Provisions) Regulations 1996
<b>Policy</b>	Council Policy - P20 Vehicle Crossover Policy <b>Local Law</b> Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law

<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO117 Private Works on, over or under Public Places</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.17 Private works on, over, or under public places – Sch.9.1 cl.8
<b>Function</b>	<p>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)].</p> <p>2. Authority to impose conditions on permission including but not limited to those prescribed in r.17(5) [ULP r.17(5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>Permission may only be granted where, the proponent has:</p> <p>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.</p> <p>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.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996

<b>Policy</b>	<b>Local Law</b> Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to give notice to an owner and/or occupier of land if it is considered that clearing the owner and/or occupier's land might cause local government land having a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) 1996.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Works Supervisor
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
<b>Policy</b>	<b>Local Law</b> Prevention and Abatement of Sand Drift Local Law 2004
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO119 Disposal of Property</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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  <i>Local Government (Functions &amp; General) Regulations 1996</i> r.30 Disposition of property excluded from Act s.3.58
<b>Function</b>	<p>1. Authority to dispose of property: (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to 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 or not it is the highest tender [s.3.58(2)(b)].</p> <p>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 local public notice [s.3.58(3)].</p> <p>3. Authority to dispose of property excluded from Act s.3.58 [(F&amp;G) r.30(1)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions &amp; General) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph [s.5.43(d)], that amount being a maximum value of \$50,000 or less.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act Local Government (Functions and General) Regulations 1995
<b>Policy</b>	Council Policy CP43 Disposal of Property

<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO120 Defer, Grant Discounts, Waive or Write off Debts</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Waive a debt which is owed to the Shire of Irwin. [s.6.12(1)(b)]</p> <p>2. Waive or grant a concession in relation to money which is owed to the Shire of Irwin. [s.6.12(1)(b)]</p> <p>3. Write off any amount of money which is owed to the Shire of Irwin. [s.6.12(1)(c)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge.</p> <p>b. A debt may only be waived or concession be granted for charitable; or not for profit community groups.</p> <p>c. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Irwin.</p> <p>i. Limited to individual debts valued below \$1,000 or cumulative debts of a debtor valued below \$1,000. Write off of debts greater than these values must be referred for Council</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	13 July 2020

<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO121 Power to Invest and Manage Investments</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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, under the Trustees Act Part III. [s.6.14(1)]</p> <p>2. Authority to establish and document internal control procedures to be followed by employees in the investment and management of investments. [FM r.19]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy C15 Management of Investments.</p> <p>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.</p> <p>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.</p> <p>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]</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Supervisor Finance
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Financial Management) Regulations 1996

<b>Policy</b>	Council Policy C15 Management of Investments
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO122 Rate Record Amendment</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	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)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Delegates must comply with the requirements of s.6.40 of the Act.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Supervisor Finance
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO123 Agreement as to Payment of Rates and Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person [s.6.49].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Supervisor Finance
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	CP14 Debt Recovery CP41 Financial Hardship for a declared for a State of Emergency
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO124 Determine Due Date for Rates or Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Irwin [s.6.50].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. The annual budget process captures the due dates for rates and service charges, however this delegation allows for minor adjustments for administrative purposes.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO125 Recovery of Rates or Service Charges</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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
<b>Function</b>	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)]  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)]  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery and CP41 Financial Hardship for a declared State of Emergency.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	Council Policy CP14 Debt Recovery Council Policy CP41 Financial Hardship – for a declared State of Emergency
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO126 Recovery of Rates – Lessee to Pay Rent</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to give notice, if payment of a rate or service charge imposed in respect of any land is due and payable, notice may be given to the lessee of the land requiring the lessee to pay to the Shire of Irwin any rent as it falls due in satisfaction of the rate or service charge. [s.6.60(2)].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery and CP41 Financial Hardship for a declared State of Emergency.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Policy</b>	Council Policy CP14 Debt Recovery Council Policy CP41 Financial Hardship – for a declared State of Emergency
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO127 Rate Record - Objections</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</p> <p>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)(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>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.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Corporate & Community Supervisor Finance
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	Council Policy CP14 Debt Recovery
<b>Record keeping</b>	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 r.19</p> <p><i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i></p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720

<b>Last reviewed</b>	22 September 2020
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<b>Delegation</b>	<b>CEO128 Issuing Notices to Owner or Occupier of Land</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.3.25 Notices requiring certain things to be done by owner or occupier of land s.3.26 Additional powers when notices given
<b>Function</b>	<p>1. Authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice [s.3.25(1)].</p> <p>2. Authority to do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given, If the person who is given the notice (notice recipient) fails to comply with it [s.3.26(2)].</p> <p>3. Authority to recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice [s.3.26(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO129 Actions on Land that is not Local Government Property</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.3.27 Particular things local Governments can do on land that is not local government property
<b>Function</b>	1. Authority to do any of the things prescribed in Schedule 3.2, in performing its general function, even though the land on which it is done is not local government property and the local government does not have consent to do it [s.3.27(1)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Works Supervisor Parks and Gardens Supervisor
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO130 Works Required for Supply of Gas or Water</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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 (Uniform Local Provisions) Regulations 1996: r.20(1) Works required for supply of gas or water — Sch. 9.1 cl. 11
<b>Function</b>	1. Where the Local Government is responsible for supplying water or gas, authority to carry out works that are necessary for the purpose of providing, maintaining or modifying the supply system [ULP r.20(1)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Works may only be undertaken where there is an approved budget allocation.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO131 Complaints Officer</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	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>	The Local Government (Model Code of Conduct) Regulations 2021 11(3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.
<b>Function</b>	Authority to receive complaints and withdrawals of complaints alleging a breach of a requirement set out in the Model Code of Conduct.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>The CEO may authorise, as Complaints Officers, one or more persons to receive complaints and withdrawals of complaints for the purposes of Division 3 of the Code of Conduct. Delegation is in accordance with section 5.42 of the Local Government Act 1995 [Council Decision 28/21(4)].</p> <p>It is noted that the CEO, or another employee designated by the CEO, is the Complaints Officer for the purposes of s5.120 of the Local Government Act 1995, to deal with matters pursuant to Division 4 of the Code of Conduct. The CEO has not chosen to designate another employee for these purposes.</p>
<b>Express power to subdelegate</b>	Local Government Act 1995 s.5.44 CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021
<b>Date adopted</b>	23 February 2021
<b>Adoption references</b>	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
<b>Last reviewed</b>	22 September 2020

Amendments			
Approved	Type	Amendment	References
23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221

<b>Delegation</b>	<b>CEO200 Grant a Building Permit</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) <i>Delegation: special permit authorities and local government</i>
<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>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires 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) (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit before the building work is complete [s.27(1) (3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23 and 24].</li> <li>5. Authority to approve an application for a new responsible person for a building permit [r.26].</li> </ol> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p><b>a. As per Building Regulation 2012</b></p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.

<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
<b>Record keeping</b>	<i>Building Act 2011</i> s.130
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO201 Demolition Permits</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires 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) (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit, before demolition works are complete. [s.27(1) (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23].</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> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p><b>a. As per Building Regulation 2012</b></p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.

<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO202 Occupancy Permits or Building Approval Certificates</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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> Division 3 — Making and dealing with applications for occupancy permits and building approval certificates 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>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required, within a specified time of not more than 21 days 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, while the occupancy permit or building approval certificate has effect. [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> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p><b>a. As per Building Regulation 2012</b></p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section



<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO203 Authorised and Approved Persons/Officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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)(6) Authorised persons s.99(3) Limitation on powers of authorised person  <i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Function</b>	<p>1. Authority to designate a local government employee as an authorised person [s.96(3)].</p> <p>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 employee [s.99(3)].</p> <p>3. Authority to appoint a specified employee of the local government as an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004 [70(1),(1A)].</p> <p>4. Authority to appoint to be an authorised officer for the purposes of the Criminal Procedure Act 2004 section 6(b), a person appointed under the Local Government Act 1995 section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act [70(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	Not sub delegated
<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720

<b>Last reviewed</b>	22 September 2020
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<b>Delegation</b>	<b>CEO204 Building Orders</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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) Building Orders s.111(1) Notice of proposed building order other than building order (emergency) s.117 Revocation of building order s.118(2) (3) Permit authority may give effect to building order if non-compliance s.133(1) Prosecutions
<b>Function</b>	<p>1. Authority to make Building Orders in relation to:</p> <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> <p>2. Authority to give notice of a proposed building order and consider submissions received in response [s.111(1)(c)].</p> <p>3. Authority to, by notice in writing revoke a building order at any time. [s.117(1)].</p> <p>4. If there is non-compliance with a building order, authority to cause an authorised person to:</p> <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> <p>5. Authority to take court action to recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) in relation to the order. [s.118(3)].</p> <p>6. Authority to initiate a prosecution for an offense against this Act [s.133(1)] (see Council conditions)</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.</p> <p>b. Authority to initiate a prosecution for an offense against this Act [s.133(1)] is limited to non-compliance with a building order made pursuant to section 110 of the Building Act 2011.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>

<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development - limited
<b>Statutory framework</b>	Building Act 2011
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
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<b>Delegation</b>	<b>CEO205 Inspection and Copies of Building Records</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to, on application by an interested person and on payment of the prescribed fee, if any — (a) allow the interested person to inspect a building record; and (b) provide to the interested person a copy of a building record [s.131(2)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Executive Manager Corporate & Community Manager Regulatory Services Coordinator Administration Supervisor Finance
<b>Statutory framework</b>	Building Act 2011
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO206 Referrals and Issuing Certificates</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance that is signed by a building surveyor who is employed by the local government whether or not -</p> <p>a. the building or incidental structure that is the subject of the application is, or is proposed to be, located in the local government's district; or</p> <p>b. the applicant is an owner or occupier of land in the local government's district [s.145A(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO207 Private Pool Barrier – Alternative and Performance Solutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Permit Authority (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>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 compliance with AS 1926.1 [r.51(2)].</p> <p>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)].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020





<b>Delegation</b>	<b>CEO208 Smoke Alarms – Alternative Solutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. 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]. In accordance with Division 3 – Smoke Alarms.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Building Act 2011
<b>Record keeping</b>	<i>Building Act 2011 s.130</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO300 Firebreaks</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to, subject to subsection s.33(2) give written notice to all owners or occupiers of land within the District, or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring within a time specified in the notice and to the satisfaction of the Shire of Irwin:</p> <p>a. clearing and maintaining of firebreaks as determined necessary and specified in the notice; and</p> <p>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</p> <p>c. as a separate or coordinated operation with any other person carry out a similar operation on adjoining or neighbouring land [s.33(1)].</p> <p>2. Authority to direct a Bush Fire Control Officer or any other officer of the local government 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)].</p> <p>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 in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government [s.33(5)].</p> <p>3. Authority to, at the request of the owner or occupier of land within Shire of Irwin district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier in a court of competent jurisdiction as a debt due from the owner or occupier to the local government. [s.33(6)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720

<b>Last reviewed</b>	22 September 2020
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<b>Delegation</b>	<b>CEO301 Make Request to FES Commissioner – Control of Fire</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to request on behalf of the Shire of Irwin that the FES Commissioner authorise a Bush Fire Liaison Officer or another person to take control of all operations in relation to the fire. [s.13(4)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
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<b>Delegation</b>	<b>CEO302 Prohibited Burning Times - Vary</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s. 17(10) A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (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.
<b>Function</b>	1. Authority to, subject to subsection s.17(7B), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by — (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or (b) imposing a further period of prohibited burning times. [s.17(7)] In accordance with the provisions of s.17(7B) (8).  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i>
<b>Delegates</b>	Chief Bush Fire Control Officer Shire President
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO303 Restricted Burning Times - Vary</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	Bush Fires Act 1954: s.18(5) Restricted burning times may be declared by FES Commissioner  Bush Fire Regulations 1954: r.15C Local government may prohibit burning on certain days
<b>Function</b>	<p>1. Authority, subject to subsection s.18(5B), where seasonal conditions warrant it and after consultation with an authorised CALM Act officer if forest land is situated in its district, to -</p> <p>(a) vary the restricted burning times in respect of that year in the district or a part of the district by —</p> <p>(i) shortening, extending, suspending or reimposing a period of restricted burning times; or</p> <p>(ii) imposing a further period of restricted burning times;</p> <p>or</p> <p>(b) vary the prescribed conditions by modifying or suspending all or any of those conditions. [s.18(5)].</p> <p>2. Authority, by notice published in a newspaper circulating in its district, to prohibit the burning of the bush in that district on Sundays and specified public holidays during restricted burning times, and may, by subsequent notice so published, revoke that notice. [r.15C]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO304 Prohibited and/or Restricted Burning Times – Control Activities</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p>Bush Fires Act 1954:</p> <p>s.18(11) Restricted burning times may be declared by FES Commissioner</p> <p>s.22(6) and (7) Burning on exempt land and land adjoining exempt land</p> <p>s.27(2) (3) (4) Prohibition on use of tractors or engines except under certain conditions</p> <p>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p>Bush Fire Regulations 1954:</p> <p>r.15 Permit to burn form of and applying for after refusal etc.</p> <p>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</p> <p>r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>



<b>Function</b>	<p>1. Authority to, during restricted burning times, where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10,000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction [s.18(11)].</p> <p>2. 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 on the respective lands. The local government shall notify the occupier of the adjoining land of the date the burning is to take place and require him to provide by that date ploughed or cleared fire-breaks parallel to the common boundary and of a distance therefrom of not more than 60m and as specified by the local government [s.22(6) and (7)].</p> <p>3. Authority to prohibit the operation in its district of any tractor, or self-propelled harvester other than a tractor or self-propelled harvester that is equipped with a fire extinguisher, during a prohibited or restricted burning times, and to give permission for use of same during the prohibited or restricted burning time subject to compliance with requirements specified in a notice [s.27(2) (3) (4)].</p> <p>4. Authority to recover the cost of measures taken by the Bush Fire Liaison Officer or Bush Fire Control Officer or authorised CALM Act Officer, to extinguish a fire burning during prohibited and 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 on the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p> <p>5. Authority to grant permits to burn during prohibited and restricted burning times that have previously been refused or granted with special conditions by a Bush Fire Control Officer [r.15].</p> <p>6. 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 prohibited or restricted burning times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</p> <p>7. Authority to determine, during a prohibited or restricted burning time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</p> <p>8. Authority to issue directions, during a prohibited or 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><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management

<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO305 Control of Operations Likely to Create Bush Fire Danger</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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 r.39D Explosives, use of r.39E Fireworks, use of
<b>Function</b>	<p>1. 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), in accordance with provisions in s.27D (2) (3). Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</p> <p>2. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from:</p> <ul style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, or a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)].</li> </ul> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Council Policy - CP02 Fire Management
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO306 Burning Garden Refuse / Open Air Fires</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to, by notice of published in the Gazette and a newspaper circulating in the its district, prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]:</p> <p>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)].</p> <p>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District, specified by the Shire of Irwin in a notice in writing given by it to the duly authorised officer for the Shire of Irwin [r.34].</p> <p>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:</p> <p>a. camping or cooking [s.25(1)(a)].</p> <p>b. conversion of bush into charcoal or in or about a lime kiln for the production of lime, in consultation with a bush fire control officer or authorised CALM Act officer [s.25(1)(b)].</p> <p>4. Authority to prohibit the lighting of fires in the open area 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 cancel or vary such notice [s.25(1a) and (1b)].</p> <p>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 and any person acting under his instructions from lighting a fire and to determine conditions on the notice [s.25A(5)(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>

<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO307 Appoint Bush Fire Control Officer/s and Fire Weather Officer</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and</p> <p>a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</p> <p>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</p> <p>2. Authority to issue directions to an appointed Bush Fire Control Officer or to an officer of a bush fire brigade registered by the Shire of Irwin to burn, subject to the provision of the Bush Fires Act 1954, on or at the margins of a road reserve under the care, control and management of the Shire of Irwin [s.38(5A)].</p> <p>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].</p> <p>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Policy</b>	Bush Fire Brigades Local Law
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO308 Control and Extinguishment of Bush Fires</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>a. Where it is proposed that the fire will be lit on land within 3km of the boundary of forest land, and an authorised CALM Act officer 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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO309 Recovery of Expenses Incurred through Contraventions of this Act</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to recover expenses incurred as a result 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 of Irwin or those on behalf of the Shire of Irwin to do, in accordance with the provisions of s.58 (3) (3A) (3B) (4).</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO310 Prosecution of Offences</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act in accordance with the provisions of s.59 (1) (2) (3) (4) (5).</p> <p>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Bush Fire Control Officer Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Date adopted</b>	28 July 2020
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<b>Delegation</b>	<b>CEO311 Withdrawal of Infringement Notices</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	Bush Fires Act 1954: s.59A(5) Alternative procedure – infringement notices
<b>Function</b>	<p>1. Authority to withdraw an infringement notice for an offence against this Act, at any time within 60 days after the service of the notice, by the sending of a notice, in the prescribed form, signed by a prescribed officer, to the alleged offender at his last known place of residence or business, advising the alleged offender that the infringement notice has been withdrawn, and, in that event, the amount of any prescribed penalty that has been paid shall be refunded [s.59A (5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Statutory framework</b>	Bush Fires Act 1954 - s.50
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO400 Cat Registrations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<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 of Irwin's District [Regs. Sch. 3 cl.1(4)].</li> <li>6. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat. [Schedule 3 s.1(4)].</li> </ol> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and Cat Regulations 2012.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</li> <li>b. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995.</li> </ol> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Cat Act 2011 Cat Regulations 2012
<b>Record keeping</b>	Cat Act 2011 s.47
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO401 Cat Control Notices</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	Cat Act 2011: s.26 Cat control notice may be given to cat owner
<b>Function</b>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Irwin's District [s.26].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.  <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Cat Act 2011 Cat Regulations 2012
<b>Record keeping</b>	Cat Act 2011 s.47
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO402 Approval to Breed Cats</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</p> <p>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, within a specified time of not more than 21 days, required to determine the application [s.37(4)].</p> <p>3. Authority to cancel an approval to breed cats if one or more of the things set out in s.37(2) applies in respect of the approved cat breeder [s.38].</p> <p>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)].</p> <p>5. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Cat Act 2011 Cat Regulations 2012

<b>Record keeping</b>	Cat Act 2011 s.47
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO403 Appoint Authorised Person</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s. 48 Authorised persons
<b>Function</b>	1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Statutory framework</b>	Cat Act 2011 Cat Regulations 2012
<b>Record keeping</b>	Cat Act 2011 s.47
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO404 Recovery of Costs – Destruction of Cats</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat from the owner in a court of competent jurisdiction. [s.49(3)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Cat Act 2011 Cat Regulations 2012
<b>Record keeping</b>	Cat Act 2011 s.47
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO405 Applications to Keep Additional Cats</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to require any document or additional information to be provided within a specified time of not more than 21 days to determine an application. [r.8(3)]</p> <p>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)]</p> <p>3. Authority to grant or refuse approval for additional number of cats specified in an application or less than the amount specified in the 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]</p> <p>4. Notices of decisions must include advice as to review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Manager Regulatory Services
<b>Statutory framework</b>	Cat Act 2011 Cat (Uniform Local Provision) Regulations 2013
<b>Record keeping</b>	Cat Act 2011 s.47

<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO500 Refuse or Cancel Registration</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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) (4A) Registration periods and fees s.16(2) (3) Registration procedure s.17A(2) If no application for registration made
<b>Function</b>	<p>1. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Irwin's District [s15(4A)].</p> <p>2. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</p> <p>3. 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 as per the requirements the Dog Act 1976 because - [s.16(3) and s.17A(2)].</p> <p>a. the applicant, owner or registered owner has been convicted or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or</p> <p>b. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or</p> <p>c. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or</p> <p>d. the dog is required to be microchipped but is not microchipped; or</p> <p>e. the dog is a dangerous dog [s.16(3) and s.17A(2)].</p> <p>4. Authority to apply to a Justice of the Peace for an order to seize a dog following a decision to refuse or cancel a registration where the owner/applicant was given proper notice of the reason for the decision and has not applied to the State Administrative Tribunal for the decision to be reviewed within the time fixed. [s.17(4)].</p> <p>5. Authority to cause the dog to be seized, if an order for the seizure of the dog is made under subsection (4) or (5), and detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>

<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO501 Kennel Establishments</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to grant a licence to keep an approved kennel establishment, upon an application received in the Shire's prescribed manner and form. If due notice of the proposed use of the land was required to be given to persons in the locality, the Shire shall have regard to any objections raised. [s.27(4)].</p> <p>2. Authority to cancel a licence for a kennel buy the service of a notice on the licensee specifying a period at the end of which the licence is cancelled, which shall be a period of not less than 3 months [s.27(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720

<b>Last reviewed</b>	22 September 2020
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<b>Delegation</b>	<b>CEO502 Appoint Authorised Persons</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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.11 Staff and Services
<b>Function</b>	1. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.3 s.11(1)(2)(3) and s.29(1)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	310720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO503 Recovery of Moneys Due Under this Act</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	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)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.  <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO504 Dispose of or Sell Dogs Liable to be Destroyed</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to dispose of or sell a dog which is liable to be destroyed pursuant to subsection (10) [s.29(11)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.  <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000 Council Policy CP43 Disposal of Property
<b>Record keeping</b>	Dog Act 1976 s.10AA
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO505 Declare a Dangerous Dog</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to declare an individual dog to be a dangerous dog by notice in writing given in accordance with section 33F [s.33E(1)].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council.  b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.  <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Executive Manager Infrastructure & Development Executive Manager Corporate & Community
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO506 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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)(5) Local government may revoke declaration or proposal to destroy
<b>Function</b>	<p>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</p> <p>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</p> <p>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)].</p> <p>4. 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)].</p> <p>5. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council.</p> <p>b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated

<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO507 Determine Recoverable Expenses for Dangerous Dog Declaration</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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 any maximum amount prescribed, having regard to the 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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The Chief Executive Officer may further delegate to a person which are determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Dog Act 1976
<b>Policy</b>	Dog Local Law 2000
<b>Record keeping</b>	Dog Act 1976 s.10AA <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO600 Food Business Registrations</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	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].  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, see <a href="http://ww2.health.wa.gov.au">ww2.health.wa.gov.au</a> for up-to-date DoH CEO approved documents.  <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Subdelegate conditions</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Food Act 2008
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO601 Appoint Authorised Officers and Designated Officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</p> <p>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. In accordance with s.122(2) the Department of Health (DoH) CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer. See <a href="http://ww2.health.wa.gov.au">ww2.health.wa.gov.au</a> for up-to-date DoH CEO approved guidelines.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Food Act 2008
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO602 Determine Compensation</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<p><i>Food Act 2008:</i></p> <p>s.118 Functions of enforcement agencies and delegation</p> <p>(2)(b) Enforcement agency may delegate a function conferred on it</p> <p>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</p> <p>(4) Sub-delegation permissible only if expressly provided in regulations</p>
<b>Express power or duty delegated</b>	<p><i>Food Act 2008:</i></p> <p>s.56(2) Compensation to be paid in certain circumstances</p> <p>s.70(2) and (3) Compensation</p>
<b>Function</b>	<p>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)(3)].</p> <p>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)(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer
<b>Conditions</b>	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$1,000. Compensation requests above this value are to be reported to Council.</p> <p>c. The person who seized an item is not permitted to determine an objection, extend time, withdraw or revoke and/or compensation, as is applicable.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	<p>Food Act 2008</p> <p><i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i></p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO603 Prohibition Orders</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Food Act 2008:</i></p> <p>s.118 Functions of enforcement agencies and delegation</p> <p>(2)(b) Enforcement agency may delegate a function conferred on it</p> <p>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</p> <p>(4) Sub-delegation permissible only if expressly provided in regulations</p>
<b>Express power or duty delegated</b>	<p><i>Food Act 2008:</i></p> <p>s.65(1) Prohibition orders</p> <p>s.66 Certificate of clearance to be given in certain circumstances</p> <p>s.67(4) Request for re-inspection</p>
<b>Function</b>	<p>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)].</p> <p>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	<p>Food Act 2008</p> <p><i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i></p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO604 Debt Recovery and Prosecutions</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>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)].</p> <p>2. Authority to institute proceedings for an offence under the Food Act 2008 within 12 months after the date of which the offence is alleged to have been committed, or within 6 months if proceedings are in respect of a food sample [s.125].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Food Act 2008
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO605 Food Business List – Preparation, Maintenance and Public Access</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Food Act 2008:</i></p> <p>s.118 Functions of enforcement agencies and delegation</p> <p>(2)(b) Enforcement agency may delegate a function conferred on it</p> <p>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</p> <p>(4) Sub-delegation permissible only if expressly provided in regulations</p>
<b>Express power or duty delegated</b>	<p><i>Food Act 2008:</i></p> <p>r.51 Enforcement agency may make list of food businesses publicly available</p>
<b>Function</b>	<p>1. Authority to prepare and maintain a list of —</p> <p>(a) food businesses notified to the agency in respect of any premises under section 107; and</p> <p>(b) food businesses registered by the agency in respect of any premises under section 110 [s.115].</p> <p>2. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Statutory framework</b>	Food Act 2008
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO700 Give Notice Requiring Obliteration of Graffiti</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, if applicable with s.18(1), 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)].</p> <p>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 reasonable costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Graffiti Vandalism Act 2016 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO701 Notices – Deal with Objections and Suspension of Effect of Notices</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to deal with an objection to a notice [s.22(3)].</p> <p>2. Authority, where an objection has been lodged against a notice or a decision or for a review of a decision, to:</p> <ul style="list-style-type: none"> <li>i. determine that there are urgent reasons why the effect of the notice or decision should not be suspended; or</li> <li>ii. suspension of the effect of the notice or decision is reasonably likely to endanger the safety of any person, cause damage to property or to create a serious public nuisance [s.24(1)(b)]; and</li> <li>ii. to give notice to the affected person in writing of its decision explaining its reasons under subsection s.24(1)(b) [s.24(3)].</li> </ul> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Graffiti Vandalism Act 2016 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO702 Obliterate Graffiti on Land not Local Government Property</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to determine to obliterate graffiti that is visible from a public place and has been 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 to do it [s.25 (1)].</p> <p>a. Subject to exercising Powers of Entry.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Graffiti Vandalism Act 2016
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO703 Powers of Entry</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to give notice, not less than 24 hours before, of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</p> <p>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Graffiti Vandalism Act 2016
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO800 Appoint Authorised Officer or Approved Officer (Asbestos Regs)</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<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>Function</b>	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the Criminal Procedure Act 2004 Part 2. [r.15D(5)]  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</b>	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
<b>Statutory framework</b>	Health (Asbestos) Regulations 1992 Criminal Procedure Act 2004 – Part 2
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO801 Enforcement Agency Reports to the Chief Health Officer</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>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 of Irwin [s.22(1)].</p> <p>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)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</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>Statutory framework</b>	Public Health Act 2016
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO802 Designate Authorised Officers</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> <li>a. The Public Health Act 2016 or other specified Act</li> <li>b. Specified provisions of the Public Health Act 2016 or other specified Act</li> <li>c. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul 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> </ul> <p>Subject to each person so appointed being appropriately qualified and experienced s.25(1)(a) and has regard to any guidelines issued under s.29.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</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>Statutory framework</b>	Public Health Act 2016
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO803 Determine Compensation for Seized Items</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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>Function</b>	<p>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 in relation to the item and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>a. Compensation is limited to a maximum value of \$100, with any proposal for compensation above this value to be referred for Council's determination.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<b>Express power to subdelegate</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>Statutory framework</b>	<p>Public Health Act 2016</p> <p><i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal.</i></p>
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO804 Commence Proceedings</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Enforcement Agency (Local Government)
<b>Express power to delegate</b>	<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.280 Commencing Proceedings
<b>Function</b>	1. Authority to commence proceedings for an offence under the Public Health Act 2016 [s.280]  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
<b>Express power to subdelegate</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>Statutory framework</b>	Public Health Act 2016
<b>Date adopted</b>	28 July 2020
<b>Adoption references</b>	130720
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO900 Illegal Development</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
<b>Express power or duty delegated</b>	Planning and Development Act 2005: s.214(2), (3) and (5) Illegal development, responsible authority's powers as to s.215 Illegal development, responsible Authority's powers to remove
<b>Function</b>	<p>1. Authority to 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. [s.214(2)]</p> <p>2. Authority to give a written direction to the owner or any other person who undertook an unauthorised development: (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. [s.214(3)]</p> <p>3. Authority to 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. [s.214(5)]</p> <p>4. Authority to recover any expenses incurred by a responsible authority under subsection s.215 (1) may be recovered from the person to whom the direction was given as a debt due in a court of competent jurisdiction. [s.215] See Council conditions.</p> <p>Note - Authority to prosecute a person for an offence under Division 2 Offences irrespective of whether or not a direction has been given under section 214. [s.224] Authority to give an infringement notice can be issued under section 234.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i></p>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer Manager Development
<b>Conditions</b>	<p>a. The authority to recover expenses is only exercisable by the Chief Executive Officer.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<b>Express power to subdelegate</b>	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
<b>Statutory framework</b>	Planning and Development Act 2005 Part 13

<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO901 Waiving or Refunding Planning Application Fee</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
<b>Express power or duty delegated</b>	Planning and Development Regulations 2009 r.52 Local Government may waive or refund fee
<b>Function</b>	<p>1. Authority to waive or refund, in whole or in part, payment of a fee for a planning service. [r.52]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i></p>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer Manager Development
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
<b>Statutory framework</b>	Planning and Development Act 2005 Part 13
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO902 Grant a Certificate</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
<b>Express power or duty delegated</b>	Liquor Control Act 1988: s.40 Certificate of planning authority as to whether use of premises complies with planning laws
<b>Function</b>	1. Authority to grant a certificate, with or without conditions, to support an application for a licence under the Liquor Control Act 1988. [s.40(1) & (4)]  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer Manager Development
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
<b>Statutory framework</b>	Planning and Development Act 2005 Part 13
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO903 Subdivision Clearances</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
<b>Express power or duty delegated</b>	Planning and Development Act 2005: s.157(1) When approval of subdivision deemed to be approval under planning scheme
<b>Function</b>	<p>1. Upon subdivision approval by the Commission, authority under the planning scheme to approve the carrying out of works necessary to enable the subdivision of the land that are —</p> <p>(a) shown on the plan of subdivision; or</p> <p>(b) required by the Commission to be carried out as a condition of approval of the plan of subdivision.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i></p>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer Manager Development
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO904 Local Planning Scheme No.5</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p>Planning and Development (Local Planning Schemes) Regulations 2015  s.82 Delegations by local government  s.84 Other matters relevant to delegations under this Division</p> <p>Local Government Act 1995:  s.5.45 Other matters relevant to delegations under this Division  s.5.46 Register of, and records relevant to, delegations to CEO and employees</p> <p>Local Planning Scheme 5 (The Scheme)  11.3 Delegation of functions</p>

<p><b>Express power or duty delegated</b></p>	<p><b>PART 4 – ZONES AND THE USE OF THE LAND</b> 4.3 Zoning table</p> <p><b>PART 5 – GENERAL DEVELOPMENT REQUIREMENTS</b> 5.3 Special application of residential design codes 5.5 Variations to site and development standards and requirements 5.7 Home businesses, home occupations and cottage industries 5.8 Car Parking Standards 5.9 Car Parking – Cash in Lieu or Staging 5.10 Secondhand Dwellings 5.11 Ancillary Dwellings 5.12 Waste Disposal 5.15 Development of land without constructed road frontage 5.16 Land liable to flooding and the Irwin River Floodplain 5.17 Development of lots with more than one street frontage 5.18 Outbuildings 5.21 Retaining Walls, fence or screen wall construction 5.22 Traffic Entrances 5.23 Flora preservation and planting 5.25 Residential Zone 5.26 Special Residential Zone 5.30 Rural Residential Zone and the Rural Smallholdings Zone 5.34 Structure Planning Areas</p> <p><b>PART 6 SPECIAL CONTROL AREAS</b> 6.2 Water Supply Protection Area</p> <p><b>PART 7 HERITAGE</b> 7.4 Heritage Assessment 7.5 Variations to Scheme provisions for a heritage place or heritage area</p> <p><b>PART 8 – DEVELOPMENT OF LAND</b> 8.1 Requirement for approval to commence development 8.3 Amending or revoking a planning approval 8.4 Unauthorised existing developments</p> <p><b>PART 9 – APPLICATION FOR PLANNING APPROVAL</b> 9.4 Advertising of applications</p> <p><b>PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS</b> 10.1 Consultations with other authorities 10.6 Temporary planning approval</p> <p><b>PART 11 ENFORCEMENT AND ADMINISTRATION</b> 11.1 Powers of the Local Government 11.2 Removal and repair of existing advertisements</p>
<p><b>Function</b></p>	<p><b>PART 4 – ZONES AND THE USE OF LAND</b> 1 Change the use of land from one use to another. [cl.4.3.3 &amp; 4.3.4]</p> <p><b>PART 5 – GENERAL DEVELOPMENT REQUIREMENTS</b></p>

- 2 Approve a Grouped Dwelling development containing a maximum of two (2) dwelling units, subject to relevant provision of R20 and The Scheme. [cl.5.3.1]
- 3 Approve Ancillary Dwelling as per the provision of the development application process, Zoning Table and the Residential Design Codes. [cl.5.3.3 & 5.11]
- 4 Approve an application for planning approval that does not comply with a standard or requirement prescribed under The Scheme, unconditionally or subject to such conditions as the local government thinks fit. Except for development in respect of which the Residential Design Codes apply. [cl.5.5.1] In accordance with cl.5.5.2 & 5.5.3.
- 5 Issue an annual approval to conduct a home business, home occupation or industry-cottage. Re-issue or refuse to re-issue annual approvals. [cl.5.7.1 & 5.7.2].
- 6 Authority to determine parking standards not specified in The Scheme [cl.5.8.1]
- 7 Authority to permit car parking to be provided in stages subject to the landowner setting aside an area of land sufficient to accommodate the total car parking requirement for the development and entering into a legal agreement to satisfactorily complete all the remaining parking when required to do so by the local government. [cl.5.9.1]
- 8 Refuse a development application until the road has been constructed or access by means of a constructed road is provided. Or grant approval to the application subject to a condition requiring the applicant to pay a sum of money in or towards the cost of constructing the road or part thereof and any other condition it considers fit to impose. Or require other legal arrangements are made for permanent access. [cl.5.15]
- 9 Refuse an application for planning approval for any building or development located on land which is considered as being liable to flooding or inundation. [cl.5.16]
- 10 Decide which street frontage the street setback shall be applied and allow up to a 50% reduction in the street frontage setback to the other street, where development is proposed on a lot with frontage to more than one street or road, and the lot is in a zone or zones other than Residential. Except where development is subject to the Residential Design Codes. [cl.5.17]
- 11 Approve Outbuildings, through a development application, that are consistent with The Scheme. [cl.5.18]
- 12 Approve, through a development application, retaining walls or boundary fences in accordance with The Scheme. [cl.5.21.1 & 5.21.2]
- 13 Refuse to permit more than one vehicular entrance or exit to or from any lot. May require separate entrances and exits; or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or reduce traffic hazards. [cl.5.22.1]
- 14 Authority to as a condition of any approval for new development or change of use, require existing accesses to major roads to be closed where access from a secondary street is or can be made possible. [cl.5.22.2]
- 15 Authority to approve to vary the position of any required firebreak to avoid destruction of vegetation due to the physical features on the subject land. [cl.5.23.4]
- 16 May, by notice served upon individual landowners or developers of land, require the preservation of groups and/or corridors of indigenous flora and thereafter no landowner shall cut, remove or otherwise destroy any such flora unless the Shire rescinds the notice or orders. And may impose conditions on a planning approval or request conditions on a subdivision approval. [cl.5.23.5 & 5.23.6]



17 Approve the parking of a commercial vehicle on a lot in the Residential Zone in accordance with The Scheme. [cl.5.25.3]

18 At the time of subdivision, the local government may request the Western Australian Planning Commission to impose conditions related to the subdivision, in accordance with The Scheme.

19 Refuse planning approval for any outbuildings on any Rural Residential zoned lot which does not contain a residence unless forming Stage 1 of a planning application containing a residence, the local government may require a performance bond for the future construction of the residence [cl.5.30.12]

20 Notwithstanding clause 5.34.4.1 may recommend subdivision or approve the development of land within a Structure Planning Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the Structure Planning Area. [cl.5.34.4.2]

21 Notwithstanding the provisions of sub-clause 5.34.4.4, may approve the construction of the following structures outside of the building envelopes—

- Water tanks;
  - Windmills;
  - Stock watering and feed troughs; and
  - Roofed structure open on all sides for the purposes of providing shelter to animals.
- [cl.5.34.4.5]

#### **PART 6 SPECIAL CONTROL AREAS**

22 Authority to refuse a use or development where DWER advises that a use or development should be refused, notwithstanding that a use or development may be classified as 'P' in the zoning table. [cl.6.2.5]

#### **PART 7 HERITAGE**

23 May require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List. [cl.7.4]

24 May vary any site or development requirement specified in The Scheme or the Residential Design Codes, where desirable to –

- a) Facilitate the conservation of a heritage place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List under Clause 7.1.1; or
  - b) Enhance or preserve heritage values in a heritage area designated under Clause 7.2.1.
- In accordance with the procedures set out in Clause 5.5.2.

#### **PART 8 – DEVELOPMENT OF LAND**

25 Approve and or refuse, with or without conditions, subject to Clause 8.2, all development on land zoned and reserved under The Scheme and in accordance with Part 9 Application for Planning Approval [8.1] With regard to the following:

- a) For the purpose of a use of land mentioned in the Zoning table of the LPS5 and designated 'P', 'D' or 'A'.
- b) On a Local Reserve under the LPS05 for the purpose for which the land is reserved under. [cl.3.4]
- c) On Land specified in Schedule No.2 Additional Uses of the LPS05 for the purpose specified with respect to that land in Schedule No.2.
- d) On land specified in Schedule No.3 Restricted Uses for the purpose specified with respect to that land in Schedule No.3.
- e) For the purpose of a use of land mentioned in Schedule No.4 Special Use Zones of LPS05 and designated 'P', 'D' or 'A'.
- f) To the erection placement and display of advertisements and the use of land or buildings for that purpose in accordance with The Scheme.

	<p>26 Revoke or amend, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval. [cl.8.3]</p> <p>27 Grant planning approval, for an unauthorised development, if the development conforms to the provisions of The Scheme and in accordance with Part 9 Application for Planning Approval. [cl.8.4]</p> <p><b>PART 9 APPLICATION FOR PLANNING APPROVAL</b></p> <p>28 May give notice or require the applicant to give notice of an application for planning approval in accordance with Part 9 and for the purpose of a use or commence or carry out development which involves a use which is-</p> <p>a) An 'A' use under Clause 4.3.2; or</p> <p>b) A use not listed in the Zoning Table [cl.9.4.1]</p> <p><b>PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS</b></p> <p>29 May consult with any other statutory, public, or planning authority it considers appropriate in considering any application for planning approval. [cl.10.1.1]</p> <p>30 May impose conditions limiting the period of time for which a temporary planning approval is granted. [cl.10.6]</p> <p><b>PART 11 ENFORCEMENT AND ADMINISTRATION</b></p> <p>31 May, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of The Scheme are being observed. [cl.11.1.2]</p> <p>32 May by written notice (giving clear reasons) require the advertiser to remove, relocate, repair, adapt or otherwise modify the advertisement, where an existing advertisement at, or at any time after, the coming into force of The Scheme, is, in the opinion of the local government, in conflict with the amenity of the locality. [cl.11.2.1]</p> <p>33 Where, in the opinion of the local government, an advertisement has deteriorated to a point where it is in conflict with the aims of The Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by written notice require the advertiser to –</p> <p>a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or</p> <p>b) remove the advertisement. [cl.11.2.2]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Planning Scheme 05, local planning policies and the standards and policies of the Western Australia Planning Commission.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	<p>Planning and Development (Local Planning Schemes) Regulations 2015</p> <p>s.83 Local Government CEO may delegate powers</p> <p>s.84 Other matters relevant to delegations under this Division</p>
<b>Subdelegate conditions</b>	<p><b>Sub-Delegate/s (Appointed by CEO):</b></p> <p>A/Manager Infrastructure and Development</p> <p>Manager Development</p>

<b>Statutory framework</b>	Planning and Development Act 2005 Part 13 Planning and Development (Local Planning Schemes) Regulations 2015 Local Planning Scheme 05
<b>Policy</b>	Local Planning Policy – Advertising Signs Local Planning Policy – Developer Contributions for Upgrades to Roads and Footpaths Local Planning Policy – Extractive Industries LPP01 Local Planning Policy – Shipping Containers Local Planning Policy – Water Sensitive Urban Design Local Planning Policy – Wind Turbines Council Policy CP24 Recordkeeping
<b>Record keeping</b>	Local Government Act s.5.46
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO905 Strata Title Applications - Certificates of Approval</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Planning and Development Act 2005: Section 16(3)(e) - Delegation by Commission
<b>Express power or duty delegated</b>	Strata Titles Act 1985: s.23 Requirement for local government approval
<b>Function</b>	<p>1 Authority to provide written subdivision approval in accordance with s.15 if the parcel is situated in the Shire of Irwin district, if the subdivision involves —</p> <p>(a) 2 or more lots being consolidated into 1 lot; or</p> <p>(b) 1 or more lots being converted into common property; or</p> <p>(c) the removal, from the parcel, of land comprised of common property. [s.23(1)]</p> <p>2 If the subdivision is approved, it is subject to any planning (scheme by-laws) condition attached to the local government approval. [s.23(2)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Strata Titles Act 1985 and associated legislation.</i></p>
<b>Delegates</b>	A/Manager Infrastructure and Development Chief Executive Officer Manager Development
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
<b>Statutory framework</b>	Planning and Development Act 2005 Part 13 Strata Titles Act 1985 SOI Local Planning Scheme No.5
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	060920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000</i>
<b>Function</b>	Authority to administer the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	P22 Stallholder Permits
<b>Record keeping</b>	Local Government Act 1995 – Section 5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1001 Bush Fire Brigades Local Law</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Bush Fire Brigades Local Law
<b>Function</b>	<p>Authority to administer the Bush Fire Brigades Local Law, subject to Part 9, Division 1 of the Local Government Act 1995.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Bush Fire Brigades Local Law.</i></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	CP02 Bush Fire Management E21 Protective Clothing Volunteer Bush Fire Brigades
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1002 Cemeteries Local Law 2000</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Cemeteries Local Law 2000
<b>Function</b>	Authority to administer the Cemeteries Local Law, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Cemeteries Local Law.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Corporate and Community
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1003 Dogs Local Law</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Dogs Local Law
<b>Function</b>	Authority to administer the Dogs Local Law, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Dogs Local Law.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Actions under this Delegation are required to comply with any related local law and/or policies.
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020



<b>Delegation</b>	<b>CEO1004 Extractive Industries Local Law 2000</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Extractive Industries Local Law 2000
<b>Function</b>	Authority to administer the Extractive Industries Local Law, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Extractive Industries Local Law 2000.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	LLP Extractive Industries
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1005 Health Local Laws 2002</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Health Local Laws 2002
<b>Function</b>	Authority to administer the Health Local Laws, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Health Local Laws 2002.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1006 Local Government Property Local Law</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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 Property Local Law
<b>Function</b>	Authority to administer the Local Government Property Local Law, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government Property Local Law.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-Delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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 Law Relating to Signs, Hoarding and Bill Posting
<b>Function</b>	Authority to administer the Local Law Relating to Signs, Hoarding and Bill Posting, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Signs, Hoarding and Bill Posting.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-Delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	LLP Advertising Signs
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1008 Local Laws Relating to Fencing</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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 Law Relating to Fencing
<b>Function</b>	Authority to administer the Local Law Relating to Fencing, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Fencing.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-Delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1009 Meeting Procedures Local Law 2016</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Meeting Procedures Local Law 2016
<b>Function</b>	Authority to administer the Meeting Procedures Local Law 2016, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Meeting Procedures Local Law 2016.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	Not sub-delegated
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	CP36 Council or Committee Meeting attendance by telephone, video conference or other electronic means
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1010 Parking and Parking Facilities Local Law 2000</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Parking and Parking Facilities Local Law 2000
<b>Function</b>	Authority to administer the Parking and Parking Facilities Local Law 2000, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Parking and Parking Facilities Local Law 2000.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-Delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020

<b>Delegation</b>	<b>CEO1011 Prevention and Abatement of Sand Drift Local Law 2004</b>
<b>Category</b>	Council to CEO
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	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>	Prevention and Abatement of Sand Drift Local Law 2004
<b>Function</b>	Authority to administer the Prevention and Abatement of Sand Drift Local Law 2004, subject to Part 9, Division 1 of the Local Government Act 1995.  <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Prevention and Abatement of Sand Drift Local Law 2004.</i>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegate conditions</b>	<b>Sub-Delegates (appointed by CEO):</b> Manager Infrastructure and Development Manager Regulatory Services
<b>Statutory framework</b>	Local Government Act 1995
<b>Record keeping</b>	Local Government Act 1995 s.5.46(3)
<b>Date adopted</b>	22 September 2020
<b>Adoption references</b>	050920
<b>Last reviewed</b>	22 September 2020



## AMENDMENTS

<b>Delegation</b>	<b>Approved or adopted</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
CEO131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
CEO131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
CEO131 Complaints Officer	23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221

**ATTACHMENT: ID01**

Delegated and Authorised Actions for April 2021 - Development

*Attachment 1*  
Table of Delegated Actions for April 2021



## Records of exercise of delegated powers or duties - Development (Planning)

Reference	Function	Category	Officer	Date of decision	Decision	Description	Person or classes of persons	Address
P1087	Development Approval	CEO to Employees	Manager Development	12/04/2021	Granted	4 X Transportable Unit (Chalet Park)	Phobos Nominees Pty Ltd	250 Ocean Drive, Port Denison
P1089	Development Approval	CEO to Employees	Manager Development	29/04/2021	Granted	Holiday Accommodation Development	Allstate Building Designs Pty Ltd	Unit 13, 129 Point Leander Drive, Port Denison
P1097	Development Approval	CEO to Employees	Manager Development	12/04/2021	Granted	Ancillary Accommodation	T Parker	4 Brennand Road, Dongara
P1105	Development Approval	CEO to Employees	Manager Development	23/04/2021	Granted	Outbuilding (Shed)	P Manners	31 Hampton Street, Port Denison
P1110	Development Approval	CEO to Employees	Manager Development	23/04/2021	Granted	Addition (Carport)	Shoreline Outdoor World	2/213 Point Leander Drive, Port Denison

## Records of exercise of authorised powers or duties – Building

Reference	Function	Category	Officer	Date of decision	Decision	Description	Person or classes of persons	Address
5486	Building Permit	CEO to Employees	Manager Development	14/04/2021	Withdrawn	Single Dwelling	New Sensation Homes Pty Ltd	7 Bayliss Road, Dongara
5488	Building Permit	CEO to Employees	Manager Development	07/04/2021	Issued	Retaining Walls	A & A White	Lot 122 Wimpole Road, Bonniefield
5534	Building Permit	CEO to Employees	Manager Development	28/04/2021	Issued	Addition (Carport)	Shoreline Outdoor World	2/213 Point Leander Drive, Port Denison
5535	Building Permit	CEO to Employees	Manager Development	06/04/2021	Issued	Single Dwelling	Redink Homes Midwest	11 Bertran Vista, Port Denison
5536	Building Permit	CEO to Employees	Manager Development	23/04/2021	Issued	Addition (Patio)	Batavia Carpentry	165 Point Leander Drive, Port Denison

## Records of exercise of authorised powers or duties - Health

Reference	Function	Category	Officer	Date of decision	Decision	Description	Person or classes of persons	Address
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