

Notice of Meeting



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Dear Elected Member

The next Ordinary meeting of the Shire of West Arthur will be held on Thursday 27 April 2023 in the Council Chambers commencing at 7.00pm.

Schedule

7.00pm Ordinary Council Meeting

Vin Fordham Lamont

Chief Executive Officer

DISCLAIMER

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

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

AGENDA

Shire of West Arthur
Ordinary Council Meeting
Thursday 27 April 2023

MISSION STATEMENT

To value and enhance our community lifestyle and environment through strong local leadership, community involvement and effective service delivery.

DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Please Note:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Meeting Procedures:

1. All Council meetings are open to the public, except for matter raised by Council under "confidential items".
2. Members of the public may ask a question at an ordinary Council Meeting under "public question time".
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council's standing orders, policies and decision of the Shire of West Arthur.

Council Meeting Information:

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report back to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters under "confidential items". On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

Public Question Time. It is a requirement of the *Local Government Act 1995* to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the presiding member.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and the response is included in the meeting minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next ordinary meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the presiding member of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the *Local Government Act 1995*, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by a Shire Officer. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes the Friday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

Agendas for Ordinary Meetings are available at the Shire of West Arthur Office and on the Shire website seventy-two (72) hours prior to the meeting and the public are invited to view a copy at the Shire Office.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 2).

Public Inspection of Unconfirmed Minutes (Regulation 13).

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of West Arthur Office and the Shire of West Arthur website within ten (10) working days after the Meeting.

Vin Fordham Lamont
Chief Executive Officer



SHIRE OF WEST ARTHUR – QUESTIONS FROM THE PUBLIC

Name: _____

Residential Address: _____

Phone Number: _____ Meeting Date: _____

Signature: _____

Council Agenda Item Number: _____

*If applicable-see below**

Name of Organisation Representing: _____

If applicable

QUESTION

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. A total of 15 Minutes is allotted to Public Question Time at Council Meetings. If submitting questions to the Council, they are to relate to the Agenda Item tabled at that meeting.

Please Note: Members of the public must be in attendance at the Council Meeting to which they have submitted a question(s) for response. If this is not the case, the questions(s) will be treated as 'normal business correspondence' and the question / response will not appear in the Council Minutes.

Please see Notes on Public Question Time on Pages 4 and 5 above

* **Council Meetings:** Questions are to relate to a matter affecting the Shire of West Arthur.



APPLICATION FOR LEAVE OF ABSENCE

(Pursuant to Section 2.25 of the *Local Government Act 1995* (as amended))

- (1) A council may, by resolution, grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect to more than 6 consecutive ordinary meetings of the Council without the approval of the Minister.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent without first obtaining leave of the Council throughout 3 consecutive ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Council does not constitute absence from an ordinary meeting of Council –
 - (a) if no meeting of the Council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs while –
 - (i) the member has ceased to act as a member after which written notice has been given to the member under Section 2.27 (3) and before written notice has been given to the member under Section 2.27 (5);
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.

I, _____ hereby apply for Leave of Absence from the West Arthur Shire Council from _____ to _____ for the purpose of _____

Signed: _____ Date: _____

**WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL****NOTE: USE ONE FORM PER DECLARATION**

(1) I, _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on

(2) _____

(3) Agenda item _____

(4) The type of interest I wish to declare is;

- ☐ Financial pursuant to Sections 5.60A of the *Local Government Act 1995*.
- ☐ Proximity pursuant to Section 5.60B of the *Local Government Act 1995*.
- ☐ Indirect Financial pursuant to Section 5.61 of the *Local Government Act 1995*.
- ☐ Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007.

(5) The nature of my interest is

(6) The extent of my interest is

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

DECLARATION BY:

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item is to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act).

DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Financial pursuant to Sections 5.60A of the Local Government Act 1995

5.60A – Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

5.60B – Proximity Interest

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a) a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b) a proposed change to zoning or use of land that adjoins that person's land; or
 - (c) a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2) In this section, land ("the proposal land") adjoins a person's land if –
 - (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

11 – Disclosure of interest

- (1) In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2) A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose nature of the interest –
 - (a) in a written notice given to the CEO before the meeting;

- or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Sub-regulation (2) does not apply if –
- (a) A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b) A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5) If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
- (a) Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6) If –
- (a) Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b) Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
- (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.



Shire of West Arthur

Notice of Ordinary Council Meetings

In accordance with the Local Government Act 1995 and *Local Government (Administration) Regulations 1996* Reg 12 (2) it, is hereby notified that as from January 2022 to December 2022, Ordinary Council meetings of the Shire of West Arthur will be held as follows:

DATE	LOCATION	TIME
23 February 2023	Council Chambers	7.00pm
23 March 2023	Council Chambers	7.00pm
27 April 2023	Council Chambers	7.00pm
25 May 2023	Council Chambers	7.00pm
22 June 2023	Council Chambers	7.00pm
27 July 2023	Council Chambers	7.00pm
24 August 2023	Council Chambers	7.00pm
28 September 2023	Council Chambers	7.00pm
26 October 2023	Council Chambers	7.00pm
23 November 2023	Council Chambers	7.00pm
21 December 2023	Council Chambers	7.00pm

SHIRE OF WEST ARTHUR

Agenda for the Ordinary Meeting of Council to be held in the Council Chambers on Thursday 27 April 2023 – commencing at 7.00pm.

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member to declare the meeting open.

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

COUNCILLORS:	Cr Neil Morrell	(Shire President)
	Cr Graeme Peirce	(Deputy Shire President)
	Cr Karen Harrington	
	Cr Robyn Lubcke	
	Cr Duncan South	
	Cr Adam Squires	
STAFF:	Vin Fordham Lamont	(Chief Executive Officer)
	Rajinder Sunner	(Manager Corporate Services)
	Gary Rasmussen	(Manager Works and Services)
APOLOGIES:	Cr Neil Manuel	

ON LEAVE OF ABSENCE:

ABSENT:

MEMBER OF THE PUBLIC:

3 ANNOUNCEMENTS OF THE PRESIDING MEMBER

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 PETITIONS, DEPUTATIONS, PRESENTATIONS, SUBMISSIONS

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

7.1 LEAVE OF ABSENCE REQUEST - CR MANUEL

File Reference: ADM055

VOTING REQUIREMENTS:

Simple Majority

BACKGROUND

On 20th April 2023 Cr Manuel submitted to the CEO an Application for Leave of Absence from the April Ordinary Meeting of Council.

OFFICER RECOMMENDATION

That Council approve the Leave of Absence Request from Cr Neil Manuel for the Ordinary Meeting of Council to be held in the Council Chambers on 27th April 2023.

8 DISCLOSURES OF INTEREST

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD

9.1 ORDINARY MEETING OF COUNCIL 23 MARCH 2023

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held in Council Chambers on 23 March 2023 be confirmed as true and correct.

9.2 SPECIAL COUNCIL MEETING 13 APRIL 2023**Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

RECOMMENDATION:

That the Minutes of the Special Council Meeting held in Council Chambers on 13 April 2023 be confirmed as true and correct.

10 REPORTS FROM COUNCILLORS

Cr Neil Morrell (Shire President)

Cr Graeme Peirce (Deputy Shire President)

Cr Karen Harrington

Cr Robyn Lubcke

Cr Neil Manuel

Cr Duncan South

Cr Adam Squires

11 OFFICE OF THE CHIEF EXECUTIVE OFFICER**11.1 DELEGATIONS REGISTER**

File Reference:	ADM058
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	17/04/2023
Disclosure of Interest:	Nil
Attachments:	1. Delegations Register ↓

SUMMARY:

Council is requested to consider noting and accepting the attached Delegations Register.

BACKGROUND:

Section 5.42 of the *Local Government Act 1995* provides for a local government to delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- a) this Act other than those referred to in section 5.43; or
- b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

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

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

COMMENT:

The Shire is required to review its Delegations Register at least once a year and last year it was found that the register was in need of a major update. A consultant was appointed to develop a new version of the document, which is attached to this report.

Council should review the attachment carefully and consider endorsing the new register.

CONSULTATION:

Belinda Knight – Local Government Consultant

STATUTORY ENVIRONMENT:

Local Government Act 1995

s5.42 Delegation of some powers and duties to CEO

s5.43 Limits on delegations to CEO

s5.44 CEO may delegate powers and duties to other employees

s5.45 Other matters relevant to delegations under this Division

s5.46 Register of, and records relevant to, delegations to CEO and employees

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Significant	Severe
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Deadlines being missed through lack of delegations to the CEO for simple matters
Risk Likelihood (based on history and with existing controls)	(3) Possible
Risk Consequence	(3) Moderate
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(9) Medium
Principal Risk Theme	Errors, Omissions or Delays
Risk Action Plan (Controls or Treatment Proposed)	Endorse updated Delegations Register and apply appropriate delegations

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council note and accept the attached Delegations Register as presented.

REGISTER OF DELEGATIONS AND APPOINTMENTS



REGISTER OF DELEGATIONS & APPOINTMENTS

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1. Introduction

Format of Register

This Register includes:

- Delegations from the Council to the Chief Executive Officer, and where appropriate to other employees or other persons; and
- Sub delegations from the Chief Executive Officer to other employees.

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

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

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

Terminology and Acronyms

Clause – of the Shire of West Arthur Local Planning Scheme No. 2 referenced by ‘cl’, as in cl8.2.1.

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

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

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

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

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

Delegations and Sub Delegations

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

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

The Council (and the Chief Executive Officer in the case of most sub delegations) will only delegate matters where the relevant employees (or other persons) have the appropriate skills and expertise to implement the delegation/sub delegation within the Shire’s decision-making frameworks. At the same time the exercise of all delegated and sub delegated authority is subject to complying with relevant Policies of the Shire, which are cross referenced within each Instrument.

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

This Register describes:

- the ‘head of power’ for the exercise of delegation to an elected member, employee, or person,

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

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

Appointments

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

Local Government Act 1995

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

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

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

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

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

Other Legislation

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

- *Animal Welfare Act 2002,*
- *Australian Citizenship Act 2007,*
- *Building Act 2011 and Building Regulations 2012*
- *Bush Fires Act 1954, regulations and local laws created under that Act,*
- *Cat Act 2011 and regulations*
- *Caravan Parks and Camping Grounds Act 1995,*
- *Control of Vehicles (Off-Road Areas) Act 1978 and regulations,*
- *Dog Act 1976 and regulations,*
- *Equal Employment Opportunity Act 1984,*
- *Environmental Protection Act 1986,*
- *Food Act 2008,*
- *Freedom of Information Act 1992,*
- *Graffiti Vandalism Act 2016,*
- *Health (Miscellaneous Provisions) Act 1911 regulations and local laws created under that Act,*
- *Health (Asbestos) Regulations 1992,*
- *Land Administration Act 1997, and regulations,*
- *Litter Act 1979 and regulations,*
- *Local Government (Miscellaneous Provisions) Act 1960,*
- *Parks and Reserves Act 1895,*
- *Planning and Development Act 2005 including regulations, policies, and the Town Planning Scheme,*
- *Public Interest Disclosure Act 2003,*
- *Public Health Act 2016,*
- *Rates and Charges (Rebates and Deferments) Act 1982,*
- *Road Traffic Act 1974,*
- *Strata Titles Act 1985*

The Shire of West Arthur Local Planning Scheme No 2 permits delegation by Council to employees (rather than via the CEO as per the Local Government Act). Accordingly, the process defined by the Town Planning Scheme for delegating authority and duties is utilised.

Sub Delegation by the Chief Executive Officer

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

Review of Delegations

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

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

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

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

Record of Actions and Decisions

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

The record is to contain information on:

- how the person exercised the power or discharged the duty,
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty (r19 *Local Government (Administration) Regulations 1996*)

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

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

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

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

Primary/Annual Returns and Gift Disclosures

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

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

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

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

Acting through another person

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

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

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

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

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

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

Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For further information, see Department of Local Government and Communities Guideline No 17 - Delegations.

2. Delegations

Delegation Title:	Closure of Streets, Thoroughfares, Control of Reserves & Unvested facilities
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <p>s.3.50 Closing certain thoroughfares to vehicles</p> <p>s.3.50A Partial closure of thoroughfare for repairs or maintenance</p> <p>s.3.51 Affected owners to be notified of certain proposals</p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<ol style="list-style-type: none"> 1. The Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the Shire regarding closing certain thoroughfares to vehicles and partial closure of thoroughfare for repairs or maintenance and temporary closures (including revocation of Orders) for events in accordance with s.3.50, 3.50(1), 3.50(1a), 3.50(4), 3.50(5), 3.50(6), 3.50A <i>Local Government Act</i>, r6(3) <i>Local Government (Functions and General) Regulations 1996</i>, S81(c)(2)(b) <i>Road Traffic Act 1974</i> and <i>Road Traffic (Events on Roads) Regulations 1991</i> (where relevant). 2. The Chief Executive Officer is delegated authority to give the required notices as specified in s.3.51(3) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land. 3. The Chief Executive Officer is delegated authority to: <ul style="list-style-type: none"> • Ensure that public thoroughfares are kept open for public use as required under s.3.52(2) of the Act. • In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided in accordance with s.3.52(3). • Keep plans of the levels and alignments of public thoroughfares that are under the Council's control or management and make those plans available for public inspection in accordance with s.3.52(4). • Control and manage otherwise unvested facilities within the Shire in accordance with s.3.53 of the Local Government Act 1995. • Control and manage land that is vested to the Shire in accordance with s.3.54 of the Local Government Act 1995. • Determine the construction of a crossing (vehicle crossover) giving access from a public thoroughfare to: <ul style="list-style-type: none"> ○ the land; or

	<ul style="list-style-type: none"> ○ a private thoroughfare serving the land; • in accordance with r.12, 13 and 15 of the <i>Local Government (Uniform Provisions) Regulations 1996</i>. • Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)]. <p>4. Determine helicopter landings on land under the care and control of the Shire, other than Shire designated airstrips when:</p> <ul style="list-style-type: none"> • The area upon which the request to land is large enough to accommodate the helicopter safely; • The applicant being responsible for any damage caused by any landing; • All landings being conducted in a manner consistent with Civil Aviation Safety Authority Australia CAAP92-2(1) Guidelines for the establishment and use of helicopter landing sites (HLS); and • Any additional conditions that the Chief Executive Officer may wish to impose for safe operations.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Must comply with relevant policies 2. Temporary closure of streets must not exceed 28 days. 3. The Chief Executive Officer, or any employee sub delegated the authority must ensure any applicant has obtained relevant Police approval and provided appropriate indemnities and insurance cover. 4. Where exercising powers and duties pursuant to s3.50, the following conditions apply: <ul style="list-style-type: none"> • Sufficient measures are in place to advise affected parties, minimise disruption to road users and to protect public and Shire assets. • Have regard to the provisions of s.3.50(1). 5. 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)]. 6. 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. 7. The permanent closure of thoroughfares is to be referred to Council for determination. 8. Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> • 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. • 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.

	<ul style="list-style-type: none"> • Provided evidence of sufficient Public Liability Insurance. • Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works & Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Defer, Grant Discounts, Waive or Write Off Debts
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.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: <ol style="list-style-type: none">1. Waive a debt which is owed to the Shire [s.6.12(1)(b)].2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)].3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)].
Council Conditions on this Delegation:	<ol style="list-style-type: none">1. Write-off a rates or service charge debt up to \$200 in accordance with the Financial Hardship Policy [s.6.12(1)(c) & (2)].2. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire.<ul style="list-style-type: none">• Limited to individual debts valued below \$500 or cumulative debts of a debtor valued below \$500. Write off of debts greater than these values must be referred for Council decision.3. Despite other indications in this delegation, where the proposed donation is considered by the Chief Executive Officer to be of a contentious nature, a decision on a proposed donation is to be determined by the Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
Compliance Links:	<i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Delegation Title:	Execution of Documents
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 S9.49</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to s5.42 Local Government Act 1995 the Chief Executive Officer is delegated authority to execute documents under s9.49A(2) of the <i>Local Government Act 1995</i> including: <ul style="list-style-type: none"> The affixing of the Common Seal of the Shire to a document that needs the Shire's Common Seal to be legally effective and that is in one or more of the following categories: <ol style="list-style-type: none"> Documents required to satisfy conditions of subdivision and/or development approval; Documents required to effect the transfer of land as part of a settlement transaction (sale and purchase); Documents required as part of a funding agreement for an approved grant; Documents required to effect the grant of leasehold interests in the land either by the Shire to a third party, or by a third party to the Shire; Documents required to effect the grant of a licence either by the Shire to a third party, or by a third party to the Shire; and Documents that are necessary or appropriate to enable a Chief Executive Officer to carry out their functions under any written law
Council Conditions on this Delegation:	In accordance with s9.49A (3) of the Act, the common seal is to be affixed to a document in the presence of the Shire President and Chief Executive Officer.
Express Power to Sub-Delegate:	This duty cannot be delegated.
Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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

	<ul style="list-style-type: none"> ○ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. <p>4. Where the market value of the property is determined as being less than \$20,000 (F&G r.30(3) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> • Without reference to Council for resolution; and • In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	<p>Manager Works and Services</p> <p>Manager Corporate Services</p>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Donations, Fee Reductions, and Sponsorships
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> The Chief Executive Officer is delegated authority to make donations to not for profit community organisations in accordance with s6.7 (2) of the <i>Local Government Act 1995</i>. <ul style="list-style-type: none"> Includes power to waive or reduce fees charged for the use of Shire facilities by not-for-profit community organisations. The Chief Executive Officer is delegated the authority to determine sponsorship of the following annual events: <ul style="list-style-type: none"> Sheepfest <p>Sponsorship may include in-kind works by way of Shire plant and employees, and/or a direct financial allocation.</p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> There being sufficient funds in the annual budget for the purpose; The combined maximum value in any one financial year of any sponsorship be limited to \$1,500 per event. The combined maximum value of any donation or fee reduction be limited to \$500 per event/activity.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	<i>Local Government Act 1995</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

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Delegation Title:	Expressions of Interest for Goods and Services
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.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: <ol style="list-style-type: none">1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21].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&G r.23].
Council Conditions on this Delegation:	Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works & Services Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i> <i>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</i> <i>Council Purchasing & Tenders Policy</i>
Record Keeping:	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Delegation Title:	Financial Hardship
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: 1. Determining financial hardship; and 2. Implement payment arrangements.
Council Conditions on this Delegation:	Must comply with Financial Hardship policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	<i>Policy – Financial Hardship</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

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Delegation Title:	Impounding Abandoned Vehicles and Goods
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.3.39; s.3.40A (1), (4); s.3.42; s.3.43; s.3.44; s.3.46, s.3.47 (1), (2) s.3.47(2A) s.3.47A; s.3.48 r.32 Local Government (Administration) Regulations 1995.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: <ul style="list-style-type: none"> Remove and impound any goods that are involved in a contravention that can lead to impounding in accordance with s.3.39. Impound abandoned vehicle wrecks in accordance with s.3.40A (1), (4). Take appropriate action in respect to impounded non-perishable goods in accordance with S.3.42 and s3.43. Give notice in accordance with s.3.44 to collect goods. Refuse to allow goods to be collected until all costs have been paid in accordance with s.3.48. Sell or dispose of confiscated or uncollected goods in accordance with s.3.47 (1) (2) and s3.47(2a) Disposal of sick or injured animals in accordance with s.3.47A. Take action to recover expenses in accordance with s.3.48.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed. 2. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely euthanize the animal and dispose of the carcass [s.3.47A(1)]. 3. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with <i>Local Government (Functions and General) Regulations 1996 - r30</i>, be disposed of by any means considered to provide best value, provided the process is transparent and accountable. 4. For vehicles with estimated value of \$1 - \$500 - Notices seeking offers for purchases shall be displayed on the Shire of West Arthur's notice boards and on the website. Any vehicle not purchased will be disposed of at the West Arthur Refuse Tip or donated to a community group. 5. For vehicles with estimated value of \$501 - \$5,000 - Notice seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of West Arthur's notice boards

	<p>and on the website. Any vehicle not purchased will be disposed of at the West Arthur Refuse Tip or donated to a community group.</p> <p>6. For vehicles with estimated value of \$5,001 + - Items shall be tendered as per the requirements of S3.58 of the <i>Local Government Act 1995</i>. Any vehicle not purchased will be disposed of at the West Arthur Refuse Tip or donated to a community group.</p>
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works & Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Investment of Surplus Funds
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.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. Such investments are to be made in accordance with Council Policy – Investment of Surplus Funds.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. In exercising this delegated authority, Chief Executive Officer shall observe s.6.14 of the Act. 2. The Chief Executive Officer is to establish and document internal control procedures to be followed by employees to ensure control over investments in accordance with the <i>Local Government (Financial Management) Regulations 1996</i>. 3. The control procedures are to enable the identification of the nature and location of all investments and the transactions related to each investment. 4. 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. 5. 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. 6. All investment activity must comply with <i>Local Government (Financial Management) Regulations</i> r19C and Council Policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	A decision to invest must be jointly approved by two delegates

Compliance Links:	<p><i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i></p> <p><i>Local Government (Financial Management) Regulations 1996 – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</i></p> <p><i>Council Policy – Investment of Surplus Funds</i></p>
Record Keeping:	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Delegation Title:	Obstruction of Thoroughfares
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 (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)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: 1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ul style="list-style-type: none">prevent damage to the footpath; orprevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 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)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 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].
Council Conditions on this Delegation:	Must comply with relevant Policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works and Services

CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
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<i>Compliance Links:</i>	<i>Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Delegation Title:	Payments from the Municipal or Trust Funds
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 (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to make payments from the municipal or trust funds and to establish systems and procedures which give effect to internal controls and risk mitigation for: <ul style="list-style-type: none"> • Collection of money owed to the Shire; • Safe custody and security of money collected or held by the Shire; • Maintenance and security of all financial records, including payroll, stock control and costing records; • Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; • Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; • Payments from the Shire's Municipal Fund or Trust Fund in accordance with r12 of the Local Government (Financial Management) Regulations 1996. This includes the authority to make payments of accounts and salaries and wages, payroll deductions and other obligations by cheque or Electronic Funds Transfer. • Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Must comply with relevant policies 2. Subject to the requirements of r.5,11,12 and 13 of the <i>Local Government (Financial Management) Regulations 1996</i>. 3. All payments from the Municipal Fund or Trust Fund are to be authorised and signed in accordance with the Council's policies and the Shire's approved work procedures. Authority to the Chief Executive Officer is unlimited subject to annual budget limitations. 4. Payment authorisation via internet banking or cheque payment requires a combination of two signatories one of which must include: <ul style="list-style-type: none"> • one or both of the Chief Executive Officer, Manager Corporate Services, and/or • Manager Works and Services.

	<p>5. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month which is to be presented to the next available ordinary meeting of the Council.</p> <p>6. Procedures are to be systematically documented and retained in accordance with the Recordkeeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p>
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services Manager Works and Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</p>

<i>Compliance Links:</i>	<p><i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i></p> <p><i>Local Government Act 1995</i></p> <p><i>Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</i></p> <p><i>Local Government (Audit) Regulations 1996</i></p> <p><i>Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</i></p>
<i>Record Keeping:</i>	<p><i>In accordance with r19 Local Government (Administration) Regulations 1996</i></p>

Version Control:

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Delegation Title:	Private Property and Thoroughfares
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <p>s.3.20 s.3.24; s.3.25; s.3.26(2), (3); s.3.27(1); s.3.28; s.3.31 – s.3.36</p> <p>Sch 3.1, 3.2 and 9.1 <i>Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996</i></p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to:</p> <ul style="list-style-type: none"> authorised under s.3.20, s3.24, s3.25, s3.26(2), (3), s3.27(1), s.3.28, s.3.31, 3.32, 3.33, 3.34, 3.35 & 3.36 and Sch 3.1,3.2 and 9.1 of the <i>Local Government Act 1995</i> in relation to notices requiring certain things to be done by owner or occupier of land and additional powers when notice is given. the power to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, subject to Regulation 11(1) of the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> and Schedule 3.1, Division 2, item 2: <p>The Chief Executive Officer is delegated authority to undertake the following pursuant to Schedule 3.1, Division 1 Things a notice may require to be done including:</p> <ul style="list-style-type: none"> Prevent water from dripping or running from a building on the land onto any other land. Place in a prominent position on the land a number to indicate the address. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause. Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law — (a) is suitably enclosed to separate it from the public place; and (b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place. (2) The notice cannot be given to an occupier who is not an owner. Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly. (2) In this item — “unsightly”, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other

	<p>land in the locality. (3) The notice cannot be given to an occupier who is not an owner.</p> <ul style="list-style-type: none"> • Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy. In this item — “disused material” includes disused motor vehicles, old motor vehicle bodies and old machinery. • Take specified measures for preventing or minimizing sand drifts on the land that are likely to adversely affect other land. • Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown. • Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government’s control or management and adjoins the land where the tree is situated. • Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe. • Take specified measures for preventing or minimizing— (a) danger to the public; or (b) damage to property, which might result from cyclonic activity. • Remove bees that are likely to endanger the safety of any person or create a serious public nuisance. • Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired. • Take specific measures to prevent — (a) artificial light being emitted from the land; or (b) natural or artificial light being reflected from something on the land, creating a nuisance. • Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised. (2) In this item — “private thoroughfare” has the same meaning as in Schedule 9.1 clause 7(1) and s3.25(1)(b) of the Local Government Act 1995: • Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done • Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare). • Regulations under Schedule 9.1, clause 5(1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so. • Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare). • Regulations under Schedule 9.1, clause 7(2) (Crossings from public thoroughfares to private land or to private
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	<p>thoroughfares) that — (a) prohibit a person from constructing a crossing; or (b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.</p> <ul style="list-style-type: none"> • Regulations under Schedule 9.1, clause 8(1) (Constructing private works on, over, or under public places). • Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges). • Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage). • Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts). • 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)]. • Impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)]. • Give Notice re wind erosion and sand drifts – Sch.9.1 cl.12, r.21(1)
Council Conditions on this Delegation:	<p>In relation to s3.32 (1)</p> <ul style="list-style-type: none"> • A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered. • The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues. • The notice is to be given not less than 24 hours before the power of entry is exercised. • Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates. • Approvals given are subject to regulation 14(2) of the Local Government (Uniform Local Provisions) Regulations 1996 (where relevant). <p>In relation to r.12, r.13, r.14, r.15, r.16, r.17 of the Local Government (Uniform Local Provisions) Regulations 1996 due process must be followed for the issuing of a notice under s.3.25 of the Act.</p> <p>Decisions under this Delegation must be exercised in alignment with Obstruction of Footpaths and Thoroughfares (where same exists).</p> <p>Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</p> <p>Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.</p>

	<p>Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</p> <p>In relation to r.9 Local Government (Uniform Local Provisions) Regulations 1996: Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) - each approval provided must be recorded in the Shire’s statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8</p> <p>In relation to r.11(1), (4), (6) & (8) Local Government (Uniform Local Provisions) Regulations 1996: Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 - Permission may only be granted where, the proponent has:</p> <ul style="list-style-type: none"> • 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. • 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. • Provided evidence of sufficient Public Liability Insurance. • Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works & Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Property & Rates - Recovery of Rates or Service Charges
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <p>s.6.56 Rates or service charges recoverable in court</p> <p>s.6.64(3) Actions to be taken</p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to:</p> <ol style="list-style-type: none"> 1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49]. 2. 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)]. 3. 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)]. 4. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire [s.6.60(2)]. 5. 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)]. 6. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ul style="list-style-type: none"> • lease the land, or • sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: or • cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or • cause the land to be transferred to the Shire [s.6.71]. 7. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Decisions under this delegation must comply with Council Policy. 2. Agreements must be in writing and, subject to Council Policy, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Property & Rates - Rate Record - Objections
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.6.76 Grounds of objection
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: 1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 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 who made the objection [s.6.76(5)].
Council Conditions on this Delegation:	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.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Property & Rates - Group Values on Contiguous Land
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the authority to determine applications for group values on contiguous land.
Council Conditions on this Delegation:	For the purpose of this delegation, pieces of land will be taken to be contiguous if they abut one another at any point, or if they are separated only by intervening land being a street, road, lane, footway, court, railway, thoroughfare, stock route, a reserve or other similar public open space dedicated for public purposes.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manage Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	<i>Local Government Act 1995 Land Management Act 1997</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Delegation Title:	Roads – Heavy Vehicle Access
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to determine applications by heavy vehicle transport operators for Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) Networks to access local roads in the Shire of West Arthur.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Local government approval required for access; 2. No access without documentation providing proof of local access; 3. No Access during school bus times from 7.00am to 8.30am and 3.00 pm to 4.30 pm; 4. Speed limit of 60kph on gravel roads and 80kph on sealed roads (Speed limit may change for different standard of roads); 5. Avoid travelling on roads during periods of heavy fog.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works and Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	<i>Local Government Act 1995</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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

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

<i>Compliance Links:</i>	<i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i> <i>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Delegation Title:	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <p>s.3.57 Tenders for providing goods or services</p> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <p>r.11(2)(j) Exercising contract extension options</p> <p>r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders</p> <p>r.20(1), (2), (3) Variation of requirements before entry into contract</p> <p>r.21A Varying a contract for the supply of goods or services</p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to</p> <ol style="list-style-type: none"> 1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: <ol style="list-style-type: none"> a) The extent to which each tender satisfies the criteria for deciding which tender to accept; and 4. To accept the tender that is most advantageous within the value detailed as a condition on this Delegation [F&G r.18(4)]. 5. Authority to decline to accept any tender [F&G r.18(5)]. 6. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 7. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&G r.20(1) and (3)]. 8. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 9. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% or to

	<p>a maximum of \$20,000 (ex GST) whichever is the lesser value [F&G r.21A(a)].</p> <p>10. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: <ul style="list-style-type: none"> The total consideration under the resulting contract is \$500,000 or less; The expense is included in the adopted Annual Budget; and The tenderer has complied with requirements under F&G r.18(2) and (4). A decision to vary a tendered contract <u>before</u> entry into the contract [F&G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. A decision to vary a tendered contract <u>after</u> entry into the contract [F&G r.21A(a)] must comply with the any Council Policy and must include evidence that the variation is necessary and does not change the scope of the contract. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <u>and</u> that the contractor's performance has been reviewed and the review evidences the rationale for entering the extended term.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	<p>Manager Corporate Services</p> <p>Manager Works and Services</p>

<i>Compliance Links:</i>	<p><i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i></p> <p><i>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</i></p>
<i>Record Keeping:</i>	<p><i>In accordance with r19 Local Government (Administration) Regulations 1996</i></p>

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Delegation Title:	Tenders for Goods and Services - Exempt Procurement	
Express Power to Delegate:	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	
Express Power or Duty Delegated:	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.11(2) When tenders have to be publicly invited (exemptions)	
Delegate:	Chief Executive Officer	
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: 1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&G.r.11(2)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)].	
Council Conditions on this Delegation:	1. Tender exempt procurement under F&G.r.11(2) may only be determined where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:	
	Category	Maximum Value for individual contracts
	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000
	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000
	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$500,000
	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000
	Goods or services supplied by a person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that the contract represents value for money. [F&G.r.11(2)(h)]	\$250,000* *as specified in F&G.r.11(2)(h)(ii)
	Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$500,000

	<p>2. Tender exempt procurement under F&G r.11(2)(f) may only be determined where a record is retained that evidences:</p> <ul style="list-style-type: none"> • A detailed specification; • The outcomes of market testing of the specification; • The reasons why market testing has not met the requirements of the specification; • Rationale for why the supply is unique and cannot be sourced through other suppliers; and • The expense is included in the adopted Annual Budget.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Sub-Delegate/s: <i>Appointed by CEO</i>	<p>Manager Works & Services</p> <p>Manager Corporate Services</p>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities, and in accordance with purchasing limits.</p>

<i>Compliance Links:</i>	<p><i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i></p> <p><i>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</i></p>
<i>Record Keeping:</i>	<p><i>In accordance with r19 Local Government (Administration) Regulations 1996</i></p>

Version Control:

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Delegation Title:	Legal Representation and Cost Indemnification
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, the powers of the Council under Policy 13 to a maximum of \$5,000 in respect of each application.
Council Conditions on this Delegation:	Must comply with relevant policies Legal expenses do not exceed \$5,000.00 in respect of each application. Where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application. An application approved by the CEO is to be submitted to the next ordinary meeting of Council for advice only.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

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Delegation Title:	Street Stalls/Appeals
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>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the power, to determine applications for street stalls/ appeals subject to satisfactory insurance arrangements and compliance with any statutes.
Council Conditions on this Delegation:	Must comply with relevant policies and regard to relevant Local Laws of the Shire.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

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Delegation Title:	Building Act & Regulations – Powers, Duties & Functions
Express Power to Delegate:	<i>Building Act 2011: various, as detailed</i> <i>Building Regulations 2012: various, as detailed</i>
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <i>s.127(1) & (3) Delegation: special permit authorities and local government</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Pursuant to s96 of the Building Act 2011 the Chief Executive Officer is delegated the authority to appoint authorised persons for the purposes of the Building Act 2011 and the Building Regulations 2012 in relation to buildings and incidental structures located or proposed to be located in the local government's district.</p> <p>Pursuant to s99 the CEO is delegated authority to impose limitations on powers of authorised persons.</p> <p>Pursuant to s127 the Chief Executive Officer is delegated all the powers and duties of the local government under the Building Act and Regulations and is authorised to take legal proceedings pursuant to s133 of the Act in relation to both the Act and Regulations.</p> <p>These delegations include the powers and duties specified at:</p> <ul style="list-style-type: none"> • s18(1) - to require an applicant to provide any documentation or information required to determine a building permit application; • s20 – to approve, or refuse to approve a certified or uncertified application for a building permit; • s21,22 – to approve, or refuse to approve an application for a demolition permit; • s27(1), (3) - to impose conditions on permit • s.55 - Further information • s58 – to approve, modify or refuse to approve an application for an occupancy permit or approve or refuse to approve an application for a building approval certificate; • s62 – to impose conditions on an occupancy permit or modification of a building approval certificate; • s65 – to approve, or refuse to approve an application to extend the time in which an occupancy permit or modification or building approval certificate has effect; • s76 – to give consent for encroachments on Crown land under the care, control and maintenance of the local government; • s93(2)(d) of the Building Act 2011 and s.53 of the Building Regulations 2012; • S96(3) of the Building Act (and subject to s100(2) of the Building Act 2011) to appoint Authorised Persons;

	<ul style="list-style-type: none"> • s110 – to make a Building Order in relation to building work, demolition work and/or, an existing building or incidental structure, whether completed before, or after commencement day; • s111 – to give Notice of proposed building order other than building order (emergency) • s114 – serve a building order; • s117 – revoke a building order; and • s118(2), (3) – to take action in relation to non-compliance with building orders; • s131(2) - to determine applications for the inspection of or to seek copies of building records; • s133 - to commence a prosecution for an offence against this Act; • s145A(1) - to undertake local government functions in relation to Referrals and Issuing Certificates including authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government; • S145A(2) - authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)]; • r23 (application to extend time), r24 (extension of time), r26 (approval of new responsible person); • r40 - extension of period of duration of time of occupancy permit or building certificate; • r51 - private pool barriers - alternatives solutions; • r55, 61 - smoke alarms - alternative solutions - local government approval of battery powered smoke alarms..
Council Conditions on this Delegation:	<p>Must comply with relevant policies</p> <p>Sub delegation may only be to employees of the Shire (s127(3)).</p> <p>This delegation includes the power to serve notice on the builder or owner requiring alterations to a building, or in relation to encroachments, pursuant to s189, S190 of the Building Act 2011. These powers cannot be sub delegated.</p> <p>In undertaking the functions of this delegation, Building Surveyors (registered) must be employed by the Shire of West Arthur in accordance with s5.36 of the Local Government Act 1995; and with respect to uncertified applications, hold the appropriate qualification as set out under r6 of the Local Government (Building Surveyors) Regulations 2008.</p> <p>In relation to s21 this sub delegation does not apply to places listed on the State's Register of Heritage Places or the Council's Heritage Register or to places classified by the National Trust.</p> <p>Must observe s100(2) of the <i>Building Act 2011</i> in relation to entry to private residence.</p>

	<p>In relation to s110 this delegation permits a sub delegate to determine that an Order is to remain in effect in accordance with s117(2) of the <i>Building Act 2011</i> where it is considered appropriate.</p> <p>In relation to s93(2)(d) of the <i>Building Act 2011</i> and s.53 of the <i>Building Regulations 2012</i> - *Regulation 52 (2): For the purposes of section 93(2)(d) a person who was an authorised person for the purposes of section 245A of the repealed provisions immediately before repeal day is to be taken to be an authorised person in relation to the inspection of private swimming pool enclosures for the period commencing on repeal day and ending on the day that is 5 years after that day.</p>
Express Power to Sub-Delegate:	<i>Building Act 2011 – s127</i>
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	
<i>Record Keeping:</i>	<i>In accordance with s130 Building Act 2011 and r12 Building Regulations 2012</i>

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Delegation Title:	Building Act & Regulations – Occupancy Permits and Building Approval Certificates for Strata Plans & Survey Strata Plans
Express Power to Delegate:	<i>Strata Titles Act 1985 – sA5B, s25 in respect of Built Strata Applications except for those applications listed as exceptions in WAPC Planning Bulletin 52/2009. Includes issue of Form 26</i>
Express Power or Duty Delegated:	<i>Building Act 2011: s.127(1) & (3) Delegation: special permit authorities and local government</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is authorised to issue occupancy permits and building approval certificates for strata plans and survey strata plans as required by s5B of the Strata Titles Act 1985 and to make certain decisions pursuant to s25 Strata Titles Act 1985 in respect of Built Strata Applications except for those applications listed as exceptions in Western Australian Planning Commission (WAPC) Planning Bulletin 52/2009. Includes authority to issue Form 26
Council Conditions on this Delegation:	Must comply with relevant policies Delegation and authority do not apply to those applications that: <ol style="list-style-type: none"> 1. Propose the creation of a vacant lot; 2. Proposed vacant air stratas in multi-tiered strata scheme developments; 3. In the opinion of the WAPC as notified to the local government in writing, or in the opinion of the local government as notified to the WAPC in writing, relate to: <ol style="list-style-type: none"> a) type of development; and/or b) land within an area, which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application. 4. The WAPC is to be provided with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.
Express Power to Sub-Delegate:	<i>Building Act 2011 – s127</i>
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	
<i>Record Keeping:</i>	<i>In accordance with s130 Building Act 2011 and r12 Building Regulations 2012</i>

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Delegation Title:	Bush Fires Act – General Delegation
Express Power to Delegate:	<i>Bush Fires Act 1954 – s48</i>
Express Power or Duty Delegated:	<i>Bush Fires Act 1954 – s48</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Pursuant to s48 Bush Fires Act 1954 the Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the local government.</p> <p>This delegation includes the authority to initiate legal action and prosecution.</p> <p>The Chief Executive Officer is delegated authority to hand over the control of bush fires to the Department of Fire and Emergency Services (DFES).</p>
Council Conditions on this Delegation:	<p>Must comply with relevant policies</p> <p>Does not include those matters in the Act which require a resolution of the Council, are prescribed in the Act for performance by prescribed employees or are subject to separate delegated authority within this Register.</p> <p>Only the Chief Executive Officer or the Shire President may withdraw infringement notices pursuant to s59A (3) <i>Bush Fires Act 1954</i> and r4 <i>Bush Fires (Infringements) Regulations 1958</i>.</p>
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

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Delegation Title:	Bush Fires Act – Prohibited Burning Times
Express Power to Delegate:	<i>Bush Fires Act 1954 – s48</i>
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i> <i>s.17(7) Prohibited burning times may be declared by Minister</i> <i>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</i> <i>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</i> <i>Bush Fire Regulations 1954:</i> <i>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</i> <i>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</i> <i>r.39B Crop dusters etc., use of in restricted or prohibited burning times</i></p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> • where seasonal conditions warrant it, determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer s.17(7). • determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. • declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. • determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. • issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. • prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].
Council Conditions on this Delegation:	<p>Must comply with relevant policies</p> <p>Decisions under s,17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).</p>
Express Power to Sub-Delegate:	
Sub-Delegate/s:	<p>Nil</p> <p><i>Appointed by CEO</i></p>

CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
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<i>Compliance Links:</i>	
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

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Delegation Title:	Bush Fires Act – Variations to Fire Break Orders
Express Power to Delegate:	<i>Bush Fires Act 1954 – s48</i>
Express Power or Duty Delegated:	<i>Bush Fires Act 1954 – s48</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to s48 <i>Bush Fires Act 1954</i> the Chief Executive Officer is delegated authority to vary or approve alternative arrangements to the Shire's Firebreak Orders
Council Conditions on this Delegation:	Must comply with relevant policies Maximum approval period to be twelve (12) months. CEO to consult with relevant Brigade Fire Control Officer prior to exercising this delegation.
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

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Delegation Title:	Bush Fires Act – Restricted Burning Times and other matters
Express Power to Delegate:	<i>Bush Fires Act 1954 – s48</i>
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i></p> <p><i>s.18(5), (11) Restricted burning times may be declared by FES Commissioner</i></p> <p><i>s.22(6) and (7) Burning on exempt land and land adjoining exempt land</i></p> <p><i>s.24F Burning garden refuse during limited burning times</i></p> <p><i>s.24G Minister or local government may further restrict burning of garden refuse</i></p> <p><i>s.25 No fire to be lit in open air unless certain precautions taken</i></p> <p><i>s.25A Power of Minister to exempt from provisions of section 25</i></p> <p><i>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</i></p> <p><i>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</i></p> <p><i>s.27D Requirements for carriage and deposit of incendiary material</i></p> <p><i>Bush Fire Regulations 1954:</i></p> <p><i>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</i></p> <p><i>r.15C Local Government may prohibit burning on certain days</i></p> <p><i>r.27(3) Permit, issue of</i></p> <p><i>s.33 Local government may require occupier of land to plough or clear fire-breaks</i></p> <p><i>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</i></p> <p><i>r.39B Crop dusters etc., use of in restricted or prohibited burning times</i></p> <p><i>r.39C Welding and cutting apparatus, use of in open air</i></p> <p><i>r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc.</i></p> <p><i>r.39D Explosives, use of</i></p> <p><i>r.39E Fireworks, use of</i></p> <p><i>s.46 Bush fire control officer or forest officer may postpone lighting fire</i></p> <p><i>s.52(1) Approved area may be declared</i></p> <p><i>s.58 General penalty and recovery of expenses incurred</i></p> <p><i>s.59 Prosecution of offences</i></p> <p><i>s.59A(2) Alternative procedure – infringement notices</i></p>
Delegate:	Chief Executive Officer
Function:	<p>Pursuant to s48 <i>Bush Fires Act 1954</i> the Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ul style="list-style-type: none"> a) Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].

	<ul style="list-style-type: none"> • Where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. • Determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. • Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. • 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)]. • Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ul style="list-style-type: none"> a) 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), r.33(5)]. b) Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. • Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ul style="list-style-type: none"> a) camping or cooking [s.25(1)(a)]. b) conversion of bus into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. • Prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. • Serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)]. • Give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of West Arthur <ul style="list-style-type: none"> a) clearing of firebreaks as determined necessary and specified in the notice; and 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 c) as a separate or coordinated action with any other person carry out similar actions [s.33(1)].
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	<ul style="list-style-type: none"> • Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ul style="list-style-type: none"> d) Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)]. • Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning vary Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. • Appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and <ul style="list-style-type: none"> a) Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and b) Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. • Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of West Arthur [s.38(5A)] • 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)]. • Appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)]. • Determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. • Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. • Prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. • Recover the cost of measures taken by the Shire of West Arthur or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)]. • Give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ul style="list-style-type: none"> a) a person operating a bee smoker device during a prescribed period [r.39CA(5)].
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	<ul style="list-style-type: none"> b) a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. c) a person using explosives [r.39D(2)]. d) a person using fireworks [r.39E(3)] • Determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i> • 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)]. <ul style="list-style-type: none"> a) Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)]. • Apply to the Minister to have the local government district, or part of the district, declared as an approved area. [s.50(1)] (Note - The declaration of a district, or part thereof, as an approved area, results in a reduction in insurance premium of crops within that area s.53.) • Recover general penalty and recovery of expenses incurred s58 • Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. • To serve an infringement notice for an offence against this Act [s.59A(2)].
Council Conditions on this Delegation:	<p>Must comply with relevant policies</p> <p>Maximum approval period to be twelve (12) months.</p> <p>CEO to consult with relevant Brigade Fire Control Officer and Chief Bush Fire Control Officer prior to exercising this delegation.</p>
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
<i>Compliance Links:</i>	

<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>
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Version Control:

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Delegation Title:	Cat Act – Duties and Functions
Express Power to Delegate:	<i>Cat Act 2011 – s44</i>
Express Power or Duty Delegated:	<i>Cat Act Regulations 2012</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to s44 Cat Act 2011 the Chief Executive Officer is delegated authority to perform all duties and functions of the local government under the Cat Act 2011 and Cat Act Regulations 2012.
Council Conditions on this Delegation:	<p>Pursuant to s48(2) only an employee of the Shire can be appointed under s62.</p> <p>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>In relation to authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat – it should be noted this delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995.</p>
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Dog Act – Duties and Functions
Express Power to Delegate:	<i>Dog Act 1976 – s10AA(1) and (3):</i>
Express Power or Duty Delegated:	<i>Dog Act 1976</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Pursuant to s10AA(1) of the Dog Act 1976 the Chief Executive Officer is delegated all powers and duties of the local government under the Dog Act 1976 and regulations and the Shire's Dogs Local Law.</p> <p>Pursuant to s10AA(3) of the Dog Act 1976 the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties to other employees or other persons.</p> <p>These delegations specifically exclude (and which must be determined by the Council):</p> <ul style="list-style-type: none"> • s.33E(1) - Individual dog may be declared to be dangerous dog (declared) • s.33F(6) s.33G(4) s.33H(1) - Owners to be notified of making of declaration, Seizure and destruction - Local government may revoke declaration or proposal to destroy.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Dog Act 1976</i>
Sub-Delegate/s: <i>Appointed by CEO</i>	Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Dog Act 1976 –s12A; s14; s29; s38; s39; s43; s47; s12A; s14; s16(2); s16(3A); s16(3); s16(3C); s16(6); s26; s33E; s33F; s33G; s33H; s39; s43A;</i>

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

Version Control:

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Delegation Title:	Food Act – Prohibition Orders
Express Power to Delegate:	<i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>
Express Power or Duty Delegated:	<i>Food Act 2008:</i> <i>s.65(1) Prohibition orders</i> <i>s.66 Certificate of clearance to be given in certain circumstances</i> <i>s.67(4) Request for re-inspection</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to: <ul style="list-style-type: none"> • Serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. • Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. • 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)].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Food Act – Food Business Registrations
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <p><i>s.118 Functions of enforcement agencies and delegation</i></p> <p><i>(2)(b) Enforcement agency may delegate a function conferred on it</i></p> <p><i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i></p> <p><i>(4) Sub-delegation permissible only if expressly provided in regulations</i></p>
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <p><i>s.110(1) and (5) Registration of food business</i></p> <p><i>s.112 Variation of conditions or cancellation of registration of food businesses</i></p>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> 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)]. vary the conditions or cancel the registration of a food business [s.112].
Council Conditions on this Delegation:	<p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</p> <p>Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</p> <p>Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</p> <p>WA Priority Classification System</p> <p>Verification of Food Safety Program Guideline</p>
Express Power to Sub-Delegate:	
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Title:	Food Act – Appoint Authorised Officers and Designated Officers
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <p><i>s.118 Functions of enforcement agencies and delegation</i></p> <p><i>(2)(b) Enforcement agency may delegate a function conferred on it</i></p> <p><i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i></p> <p><i>(4) Sub-delegation permissible only if expressly provided in regulations</i></p>
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <p><i>s.122(1) Appointment of authorised officers</i></p> <p><i>s.126(6), (7) and (13) Infringement Officers</i></p>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> • appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. • appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)]. • 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)].
Council Conditions on this Delegation:	<p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</p> <ul style="list-style-type: none"> • Appointment of Authorised Officers as Meat Inspectors • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Express Power to Sub-Delegate:	
<p>Sub-Delegate/s:</p> <p><i>Appointed by CEO</i></p>	Nil
<p>CEO Conditions on this Sub-Delegation:</p> <p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	

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

Version Control:

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Delegation Title:	Town Planning
Express Power to Delegate:	<i>Shire of West Arthur Local Planning Scheme No. 2 (LPS2)</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005 Section 5.42(b) Planning and Development Act section 214(2), (3) or (5) Planning and Development (Local Planning Schemes) Regulations 2015</i>
Delegate:	Chief Executive Officer
Council Conditions on this Delegation:	<ol style="list-style-type: none"> Any refusal to give planning approval must be determined by Council. In approving any proposal, the CEO must be satisfied that the application complies with the objectives and provisions of the Scheme and any applicable Local Planning Policy. An application may only be approved when no objections have been received to an application from any advertising or referral of the application. If it is considered that an application for the operation of a Home Occupation or Home Business might generate significant concern or could impact on the amenity of the locality, the application will be referred to the Council for determination. Any application to modify/reduce the development standards and setbacks in the Scheme (other than in accordance with the R Codes) shall be referred to Council. In approving any minor or inconsequential development application a heritage site, the CEO shall be satisfied that: <ol style="list-style-type: none"> There is no substantial impact from the proposal; and It is consistent with the heritage values of the site.
Statutory Power to Sub-Delegate:	None
Function Delegated	Applications for Development Approval <ul style="list-style-type: none"> Determining if a proposal does not require approval in accordance with Clause 61 of the Deemed Provisions. Determining the land use class and definition of the application. Determining the application fee. Determining the acceptability of the material accompanying an application under Clause 63. Directing advertising of any application in accordance with Clause 65. This includes "D" applications where it is considered that there is an issue of concern. Requesting the applicant to provide further information or material under Clause 65A that the Shire reasonably requires to determine the application.

	<ul style="list-style-type: none"> Referring the application for Development Approval to any other statutory, public or planning authority for comments under Clause 66 of the Deemed Provisions and extend the referral period. The granting of Development Approval with or without conditions under LPS2 to development for the purpose of a use of land mentioned in the Zoning Table of LPS2 and designated "P". Issuing a Notice of Determination in accordance with Clause 70. Endorsing, approving any plan or document (or modification) as required by a condition of Development Approval. <p>Heritage Places</p> <ul style="list-style-type: none"> The approval of minor inconsequential development applications on designated heritage sites. <p>Subdivision Applications</p> <ul style="list-style-type: none"> Pursuant to s142 of the Planning and Development Act 2005, provide comment to the Western Australian Planning Commission (WAPC) on matters associated with subdivision applications, proposed development plans (or similar) and licence applications. <p>Subdivision Clearances</p> <ul style="list-style-type: none"> Pursuant to s145 of the Planning and Development Act 2005 making a recommendation to the Commission relating to the "clearance" of a subdivision condition and endorsement of a Diagram of Survey.
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<i>Compliance Links:</i>	<i>Local Government Act 1995</i> <i>Shire of West Arthur LPS No. 2</i> <i>Planning and Development Act 2005</i> <i>Planning and Development Local Planning Schemes) Regulations 2015</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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Title:	Local Laws
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:	All the powers, duties, and responsibilities of the local government, in respect of all the Local Laws of the Shire of West Arthur.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to all the Local Laws of the Shire of West Arthur: <ul style="list-style-type: none">Name Local Laws
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Corporate Services (all matters) Manager Works and Services (all matters) Ranger (Dogs Local Law) (Cats) Executive Assistant (Grant of Rights)
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

– CEO 18 January 2022

Title:	Liquor Control Act – Certificate of Compliance (Liquor Permit)
Express Power to Delegate:	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.
Express Power or Duty Delegated:	<i>Liquor Control Act 1988</i> S39 – Certificate of Local Government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	That the Chief Executive Officer be authorised to issue Certificate of Compliance for the consumption of liquor on Council property.
Council Conditions on this Delegation:	1. Permits to expire no later than 1.00 am on the following day; 2. The requirements of the <i>Liquor Control Act 1988, Health (Misc Provisions) Act 1911, Food Act 2008, Local Government Act 1995, and Building Act 2011</i> being fully complied with.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: Appointed by CEO	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Local Government Act 1995</i> <i>Liquor Control Act 1955</i>
Record Keeping:	

Version Control:

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Title:	Graffiti Vandalise Act – General Delegation
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to s16(1) <i>Graffiti Vandalism Act 2016</i> the Chief Executive Officer is delegated all powers and duties of the Local Government under the <i>Graffiti Vandalism Act 2016</i> .
Council Conditions on this Delegation:	The Chief Executive Officer is delegated authority to exercise the powers and duties of the local government in respect to: <ol style="list-style-type: none">1. In accordance with s17(1) of the <i>Graffiti Vandalism Act 2016</i>, the Chief Executive Officer may only sub delegate to an employee of the Shire.2. The CEO may not sub delegate authority to commence enforcement proceedings.3. The CEO may not delegate authority to deal with Objections pursuant to s20, 21 and 22 of the Act
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Sub-Delegate/s: <i>Appointed by CEO</i>	Manager Works and Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	The Manager Works and Services is sub-delegated to exercise the powers and duties of the local government under the following sections of the <i>Graffiti Vandalism Act 2016</i> : s18 Giving Notices; s19 Additional Powers; s25 Graffiti removal; s26 Powers of Entry; s27 Procedures; s28 Notice of Entry; s29 Entry under Warrant; and s30 Purpose of Entry.
Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>

<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>
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Version Control:

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3. Delegations from CEO to another Employee

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

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

Version Control:

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Title:	Determine if an Emergency Exists
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
Delegate:	Manager Corporate Services Manager Works and Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.
Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Title:	Electoral Enrolment Eligibility Claims and Electoral Roll
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <p>s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim</p> <p>s.4.34 Accuracy of enrolment details to be maintained</p> <p>s.4.35 Decision that eligibility to enrol under s.4.30 has ended</p> <p>s.4.37 New roll for each election</p> <p><i>Local Government (Elections) Regulations 1995:</i></p> <p>r.11(1a) Nomination of co-owners or co-occupiers — s.4.31</p> <p>r.13(2) & (4) Register - s.4.32(6)</p>
Delegate:	Manager Corporate Services
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<ol style="list-style-type: none"> 1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 5. Authority to determine the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk [Elections r.13(2)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
Council Conditions on this Delegation:	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).

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

Version Control:

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

<i>Compliance Links:</i>	<i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i> <i>Local Government (Audit) Regulations 1996</i> <i>Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</i>
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Title:	Information to be Available to the Public
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
Delegate:	Manager Corporate Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)]. 2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. 3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.5.95(1)(b)]. 5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
Council Conditions on this Delegation:	

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

Version Control:

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Title:	Infringement Notices
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
Delegate:	Ranger Manager Corporate Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)]. 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a) A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation. b) Delegation for Dog Act, Cat Act, Parking Local Law, Infringement Notices is limited to the following listed positions ONLY: <ol style="list-style-type: none"> i. Ranger ii. Manager Corporate Services c) The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices: <ol style="list-style-type: none"> i. CEO <p>NOTE: Delegates must also be appointed as an "Approved Officer"</p>
Compliance Links:	<i>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</i>
Record Keeping:	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

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4. Statutory Authorisations and Delegations to Local Government from State Government Entities

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

Published by:
Environment

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No. 47. 19-Mar-2004
Page: 919 [Pdf](#) - 476kb

EV401

ENVIRONMENTAL PROTECTION ACT 1986
Section 20
Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

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Environment

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No. 232. 20-Dec-2013
Page: 6282 [Pdf](#) - [3Mb](#)

EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--

- (i) Subregulation 18(13)(b) is not delegated.

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

Noise Management Plans – Construction Sites

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Environment

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No. 71. 16-May-2014
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EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

(b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the *2nd* day of *June* 2016



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1987</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1987</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road. <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 96(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Berrinya Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Bruce-Maitland-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canaling Shire of Capel Shire of Carnarvon Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Coocos (Keeling) Islands Shire of Coolbe Shire of Coolgardie Shire of Coorow Shire of Cornhill Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dardanup Shire of Dardanup Shire of Denmark Shire of Derby/Mt Kimberley Shire of Dongroy-Moss-Salingup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Goswami Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jarraungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Koolberrin Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Mervinburn City of Merivale Shire of Merredin Shire of Merredin Shire of Mingenew Shire of Morley Shire of Moruya Town of Moora Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land. Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

Shire of Tarnish
Shire of Three Springs
Shire of Toodyay
Shire of Trayning
Shire of Upper Gascoyne
Town of Victoria Park
Shire of Victoria Plains
Town of Vincent
Shire of Wagin
Shire of Wandaring
City of Wanneroo
Shire of Waroona
Shire of West Arthur
Shire of Westonia
Shire of Wickepin
Shire of Williams
Shire of Wiluna
Shire of Wongan-Ballidu
Shire of Woodanilling
Shire of Wyalkatchem
Shire of Wyndham-East Kimberley
Shire of Yalgoo
Shire of Yilgarn
Shire of York

Shire of Nannup
Shire of Narembean
Shire of Naremgin
Town of Nerrigun
City of Nedlands
Shire of Nganyeljaraku
Shire of Northam
Shire of Northern
Shire of Nungah
Shire of Nungah
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravenshoe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Stirling
City of Swan



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of June 2016

Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)

WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION
 RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (*Insert name of Local Government*) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

Dated:

**THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS**

WAS AFFIXED BY

COMMISSIONER OF MAIN ROADS

FOR THE TIME BEING IN THE
PRESENCE OF:

Signature of Witness

Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

.....(*Insert name of Local Government*)..... agrees to unconditionally observe,
perform and be bound by the above conditions.

THE COMMON SEAL of

[Insert name of Local Government]

Was hereunto affixed pursuant to a
resolution of the Council in the
presence of:

Signature of Chief Executive Officer

Signature of Witness

Name of Witness (please print)

Page 2 of 2

Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises
("Authorised Body") by itself, its employees, consultants, agents and contractors
(together "Representatives") to, from the date indicated below, erect, establish, display,
alter or take down such traffic signs and traffic control devices of whatsoever type or
class (except for permanent traffic control signals) as may be required for the purpose
and duration of any works, survey or inspection, associated with the construction,
maintenance or repair on a road (other than a main road or highway), any adjoining land
or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms
and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

Dated:

THE COMMON SEAL OF THE)
 COMMISSIONER OF MAIN ROADS)
 WAS AFFIXED BY)
)
)
 COMMISSIONER OF MAIN ROADS)
 FOR THE TIME BEING IN THE PRESENCE OF:)

 Signature of Witness

 Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be
 bound by the above conditions.

THE COMMON SEAL OF THE)
)
)
 WAS AFFIXED PURSUANT TO A RESOLUTION)
 OF THE COUNCIL IN THE PRESENCE OF)

 Chief Executive Officer

 Witness

Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

CONDITIONS

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:



Government of Western Australia
Department of Transport

Driver and Vehicle Services

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers
Assistant Director, Strategy and Policy
Driver and Vehicle Services
Department of Transport

Dated the 5th day of September 2017

[Approval for ranger vehicles to fit and use yellow flashing lights \(transport.wa.gov.au\)](https://transport.wa.gov.au)

Extracted online on 15 March 2021

12 CORPORATE SERVICES

12.1 FINANCIAL REPORTS - MARCH 2023

File Reference:	ADM339
Location:	N/A
Applicant:	N/A
Author:	Melinda King, Manager Financial Reporting
Authorising Officer:	Rajinder Sunner, Manager Corporate Services
Date:	3/04/2023
Disclosure of Interest:	Nil
Attachments:	1. 31 March 2023 Monthly Financial Report ↓

SUMMARY:

Council is requested to consider the financial reports for the periods ending 31 March 2023.

BACKGROUND:

The financial reports for the period ending 31 March 2023 are included as attachments.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not required.

STATUTORY ENVIRONMENT:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare a monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

There are no financial implications. Reported income and expenditure is assessed by management as being consistent with the 2022/23 Annual Budget.

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Ensure that the local community is provided with value for money through the prudent expenditure of rates

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management.
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Not preparing monthly financial statement which affects Council's ability to oversee the Shire's financial management.
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Minor (2)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (2)
Principal Risk Theme	Compliance failure
Risk Action Plan (Controls or Treatment Proposed)	Prepare monthly financial statement for Council

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council accepts the Financial Reports for the period ending 31 March 2023 as presented.

SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 March 2023

	Note	Annual Budget 2022/2023	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	2	1,481,341	1,481,341	1,481,231	(110)	(0%)	
Revenue from operating activities							
Grants		1,885,423	1,881,716	1,883,801	2,085	0%	
Rating Grants, Subsidies and Contributions	6	550,100	378,511	485,096	106,585	28%	▲
Rates and Charges		295,450	244,854	250,819	5,965	2%	
Interest Earnings		118,897	65,902	81,344	15,442	23%	▲
Other Revenue		68,353	14,341	31,862	17,521	122%	▲
Profit on Disposal of Assets		20,676	14,596	8,308	(6,288)		
		2,938,899	2,599,920	2,741,230	141,310		
Expenditure from operating activities							
Employee Costs		(1,996,848)	(1,825,666)	(1,785,011)	40,655	2%	
Overhead and wage allocations			354,597	352,775	(1,822)		
Materials and Contracts		(1,131,500)	(954,166)	(977,651)	(23,485)	(2%)	
Deprecn and POC allocations			148,327	143,662	(4,665)		
Utility Charges		(90,405)	(67,804)	(70,050)	(2,246)	(3%)	
Depreciation on Non-Current Assets		(2,217,441)	(457,767)	(467,320)	(9,553)	(2%)	
Interest Expenses		(25,062)	(18,083)	(19,246)	(1,163)	(6%)	
Finance Expenses		(117,423)	(117,423)	(116,509)	914	1%	
Other Expenditure		(48,000)	(25,500)	(14,213)	11,287	44%	
Profit on Disposal of Assets		(17,355)	0	0	0		
		(5,644,034)	(2,963,484)	(2,953,563)	9,921		
Rating activities excluded from budget							
Back Depreciation		2,217,441	457,767	467,320	9,553	2%	
Net (Profit)/Loss on Asset Disposal		(3,321)	(14,596)	(8,308)	6,288	(43%)	
Net Provisions and Accruals		0	(38,807)	(38,807)	0	0%	
Amount attributable to operating activities		(491,015)	40,800	207,872	167,072		
Investing activities							
Grants, Subsidies and Contributions	6	1,200,962	661,453	665,102	3,649	1%	
Proceeds from Disposal of Assets		144,050	84,050	80,000	(4,050)	(5%)	
Disposal of Buildings	7	(734,749)	(92,000)	(91,826)	174	0%	
Infrastructure Assets - Roads	7	(1,083,221)	(459,632)	(434,962)	24,670	5%	
Infrastructure Assets - Other	7	(627,656)	(482,045)	(532,533)	(50,488)	(10%)	▼
Plant and Equipment	7	(635,696)	(315,696)	(337,233)	(21,537)	(7%)	
Disposal of Plant and Equipment	7	0	0	0	0		
Amount attributable to investing activities		(1,736,310)	(603,870)	(651,452)	(47,582)		
Financing Activities							
Proceeds from Self Supporting Loan - repayments		29,031	14,396	14,396	0	0%	
Transfer from Reserves	5	993,650	0	0	0		
Payment of Debentures		(101,198)	(72,598)	(78,376)	(5,778)	(8%)	
Proceeds from new borrowings		270,000	270,000	270,000	0		
Transfer to Reserves	5	(445,499)	(49,596)	(49,197)	399	1%	
Amount attributable to financing activities		745,984	162,202	156,823	(5,379)		
Opening Funding Surplus (Deficit)	2	0	1,080,473	1,194,474	114,001	11%	▲

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

refer to Note 1 for an explanation of the reasons for the variance.

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

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 1: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies and Contributions

69,812 WALGGC - General Purpose Grant additional received	Permanent variance
33,189 WALGGC - Local Roads Grant additional received	Permanent variance

Interest Earnings

19,340 Municipal interest above budget. Permanent variance

Other Revenue

19,350 Recovery of legal costs - added to rate debtors

Employee Costs

40,655 Employee costs are below budget.	Timing variance
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Materials and Contracts

59,204 There are several non reportable timing variances.

(82,689) Plant operation costs are above budget ytd. \$52,805 loader repair to be funded from the plant reserve.

Other Expenditure

8,524 Councillor fees are below budget year to date.

Land and Buildings

174 See capital report

Infrastructure Assets - Other

(50,488) Allocations of wages to Lake Access project greater than budgeted.

Infrastructure Assets - Roads

See capital expenditure report. Variance in timing of program

24,670 allocations year to date.	Timing variance
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Plant and Equipment

15,770 Mower purchased was below budget	Permanent variance
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(30,450) Water tanker greater than budget - Approved by Council. see capital report	Permanent variance
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SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2022	31 Mar 2023
		\$	\$
Current Assets			
Cash Unrestricted	3	1,331,333	1,100,064
Cash Restricted - reserves	5	2,834,020	2,883,217
Cash Restricted - unspent grants		512,197	100,065
Receivables - Rates	4	131,031	212,244
Receivables - Other	4	174,351	47,059
Inventories		17,256	17,256
		5,000,188	4,359,905
Less: Current Liabilities			
Payables		(172,740)	(182,149)
Unspent grants, contributions and reimbursements 21/22		(512,197)	0
Unspent grants, contributions and reimbursements current 22/23		0	(100,065)
		(684,937)	(282,214)
Less: Cash Reserves	5	(2,834,020)	(2,883,217)
Net Current Funding Position		1,481,231	1,194,474

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	154,028			154,028	NAB	0.01%	At Call
Municipal Cash Maximiser	460,000			460,000	NAB	0.95%	At Call
Trust Bank Account			2,644	2,644	NAB	0.01%	At Call
Trust Cash Maximiser			5,269	5,269	NAB	0.95%	At Call
Reserve Cash Maximiser		718		718	NAB	0.95%	At Call
(b) Term Deposits							
Municipal term deposit	300,000			300,000	NAB	4.00%	18/04/2023
Bendigo term deposit	286,000			286,000	Bendigo	4.05%	28/04/2023
Trust term deposit			65,000	65,000	NAB	4.24%	28/06/2023
Reserve term deposit		1,235,256		1,235,256	BOQ	4.30%	30/06/2023
Reserve term deposit		1,647,243		1,647,243	Bendigo	4.10%	28/06/2023
Total	1,200,028	2,883,217	72,913	4,156,158			

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 4: Receivables

Receivables - Rates Receivable	31 Mar 2023	30 June 2022	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	200,216	237,534	Receivables - General	12,842	3,256	1,358	29,603	47,059
Levied this year (incl rubbish & ESL)	1,989,821	1,876,228						
<u>Less</u> Collections to date	(1,915,424)	(1,919,009)	Balance per Trial Balance					
Equals Current Outstanding	274,613	194,753	Sundry Debtors					0
Add paid in advance	6,816	5,463	Receivables - Other					0
Net Rates Collectable	281,429	200,216	Total Receivables General Outstanding					47,059
% Collected	87.46%	90.79%						
Less Recognised as doubtful	(69,185)	(69,185)	Amounts shown above include GST (where applicable)					
			90+ day amount includes funding including \$26,497 LRCI to be received when annual report/acquittal finalised and accepted.					

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 5: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	121,149	3,634	2,103	0	0	0	0	124,783	123,252
Plant Reserve	454,017	13,620	7,881	290,178	0	(194,650)	0	563,165	461,898
Building Reserve	734,309	22,029	12,747	0	0	(565,000)	0	191,338	747,056
Town Development Reserve	1,528	46	27	0	0	0	0	1,574	1,555
Recreation Reserve	163,284	4,900	2,835	0	0	0	0	168,184	166,119
Heritage Reserve	6,091	183	106	300	0	0	0	6,574	6,197
Community Housing Reserve	169,135	5,074	2,936	20,000	0	(50,000)	0	144,209	172,071
Waste Management Reserve	122,753	3,683	2,131	0	0	(100,000)	0	26,436	124,884
Darkan Swimming Pool Reserve	49,219	1,477	854	5,000	0	0	0	55,696	50,073
Information Technology Reserve	66,549	1,996	1,155	3,000	0	(14,000)	0	57,545	67,705
Darkan Sport and Community Centre Reserve	325,422	9,763	5,649	30,000	0	0	0	365,185	331,071
Arthur River Country Club Renewal Reserve	40,150	1,205	697	6,000	0	0	0	47,355	40,846
Museum Reserve	128,701	3,861	2,234	0	0	(5,000)	0	127,562	130,935
Moodiarrup Sports Club Reserve	17,581	527	305	5,000	0	0	0	23,108	17,887
Landcare Reserve	32,989	990	573	0	0	(5,000)	0	28,979	33,562
Corporate Planning and Valuation Reserve	19,945	598	346	0	0	(16,000)	0	4,543	20,291
Kids Central Members Reserve	7,156	215	124	0	0	0	0	7,371	7,280
The Shed Reserve	12,824	385	223	0	0	0	0	13,209	13,047
Recreation Trails Reserve	1,218	36	21	0	0	0	0	1,254	1,239
Community Gym Reserve	12,003	360	208	1,000	0	(9,000)	0	4,363	12,212
Economic Development Reserve	113,847	3,415	1,976	0	0	(35,000)	0	82,262	115,824
Road Reserve	234,148	7,024	4,065	0	0	0	0	241,172	238,213
	2,834,020	85,021	49,197	360,478	0	(993,650)	0	2,285,869	2,883,217

Note: Reserve transfers are generally completed at year end unless funds are required sooner.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

6: Grants and Contributions	Grant Provider	Type	Opening Balance	Budget Operating	Capital	Revenue Current year	YTD Actual Revenue Carried Forward	(Expended)	Unspent Grant	
			(a)	(b)	(c)	(f)		(g)	(a)+(f)+(g)	Comment
General Purpose Funding				\$	\$	\$		\$	\$	
Grants Commission - General	WALGGC - General Purpose Grant	Operating	0	55,000	0	111,062	0	0	0	
Grants Commission - Roads	WALGGC - Local Roads Grant	Operating	0	80,000	0	93,189	0	0	0	
Law, Order and Public Safety										
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Operating - Tied	0	49,844	0	37,383	0	(37,383)	0	
FESA Grant - Arthur River Fire Shed	Dept. of Fire & Emergency Services	Non-operating	0	0	3,649	3,649	0	(3,649)	0	
Purchase of generators		Non-operating	0	0	13,498	0	0	0	0	
Education and Welfare										
Covid-19 Youth Recovery Grants Program	Department of Communities	Operating - Tied	0	5,000	0	0	5,000	(5,000)	0	Youth grant carried forward to 22/23
Recreation and Culture										
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Non-operating	0	0	476,544	0	416,575	(416,575)	0	Received prior year recognised as a liability until spent.
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Operating - Tied	0	214,000	0	0	90,622	(90,622)	0	
Operating grant		Operating - Tied	0	1,000	0	3,488	0	0	3,488	
Other small grants - events	State Library of WA	Operating - Tied	0	1,000	0	3,488	0	0	3,488	
Transport										
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	122,632	0	(26,055)	96,577	
RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	377,394	218,823	0	(218,823)	0	
Direct Grant	Main Roads - Direct Grant	Operating	0	144,256	0	147,359	0	0	0	
TALS			0	549,100	1,200,962	737,585	512,197	(798,107)	100,065	
PRIMARY										
Operating	Operating Grants, Subsidies and Contributions		0	279,256	0	351,610	0	0	0	
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	269,844	0	40,871	95,622	(133,005)	3,488	
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	1,200,962	345,104	416,575	(665,102)	96,577	
TALS			0	549,100	1,200,962	737,585	512,197	(798,107)	100,065	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2023

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance Total YTD to Budget	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget		
		\$	\$	\$	\$	\$	\$	\$	
Land and Buildings									
Law, Order and Public Safety									
Arthur River Fire Shed		0	(3,649)	(3,649)	0	(3,649)	(3,649)	0	Funded by ESL Capital Grant
Housing									
Renovations to existing joint venture community housing units		0	0	0	(4,640)	(50,000)	(54,640)	54,640	
Recreation And Culture									
Darkan Sports Precinct - Upgrade power		(550)	(30,122)	(30,672)		(90,000)	(90,000)	59,328	
Other Property & Services									
Staff housing improvements/renovations		0	0	0	(3,360)	(25,000)	(28,360)	28,360	
New staff house		0	(26,532)	(26,532)	(14,100)	(500,000)	(514,100)	487,568	
Office - Shire Depot		(1,064)	(29,909)	(30,973)	(4,000)	(40,000)	(44,000)	13,027	
Buildings Total		(1,614)	(90,212)	(91,826)	(26,100)	(708,649)	(734,749)	642,923	
Infrastructure									
Community Amenities									
Darkan Refuse Site		(692)	0	(692)	(20,000)	(100,000)	(120,000)	119,308	
Recreation And Culture									
Darkan Railway Reserve - redevelopment of play and youth area		(26,186)	(339,317)	(365,503)	(30,000)	(362,369)	(392,369)	26,866	
Lake Towerrinning - Access improvement		(47,955)	(77,533)	(125,488)	(5,000)	(70,000)	(75,000)	(50,488)	Wages greater than budget.
Lake Towerrinning - Shade and landscaping		(5,788)	(14,787)	(20,575)	(8,000)	(12,287)	(20,287)	(288)	
Economic Development									
Potable water Infrastructure		(475)	(19,800)	(20,275)	0	(20,000)	(20,000)	(275)	
Infrastructure Total		(81,096)	(451,437)	(532,533)	(63,000)	(564,656)	(627,656)	95,123	
Plant , Equip. & Vehicles									
Transport									
Loader		0	0	0	0	(320,000)	(320,000)	320,000	
Water tanker		0	(100,450)	(100,450)	0	(70,000)	(70,000)	(30,450)	Council decision to fund additional cost Feb 23
Passenger Vehicles		0	(104,162)	(104,162)	0	(96,300)	(96,300)	(7,862)	
Mower		0	(24,230)	(24,230)	0	(40,000)	(40,000)	15,770	Purchase below budget
Trailer		0	(82,791)	(82,791)	0	(82,400)	(82,400)	(391)	
Generators		0	(25,600)	(25,600)	0	(26,996)	(26,996)	1,396	
Plant, Equip & Vehicles Total		0	(337,233)	(337,233)	0	(635,696)	(635,696)	298,463	
Roads									
Regional Road Group									
Boypup Brook Arthur Road		(75,820)	(1,576)	(77,396)	(109,492)	(202,100)	(311,592)	234,196	Wage and plant allocations greater than budget. Proposed to be funded from unallocated project below. Material cost will be below budget.
Darkan Williams Road		(235,132)	(19,379)	(254,511)	(219,068)	(35,431)	(254,499)	(12)	
Regional Road Group Total		(310,952)	(20,955)	(331,907)	(328,560)	(237,531)	(566,091)	234,184	
Roads to Recovery									
Trigwell Bridge Road		(24,609)	(280)	(24,889)	(154,094)	(62,871)	(216,965)	192,076	
Howie Road		(1,166)	0	(1,166)	(102,141)	(18,424)	(120,565)	119,399	
Roads to Recovery Total		(25,775)	(280)	(26,055)	(256,235)	(81,295)	(337,530)	311,475	
Shire Funded									
Dust Suppression		0	0	0	(12,600)	(7,000)	(19,600)	19,600	
To be determined		(77,000)	0	(77,000)	(115,000)	(45,000)	(160,000)	83,000	Proposed to use wage and plant allocation portion on RRG project.
Shire Funded Total		(77,000)	0	(77,000)	(127,600)	(52,000)	(179,600)	102,600	
Roads Total		(413,727)	(21,235)	(434,962)	(712,395)	(370,826)	(1,083,221)	648,259	
Capital Expenditure Total		(496,437)	(900,117)	(1,396,554)	(801,495)	(2,279,827)	(3,081,322)	1,684,768	

12.2 ACCOUNTS FOR PAYMENT LISTING - FEBRUARY 2023

File Reference:	ADM338
Location:	N/A
Applicant:	N/A
Author:	Kylie Whitaker, Finance Officer
Authorising Officer:	Rajinder Sunner, Manager Corporate Services
Date:	9/02/2023
Disclosure of Interest:	Nil
Attachments:	1. Accounts for Payment Listing - February 2023 ↓ 2. Corporate Credit Card Summaries - December 2022 and January 2023 ↓

SUMMARY:

Council is requested to endorse payments of accounts for February 2023 as listed and note the attached credit card transactions.

BACKGROUND:

The schedule of accounts for payment is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

No consultation required.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making
- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
 - (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.
13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
 - (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and

- (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
 - and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS:

Policy F4.1 – Purchasing Policy

Policy F4.8 – Corporate Transaction Cards Policy

FINANCIAL IMPLICATIONS:

There are no financial implications. Reported expenditure is assessed by management as being consistent with the 22/23 Annual Budget.

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices

- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Unauthorised (or incorrectly authorised) payments being made
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Major (4)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (4)
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Payments listing provided to Council each month

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council;

1. in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, note Municipal Fund vouchers 02022023.1-02022023.21, 10022023.1-10022023.22, 13022023.1-13022023.18, 21022023.1-21022023.20, 24022023.1-24022023.21, Licensing, Salaries and Wages, EFT Transfers and Direct Debits totalling \$637,085.95 listed (attached) as approved for payment; and
2. note the attached Transaction Summaries of the Corporate Credit Card Facility from December 2022 and January 2023.

**Shire of West Arthur
Accounts for Payment
1-28 February 2023**

DATE	Num	Name	Original Amount
11/02/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	47.24
		NAB CONNECT FEES	
2/02/2023	EFT	SALARIES AND WAGES	65,103.04
		PAYROLL	
12/02/2023	DIRECTDEBIT	SYNERGY	149.61
		DURANILLIN HALL	
12/02/2023	02022023.1	ALL TECH PLUMBING	502.70
		PLUMBING ISSUES 15 NANGIP CRESENT	
12/02/2023	02022023.2	BELINDA KNIGHT	4,290.00
		POLICY MANUAL REVIEW	
12/02/2023	02022023.3	CEMETERIES AND CREMATORIA ASSOCIATION WA	125.00
		ORDINARY MEMBERSHIP 22-23	
12/02/2023	02022023.4	CJD EQUIPMENT PTY LTD	61.60
		AIR FILTER	
12/02/2023	02022023.5	COATES HIRE OPERATIONS PTY LTD	1,859.00
		LAKE TOWERINNING ACCESS - MINI LOADER	
12/02/2023	02022023.6	COLLIE MOWERS & MORE	198.30
		NYLON LINE AND MOWING HEAD	
12/02/2023	02022023.7	CR KAREN HARRINGTON	814.87
		SITTING FEES, TRAVEL FEES AND COMMUNICATIONS ALLOWANCE - 2ND QUARTER 22/23	
12/02/2023	02022023.8	DARDANUP BUTCHERING COMPANY	125.42
		SENIORS MEALS FRESH MEATS	
12/02/2023	02022023.9	DARKAN AGRI SERVICES	1,950.80
		FRUIT FLY CONTROL, PUBLIC TOILETS, LAKE, POOL, PARKS/GARDENS, DEPOT MAINT.,	
		VERMIN CONTROL,TRIGWELL BR RD, HOUSING, WATER INFRASTRUCTURE, HALLS	
12/02/2023	02022023.10	DARKAN DISTRICTS SPORTS CLUB INC	1,252.00
		HIRE OF COMPLEX FOR STAFF AND COUNCILLORXMAS FUNCTION	
12/02/2023	02022023.11	E W & R J PUGH	704.10
		DRAINAGE OF SEPTIC TANKS 10 GIBBS ST	
12/02/2023	02022023.12	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	1,318.99
		SALARY SACRIFICE PAYMENTS BUNCE	
12/02/2023	02022023.13	FORDHAM LAMONT, V	401.25
		HESSIAN BEDS AND AUTOMATIC DRINKING BOWLS FOR POUND	
12/02/2023	02022023.14	INTEGRATED ICT	1,083.50
		SERVICE DESK/REMOTE MANAGEMENT	
12/02/2023	02022023.15	LANDGATE	28.20
		TANNERY DOCUMENTATION	
12/02/2023	02022023.16	POOL & SPA MART BUNBURY	547.00
		FIBREGLASS REPAIR TO KIDS POOL	
12/02/2023	02022023.17	SHARON LEIGH BELL	18.40
		GROCERY REIMBURSEMENT FOR AUSTRALIA DAY	
12/02/2023	02022023.18	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	1,807.59
		CHLORINE ETC FOR POOL	
12/02/2023	02022023.19	SOS OFFICE EQUIPMENT	106.65
		METER READINGS FOR THE FUJI XEROX PRINTER FOR JANUARY 2023	
12/02/2023	02022023.20	STATION MOTORS HOLDEN	725.68
		C25 HOLDEN COLORADO UTE - NEW IGNITION KEY AND PROGRAMMING	
12/02/2023	02022023.21	WEST ARTHUR COMMUNITY RESOURCE CENTRE	126.00
		LAMINATED URINE CHARTS AND EVACUATION DIAGRAMS	
12/02/2023	BPAY	NAB CREDIT CARD	710.28
		LICENSING - EXPRESS POSTAGE OF LICENSING CONTRACT	
11/02/2023		FUEL & OILS - CEO'S CAR	
		ADD FUNDS TO THE HARVEST BAN MESSAGING SYSTEM	
		AUSTRALIAN TAXATION OFFICE	
11/02/2023		BELT FOR CEO OUT OF CLOTHING ALLOWANCE	
		IPAD COVER	
12/02/2023	DIRECTDEBIT	ASGARD SUPER	202.57
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	120.16
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	36.14
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	AUSTRALIAN SUPER	1,696.61
		FORTNIGHTLY SUPERANNUATION PAYMENT	

**Shire of West Arthur
Accounts for Payment
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DATE	Num	Name	Original Amount
12/02/2023	DIRECTDEBIT	AWARE SUPER	6,822.00
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	CBUS	288.08
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	COLONIAL FIRST STATE	792.15
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	275.61
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	GD & MA GOODING SUPERANNUATION FUND	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	HESTA SUPER FUND	201.10
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	HSTPLUS	43.37
		FORTNIGHTLY SUPERANNUATION PAYMENT	
12/02/2023	DIRECTDEBIT	PRIME SUPER	327.82
		FORTNIGHTLY SUPERANNUATION PAYMENT	
19/02/2023	DIRECTDEBIT	SYNERGY	2,273.92
		ELECTRICITY USAGE AND SUPPLY CHARGE FROM 21/12-16/1 FOR THE CRC	
11/02/2023		ELECTRICITY USAGE AND SUPPLY CHARGE FROM 8/11-19/1 FOR THE TOWN DAM	
		ELECTRICITY USAGE AND SUPPLY CHARGE FROM 16/11-19/1 FOR THE DURA SCHOOL	
19/02/2023		ELECTRICITY USAGE AND SUPPLY CHARGE FROM 25/12-24/1 FOR STREETLIGHTS	
19/02/2023	DIRECTDEBIT	WATER CORPORATION	6,560.64
		SERVICE CHARGE AND WATER USAGE FOR SHIRE PROPERTIES	
10/02/2023	DIRECTDEBIT	TELSTRA	536.63
		USAGE AND SERVICE CHARGES FOR DEPOT, LEADING HAND, C/ PARK, DONGLE & BUILDER	
10/02/2023	10022023.1	AIR LIQUIDE	88.96
		FACILITY FEES ON CYLINDERS	
10/02/2023	10022023.2	BUNBURY MACHINERY	2,879.83
		HIRE OF DINGO	
10/02/2023	10022023.3	CR N M MANUEL	1,490.31
		SITTING FEES, TRAVEL FEES AND COMMUNICATIONS ALLOWANCE - 1ST AND 2ND QUARTER 22/23	
10/02/2023	10022023.4	DKM WORKPLACE SOLUTIONS	181.50
		MONTHLY SUPPORT – FEB 2023	
10/02/2023	10022023.5	DOWN TO EARTH TRAINING & ASSESSING	165.24
		SARAH GODDARD - RISK MANAGEMENT TRAINING	
10/02/2023	10022023.6	FLEAYS STORE	820.95
		GROCERIES FOR SENIORS MEALS. OFFICE COFFEE AND TEA FACILITIES AND AUSTRALIA DAY	
10/02/2023	10022023.7	FORDHAM LAMONT, V	85.00
		TELSTRA MONTHLY ACCOUNT FOR CEO HOME INTERNET	
10/02/2023	10022023.8	INTEGRATED ICT	505.56
		MONTHLY OFFICE SUBSCRIPTION AND COUNCILLORS EMAILS	
10/02/2023	10022023.9	LANDGATE	129.09
		MINIMUM CHARGE AND RURAL UV INTERIM VALUATION	
10/02/2023	10022023.10	LICENSYS	293.45
		NEW ARTWORK FOR SHIRE PLATES	
10/02/2023	10022023.11	LUSH FIRE & PLANNING	1,465.75
		PLANNING SERVICES	
10/02/2023	10022023.12	MALATESTA ROAD PAVING & HOTMIX	1,280.00
		DRUMS OF EMULSION	
10/02/2023	10022023.13	MCLEODS BARRISTERS AND SOLICITORS	545.98
		RATE RECOVERY ADVICE	
10/02/2023	10022023.14	RAJINDER S SUNNER.	97.15
		REIMBURSE DIESEL FOR AW661	
10/02/2023	10022023.15	SAUNDERS, PAUL	111.70
		FOOD AND DRINK FOR FIRE AT PASCOES	
10/02/2023	10022023.16	SHARON LEIGH BELL	44.80
		REIMBURES FOR AUSTRALIA DAY ITEMS	
10/02/2023	10022023.17	SOUTH WEST ISUZU	299.18
		WINDOW REGULATOR RH MOTOR	
10/02/2023	10022023.18	TOLL TRANSPORT PTY LTD	38.80
		STEWART AND HEATON FREIGHT	
10/02/2023	10022023.19	WA CONTRACT RANGER SERVICES PTY LTD	731.50
		RANGER SERVICES 24 AND 31 JANUARY 2023	

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DATE	Num	Name	Original Amount
10/02/2023	10022023.20	WARREN BLACKWOOD WASTE	2,708.85
		DOMESTIC, COMMERCIAL WASTE AND RECYCLING SERVICES	
10/02/2023	10022023.21	WESTRAC BUNBURY	6,290.82
		G11 GRADER PARTS AND REPAIRS	
10/02/2023	10022023.22	WISNIEWSKI JAMES	100.00
		BACK PAY FOR PHONE ALLOWANCE AUG - DEC 2022	
13/02/2023	13022023.1	AFGRI EQUIPMENT AUSTRALIA PTY LTD	4,540.76
		G12 GRADER PARTS AND REPAIRS	
13/02/2023	13022023.2	BURGESS RAWSON	741.49
		WATER CONSUMPTION FOR ROSE GARDEN - FOR THE PERIOD 7/12/22-6/2/23	
13/02/2023	13022023.3	CITY OF KALAMUNDA	270.40
		REPORT AND ADMINISTRATION COSTS SEPT 22 - JAN 23	
13/02/2023	13022023.4	CJD EQUIPMENT PTY LTD	58,085.23
		L1 PARTS AND REPAIRS	
13/02/2023	13022023.5	CLOUD PAYMENT GROUP	8,547.72
		RATES RECOVERY	
13/02/2023	13022023.6	CORSIGN	145.20
		CAUTION VEHICLE STOPPING SIGNS	
13/02/2023	13022023.7	FUEL DISTRIBUTORS OF WA	26,490.70
		FUEL FOR DEPOT, OAW, AW661 AND AW0	
13/02/2023	13022023.8	NARROGIN FREIGHTLINES	244.51
		SIGMA FREIGHT	
13/02/2023	13022023.9	P & S GRIGGS PLUMBING	10,581.44
		GROWDEN PL - CONNECT 25MM WATER METER TO NEW TANK.	
		SUPPLY AND INSTALL NEW STANDPIPE FILL POINT	
13/02/2023	13022023.10	POOL & SPA MART BUNBURY	50,024.70
		REPLACEMENT OF PUMP TO KIDS POOL, MAIN POOL AND SOLAR CONTROLLERS	
13/02/2023	13022023.11	REGIONAL FIRE & SAFETY	401.50
		FIRE HOSE AND REEL FOR GARDEN WATERING TRUCK	
13/02/2023	13022023.12	RESONLINE PTY LTD	220.00
		ROOM MANAGER SERVICES JANUARY 2023	
13/02/2023	13022023.13	SHARON LEIGH BELL	28.57
		REIMBURSE GROCERIES FOR SENIORS MEALS	
13/02/2023	13022023.14	SOUTH WEST ISUZU	1,238.47
		T4 AND T22 PARTS AND REPAIRS	
13/02/2023	13022023.15	SUNNY INDUSTRIAL BRUSHWARE	4,351.60
		POLY AND PIN DRIVE WIRE FOR SWEEPER	
13/02/2023	13022023.16	THOMSON'S AUTO PARTS	89.95
		PLANT MAINTENANCE - 2-WAY AERIAL FOR WORKS MANAGER UTE	
13/02/2023	13022023.17	TR HOMES & CO	26,532.00
		NEW STAFF HOUSE - 10 KING STREET - PROGRESS PAYMENT	
13/02/2023	13022023.18	WESTRAC BUNBURY	807.86
		G11 AND G10 GRADER PARTS AND REPAIRS	
13/02/2023	DIRECTDEBIT	TELSTRA	3,178.87
		USAGE AND SERVICE CHARGES FOR CRC, WORKS AND MCS MANAGER, DEPOT WIFI,	
		CARAVAN PARK IPHONE AND IPAD, INTERNET AND DATA, NEW HOUSING IPAD, ADMIN, DEPOT, POOL AND NEW MECHANIC	
16/02/2023	EFT	SALARIES AND WAGES	62,851.74
		PAYROLL	
16/02/2023	DIRECTDEBIT	ASGARD SUPER	203.89
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	150.03
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	28.91
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	AUSTRALIAN SUPER	1,738.13
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	AWARE SUPER	7,005.86
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	CBUS	274.74
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	COLONIAL FIRST STATE	792.92
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	274.92
		FORTTIGHTLY SUPERANNUATION FUND	

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DATE	Num	Name	Original Amount
16/02/2023	DIRECTDEBIT	GD & MA GOODING SUPERANNUATION FUND	7.23
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	HESTA SUPER FUND	206.00
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	HOSTPLUS	50.60
		FORTTIGHTLY SUPERANNUATION FUND	
16/02/2023	DIRECTDEBIT	PRIME SUPER	325.02
		FORTTIGHTLY SUPERANNUATION FUND	
21/02/2023	21022023.1	COLLIE BETTA HOME LIVING	50.00
		VACUUM BAGS	
21/02/2023	21022023.2	DARDANUP BUTCHERING COMPANY	143.00
		MEAT ORDER FOR SENIORS MEALS	
21/02/2023	21022023.3	DARKAN AGRI SERVICES	3,113.45
		GAS BOTTLES, CEMENT, STEEL, ANT KILLER, KEY TAGS, WORK UNIFORM, FAN,	
		TABLES AND CHAIRS FOR CVN PARK, EXTENSION CORDS, POLY PIPE, BIN BAGS, LAKE, LATEX GLOVES FOR TOILETS.	
21/02/2023	21022023.4	DATALINE VISUAL LINK PTY LTD	937.75
		DARKAN SWIMMING POOL - GATE INSIDE LOCK REPAIRS - LOCK- TRAVEL - SERVICE	
21/02/2023	21022023.5	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	17,856.00
		ESL QUARTER 3 CONTRIBUTIONS YEAR 2022/2023	
21/02/2023	21022023.6	DKM WORKPLACE SOLUTIONS	181.50
		MONTHLY SUPPORT – MARCH 2023	
21/02/2023	21022023.7	GARY RASMUSSEN.	10.00
		REIMBURSEMENT FOR GASMATE REPLACEMENT KNOB FOR CARAVAN PARK	
21/02/2023	21022023.8	JI & LA RILEY	24,285.94
		DKN RAILWAY RES - FAMILY SPACE- DARKAN SHADE SHELTER - EARTHWORKS	
21/02/2023	21022023.9	MOTORPASS	5.50
		MANAGEMENT FEES P/E 15/2/23	
21/02/2023	21022023.10	NARROGIN MITSUBISHI	431.35
		0AW FORD 15000KM SERVICE	
21/02/2023	21022023.11	PALLET RACKING PLACE	2,805.00
		1x DOOR LOCKER	
21/02/2023	21022023.12	PORTABLE BUILDINGS WA PTY LTD	9,722.55
		NEW OFFICE FOR DEPOT	
21/02/2023	21022023.13	QHSE INTEGRATED SOLUTIONS PTY LTD T/AS SK	218.90
		SKYTRUST SYSTEM TIER 1	
21/02/2023	21022023.14	SHARON LEIGH BELL	149.55
		REIMBURSE GROCERIES FOR SENIORS MEALS	
21/02/2023	21022023.15	SHIRE OF COLLIE	2,127.06
		REIMBURSEMENT OF COMMUNITY EMERGENCY SERVICES OFFICER MOBILE	
21/02/2023	21022023.16	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	570.37
		PERISTALTIC PUMP 350KPA PER JIM PO 461	
21/02/2023	21022023.17	SUNNY SIGN COMPANY PTY LTD	114.40
		MOBILE PLANT OPERATING SIGN	
21/02/2023	21022023.18	TOLL TRANSPORT PTY LTD	50.00
		SUNNY SIGNS, STEWART AND HEATON AND CORSIGN FREIGHT	
21/02/2023	21022023.19	WEST ARTHUR COMMUNITY RESOURCE CENTRE	5,605.96
		MEDICAL AND LIBRARY FUNDING FROM 1ST JAN 2023 - 31ST MARCH 2023, DOCTOR HRS JAN23, AUST DAY VOUCHERS	
21/02/2023	21022023.20	ST JOHN AMBULANCE AUSTRALIA	1,302.40
		FIRST AID KITS	
24/02/2023	24022023.1	ASSET INFRASTRUCTURE MANAGEMENT	16,610.00
		DEVELOPMENT OF ASSET MANAGEMENT PLAN	
24/02/2023	24022023.2	AUSTRALIA POST	566.84
		POSTAGE, BOX STAMPS, REAMS OF PAPER	
24/02/2023	24022023.3	BUNBURY MACHINERY	240.00
		DINGO	
24/02/2023	24022023.4	BUNBURY TRUCKS	574.50
		C22 PARTS AND REPAIRS	
24/02/2023	24022023.5	CR GRAEME PEIRCE - LAKESIDE CAMPING	2,373.94
		SITTING FEES, TRAVEL FEES AND COMMUNICATIONS ALLOWANCE - 1ST AND 2ND QUARTER 22/23	
24/02/2023	24022023.6	DUFF ELECTRICAL CONTRACTING	8,525.00
		CARAVAN PARK - KMA4KU21 KMAC POWER HEADS	
24/02/2023	24022023.7	E W & R J PUGH	969.00
		EMPTY SEPTIC TANKS 15 NANGIP CRESCENT	

**Shire of West Arthur
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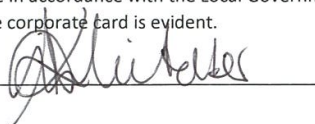
DATE	Num	Name	Original Amount
24/02/2023	24022023.8	G & M DETERGENTS	2,526.38
		TOILET ROLLS, BIN LINERS, SOAP, HAND TOWELS, DISINFECTANT	
24/02/2023	24022023.9	INGARFIELD, JAMES.	30.03
		REIMBURSEMENT FOR FUEL	
24/02/2023	24022023.10	MIDALIA STEEL PTY LTD	1,425.47
		STEEL	
24/02/2023	24022023.11	OFFICE OF THE AUDITOR GENERAL	33,550.00
		FEE FOR ATTEST AUDIT OF THE SHIRE OF WEST ARTHUR FOR THE YEAR ENDED 30 JUNE 2022	
24/02/2023	24022023.12	PUTLAND MOTORS	2,399.88
		DEGREASER, DRUMP PUMP, STROKE OIL, C22 PARTS AND REPAIRS, SP115, C26, C20 PARTS AND REPAIRS	
24/02/2023	24022023.13	RAREBITS ON BURROWES 1	400.00
		NOVEMBER AND DECEMBER SHIRE COUNCIL MEETINGS	
24/02/2023	24022023.14	REGIONAL FIRE & SAFETY	2,438.70
		DURA, DKN, MOODI HALL, AR FIRE SHED, DEPOT, AR HALL, POOL, ADMIN AND CRC BUILDING SERVICE AND INSPECT FEES	
24/02/2023	24022023.15	ROBINSON, BEN & STACEY	1,000.00
		ALLOWANCE FOR CHIEF CONTROL OFFICE 2022-2023	
24/02/2023	24022023.16	STANLEY F T DAVIES	520.00
		REIMBURSE 13 BOOKINGS FOR WESTERN ROVERS CARAVAN PARK	
24/02/2023	24022023.17	T-QUIP	26,653.00
		PERUZZO PANTHER PROFESSIONAL 1800 HI LIFT P/N 07063000	
24/02/2023	24022023.18	TIMBER INSIGHT PTY LTD	38,101.25
		SUPPLY AND DELIVERY OF STRUCTURAL GRADE 2 AND 3 JARRAH FOR CONSTRUCTION OF LAKE BOARDWALK	
24/02/2023	24022023.19	TOLL TRANSPORT PTY LTD	15.75
		THINKWATER FREIGHT	
24/02/2023	24022023.20	WEST ARTHUR COMMUNITY RESOURCE CENTRE	571.69
		A4 LAMINATING FOR ONLINE BOOKING SIGNS FOR DARKAN CARAVAN PARK, DR HOURS 7TH & 14TH FEB	
24/02/2023	24022023.21	WESTRAC BUNBURY	2,380.71
		G10 AND G22 PARTS AND REPAIRS	
24/02/2023	BPAY	AUSTRALIAN TAXATION OFFICE	20,724.00
		BAS JAN 23	
28/02/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	42.00
		ACCOUNT FEES	
28/02/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	10.00
		ACCOUNT FEES	
28/02/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	124.17
		MERCHANT FEE	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		02022023.1-02022023.21	18,047.05
		10022023.1-10022023.22	20,354.42
		13022023.1-13022023.18	193,342.10
		21022023.1-21022023.20	69,680.68
		24022023.1-24022023.21	141,872.14
		EFT/DEBIT/BPAY	56,250.13
		SALARIES & WAGES	127,954.78
		LICENSING FEBRUARY 2023 TRANSFERS	9,584.65
		TOTAL	637,085.95

 <div> <p>SHIRE OF WEST ARTHUR</p> <p>NAB BUSINESS VISA CARD</p> <p>PAYMENTS OF ACCOUNTS BY NAB VISA CARD</p> <p>FOR THE STATEMENT PERIOD: 30 November to 29 December 2022</p> </div>				
DATE	PAYEE	DESCRIPTION	SOWA EXPENSE CODE	AMOUNT
1. CARD NUMBER 4336-XXXX-XXXX-9660				
28-Dec-22	SMS Global	Add funds to the harvest ban messaging system	E051015	\$550.00
29-Dec-23	Myer Karrinyup	Clothing allowance	E143050	\$39.95
CARD 1 PAYMENTS				\$589.95
2. CARD NUMBER 4336-XXXX-XXXX-8951				
05-Dec-22	Amazon	Ipad Cover	E142070	\$25.98
CARD 2 PAYMENTS				\$25.98
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507				\$615.93
Date Due for Payment			23-Jan-23	

I, Kylie Whitaker, Finance Officer have reviewed the NAB visa card payments and confirm that from the descriptions on the documentation provided that:


1. all transactions are expenses incurred by the Shire of West Arthur;
2. all purchases have been made in accordance with the Shire of West Arthur policies and procedures;
3. all purchases are in accordance with the Local Government Act 1995 and associated regulations;
4. no misuse of the corporate card is evident.

Kylie Whitaker:



DATE:

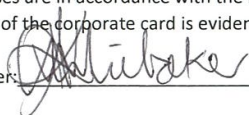
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 <div> <p>SHIRE OF WEST ARTHUR</p> <p>NAB BUSINESS VISA CARD</p> <p>PAYMENTS OF ACCOUNTS BY NAB VISA CARD</p> <p>FOR THE STATEMENT PERIOD: 30 December 2022 To 27 January 2023</p> </div>				
DATE	PAYEE	DESCRIPTION	SOWA EXPENSE CODE	AMOUNT
1. CARD NUMBER 4336-XXXX-XXXX-9660				
06-Jan-23	Australia Post Darkan	Express postage of Liensing Contract	E141025	\$9.60
09-Jan-23	Gull Waterloo Roadhouse	Fuel	E144015	\$84.75
				\$94.35
CARD 2 PAYMENTS				\$0.00
CARD 3 PAYMENTS				\$0.00
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507				\$94.35
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507				\$94.35
Date Due for Payment				21-Feb-23

I, Kylie Whitaker, Finance Officer have reviewed the NAB visa card payments and confirm that from the descriptions on the documentation provided that:

1. all transactions are expenses incurred by the Shire of West Arthur;
2. all purchases have been made in accordance with the Shire of West Arthur policies and procedures;
3. all purchases are in accordance with the Local Government Act 1995 and associated regulations;
4. no misuse of the corporate card is evident.

Kylie Whitaker:



DATE: 21/2/23

12.3 ACCOUNTS FOR PAYMENT LISTING - MARCH 2023

File Reference:	ADM338
Location:	N/A
Applicant:	N/A
Author:	Kylie Whitaker, Finance Officer
Authorising Officer:	Rajinder Sunner, Manager Corporate Services
Date:	3/04/2023
Disclosure of Interest:	Nil
Attachments:	1. Accounts for Payment Listing - March 2023 ↓ 2. Corporate Card Summary - 28 January to 28 February 2023 ↓

SUMMARY:

Council is requested to endorse payments of accounts for March 2023 as listed and note the attached credit card transactions.

BACKGROUND:

The schedule of accounts for payment is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

No consultation required.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making
 - (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
 - (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.
13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
 - (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
 - (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and

- (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
 - and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS:

Policy F4.1 – Purchasing Policy

Policy F4.8 – Corporate Transaction Cards Policy

FINANCIAL IMPLICATIONS:

There are no financial implications. Reported expenditure is assessed by management as being consistent with the 22/23 Annual Budget.

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices

- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Unauthorised (or incorrectly authorised) payments being made
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Major (4)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (4)
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Payments listing provided to Council each month

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council;

1. in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, note Municipal Fund vouchers 08032023.1-08032023.29, 21032023.1-21032023.32, Licensing, Salaries and Wages, EFT Transfers and Direct Debits totalling \$502,645.07 listed (attached) as approved for payment; and
2. note the attached transaction summary of the Corporate Credit Card facility from 28 January 2023 to 28 February 2023.

Shire of West Arnhem
Cheque Detail
March 2023

Date	Num	Name	Original Amount
01/03/2023	DIRECTDEBIT	SYNERGY	133.95
		ELECTRICITY USAGE/SUPPLY FROM 14/12/22-20/2/22 FOR REES ROAD BORE	
01/03/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	35.24
		NAB CONNECT FEES	
02/03/2023	EFT	SALARIES AND WAGES	64,520.85
		PAYROLL	
03/03/2023	DIRECTDEBIT	ASGARD SUPER	253.87
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	121.70
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	AUSTRALIAN SUPER	2,064.31
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	AWARE SUPER	7,149.17
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	CBUS	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	COLONIAL FIRST STATE	792.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	GD & MA GOODING SUPERANNUATION FUND	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	HESTA SUPER FUND	228.63
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	HOSTPLUS	43.37
		FORTNIGHTLY SUPERANNUATION PAYMENT	
03/03/2023	DIRECTDEBIT	PRIME SUPER	271.94
		FORTNIGHTLY SUPERANNUATION PAYMENT	
08/03/2023	DIRECTDEBIT	SYNERGY	5,218.45
		ELECTRICITY USAGE/SUPPLY CHARGE FOR VARIOUS SHIRE PROPERTIES	
08/03/2023	08032023.1	AIR LIQUIDE	88.96
		FACILITY FEE ON CYLINDERS	
08/03/2023	08032023.2	BUNBURY 4X4 COMMERCIAL AUTO RECYCLERS	2,200.00
		C21 UTE 2ND HAND ENGINE 2006 RODEO PETROL 2.1	
08/03/2023	08032023.3	CEMETERIES AND CREMATORIA ASSOCIATION WA	240.00
		REGISTRATION AND DINNER AT CCAWA SEMINAR JOONDALUP - ASHLEIGH TELFER	
08/03/2023	08032023.4	CIRCUITWEST	3,010.00
		CANCELLATION FOR 1 NIGHT BOOKING X 2 CHALETS, A B FACEY'S A FORTUNATE LIFE SHOW	
08/03/2023	08032023.5	CJD EQUIPMENT PTY LTD	532.52
		PARTS AND REPAIRS FOR L15	
08/03/2023	08032023.6	DARDANUP BUTCHERING COMPANY	137.14
		SENIOR MEALS MEAT ORDER	
08/03/2023	08032023.7	DKM WORKPLACE SOLUTIONS	896.50
		SUPPORT REGARDING WORK EXPERIENCE APP FORM, AGREEMENT TEMPLATE, EXIT INTERVIEW	
08/03/2023	08032023.8	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	1,318.99
		SALARY SACRIFICE PAYMENTS BUNCE - MONTH OF MARCH 2023	
08/03/2023	08032023.9	FLEAYS STORE	514.80
		SENIORS MEALS AND TEA/COFFEE/MILK FOR OFFICE AND COUNCIL REFRESHMENTS	
08/03/2023	08032023.10	FRONTLINE FIRE & RESCUE EQUIPMENT	4,376.90
		1x PALLET SOLBERG FIREBRAKE CLASS A FOAM CONCENTRATE	
08/03/2023	08032023.11	GENESIS ACCOUNTING PTY LTD	4,125.00
		TRAINING & DEVELOPMENT - 2023 LOCAL GOVERNMENT WEBINAR SERIES	
08/03/2023	08032023.12	GRIFFIN VALUATION ADVISORY	2,640.00
		PROFESSIONAL VALUATION ADVISORY - LOT 9001 GROWDEN PLACE, DARKAN	
08/03/2023	08032023.13	HERSEY'S SAFETY PTY LTD	1,886.19
		WORKSHOP CONSUMABLES	
08/03/2023	08032023.14	INTEGRATED ICT	1,012.00
		IT SUPPORT	
08/03/2023	08032023.15	ISWEEP TOWN AND COUNTRY	2,387.00
		SWEEP TOWN FOR SHEEPFEST	
08/03/2023	08032023.16	LUSH FIRE & PLANNING	2,895.75
		PLANNING SUPPORT	

CITY OF WEST AUSTRALIA

Cheque Detail

March 2023

Date	Num	Name	Original Amount
08/03/2023	08032023.17	MCLEODS BARRISTERS AND SOLICITORS	3,588.20
		REVIEW OF HOUSING CONTACT DOCUMENT AND ADVICE REGARDING DURANILLIN WATER SUPPLY	
08/03/2023	08032023.18	MORRELL, NICKI	514.14
		RATES TRAINING ACCOMMODATION FOR N MORRELL AND K WHITAKER	
08/03/2023	08032023.19	NG FOX TRANSPORT	1,650.00
		TILT TRUCK DELIVERY OF PORTABLE BUILDING FROM ANKETELL ROAD PERTH TO DARKAN DEPOT	
08/03/2023	08032023.20	OFFROAD TRUCKS AUSTRALIA	2,902.68
		AIRCON AND CENTRAL LOCKING NOT WORKING. DIAGNOSE PROBLEMS, COMPRESSOR AND ALTERNATOR	
08/03/2023	08032023.21	POOL & SPA MART BUNBURY	440.00
		CALL OUT TO REINSTATE LINER TO STEP SECTION OF POOL	
08/03/2023	08032023.22	PUTLAND MOTORS	11,422.77
		PLANT PARTS AND REPAIRS	
08/03/2023	08032023.23	REGIONAL FIRE & SAFETY	59.40
		THE MENS SHED AND TOWN FIRE SHED INSPECTION OF EXTINGUISHERS	
08/03/2023	08032023.24	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	1,087.13
		CHEMICALS FOR POOL	
08/03/2023	08032023.25	SOS OFFICE EQUIPMENT	243.16
		METER READINGS FOR THE FUJI XEROX PRINTER FOR FEBRUARY 2023	
08/03/2023	08032023.26	THINKWATER BUNBURY	237.94
		BORE CAP, ELBOWS AND NIPPLES FOR REES RD STANDPIPE	
08/03/2023	08032023.27	TOLL TRANSPORT PTY LTD	141.01
		LAKE & POOL WATER EXAM, SW ISUZU, THINKWATER, STEWART AND HEATON FREIGHT	
08/03/2023	08032023.28	WA CONTRACT RANGER SERVICES PTY LTD	1,254.00
		RANGER SERVICES 6, 15, 20 AND 28 FEB 2023	
08/03/2023	08032023.29	WESTERN TRUCK SALES PTY LTD	110,495.00
		WATER TANKER NEW 2022	
16/03/2023	EFT	SALARIES AND WAGES	65,140.02
		PAYROLL	
16/03/2023	DIRECTDEBIT	ASGARD SUPER	232.82
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	126.68
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	AUSTRALIAN SUPER	1,870.87
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	AWARE SUPER	7,083.42
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	CBUS	306.43
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	COLONIAL FIRST STATE	792.15
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	271.09
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	GD & MA GOODING SUPERANNUATION FUND	7.23
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	HESTA SUPER FUND	236.28
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	HOSTPLUS	50.60
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	PRIME SUPER	168.33
		FORTNIGHTLY SUPERANNUATION PAYMENT	
16/03/2023	DIRECTDEBIT	RENTFIND TECHNOLOGIES PTY LTD	22.00
		FORTNIGHTLY SUPERANNUATION PAYMENT	
21/03/2023	DIRECTDEBIT	WATER CORPORATION	1,630.65
		WATER USAGE FROM 8/12-6/2/23 FOR HORWOOD STANDPIPE	
21/03/2023	DIRECTDEBIT	SYNERGY	4,347.10
		ELECTRICITY USAGE/ SUPPLY CHARGE FROM 2/5/22-24/2/23 FOR 22 HILLMAN STREET, STREETLIGHTS, CRC	
21/03/2023	DIRECTDEBIT	TELSTRA	1,715.31
		ADMIN, DEPOT, POOL, INTERNET AND DATA, DEPOT FUEL SYSTEM, LEADING HAND MOBILE, CARAVAN PARK	

Shire of West Arnhem


Cheque Detail

March 2023

Date	Num	Name	Original Amount
21/03/2023	BPAY	NAB CREDIT CARD	1,442.70
		SENIOR MEALS ON WHEELS PROJECT - 2KG SOUTHERN OCEAN HAKE AND DELIVERY	
		CCAWA TRAINING SEMINAR 30 & 31 MARCH 2023 ACCOMODATION - A TELFER	
		REGIONS RISING' REGISTRATION AT BREC	
		HEATER HOSE	
		IPAD TO MANAGE GROH HOUSING, JOINT VENTURE HOUSING UNITS, STAFF HOUSING AND SHIRE PROPERTIES	
		KEY LOCK FOR CARAVAN PARK	
		STAYING IN PLACE EXPO	
		KEY LOCK FOR CHALETs	
		SECATEURS AND GARDEN PRUNER FOR PARKS AND GARDENS	
		DEPOT MAINTENANCE AND OFFICE BUG BOMBS	
21/03/2023	21032023.1	AUSTRALIA POST	232.49
		USB, POSTAGE AND MAILBOX RENTAL	
21/03/2023	21032023.2	BLUE DIAMOND MACHINERY PTY LTD	28,160.00
		GENERATOR	
21/03/2023	21032023.3	BUNBURY MACHINERY	374.00
		BLADE FOR SLASHER	
21/03/2023	21032023.4	CARBERRY FARMS	9,306.00
		GRAVEL EXTRACTION	
21/03/2023	21032023.5	CJD EQUIPMENT PTY LTD	61.31
		SIDE WINDOW	
21/03/2023	21032023.6	CLOUD PAYMENT GROUP	1,060.13
		RATE RECOVERY COSTS FOR A974/627/950/727/986	
21/03/2023	21032023.7	COLLIE MOWERS & MORE	60.50
		ORANGE NYLON LINE	
21/03/2023	21032023.8	CUBALLING WINDSCREENS, PANEL, PAINT AND TINTING	1,987.92
		FRONT WINDSCREEN L15, C30, T1	
21/03/2023	21032023.9	DARDANUP BUTCHERING COMPANY	209.00
		SENIORS MEALS MEAT ORDER	
21/03/2023	21032023.10	DKM WORKPLACE SOLUTIONS	401.50
		MONTHLY SUPPORT – APRIL 2023 AND PREPARING A NEW CEO CONTRACT	
21/03/2023	21032023.11	DORMAKABA	496.85
		ATTEND TO HUMMING COMING FROM GLASS SLIDING DOORS AT FRONT OF BUILDING	
21/03/2023	21032023.12	DUFF ELECTRICAL CONTRACTING	480.00
		KING STREET - WALK IN ROBE LIGHT AND CONNECT NEW SEWAGE PUMP	
21/03/2023	21032023.13	FORDHAM LAMONT, V	85.00
		CEO HOME INTERNET REIMBURSEMENT AS PER CONTRACT	
21/03/2023	21032023.14	FUEL DISTRIBUTORS OF WA	18,662.27
		DIESEL FOR DEPOT, FUEL FOR RAJ, VIN VEHICLES	
21/03/2023	21032023.15	INTEGRATED ICT	560.71
		IT SUPPORT	
21/03/2023	21032023.16	MCLEODS BARRISTERS AND SOLICITORS	2,782.00
		RATE RECOVERY ADVICE - 17 NANGIP CR, DARKAN	
21/03/2023	21032023.17	MORRELL, NICKI	478.43
		PARKING AT WALGA AND HOTEL, DINNER AND MILEAGE - RATES COURSE	
21/03/2023	21032023.18	MOTORPASS	231.33
		FUEL FOR FIRE TRUCK IECE747 BY NEIL MORRELL	
21/03/2023	21032023.19	NARROGIN AUTO ELECTRICS	624.00
		SERVICE FOR T22, R10	
21/03/2023	21032023.20	PEDERICK ENGINEERING	317.50
		HOSE - PARTS & REPAIRS FOR NEW WATER TANKER	
21/03/2023	21032023.21	QHSE INTEGRATED SOLUTIONS PTY LTD T/AS SK	218.90
		SKYTRUST TEIR 1 SYSTEM MONTHLY SUBSCRIPTION MARCH 2023	
21/03/2023	21032023.22	RESONLINE PTY LTD	220.00
		ROOM MANAGER SERVICES FEB 23	
21/03/2023	21032023.23	ROS KING	109.00
		VAC BAGS FOR CRC AND SHIRE CLEANING	
21/03/2023	21032023.24	SHARON LEIGH BELL	53.14
		GROCERIES FOR SENIORS MEALS	
21/03/2023	21032023.25	SHIRE OF NARROGIN	2,143.65
		HEALTH OFFICER SEPTEMBER, NOVEMBER, DECEMBER 2022 AND JANUARY 2023	
21/03/2023	21032023.26	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	925.94
		SIGMA LIQUID CHLORINE, DRUM POLY, PALLET AND TRUCK RATE	
21/03/2023	21032023.27	STATE LIBRARY OF WESTERN AUSTRALIA	177.38
		FREIGHT RECOUP JAN-JUN 23	

Cheque Detail
March 2023

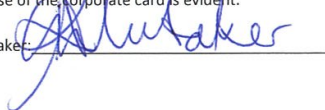
Date	Num	Name	Original Amount
21/03/2023	21032023.28	THINKWATER BUNBURY	254.10
		WATR METER 20MM	
21/03/2023	21032023.29	WALGA BUSINESS SOLUTIONS	2,178.00
		WALGA RATES COURSE - KYLIE WHITAKER AND NICKI MORRELL	
21/03/2023	21032023.30	WARREN BLACKWOOD WASTE	2,726.58
		DOMESTIC, COMMERCIAL WASTE AND RECYCLING BINS	
21/03/2023	21032023.31	WESTRAC BUNBURY	789.58
		PARTS AND REPAIRS	
21/03/2023	21032023.32	WHITAKER, G & K	477.67
		PARKING AT WALGA, DINNER, AND MILEAGE FOR RATES COURSE	
22/03/2023	BPAY	AUSTRALIAN TAXATION OFFICE	9,987.00
		MARCH 23 BAS	
27/03/2023	DIRECTDEBIT	TELSTRA	972.06
		CRC, WORKS MGR, MCS, DEPOT, CARAVAN PARK IPAD, MCS AND WORKS MGR HOME INTERNET	
		HOUSING IPAD, MECHANIC MOBILE AND OFFICE INTERNET AND DATA	
30/03/2023	EFT	SALARIES AND WAGES	64,830.95
		PAYROLL	
30/03/2023	DIRECTDEBIT	ASGARD SUPER	284.13
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	123.24
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	AUSTRALIAN SUPER	1,915.55
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	AWARE SUPER	7,174.66
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	CBUS	314.65
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	COLONIAL FIRST STATE	804.86
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	274.15
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	GD & MA GOODING SUPERANNUATION FUND	21.68
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	HESTA SUPER FUND	185.98
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	HSTPLUS	21.68
		FORTNIGHTLY SUPERANNUATION PAYMENT	
30/03/2023	DIRECTDEBIT	PRIME SUPER	47.60
		FORTNIGHTLY SUPERANNUATION PAYMENT	
31/03/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	10.00
		ACCOUNT FEE	
31/03/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	47.98
		NAB CONNECT FEES	
31/03/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	52.00
		ACCOUNT FEE	
31/03/2023	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	79.70
		MERCHANT FEE	
31/03/2023	DIRECTDEBIT	WATER CORPORATION	47.63
		WATER USAGE FROM 6/2-13/3/2023 FOR 2/10 HILLMAN STREET	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		08032023.1-08032023.29	162,297.18
		21032023.1-21032023.32	76,844.88
		EFT/DEBIT/BPAY	59,647.24
		SALARIES & WAGES	194,491.82
		LICENSING MARCH 2023 TRANSFERS	9,363.95
		TOTAL	502,645.07

 <div> <p>SHIRE OF WEST ARTHUR</p> <p>NAB BUSINESS VISA CARD</p> <p>PAYMENTS OF ACCOUNTS BY NAB VISA CARD</p> <p>FOR THE STATEMENT PERIOD: 28 January 2023 - 28 February 2023</p> </div>					
DATE	PAYEE	DESCRIPTION	SOWA EXPENSE CODE	EXPENSE ITEM	AMOUNT
1. CARD NUMBER 4336-XXXX-XXXX-9660					
20-Feb-23	Regional Australia Institute	Regions Rising' registration at BREC	E143020	OTHER PROPERTY & SERVICES.:Works Overheads:Trail	\$66.00
CARD 1 PAYMENTS					\$66.00
2. CARD NUMBER 4336-XXXX-XXXX-8951					
30-Jan-23	Thomsons Auto Parts	Heater hose	E144006	OTHER PROPERTY & SERVICES.:Plant Cost Overheads:if	\$39.00
30-Jan-23	Telstra Business Technology Centre	lpad	E091010	HOUSING.:Community Housing:GEHA Housing Mtce	\$169.66
30-Jan-23	Telstra Business Technology Centre	lpad	E091030	HOUSING.:Community Housing:Joint Venture Housing	\$169.67
30-Jan-23	Telstra Business Technology Centre	lpad	E143015	OTHER PROPERTY & SERVICES.:Works Overheads:Hou	\$169.67
01-Feb-23	Bunnings	Key lock	E132040	ECONOMIC SERVICES.:Tourism/Area Promotion:Carav	\$78.10
17-Feb-23	West Coast Seafood	Fish	E061011	EDUCATION & WELFARE.:Aged and Disabled:Senior M	\$48.79
20-Feb-23	Joondalup Resort	Accommodatio for A Telfer for Cemeteries Conference	E107030	COMMUNITY AMENITIES.:Other:Cemeteries	\$418.00
22-Feb-23	Eventbrite - Pingelly CRC	Staying in Place Expo	E139110	ECONOMIC SERVICES.:Economic Development:Sustain	\$50.00
CARD 2 PAYMENTS					\$1,142.89
3. CARD NUMBER XXXX-XXXX-XXXX-XXXX					
14-Feb-23	Bunnings	Keylock for Caravan Park,	E132040	ECONOMIC SERVICES.:Tourism/Area Promotion:Carav	\$54.76
14-Feb-23	Bunnings	Garden Pruner and Secateurs	E113010	RECREATION & CULTURE.:Other Recreation:Parks & G	\$89.55
27-Feb-23	Bunnings	Bug bombs for Depot	E122085	TRANSPORT.:Maintenance Rural:Depot Maintenance	\$26.85
27-Feb-23	Bunnings	Bug bombs for Office	E142070	OTHER PROPERTY & SERVICES.:Administration Overhe	\$62.65
CARD 3 PAYMENTS					\$233.81
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507					\$1,442.70
Date Due for Payment					27-Mar-23

I, Kylie Whitaker, Finance Officer have reviewed the NAB visa card payments and confirm that from the descriptions on the documentation provided that:

1. all transactions are expenses incurred by the Shire of West Arthur;
2. all purchases have been made in accordance with the Shire of West Arthur policies and procedures;
3. all purchases are in accordance with the Local Government Act 1995 and associated regulations;
4. no misuse of the corporate card is evident.

Kylie Whitaker:



DATE:

15, 3, 23

12.4 RISK MANAGEMENT GOVERNANCE FRAMEWORK 2023

File Reference:	ADM015
Location:	N/A
Applicant:	N/A
Author:	Rajinder Sunner, Manager Corporate Services
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	19/04/2023
Disclosure of Interest:	Nil
Attachments:	1. Risk Management Governance Framework 2023 ↓

SUMMARY:

Council is requested to adopt the Risk Management Governance Framework 2023.

BACKGROUND:

It is the Shire's policy to achieve best practice, (aligned with AS ISO 31000:2018 Risk management - Guidelines), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives and operations, or members of the public.

Risk Management will form part of Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every worker within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

COMMENT:**Risk Management Objectives**

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

CONSULTATION:

Mark Southgate – LGIS Regional Risk Coordinator.
Chief Executive Officer.
Manager Works and Services.

STATUTORY ENVIRONMENT:

Local Government Act 1995
Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS:

Risk Management Policy

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management.
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Significant	Severe
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

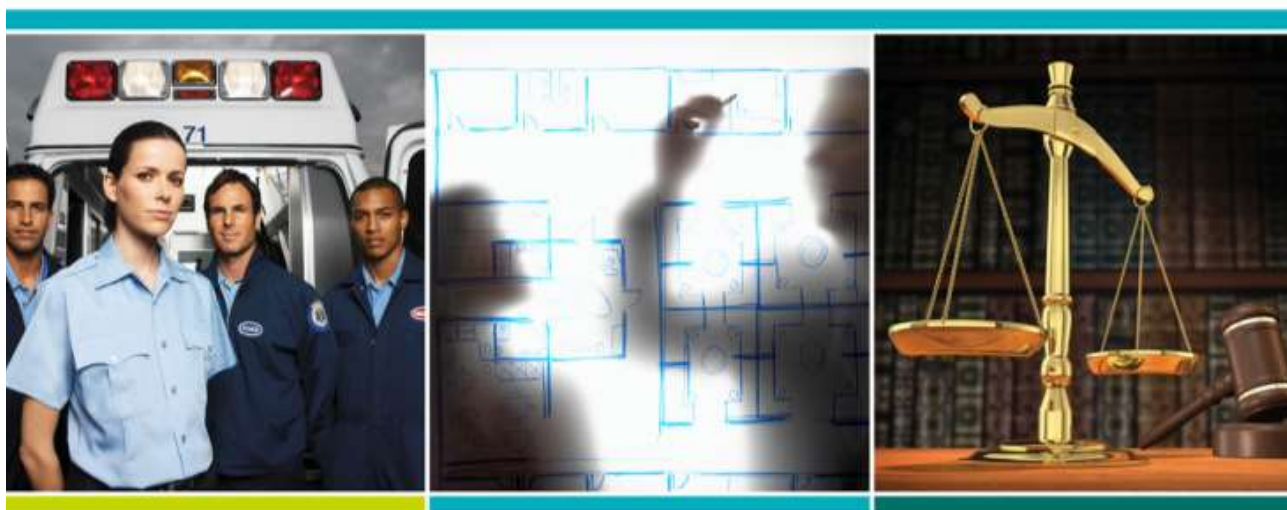
Description of Key Risk	Financial loss, employee health, organizational reputation, operations, natural environment, compliance and project management.
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Severe (5)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Extreme (20)
Principal Risk Theme	All themes
Risk Action Plan (Controls or Treatment Proposed)	Adopt the proposed Risk Management Governance Framework

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the Risk Management Governance Framework 2023.



Risk Management Governance Framework

➤ Risk Management Procedures

March 2023

Version: 0.2



Shire of West Arthur



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Introduction

The Risk Management Policy and Procedures form the Risk Management Framework for the Shire of West Arthur ("the Shire"). It sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on Australian Standard AS ISO 31000:2018 Risk management - Guidelines.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance;
- Compliance with relevant legislation, regulations and internal policies;
- Integrated Planning and Reporting requirements are met;
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

Further information or guidance on risk management procedures is available from LGIS Risk Management.

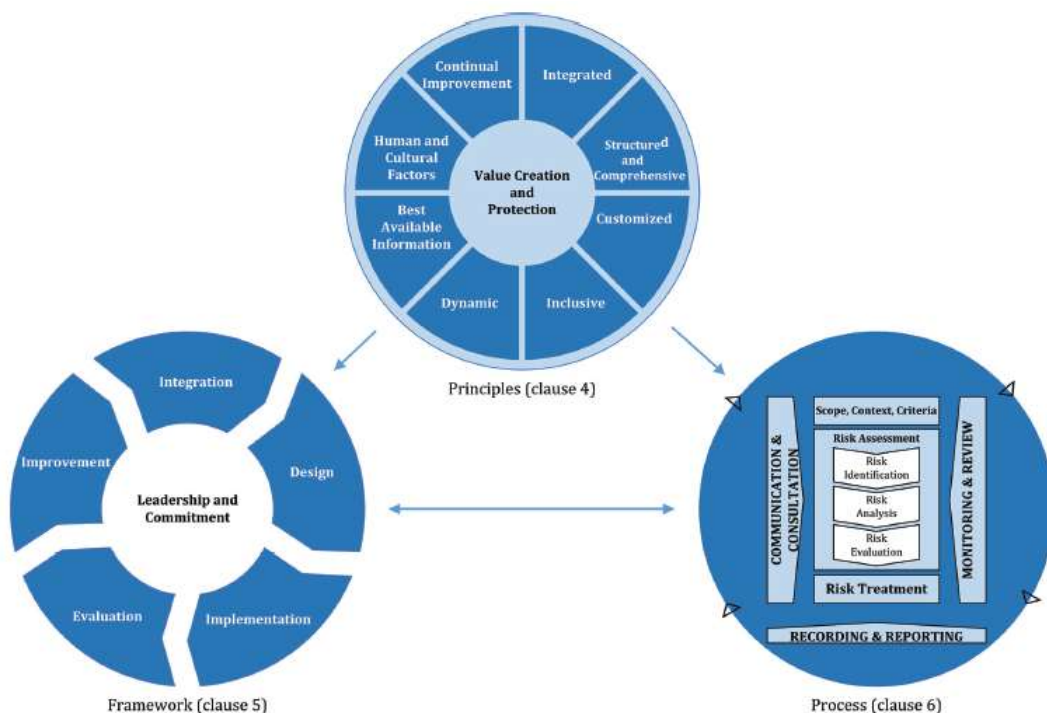


Figure 1: Risk Management Principles, Framework and Process (Source: ISO 31000:2018)



Risk Management Procedures

Governance

Appropriate governance of risk management within the Shire of West Arthur provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk management framework.

Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness annually.

Operating Model

The Shire has adopted a “Three Lines of Defence” model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

First Line of Defence

All operational areas of the Shire are considered ‘1st Line’. They are responsible for ensuring that risks within their scope of operations are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decision-making process of risk.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

Second Line of Defence

The Manager Corporate Services acts as the primary ‘2nd Line’. This position owns and manages the framework for risk management, drafts and implements governance procedures and provides the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1st & 3rd lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1st Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Shire’s risk reporting for the CEO & Management Team and the Audit and Risk Committee.



Third Line of Defence

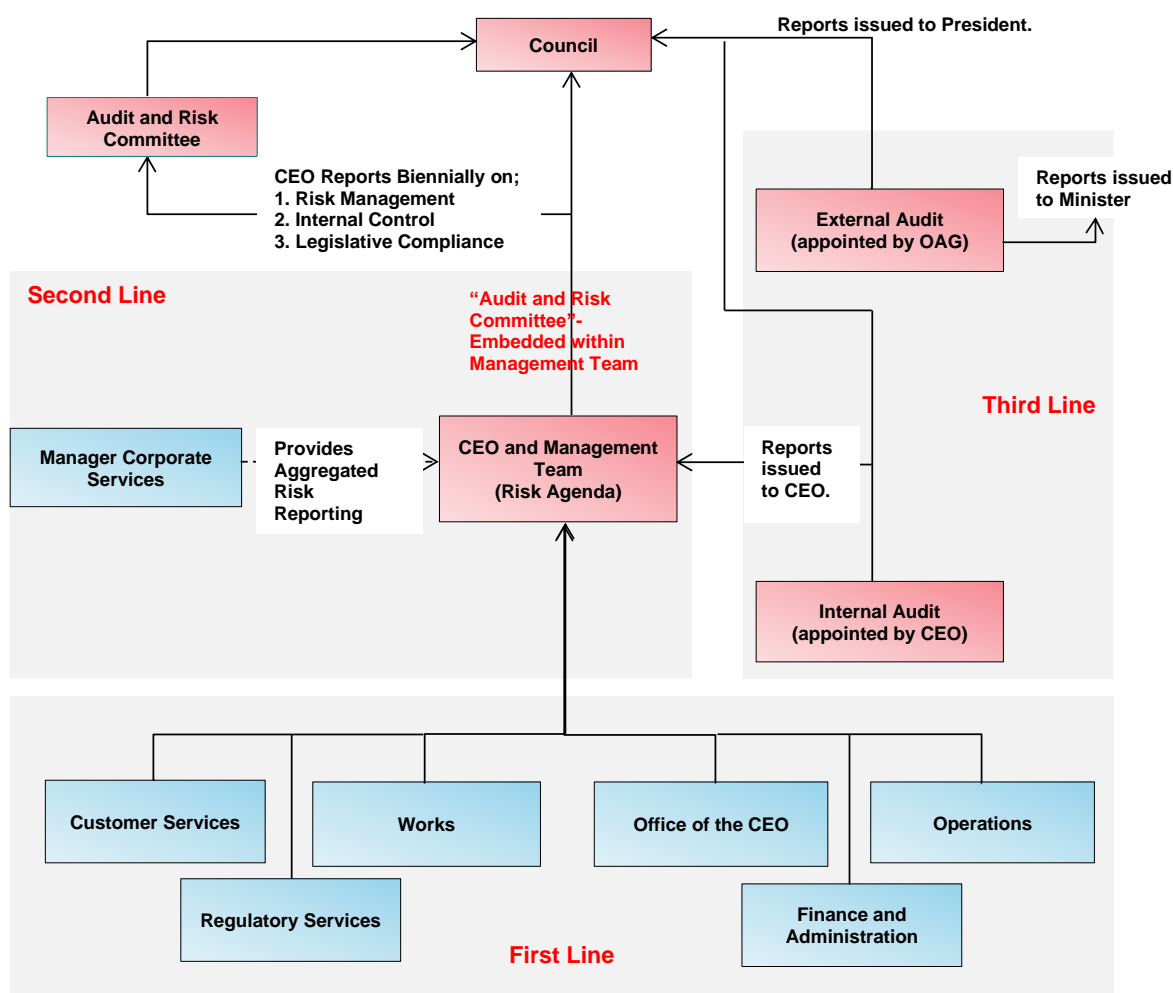
Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit and Risk Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO with input from the Audit Committee.

External Audit – Appointed by the Office of the Auditor General - OAG.

Governance Structure

The following diagram depicts the current operating structure for risk management within the Shire.





Roles & Responsibilities

Council

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

Audit Committee

- Refer to Terms of Reference of Audit and Risk Committee.

CEO / Management Team

- Appoint Internal Auditors as required .
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from risk matters.
- Own and manage the Risk Profiles at Shire Level.

Manager Corporate Services

- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for Risk matters.

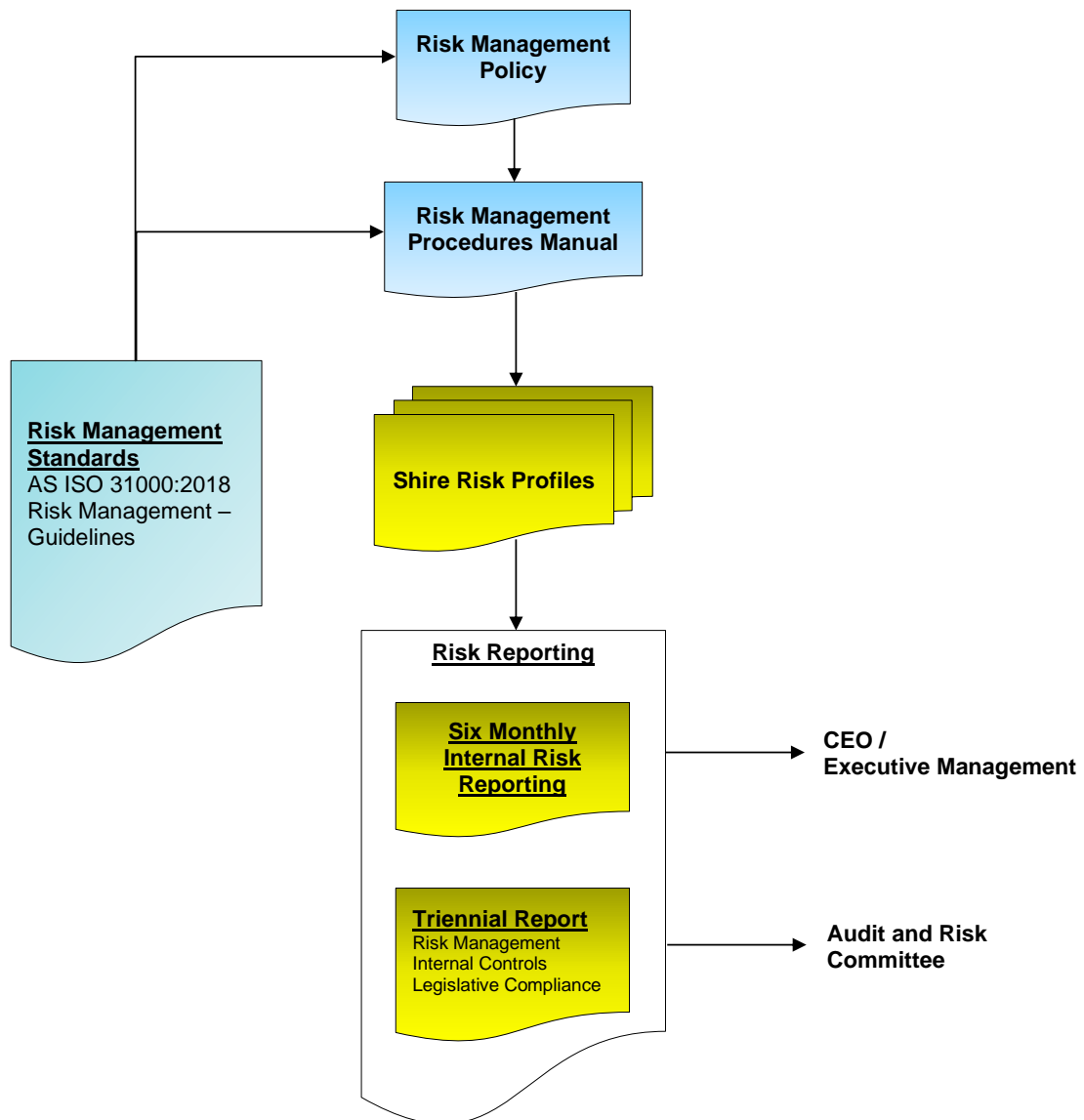
Work Areas

- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;
 - New or emerging risks.
 - Review existing risks.
 - Control adequacy.
 - Outstanding issues and actions.



Document Structure (Framework)

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.





Risk & Control Management

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis.

Each Manager, in conjunction with the Manager Corporate Services is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a six monthly basis, unless there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of key data inputs, workshops and ongoing business engagement.

Risk & Control Assessment

To ensure alignment with AS ISO 31000:2018 Risk Management Guidelines, the following approach is to be adopted from a Risk & Control Assessment perspective:

Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

Organisational Context

The Shire's Risk Management Procedures provide the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the Manager Corporate Services and CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process.

For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

1. Strategic Context

This constitutes the Shire's external environment and high-level direction. Inputs to establishing the strategic risk assessment environment may include;

- Organisation's Vision / Mission
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Existing Strategies / Objectives / Goals



2. Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

3. Project Context

Project Risk has two main components:

- **Risk in Projects** refers to the risks that may arise as a result of project activity (i.e. impacting on current or future process, resources or IT systems) which may prevent the Shire from meeting its objectives
- **Project Risk** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

Risk Identification

Using the specific risk assessment context as the foundation, and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How could this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating? (Consequences)

Risk Analysis

To analyse the risks, the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating
- Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and acceptable risks are then subject to the monitor and review process. Note: Individual Risks or Issues may need to be escalated due to urgency, level of risk or systemic nature.



Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit.
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the Manager Corporate Services is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

Monitoring & Review

The Shire is to review all Risk Profiles at least on a six monthly basis or if triggered by one of the following;

- Changes to context,
- A treatment is implemented,
- An incident occurs or due to audit/regulator findings.

The Manager Corporate Services is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Management Team will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk designated at High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Catastrophic
- Risks with Likelihood Rating of Almost Certain

The design and focus of the Risk Summary report will be determined from time to time on the direction of the CEO & Management Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

Communication & Consultation

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

Risk management awareness and training will be provided to staff.

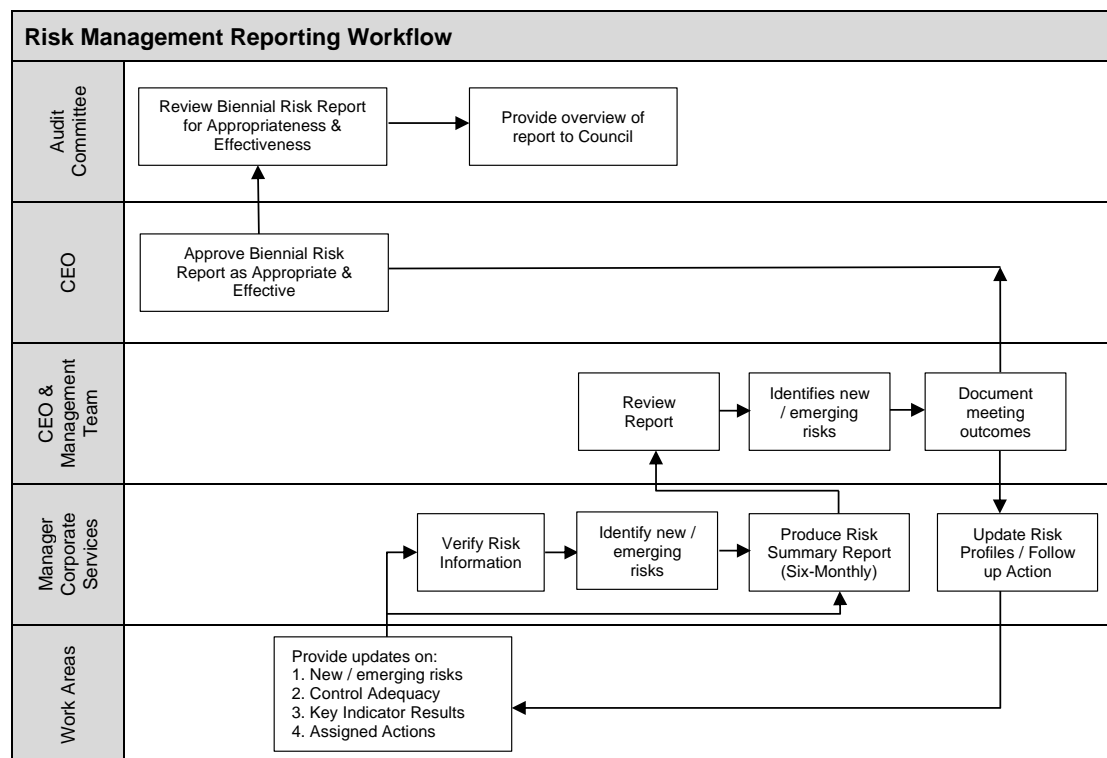
Risk management will be included within the induction process to ensure new workers are introduced to the Shire's risk management culture.



Reporting Requirements

Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new and emerging risks, control effectiveness and key indicator performance to the Manager Corporate Services .
- Work through assigned actions and provide relevant updates to the Manager Corporate Services.
- Risks / Issues reported to the CEO & Management Team are reflective of the current risk and control environment.

The Manager Corporate Services is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a six monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Producing a six-monthly Risk Report for the CEO & Management Team which contains an overview Risk Summary for the Shire.
- Annual Compliance Audit Return completion and lodgement.



Key Indicators

Key Indicators are required to be used for monitoring and validating key risks and controls. The following describes the process for the creation and reporting of Key Indicators:

Identification

The following represent the minimum standards when identifying appropriate Key Indicator key risks and controls:

- The risk description and casual factors are fully understood.
- The Key Indicator is fully relevant to the risk or control.
- Predictive Key Indicators are adopted wherever possible.
- Key Indicators provide adequate coverage over monitoring key risks and controls.

Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the Key Indicator data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping Key Indicators can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the Key Indicator, the data is required to be revalidated to ensure reporting of the Key Indicator against a consistent baseline.

Tolerances

Tolerances are set based on the Shire's Risk Appetite. They are set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the Key Indicator must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the Key Indicator must be escalated to the CEO & Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

Monitor & Review

All active Key Indicators are updated as per their stated frequency of the data source.

When monitoring and reviewing Key Indicators, the overall trend must be considered over a longer timeframe instead of individual data movements. The trend of the Key Indicators is specifically used as an input to the risk and control assessment.



Risk Acceptance

Day-to-day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (e.g. Impact consequence, materiality, likelihood, working assumptions etc)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

A lack of budget / funding to remediate a material risk outside appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (i.e. Management Team)

Annual Control Assurance Plan

The annual assurance plan is a monitoring schedule prepared by the Executive Management Team that sets out the control assurance activities to be conducted over the next 12 months. This plan needs to consider the following components.

- Coverage of all risk classes (Strategic, Operational, Project)
- Existing control adequacy ratings across the Shire's Risk Profiles.
- Consider control coverage across a range of risk themes (where commonality exists).
- Building profiles around material controls to assist in design and operating effectiveness reviews.
- Consideration to significant incidents.
- Nature of operations
- Additional or existing 2nd line assurance information / reviews (e.g. HR, Financial Services, IT)
- Frequency of monitoring / checks being performed.
- Review and development of Key Indicators
- Timetable for assurance activities
- Reporting requirements

Whilst this document and subsequent actions are owned by the Manager Corporate Services, input and consultation will be sought from individual Work Areas.



Appendix A – Risk Assessment and Acceptance Criteria

Shire of West Arthur Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	First aid injuries	Less than \$5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential damage.	Contained, reversible impact managed by on site response
Minor (2)	Medical type injuries	\$5,001 - \$25,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Lost time injury <30 Days	\$25,001 - \$100,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury >30 Days	\$100,001 - \$500,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$500,000	Indeterminate prolonged interruption of services – non-	Non-compliance results in litigation, criminal charges or significant	Substantiated, public embarrassment, very high multiple impacts, high widespread	Extensive damage requiring prolonged period of restitution.	Uncontained, irreversible impact



Shire of West Arthur Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
			performance > 1 month	damages or penalties	multiple news profile, third party actions	Complete loss of plant, equipment & building	

Shire of West Arthur Measures of Likelihood			
Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Shire of West Arthur Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)



Shire of West Arthur Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Shire of West Arthur Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW (1-4)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE (5-9)	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH (10-16)	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Manager Corporate Services / CEO
EXTREME (16-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council



Shire of West Arthur Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is little scope for improvement.	Processes (Controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
Adequate	There is some scope for improvement.	Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
Inadequate	A need for corrective and / or improvement actions exist.	Processes (Controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.



Appendix B – Risk Profile Template

Risk Theme	Date		
<u>This Risk Theme is defined as:</u> <i>Definition of Theme</i>			
<u>Potential causes include:</u> <i>List of potential causes</i>			
Key Controls	Type	Date	Shire Rating
<i>List of Key Controls</i>			
Overall Control Ratings:			
Risk Ratings			Shire Rating
Consequence:			
Likelihood:			
Overall Risk Ratings:			
Key Indicators	Tolerance	Date	Overall Shire Result
<i>List of Key Indicators</i>			
<u>Comments</u> <i>Rationale for all above ratings</i>			
Current Issues / Actions / Treatments		Due Date	Responsibility
<i>List current issues / actions / treatments</i>			



Appendix C – Risk Theme Definitions

Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or delays in transaction processing, or Inaccurate Advice.

External Theft & Fraud (Inc. Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit.
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems.
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

Business Disruption

A local physical event causing the inability to continue business activities and provide services to the community; this may or may not result in Business Continuity Plans being invoked. This does not include disruptions due to:

- IT Systems or infrastructure related failures should be captured under "Failure of IT Systems and Infrastructure".
- Contractor / Supplier issues should be captured under "Inadequate Supplier / Contract Management".
- People issues should be captured under "Inappropriate People Management".

Damage to Physical Assets

Damage to buildings, property, plant & equipment (all assets) that does not result in a disruption to business objectives (refer Business Disruption); this could be a result of a natural disaster or other events, or an act carried out by an external party (Inc. graffiti and / or vandalism).

Errors, omissions, delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data.
- Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

- Inaccurate data being used for management decision making and reporting.
- Delays in service to customers
- Inaccurate data provided to customers.



This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

Failure of IT &/or Communications Systems and Infrastructure

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Change Management".

Failure to fulfil statutory, regulatory or compliance requirements.

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include;

- Issues in relation to Work Health and Safety (WHS) – refer "Inadequate worker and visitor safety and security".
- Procurement, disposal or tender process failures – refer "Inadequate Procurement, Disposal or Tender Practices".
- HR based legislation – refer "ineffective People Management".

Providing inaccurate advice / information

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff. This could be caused by using unqualified or inexperienced staff, however it does not include instances relating to Misconduct.

Examples include;

- incorrect planning, development or building advice,
- incorrect health or environmental advice
- inconsistent messages or responses from Customer Service Staff
- any advice that is not consistent with legislative requirements or local laws.

Inadequate Project / Change Management

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.
- Failure to implement new systems.
- Failures of IT Project Vendors/Contractors

This includes Directorate or Service Unit driven change initiatives except new Plant & Equipment purchases. Refer "Inadequate Asset Management"



Inadequate Organisation and Community Emergency Management

Failure to adequately conduct Prevention, Preparation, Response and Recovery (PPRR) in the organisation structure and community elements, inclusive of the management of all emergencies. This includes;

- Lack of (or inadequate) emergency response plans.
- Lack of training to specific individuals or availability of appropriate emergency response.
- Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.
- Inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc

(References: AS 3745; AS 1851; AIIMS 2017)

Inadequate Document Management Processes

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists.
- Procedural documents.
- 'Application' proposals/documents.
- Contracts.
- Forms, requests or other documents.

Inadequate worker and visitor safety and security

Non-compliance with Work Health and Safety (WHS) legislative duties and requirements, or those associated with storage and handling of dangerous goods. This risk theme also includes physical security considerations as well as issues relating to:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, workers, contractors or other persons, including tenants, exposed to Shire workplaces or business environments.
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.

Inadequate engagement of Community / Stakeholders / Elected Members

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues.
- Infrastructure Projects.
- Regional or District Committee attendance.
- Local Planning initiatives.
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

Inadequate Procurement, Disposal or Tender Practices.

Failures in the procurement, acquisition, acceptance or disposal process for assets as governed by the WHS Act and associated Regulations, Local Government Act, associated Regulations and Shire Policy. This risk theme also relates to and includes;

- Lack of formalised process to identify specific requirements prior to procurement.
- Acceptance of assets without reference to a formalised process to ensure correct receipt and / or notification of receipt (transfer of ownership).



- Disposing of plant and equipment (P & E) (either through sale or decommissioning) that did not meet expectations from either a time or financial perspective.
- Failures in the Tender process from RTF preparation, advertising, due diligence and awarding.

Inadequate Asset Management

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet assets in addition to community use based assets including playgrounds, boat ramps and other maintenance based assets. Areas included in the scope are;

- Inadequate design (not fit for purpose).
- Ineffective usage (down time)
- Outputs not meeting expectations.
- Inadequate maintenance activities.
- Inadequate or unsafe modifications.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

Inadequate Stock Management

Lack of stock to ensure continuity of operations or oversupply of stock resulting in dormant (non-performing) assets. Stock includes, consumables, stationery, spare parts and / or other items used for operational purposes. This could be a result of an ineffective stock management system / processes or the peripheral processes in the issuance and / or recording of 'transactions'.

It does not include theft or loss of stock through ineffective operations; refer;

- Theft – “Misconduct” or “External Theft or Fraud”
- Ineffective operations – “Errors, Omissions or Delays”.

Inadequate Supplier / Contract Management

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

It does not include failures in the tender process; refer “Inadequate Procurement, Disposal or Tender Practices”.

Ineffective People Management

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having an effective Human Resources Framework in addition to not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. Other areas in this risk theme to consider are;

- Breaching legislative requirements associated with workers, including prescribed qualifications.
- Discrimination, Harassment & Bullying in the workplace.
- Poor worker wellbeing (causing stress)
- Key person dependencies without effective succession planning in place.
- Induction issues
- Terminations (including any tribunal issues)
- Industrial activity



Care should be taken when considering insufficient staff numbers as the underlying issue could be process inefficiency.

Ineffective management of Facilities / Venues / Events

Failure to effectively manage the day to day operations of facilities, venues and / or events. This includes;

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

Not meeting Community expectations

Failure to provide expected levels of service, events and benefit to the community. This includes where precedents have set Community perceptions or where services are generally expected. This will normally result in reputational impacts, however, may have financial considerations with re-work, compensations or refunds. Examples include:

- Reducing the number or quality of events.
- Withdrawing support (or not supporting) other initiatives to provide relief/benefits to the Community.
- Loss of new or ongoing funding requirements for projects, events and other initiatives.
- Technology expectations



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12.5 BUSINESS CONTINUITY PLAN 2023

File Reference:	ADM015
Location:	N/A
Applicant:	N/A
Author:	Rajinder Sunner, Manager Corporate Services
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	19/04/2023
Disclosure of Interest:	Nil
Attachments:	1. Business Continuity and Disaster Recovery Plan ↓ 2. COVID-19 Management Plan ↓

SUMMARY:

Council is requested to consider adopting the Business Continuity and Disaster Recovery Plan 2023.

BACKGROUND:

The purpose of developing a Business Continuity and Disaster Recovery Plan (Plan) is to ensure the capability of the Shire of West Arthur to continue to deliver its services at an acceptable level during or following a disruptive incident or disaster.

A disaster is defined as a serious disruption of the functioning of the Shire of West Arthur causing widespread human, economic or environmental loss or disturbance. Such disasters include incidents like fire, flood, earthquake, epidemic or pandemic.

A disaster recovery plan uses measures such as alternative premises or alternative service delivery and other facilities to ensure that a business can continue operations and if not, restore operations as quickly as possible after a calamity.

COMMENT:

The objectives of this Plan are to enable the Shire to:

- Ensure we are prepared prior to an event;
- Define, prioritise and re-establish critical business functions as quickly and efficiently as possible;
- Follow a systematic plan for the management of any incident or disaster;
- Detail the immediate response to minimise damage or loss during a critical incident;
- Minimise the effect of an incident on the community, staff and Council; and
- Review and update this plan on a regular basis.

CONSULTATION:

Belinda Knight – Local government Consultant
Chief Executive Officer
Manager Financial Operations
Manager Works and Services

STATUTORY ENVIRONMENT:

Local Government Act 1995
Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS:

Risk Management Policy
Audit and Risk Management Committee Terms of Reference

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management.
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Significant	Severe
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Financial Loss, Employee health, Organisational reputation, Operations, Natural environment and Compliance.
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Severe (5)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Extreme (20)
Principal Risk Theme	All Themes
Risk Action Plan (Controls or Treatment Proposed)	Adopt the proposed the Business Continuity and Disaster Recovery Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council consider adopting the Business Continuity and Disaster Recovery Plan 2023.



Business Continuity & Disaster Recovery Plan 2023



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BUSINESS CONTINUITY PLAN

2023

Version 1.0

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1 Introduction

The purpose of developing a Business Continuity and Disaster Recovery Plan (Plan) is to ensure the capability of the Shire of West Arthur to continue to deliver its services at an acceptable level during or following a disruptive incident or disaster.

A disaster is defined as a serious disruption of the functioning of the Shire of West Arthur causing widespread human, economic or environmental loss or disturbance. Such disasters include incidents like fire, flood, earthquake, epidemic or pandemic.

A disaster recovery plan uses measures such as alternative premises or alternative service delivery and other facilities to ensure that a business can continue operations and if not, restore operations as quickly as possible after a calamity.

The objectives of this Plan enable the Shire to:

- Ensure we are prepared prior to an event
- Define, prioritise and re-establish critical business functions as quickly and efficiently as possible;
- Follow a systematic plan for the management of any incident or disaster;
- Detail the immediate response to minimise damage or loss during a critical incident;
- Minimise the effect of an incident on the community, staff and Council; and
- Review and update this plan on a regular basis.

The Shire recognises that some events may exceed the capacity of routine management methods and structure. The Plan aims to provide a mechanism for the development of contingent capacity and logical plans that will enable management to focus on maintaining and resuming the Shire's most critical functions; whilst working in a practical way toward eventual restoration of operations and ensuring unaffected operations are able to continue.

This Plan reinforces and is reinforced by the Shire's Risk Management Framework and Risk Management Policy.

This Plan will be located on the Shire website – www.West.Arthur.wa.gov.au to ensure it is always available. Copies will also be placed in the Chief Executive Officer's vehicle, all Managers' vehicles and the fireproof cabinet within the Shire's Administration building.

2 Key Contacts

Person	Position	Mobile Number	Responsibilities Incident Response (IR) Team Leader
Vin Fordham Lamont	Chief Executive Officer	0473 072 017	IR Team Leader
Rajinder Sunner	Manager Corporate Services	0499 331 559	IR Team Member
Gary Rasmussen	Manager Works	0427 362 214	IR Team Member
Rajinder Sunner	Fire Warden – Shire Office	0499 331 559	IR Team Member
Gary Rasmussen	Fire Warden – Shire Depot	0427 362 214	IR Team Member
Rajinder Sunner	IT Officer	0499 331 559	IR Team Member
Cr Neil Morrell	Shire President	0429 629 066	Shire President

Key contacts	Contact number/s
Police and Emergency Services	000
Williams Police Station	08 9885 1100
Ambulance	000
(insert nearest) Hospital	Collie Hospital, Deakin Street, COLLIE WA 6225 08 9735 1333
Security	ABA Security Albany – 9841 7828/BJ Systems – 9309 9595 (Complex)
Insurance company	LGIS
Locksmith & Key Suppliers	Southern Lock and Security – Bunbury 08 9721 8200
Electrician	Duff Electrical – Williams 0433 194 967
Plumber	P & S Griggs Plumbing – Collie 08 9734 4116
Water and Sewerage	13 13 75
Electricity	Western Power – 13 13 51
Telephone	Telstra – TBTC Regional WA BUNBURY WA – 08 9722 7347
IT Support	Infinitum Technologies 08 9943 8343
Primary Business System Software	Reckon and Rate Books Online
Internet Service Provider –	Market Creations 08 6168 6000 OR 08 9920 8500
WA Local Government Association	08 9213 2000
ABC Radio Great Southern	08 9842 4011

Department of Transport Licensing (Albany)	13 11 56
State Records Office	9427 3600
Bank/Building Society	National Australia Bank – Northam 08 6118 8380
Accountant (Auditor)	Office of Auditor General – OAG
Lawyer	Mcleods Lawyers CLAREMONT 08 9424 6211

3 Incident Response Plans

The following incident response plans present the Incident Response Team hierarchy that shall be employed in the event of an emergency. If under extreme circumstances the Chief Executive Officer or any member of the Senior Management Team is unavailable, then the team will consist of all the remaining available senior management.

The plans are not exhaustive, as any major incident will require more detailed and potential long-term considerations; however, the plans below provide a structured response to major incidents that are of the highest threat to service provision and Shire operations.

3.1 Loss of Administration Building

The types of incidents include fire, flood and earthquake (Refer to Immediate Response Checklist).

TASK 1 - Immediate Response

This task provides the necessary command and control to enable the Shire of West Arthur's Incident Response Team to conduct an initial assessment of the disaster and to co-ordinate the Shire's initial response to the disaster.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Corporate Services, Project Officer, Fire Warden, Shire President (Media Liaison)

Recovery Procedure

Incident Response Team Leader/Fire Warden to undertake the following steps:

- Ensure site has been evacuated and all personnel are accounted for
- Secure site and prevent access
- Contact Emergency Services and Police
- Identify any injuries and render assistance
- Engage Incident Response Team
- Undertake an initial assessment of damage and risks
- Call Telco Provider and arrange the diversion of phone lines to existing Shire mobiles
- Team Leader determines time frame to switch to disaster recovery site

Recovery Time Objective

Timeframe for this activity is within 24 hours of the incident

Recovery Location

Primary Site – **Hawthorn Room at West Arthur Community Resources Centre (CRC)**

Secondary site – **Pioneer Town Hall**

Resource requirements

- Mobile phones
- iPads and laptops
- Charging devices (regularly checked for charge)
- Personnel

Other Considerations

1. Secure the affected area as necessary
2. Restrict access to the building/site
3. Liaise with Emergency Services and Police
4. Inform Local Government Insurance Services (LGIS)
5. Inform elected members and employees
6. Liaise with Shire President to make a press release

7. Inform community where possible

TASK 2 – Commence operations from Disaster Recovery Site

This task provides the necessary steps to commence core Shire operations from the Disaster Recovery site and commence the planning for restoration of services in the short and longer term.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Corporate Services, Project Officer

Recovery Procedure

Undertake the following steps:

- Establish the disaster recovery site – Manager Corporate Services
 - Layout workspace utilising tables and chairs from the West Arthur Community Resources Centre (CRC).
 - Source telephones, establish communications and arrange to have calls directed to mobile telephones.
 - Allocate staff to customer service and disaster recovery assistance
 - Liaise with other Incident Response Team members to determine items to be immediately replaced and what is recoverable.
 - Contact Shire's IT supplier & stationery supplier
 - Recover backup disks from external site
 - Cancel all forward bookings of the West Arthur Community Resources Centre (CRC).
 - Assess damage and undertake salvage operations – Chief Executive Officer.
 - Undertake initial assessment of salvageable materials, items and records, etc.
 - Contact staff to remove items to the salvage site (Town Hall or Depot)
- Co-ordinate all communications, media and elected members, Local Government insurers and general co-ordination of recovery process – **Chief Executive Officer**
 - Liaise with Shire President to issue a media statement
 - Co-ordinate meetings of Incident Response team
 - Authorise all immediate purchasing requirements
 - Liaise with Shire's insurers
 - Oversee Assessment and Recovery

Recovery Time Objective

It is the aim of the Recovery Plan to achieve this task within 72 hours.

Resource Requirements

- Office furniture and stationery
- Administration staff
- IT hardware and software
- Communications (land line and internet)

TASK 3 Assess damage and prepare medium term Recovery Plans

This task provides the necessary steps to commence planning for medium term operations from the Disaster Recovery Site.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Corporate Services, Project Officer.

Recovery Procedure

Undertake the following steps:

- Establish the disaster recovery site for full operations in the medium to longer term – **Manager Corporate Services**
 - Recover data to pre-disaster state
 - Bring all records up to date
 - Contact all necessary persons to inform of incident, expected delays and seek documentation where necessary
 - Establish necessary equipment and infrastructure requirements to provide full operations from recovery site including demountable buildings and other office accommodation.
 - Finalise damage assessment and commence planning for re-establishing services through full or partial rebuild – Chief Executive Officer.
 - Undertake assessment of building and determine action to fully or partially rebuild and make recommendation to Council.
- Co-ordinate all communications, media and elected members, Local Government insurers and general co-ordination of recovery process – **Chief Executive Officer**
 - Oversee assessment and recovery
 - Co-ordinate meetings of Incident Response Team
 - Oversee planning for medium term operation from Disaster Recovery Site (6-12 months)

Recovery Time Objective

4 weeks

Resource Requirements

- IT contractors
- Additional infrastructure as identified
- Contractors to clean up disaster site

TASK 4 Long term Recovery Plan and relocation to permanent Shire Office building

This task provides the necessary steps to finalise planning, rebuilding and recommencement of operation from the permanent Shire office building.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Corporate Services, Project Officer.

Recovery Procedure

Undertake the following steps: **Chief Executive Officer**

- Establish working party to:
 - Review operations for location of new premises
 - Undertake design and tendering processes
 - Oversee construction of new premises
 - Oversee commissioning of new premises
- Present review findings to Council for decision
- Appoint architect, exterior and interior designers, engineers and other necessary assistance to design, specify and document new premises
- Issue tenders, appoint contractor and commence construction
- Commission new premises and commence operations from new building

Recovery Time Objective

From the commencement of this task, 4 weeks after the incident, it is the target to have all Shire functions permanently operating from the rebuilt Shire offices in 12 months.

Resource Requirements

- Planning assistance
- Consultants/architects
- Contractors

3.2 Complete Information Technology Hardware Failure

This task provides the necessary steps to recover the Shire's IT system as a result of complete failure resulting in replacement of the IT system (Refer to Immediate Response Checklist).

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Corporate Services, Finance and Admin Team, IT Provider

Recovery Procedure

Undertake the following steps:

- Assess severity of outage through the Shire's IT provider and determine likely outage time
- Seek quotations and place orders for replacement components
- Contact Shire's insurers and Police if necessary
- Inform Council, community and business contacts (i.e.; banks, creditors and contractors) of potential delays in providing services
- Set up and install new hardware/install all software and restore from backups
- Reconcile and rebuild all data

Recovery Time Objective

2 weeks

Resource requirements

IT suppliers (hardware/software, Department of Transport, Police, etc.)

3.3 Loss of Depot Buildings

Types of incidents include fire, flood and earthquake (Refer to Immediate Response Checklist).

TASK 1 - Immediate Response

This task provides the necessary command and control to enable the Shire of West Arthur's Incident Response Team to conduct an initial assessment of the disaster and to co-ordinate the Shire's initial response to the disaster.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Works and Services, Manager Corporate Services.

Recovery Procedure

Incident response Team Leader and Fire Warden to undertake the following steps:

- Ensure site has been evacuated and all personnel are accounted for
- Secure site and prevent access
- Contact Emergency Services and Police
- Identify any injuries and render assistance
- Engage Incident Response Team
- Undertake an initial assessment of damage and risks
- Team Leader determines time frame to switch to Disaster Recovery site
- Call Telstra and arrange diversion of phone lines to existing Shire mobiles.

Recovery Time Objective

Timeframe for this activity is within 24 hours of being called by the Incident Response Team Leader.

Recovery Location

Primary Site - **Shire Depot Site if depot site can be utilised.**

Secondary Site - **Old Sports Ground – Darkan South Road, Darkan WA 6392.**

Resource requirements

- Mobile phones
- Personnel
- Equipment and Stores

Other Considerations

1. Secure the affected area as necessary
2. Restrict access to the building/site
3. Liaise with Emergency Services and Police
4. Inform Local Government Insurance Services (LGIS)
5. Inform Elected Members, employees
6. Liaise with Shire President to make a press release
7. Inform community where possible

TASK 2 – Commence operations from Disaster Recovery Site

This task provides the necessary steps to commence core Shire operations from the Disaster Recovery site and commence the planning for restoration of services in the short and longer term.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Works and Services, Manager Corporate Services

Recovery Procedure

Undertake the following steps:

- Establish the disaster recovery site – Manager Works & Services
 - Establish appropriate temporary depot site
 - Administration function to resume from Shire office
 - Liaise with other Incident Response Team members to determine items to be immediately replaced and what is recoverable
- Assess damage and undertaken salvage operations – Manager Works and Services, Chief Executive Officer.
 - Undertake initial assessment of salvageable materials, items and records, etc
 - Engage staff to remove items to the land adjacent to the current depot
- Co-ordinate all communications, media and elected members, Local Government insurers and general co-ordination of recovery process – **Chief Executive Officer**
 - Liaise with Shire President to issue a media statement
 - Oversee assessment and recovery
 - Co-ordinate meetings of Incident Response Team
 - Authorise all immediate purchasing requirements
 - Liaise with Shire's insurers

Recovery Time Objective

It is the aim of the Recovery Plan to achieve this task within 72 hours.

Resource Requirements

- Office furniture and stationery
- Depot Administration and Works staff
- IT hardware and software
- Communications (land line and internet)

TASK 3 – Assess damage and prepare medium term recovery plans

This task provides the necessary steps to commence planning for medium term operations from the Disaster Recovery Site.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Works and Services, Manager Corporate Services

Recovery Procedure

Undertake the following steps:

- Establish the disaster recovery site for full operations in the medium to longer term – **Manager Works & Services, Manager Corporate Services and Works Admin Assisatnt.**
 - Establish appropriate temporary depot site.
 - Administration function to resume from Shire office (or alternate site)
 - Contact all necessary persons to inform of incident, expected delays and seek documentation where necessary
 - Liaise with CEO to establish necessary equipment and infrastructure requirements to provide full operations from recovery site
- Finalise damage assessment and commence planning for re-establishing services through full or partial rebuild – **Manager Works and Services, Chief Executive Officer.**
 - Undertake assessment of building and determine action to fully or partially rebuild and make recommendation to Council
- Co-ordinate all communications, media and elected members, Local Government insurers and general co-ordination of recovery process – **Chief Executive Officer**
 - Oversee assessment and recovery
 - Co-ordinate meetings of Incident Response Team
 - Oversee planning for medium term operation from Disaster Recovery Site (6-12 months)

Recovery Time Objective

4 weeks

Resource Requirements

- IT contractors
- Additional infrastructure as identified
- Contractors to clean up disaster site

TASK 4 Long term Recovery Plan and relocation to permanent Shire Depot building

This task provides the necessary steps to finalise planning, rebuilding and recommencement of operation from the permanent Shire Depot building.

Incident Response Team

Team Leader - Chief Executive Officer

Team Members - Manager Works and Services, Regulatory Services (Contractor), Working Party appointed by Council.

Recovery Procedure

Undertake the following steps: **Chief Executive Officer, Manager Works and Services**

- Establish working party to:
 - Review operations for location of new premises
 - Undertake design and tendering processes
 - Oversee construction of new premises
 - Oversee commissioning of new premises
- Present review findings to Council for decision
- Appoint architect, exterior and interior designers, engineers and other necessary assistance to design, specify and document new premises
- Issue tenders, appoint contractor and commence construction
- Commission new premises and commence operations from new building

Recovery Time Objective

From the commencement of this task, after 4 weeks from the incident, it is the target to have all Shire functions permanently operating from the rebuilt Shire Depot in 12 months.

Resource Requirements

- Planning assistance
- Consultants/architects
- Contractors

4 Immediate Response Checklist

Incident Response	✓	Actions taken
Have you:	<input type="checkbox"/>	
• assessed the severity of the incident?	<input type="checkbox"/>	
• evacuated the site if necessary?	<input type="checkbox"/>	
• accounted for everyone?	<input type="checkbox"/>	
• identified any injuries to persons?	<input type="checkbox"/>	
• contacted Emergency Services?	<input type="checkbox"/>	
• implemented your Incident Response Plan?	<input type="checkbox"/>	
• started an Event Log?	<input type="checkbox"/>	
• activated staff members and resources?	<input type="checkbox"/>	
• appointed a spokesperson?	<input type="checkbox"/>	
• gained more information as a priority?	<input type="checkbox"/>	
• briefed team members on incident?	<input type="checkbox"/>	
• allocated specific roles and responsibilities?	<input type="checkbox"/>	
• identified any damage?	<input type="checkbox"/>	
• identified critical activities that have been disrupted?	<input type="checkbox"/>	
• kept staff informed?	<input type="checkbox"/>	
• contacted key stakeholders?	<input type="checkbox"/>	
• understood and complied with any regulatory/compliance requirements?	<input type="checkbox"/>	
• initiated media/public relations response?	<input type="checkbox"/>	

5 Event Log

Date	Time	Information/Decisions/Actions	Initials

6 Register of Initials

Name:	Initial:	Signed:

7 Incident Recovery Checklist

Incident Response	✓	Actions
Now that the crisis is over, have you:		
• refocused efforts towards recovery?	<input type="checkbox"/>	
• deactivated staff members and resources as necessary?	<input type="checkbox"/>	
• continued to gather information about the situation as it affects you?	<input type="checkbox"/>	
• assessed your current financial position?	<input type="checkbox"/>	
• reviewed cash requirements to restore operations?	<input type="checkbox"/>	
• contacted your insurance broker/company?	<input type="checkbox"/>	
• developed financial goals and timeframes for recovery?	<input type="checkbox"/>	
• kept staff informed?	<input type="checkbox"/>	
• kept key stakeholders informed?	<input type="checkbox"/>	
• identified information requirements and sourced the information?	<input type="checkbox"/>	
• set priorities and recovery options?	<input type="checkbox"/>	
• updated the Recovery Plan?	<input type="checkbox"/>	
• captured lessons learnt from your individual, team and business recovery?	<input type="checkbox"/>	

8 Evacuation Procedures

Relevant procedures and plans have been developed and are displayed in accordance with Council's OSH policy and procedures in positions easily accessible to staff and customers.

8.1 Emergency kit

In the event of evacuation or damage to the Administration building, or the Works Depot, and relocation of the unit to a Disaster Recovery Site two emergency kits have been made up.

The kits are located at:

- The Administration Building, in the server room; and
- The [insert place].

The WHS Coordinator is responsible for annually checking and updating the kits. The items and documents included in the emergency kit are:

- Business Continuity Plan and Disaster Recovery Plan incorporating contact lists
- List of staff names and contact numbers
- Councillor contact details
- Copy of Shires templates and forms (on a USB)
- Basic stationery
- One ream of Council Letterhead
- Box of envelopes

8.2 Pandemic Response Plan

See Pandemic Response Plan COVID-19 – Appendix 1

8.3 Review and Maintain

It is critical that this plan is regularly reviewed to ensure that it remains relevant, accurate and useful. The Manager Corporate Services is responsible for reviewing and maintaining the plan including annual updating of all the contact and insurance lists. This maintenance is a key factor in the successful implementation of the plan during an emergency.

The plan should use staff titles rather than names and any organisational structure changes must be reviewed with the plan.

After an event it is important to assess the performance of the plan, highlighting what was handled well and what could be improved upon next time.

Each workplace fire warden will develop an evacuation process which will be laminated and displayed clearly for staff and visitors to access

The following steps should then be followed prior to the commencement of the recovery activities:

- Immediately assemble all relevant staff
- Evaluate extent of damage or loss
- Determine recovery tasks required
- Notify all Record Keeping System (RKS), stakeholders of recovery strategy and estimated time frame for recovery.

9 Insurance Policies

Insurance type	Policy coverage	Policy exclusions	Insurance company and contact	Last review date	Payments due
Motor Vehicle	<ul style="list-style-type: none"> All motor vehicles and trailers 	<p>Section 1 Loss or damage to vehicles as per Interest Insured. Current market value at the time of loss or damage or sum insured value specified in the Declaration of vehicles, whichever is the lesser, but limited per council to \$20,000,000 any one event.</p> <p>Section 2 Cover for Third Party Liability \$30,000,000 but limited to \$5,000,000 for any dangerous goods carrying vehicles, for all claims arising from the one accident or series of accidents resulting from the one original cause (as defined in this section of</p> <ul style="list-style-type: none"> the policy). 	<p>LGIS – David Wood (9483 8888)</p> <p>Policy No 002242</p>	30 June Annually	Annually
Personal Accident	<p>The Mayor, Chairperson, Elected Members, Councilors, Commissioners, Employees of the Insured, Accompanying Partners/Spouses of the Covered Persons above, Voluntary Workers, Members of any Committees and Trusts.</p> <p>Other Persons where the Insured is required to provide coverage whilst such persons are engaged in any Government Labor Market, Training or Job Creation Projects.</p>	<p>Covering Insured Persons whilst engaged in a Journey and any other activity directly or indirectly connected with or on behalf of the Authority and Insured Persons whilst engaged in any activity directly or indirectly connected with or on behalf of the Authority.</p>	<p>LGIS – David Wood (9483 8888)</p> <p>Policy No 001690</p>	30 June Annually	Annually

<i>Public liability</i>	<i>100% protection</i>	<i>None</i>	<i>LGIS – David Wood (9483 8888) Policy No 000090</i>	<i>30 June Annually</i>	<i>Annually</i>
<i>Workers Compensation</i>	<i>100% protection</i>	<i>None</i>	<i>LGIS – David Wood (9483 8888) Policy No 000468</i>	<i>30 June Annually</i>	<i>Annually</i>
<i>Buildings – Shire office</i>	<i>\$4,079,250 - industrial special risks, machinery breakdown, electronic equipment, general property, includes physical loss, destruction or damage to property</i>	<i>None – excess only</i>	<i>LGIS – David Wood (9483 8888) Policy No 000620</i>	<i>30 June Annually</i>	<i>Annually</i>

<i>Contents – Shire office</i>	<i>\$500,000</i>	<i>None – excess only</i>	<i>LGIS – David Wood (9483 8888) Policy No 000620</i>	<i>30 June Annually</i>	<i>Annually</i>
<i>Management Liability</i>	<i>Loss as a result of an act or acts of employee dishonesty (\$500K)</i>	<i>\$12,500 excess</i>	<i>LGIS – David Wood (9483 8888) Policy No 001882</i>	<i>30 June Annually</i>	<i>Annually</i>

10 Data Security and Backup Strategy

The Shire of West Arthur **protects our data and our network** (e.g. virus protection, secure networks and firewalls, secure passwords and data backup procedures). For security reasons, specific details of these processes are not included in this publicly available plan, but are available from the Manager Corporate Services or Infinitum Technology when required.

11 Business Impact Analysis

As part of the Business Continuity Plan the Shire has undertaken a Business Impact Analysis which will use the information in the Risk Management Plan to assess the identified risks and impacts in relation to critical activities of the Shire operations and determine basic recovery requirements.

Critical Business Activity

The following table lists the critical business activities that must be performed to ensure the Shire's business continues to operate effectively.

General Risk Area 1

- Finance and Accounting
- Payroll
- Environmental Health

General Risk Area 2

- Road construction and maintenance
- Public Conveniences
- Waste Management

Critical Business Activity	Description	Priority	Impact of loss (losses in terms of financial, staffing, reputation etc.)	RTO (critical period before business losses occur)
General Risk Area 1	All critical activities to manage Council's key administrative and governance processes: <ul style="list-style-type: none"> • Finance and Accounting • Payroll • Environmental Health 	High	<ul style="list-style-type: none"> • Staffing numbers will not change; however, there will be an impact on productivity levels as functions are completed manually or resources are redirected to the recovery process • The urgent re-establishment of these critical needs may result in Council breaching various statutory and service requirements • There will be a minor impact on customer services which may temporarily reflect upon Council poorly • The re-establishment of the service will depend on many alternate suppliers, such as IT and Communication suppliers, electricity and software providers 	72 hours
General Risk Area 2	All critical activities to manage Council's on ground, engineering and maintenance services: <ul style="list-style-type: none"> • Road construction and maintenance • Public conveniences • Waste Management 	High	Re-establishment/incremental costs: <ul style="list-style-type: none"> • Machinery at hire rates • Public conveniences – no impact • Staffing numbers will not change; however, there will be an impact on productivity levels as functions are completed manually or resources are redirected to the recovery process • There will be minor impact on customer services which may temporarily reflect upon Council poorly • The urgent re-establishment of these critical needs may result in Council temporarily breaching various statutory and service requirements 	72 hours

12 Action Plan for Implementation

Action	Responsible Officer	Timeframe
Commence planning and undertake test of documented incident plans	Senior Management Team (SMT) & Risk management Co-Ordinator	Prepare and review bi-annually.
Review document as a result of test and in preparation for Council	Senior Management Team (SMT) & Risk management Co-Ordinator	Reviewed annually.
Prepare Emergency Kit as identified in this Plan	Risk management Co-Ordinator	Prepared and reviewed annually
Educate and train all staff on the plan	Risk management Co-Ordinator	Distribute after each review
Investigate contractual requirements for radio failure and alternative contingency plans for methods of communications for works staff	Manager Works and Service, Manager Corporate Services	Reviewed annually.

13 Glossary

Business Continuity Planning	A process that helps develop a plan document for a business to ensure that it can operate to the extent required in the event of a crisis/disaster.
Business Continuity Plan	A document containing all of the information required to ensure that the business is able to resume critical business activities should a crisis/disaster occur.
Business Impact Analysis	The process of gathering information to determine basic recovery requirements for our key business activities in the event of a crisis/disaster.
Key business activities	Those activities essential to deliver outputs and achievement of business objectives.
Recovery Time Objective (RTO)	The time from which you declare a crisis/disaster to the time that the critical business functions must be fully operational in order to avoid serious financial loss.
Resources	The means that support delivery of an identifiable output and/or result. Resources may be money, physical assets, or most importantly, people.
Risk Management	The process of defining and analysing risks, and then deciding on the appropriate course of action to minimise these risks, whilst still achieving business goals.

14 Appendices

14.1 COVID 19 Action Plan



Shire of West Arthur

Internal

COVID-19

Pandemic Management

Plan

Effective as of 03 March 2022

1. Purpose and Scope

COVID-19 has been identified as a hazard to both the community and the Shire's workforce.

In response, the Shire of West Arthur (the 'Shire') has developed an Internal COVID-19 Pandemic Management Plan (Plan).

The purpose of the plan is to:

- a) Prevent (as far as practical) the spread of the virus in the workplace and, by the very nature of the Shire's operations, within the community.
- b) Safeguard the wellbeing of employees and the community.
- c) Minimise disruption to ensure business continuity.

The Shire's Internal COVID-19 Management Plan outlines the principles and actions the Shire will apply during the Coronavirus pandemic.

A foundation of the plan is the Shire's commitment to:

- following all Federal and State government COVID-19 public health guidelines, policy, directions and legislation as updated.
- review and update Shire policies, procedures, guidelines, protocols and or other specific business activities to prevent (as far as practical) the risk of transmission.
- adhering to client procedures and guidelines when providing services on a client's site.

To ensure the safety of the workforce, stakeholders and the broader community, the Shire will continue to review and adapt its approach to the COVID-19 situation as the Federal and State governments modify advice and policy.

Any advice provided by the Federal and State governments that is above the guidance offered in this document or is inconsistent with the plan must be actioned to the limit of the inconsistency until the plan is reviewed and updated.

2. Scope

This plan applies to all employees of the Shire, all contractors and suppliers (engaged directly or indirectly), as well as to visitors and other personnel present on Shire work sites or dealing with Shire employees or contractors.

3. Definitions

CEO shall mean the Shire of West Arthur Chief Executive Officer.

Close Contact is defined on the State Government's website. <https://www.wa.gov.au/government/covid-19-coronavirus/covid-19-coronavirus-close-contacts>

COVID-19 shall mean the name of the disease caused by the virus SARS-CoV-2, as agreed by the World Health Organization, the World Organisation for Animal Health and the Food and Agriculture Organization of the United Nations.

COVID-19 Management Team shall mean the Shire of West Arthur Internal COVID-19 Decision making body.

Shire shall mean the Shire of West Arthur.

Plan shall mean the Internal COVID-19 Pandemic Management Plan.

RAT shall mean Rapid Antigen Test.

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Approved: Vin Fordham Lamont Chief Executive Officer
Date: 03 March 2022
Version: 1

PCR shall mean a Polymerase Chain Reaction test.

4. Covid-19 Management

The Shire's COVID-19 response is managed by the Chief Executive Officer, with the support of the

- Works Manager
- Manager Financial Reporting
- Manager Corporate Services

to be hereinafter referred to as the 'Management Team'.

The Management Team is responsible for initiating and conducting reviews of the plan at least monthly, to ensure risk is mitigated and there is compliance with Federal and State government legislation or directions and Shire policies.

Review areas include but are not limited to:

- Government updates – guidelines, practices, and legislation.
- Communication and implementation protocols for the quick implementation of updated guidelines, practices and legislative changes.
- Workplace Protocols.
- Facility and Service risk assessment updates.
- Health and safety practices.
- Critical Role identification and review.
- Finances.
- Support to the Community or other Local Governments beyond normal business.

The Shire monitors government updates relating to COVID-19 daily to ensure it remains up to date on changes to the situation locally, nationally, and internationally, to consider and reduce the impact on business operations. Daily monitoring of the situation enables the Shire to efficiently respond to changes and implement processes and protocols to prevent the transmission of COVID-19 within the business.

The Management Team is responsible for monitoring the situation and sources information from the:

- Federal Government
- Federal Health Department
- State Government
- WA Health Department

5. Communication

The Shire provides updates to its workforce on the COVID-19 through the following mediums:

- Email
- Text Message
- Posters and signage – all sites
- Pre-Start Meetings
- Toolbox Meetings

Updates are provided at least once a month (non-high case load) or at least weekly (during a period of high case load) to the workforce, or as amendments are made to guidelines and protocols either internally or because of a government directive.

External stakeholders will be advised in the following ways, should changes to the Shire's operations be impacted due to COVID-19:

- Email
- Phone Call
- Website notice

- Social Media alert

To support contact tracing, the Shire is registered on the SafeWA contact register app for businesses and has registered each of its locations as a separate site. Posters displaying the unique QR code for each site are located at the entry points of each site for visitors and other contractors and suppliers to use when entering a Shire site.

6. Reporting

The Shire has implemented the following reporting processes for the workforce to monitor and report exposure, or the potential exposure, to COVID-19.

Shire employees are required to report to their immediate Manager (for Managers the Chief Executive Officer, for the Chief Executive Officer the Shire President), without delay, if they:

- are confirmed positive for Covid-19.
- experience COVID-19 or flu symptoms (respiratory symptoms, fever, shortness of breath, cough).
- have been in close contact with a positive Covid-19 case.
- have been in close contact with a person presenting with flu or COVID-19 symptoms.
- have returned from interstate where there is a government mandated quarantine/self-isolation period.
- have returned from overseas where there is a government mandated quarantine/self-isolation period.
- have been in close contact with an individual who is in quarantine or self-isolation.
- identify as a close contact with or without symptoms.

Reports must be sent to the Management Team immediately and should include such details as

- a) Name of employee impacted by COVID-19.
- b) Name of person making the report if not the employee impacted by COVID-19.
- c) A copy of any notification confirming the employee has been impacted by COVID-19 e.g. a photo of a RAT result via SMS.

The Management Team will record and track information relating to those who have COVID-19, had the potential for exposure to COVID-19, and those who are required to self-isolate/quarantine based on the advice of the State Government.

7. Protocols for confirmed close contact or suspected, Covid-19 cases

Experiencing flu or COVID-19 symptoms in the workplace.	<p>Impacted Individual –</p> <ul style="list-style-type: none"> • Individual to alert the Manager immediately. If symptoms develop at work, the individual must leave the workplace immediately via the safest route reducing unnecessary touch points. • Should the individual need to wait for transport they should be shown to an office or space which is quarantined from other staff yet visible to ensure the welfare of the individual can be observed. • Individual should head to the nearest testing clinic to undertake a PCR test or, where unable, a RAT. • The Shire requires notification of the result of either the PCR test or RAT e.g. a photo sent by SMS. Where a RAT is undertaken, the individual is required to self-report a positive result to the Department of Health. • Individual to then follow Department of Health guidelines (WA Government website).
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	<ul style="list-style-type: none"> To return to work a medical clearance is required; the individual must not return to work for at least 7 days as a precaution. <p>Management Team -</p> <ul style="list-style-type: none"> Put up a sign instructing all staff not to use the individual's desk or equipment. Remind all staff of their obligations to adhere to physical distancing, good hygiene practices, sanitisation of personal spaces, and to remain at home when unwell. Do not attempt to clean the work area yourself. While waiting for the cleaners, put up signs to ensure potentially contaminated areas are not used. Review communication plan and engage external stakeholders if deemed applicable. The Department of Public Health team will provide guidance on whether to send other employees home prior to the end of a workday, and/or if the workplace needs to close temporarily for cleaning, investigation or contact tracing purpose. Assist with contact tracing if able. Management Team to review whether to send other or all employees' home, in addition to following any Public Health Team advice. Management team to check in regularly with individual throughout quarantine/isolation period. Review situation of individual prior to returning to work.
Exposure to a household member displaying Flu like symptoms or a suspected COVID-19 case not at work.	<p>Impacted Individual –</p> <ul style="list-style-type: none"> The person who has symptoms should get tested during which they and the Shire employee should isolate. If tested positive they and the employee should immediately isolate from the rest of the household and follow the guide for positive cases. If the employee is identified as a close contact, they will also need to isolate for 7 days from date of exposure and undergo COVID-19 testing. Employee should notify their Manager as soon as possible via phone or email with as much detail as possible. <p>Management Team -</p> <ul style="list-style-type: none"> Remind all staff of their obligations to adhere to physical distancing, good hygiene practices, sanitisation of personal spaces, and to remain at home when unwell. Conduct welfare checks on the employee. If able, assist with contact tracing. Review situation of individual prior to returning to work.
Exposure to a confirmed COVID-19 case identified as a close contact in the workplace.	<p>Impacted Individual – (assuming masks are worn)</p> <ul style="list-style-type: none"> Individual to alert the Manager immediately. If symptoms develop at work, the individual must leave the workplace immediately via the safest route reducing unnecessary touch points. Should the individual need to wait for transport they should be shown to an office or space which is quarantined from other staff yet visible to ensure the welfare of the individual can be observed. Individual should head to the nearest testing clinic to undertake a PCR test or, where not able, a RAT. The Shire requires notification of the result of either the PCR test or RAT e.g. a photo sent by SMS. Where a RAT is undertaken, the individual is required to self-report a positive result to the Department of Health. Individual to then follow Department of Health guidelines (WA Government website).

	<ul style="list-style-type: none"> To return to work a medical clearance is required; the individual must not return to work for at least 7 days as a precaution. <p>Management Team -</p> <ul style="list-style-type: none"> Put up a sign instructing all staff not to use the individual's desk or equipment. Remind all staff of their obligations to adhere to physical distancing, good hygiene practices, sanitisation of personal spaces, and to remain at home when unwell. Do not attempt to clean the work area yourself. While waiting for the cleaners, put up signs to ensure potentially contaminated areas are not used. Review communication plan and engage external stakeholders if deemed applicable. The Department of Public Health team will provide guidance on whether to send other employees home prior to the end of a workday, and/or if the workplace needs to close temporarily for cleaning, investigation or contact tracing purposes. Assist with contact tracing, if able. Management Team to review whether to send other or all employees home in addition to following any Public Health Team advice. Management team to check in regularly with individual throughout quarantine/isolation period. Review situation of individual prior to returning to work.
COVID-19 confirmed case in the workplace	<p>Impacted Individual –</p> <ul style="list-style-type: none"> Individual to alert the Manager immediately. Individual must leave the workplace immediately via the safest route reducing unnecessary touch points. Should the individual need to wait for transport they should be shown to an office or space which is quarantined from other staff yet visible to ensure the welfare of the individual can be observed. Individual to then follow Department of Health guidelines (WA Government website). To return to work a medical clearance is required; the individual must not return to work for at least 7 days as a precaution. <p>Management Team -</p> <ul style="list-style-type: none"> Put up a sign instructing all staff not to use the individual's desk or equipment. Remind all staff of their obligations to adhere to physical distancing, good hygiene practices, sanitisation of personal spaces, and to remain at home when unwell. Do not attempt to clean the work area yourself. While waiting for the cleaners, put up signs to ensure potentially contaminated areas are not used. Review communication plan and engage external stakeholders if deemed applicable. The Department of Public Health team will provide guidance on whether to send other employees home prior to the end of a workday, and/or if the workplace needs to close temporarily for cleaning, investigation or contact tracing purposes. Assist with contact tracing, if able.

	<ul style="list-style-type: none"> • Management Team to review whether to send other or all employees home in addition to following any Public Health Team advice. • Management team to check in regularly with individual throughout quarantine/isolation period. • Review situation of individual prior to returning to work.
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8. Identifying Illness in Individuals

Where an individual comes in to contact with an infected or diagnosed COVID-19 individual outside of work, then the individual must immediately inform their Manager (by phone or when not available SMS), do not attend for work and commence a self-isolation period in accordance with WA Government guidelines.

Any personnel within the workplace who believes that a co-worker looks unwell or are displaying symptoms of a flu-like virus infection, are encouraged to raise their concern with a Manager.

9. Risk Mitigation Strategies

The Shire continues to review and monitor health and safety practices aligned to advice issued by the WA Government and Department of Health. The following measures have been implemented to manage and reduce the risk of transmission of COVID-19 in the workplace and broader community.

Visitors, Suppliers & Contractors	<ul style="list-style-type: none"> • COVID-19 Safe Plan Signage placed at entry-points. • COVID-19 Signage advising visitors/contractors not to enter if they – <ul style="list-style-type: none"> ○ Have tested positive for or been in close contact with someone who has tested positive with COVID-19. ○ Are feeling unwell or experiencing Flu-like/COVID-19 symptoms. ○ Have returned from or been in close contact with someone who has returned from interstate or international travel within the last 14 days. ○ Have been in contact with a person(s) in isolation/quarantine. • SafeWA sign-in posters placed at entry points. • Masks, Hand sanitiser required to be used upon entry. • Letters have been sent to all Contractors & Suppliers as to the Shire's COVID-19 position and expectations as to entrance to any Shire site.
Hygiene & Cleaning	<ul style="list-style-type: none"> • All Shire sites must maintain supply of disinfectant sprays or wipes, or soaps that enable a soapy water solution to be made and decanted into a spray bottle. • All sites must maintain a supply of hand sanitiser or hand soaps for personnel to use. • Cleaning of offices and site facilities is carried out daily, focusing on communal areas, toilets and cleansing of door handles. • Posters to remind and educate employees on good hygiene practices placed throughout offices and workshops. • Equipment and tooling to be used by a single user, where possible, throughout a shift. • Employees to wipe down their work areas regularly and maintain a tidy workspace (for improved disinfecting). • Employees to wipe down machinery and equipment that has been used when interchanging personnel/operators. • Vehicle interiors must be wiped down at the end of each shift, or upon interchanging personnel. • Common areas are required to be wiped down by individuals following use of the area, using the disinfectant products supplied. • Employees are to exercise good hygiene, and regularly wash/sanitise hands with the products supplied.

	<ul style="list-style-type: none"> Masks to be worn in accordance with State Government directions, internal policy, and/or other client site-access policies.
Vaccination	<ul style="list-style-type: none"> Employees are encouraged to access vaccination against COVID-19 and remain up to date (inclusive of boosters). Where a government mandate applies, workers are required to be up to date on their COVID-19 vaccination to fulfil their duties.
Social Distancing	<ul style="list-style-type: none"> Office seating arrangements reviewed to allow for suitable distancing per person and will remain in place. Common areas (kitchens, meeting rooms) have been reviewed to allow suitable distancing. A maximum of three (3) staff in light vehicles unless an emergency where able. Mask must be worn in vehicles. Interchanging personnel between vehicles throughout a shift is to be avoided. Meetings to be carried out in areas that enable at least physical distancing. Meetings to be held in accordance with physical distancing requirements.
Travel Restrictions	<ul style="list-style-type: none"> All non-essential domestic travel is banned until further notice, pending the evolving Covid-19 situation. Where WA intrastate borders are closed to mitigate transmission of Covid-19, the Shire will, as far as reasonably possible, restrict travel between the Regions for operational requirements.
Client, Customer Sites	<ul style="list-style-type: none"> Shire employees will follow any policy implemented when carrying out operations on behalf of Shire.

10. Critical Roles and Working Remotely

In the event of a WA Government or a Shire directive to shut a site, or reduce the workforce to non-critical workers the Shire has the following strategies in place to meet this requirement:

- Identification of staff of critical, essential, and non-essential roles to business operations. Categorisation determines whether work carried out is critical to continuing business operations or can be done remotely.
- Remote access maybe considered subject to capacity to support and available technology. Remote work does not necessarily restrict an employee remaining within the Local Government Authority area.
- Restriction of movement of staff between sites to prevent different work teams mixing.
- Categorisation of production work identified as critical, essential and non-essential to the industry (breakdown of plant vs supply)
- Employees will be contacted directly prior to attending work each morning if notification not to attend their worksite is required.

Shire of West Arthur Identified Critical Workers

Having considered the following:

- Current Shire services – critical and non-critical
- Levels of servicing – critical and non-critical
- Federal and State government public health directions and social measures
- Organisational Risk
- The Shire's Occupational Health and Safety obligations
- The Shire's remote access internet services capacity/restrictions

the Shire has determined the following listed roles as being critical and those employed (inclusive of higher duty/acting arrangements) within as critical workers:

- CEO
- Manager of Corporate Services

Created: Dean McAuliffe DKM Workplace Solutions for the Shire of West Arthur
 Approved: Vin Fordham Lamont Chief Executive Officer
 Date: 03 March 2022
 Version: 1

- Manager of Financial Reporting
- Works Manager
- Building Maintenance Officer
- Cleaner / Caravan Park Caretaker
- Caravan Park Cleaner and Caretake
- Payroll Officer
- Road Crew
- Road Leading Hand
- Final Trim Grader Driver
- Parks and Garden Crew
- Parks and Garden Supervisor

High Case Load Environment – critical worker

To ensure critical services continue in a high caseload environment, certain critical workers (as determined by the CEO below) who are close contacts and do not have any symptoms may, in accordance with, the WA Government's critical worker furloughing policy, temporarily leave isolation to attend work in certain circumstances.

- CEO
- Works Manager
- Building Maintenance Officer
- Cleaner / Caravan Park Caretaker
- Caravan Park Cleaner and Caretaker
- Payroll Officer
- Creditors Officer
- Road Crew
- Road Leading Hand
- Final Trim Grader Driver
- Parks and Garden Crew
- Parks and Garden Supervisor

The list of critical workers is to be regularly reviewed and updated by the Management Team. To support the Management Team, information and resources have been published to support registration, reviews and the provision of information to employees who are employed in positions deemed critical.

- [Critical worker furloughing registration system available now \(announcement\)](#)
- [Critical Worker Furloughing Policy Overview](#)
- [Critical Worker Frequently Asked Questions](#)
- [Critical Worker Furloughing Directions](#)
- [Critical Worker Register](#)
- [Critical worker template page](#)

11. COVID-19 – Leave entitlements

Managers and supervisors should take a pragmatic and precautionary approach to managing work absences related to COVID-19, with a view to promoting health and safety for individuals, others in the workplace, and the public. It is also important to monitor leave applications to ensure employees access appropriate leave types only when they are entitled to do so.

Leave entitlements for all employees are governed by the Local Government Industry Award 2020 (LGIA 2020) and individual employment contractual terms.

COVID-19 Employee

Where an employee is unable to perform the inherent duties of their position due to being deemed a close contact or being confirmed a positive case or directed to quarantine or isolate, they can access:

- Paid personal leave entitlements
- Annual leave entitlements inclusive of leave at half pay
- Long Service Leave entitlements
- Unpaid pandemic leave entitlements in accordance with the LGIA 2020 Schedule X 'Additional Measures During the COVID-19 Pandemic'

subject to approval by the Shire and reasonable evidence requirements being provided where requested by the Shire.

Caring for immediate family or members of a household confirmed or deemed a COVID-19 close contact

Employees who are required to provide care or support to a member of the employee's immediate family, or a member of the employee's household because of,

- i. a personal illness, or personal injury, affecting the member, e.g. family member is a confirmed positive case.
- ii. an unexpected emergency affecting the member e.g. a member being deemed a close contact, or a dependent's school is closed due to a COVID-19 exposure

can access carer's leave in accordance with the LGIA 2020.

Where no carer's leave entitlements remain, an employee may access other leave entitlements as provided for under the LGIA 2020 and or contract.

12. Monitoring

The Shire will ensure that this COVID-19 Management Plan is monitored regularly to determine it remains relevant to the current and rapidly evolving situation. It is the responsibility of the Management Team to consult and review this plan with employees of the Shire. The COVID-19 Management Plan and its importance will be communicated to all employees regularly.

Information updates including current COVID-19 status and alerts will be communicated and discussed at but not limited to meetings, pre-starts, and toolboxes and, if necessary, bulk communications will be sent.

12.6 FRAUD AND CONTROL PLAN 2023-2025

File Reference:	ADM015
Location:	N/A
Applicant:	N/A
Author:	Rajinder Sunner, Manager Corporate Services
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	N/A
Disclosure of Interest:	Nil
Attachments:	1. Fraud and Control Plan 2023-2025 ↓

SUMMARY:

Council is requested to adopt the Fraud and Control Plan 2023-2025.

BACKGROUND:

The Shire of West Arthur (the 'Shire') has a zero tolerance to fraud and corruption.

The Shire is committed to an organisational culture that promotes a high standard of integrity and accountability by demonstrating professional behaviours that are consistent with our role and values and provides clear direction in supporting an effective risk management strategy, including fraud and corruption risk.

The Fraud and Corruption Plan (the Plan) details the Shire's intended action in monitoring fraud and corruption; and implementing prevention, detection and response initiatives.

The Plan has been developed in line with the Shire Strategic Community Plan and Corporate Business Plan, Australian Standards and the Shire's Fraud and Corruption Policy, and it forms an integral part of the Shire's Risk Management Framework.

COMMENT:**The Shire's Fraud and Corruption Prevention Policy and Plan apply to:**

- all employees whether by way of permanent appointment, secondment, contract, temporary or labour hire agency arrangement, volunteering, work experience or trainees (Parties);
- all elected members; and
- any external parties involved in providing goods or services.

Whilst the Chief Executive Officer (CEO) has overall responsibility to ensure proper controls are in place to prevent fraud and corruption from occurring and to monitor fraud and corruption risks, all employees, elected members, contractors, and volunteers (All Parties) are accountable for and have a role to play in fraud and corruption control. The Shire requires All Parties to report suspected fraudulent or corrupt activity.

CONSULTATION:

Dean McAuliffe – DKM Workplace Solutions
Chief Executive Officer

STATUTORY ENVIRONMENT:

Local Government Act 1995
Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS:

Risk Management Policy
Fraud and Compliance Policy

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management.
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Significant	Severe
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Fraud, Corruption, Serious misconduct, Minor misconduct, Financial Loss and Reputational Loss.
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Catastrophic (5)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Extreme (20)
Principal Risk Theme	All Themes
Risk Action Plan (Controls or Treatment Proposed)	Adopt the Fraud and Control Plan

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the Fraud and Control Plan 2023-2025.



Shire of West Arthur

Fraud and Control Plan

2023 - 2025

Document History

Item	Date	Action	Description
1		Draft	Approved by the Chief Executive Officer and supported by Resolution of Council

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1. Introduction

The Shire of West Arthur (the 'Shire') has a zero tolerance to fraud and corruption.

The Shire is committed to an organisational culture that promotes a high standard of integrity and accountability by demonstrating professional behaviours that are consistent with our role and values and provides clear direction in supporting an effective risk management strategy, including fraud and corruption risk.

The Fraud and Corruption Plan (the Plan) details the Shire's intended action in monitoring fraud and corruption; and implementing prevention, detection and response initiatives.

The Plan has been developed in line with the Shire Strategic Community Plan, the Shire's Corporate Business Plan 2021 -2025 Australian Standards and the Shire's Fraud and Corruption Policy, and it forms an integral part of the Shire's Risk Management Framework.

2. Scope

The Shire's Fraud and Corruption Prevention Policy and Plan apply to:

- all employees whether by way of permanent appointment, secondment, contract, temporary or labour hire agency arrangement, volunteering, work experience or trainees (Parties);
- all elected members; and
- any external parties involved in providing goods or services

Whilst the Chief Executive Officer (CEO) has overall responsibility to ensure proper controls are in place to prevent fraud and corruption from occurring and to monitor fraud and corruption risks, all employees, elected members, contractors, and volunteers (All Parties) are accountable for and have a role to play in fraud and corruption control. The Shire requires All Parties to report suspected fraudulent or corrupt activity.

3. Definitions

Fraud – 'Fraud' is defined by Australian Standard AS 8001-2008 (Fraud and Corruption Control) as dishonest activity causing actual or potential financial loss to the organisation including theft of money or other property whether or not deception is used at the time, before or after the activity. It also includes deliberate falsification, concealment, destruction or falsification of documentation used for a normal business purpose as well as improper use of corporate information or position.

- Fraud may include (but is not limited to):
- theft or obtaining property, financial advantage or any other benefit by deception;
- providing false or misleading information, or failing to provide information where there is an obligation to do so;
- causing a loss, or avoiding or creating a liability by deception;
- making, using or possessing forged or falsified documents;
- unlawful use of computers, vehicles, telephones and other property or services; and
- manipulating expenses or salaries.

Corruption - is defined as an act done contrary to the interests of the Shire with intent to give or receive some advantage or benefit inconsistent with official duty and the rights of others.

Corruption may include (but is not limited to):

- conflict of interest;
- dishonesty using influence;
- blackmail;
- failure to disclose gifts or hospitality;
- acceptance of a bribe; or
- unauthorised release of confidential, private information or intellectual property.

Serious misconduct - as defined by the Corruption, Crime and Misconduct Act 2003 is when a public officer:

- acts corruptly or corruptly fails to act in the course of their duties; or
- corruptly takes advantage of their position for the benefit or detriment of any person; or
- commits an offence which carries a penalty of two or more year's imprisonment.

Minor misconduct as defined by section 4(d) of the Corruption, Crime and Misconduct Act 2003 occurs if a public officer engages in conduct that:

- adversely affects, or could adversely affect, directly or indirectly, the honest or impartial performance of the functions of a public authority or public officer, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or
- constitutes or involves the performance of his or her functions in a manner that is not honest or impartial; or
- constitutes or involves a breach of trust placed in the public officer by reason of his or her office or employment as a public officer; or
- involves the misuse of information or material that the public officer has acquired in connection with his or her functions as the public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person.

4. Relationship with Policies, Procedures and or Plans

The Shire has a range of policies and processes in place that govern and support its day-to-day operations and decision making.

Fraud and corruption prevention and detection controls are embedded in various policies and processes including (but not limited to):

- Risk Management Governance Framework Control
- Fraud & Corruption Policy
- Code of Conduct (Employees)
- Code of Conduct (Candidates Council and Committee Members)
- Council Members Entitlements Policy
- Purchasing and Tender Policy
- Leave and Flexible Work Arrangement Policy
- CEO Recruitment Performance and Termination Policy
- Register of Financial Interest Disclosures
- Register of Gifts
- Complaints Register
- Register of Interest Disclosures

The Shire's policies and documents are available on the Shire's Document Centre internet page.

5. Internal Control Systems

All business processes, especially those identified as having higher risk of fraud and corruption, are subject to a rigorous system of internal controls that are documented, reviewed and update regularly, and understood by relevant employees.

Strong internal controls are important in protecting against fraud and corruption. In many cases where fraud and corruption are detected, it is possible to identify a fundamental control weakness or failure that either allowed the incident to occur or failed to detect it quickly after it occurred.

Managers are responsible for ensuring appropriate work systems, including internal controls, are established and maintained.

Managers are to participate in regular control assurance reviews which may include compliance testing.

6. Roles and Responsibilities

Council

Council has the responsibility to adopt the Fraud and Control Policy and Plan.

Audit and Risk Committee

The Audit and Risk Committee's responsibilities include –

- reviewing risk management frameworks and associated procedures for the effective identification and management of fraud risks;
- overseeing development and implementation of the Fraud and Corruption Prevention Plan, and to provide assurance that the Shire has appropriate processes and systems in place to prevent, detect and effectively respond to fraud-related information; and
- providing leadership in preventing fraud and corruption.

CEO

The CEO is responsible for –

- coordinating the fraud and corruption risk assessment process;
- developing and maintaining this Fraud and Corruption Prevention Plan, in consultation with key stakeholders;
- communicating the existence and importance of the Fraud and Corruption Prevention Plan;
- delivering and/or coordinating fraud and corruption training;
- provision of adequate resources to support fraud prevention and ensures the implementation of adequate controls for managing fraud and corruption risks within the Shire;
- notifying the Corruption and Crime Commission or the Public Sector Commission if misconduct is suspected.

Management Team (MT)

The Management Team is responsible for –

- implementing the Fraud and Corruption Prevention Plan with particular focus on prevention;
- coordinating the fraud and corruption risk assessment process;

- developing and maintaining this Fraud and Corruption Prevention Plan, in consultation with key stakeholders;
- communicating the existence and importance of the Fraud and Corruption Prevention Plan; and
- delivering and/or coordinating fraud and corruption training.

Public Interest Disclosure (PID) Officer

The PID Officer investigates disclosures and takes action following the completion of investigations under the Public Interest Disclosure Act 2003.

All Employees

All employees have a responsibility to contribute to preventing fraud and corruption by following the Code of Conduct, complying with controls, policies and processes; resisting opportunities to engage in fraudulent or corrupt behaviour; and reporting suspected fraudulent or corrupt incidents or behaviour.

7. Risk Assessment

Each service area within the Shire must systematically identify, assess and review fraud and corruption risks.

The most important outcome of the fraud and corruption risk assessment process is the development of a treatment Plan that specifically addresses the risks identified.

These measures should be monitored for effectiveness over time.

8. Reporting Suspected Fraud and Corruption Incidents

The Shire's Public Interest Disclosure (PID) Information Guidelines provide clear direction in regard to employees reporting suspicious or known illegal or unethical conduct. The policy also provides for alternative internal means by which to report matters of concern.

Reports can be made anonymously. Anonymous reports will be examined and investigated on the available evidence.

All employees have the right to make a disclosure in accordance with the Public Interest Disclosure Act 2003. This is encouraged where any person wishes to access the protections afforded by the Act.

The Shire's Public Interest Disclosure Information Guidelines are available on the Shire's website at [Public Interest Disclosures](#).

Anonymous complaints may be made to a range of external agencies such as the Crime and Corruption Commission or the Public Sector Commission. Please refer to their websites for further details.

[Corruption and Crime Commission](#)

[Public Sector Commission](#)

9. Planning and Resourcing

The Shire is committed to allocating the required resources across the organisation to ensure appropriate controls in regard to fraud and corruption. In particular resources will be made available to –

- develop and implement the Plan;
- undertake fraud and corruption risk assessments;
- deliver organisational training and awareness;
- review incidents reports; and
- undertake investigations.

The Table 9.1 outlines the action the Shire will undertake to develop and implement the Plan.

Table 9.1

Objective	Action	Responsible Officer	Timeframe
Planning	Develop a Fraud and Corruption Control Plan.	Manager Corporate Services	Complete
	Monitor the operation of the Fraud and Corruption Control Plan through the internal audit processes.	Manager Corporate Services	Annual
	Communicate the Fraud and Corruption Control Plan	Manager Corporate Services	Ongoing
	Review the Fraud and Corruption Control Plan.	Manager Corporate Services	Once every 2 years < 2025
	Fraud Awareness Training for Employees and Elected Members	Manager Corporate Services	Annual
	Dissemination of Public Interest Disclosure Policy and Officer's details on the internet.	Manager Corporate Services	Ongoing
	Pre employment screening for all new employees	Manager Corporate Services	Ongoing
Ensure that an appropriate level of resources is applied to controlling fraud and corruption risk.	Appoint a Fraud and Corruption Control Officer.	CEO	Ongoing
Internal Audit Activity	Fraud and Corruption risks are considered and featured in internal audit activities.	CEO	Ongoing

10. External Resources

Where required, external assistance will be engaged to support the delivery of any aspect of this Plan.

11. Prevention

Robust internal controls and systems are a prime defence mechanism against fraud and corruption. These controls include but are not limited to those detailed in Table 11.1.

Table 11.1

Objective	Action	Responsible Officer	Timeframe
Implementing and maintaining an integrity framework	Codes of Conduct deemed as key enablers are monitored and regularly reviewed	Manager Corporate Services	Annual
	Leadership Team – lead by example in which behaviours to follow.	CEO, Managers	Ongoing
	Ethical culture and awareness of fraud and corruption prevention to be promoted and monitored through Code of Conduct training.	Manager Corporate Services	Induction and Ongoing, breaches monitored, and trends addressed through policies, training and reporting.
	Declarations of interest procedures to be maintained and reviewed.	Manager Corporate Services	Once every 2 years < 2025
	Staff advised of their obligations when receiving gifts and reporting in the Gifts Register.	Manager Corporate Services	Ongoing and as required
	Dissemination of Public Interest Disclosure Policy and Officer's details on the internet.	Manager Corporate Services	Ongoing
Management Commitment to Controlling Risks of fraud and corruption	Leadership has a high level awareness of the risks of fraud and corruption, and if not, appropriate awareness training is provided.	CEO, Managers	Ongoing
Accountability	Statement to promote staff accountability for their own work processes.	Manager Corporate Services	Ongoing
	Preventing fraud and corruption is annotated in the position descriptions.		
Internal Controls	Biannual reports to the Audit and Risk Committee on the review and improvement of the Shire's internal control framework.	Manager Corporate Services	Biannual
	Fraud and Corruption Control Policy/Plan available to all staff via the Document Centre.		

	Internal audit to regularly review processes and provide recommendations in respect of fraud and corruption risks.		
Assessing Fraud and Corruption Risk	Continually assess fraud and corruption risks.	CEO, Manager Corporate Services	Ongoing
	Monitor and review the fraud and corruption complaints.		
	Ensure all new employees receive Code of Conduct training in their induction and throughout the period of their employment, appropriate to their level of responsibility.	Manager Corporate Services	As required
	Ensure updates and changes to fraud related policies, procedures, Code of Conduct etc. are effectively communicated to all employees.	Manager Corporate Services	As required
	Encourage staff to report any suspected incidences of fraud or corruption.	CEO, Managers	Ongoing
Employment Screening	Pre-employment screening to validate applicant qualifications, identity, working with children, transcripts and other certifications	Manager Corporate Services	As required
	Pre-employment screening is included in recruitment policy/procedure.		To be reviewed and completed July 2023
Supplier Vetting	Review Tendering and Purchasing policies to ensure suppliers are bona fide	Manager Corporate Services	To be reviewed by May 2023.
	Undertake Vendor audits		Ad hoc

12. Detection

The Shire has the following measures as detailed in Table 12.1 in place to identify and detect incidents of fraud and corruption.

Table 12.1

Objective	Action	Responsible Officer	Timeframe
Detection system	Conducting unscheduled internal reviews and audits on a surprise basis	Manager Corporate Services	Ad hoc

	Comprehensive Fraud and Corruption risk audit to include a review of: <ul style="list-style-type: none"> • IT and information security • Grants and other payments • Tendering processes, purchasing and contract management • Services provided to the community • Revenue collection • Use of credit cards • Travel allowance and other allowances • Salaries • Money, property and other physical assets 	Manager Corporate Services, Manager Financial Reporting	Annual
	Annual report to Audit and Risk Committee regarding the position of Risk Management, Internal Controls and Legislative Compliance.	Manager Corporate Services	Annual
External Auditor	External Audit of appropriateness and effectiveness of Shire systems and procedures in relation to: <ul style="list-style-type: none"> i. Risk management ii. Internal control iii. Legislative compliance 	CEO, Manager Corporate Services, Manager Financial Reporting, Audit and Risk Committee	Once in every three financial years
Avenue for reporting	There are adequate means for reporting suspicious or known illegal or unethical conduct available to all personnel.	CEO, Manager Corporate Services	Ongoing
Public Interest Disclosure	Dissemination of Public Interest Disclosure Policy and Officer's details on the internet.	Manager Corporate Services	Ongoing
Whistle blower Protection	Policy is to actively protect whistleblowers.	CEO, Managers	To be reviewed and completed by July 2023
Accountability	Statement to promote staff accountability for their own work processes. Preventing fraud and corruption is annotated in the position descriptions.	Manager Corporate Services	Ongoing
Supplier Vetting	Review Tendering and Purchasing policies to ensure suppliers are bona fide Undertake Vendor audits	Manager Corporate Services	To be reviewed by May 2023. Ad hoc
Actual vs Budget Analysis	Monitor actual income or expenditure.	Managers, Budget Responsible Officers	Ongoing

13. Response

Fraud response as detailed in Table 13.1 is a key element of the overall Fraud and Control Plan. As fraud and corruption are criminal offences the primary responsibility for investigating and initiating prosecution for suspected fraud or corruption rests with the Police Service.

Table 13.1

Objective	Action	Responsible Officer	Timeframe
Policies and Procedures	Fraud and Corruption Control Policy/Plan reviewed, maintained and communicated.	CEO, Manager Corporate Services	Once every 2 years <2025
Investigation	Internal Investigation process established	CEO, Manager Corporate Services,	As required
	Appointment of External Investigator Process		
Internal Reporting	Develop and maintain a fraud and corruption incident register	Manager Corporate Services	To be developed by July 2023
	Table fraud and corruption incident register at the Audit and Risk Committee on six monthly basis.	CEO	Six monthly
Disciplinary Procedures	Disciplinary action, which may include termination of employment, is taken against officers involved in any misconduct in accordance with the Shire's policies.	CEO, Managers	As required
External Reporting	The Shire will report suspected fraudulent and corrupt conduct in accordance with the <i>Corruption, Crime and Misconduct Act 2003</i> , and to the Police where appropriate.	CEO, Managers	As required
Civil action for recovery of losses	The Shire may seek to recover any money or assets lost due to incidents of fraud and corruption where appropriate.	CEO, Manager Corporate Services	As required
Review of internal controls	Where fraud is detected, assess adequacy of internal controls and consider whether improvements are required.	Manager Corporate Services	As required
Fidelity guarantee insurance	Maintain a fidelity guarantee insurance policy, that insures the entity against the risk of loss arising from internal fraudulent conduct.	Manager Corporate Services	Ongoing

14. Review

The Fraud and Control Plan will be reviewed at least once every two years.

12.7 INTEREST WRITE OFF – ASSESSMENT 20

File Reference: A20
Location: N/A
Applicant: N/A
Author: Melinda King, Manager Financial Reporting
Authorising Officer: Rajinder Sunner, Manager Corporate Services
Date: 20/04/2023
Disclosure of Interest: Nil
Attachments: Nil

SUMMARY:

Council is requested to consider writing off interest accrued on Assessment 20 accrued in the 2022/23 financial year.

BACKGROUND:

The property (Ass 20) changed ownership recently and the rate notice was not sent to the correct address of the purchaser.

COMMENT:

Interest is accrued daily on rates outstanding.

CONSULTATION:

Consultation has taken place with the purchaser of the property (Assessment 20.)

STATUTORY ENVIRONMENT:

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts (1) Subject to subsection (2) and any other written law, a local government may —

(c) write off any amount of money, which is owed to the local government.

* Absolute majority required.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The ratepayer has paid their rates in full however paid in three separate part payments after the due date. The interest accrued to date of first payment was \$55.25. An additional \$30.13 was accrued on the second and third payments.

STRATEGIC IMPLICATIONS:

Nil

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a***

risk rating by assessing the likelihood and consequence and multiplying these scores by each other. The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Significant	Severe
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Recognition of receivable which is not recoverable
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Insignificant (1)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (3)
Principal Risk Theme	Errors Omissions or Delays
Risk Action Plan (Controls or Treatment Proposed)	Write off interest accrued.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, by absolute majority:

Authorises the CEO to write off \$55.25 interest accrued on Assessment 20.

13 WORKS AND SERVICES

Nil

14 REGULATORY SERVICES**14.1 DEVELOPMENT APPLICATION - 59 HILLMAN ST, DARKAN**

File Reference:	A642
Author:	Geoffrey Lush, Planning Consultant
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	19/04/2023
Disclosure of Interest:	Nil
Location:	59 (Lot 273) Hillman St, Darkan
Applicant:	D Gittos
Owner:	CM Janse
Proposal:	New outbuilding on a residential lot with no dwelling.
Attachments:	1. Site Plan ↓

SUMMARY:

Council is requested to consider a development application for an outbuilding on a residential lot with no dwelling.

BACKGROUND:

The application is to develop an outbuilding having an area of 108sqm, being 9m by 12m. It will be 3.2m high to the gutter and 4.41m to the roof apex and constructed with Colourbond Pale Eucalypt walls and roof.

It will be setback north left corner 1.5m from the eastern side boundary and 1.5m from the rear boundary.

The proposed site plan is shown in Attachment 1.

The subject land has an area of 1,466sqm and historically has been used for a bus transport / fuel depot. There is no dwelling on the site but there another outbuilding having an area of approximately 30sqm.

The applicant is intending to use the shed to store household furniture and items until such time as he constructs a dwelling.

The adjacent land in Hillman Street has been developed for residential purposes. The land on the southern side of the rear laneway is zoned Industrial and has been developed for non-residential purposes.

COMMENT:

The two main issues associated with the application are:

- The size of the outbuilding; and
- There not being any dwelling on the property.

Outbuilding Size

Officers are not aware that Council has previously considered or approved of an outbuilding of this size on a residential lot within the townsite.

The R Codes refer to the total area of outbuildings which should not exceed 10% of the site area. In relation to the subject land this would be 146sqm and the combined total area of the existing and proposed outbuildings is approximately 138sqm.

Normally Councils will have a Local Planning Policy that provides guidance on the size of domestic outbuildings with many having a limit of 100sqm in residential areas. This is because of the predominant lot size and also as the larger that the outbuilding becomes the more likely that it might be used for non-residential purposes.

It is also noted that within the townsites the existing outbuildings on residential properties are generally less than 100sqm. However, in proximity to the subject land are outbuildings 80, 92 and 98sqm.

No dwelling on the property

A number of Councils have Local Planning Policies which prohibit the development of an outbuilding on a vacant residential property, unless there has been a building permit issued for a dwelling.

An outbuilding on a property where there is no dwelling, can be considered to not be ancillary to the residential use of the property. It should then be classified as a separate use under the Planning Scheme. This would be defined as "storage" which means a premises used for the storage of goods, equipment, plant or materials. Storage as a non-residential use is prohibited in the residential zone. A further component of this issue is the concern to ensure that the outbuilding is not used for habitation. While this tends to be a more significant issue on rural lots, it has also been known to occur in rural residential and residential areas. In this application the owner has indicated that he would reside in the caravan park until such time as a dwelling is approved.

CONSULTATION:

The application has been advertised to the adjacent property owners and no submissions have been received.

STATUTORY ENVIRONMENT:

Local Planning Scheme No 2

The subject land is zoned Residential R12.5 in the Scheme and the objectives of the Residential zone are:

- to provide for the predominant form of residential development to be single houses.
- to provide for diversity of lifestyle choice with a range of dwelling types.
- to achieve a high standard of residential development.
- to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

Clause 5.2 of the Scheme stipulates that the development of land for residential purposes is to comply with the Residential Design Codes.

State Planning Policy 7.3 Residential Design Codes (R Codes).

The R Codes define an outbuilding as an enclosed non-habitable structure that is detached from any dwelling. The Deemed-to-comply provisions stipulate that any outbuildings larger than 10sqm shall:

- (i) individually or collectively not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser;
- (ii) be set back 1.0m from the boundary where the wall height is less than 3.5m and the wall length is 12m;
- (iii) not exceed a wall height of 2.4m;
- (iv) not exceed a ridge height of 4.2m;
- (v) not be located within the primary or secondary street setback area; and
- (vi) not reduce the requirement for 55% of the site to be open space and outdoor living areas.

Where an outbuilding complies with the above it does not need a planning approval. Where it does not comply with the above, Council has discretion to approve the development.

State Planning Policy 3.7 Planning in Bushfire Prone Areas

The subject land is not designated as being bushfire prone and SPP 3.7 does not apply.

POLICY IMPLICATIONS:

There is no applicable Local Planning Policy and LPP No 2 Rural Sheds does not apply to domestic outbuildings.

FINANCIAL IMPLICATIONS:

The prescribed planning application fee is \$147.

STRATEGIC IMPLICATIONS:

The Shire's Strategic Community Plan Towards 2031 and Corporate Business Plan 2021 – 2025 under Built Environment Outcome 4.4 – Appropriate planning and development

- Implement the town planning scheme and policies to ensure any planning and development is appropriate through the Shire

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

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- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
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- Providing inaccurate advice / information
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Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Significant	Severe
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Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Inadequate control of land development in the Shire
Risk Likelihood (based on history and with existing controls)	(4) Significant
Risk Consequence	(1) Rare
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(4) Low
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Ensure compliance with conditions of approval and other applicable Regulations

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

- A. That Council approve the use and development of Lot 273 (#59) DP171612 Hillman Street, Darkan for an outbuilding subject to compliance with the following conditions:
1. The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
 2. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
 3. The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
 4. The building hereby permitted shall not be used for any commercial or industrial purposes.
 5. The building hereby permitted shall not be used for human habitation.
- B. That a Local Planning Policy be prepared to address the development of domestic outbuildings on vacant land.

OR

ALTERNATIVE OFFICER RECOMMENDATION:

That Council refuse the use and development of Lot 273 (#59) DP171612 Hillman Street, Darkan for an outbuilding on the following grounds:

1. That in the absence of a dwelling being constructed, or approved to be constructed, on the property the building is classified as "storage" under Local Planning Scheme No 2 which is a prohibited use in the Residential zone.

Attachment 1 – Site Plan



14.2 REVIEW OF PLANNING SCHEME

File Reference:	ADM205
Author:	Geoffrey Lush, Planning Consultant
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	19/04/2023
Disclosure of Interest:	Nil
Location:	Whole of Shire
Applicant:	N/A
Owner:	N/A
Proposal:	Analyse recent review of Local Planning Scheme No. 2
Attachments:	Nil

SUMMARY:

Council is requested to consider the statutory review of Local Planning Scheme No 2 and the Local Planning Strategy.

BACKGROUND:

Council at its Meeting of 15th November 2022 considered the statutory review of Local Planning Scheme No 2 and resolved:

- A) That Council, pursuant to Regulation 66(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission that:
1. The current Local Planning Scheme is considered to be operating satisfactorily given the low level of development within the municipality.
 2. It is recognised that the Scheme needs to be updated by incorporating both the Deemed Provisions and the Model Scheme Text. It is the Council's preference that this be done by a major amendment to the Scheme, rather than preparing a new Local Planning Scheme as no zoning changes are required and the cost of preparing a new Scheme is significant.
 3. That a new Local Planning Strategy for the municipality should be prepared to reflect changes in the planning policy and regulatory framework, altered conditions and current community expectations within the Shire.
- B) That following receipt of the Planning Commission's decision, a report be presented to Council on the process, issues, timing and cost for the preparation of the Local Planning Strategy and or Local Planning Scheme.

The Western Australian Planning Commission has now advised that it agrees with the recommendations of the report and recommends that:

- (a) the local planning strategy should be revoked and a new local planning strategy prepared because:
- i. the current strategy does not provide long-term strategic direction for land use planning;
 - ii. the current strategy does not provide planning direction which reflects the requirements of the State's Planning Framework; and
 - iii. the current strategy does not provide the rationale for the zoning or classification of the land under the Shire's local planning scheme; and
- (b) Local Planning Scheme No. 2 may be updated by way of an omnibus amendment.

COMMENT:**1.0 LOCAL PLANNING STRATEGY****1.1 Preparation**

The Local Planning Strategy sets out the long-term planning directions for the Scheme area and it provides the justification for the zones and provisions within the Planning Scheme. The steps for the preparation of the Strategy are as follows:

1 Define the scope of local planning strategy project

The first step in preparing the strategy is to define its scope considering the following:

- The local planning strategy vision and objectives over the next 15 years, having regard to the vision of the Strategic Community Plan.
- How the local planning strategy will interface with the Strategic Community Plan and how it will respond to the land use planning related themes and outcomes.
- What supporting information needs to be considered or prepared for the local planning strategy (technical studies or assessments).
- Early identification of a list of issues/opportunities and planning areas that will be refined as the local planning strategy is developed.
- How the local planning strategy will respond to the WAPC guidelines and whether any variations to the guidelines may be required.
- The scope of engagement and consultation.
- Resourcing and budget allocation.

2 Undertake background analysis and identification of key issues

Prepare the background information that will be used to provide the context and rationale for the local planning strategy which includes state, regional and local levels including:

- Demographic profile and population forecast;
- Community, urban growth and settlement issues such as:
 - Housing
 - Built form and character
 - Cultural heritage (historic and Aboriginal heritage)
 - Activity centres (residential and community)
 - Rural land use
 - Public open space and community facilities (including State-funded community infrastructure such as schools, health facilities and police stations)
 - Hazards (bushfire, flooding, cyclones etc)
 - Aboriginal settlements.
- Economy and employment issues:
 - Activity Centres (retail, commercial and entertainment land use needs)
 - Resource Management (agriculture, basic raw materials, mining, renewable energy)
 - Airports and Ports
 - Industry
 - Tourism
- Environmental issues:
 - Natural Areas
 - Water Resources
 - Basic Raw Materials

- Infrastructure issues:
 - Transport network (people movement and freight movement)
 - Airports and Ports (and supporting strategic land uses)
 - Telecommunications
 - Servicing (gas, water (potable and non-potable), sewerage and power)
 - Other relevant infrastructure considerations (Coastal, Tourism, Agricultural as needed)

3 Preliminary stakeholder consultation

During this process Council should liaise with various government agencies to ensure all issues relevant to government are identified and considered prior to consulting with the community. Preliminary community consultation can then be undertaken, which is similar to what occurred with the preparation of the Council's strategic plan.

4 Preparation of draft local planning strategy

This process involves compiling and presenting information into Part 1 (strategy) and 2 (background and information analysis) of the local planning strategy.

5 Adoption

The Local government endorses the draft local planning strategy for the purpose of advertising. It then submits the strategy to WAPC for consideration prior to advertising. The WAPC will examine the strategy to ensure that it is consistent with the regulations and State Planning Policies. Typically, the Commission will require modifications to the Strategy.

6 Formal public advertising

The Strategy is publicly advertised and referred to Government agencies. While the minimum period is 21 days, the advertising is normally for a longer period. The advertising can include notifying all landowners in the Shire and also holding public information sessions. Following the advertising, the Council must consider all of the submissions which it has received and resolve whether to support the submission and modify the draft Strategy or to dismiss the submission.

7 WAPC endorsement

The Planning Commission considers the draft Strategy and all the submissions. Usually, the Commission will require additional modifications to the Strategy. Once the Commission endorses the Strategy, it will be published on the Council and Commission websites.

1.2 Preparation Options and Timing

The statutory time periods for the preparation of the Local Planning Strategy primarily relate to the advertising of the draft Strategy and the consideration of submissions. There is no time period for the background research and report preparation. In some instances, the Strategy can take a number of years to be prepared and processed to final approval.

There are three options for the preparation of the Local Planning Strategy being:

1. Engage a town planning consultancy firm to undertake the entire process. The town planning consultancy firm would then potentially engage sub-consultants for specialist tasks. This overall approach would require the preparation of a detailed project brief and calling for quotations. The difficulty with this is that until preliminary stakeholder consultation has been undertaken, the extent of the background research that is required for the Strategy will not be known.
2. Seek the assistance of the Department of Planning Lands and Heritage to prepare the Strategy. This should ensure compliance with State and Regional planning frameworks and the regulations. The issue is then how much control and input does the Council and the local community have into the process.
3. Prepare the Strategy incrementally focussing on the local development issues. Individual issues can be examined in detail with a background report or discussion paper. This can either be done internally or by engaging a relevant consultancy firm. The difference to Option 1 is that any consultant engaged by Council would be for that individual issue which allows for better budgetary control and project management. The negative aspect is that the use of

different consultants means that each consultant has to become familiar with the local conditions which is less efficient. However, it also means that specialist consultants can also be engaged, not necessarily being a town planning consultant.

A further advantage of Option 3 is that from the examination of a specific issue, Council can then develop an interim Local Planning Policy where there is no change required to the Scheme provisions. This would allow for quicker implementation and testing of any revised measure.

Preliminary discussions have been held with the Department, which is willing to prepare the Strategy under Option 2 above. The Department has also advised that the process would be as follows:

1. Scoping (7 days + time for meetings to discuss)
2. Background analysis (forms Part 2 – Background to the strategy) (30-60 days)
3. Stakeholder engagement and consultation (60 days + time for meetings to discuss)
4. Prepare draft strategy (Part 1 of the strategy) (30-60 days)
5. Local Government endorsement to advertise (28 days for preparation of report to Council by local government officers)
6. WAPC certification (30 days)
7. Advertisement of strategy – (21 days per R.13 of the LPS Regulations)
8. Local Government consideration of submissions and report to WAPC (28 days for preparation of report to Council by local government officers)
9. WAPC endorsement – (60 days per R.15 of the LPS Regulations)
10. Publication – (7 days + time for 'desktopping')

The Department has acknowledged that the above is a best case scenario assuming that there are no competing priorities for the Department. This approach has been used elsewhere and there have often been competing priorities for the Department causing delays in the preparation of the Strategy. Given the low level of development pressure within the Shire, it can be expected that the Strategy preparation will not be a high priority for the Department.

1.3 Project Management

If Council adopts either Option 1 or 3 above, it may wish to consider also establishing a working group / committee to oversee the process with recommendations to Council. This would allow for more informal and detailed discussion of the local issues and even site inspection by having regular meetings.

2.0 LOCAL PLANNING SCHEME

2.1 Omnibus Amendment

The omnibus amendment referred to in the Commission reply specifically relates to the updating of the Planning Scheme Text to make it consistent with both the Deemed Provisions and the Model Scheme Text. It will not result in any zoning changes.

While this is primarily an administrative amendment, it is still a very detailed process. It will also highlight current issues with the Scheme such as Clause 5.10 Transportable Buildings only requiring a planning application within a townsite.

2.2 Subsequent Amendments

Following the completion and approval of the Local Planning Strategy, it may then be desirable or necessary to prepare amendment(s) to the Scheme to assist in the implementation of the Strategy.

3.0 DEVELOPMENT ISSUES

The Scheme Review report identified the following local development issues:

- a) The level of governance in relation to town planning provisions and potential compliance issues. This may include avoiding duplication of provisions with other regulatory bodies.
- b) Housing requirements for the expected population structure, affordability, diversity, and infill development.
- c) Lack of industrial land;
- d) Flexibility of zoning provisions in the Commercial zone along Burrowes Street to allow for more mixed semi residential uses.
- e) The revised Government Sewerage Policy which makes it more difficult to use land within town sites without any reticulated sewerage system. This is an issue for any promotion of residential units within the townsites.
- f) There is more likely to be more pressure for the development of tree plantations and off set planting especially with the cessation of timber harvesting in native forests.
- g) Demand for extractive industry may increase to access basic raw materials such as sand, gravel or rock. With the expanding nature of larger settlements particularly those west of the Shire there could be increased pressure to access basic raw materials and it would be beneficial to have guidelines and policy in place for consideration of such proposals.
- h) Management of environmental issues such as vegetation protection, water quality, and fire risk. This includes management of the paleochannels and associated high value agricultural land.
- i) An increased interest in relocated dwellings/buildings as being perceived as being more affordable housing.
- j) The continued use of sea containers and ensuring that such structures are not unsightly.
- k) Intensive rural land uses such as piggeries and feedlots. Proposals for unusual uses such as industrial or stock feed supplies or uses requiring large buffer areas.
- l) The future of the Darkan Tannery Site, which is an additional use zone in the Scheme, but no longer in operation and is an “orphaned” site with significant contamination.
- m) Tourist accommodation in both urban and rural areas with the potential revised definitions in the Planning Commission’s 2021 draft Position Statement for Tourist Developments; and Planning Guidelines for Tourist Developments.
- n) Retaining Scheme provisions requiring approval for development of lots with no constructed or gazetted road access.
- o) Sheds on vacant residential or local rural land and storage of unsightly material, and vehicles.

At the planning presentation on the 23rd February and subsequently, additional issues have been identified including:

- Astrotourism and dark sky planning to reduce light pollution. This is now subject to a Position Paper from the Planning Commission;
- Wind farm developments;
- Zoning and development provisions for the rural townsites/settlements including Duranillin, Bowelling, Moodiarrup, Arthur River, and Boolading.

When considering an issue, especially under Option 3 above, the discussion paper would identify what component of the issue can be dealt with as a Local Planning Policy, and those components which will require to be addressed in the Planning Strategy and then as an amendment to the Planning Scheme.

For example, the paper relating to the housing issue would:

- Identify the existing demand for housing needed for the expected population over the next ten years having regard to the projected age and family structure. It would examine the existing housing stock, vacant zoned land and estimate the potential for additional dwellings.

This would then include planning directions and actions having regard to the Shire's Community Strategic Plan.

- Identify the ability of Council to encourage more diverse and appropriate housing under the existing Planning Scheme, building and health provisions both within the townsites and rural areas. This might result in a Local Planning Policy to provide clarity in how applications might be considered.
- The Planning Strategy would include the Objectives, Strategy and Actions. This is especially important if any changes are proposed to the Planning Scheme Text (development provision) or zoning. For example, the Strategy might identify where there is potential to create additional residential zoned land.
- The subsequent amendment to the Planning Scheme would then implement the proposed statutory changes.

CONSULTATION:

Department of Planning Lands and Heritage

STATUTORY ENVIRONMENT:

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015

POLICY IMPLICATIONS:

A revised Local Planning Strategy will be a major policy document for the Shire to be considered alongside the Corporate and Community Strategic Plans.

FINANCIAL IMPLICATIONS:

The cost to prepare a new Local Planning Strategy can be significant due to the time involved, the potential issues and extent of consultation. This cannot be quantified until a project brief is prepared and quotations have been received. The difficulty is making a budget allocation, which is likely to extend over several years.

Where the Department prepares the Planning Strategy, it is expected that there would be a significant cost saving as it may only charge Council the cost of preparing the Strategy plans and figures.

The cost of preparing the Planning Strategy under Options 1 and 3 would be expected to be a minimum of \$50,000 and potentially \$100,000 or more. It is also noted that even this figure may vary substantially as different consultants have different hourly rates which can vary from \$140/hr to \$250/hr.

The cost of the Scheme omnibus amendment done by Council's consultant would be expected to be approximately \$5,500.

STRATEGIC IMPLICATIONS:

A revised Local Planning Strategy will be the principal strategic planning document for the Shire. It will reflect multiple elements from the Shire's Strategic Community Plan Towards 2031 and Corporate Business Plan 2021 – 2025 including the outcomes from the following:

Outcome 2.1 – Improved employment through diversification in agricultural

- Support agricultural diversification opportunities which have the potential to provide economic benefits and employment growth and promote funding opportunities on social and traditional media when they arise.
- Investigate the development of agricultural diversification in areas of the Shire having suitable water supplies as identified in the Shire Water Strategy document.

Outcome 2.2 – A growing, diverse business community

- Continue to be involved in the Astrotowns network and continue to identify locations suitable for astrophotography and promote community activities linked to stargazing or Astrophotography.
- Research the development of the rail trail from Bowelling through to Duranillin and on towards Kylie and a walk trail extending from the Darkan Dardadine rail trail to Julikin Rock.
- Investigate the potential for canoe trails on the river through the Shire and for more adventurous bike tracks.
- Continue to investigate unique tourism opportunities and to support new tourism ventures within the Shire
- Support the development of farm stay and bed and breakfast and other short stay accommodation options
- Promote and consider opportunities to develop industrial sites to attract new businesses to the Shire.
- Monitor land sales and development opportunities and investigate further land release (including larger lot sizes) as needed.
- Encourage the development of local accommodation to allow visiting organisations the opportunity to use the excellent existing office space in the CRC for meetings, workshops and other functions.
- Prepare and implement an economic plan and for the Shire which identifies opportunities in key sectors including health and medical, manufacturing and downstream processing to attract investment and create employment.

Outcome 3.1 – Maintain and improve our key natural assets

- In consultation with Astrotowns WA, develop a Lighting Management Policy for new developments and street lighting to ensure that light pollution is minimized.
- Work with DBCA and the local community to ensure the protection and enhancement of State managed nature reserves including Capercup, Kylie, Wild Horse Swamp, Haddleton and Trigwell.
- Assist landholders in identifying and conserving areas of high value remnants or conservation potential on their private property.
- Consider environmental impacts and biodiversity when assessing land use applications through council.

Outcome 4.1 – Our road network is well maintained

- Support strategies for the identification of key transport routes across the region and subsequent upgrades.

Outcome 4.2 – Our built infrastructure is well maintained, attractive and inviting

- Implement the master concept plan for the Darkan Railway Reserve to ensure the area provides an attractive showpiece for the town, a dynamic and user friendly area that is frequented by a wide range of locals and visitors.
- Encourage owners of buildings on the main street of Darkan to update and maintain buildings to ensure the street is attractive
- Encourage owners of properties in Duranillin townsite to maintain a tidy appearance

Outcome 4.4 – Appropriate planning and development

- Review and develop town planning policies including a policy with regards to sea containers.
- Review and update the Shire Policy Register to reflect current policies and develop new policies relevant to recent regulatory changes.

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

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Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Lack of development control within the Shire
Risk Likelihood (based on history and with existing controls)	(2) Unlikely
Risk Consequence	(3) Moderate
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(6) Medium
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Ensure compliance with directions given by the Planning Commission

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

- A) That Council resolve that the preferred option is for the Department of Planning Lands and Heritage to prepare the Local Planning Strategy while allowing for Council to incrementally investigate and prepare briefing papers on the local development issues.
- B) That further information be sought from the Department of Planning Lands and Heritage regarding the potential costs to Council of it preparing the Local Planning Strategy.
- C) That the priority for examining local development issues be:
 - Protection of agricultural land, plantations and agro forestry;
 - Residential development and housing requirements;
 - Tourist accommodation.
- D) That a separate report be presented to Council to commence the omnibus amendment to Local Planning Scheme No 2 to incorporate the Deemed Provisions and Model Scheme Text.

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

17 MATTERS BEHIND CLOSED DOORS

Nil

18 CLOSURE OF MEETING

The Presiding Member to declare the meeting closed.